

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1234

H. P. 999

House of Representatives, March 15, 1979

Referred to the 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-NINE

AN ACT to Revise the Procedure for Filing Absentee Ballots.

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

Sec. 1. 21 MRSA § 1254, sub-§ 1, as amended by PL 1967, c. 163, is repealed.

Sec. 2. 21 MRSA § 1254, sub-§ 2 is repealed.

Sec. 3. 21 MRSA § 1254, sub-§ 3, as last amended by PL 1977, c. 496, § 27, is repealed.

Sec. 4. 21 MRSA § 1254, sub-§ 4, last 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 public.~~

Sec. 5. 21 MRSA § 1254, sub-6, as repealed and replaced by PL 1975, c. 761, § 42, is repealed and the following enacted in its place:

6. Assistance. A voter who is unable to read or to mark his ballot because of blindness or other physical disability or because of illiteracy or whose religious faith prevents him from marking the ballot may request the voter's father, mother, brother, sister, husband, wife, son or daughter or a 3rd person known to

the voter as the voter may select, provided that the aide is of voting age, to read the ballot to him and mark it according to the voter's instructions or to assist the voter in marking the ballot. The aide may, at the request of the voter, complete and sign the affidavit on the envelope. When an aide assists a voter in this way, the aide shall write on the envelope that he marked the ballot or assisted the voter in marking the ballot and shall sign his name.

Sec. 6. 21 MRSA § 1261, 2nd sentence, as enacted by PL 1975, c. 270, is repealed as follows:

~~Lack of the name or title of a subscribing official on the envelope of an absentee ballot as required by section 1254, subsection 4, is not an immaterial irregularity under this section~~

Sec. 7. 21 MRSA § 1261, last sentence, as enacted by PL 1975, c. 761, § 52, is amended to read:

The following information must be contained on the envelope in order for the ballot to be accepted: Voter's name and legal address typed or written in ink by the clerk in the upper left-hand corner; voter's signature; and voter's reason for voting absentee; ~~and certifying official's signature.~~

STATEMENT OF FACT

The purpose of this bill is to remove the requirement that an absentee ballot be marked in the presence of certain officials.