

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 203

H.P. 180

House of Representatives, January 27, 2011

### **An Act To Assist Municipal Clerks by Providing Adequate Time To Register Voters**

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative KNIGHT of Livermore Falls.  
Cosponsored by Representative DAVIS of Sangerville, Senator THOMAS of Somerset,  
Senator COURTNEY of York and Representatives: BICKFORD of Auburn, BURNS of  
Whiting, COTTA of China, Senators: FARNHAM of Penobscot, TRAHAN of Lincoln.

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

2 **Sec. 1. 21-A MRSA §121, sub-§1-A**, as amended by PL 2005, c. 453, §12, is  
3 further amended to read:

4 **1-A. Identification and proof.** Registration applications taken by outside agencies  
5 must be transferred to the Secretary of State within 5 days of receipt. An applicant who  
6 attempts to register within 30 days of an election must be advised that the registrar might  
7 not receive the application before that election, but that the applicant may register in  
8 person on or before ~~or on election day~~ the Tuesday preceding the election for which the  
9 person is registering to vote.

10 Registration applications received by the Secretary of State from outside agencies 30 days  
11 or more before an election must be transferred to the appropriate registrar's office within  
12 7 business days of receipt. Registration applications received by the Secretary of State  
13 from outside agencies less than 30 days before an election must be transferred to the  
14 appropriate registrar's office within 5 business days of receipt. Registration applications  
15 by mail or by a 3rd person must be received in the registrar's office by the close of  
16 business on the 21st day before election day in order for persons' names to appear on the  
17 incoming voting list for that election. The 20-day period before the election is the closed  
18 period for outside registrations. The registrar shall send the notice required by section  
19 122 to all voters whose applications were received by mail or a 3rd person by the 21st  
20 day before election day no later than the 18th day before election day.

21 A person who registers during the 20 days before election day ~~or on election day~~ shall  
22 register in person and show proof of identity and residency. If satisfactory proof of  
23 identity and residency can not be provided to the registrar or deputy, the person's name is  
24 entered into the central voter registration system and placed on the incoming voting list  
25 and the person casts a challenged ballot.

26 **Sec. 2. 21-A MRSA §122, sub-§4**, as amended by PL 2005, c. 453, §16, is  
27 repealed.

28 **Sec. 3. 21-A MRSA §122, sub-§5**, as amended by PL 2007, c. 515, §3, is further  
29 amended to read:

30 **5. Alternative registration schedule for absentee voters.** If the clerk receives a  
31 properly completed absentee ballot application that is signed by a person who is not a  
32 registered voter in the municipality, a presumption of the person's qualification as a voter  
33 is established. The clerk shall send an absentee ballot to the voter at the address  
34 indicated, along with a voter registration application under section 152. The completed  
35 registration application must be returned to the clerk ~~by the close of the polls on election~~  
36 day or before the Tuesday preceding the election for which the person is registering to  
37 vote in order for the ballot to be counted and may not be sealed with the voted absentee  
38 ballot. If the application is received during the closed period and the registrar is not  
39 satisfied as to the person's qualification as a voter, the registrar shall follow the  
40 requirements of section 121, subsection 1-A to place the person's name on the incoming  
41 voting list and challenge the absentee ballot. An application by telephone under section  
42 753-A, subsection 4 or an application by e-mail under section 753-A, subsection 6 does

1 not establish a presumption of qualification under this section and the requestor must  
2 submit a properly completed voter registration application before the clerk may issue an  
3 absentee ballot.

4 **Sec. 4. 21-A MRSA §122, sub-§6**, as amended by PL 2005, c. 453, §18, is  
5 further amended to read:

6 **6. Schedule for acceptance of registrations.** Except as provided in paragraph A,  
7 the registrar shall accept registrations on any business day or other day that the clerk's  
8 office is open. The names and other information from the voter registration applications  
9 of any persons registering on or before the Tuesday preceding the election for which the  
10 person is registering to vote must be entered into the central voter registration system and  
11 must be placed on the incoming voting list.

12 A. The registrar may accept only the registrations of applicants who appear in person  
13 as follows:

14 (1) In a municipality with a population of 2,500 or fewer, on the last business  
15 day that the clerk's office is open on or before the Tuesday preceding election day  
16 during the hours that the clerk's office is open;

17 (2) In a municipality with a population of more than 2,500, on the last 5 business  
18 days that the clerk's office is open on or before the Tuesday preceding election  
19 day during the hours that the clerk's office is open and for 2 hours in the evening  
20 between 5 p.m. and 9 p.m. on at least one of these days; and

21 (3) The names of voters registering during these periods must be recorded as  
22 provided under subsection 7.

23 **Sec. 5. 21-A MRSA §122, sub-§9**, as amended by PL 2003, c. 395, §1, is further  
24 amended to read:

25 **9. Regulation of registration monitors.** Anyone who wishes to monitor the names  
26 and addresses of persons who are registering at the registrar's office or the clerk's office  
27 shall inform the registrar or clerk of that intent. ~~Anyone who wishes to monitor the~~  
28 ~~names and addresses of persons who are registering at the polling place shall inform the~~  
29 ~~registrar or clerk of that intent by submitting a written, signed statement containing the~~  
30 ~~proposed monitor's name, address and intent.~~ The registrar or clerk may designate a place  
31 where a person monitoring registrations may stand. The registrar or clerk shall then  
32 announce the name and address of individuals registering to vote in a loud and clear  
33 voice. A person monitoring registrations shall direct any questions the person has to the  
34 registrar or clerk. These questions must be limited to information pertinent to the  
35 qualifications of an individual to register. A person monitoring registrations may not ask  
36 questions of individuals waiting to register concerning their eligibility to vote. ~~A polling~~  
37 ~~place registration monitor may not handle or inspect registration cards, files or other~~  
38 ~~materials used by the registrar or clerk except as provided in section 22.~~ A monitor may  
39 not inhibit the work of the registrar or clerk. If the work of a registrar or clerk appears to  
40 be inhibited, the ~~warden~~ registrar or clerk may request a reduction in the number of  
41 monitors present ~~in the polling place~~. A registrar or clerk may require a person

1 monitoring registrations who violates the provisions of this subsection to leave the  
2 building.

3 **Sec. 6. 21-A MRSA §156, sub-§1**, as amended by PL 2005, c. 568, §7, is further  
4 amended to read:

5 **1. Registration and enrollment.** A township resident who lives in a township for  
6 which the county commissioners have not established a voting place as provided in  
7 section 632 may register and enroll in any municipality within the applicant's  
8 representative district or, if the applicant lives in a portion of a township not easily  
9 accessible to a municipality within the representative district, the township resident may  
10 register and enroll in a more convenient municipality within or outside the county. The  
11 township resident may register and enroll on ~~election day~~ or before the Tuesday  
12 preceding the election for which the person is registering to vote. The registrar shall  
13 designate the applicant as a township voter with the letter "T" in the central voter  
14 registration system and on the incoming voting list.

15 **SUMMARY**

16 Current law authorizes citizens of the State to register to vote on election day. This  
17 bill repeals that provision and instead requires that citizens of the State register to vote no  
18 later than the Tuesday preceding the election in order to vote in that election.