

MAINE STATE LEGISLATURE

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of 5

L.D. 623

DATE: 5/9/5

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LEGAL AND VETERANS AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 456, L.D. 623, Bill, "An Act To Ensure Participation by Voters with Disabilities in the Electoral Process"

Amend the bill by striking out everything after the enacting clause and inserting in its place the following:

Sec. 1. 21-A MRSA §1, sub-§40-A is enacted to read:

40-A. Signature. "Signature" includes a signature stamp and a signature written by another registered voter on behalf of an individual in accordance with the procedure set forth in section 153-A and, for an individual who is unable to sign that individual's own name, a mark.

Sec. 2. 21-A MRSA §153, as amended by PL 1985, c. 614, §10, is repealed.

Sec. 3. 21-A MRSA §153-A is enacted to read:

§153-A. Alternative registration procedure for voters with disabilities

1. Alternative application for voter who is unable to sign. An applicant who is unable to sign that applicant's name because of a physical disability may use a signature stamp or authorize another person to sign on behalf of the applicant on an application to register to vote or to enroll or make any changes to the applicant's voter registration status, as provided by this

COMMITTEE AMENDMENT

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2 Title. The individual assisting the applicant shall prepare and
3 sign the registration application or form, along with an
4 alternative registration signature statement, at the applicant's
5 direction, in the presence of the applicant and one corroborating
6 witness. The individual assisting the applicant and the
7 corroborating witness must be registered to vote in the State,
8 but neither may be a candidate, the applicant's employer or an
9 agent of that employer or an officer or agent of the applicant's
10 union. The alternative registration signature statement form
11 must be designed by the Secretary of State and must indicate that:

12 A. The applicant is unable to sign the applicant's name
13 because of a physical disability;

14 B. The applicant meets all the qualifications to become a
15 registered voter in the State or to make the requested
16 changes to the voter's registration; and

17 C. The information supplied on the form concerning the
18 applicant is true.

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22 2. Alternative application for voter who becomes unable to
23 sign after being registered. A voter who becomes unable to sign
24 that voter's name because of a physical disability after being
25 registered to vote and who wishes to change the voter's
26 registration or enrollment status may do so by using a signature
27 stamp or by authorizing another registered voter to sign on the
28 voter's behalf if the voter files with the voter registration
29 application or form an alternative registration signature
30 statement prepared in accordance with subsection 1.

31
32 3. Signing petitions. Once an alternative registration
33 signature statement is on file with the registrar, the voter may
34 authorize any other Maine-registered voter to sign candidate
35 petitions and any Maine Clean Election Act forms requiring a
36 voter's signature in the presence and at the direction of the
37 voter, except that the individual assisting the voter may not be
38 the circulator of the petition or form, the voter's employer or
39 an agent of that employer or an officer or agent of the voter's
40 union. In addition to using the voter's signature stamp or
41 signing for the voter, the individual assisting the voter must
42 print and sign the individual's own name and residence address on
43 the petition or form and attest that the individual is signing on
44 the voter's behalf. This method of signing satisfies the
45 requirements in this Title that voters personally sign candidate
46 petitions.

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48 4. Registrar assistance. An applicant or voter described
49 in subsection 1 or 2 who does not have another registered voter
50 available to assist the applicant or voter may request

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2 the registrar to provide that assistance. If the applicant or
3 voter is unable to appear at the office of the registrar, the
4 registrar shall visit the individual to provide that assistance,
5 upon request and with reasonable notice. The municipality shall
6 pay the registrar travel expenses at the same rate paid other
7 municipal employees.

8 **Sec. 4. 21-A MRSA §335, sub-§7, ¶A,** as enacted by PL 1985, c.
9 161, §6, is amended to read:

10 A. The circulator of a primary petition shall verify by
11 oath or affirmation before a notary public or other person
12 authorized by law to administer oaths or affirmations that
13 all of the signatures to the petition were made in his the
14 circulator's presence and that to the best of his the
15 circulator's knowledge and belief each signature is the
16 signature of the person whose name it purports to be; each
17 signature authorized under section 153-A was made by the
18 authorized signer in the presence and at the direction of
19 the voter; and each person is enrolled in the party named in
20 the petition and is a resident of the electoral division
21 named in the petition.
22

23 **Sec. 5. 21-A MRSA §354, sub-§7, ¶A,** as enacted by PL 1985, c.
24 161, §6, is amended to read:

25 A. The circulator of a nomination petition shall verify by
26 oath or affirmation before a notary public or other person
27 authorized by law to administer oaths or affirmations that
28 all of the signatures to the petition were made in his the
29 circulator's presence and that to the best of his the
30 circulator's knowledge and belief each signature is the
31 signature of the person whose name it purports to be; each
32 signature authorized under section 153-A was made by the
33 authorized signer in the presence and at the direction of
34 the voter; and each person is a resident of the electoral
35 division named in the petition.'
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39 **SUMMARY**

40 This amendment provides a legal framework and a process for
41 a person who is unable to sign that person's name due to a
42 physical disability to be able to register to vote and sign
43 candidate petitions.
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