

MAINE STATE LEGISLATURE

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1 *Sing*
2 *ROES*

Date: 6/2/11

L.D. 1528
(Filing No. H-474)

3 VETERANS AND LEGAL AFFAIRS

4 Reproduced and distributed under the direction of the Clerk of the House.

5 STATE OF MAINE
6 HOUSE OF REPRESENTATIVES
7 125TH LEGISLATURE
8 FIRST REGULAR SESSION

9 COMMITTEE AMENDMENT "A" to H.P. 1122, L.D. 1528, Bill, "An Act To
10 Amend the Election Laws and Other Related Laws"

11 Amend the bill in section 18 in subsection 1 in the 3rd line (page 7, line 10 in L.D.)
12 by striking out the following: "day." and inserting the following: 'day, except that in
13 municipalities with a population of less than 500, the polls must be opened no later than
14 10:00 a.m.'

15 Amend the bill by striking out all of sections 23 and 24.

16 Amend the bill by inserting after section 25 the following:

17 'Sec. 26. 21-A MRSA §674, sub-§1, ¶G is enacted to read:

18 G. Having been entrusted with another voter's marked ballot, intentionally or
19 knowingly discloses the content of that ballot to another person.'

20 Amend the bill by striking out all of sections 26 and 27.

21 Amend the bill in section 31 in subsection 4 in the first line (page 10, line 4 in L.D.)
22 by striking out the following: "The" and inserting the following: 'After giving notice to
23 the state chair of each political party, the'

24 Amend the bill in section 31 in subsection 4 in the 2nd line (page 10, line 5 in L.D.)
25 by inserting after the following: "clerk," the following: 'in the presence of one or more
26 witnesses and'

27 Amend the bill by inserting after section 31 the following:

28 'Sec. 32. 21-A MRSA §753-B, sub-§9 is enacted to read:

29 9. Restrictions on absentee voting in presence of clerk. Except as allowed by
30 subsection 5, a municipal clerk may not remove absentee ballots from the municipal
31 office for the purpose of conducting absentee voting in the presence of the clerk except
32 upon receipt of an application or written request from the voter. The clerk may not be
33 assisted in delivering or providing an absentee ballot by any person who is a candidate or
34 a member of a candidate's immediate family. Assistance includes, but is not limited to,

1 providing transportation to a clerk who is delivering absentee ballots to a voter who is not
2 marking the absentee ballot in the municipal clerk's office.'

3 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
4 section number to read consecutively.

5 **SUMMARY**

6 This amendment provides that a municipality with a population of 500 or less may
7 open its voting place as late as 10:00 a.m. on election day. All other municipalities must
8 open their voting places no later than 8:00 a.m. The amendment requires notification to
9 be made to the state chairs of each political party when the Secretary of State authorizes a
10 municipal clerk to open a sealed ballot container. Finally, the amendment adds a new
11 section to the bill that prohibits a municipal clerk from removing absentee ballots from
12 the municipal office to conduct in-person absentee voting unless requested to do so by the
13 voter and prohibits a candidate or a member of the candidate's immediate family from
14 assisting the clerk in delivering absentee ballots.

15 The bill proposes to make the disclosure of another person's voted ballot a Class D
16 crime. The amendment makes such disclosure a Class E crime.

FISCAL NOTE REQUIRED
(See attached)



Approved: 06/01/11 *MAC*

125th MAINE LEGISLATURE

LD 1528

LR 2047(02)

An Act To Amend the Election Laws and Other Related Laws

Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Veterans and Legal Affairs
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Establishes new Class E crimes.

The collection of additional fines may also increase General Fund revenue by minor amounts.

Fiscal Detail and Notes

Additional costs to the Department of Secretary of State associated with this legislation can be absorbed with existing staff and within existing budgeted resources.