

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

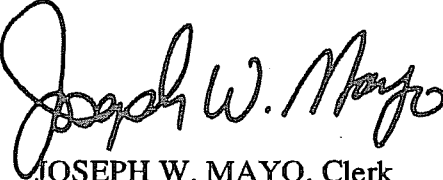
No. 1202

H.P. 888

House of Representatives, April 8, 1993

An Act Concerning the Tallying and Challenging of Absentee Votes.

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


JOSEPH W. MAYO, Clerk

Presented by Representative LIPMAN of Augusta.

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

2 **Sec. 1. 21-A MRSA §759, sub-§3**, as amended by PL 1985, c.357,
4 §§17 and 19, is further amended to read:

6 **3. Rejected if incorrect.** The warden shall ~~may~~ not open
8 the envelope and shall write "Rejected" on it, the reason why and
 his the warden's initials if he the warden finds that:

10 A. The signatures do not appear to have been made by the
12 same person and the discrepancy is not the result of the
14 voter's having obtained assistance under section 753,
 subsection 4 or section 754-A, subsection 3, in cases where
 when an application is required;

16 B. The affidavit is not properly completed;

18 C. The person is not registered or enrolled where necessary;

20 D. The voter has voted in person; or

22 E. The ballot was received by the clerk after the deadline.

24 **Sec. 2. 21-A MRSA §759, sub-§§4, 5 and 6**, as enacted by PL 1985,
26 c. 161, §6, are amended to read:

28 **4. Primary election provisions.** At a primary election when
30 the warden removes a ballot from its envelope, he the warden
32 shall check its color to be sure it is the ballot of the party in
 which the voter is enrolled. If it is not, he the warden shall
 immediately replace it in its envelope, reseal the envelope and
 write "Rejected" on it, the reason why and his the warden's
 initials.

34 **5. Rejected ballots separate.** The warden shall place the
36 return envelopes containing rejected ballots in a separate lot.
38 ~~He shall~~ The warden may not deposit them in the ballot box.

40 **6. Ballots counted.** As soon as the absentee ballots have
42 been processed, they shall must be removed from the ballot box
 and counted the same as regular ballots. Absentee ballots may
44 not be counted before regular ballots are counted. Rejected
 ballots shall are not be counted.

46 **Sec. 3. 21-A MRSA §759, sub-§7**, as amended by PL 1991, c. 862,
48 §7, is further amended to read:

50 **7. Processing before close of polls.** A notice signed by
 the municipal officers must be posted at least 7 days before
 election day in the same manner as posting the warrant under

