

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1266

S.P. 446

In Senate, March 15, 2005

An Act To Ensure Integrity in the Voting Process

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by President EDMONDS of Cumberland.
Cosponsored by Representative PINGREE of North Haven and
Senators: MAYO of Sagadahoc, MITCHELL of Kennebec, Representative: WEBSTER of
Freeport.

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

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3 **Sec. 1. 21-A MRSA §122, first ¶**, as amended by PL 2003, c. 584,
4 §3, is further amended to read:

6 A person may register as a voter by appearing before the
7 registrar or the registrar's agent if at a voting place, proving
8 that the person meets the qualifications of section 111,
9 subsections 1 to 3, and filing an application provided by the
10 registrar containing the information required by section 152 or
11 154, if applicable. Township residents may register as provided
12 in section 156.

14 **Sec. 2. 21-A MRSA §122, sub-§4**, as amended by PL 1995, c. 459,
15 §14, is further amended to read:

16 **4. Election day registration.** The registrar shall accept
17 registrations of applicants who appear in person on election
18 day. The registrar shall issue to each of these applicants a
19 certificate entitling the applicant to be placed on the voting
20 list at the voting place. Only one certificate may be issued to
21 a person. An applicant whose address has changed since the
22 applicant last voted must vote using the ballot or ballots for
23 the new polling place, if applicable, on election day. The
24 registrar shall allow the registration of applicants under this
25 subsection at every voting place.

28 **Sec. 3. 21-A MRSA §505, sub-§7-A**, as enacted by PL 2001, c.
29 415, §4 and affected by §5, is amended to read:

30 **7-A. Training.** Attend a training session that is approved
31 by the Secretary of State at least once every 2 years in regard
32 to the conduct of elections. The Secretary of State shall offer
33 training sessions regionally at least once every 2 years at no
34 fee. ~~The Secretary of State shall encourage municipalities to~~
35 A municipality shall provide training biennially to all election
36 officials, using training materials provided by the Secretary of
37 State. A newly hired election official must receive training as
38 required by this subsection before that official works at an
39 election; and

42 **Sec. 4. 21-A MRSA §§609 and 610** are enacted to read:

44 **§609. Training**

46 The Secretary of State or, if designated by the Secretary of
47 State, a local official shall train every warden, ward clerk and
48 election clerk in the State. A person who does not receive
49 training under this section may not perform the duties of a poll
50 worker.

2 **§610. Additional ballots**

4 The Secretary of State shall ensure that additional ballots
6 are available on election day for any polling place that requests
 more ballots.

8 **Sec. 5. 21-A MRSA §626, sub-§1**, as amended by PL 1997, c. 436,
10 §88, is further amended to read:

12 **1. Opening time flexible.** The polls must be opened no
14 earlier than 6 a.m. and no later than 9 a.m. on election day;
16 except that in municipalities with a population of less than
 4,000 500, the polls must be opened no later than 10:00 a.m. on
 election day. The municipal officers of each municipality shall
 determine the time of opening the polls within these limits.

18 **Sec. 6. 21-A MRSA §753-B, sub-§9** is enacted to read:

20 **9. Ongoing absentee voter status.** A registered voter may
22 request in writing to the clerk for status as an ongoing absentee
24 voter. For a registered voter who requests status as an ongoing
26 absentee voter under this subsection, the clerk must send an
28 absentee ballot for each subsequent election or primary for which
 the voter is entitled to vote. A voter who requests status as an
 ongoing absentee voter under this subsection is not required to
 submit a separate request for an absentee ballot pursuant to
 subsection 1 for each election. Status as an ongoing absentee
 voter is terminated upon any of the following events:

- 30 A. The written request of the voter;
32 B. The death or disqualification of the voter;
34 C. The cancellation of the voter's registration record; or
36 D. The return of a mailed absentee ballot as undeliverable.

38 **Sec. 7. Secretary of State to study ballot availability problems.** The
40 Secretary of State shall study problems with the supply of
42 ballots and absentee ballots to various voting places in the last
44 4 statewide and general elections and report to the Joint
46 Standing Committee on Legal and Veterans Affairs along with any
 recommended legislation no later than December 7, 2005. After
 receipt and review of the report, the Joint Standing Committee on
 Legal and Veterans Affairs may report out a bill to the Second
 Regular Session of the 122nd Legislature.

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SUMMARY

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This bill:

1. Requires the voting registrar of a municipality to allow for election day registration at every voting place;
2. Requires that municipalities provide election training biennially using materials provided by the Secretary of State to all election officials and requires all newly hired election officials to receive the training before working an election;
3. Requires the training of poll workers before the poll workers may work at the polls;
4. Changes the law that allows municipalities with a population of less than 4,000 to open their polls no later than 10 a.m. instead of 9 a.m. to only municipalities with populations of less than 500;
5. Allows registered voters to request ongoing absentee ballot status in which they would automatically receive absentee ballots without having to request one for each election; and
6. Directs the Secretary of State to ensure that additional ballots are available for voting places and to study the problems with the availability of ballots and absentee ballots at voting places over the last 4 statewide and general elections and to report back to the Legislature with findings and any recommended legislation.