

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 1449

S.P. 552

In Senate, June 23, 2015

An Act To Amend the State Election Laws

Reported by Senator CYRWAY of Kennebec for the Joint Standing Committee on Veterans and Legal Affairs pursuant to Joint Order 2015, S.P. 551.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

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

2 **Sec. 1. 21-A MRSA §783, sub-§5**, as enacted by PL 2009, c. 563, §9, is amended
3 to read:

4 **5. Electronic receipt of absentee ballots.** Authorizing the electronic receipt of ~~an~~
5 ~~image of~~ voted absentee ballots ~~transmitted by e-mail or fax~~ from uniformed service
6 voters or overseas voters by a method authorized by the Secretary of State.

7 **Sec. 2. 21-A MRSA §809-A, sub-§1-A**, as amended by PL 2007, c. 455, §50, is
8 further amended to read:

9 **1-A. Prohibition not applicable.** For the purpose of providing a voting system
10 equipped for individuals with disabilities as required by section 812-A, subsection 1 and
11 the federal Help America Vote Act of 2002, Public Law 107-252, the prohibition in
12 subsection 1 does not apply to the connection of individual voting devices to a central
13 server ~~using a wired, point-to-point telephone connection that is not Internet-enabled~~
14 when the central server is operated or managed by the Secretary of State.

15 **Sec. 3. 21-A MRSA §809-A, sub-§3**, as enacted by PL 2003, c. 651, §4, is
16 amended to read:

17 **3. Internet voting.** Use of the Internet for the casting of votes ~~on-line~~ online is
18 prohibited. This subsection does not apply to a ballot-marking system or software that is
19 used for voters with disabilities, uniformed service voters or overseas voters to mark a
20 ballot online and securely transmit the marked ballot to a central server operated or
21 managed by the Secretary of State, as long as the system does not tabulate the votes
22 marked on those ballots.

23 **SUMMARY**

24 This bill makes the following changes to the election laws.

25 1. It allows the Secretary of State to accept voted absentee ballots from uniformed
26 service voters and overseas voters by an electronic means authorized by the Secretary of
27 State.

28 2. It allows for the connection of individual voting devices to a central server
29 operated or managed by the Secretary of State for voting systems equipped for
30 individuals with disabilities by other than a wired, point-to-point telephone connection.

31 3. It allows for the use of the Internet to provide a ballot-marking system or software
32 that is used for voters with disabilities, uniformed service voters or overseas voters to
33 mark a ballot and transmit the marked ballot online, as long as the system or software
34 does not tabulate the ballots or transmit the ballot tabulations online.