

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
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3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
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5 Legislative Document

No. 1424

6  
7 H.P. 1078

House of Representatives, April 6, 1983

8 Referred to the Committee on Election Laws. Sent up for concurrence  
9 and ordered printed. (By Request)

10 EDWIN H. PERT, Clerk

11 Presented by Representative Racine of Biddeford.

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12 STATE OF MAINE  
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14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-THREE  
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17 AN ACT Relating to Issuance of Absentee  
18 Ballots by Municipal Clerks.  
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20 Be it enacted by the People of the State of Maine as  
21 follows:

22 21 MRSA §1253, sub-§2, as amended by PL 1977, c.  
23 696, §177, is further amended to read:

24 2. Application or request received. On receipt  
25 of a completed application or a request for an absent-  
26 tee ballot signed by the applicant, the clerk shall  
27 send or deliver an absentee ballot and return enve-  
28 lope forthwith to the applicant or to a 3rd person  
29 designated in the application or request. The clerk  
30 shall issue to any 3rd person so designated only  
31 enough absentee ballots to insure that such a person  
32 shall not be in possession at any time of more than  
33 40 absentee ballots for voters in a municipality;  
34 except in the case of a known number of registered

1 voters living in a common facility, such as a nursing  
2 home, the clerk may issue enough absentee ballots to  
3 insure each person in the facility may vote by absen-  
4 tee ballot. Such a 3rd person shall, unless good  
5 cause is shown, return an absentee ballot to the  
6 clerk's office within the time limits provided in  
7 section 1255. The clerk shall include a ballot  
8 application to be completed by the person who signed  
9 only a written request, unless the written request is  
10 sufficient as provided in subsection 1-A. The clerk  
11 shall type or write in ink the name and the legal ad-  
12 dress of the person for whom the absentee ballot is  
13 intended in the upper left hand section of all return  
14 envelopes.

15 If the clerk receives a duplicate application from a  
16 person from whom the clerk has received a return  
17 envelope apparently containing an absentee ballot,  
18 the clerk shall not furnish another absentee ballot  
19 for such person.

20 The clerk may issue a 2nd absentee ballot to an  
21 applicant if the applicant in person or in writing  
22 requests one and:

23 A. If such applicant states good cause, includ-  
24 ing but not limited to loss of, spoiling of or  
25 damage to the first absentee ballot; or

26 B. If an absentee ballot for such applicant  
27 which was furnished to a designated 3rd person is  
28 not returned to the clerk's office within 5 busi-  
29 ness days of the date such ballot was sent or  
30 delivered to such 3rd person or by 10 a.m. on the  
31 day before election day, whichever is earlier.  
32 This paragraph shall not be construed to affect  
33 the time for delivery of absentee ballots under  
34 section 1255.

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STATEMENT OF FACT

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The purpose of this bill is to permit the issuance of enough absentee ballots to 3rd persons to enable each registered voter living in a common facility to vote by absentee ballot, even if the total number exceeds 40.

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