

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill in section 10 in subsection 2 in the last 6 lines (page 3, lines 23 to 28 in L.D.) by striking out all of the underlined language.

Amend the bill by inserting after section 13 the following:

Sec. 14. 21-A MRSA §606-A, as amended by PL 1995, c. 459, §45, is further amended to read:

§ 606-A. Special provisions for out-of-district voters

A voter who registers and votes under section 156 in a municipality outside ~~his~~the voter's state representative district, state senatorial district, county or county commissioner district ~~or county~~, may vote for the offices of Representative to the Legislature, State Senator or any county office by using a ballot obtained under this section.

1. Clerk to notify. The clerk of a municipality in which voters have registered or enrolled under section 156 ~~since the last statewide election~~ shall notify the Secretary of State of those registrations and enrollments at least 60 days before ~~any~~the next statewide election. For registrations and enrollments that occur less than 60 days before a statewide election, the clerk shall notify the Secretary of State immediately.

2. Secretary of State to furnish ballots. The Secretary of State shall review the number of votes cast at the last election of that type by persons registered and enrolled under section 156 when determining the number of ballots to be furnished to each municipality. These ballots must contain the names of the nominees or candidates for offices in the electoral divisions in which the voters registered under section 156 reside. After receiving notification from the clerk of township voter registrations or enrollments that occur less than 60 days before a statewide election, the Secretary of State shall furnish additional ballots to the municipality as needed. If there is not sufficient time to provide the municipality with the correct ballot style for a township voter, the Secretary of State shall instruct the clerk to provide a ballot to the voter in the manner prescribed by section 604.

3. Voter to use proper ballot. The election clerk in charge of the ballots at each voting place shall ~~insure~~ensure that each voter, registered in that municipality under section 156, who resides in a different electoral division obtains and uses the proper ballot provided under this section or a ballot provided in the manner prescribed by section 604.

4. How furnished. Ballots provided under this section shall ~~shall~~must be furnished to voting places in accordance with section 606.

5. County referendum. If a township resident registers under section 156 in a municipality outside ~~his county commissioner district, or outside his~~the resident's county in the case of a county referendum, the commissioners of ~~his~~the resident's county shall perform the duties of the Secretary of State under this section and section 752, subsection 1, paragraph B. The clerk of a municipality in which these voters have registered or enrolled under section 156 shall notify the county commissioners of those

registrations and enrollments ~~at least 120 days~~ before any election for county commissioner or for the determination of a county referendum question in the same manner as the notification to the Secretary of State under subsection 1.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment strikes the provision of the bill that applies to a township voter who uses the special provision in election law that permits the voter to vote in a nearby municipality when a voting place has not been established in the voter's township. The bill provides that if the township voter fails to register prior to 60 days before an election and the town does not have sufficient ballots for that township voter, the voter must vote a ballot from the municipality that has been amended to include only those questions and offices for which the township voter is eligible to vote. This amendment allows for more flexibility to provide correct ballots to a township voter who registers after 60 days prior to an election and provides that the voter will only have to vote using an amended ballot when there is not enough time to furnish the election clerk with sufficient township ballots.

FISCAL NOTE REQUIRED

(See attached)