

MAINE STATE LEGISLATURE

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M
R. OF S.

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L.D. 2293

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Date: 4-11-08

(Filing No. S- 616)

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LEGAL AND VETERANS AFFAIRS

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STATE OF MAINE

6

SENATE

7

123RD LEGISLATURE

8

FIRST SPECIAL SESSION

9

COMMITTEE AMENDMENT "A" to S.P. 914, L.D. 2293, "Resolve, To Prohibit
10 In-person Absentee Voting on November 3, 2008"

11

Amend the resolve by striking out the title and substituting the following:

12

'Resolve, To Improve the Absentee Voting System on November 3, 2008'

13

Amend the resolve by striking out all of section 1 and inserting the following:

14

**Sec. 1. Municipal clerks authorized to prohibit in-person absentee voting
15 on the day prior to election day. Resolved:** That, notwithstanding the Maine

16

Revised Statutes, Title 21-A, section 753-B, subsection 8, a municipal clerk may prohibit
17 voting by absentee ballot in the presence of the municipal clerk on November 3, 2008, as
18 long as the municipal clerk gives notice of the municipality's intent to do so using the
19 notice of election under Title 21-A, section 621-A. At least 30 days before election day,
20 the municipal clerk shall provide a copy of the notice of election to the Secretary of State
21 and to the chairs of each political party of the municipality, indicating the municipality's
22 intent to prohibit in-person absentee voting on November 3, 2008. The notice to the
23 political parties is considered sufficient as long as it is mailed to the last known address of
24 each municipal chair. The notice to the Secretary of State may be delivered by mail or by
25 facsimile, but if the notice is not received by the Secretary of State by the 30th day before
26 election day, the municipality must allow voting by absentee ballot in the presence of the
27 municipal clerk on November 3, 2008. All other methods of absentee voting authorized
28 by statute must continue to be available to voters on November 3, 2008; and be it further

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**Sec. 2. Municipal clerks shall notify of early processing of absentee
30 ballots at least 30 days prior to election day. Resolved:** That, notwithstanding

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the Maine Revised Statutes, Title 21-A, section 760-B, subsection 2, a municipal clerk
32 must give notice of the municipality's intent to process absentee ballots prior to election
33 day using the notice of election under Title 21-A, section 621-A, stating each specific
34 time that the municipal clerk intends to begin processing absentee ballots and the
35 inspection period provided in Title 21-A, section 760-B, subsection 3. At least 30 days

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to S.P. 914, L.D. 2293

1 before election day, the municipal clerk shall notify the Secretary of State and the chairs
2 of each political party of the municipality, in writing, that this procedure is to occur. The
3 notice to the political parties must be considered sufficient as long as it is mailed to the
4 last known address of each municipal chair. The notice to the Secretary of State may be
5 delivered by mail or facsimile, but if the notice is not received by the Secretary of State
6 by the 30th day before election day the municipality may not process absentee ballots
7 prior to election day. A copy of the notice of election is considered notice in writing
8 under this section.'

9 **SUMMARY**

10 This amendment replaces the resolve, which would prohibit a voter from voting in
11 the presence of a municipal clerk by absentee ballot on the day before election day. This
12 amendment proactively addresses problems that may arise due to the anticipated high
13 voter participation at the next general election and the increased use of the option to vote
14 in person by absentee ballot in the office of the municipal clerk. It authorizes a municipal
15 clerk to prohibit voting by absentee ballot in the presence of the clerk on November 3,
16 2008 as long as a municipal clerk gives notice to the political parties and to the Secretary
17 of State at least 30 days before election day. Even when a municipality prohibits
18 absentee voting in the presence of a municipal clerk, a voter may still request an absentee
19 ballot from the clerk on November 3, 2008 and vote outside of the clerk's office. It also
20 changes the title of the resolve.

FISCAL NOTE REQUIRED
(See attached)



Approved: 04/10/08 *MAC*

123rd MAINE LEGISLATURE

LD 2293

LR 3561(02)

Resolve, To Prohibit In-person Absentee Voting on November 3, 2008

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Legal and Veterans Affairs

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Secretary of State can be absorbed within existing budgeted resources.