

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 406

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S.P. 127

In Senate, January 23, 1997

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### **An Act to Amend the Election Laws Pertaining to Absentee Ballots.**

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Reference to the Committee on Legal and Veterans 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 MICHAUD of Penobscot.  
Cosponsored by Senator DAGGETT of Kennebec, Representatives: DUNLAP of Old Town,  
JONES of Greenville, TESSIER of Fairfield.

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

2           **Sec. 1. 21-A MRSA §753, sub-§3**, as amended by PL 1995, c. 459,  
4           §73, is further amended to read:

6           **3. Application or request received.** On receipt of a  
8           completed application or a request for an absentee ballot signed  
10           by the applicant, the clerk may immediately send or deliver an  
12           absentee ballot and return envelope to the applicant or to a 3rd  
14           person designated in the application or request. The clerk may  
16           not deliver an absentee ballot to any 3rd person who is a  
18           candidate or a member of a candidate's immediate family. The  
20           clerk may not deliver to a 3rd person any absentee ballot  
22           requested under subsection 2-A. If a municipal election is to be  
24           held on the same date as a statewide election, absentee ballots  
26           for the municipal and statewide election may be issued in  
28           response to the same application. The clerk shall issue to any  
30           3rd person designated in an application or request only enough  
32           absentee ballots to ensure that that person does not have more  
34           than 2 10 absentee ballots for voters in a municipality at any  
36           time. A 3rd person must, unless good cause is shown, return an  
38           absentee ballot to the clerk's office within the time limits  
40           provided in section 755. The clerk shall include a ballot  
42           application to be completed by the person who signed only a  
44           written request, unless the written request is sufficient under  
46           subsection 2. The clerk shall type or write in ink the name and  
48           the legal address of the person for whom the absentee ballot is  
50           intended in the upper left hand section of all return envelopes.  
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30           A. If the clerk receives a duplicate application from a  
32           person from whom the clerk has received a return envelope  
34           apparently containing an absentee ballot, the clerk may not  
36           furnish another absentee ballot for that person.

34           B. The clerk may issue a 2nd absentee ballot to an  
36           applicant if the applicant requests one in person or in  
38           writing and:

40           (1) The applicant states good cause, including, but  
42           not limited to, loss of, spoiling of or damage to the  
44           first absentee ballot; or

42           (2) An absentee ballot for the applicant that was  
44           furnished to a designated 3rd person is not returned to  
46           the clerk's office within 2 business days of the date  
48           that ballot was sent or delivered to the 3rd person or  
50           the date that 3rd person was notified by the clerk that  
52           the ballot was available, or by 10 a.m. on the day  
before election day, whichever is earlier. If a ballot  
for an applicant is not returned to the clerk within 2  
days of notification, the clerk shall mail a ballot to  
that applicant on the 3rd day after notification and

2 may issue no other ballot to the applicant except for  
good cause as provided in this subsection. This  
4 subparagraph does not affect the time for delivery of  
absentee ballots under section 755.

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### SUMMARY

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10 This bill allows a 3rd person to have no more than 10  
absentee ballots for voters in a municipality at any time.