

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

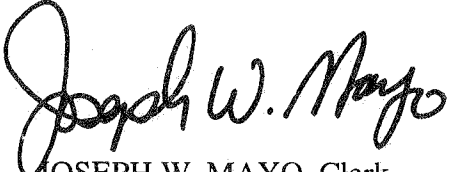
No. 1390

H.P. 998

House of Representatives, March 5, 1997

An Act to Protect the Voting Rights of Stalking Victims.

Submitted by the Secretary of State pursuant to Joint Rule 204.
Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative SAXL of Portland.
Cosponsored by Senator KILKELLY of Lincoln and
Representatives: BAGLEY of Machias, BAKER of Bangor, FULLER of Manchester, KANE
of Saco, SAXL of Bangor, TUTTLE of Sanford, WINN of Glenburn.

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

Sec. 1. 21-A MRSA §22, as enacted by PL 1985, c. 161, §6, is repealed and the following enacted in its place:

§22. Records and documents are public; exception for ballots and voter address

1. Public records. All lists, books, documents and records required to be prepared by or filed with a public official are public records. Public records are open to public inspection during regular business hours under proper protective regulations made by the official charged with their custody.

2. Ballots. Ballots are not public records and may be inspected only in accordance with this Title.

3. Address of registered voter. Notwithstanding subsection 1 and Title 1, section 408, if a registered voter submits to the registrar a signed statement that the voter has good reason to believe that the physical safety of the voter or a member of the voter's family residing with the voter would be jeopardized if the voter's address were open to public inspection, that voter's address is not a public record and the registrar shall exclude that voter's address from public inspection. The voter's name, political party affiliation and electoral division remain a public record. The voter's sworn statement is also a public record.

4. Disclosure of address. A voter's address that is excluded from public inspection pursuant to subsection 3 must be made available for public inspection by:

A. A law enforcement agency, if requested by that agency; or

B. A person identified in a court order, if directed by that order.

SUMMARY

This bill prohibits a voter registrar from allowing public inspection of a voter's address if the voter has signed a statement that the physical safety of the voter or a member of the voter's family residing with the voter is jeopardized by public disclosure of the address. The address must be disclosed to law enforcement authorities who request it and to persons specified in a court order. The voter's name, political affiliation, electoral district and the sworn statement would remain subject to public inspection.