

MAINE STATE LEGISLATURE

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(New Draft of H.P. 1058, L.D. 1433)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document NO. 1712

H.P. 1254 House of Representatives, June 1, 1987
Reported by Representative PRIEST from the Committee on
Legal Affairs and printed under Joint Rule 2.

EDWIN H. PERT, Clerk

Original bill sponsored by Representative SEAVEY of
Kennebunkport. Cosponsored by Representatives BEGLEY of
Waldoboro, HEPBURN of Skowhegan, and CROWLEY of Stockton
Springs.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Prohibit Candidates from Receiving,
2 Witnessing or Accepting Absentee
3 Ballots.
4

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

7 21-A MRSA §791, sub-§2, as enacted by PL 1985, c.
8 161, §6, is amended to read:

9 2. Class D crime. The commission of any act de-
10 scribed as follows in this subsection is a Class D
11 crime:

12 A. A person who forges the name of another on an
13 absentee ballot, return envelope or the applica-
14 tion for an absentee ballot; or

1 B. Notwithstanding this subchapter, a candidate
2 who delivers, receives, accepts, notarizes or
3 witnesses an absentee ballot, other than his own
4 absentee ballot, furnished by the clerk of a mu-
5 nicipality in this State.

6 STATEMENT OF FACT

7 This new draft makes it a Class D crime for any
8 candidate, whether or not appearing on that particu-
9 lar ballot, to deliver, receive, accept, notarize or
10 witness an absentee ballot, other than the ballot he
11 needs to vote if voting absentee. Candidates are not
12 prohibited from helping voters obtain applications
13 for absentee ballots.

14 This prohibition does not apply to ballots from
15 other states or countries which need to be notarized
16 for the voter, a citizen of the other state or coun-
17 try, to properly vote.

18 This new draft is intended to remove candidates
19 from the absentee voting process to avoid instances
20 when improper influence may be exerted. The applica-
21 tion procedure is not an occasion when improper in-
22 fluencing may occur, so there is no compelling reason
23 to remove candidates from this part of the overall
24 absentee voting process.