

vetoed Senate Bill 287 – *Voters Rights Protection Act of 2005*.

Senate Bill 287 revises a number of the State's election procedures for challenging a voter's identity at the polling places and for counting provisional ballots by local boards of election. Provisional voting guarantees registered voters the ability to cast provisional ballots when there is confusion over issues of registration, identification, or voting rights at a polling place. Under present law, provisional ballots are issued to voters if they are first time voters that registered by mail with no proof of identity, if the voter had a change in name or address and the State Board of Elections is not notified by the election deadline, or if the vote is challenged by a poll watcher or challenger at the polling place.

In its current form, Senate Bill 287 expands the opportunity for individuals to abuse and negatively influence election outcomes. Under current law, provisional ballots are only eligible to be counted if cast in the correct jurisdiction. Senate Bill 287 was amended to require local boards of elections to accept provisional ballots cast by voters who do not reside in their respective precincts. Specifically, local boards must consider entire ballots but can only count votes cast for races in the jurisdiction where the voter resides. This broadening of the use of provisional ballots raises concerns about increased opportunities for voter irregularities.

Please be assured that the Administration is committed to instilling public confidence in elections and ensuring that all Marylanders have the opportunity to cast a ballot and have their ballot counted. To this end, I will appoint a commission to examine and evaluate the election law bills passed this session and make recommendations concerning our State's election process. I am confident such a commission will develop policies and procedures assuring that fair and accurate elections take place within the State.

For the above stated reasons, I have vetoed Senate Bill 287.

Very truly yours,
Robert L. Ehrlich, Jr.
Governor

Senate Bill No. 287

AN ACT concerning

Voters Rights Protection Act of 2005

FOR the purpose of providing that an individual whose ~~identity~~ right to vote is challenged at the polling place may establish the individual's identity by presenting a certain form of identification; prohibiting a person from willingly or knowingly influencing or attempting to influence a voter from going to the polls to cast a vote through the use of certain means or activities; prohibiting a person from willingly or knowingly engaging in certain conduct which results in or has the intent to result in the denial or abridgement of the right of certain citizens to vote on account of race ~~or color~~, color, or disability; requiring a local board of elections to count the provisional ballots of certain voters under certain circumstances; ~~providing that an individual whose right to vote is challenged~~