

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1026

H.P. 711

House of Representatives, March 1, 2005

An Act To Provide Uniform Voter Verification and Recount Requirements for Voting Machines

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative PINGREE of North Haven.
Cosponsored by President EDMONDS of Cumberland and
Representatives: BOWEN of Rockport, BRAUTIGAM of Falmouth, KOFFMAN of Bar
Harbor, PATRICK of Rumford, PERCY of Phippsburg, SCHATZ of Blue Hill, Senators:
GAGNON of Kennebec, MILLS of Somerset.

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

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Sec. 1. 21-A MRSA §812, sub-§10, as enacted by PL 2003, c. 651, §7, is amended to read:

~~10. Paper audit trail. Unless excluded pursuant to section 812-A, subsection 1, it~~ **10. Paper audit trail.** ~~It~~ must produce or employ permanent paper records of the votes cast that are able to be verified by individual voters before their votes are cast and that provide a manual audit capacity for the machine. In the case of direct recording electronic voting machines, those records must also identify the individual machines that produced them without revealing the identities of the voters who cast the ballots. In all cases, these records must be reviewed in the event of a recount and considered in conjunction with the machine-produced tally.

Sec. 2. 21-A MRSA §812-A, sub-§1, as enacted by PL 2003, c. 651, §8, is amended to read:

1. Accessible voting equipment at each polling place. The Secretary of State, in compliance with the voting accessibility requirements of the federal Help America Vote Act of 2002, shall provide one direct recording electronic voting machine, or other voting system equipped for individuals with disabilities, for use at each polling place used in the conduct of state elections. Such machines must produce permanent paper records that provide a manual audit capacity for the machines and must also provide voters with audio functions that enable the voters to verify their ballots aurally before the votes are cast, and all such machines are ~~exempt from~~ subject to the requirements of section 812, subsection 10.

~~Additional accessible voting machines may be used in the conduct of state elections, but those machines must meet the requirements set forth in section 812.~~

SUMMARY

Current law requires the Secretary of State to provide voting machines equipped for individuals with disabilities, such as direct recording electronic voting machines. These machines are exempt from the requirement placed on other voting machines that they produce a paper record that allows a voter to verify a vote before it is cast.

This bill removes that exemption, thus requiring the accessible voting equipment to produce a paper audit trail.