

MAINE STATE LEGISLATURE

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L.D. 1964

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LEGAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1438, L.D. 1964, Bill, "An Act to Continue Election Reform Efforts"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 21-A MRSA §759, sub-§7, as amended by PL 1991, c. 862, §7, is further amended to read:

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 section 621, stating each specific time that the clerk intends to begin processing absentee ballots ~~after 2:00 p.m.~~ on election day. The warden may review the notes of the clerk on each return envelope and deposit the absentee ballots into the ballot box before the close of the polls. The clerk shall notify the chairs of each political party of the municipality, in writing, that this procedure is to occur. If the clerk is unable to notify the chair of the municipal political party, the clerk shall notify the chair of the county or state political party.

Sec. 2. 21-A MRSA §759, sub-§8, as enacted by PL 1991, c. 466, §32, is amended to read:

8. Inspection after polls close. If a candidate or that candidate's representative notifies the warden before 8:00 p.m. that the candidate wishes to inspect absentee ballot applications and envelopes after the polls close, the warden shall allow the

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candidate to inspect the applications and envelopes of ballots that have not yet been deposited into the ballot box for 30 minutes after the polls close.

Sec. 3. Study by the Commission on Governmental Ethics and Election Practices; jurisdiction. The Commission on Governmental Ethics and Election Practices shall review its current duties prescribed by law and shall identify issues that the commission has been asked to investigate and has not clearly had the authority to investigate. The commission shall make recommendations, along with any proposed legislation, to clarify and, if necessary, to expand the commission's jurisdiction and duties to the joint standing committee of the Legislature having jurisdiction over legal affairs no later than January 30, 1995.'

Further amend the bill by inserting at the end before the statement of fact the following:

FISCAL NOTE

The additional costs to review its current duties, to identify issues that the commission has been asked to investigate and report its recommendations to the Joint Standing Committee on Legal Affairs can be absorbed by the Commission on Governmental Ethics and Election Practices utilizing existing budgeted resources.'

STATEMENT OF FACT

The amendment replaces the original bill.

The amendment requires municipal officers to specify each specific time that a clerk intends to begin processing absentee ballots so that candidates can plan to attend if they so choose.

The amendment allows a candidate's representative, as well as a candidate, to make absentee ballot inspection requests.

The amendment also requires the Commission on Governmental Ethics and Election Practices to review its current duties under the law and to identify issues that the commission has been asked to investigate and has no clear authority to investigate. The amendment further directs the commission to report its recommendations and any proposed legislation that clarifies and, if necessary, expands the commission's jurisdiction to the joint standing committee of the Legislature having jurisdiction over legal affairs by January 30, 1995.

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The amendment also adds a fiscal note to the bill.

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