

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 557

H.P. 412

House of Representatives, January 28, 1997

An Act to Amend Certain Election Laws Regarding Voter Registration.

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

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative UNDERWOOD of Oxford.
Cosponsored by Representatives: JOY of Crystal, KASPRZAK of Newport, LANE of
Enfield, MACK of Standish, MERES of Norridgewock, SNOWE-MELLO of Poland,
WATERHOUSE of Bridgton, Senator: KIEFFER of Aroostook.

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

2
4 **Sec. 1. 21-A MRSA §121, sub-§1-A**, as repealed and replaced by PL 1993, c. 695, §5, is amended to read:

6 **1-A. Identification and proof.** Registration applications taken by outside agencies must be transferred to the Secretary of State within 5 days of receipt. An applicant who attempts to register within 20 days of an election must be advised that the registrar might not receive the application before that election, but that the applicant may register in person on up to 48 hours prior to election day to vote in that election.

14 Registration applications received by the Secretary of State from outside agencies 21 days or more before an election must be transferred to the appropriate registrar's office within 10 days of receipt. Registration applications received by the Secretary of State from outside agencies 20 days or less before an election must be transferred to the appropriate registrar's office within 5 days of receipt. Registration applications by mail must be received in the registrar's office by the close of business 15 days before election day in order for persons to appear on the list of registered voters for that election.

24 A person who registers ~~during--the~~ 15 days to 48 hours before election day ~~or on election day~~ shall register in person and show proof of identity and residency such as a Maine driver's license or state identification card. If satisfactory proof of identity and residency can not be provided to the registrar or deputy, the person casts a challenged ballot.

32 A person who registers less than 48 hours before election day or on election day shall register in person and show proof of identity and residency such as a Maine driver's license or state identification card. Notwithstanding any provision of law to the contrary, a person who registers less than 48 hours before the polls open on election day must be informed that the person may not vote in that election and the registrar may not place that person's name on the list of registered voters for that election or allow that person to vote in that election.

42 **Sec. 2. 21-A MRSA §122, sub-§4**, as amended by PL 1995, c. 459, §14, is repealed.

44 **Sec. 3. 21-A MRSA §122, sub-§§6 and 7**, as enacted by PL 1985, c. 307, §1, are amended to read:

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

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

4 (1) In a municipality with a population of 2,500 or
6 less, on the last business day before election day;

8 (2) In a municipality with a population of more than
2,500 on the last 5 business days before election day,
10 from 1 p.m. to 5 p.m. and 7 p.m. to 9 p.m. on at least
3 of these days; and

12 (3) The names of voters registering during these
14 periods shall must be recorded as provided under
subsection 7.

16 B. Notwithstanding any provision of law to the contrary, a
18 person who registers less than 48 hours before the polls
20 open on election day must be informed that the person may
not vote in that election and the registrar may not place
22 that person's name on the list of registered voters for that
election or allow that person to vote in that election.

24 7. Record of names. The Except as provided in subsection 6,
paragraph B, the names of voters who register by appearing in
26 person before the registrar during the business days before
election day under subsection 6 shall, paragraph A, must be
28 recorded as provided in either paragraph A or B, as the municipal
officers direct:

30 A. The registrar shall, after finding an applicant
32 qualified, issue a certificate entitling the voter to be
placed on the voting list at the voting place on election
34 day. Only one certificate may be issued to any person; or

36 B. The registrar shall, after finding the applicant
38 qualified, place the names of those voters on a supplemental
voting list. Before the polls are opened, the registrar
40 shall deliver the supplemental list or lists to the clerk or
ward clerk at each voting place. The inclusion of a person's
42 name on that list will entitle the applicant to vote on
election day. All references in this Title to the use of
44 the voting list before, during and after election day are
considered to include the supplemental voting list as
provided in this paragraph.

46 **Sec. 3. 21-A MRSA §161, sub-§2, as repealed and replaced by PL**
48 **1993, c. 695, §15, is amended to read:**

50 **2. List current.** A registrar shall keep the voting list
current at all times by adding the names of new voters and by

2 removing the names of those registrants who request to be removed
3 and registrants who have died, moved from the municipality or
4 become disqualified to vote. The Secretary of State shall by
5 rule determine the program for voter list maintenance required by
6 the National Voter Registration Act of 1993. A registrar may ~~not~~
7 shall remove the name of a registered voter from the voter list
8 ~~selely-because if~~ the registered voter ~~did-not-vote~~ has not voted
9 in the previous 2 elections.

10 A registrar may contact other municipalities within the
11 representative district or senatorial district in which the
12 registrar's municipality is apportioned to ascertain whether
13 voters on that municipality's voting list are also registered in
14 another municipality in the district.

15 **Sec. 3. 21-A MRSA §671, sub-§1**, as enacted by PL 1985, c. 161,
16 §6, is amended to read:

17
18 **1. Name announced.** A voter who wishes to vote must state
19 his the voter's name and, upon request, street address and
20 furnish proof of identification, such as a Maine driver's license
21 or state identification card, to an election clerk who shall
22 announce the name in a loud, clear voice.

23 SUMMARY

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28 This bill amends the registration procedures for elections
29 in the following manner:

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32 1. It repeals the current ability of persons to register
33 and vote on the same day. The bill requires a person to register
34 at least 48 hours before the polls open on election day in order
35 to vote in that election.

36
37 2. It requires town clerks to remove from the list of
38 eligible voters those voters who have not voted in the 2 previous
39 elections.

40
41 3. It requires voters to provide proof of identification
42 when voting on election day.