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UNIVERSITY COLLECTION

Voting requirements stiffened after Erwin opinion

Maine Attorney General James Erwin stiffened voting requirements Monday afternoon for Maine students who plan to vote in local elections.

His opinion overruled Deputy Secretary of State Peter M. Damborg's opinion which said that in-staters, as well as out-of-staters, could vote locally.

According to the new opinion, resident Maine students who have never registered anywhere in the state may register and vote in their college towns if they can prove residency.

Maine students already registered outside the community must vote by absentee ballot or in the communities where they are registered. If they cannot prove they are residents of their college community, they will not be permitted to register or vote.

Maine students who have local residency (three months) will be permitted to vote on an all Maine ballot, including choices for President-Vice President, U.S. Congress, state legislature, local offices, and the referendum questions.

As provided by Damborg's Nov. 2 letter, non-resident students may vote for only President and Vice President on special ballots. They will be registered at the polls before they vote.

Damborg said of the new opinion Monday, "It is grossly unfair for an out-of-stater to move in and vote while a Maine resident has to wait three months (for residency)." He said that "there will be plenty of legislation on residency requirements after the legislature convenes."

It's still uncertain why the opinion came about today

It is uncertain who precipitated today's advisory opinion by Maine Attorney General James S. Erwin, but local legal officials and members of the university community say that many in-state students will be denied their right to vote in tomorrow's election.

Bangor attorney Marshall Stern said tonight that Orono officials contacted Peter Damborg, deputy secretary of state, this afternoon at 1:45. Stern said he understood that the opinion resulted from a complaint from Orono officials.

However, Orono Town Manager Robert A. Clark Sr. said, "As far as I know no one from Orono has complained. But we did call a number of times to find out the specifics, as the leter from Damborg was too general."

Erwin, who is head of the Maine Committee to Re-Elect the President, said that he received no official complaints today, but understood that the secretary of state's office received one "from somewhere, I think the Portland-Gorham area."

Some students on campus say that because students in the past have had a difficult time voting in Orono, it probably was an Orono official who registered the complaint which resulted in Erwin's opinion.

Regardless of who complained, Erwin emphasized that his opinion is strictly advisory and does not have the force of law. "It is up to the registrars in the 36 college towns to make their own decisions under Maine law," he said.

Attorney Stern said he was furious because the opinion "has the effect of law in the sense that Damborg is afraid to do anything inconsistent with what his lawyer — Erwin — says.

"Are you going to do anything your boss says you shouldn't do?" he asked.

Stern said that he would advise all students to go to the Orono polls tomorrow and challenge the requirements individually. He said he would be at the polls tomorrow. He added that he has advised Rita Fortier, the Orono registrar of voters, to construe the state voting requirements liberally.

Town Manager Clark, however, indicated that the town is construing the laws by the book.

This means that out-of-state students will be allowed to vote for presidential and vice-presidential candidates. In-state students who have registered in their home towns will not be able to vote in Orono.

In-state students who thought that they would be able to vote in Orono after Damborg's letter last week most vote in their home towns if they are going to vote at all.

In other words, only out-of-state students may vote in Orono, as well as students who have resided in Orono for three consecutive months and can prove that they intend to remain in Orono for some time.

Many students are angry because the opinion was handed down just one day before the election. They say that they planned to vote in Orono and therefore did not send in absentee ballots.

Orono now will have two ballots instead of three: one on the presidential and vice-presidential ticket for out-of-state students and one for Orono residents.

Clark, who was in a good mood tonight, said Saturday that town officials still had questions on the voting procedure and would ask state voting officials today to be specific. He was not worried Saturday whether the town would have to prepare a ballot for in-state students who are not Orono residents.

He said tonight that he was waiting for a letter from Erwin on today's opinion, although his assistants had received by word of mouth the gist of the ruling.

He did not know whether the letter was mailed today or whether it was sent by special delivery, nor did he appear worried about whether Orono officials even received the letter, as the town would go by the book on election day regarding voting requirements anyway.

"The letter might even come Wednesday for all I know," he said.

State officials said they had informed college towns of the opinion this afternoon and did not mention that they were sending a letter of explanation.

Clark said that today's opinion and Damborg's letter were "quite contradictory," and that he would say so tonight on a television interview on the 11 p.m. news. However, he was not worried about whether Orono officials would be overburdened by the sudden change as brought about by Erwin's opinion.

"They can still change their minds tomorrow," he said. "Well, I really don't know if they can but they've changed their minds a couple of times already."

Attorney Stern said that because of the opinion some officials "are trying to deny basic in-state voting rights to a lot of students who give intentions of remaining in the area."

Between Damborg's letter and Erwin's ruling is a "serious conflict," he said. "That opinion was dictated without much thought."

Bus to be provided

A bus will be available to shuttle students to the Orono polls tomorrow between noon and 6 p.m. Other transportation will be provided to take students to the Bangor and Old Town polls.

Rides to Bangor are available between 8 a.m. and 8 p.m., and to Old Town between 10 a.m. and 8 p.m. All polls will be open from 6 a.m. to 8 p.m.

The bus will stop at the Memorial Union and all dorms, according to Roy Krantz, head of the UMO McGovern drive. There is no regular schedule of stops. Krantz said rides would be announced at the dorms by people shouting in the corridors, and rides would be provided as they were needed.

Krantz said if students needed rides to Old Town, Bangor, or any nearby community, rides would be provided. Anyone needing a ride to the polls should call 7801, 2201, or 7065.

Reeks of politics

Many in-state students had their voting rights pulled out from under them today.

With his late-in-the-campaign voting-rights juggling, Attorney General James Erwin decided that registered students must vote by absentee ballot, or return to their home communities to vote. This makes it impossible for a student who has discarded an absentee ballot, thinking he had the right to vote locally, to vote at all.

The ruling also makes it more difficult for a non-registered Mainer to cast a vote. The decision of whether to register the student is left entirely to registrars, who require proof of three months' local residence. We hope most students will be registered in their college communities, but it is highly unlikely that all resident-students will be able to prove their residency.

But the opinion is still the same for non-residents. They can register to vote with one day's residence, then cast a ballot for President and vice president.

If the state is so accommodating to voters from out of state, (whose right to vote in college towns was prompted by the Federal Voting Rights Act and federal court decisions), why all the sudden mistrust for Maine residents? The non-residents may register in Maine even if they are registered in another state, but according to Erwin, Maine law prohibits people from being registered in two places at the same time.

Hence, Erwin's opinion contradict s itself.

There is no reason to believe the Voting Rights Act applies to non-residents only.

Although the Attorney Generay's office disclaims political purposes for the overnight change of mind, the situation reeks of political motivations.

An editorial