

# MAINE STATE LEGISLATURE

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Date: 6/4/19 Majority

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**VETERANS AND LEGAL AFFAIRS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
129TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1232, L.D. 1730, Bill, "An Act To Amend the Laws Governing Elections"

Amend the bill by striking out all of sections 1 and 2 and inserting the following:

'Sec. 1. 21-A MRSA §22, sub-§2, as enacted by PL 1997, c. 248, §1, is amended to read:

**2. Ballots.** ~~Ballots~~ Official ballots, whether in paper form or in an electronic or image format, are not public records and may be inspected only in accordance with this Title. For purposes of this subsection, "official ballot" means a ballot used by a voter to cast a vote at an election. "Official ballot" includes an absentee ballot and a ballot cast on election day at a voting place.

Amend the bill by striking out all of section 4 and inserting the following:

'Sec. 4. 21-A MRSA §23, sub-§7, as amended by PL 2011, c. 534, §1, is further amended to read:

**7. Ballots and other election materials.** For 22 months following an election in which a candidate for a federal office is on the ballot, the clerk shall keep the ballots, tabulation materials related to those ballots and challenge certificates, if any, in the clerk's office or other secure location under the control of the clerk, unless sooner released to the Secretary of State or required by the Secretary of State to be kept longer. Once released to the Secretary of State, they must be kept by the Secretary of State until any appeal period bearing on the validity of the election has expired. Notwithstanding this subsection, test ballots and documentation of preelection testing of tabulating or accessible voting devices must be kept for 6 months and ballots used for municipal elections conducted under this Title, referenda elections or special legislative elections must be kept for 2 months.'

Amend the bill by striking out all of section 15.

Amend the bill by striking out all of section 21.

Amend the bill by striking out all of sections 23 to 27.

**COMMITTEE AMENDMENT**

BOFS

1 Amend the bill in section 28 in subsection 2-A in paragraph A in the 3rd line (page 7,  
2 line 8 in L.D.) by striking out the following: "authorized" and inserting the following:  
3 'approved'

4 Amend the bill in section 40 in subsection 5 in the 5th from last line (page 11, line 32  
5 in L.D.) by striking out the following: "683" and inserting the following: '682'

6 Amend the bill by inserting after section 45 the following:

7 '**Sec. 46. 30-A MRSA §2504**, as corrected by RR 1999, c. 1, §43, is amended to  
8 read:

9 **§2504. Circulation of petitions for local initiative**

10 No municipality may enact any charter provision or ordinance prohibiting the  
11 circulation of petitions for any local initiative or restricting the circulation or signing of  
12 petitions for any local initiative to a municipal facility or other specific location. A  
13 Unless otherwise provided by charter, a petition related to any local initiative, including,  
14 without limitation, petitions filed under section 2522, section 2528, subsection 5, the  
15 Constitution of Maine, Article IV, Part Third, Section 21, or a municipal charter  
16 provision authorizing local initiatives, may be circulated as provided in Title 21-A,  
17 section 903-A by any resident of the State who is a registered voter of the State. A  
18 circulator of a petition shall solicit signatures for the petition by presenting the petition to  
19 a registered voter of the municipality, asking the voter to sign the petition and personally  
20 witnessing the voter affixing the voter's signature to the petition. The circulator shall  
21 require a voter who signs the petition to print the voter's name and address on the petition.  
22 The circulator of the petition shall sign the petition and verify by oath or affirmation  
23 before a notary public or other person authorized by law to administer oaths or  
24 affirmations that the circulator personally witnessed all of the signatures to the petition,  
25 that to the best of the circulator's knowledge and belief each signature is the signature of  
26 the person whose name it purports to be and that each signature authorized under section  
27 153-A was made by the authorized signer in the presence and at the direction of the voter.  
28 After administering the oath to the circulator, the notary public or other authorized person  
29 shall sign the notarial certificate on the petition while in the presence of the circulator.'

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

32 **SUMMARY**

33 This amendment, which is the majority report of the committee, makes the following  
34 changes to the bill.

35 1. It removes the provisions of the bill that authorize the Secretary of State to omit  
36 the write-in space on a ballot for any office in which there is no declared write-in  
37 candidate.

38 2. It removes the provisions of the bill that change the laws restricting certain  
39 activities at and around the polls on election day.

ROFS

COMMITTEE AMENDMENT "A" to H.P. 1232, L.D. 1730

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3. It adds a provision to the bill clarifying the procedures used to collect signatures on petitions for local initiatives.

4. It makes several clarifying technical changes to the bill.

**FISCAL NOTE REQUIRED**

**(See attached)**

**COMMITTEE AMENDMENT**



# 129th MAINE LEGISLATURE

LD 1730

LR 2291(02)

**An Act To Amend the Laws Governing Elections**

**Fiscal Note for Bill as Amended by Committee Amendment**

*A.(H-459)*

**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 this legislation can be absorbed within existing budgeted resources.