

# ONE HUNDRED AND EIGHTH LEGISLATURE

### Legislative Document

H. P. 452 House of Representatives, February 17, 1977 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-SEVEN

#### AN ACT to Require Direct Mailing and Verification of Absentee Ballots and Concerning the Marking of Absentee Ballots.

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

Sec. 1. 21 MRSA § 1253, sub-§ 2, 1st sentence, as last repealed and replaced by PL 1975, c. 761, § 39, is amended to read:

On receipt of a completed application or a request for an absentee ballot signed by the applicant, the clerk shall either send or deliver mail by first class mail an absentee ballot and prepaid return envelope forthwith to the applicant or to a 3rd person designated in the application or request, or shall, in person, deliver the absentee ballot and prepaid return envelope to the applicant.

Sec. 2. 21 MRSA § 1253, sub-§ 4, 2nd sentence, is amended to read:

If the applicant is registered, and enrolled where necessary, the registrar shall so certify on the application and shall verify and compare the signature on the application with the signature on the registration card.

Sec. 3. 21 MRSA § 1254, sub-§ 1, 1st sentence, is amended to read:

When an absentee voter is within the State, he must may mark his ballot in the presence of one of the following officials: Justice of the peace, notary publie, elerk Clerk or deputy clerk of a municipality, dedimus justice or elerk of courts or may mark and seal his ballot in accordance with subsection 4.

Sec. 4. 21 MRSA § 1254, sub-§ 2 is amended to read :

2. Ballot unmarked. Before marking his ballot in the presence of the clerk or deputy clerk of a municipality, the voter shall show it to the official who shall examine it to be certain it is unmarked.

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Sec. 5. 21 MRSA, § 1254, sub-§ 4, 2nd sentence, as amended by PL 1965, c. 451, § 9, is further amended to read:

He shall then seal the ballot in its return envelope and complete the affidavit on the envelope in the presence of the official who shall subscribe his name, note his title and may affix his seal if he is a notary publie.

Sec. 6. 21 MRSA § 1254, sub-§ 5, 1st sentence is amended to read:

The voter shall then complete the address on the envelope and mail or deliver it personally or by agent to the clerk of the municipality of which he is a resident.

#### STATEMENT OF FACT

This bill eliminates the 3rd person in handling of an absentee ballot, thereby assuring privacy to the voter, provides for verification by the registrar as there is no verification mandated at present and eliminates the requirement for marking an absentee ballot in the presence of a justice of the peace, notary public, dedimus justice or clerk of courts.