

MAINE STATE LEGISLATURE

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Date: 4/18/17

Minority

(Filing No. H- 51)

VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 89, L.D. 121, Bill, "An Act To Require Photographic Identification to Vote"

Amend the bill by inserting after the title and before the enacting clause the following:

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.'

Amend the bill in section 3 in §671-A in subsection 2 in the 8th line (page 2, line 8 in L.D.) by striking out the following: "5" and inserting the following: '3'

Amend the bill in section 3 in §671-A in subsection 4 in the last 2 lines (page 2, lines 22 and 23 in L.D.) by striking out the following: ", along with all provisional ballot affidavits and the provisional ballot log form" and inserting the following: 'Provisional ballot affidavits and the provisional ballot log form must be sealed in tamper-proof containers separately from the provisional ballots and returned to the municipal clerk'

Amend the bill in section 3 in §671-A in subsection 5 in paragraph B in the 3rd line (page 2, line 36 in L.D.) by striking out the following: "5th" and inserting the following: '3rd'

Amend the bill in section 3 in §671-A in subsection 5 in paragraph C in the 2nd line (page 3, line 4 in L.D.) by striking out the following: "5" and inserting the following: '3'

Amend the bill in section 3 in §671-A in subsection 5 by inserting at the end a new paragraph to read:

'D. Rejected provisional ballots, provisional ballot affidavits and provisional ballot logs must be maintained as provided by section 23, subsection 7.'

Amend the bill in section 3 in §671-A in subsection 6 in the first line (page 3, line 9 in L.D.) by striking out the following: "5" and inserting the following: '3'

COMMITTEE AMENDMENT

1 Amend the bill by adding after section 4 the following:

2 **'Sec. 5. Appropriations and allocations.** The following appropriations and
 3 allocations are made.

4 **SECRETARY OF STATE, DEPARTMENT OF**

5 **Bureau of Administrative Services and Corporations 0692**

6 Initiative: Provides funding to produce state identification cards, perform programming
 7 changes, generate provisional ballots and affidavits and conduct voter outreach.

8	GENERAL FUND	2017-18	2018-19
9	All Other	\$351,022	\$274,715
10			
11	GENERAL FUND TOTAL	<u>\$351,022</u>	<u>\$274,715</u>
12			

13 **SUMMARY**

14 Under the bill, a person who does not have proper photographic identification
 15 required to cast a ballot on election day has 5 days to provide photographic proof of
 16 identity to the municipal clerk, deputy clerk, warden or election clerk. This amendment,
 17 which is the minority report of the committee, reduces that time period to 3 days to reflect
 18 the number of days by which municipal election clerks must report election results to the
 19 Secretary of State. The amendment also adds a requirement that provisional ballots must
 20 be retained in tamper-proof containers separately from provisional ballot affidavits and
 21 the provisional ballot log. The amendment requires that rejected provisional ballots,
 22 provisional ballot logs and provisional ballot affidavits must be retained in the same
 23 manner as regular ballots and election materials. The amendment also adds a mandate
 24 preamble and an appropriations and allocations section.

25 **FISCAL NOTE REQUIRED**

26 **(See attached)**



128th MAINE LEGISLATURE

LD 121

LR 373(02)

An Act To Require Photographic Identification to Vote

Fiscal Note for Bill as Amended by Committee Amendment *A. (H-51)*
 Committee: Veterans and Legal Affairs
 Fiscal Note Required: Yes

Fiscal Note

State Mandate - Exempted

	FY 2017-18	FY 2018-19	Projections FY 2019-20	Projections FY 2020-21
Net Cost (Savings)				
General Fund	\$351,022	\$274,715	\$65,600	\$65,600
Appropriations/Allocations				
General Fund	\$351,022	\$274,715	\$65,600	\$65,600

State Mandates

Required Activity

Establishes a provisional voting process requiring election officials to track provisional ballots and provisional ballot affidavits, complete a provisional ballot log and report the status of all provisional ballots to the Secretary of State.

Unit Affected

Municipality

Local Cost

Moderate statewide

Pursuant to the Mandate Preamble, the two-thirds vote of all members elected to each House exempts the State from the constitutional requirement to fund 90% of the additional costs.

Fiscal Detail and Notes

The bill includes a General Fund appropriation to the Department of Secretary State of \$351,022 in fiscal year 2017-18 and \$274,715 in fiscal year 2018-19 to produce state identification cards, perform programming changes, generate provisional ballots and affidavits and conduct voter outreach.