

# MAINE STATE LEGISLATURE

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Date: 2-28-12

(Filing No. S-402)

**VETERANS AND LEGAL AFFAIRS**

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE  
SENATE  
125TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “**A**” to S.P. 563, L.D. 1664, Bill, “An Act To Amend the Election Laws”

Amend the bill in section 10 in subsection 2 in the last 6 lines (page 3, lines 23 to 28 in L.D.) by striking out all of the underlined language.

Amend the bill by inserting after section 13 the following:

**Sec. 14. 21-A MRSA §606-A**, as amended by PL 1995, c. 459, §45, is further amended to read:

**§606-A. Special provisions for out-of-district voters**

A voter who registers and votes under section 156 in a municipality outside ~~his~~ the voter's state representative district, state senatorial district, county or county commissioner district or county, may vote for the offices of Representative to the Legislature, State Senator or any county office by using a ballot obtained under this section.

**1. Clerk to notify.** The clerk of a municipality in which voters have registered or enrolled under section 156 since the last statewide election shall notify the Secretary of State of those registrations and enrollments at least 60 days before any the next statewide election. For registrations and enrollments that occur less than 60 days before a statewide election, the clerk shall notify the Secretary of State immediately.

**2. Secretary of State to furnish ballots.** The Secretary of State shall review the number of votes cast at the last election of that type by persons registered and enrolled under section 156 when determining the number of ballots to be furnished to each municipality. These ballots must contain the names of the nominees or candidates for offices in the electoral divisions in which the voters registered under section 156 reside. After receiving notification from the clerk of township voter registrations or enrollments that occur less than 60 days before a statewide election, the Secretary of State shall furnish additional ballots to the municipality as needed. If there is not sufficient time to provide the municipality with the correct ballot style for a township voter, the Secretary

**COMMITTEE AMENDMENT**

1 of State shall instruct the clerk to provide a ballot to the voter in the manner prescribed by  
2 section 604.

3 **3. Voter to use proper ballot.** The election clerk in charge of the ballots at each  
4 voting place shall ~~insure~~ ensure that each voter, registered in that municipality under  
5 section 156, who resides in a different electoral division obtains and uses the proper  
6 ballot provided under this section or a ballot provided in the manner prescribed by section  
7 604.

8 **4. How furnished.** Ballots provided under this section ~~shall~~ must be furnished to  
9 voting places in accordance with section 606.

10 **5. County referendum.** If a township resident registers under section 156 in a  
11 municipality outside ~~his county commissioner district, or outside his~~ the resident's county  
12 in the case of a county referendum, the commissioners of ~~his~~ the resident's county shall  
13 perform the duties of the Secretary of State under this section and section 752, subsection  
14 1, paragraph B. The clerk of a municipality in which these voters have registered or  
15 enrolled under section 156 shall notify the county commissioners of those registrations  
16 and enrollments ~~at least 120 days before any election for county commissioner or for the~~  
17 ~~determination of a county referendum question~~ in the same manner as the notification to  
18 the Secretary of State under subsection 1.'

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

21 **SUMMARY**

22 This amendment strikes the provision of the bill that applies to a township voter who  
23 uses the special provision in election law that permits the voter to vote in a nearby  
24 municipality when a voting place has not been established in the voter's township. The  
25 bill provides that if the township voter fails to register prior to 60 days before an election  
26 and the town does not have sufficient ballots for that township voter, the voter must vote  
27 a ballot from the municipality that has been amended to include only those questions and  
28 offices for which the township voter is eligible to vote. This amendment allows for more  
29 flexibility to provide correct ballots to a township voter who registers after 60 days prior  
30 to an election and provides that the voter will only have to vote using an amended ballot  
31 when there is not enough time to furnish the election clerk with sufficient township  
32 ballots.

33 **FISCAL NOTE REQUIRED**

34 (See attached)



# 125th MAINE LEGISLATURE

LD 1664

LR 2654(02)

An Act To Amend the Election Laws

**Fiscal Note for Bill as Amended by Committee Amendment "A" S-402**

**Committee: Veterans and Legal Affairs**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Additional costs to the Department of Secretary of State associated with providing written instructions to municipalities that indicates where absentee voters can view the Treasurer's Statement can be absorbed within existing budgeted resources.