

# MAINE STATE LEGISLATURE

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Minority

LEGAL AND VETERANS AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 174, L.D. 203, Bill, "An Act Concerning Student Voter Registration"

Amend the bill by striking out the title and substituting the following:

'An Act To Ensure Verification of Residency for Voter Registration'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 21-A MRSA §112, sub-§1, ¶A, as amended by PL 1997, c. 436, §20, is further amended to read:

A. The following factors may be offered by an applicant and considered by a registrar in determining a person's residence under this section:

- (1) A direct statement of intention by the person pursuant to section 121, subsection 1;
(2) The location of any dwelling currently occupied by the person;
(6) The place where any motor vehicle owned by the person is registered;
(8) The residence address, not a post office box, shown on a current income tax return;
(9) The residence address, not a post office box, at which the person's person receives first class mail is received;
(10) The residence address, not a post office box, shown on any current resident hunting or fishing licenses held by the person;
(12) The residence address, not a post office box, shown on any motor vehicle operator's license held by the person;

COMMITTEE AMENDMENT

7. of 8.

COMMITTEE AMENDMENT "A" to H.P. 174, L.D. 203

- 1 (14) The receipt of any public benefit conditioned upon residency, defined
- 2 substantially as provided in this subsection; or
- 3 (16) Any other objective facts tending to indicate a person's place of residence.

4 **Sec. 2. 21-A MRSA §112, sub-§1, ¶C** is enacted to read:

5 C. If multiple items offered to the registrar from the applicant for the purposes of  
6 determining residency show differing residence addresses, the registrar may require a  
7 direct statement of intention by the applicant pursuant to section 121, subsection 1.

8 **Sec. 3. 21-A MRSA §121, sub-§1**, as enacted by PL 1985, c. 161, §6, is amended  
9 to read:

10 **1. Oath may be required.** In making this determination, the registrar may require  
11 any person who testifies before ~~him~~ the registrar concerning ~~his~~ the person's  
12 qualifications or those of another to swear to the truth of ~~his~~ the person's statements. The  
13 registrar may require, as part of the oath, an affirmation from the person who applies for  
14 registration as a voter that the applicant surrenders the applicant's registration to vote in  
15 any other jurisdiction.

16 **Sec. 4. 21-A MRSA §121, sub-§3** is enacted to read:

17 **3. Notice of statement.** The registrar shall provide notice to the Department of the  
18 Secretary of State, Bureau of Motor Vehicles and the Department of Administrative and  
19 Financial Services, Bureau of Revenue Services when a person makes a statement in  
20 accordance with subsection 1 by forwarding a printed copy of the sworn statement.'

21 **SUMMARY**

22 This amendment replaces the bill and is the minority report of the committee. The  
23 amendment clarifies that mail with the residence of address of a person seeking to register  
24 to vote offered to a registrar for the purposes of determining residency must be first class  
25 mail. It also removes from the list of factors that may be used by the registrar to  
26 determine residency the simple statement of a location or dwelling a person claims to  
27 occupy as a residence. This amendment provides that a registrar, when requiring an oath  
28 to affirm a claim of residency, may also require the person seeking to register as a voter  
29 to state that the voter surrenders the person's voter registration in any other jurisdiction.  
30 Finally, this amendment requires a registrar to forward a copy of those sworn statements  
31 to the Department of the Secretary of State, Bureau of Motor Vehicles and the  
32 Department of Administrative and Financial Services, Bureau of Revenue Services.

33 **FISCAL NOTE REQUIRED**  
34 **(See attached)**

**COMMITTEE AMENDMENT**



# 123rd MAINE LEGISLATURE

LD 203

LR 1100(02)

## An Act Concerning Student Voter Registration

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Legal and Veterans Affairs

Fiscal Note Required: Yes

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### Fiscal Note

State Mandate - Unfunded

#### State Mandates

##### Required Activity

The requirement that municipal registrars must forward copies of certain sworn statements to the Secretary of State represents a mandate pursuant to the Constitution of Maine. The additional costs are not expected to be significant.

##### Unit Affected

Municipality

##### Costs

Insignificant