

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 SEVENTH LEGISLATURE

Legislative Document

No. 503

H. P. 416

House of Representatives, January 30, 1975

Referred to Committee on Election Laws. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Berube of Lewiston.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

**AN ACT to Require Municipal Clerks to Account for Absentee Ballot Forms
and to Regulate Absentee Voting by Certain Institutional Patients.**

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

Sec. 1. 21 MRSA, § 1253, sub-§ 5 is enacted to read:

5. Physically disabled applicant in public institutions accepting federal or state funds. In public institutions accepting federal or state funds, including nursing homes, boarding homes and hospitals, every application for an absentee ballot by a physically disabled voter shall be countersigned by a physician or by a registered nurse having direct supervision over the patient certifying that such illness does not adversely affect soundness of mind.

Sec. 2. 21 MRSA, §§ 1253-A - 1253-B are enacted to read:

§ 1253-A. Procedures for issuance of absentee ballots by municipal clerk

1. Serial number list of absentee ballots. Absentee ballot forms shall be issued to absentee ballot applicants in consecutive ascending numerical order based on the serial number appearing on the outer envelope for return of the ballot to the municipal clerk and the clerk shall keep a list of these numbers indicating beside each number the name of the applicant to whom the absentee ballot has been issued. The clerk shall number all absentee ballot applications in consecutive ascending numerical order and shall number the envelope for return of the ballot to the municipal clerk with the corresponding number.

2. Alphabetical file of applicants for absentee ballot. The municipal clerk shall file all executed applications in alphabetical order based on the names

of the applicants and shall preserve the file of applications until 6 months after the election, at the expiration of which period the file shall be destroyed if no contest is pending. The municipal clerk shall prepare and maintain a current list or index of all applicants for absentee ballots in alphabetical order. Beside each name the clerk shall indicate the applicant's voting address, his bona fide mailing address, if different from his voting address, and the reason given for requesting an absentee ballot. This list shall constitute a public record open to public inspection for a period beginning 90 days before the election and until 6 months after the election, at the expiration of which period it shall be destroyed if no contest is pending.

§ 1253-B. Applications for absentee ballots by sick or disabled

1. Procedure for sick or disabled to request absentee ballots. Any person who is physically sick or disabled, unless a patient in a public institution, shall submit a request for an absentee ballot application form by mailing a personally signed request for that form.

2. Procedure for patients in public institutions. The municipal clerk shall designate, from names supplied by the municipal committees of the political parties in the municipality, special teams composed of one representative of each political party to visit each public institution, including nursing homes and hospitals, in each municipality for the purpose of compiling a list of the names of persons desiring applications for absentee ballots. These teams shall give the names of the potential applicants to the board of registration of the municipality where each potential applicant is registered. Each board receiving a name of a potential applicant shall then mail to each individual patient so listed an application for an absentee ballot. The municipal clerk shall then appoint, from names supplied by the municipal committees of each political party in the municipality, teams consisting of one member of each political party to travel to each public institution on the Friday preceding the election to conduct the election at that institution by absentee ballot. After the votes are cast, such teams shall collect the absentee ballots and return each ballot unopened to the appropriate municipal clerk.

Sec. 3. 21 MRSA, § 1263 is enacted to read:

§ 1263. Municipal clerk to account for absentee ballots

Within 10 days after an election, the Secretary of State shall certify to the municipal clerk the number of absentee ballots sent to each municipal clerk. Within 10 days after receipt of this notification, the municipal clerk shall file a statement with the Secretary of State specifying the number of absentee ballots received from the Secretary of State prior to the election, the number of absentee ballots issued to applicants and an explanation of any discrepancies between the number of absentee ballots issued and the number received.

STATEMENT OF FACT

This bill will establish fair and impartial procedures for handling absentee ballots and ballot applications and for absentee voting by the sick and disabled.