

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 3

H. P. 3

Office of the Clerk of the House

Filed November 20, 1972 under Joint Rule 6 by Mr. Ross of Bath. To be printed and delivered to the House of Representatives of the 106th Legislature.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Ross of Bath.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT to Clarify the Absentee Voting Law.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., T. 21, § 926, sub-§ 5, additional. Section 926 of Title 21 of the Revised Statutes, as amended by chapter 164 of the public laws of 1967, is further amended by adding a new subsection 5 to read as follows:

5. Municipalities with 2 or more voting districts. In municipalities with 2 or more voting districts where absentee ballots are counted at a place other than the voting district, all absentee ballots, applications and envelopes may be packed in the same container and the container shall be sealed publicly.

Sec. 2. R. S., T. 21, § 926, amended. Section 926 of Title 21 of the Revised Statutes, as amended by chapter 164 of the public laws of 1967, is further amended by adding a new paragraph to read as follows:

The portion of subsection 1, paragraph A and subsection 2 which refer to absentee ballots does not apply to municipalities with 2 or more voting precincts where absentee ballots are counted separately.

Sec. 3. R. S., T. 21, § 1253, sub-§ 2, amended. Subsection 2 of section 1253 of Title 21 of the Revised Statutes, as amended, is further amended by adding at the end the following:

Upon receipt of a duplicate application, the clerk shall follow the procedure outlined. If the first ballot issued is returned, it shall be the ballot counted.

Sec. 4. R. S., T. 21, § 1256, sub-§ 4, amended. Subsection 4 of section 1256 of Title 21 of the Revised Statutes is amended to read as follows:

4. Lists prepared. In a municipality which has more than one voting district, he shall prepare a separate list of the names, addresses and districts of the voters as shown on the return envelopes ~~and the date on which each envelope was received.~~

Sec. 5. R. S., T. 21, § 1256, sub-§ 5, ¶ A, amended. Paragraph A of subsection 5 of section 1256 of Title 21 of the Revised Statutes, as enacted by section 23 of chapter 65 of the public laws of 1971, is amended to read as follows:

A. Exceptions. In a presidential election the clerk shall deliver the return envelopes with the applications received between 3 p.m. and the close of the polls and the list required by subsection 4 to the warden of the voting precinct as soon as he reasonably can following the closing of the polls, **excepting in municipalities with 2 or more voting precincts where absentee ballots are counted at a place other than the voting district.**

Sec. 6. R. S., T. 21, § 1256, sub-§ 6, additional. Section 1256 of Title 21 of the Revised Statutes, as amended, is further amended by adding a new subsection 6 to read as follows:

6. Municipalities with 2 or more voting districts. **At the close of voting in municipalities with 2 or more voting districts, the checklist may be returned to the clerk for use in processing the absentee votes. The checklist shall be unsealed, used in processing the absentee ballots and released in accordance with section 992, excepting that the clerk shall countersign each copy.**

Sec. 7. R. S., T. 21, § 1259, sub-§ 7, additional. Section 1259 of Title 21 of the Revised Statutes, as amended by section 20 of chapter 225 of the public laws of 1967, is further amended by adding a new subsection 7 to read as follows:

7. Municipalities with 2 or more voting districts. **In municipalities with 2 or more voting precincts the absentee votes may be counted at a place designated by the clerk under the same provisions as prescribed in this section, excepting that the ballots shall be counted under the supervision of the clerk.**

STATEMENT OF FACT

The purpose of this bill is to clarify existing laws pertaining to absentee voting and to allow municipalities with 2 or more voting precincts to count the absentee votes at a place other than the voting district.