

MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 30, L.D. 35)
2 (New Title)

3 FIRST REGULAR SESSION
4

5 ONE HUNDRED AND ELEVENTH LEGISLATURE
6

7 Legislative Document

No. 1527

8
9 H.P. 1157

House of Representatives, April 29, 1983

10 Reported by Representative Handy from the Committee on Election Laws
and printed under Joint Rule 2.

11 Original bill presented by Representative Carter of Winslow.

12 EDWIN H. PERT, Clerk

13
14 STATE OF MAINE
15

16 IN THE YEAR OF OUR LORD
17 NINETEEN HUNDRED AND EIGHTY-THREE
18

19 AN ACT to Provide that an Absentee
20 Ballot for a Municipal Election may be
21 Issued Pursuant to an Application for an
22 Absentee Ballot for a State Election.
23

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

26 21 MRSA §1253, sub-§2, as amended by PL 1977, c.
27 696, §177, is further amended to read:

28 2. Application or request received. On receipt
29 of a completed application or a request for an absent-
30 tee ballot signed by the applicant, the clerk shall
31 send or deliver an absentee ballot and return enve-
32 lope forthwith to the applicant or to a 3rd person
33 designated in the application or request. If a
34 municipal election is to be held on the same date as

1 a statewide election, absentee ballots for the munic-
2 ipal and statewide election may be issued pursuant to
3 the same application. The clerk shall issue to any
4 3rd person so designated only enough absentee ballots
5 to insure that such a person shall not be in posses-
6 sion at any time of more than 40 absentee ballots for
7 voters in a municipality. Such a 3rd person shall,
8 unless good cause is shown, return an absentee ballot
9 to the clerk's office within the time limits provided
10 in section 1255. The clerk shall include a ballot
11 application to be completed by the person who signed
12 only a written request, unless the written request is
13 sufficient as provided in subsection 1-A. The clerk
14 shall type or write in ink the name and the legal ad-
15 dress of the person for whom the absentee ballot is
16 intended in the upper left hand section of all return
17 envelopes.

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

23 The clerk may issue a 2nd absentee ballot to an
24 applicant if the applicant in person or in writing
25 requests one and:

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

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

38 STATEMENT OF FACT

39 This new draft changes the title to reflect the
40 intent of the new bill.

1 The new draft allows an absentee ballot for a
2 municipal election to be issued based on an applica-
3 tion for an absentee ballot for a state election when
4 both elections are held on the same day.

5 The new draft removes the requirement from the
6 bill that the application form for an absentee ballot
7 for a state election contain a place to request an
8 absentee ballot for a municipal election which would
9 have necessitated changing the application form.

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