

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 1484

H.P. 1037

House of Representatives, May 29, 2009

An Act Regarding the Central Voter Registration System

Reported by Representative TRINWARD of Waterville for the Joint Standing Committee on Legal and Veterans Affairs pursuant to Joint Order, H.P. 1030.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

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

2 **Sec. 1. 21-A MRSA §161, sub-§2-A**, as enacted by PL 2005, c. 453, §32, is
3 amended to read:

4 **2-A. Maintenance of voter registration information.** The registrar in each
5 municipality shall keep the central voter registration system current at all times for the
6 voters in the registrar's municipality. The Secretary of State is authorized to conduct
7 maintenance of the central voter registration system. The Secretary of State shall by rule
8 determine the program for voter list maintenance required by the National Voter
9 Registration Act of 1993. A registrar may not cancel a voter's registration in the central
10 voter registration system solely because the registered voter did not vote in previous
11 elections. A voter's registration record in the central voter registration system must be
12 cancelled by either the registrar for the voter's municipality or by the Secretary of State
13 as follows:

14 A. When it is determined that a voter has registered to vote in another jurisdiction in
15 the State, the voter registration record from the former jurisdiction must be cancelled;
16 and

17 B. When it is determined that the voter has registered to vote in another jurisdiction
18 outside of the State, the voter registration record in the State must be cancelled.

19 **Sec. 2. 21-A MRSA §162-A, sub-§1**, as enacted by PL 1993, c. 695, §17, is
20 amended to read:

21 **1. Change of address confirmation notice.** Except as provided in section 122,
22 subsection 3, a registrar, or the Secretary of State when conducting maintenance of the
23 central voter registration system, shall send by forwardable mail a change of address
24 confirmation notice, with a postage prepaid and preaddressed return notice, to the last
25 known place of residence of each person the registrar or the Secretary of State has
26 identified as having a change of address. If a registrant has moved within the
27 municipality's jurisdiction, a registrar shall change the voter's record to reflect the new
28 address before sending the change of address confirmation notice. If a registrant has
29 moved outside the municipality's jurisdiction, a registrar shall also include information on
30 voter registration procedures in the new jurisdiction.

31 **Sec. 3. 21-A MRSA §162-A, sub-§2**, as amended by PL 2005, c. 453, §33, is
32 further amended to read:

33 **2. Change of voter's status.** A voter's registration may be cancelled in the central
34 voter registration system if the voter confirms that the voter has moved from the
35 municipality's jurisdiction. If a voter fails to respond to the change of address
36 confirmation notice, the voter must be designated on the incoming voting list and in the
37 central voter registration system as inactive. A voter who has been designated as inactive
38 and fails to vote for the next 2 general elections must be cancelled in the central voter
39 registration system. If a voter who is designated as inactive votes at any election prior to
40 cancellation in the central voter registration system, the inactive designation of the voter
41 must be changed to active. Address verification may be requested at the polls before

1 allowing a voter designated as inactive to vote. Cancellation of a voter's registration
2 record in the central voter registration system pursuant to this subsection may be
3 performed by either the registrar for the voter's municipality or the Secretary of State.

4 **Sec. 4. 21-A MRSA §196, sub-§3**, as amended by PL 2007, c. 397, §2 and c.
5 455, §12, is repealed and the following enacted in its place:

6 **3. Other reports.** The Secretary of State shall make available to any person upon
7 request and free of charge the following voter record information in electronic form:
8 either the voter's first name or last name, but not both names in the same report; year of
9 birth; enrollment status; electoral districts to include congressional district and county
10 only; voter status; the date of registration or the date of change of the voter record if
11 applicable; the date of the last statewide election in which each voter voted; and any
12 special designations indicating uniformed service voters, overseas voters or township
13 voters. The Secretary of State or the registrar also may make available to any person
14 upon request and free of charge any other reports that do not contain the names, dates of
15 birth or addresses of individual voters.

16 **Sec. 5. 21-A MRSA §196, last ¶**, as amended by PL 2007, c. 397, §2, is repealed.

17 SUMMARY

18 This bill provides that either a municipal registrar or the Secretary of State has the
19 authority to cancel voter registration records in the central voter registration system when
20 the records are duplicates or when the voter has moved to another jurisdiction. The bill
21 gives the Secretary of State the explicit authority to conduct a system-wide program of
22 voter list maintenance. The bill provides for access to statistical voter registration
23 information. The bill repeals the sunset of the law regarding the use and distribution of
24 central voter registration system information.

25 FISCAL NOTE REQUIRED

26 (See attached)



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LD 1484

LR 2005(01)

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Fiscal Note for Original Bill
Committee: Legal and Veterans Affairs
Fiscal Note Required: Yes

Fiscal Note

Minor revenue decrease - General Fund
Minor cost increase - General Fund

Fiscal Detail and Notes

This bill provides that information requested of the Secretary of State from the central voter registration system shall be provided free of charge, resulting in a minor decrease in General Fund revenue not requiring any change to the budget. Additional costs to the Secretary of State associated with provisions in this bill can be absorbed within existing budgeted resources.