

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1049

S.P. 405

In Senate, April 5, 1989

Reference to the Committee on Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BUSTIN of Kennebec.

Cosponsored by Representative HICKEY of Augusta, Representative PARADIS of Augusta and Representative DAGGETT of Augusta.

STATE OF MAINE

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

An Act to Allow Notaries Public to Aid Absentee Voters Without a Separate Witness.



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

3 **Sec. 1. 21-A MRSA §754-A, sub-§3, ¶B,** as amended by PL 1987,
5 c. 736, §42, is further amended to read:

7 B. The voter or the aide must mark the ballot in the
9 presence of one of the following witnesses: Notary public,
11 clerk of a municipality, clerk of courts or another
13 individual. If the voter is assisted by a notary public, no
15 witness is required.

17 **Sec. 2. 21-A MRSA §754-A, sub-§3, ¶¶C and E,** as enacted by PL
19 1985, c. 357, §§12 and 19, are amended to read:

21 C. The voter or the aide, before marking the ballot, must
23 show it to the witness who must examine it to be certain it
25 is unmarked. If the voter is assisted by a notary public,
27 the notary must examine the ballot to be certain it is
29 unmarked.

31 E. The voter or the aide must mark the ballot according to
33 section 691 or 692 so that it is impossible for anyone else
35 present to see how the voter voted, then seal the ballot in
37 its return envelope. The voter, or the aide at the voter's
request, shall complete and sign the affidavit in the
presence of the witness, who shall sign the witness
certification. A notary public assisting a voter may either
witness the voter's signature or, if requested by the voter,
complete and sign the affidavit and the witness
certification. The aide must complete and sign the
certification for aides on the outside of the envelope.

33

35 **STATEMENT OF FACT**

37 This bill provides that when an absentee voter is assisted
by a notary public, no additional witness is required.