

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

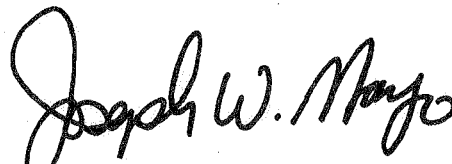
No. 531

H.P. 386

House of Representatives, January 28, 1997

**An Act to Repeal the Requirement That Special Hours Be Set for
Walk-in Voter Registration.**

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative LEMONT of Kittery.
Cosponsored by Senator KIEFFER of Aroostook and
Representatives: BUCK of Yarmouth, CAMERON of Rumford, CAMPBELL of Holden,
GIERINGER of Portland, JOY of Crystal, LANE of Enfield, PERKINS of Penobscot,
WHEELER of Eliot.

Be it enacted by the People of the State of Maine as follows:

2 **Sec. 1. 21-A MRSA §122, sub-§6**, as enacted by PL 1985, c. 307,
4 §1, is amended to read:

6 **6. Names to be placed on voting list.** Except as provided in
8 paragraph A, the registrar shall accept registrations on any
10 business day or other day that the clerk's office is open. The
names name of any person registering shall must be placed on the
voting list.

12 A. The registrar shall accept only the registrations of
14 applicants who appear in person as follows:

16 (1) In a municipality with a population of 2,500 or
less, on the last business day that the clerk's office
18 is open before election day;

20 (2) In a municipality with a population of more than
2,500 on the last 5 business days the clerk's office is
22 open before election day, ~~from 1 p.m. to 5 p.m. and 7~~
~~p.m. to 9 p.m. on at least 3 of these days;~~ and

24 (3) The names of ~~voters~~ applicants registering during
26 these periods shall must be recorded as provided under
subsection 7.

28 This paragraph does not require a registrar to hold
30 particular hours for the acceptance of registrations of
applicants who appear in person.

32 **Sec. 2. 21-A MRSA §122, sub-§8**, as enacted by PL 1985, c. 307,
34 §1, is repealed.

36 **Sec. 3. 21-A MRSA §753, sub-§3**, as amended by PL 1995, c. 459,
§73, is further amended to read:

38 **3. Application or request received.** On receipt of a
40 completed application or a request for an absentee ballot signed
by the applicant, the clerk may immediately send or deliver an
absentee ballot and return envelope to the applicant or to a 3rd
42 person designated in the application or request. The clerk may
not deliver an absentee ballot to any 3rd person who is a
44 candidate ~~or a member of a candidate's immediate family~~. The
clerk may not deliver to a 3rd person any absentee ballot
46 requested under subsection 2-A. If a municipal election is to be
held on the same date as a statewide election, absentee ballots
48 for the municipal and statewide election may be issued in
response to the same application. The clerk shall issue to any
50 3rd person designated in an application or request only enough

absentee ballots to ensure that that person does not have more than 2 absentee ballots for voters in a municipality at any time. A 3rd person must, unless good cause is shown, return an absentee ballot to the clerk's office within the time limits provided in section 755. The clerk shall include a ballot application to be completed by the person who signed only a written request, unless the written request is sufficient under subsection 2. The clerk shall type or write in ink the name and the legal address of the person for whom the absentee ballot is intended in the upper left hand section of all return envelopes.

A. If the clerk receives a duplicate application from a person from whom the clerk has received a return envelope apparently containing an absentee ballot, the clerk may not furnish another absentee ballot for that person.

B. The clerk may issue a 2nd absentee ballot to an applicant if the applicant requests one in person or in writing and:

(1) The applicant states good cause, including, but not limited to, loss of, spoiling of or damage to the first absentee ballot; or

(2) An absentee ballot for the applicant that was furnished to a designated 3rd person is not returned to the clerk's office within 2 business days of the date that ballot was sent or delivered to the 3rd person or the date that 3rd person was notified by the clerk that the ballot was available, or by 10 a.m. on the day before election day, whichever is earlier. If a ballot for an applicant is not returned to the clerk within 2 days of notification, the clerk shall mail a ballot to that applicant on the 3rd day after notification and may issue no other ballot to the applicant except for good cause as provided in this subsection. This subparagraph does not affect the time for delivery of absentee ballots under section 755.

SUMMARY

This bill removes the requirement that registrars hold particular hours before an election to accept walk-in voter registrations and repeals the ability of municipal officers to change the registration schedule. This bill also repeals the prohibition on a clerk delivering absentee ballots to 3rd persons who are members of a candidate's immediate family.