

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 991

6
7 H.P. 696

House of Representatives, March 12, 1985

8 Referred to the Committee on Legal Affairs. Sent up for concurrence
9 and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Stevens of Bangor.

11 Cosponsored by Representative Duffy of Bangor, Representative Warren
of Scarborough and Representative Paul of Sanford.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Prohibit Frivolous Challenges to
18 Absentee Ballots.
19

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

22 Sec. 1. 21 MRSA §863, sub-§1, ¶A is enacted to
23 read:

24 A. Only the following reasons for challenges may
25 be accepted by the warden. The challenged per-
26 son:

27 (1) Is not a registered voter;

28 (2) Is not enrolled in the proper party, if
29 voting in a primary election;

30 (3) Is not qualified to be a registered
31 voter because he is not:

32 (a) At least 18 years of age;

1 (b) A citizen of the United States;
2 and

3 (c) A resident of the municipality;

4 (4) Did not properly apply for an absentee
5 ballot;

6 (5) Is not a qualified absentee voter as
7 prescribed by section 1, subsection 1;

8 (6) Did not properly complete the affidavit
9 on the absentee return envelope;

10 (7) Did not cast the ballot or complete the
11 affidavit before the appropriate official;

12 (8) The official had communication prohib-
13 ited by section 1254, subsection 3; or

14 (9) His designee did not return the ballot
15 to the clerk by the time prescribed.

16 Sec. 2. 21 MRSA §863, sub-§3 is repealed and the
17 following enacted in its place:

18 3. Ballot marked. The warden shall write a num-
19 ber on the outside of the ballot. The warden shall
20 also complete a certificate on which appears the word
21 "Challenged," the name of the voter challenged and
22 the reason for the challenge over his signature. The
23 warden shall place the number which was written on
24 the ballot in a conspicuous place on the certificate.
25 An election clerk from each political party shall
26 sign his name as a witness to the statements and the
27 signature of the warden. No one other than the war-
28 den and the 2 election clerks may have knowledge of
29 the ballot number. The challenged certificate shall
30 be placed in an envelope marked "Challenged Certifi-
31 cate #(certificate number)" and shall be retained by
32 the warden until it is sealed with the ballot materi-
33 als pursuant to section 926.

34 Sec. 3. 21 MRSA §925, sub-§1, as amended by PL
35 1977, c. 496, §17, is further amended to read:

