

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

SECOND REGULAR SESSION-2004

Legislative Document

No. 1755

H.P. 1277

House of Representatives, December 22, 2003

An Act To Amend the Election Laws

Submitted by the Secretary of State pursuant to Joint Rule 204.

Received by the Clerk of the House on December 17, 2003. Referred to the Committee on Legal and Veterans Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CLARK of Millinocket.
Cosponsored by Senator: MAYO of Sagadahoc.

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

4 **Sec. 1. 21-A MRSA §22, sub-§§5 and 6** are enacted to read:

6 **5. Signature and identification number of registered**
8 **voter.** Notwithstanding subsection 1 and Title 1, section 408,
10 the voter's signature and identification number on the voter
12 registration application and associated records are designated as
14 nonpublic records and the registrar shall exclude those items
16 from public inspection.

18 **6. Disclosure of voter's signature and identification**
20 **number.** A voter's signature and identification number that are
22 excluded from public inspection pursuant to subsection 5 may be
24 made available for inspection only to the voter of record, to
26 municipal and state election officials, to a law enforcement
28 agency that makes a written request to use the information for a
30 bona fide law enforcement purpose or to a person identified by a
32 court order if directed by that order.

34 **Sec. 2. 21-A MRSA §23, sub-§1,** as amended by PL 2001, c. 310,
36 §3, is further amended to read:

38 **1. Registration and enrollment applications.** The registrar
40 shall keep registration and enrollment applications and requests
42 and all documentation of changes in registration and enrollment
44 as part of each active or inactive voter's permanent registration
46 record, except that those records must be kept only 5 2 years for
48 a voter whose name has been removed from the voting lists of the
municipality under sections 161 and 162-A.

34 **Sec. 3. 21-A MRSA §122, first ¶,** as amended by PL 2003, c. 407,
36 §7, is further amended to read:

38 A person may register as a voter by appearing before the
40 registrar, proving that the person ~~is-qualified-under~~ meets the
42 qualifications of section 111, subsections 1 to 3, and filing an
44 application provided by the registrar containing the information
46 required by section ~~172~~ 152 or 154, if applicable. Township
48 residents may register as provided in section 156.

42 **Sec. 4. 21-A MRSA §503, sub-§2, ¶C,** as amended by PL 2001, c.
44 310, §28, is further amended to read:

46 C. Notwithstanding subsection 1, the municipal officers may
48 also consider persons who are 17 years of age to serve as
student election clerks for a specific election. ~~A-student~~
~~election-clerk-may-not-assist-a-voter-unless-the-voter~~
~~specifically-requests-assistance-from-the-student-election~~

2 ~~clerk.~~ A student election clerk may perform all the
functions of an election clerk as prescribed by this Title.

4 **Sec. 5. 21-A MRSA §601, sub-§2, ¶D**, as amended by PL 2001, c.
310, §29, is further amended to read:

6
8 D. At the end of the list of candidates for each office,
there must be left as many blank spaces as there are
vacancies to be filled. These spaces may be used by a voter
10 to write in or paste a sticker with the name and
municipality of residence of any person for whom the voter
12 desires to vote, as provided in section 691, subsection 2
for a primary election or section 692, subsection 2 for a
14 general election. ~~For the presidential preference primary
election ballot only, at the end of the list of candidates
for nomination there must be printed the word "uncommitted"
in such a way that a voter may choose this preference rather
than a listed candidate. After the "uncommitted" option,
there may not be any blank spaces left where a voter could
write in the name of any person for whom a voter desires to
vote.~~

22 **Sec. 6. 21-A MRSA §601, sub-§2, ¶H**, as amended by PL 1997, c.
24 436, §67, is further amended to read:

26 H. The name of each nominee must appear on the ballot as
follows: last name first, ~~in block capital letters,~~
28 followed by the first name and middle name or initial; or
last name first ~~in block capital letters,~~ followed by the
30 first name or the first initial and the middle name.

32 **Sec. 7. 21-A MRSA §621-A, sub-§1**, as enacted by PL 1997, c.
34 436, §83, is amended to read:

36 **1. Notice posted.** The clerk shall post or have posted a
notice of election, attested by the clerk, in a conspicuous
public place in each voting district in the municipality at least
38 7 days immediately before election day and at each voting place
on election day.

40
42 **Sec. 8. 21-A MRSA §651, sub-§2-B**, as amended by PL 1997, c.
436, §93, is further amended to read:

44 **2-B. Opening of ballot packages.** No more than ~~1/2~~ one hour
before the opening of the polls, the warden shall break the seals
46 on the packages containing the ballots and distribute the ballots
to the election clerks in charge of them. The breaking of the
48 seals on the packages containing the ballots is a public
proceeding and any member of the public may be present.
50

2 The bill clarifies that the election clerk in charge of the
incoming voting list may make a horizontal red line beside the
4 voter's name on the voting list to indicate that a voter has
voted.

6 The bill removes an obsolete reference to a repealed
8 provision of law.