

MAINE STATE LEGISLATURE

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ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1611

S. P. 549

In Senate, May 11, 1979

Reported by Senator Pierce of Kennebec from the Committee on Election Laws and printed under Joint Rules No. 2.

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT Concerning Assistance to Blind or Disabled Voters in Marking Ballots.

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

Sec. 1. 21 MRSA § 862, as repealed and replaced by PL 1975, c. 761, § 35, is amended to read:

§ 862. Assistance

A voter who is unable to read or 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 obtain assistance in marking the ballot from 2 election officials ~~or from the voter's father, mother, brother, sister, husband, wife, son or daughter, as selected by the voter~~ or from a person selected by the voter ~~with the approval of an election official~~, provided that such aide is of voting age and that no candidate for election shall act as aide. When the assistance of election officials is requested, the warden shall designate 2 election officials representing different political parties, but in primary elections representing the same political party as the voter. ~~When 2 such election officials assist a voter, they shall mark the ballot or assist the voter in doing so without attempting to influence his vote. They shall write on the outside of the ballot that it was marked by them or by the voter with their assistance and shall sign their names. When an aide, as described in this section, assists a voter, the warden shall write on the~~

~~outside of the ballot that it was marked by such aide or by the voter with such aide's assistance and shall write the aide's name. In addition, the aide shall sign his name.~~

Sec. 2. 21 MRSA § 1253, sub-§ 2-A, as enacted by PL 1977, c. 496, § 25, is amended to read:

2-A. Assistance to certain voters. A person who is unable to read or complete his application because of blindness or other physical disability or because of illiteracy or whose religious faith prevents him from completing the application may request ~~his father, mother, brother, sister, husband, wife, son, daughter, justice of the peace, notary public, dedimus justice, clerk or deputy clerk of a municipality, or clerk of the courts, provided that such aide is of voting age~~ **any person** to read the application to him or sign it, or both, according to his instructions or to assist him in signing the application, **provided that aide is of voting age**. When such an aide assists a person in this way, that aide shall write on the application, the reason such person was unable to complete or sign, or both, the application, and shall sign his name.

Sec. 3. 21 MRSA § 1254, sub-§ 6, as repealed and replaced by PL 1975, c. 761, § 42, is amended to read:

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 one of the officials listed in subsection 1 or ~~the voter's father, mother, brother, sister, husband, wife, son or daughter as the voter may select, provided that such aide is of voting age~~ **any person** to read the ballot to him and mark it according to the voter's instructions or to assist the voter in marking the ballot, **provided that aide is of voting age**. The official may, at the request of such voter, complete and sign the affidavit on the envelope. When such official or such an aide assists a voter in this way, the official shall write on the envelope that he or an aide marked the ballot or assisted the voter in marking the ballot and, if an aide, shall write the aide's name. In addition, the aide shall sign his name.

STATEMENT OF FACT

This new draft amends the current laws which require that those who provide assistance to voters mark the outside of the ballot to indicate their assistance. It also makes more explicit that the voter requesting assistance may select any person of voting age.