

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST SPECIAL SESSION - 1989

Legislative Document

No. 1812

H.P. 1308

House of Representatives, August 21, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

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

EDWIN H. PERT, Clerk

Presented by Representative MANNING of Portland.

STATE OF MAINE

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

An Act Relating to the Inspection of Sample Ballots Prior to General, Primary and Special Elections.

(EMERGENCY)



Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, Public Law 1989, chapter 558 requires the production of sample ballots in all elections; and

Whereas, the production of sample ballots is not necessary in elections in which the same ballot is used statewide; and

Whereas, the unnecessary production of sample ballots would require a needless expenditure of state funds; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 21-A MRSa §606, sub-§2-A, as enacted by PL 1989, c. 558, §1, is amended to read:

2-A. **Sample ballots for special, primary and general elections.** The Secretary of State shall affix a sealed envelope containing samples of each type of candidate ballot packed inside to the outside of every package or box of ballots prepared for a special, primary or general election and sent to a voting place. The Secretary of State shall authorize preparation of the sample candidate ballots which for special, primary or general elections. These sample ballots shall be printed concurrently with the regular ballots. A sample ballot must be substantially the same as the type of ballot it exemplifies, except that:

A. The words "SAMPLE BALLOT" in bold type and the name of the voting district must be printed on each sample ballot;

B. The facsimile of the signature of the Secretary of State must not be printed on a sample ballot; and

C. A sample ballot must be incapable of being cast using a voting machine or electronic voting system.

Sec. 2. 21-A MRSa §606, sub-§3, as repealed and replaced by PL 1989, c. 558, §2, is amended to read:

3. **Receipt issued; inspection of sample ballots in primary and general elections.** The clerk shall immediately send the Secretary of State a receipt for the ballots the clerk receives. Upon receipt of a package or box containing candidate ballots for a special, primary or general election, the clerk shall, in the

2 presence of one or more witnesses, open the sealed envelope
containing sample ballots described in subsection 2-A affixed to
4 that package or box. The clerk shall immediately notify the
Secretary of State if a sample ballot differs materially from the
appropriate specimen ballot, described in section 603.

6
8 **Emergency clause.** In view of the emergency cited in the
preamble, this Act shall take effect September 30, 1989.

10
12 **STATEMENT OF FACT**

14 This bill provides that the Secretary of State shall prepare
sample candidate ballots only for special, primary and general
elections.