

# MAINE STATE LEGISLATURE

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LEGAL AND VETERANS AFFAIRS

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
124TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1117, L.D. 1579, Bill, "An Act To Facilitate Voting by Uniformed Service and Overseas Voters "

Amend the bill by inserting after the title and before the enacting clause the following:

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

**Whereas,** changes to current law are necessary to ensure that uniformed service and overseas voters are able to participate in elections; 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,'

Amend the bill in section 9 in §783 by striking out all of subsection 5 and inserting the following:

**'5. Electronic receipt of absentee ballots.** Authorizing the electronic receipt of an image of voted absentee ballots transmitted by e-mail or fax from uniformed service voters or overseas voters.

The Secretary of State shall adopt rules to administer the central issuance and processing of absentee ballots, including rules that provide for the examination, counting and storage of ballots in the same manner as regular absentee ballots. Rules adopted in accordance with this section are routine technical rules as described by Title 5, chapter 375, subchapter 2-A.'

Amend the bill by inserting after section 9 the following:

**'Sec. 10. Report.** No later than March 1, 2011, the Secretary of State shall submit a report to the joint standing committee of the Legislature having jurisdiction over voting matters regarding the central issuance and processing of absentee ballots for uniformed service and overseas voters including the provisions adopted by rule to provide for

**COMMITTEE AMENDMENT**

1 examination, counting and storage of those ballots. The joint standing committee of the  
2 Legislature having jurisdiction over voting matters may submit a bill to the First Regular  
3 Session of the 125th Legislature.

4 **Sec. 11. Application.** This Act does not apply to the primary election scheduled to  
5 occur in June 2010.'

6 Amend the bill by adding before the summary the following:

7 **'Emergency clause.** In view of the emergency cited in the preamble, this  
8 legislation takes effect when approved except as otherwise indicated.'

9 **SUMMARY**

10 This amendment clarifies a provision in the bill that allows the Secretary of State to  
11 receive absentee ballots for uniformed service and overseas voters by e-mail or fax. It  
12 requires the Secretary of State to adopt rules regarding the central issuance and  
13 processing of absentee ballots for uniformed service and overseas voters to ensure the  
14 ballots are examined, counted and stored in the same manner as regular absentee ballots.  
15 The amendment requires the Secretary of State to issue a report on the central issuance  
16 and processing of absentee ballots for uniformed service and overseas voters to the joint  
17 standing committee of the Legislature having jurisdiction over voting matters by March  
18 1, 2011. The amendment also specifies that the bill, as amended by this amendment, does  
19 not apply to the primary election scheduled to occur in June 2010, and adds an emergency  
20 preamble and clause to the bill.

**FISCAL NOTE REQUIRED**  
(See Attached)



# 124th MAINE LEGISLATURE

LD 1579

LR 2449(02)

## An Act To Facilitate Voting by Uniformed Service and Overseas Voters

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

Committee: Legal and Veterans Affairs

Fiscal Note Required: Yes

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### Fiscal Note

Current biennium cost increase - Federal Expenditures Funds

#### Fiscal Detail and Notes

This legislation incorporates provisions of the federal MOVE Act which was passed as part of the National Defense Authorization Act. As a result of that federal legislation, states must provide an electronic process for transmitting and accepting absentee ballots of uniformed service and overseas voters. The Department of Secretary of State expects to use the existing Accessible Voting Solution system to implement this provision. The department expects that it will need to hire short-term temporary employees to issue the ballot requests. A determination of these costs has not been made at this time. The department will use existing federal Help America Vote Act funds, and it is believed that adequate funds exist in this account to cover all implementation costs of this legislation.