

# MAINE STATE LEGISLATURE

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*Application for absentee ballot  
Form 1253-2  
21 M.R.S.A. 1253-2*

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STATE OF MAINE  
DEPARTMENT OF THE ATTORNEY GENERAL  
AUGUSTA, MAINE 04333

April 19, 1978

Honorable Barbara Trafton  
R.F.D. #3  
Box 140  
Auburn, Maine 04210

Dear Representative Trafton:

This responds to your request for an opinion as to whether absentee voters are required, by law or regulation, to fill out absentee voter applications themselves or whether the applications may be filled out for absentee voters by other persons, with the absentee voter signing the application.

We would advise that there is no requirement in law or regulation that absentee voters fill out the absentee voter application. Absentee voters are only required to sign the application, and exceptions are even provided to the signing requirement in cases where persons are unable to sign.

DISCUSSION:

The Secretary of State has prepared and distributed application forms for absentee voting. These application forms are divided into areas to be filled out by the applicant and areas to be filled out by appropriate election officials. The designation on the absentee ballot application of an area to be filled out by the applicant is in no way intended to suggest that the applicant himself must personally fill out that entire area of the application. We are advised by the Secretary of State's Office that the designation indicating the area to be filled out by the applicant is only to distinguish that area of the application for absentee ballot from the area which is to be filled out by appropriate election officials.

Further, the relevant law on the subject, 21 M.R.S.A. § 1253-2, only requires that absentee voter applications be signed by the applicant; the law contains no requirement that the remainder of the application be filled out by the applicant. 21 M.R.S.A. § 1253-2-A permits certain voters who are incapable of reading or signing their application to be assisted by other designated persons in reading and signing the absentee voter

application. The person who has provided the assistance must, according to sub-§ 2-A, so indicate.

I hope this information is helpful.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. G. Alexander", written over the printed name.

DONALD G. ALEXANDER  
Deputy Attorney General

DGA/ec  
cc: Doris Hayes