

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 1164

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H.P. 842

House of Representatives, March 22, 2021

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**An Act To Expand the Application Period for Absentee Ballot  
Requests and Allow Early Processing of Absentee Ballots**

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Received by the Clerk of the House on March 18, 2021. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative BAILEY of Gorham.

Cosponsored by Representatives: BERRY of Bowdoinham, CRAFTS of Newcastle, GERE of Kennebunkport, HASENFUS of Readfield, LOOKNER of Portland, O'NEIL of Saco, OSHER of Orono, SHEEHAN of Biddeford.

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

2 **Sec. 1. 21-A MRSA §753-B, sub-§2, ¶B**, as amended by PL 2011, c. 534, §17, is  
3 further amended to read:

4 B. To an immediate family member or to a 3rd person if the absentee ballot was  
5 requested by telephone or by electronic means; or

6 **Sec. 2. 21-A MRSA §753-B, sub-§2, ¶C**, as enacted by PL 2011, c. 399, §23, is  
7 amended to read:

8 C. To a 3rd person who already has been issued 5 absentee ballots for voters in the  
9 municipality, until the 3rd person has returned one of those ballots; ~~or~~

10 **Sec. 3. 21-A MRSA §753-B, sub-§2, ¶D**, as amended by PL 2011, c. 534, §18, is  
11 repealed.

12 **Sec. 4. 21-A MRSA §760-B, first ¶**, as amended by PL 2019, c. 371, §37, is further  
13 amended to read:

14 Any municipality or jurisdiction that conducts its own elections may opt to process  
15 absentee ballots beginning on the 4<sup>th</sup> 7<sup>th</sup> day immediately prior to election day. The clerk  
16 shall use the following procedure when processing the absentee ballots during this time.

17 **Sec. 5. 21-A MRSA §781-A**, as amended by PL 2019, c. 636, §18, is further  
18 amended to read:

19 **§781-A. Absentee ballot application; procedure on receipt**

20 ~~Notwithstanding the absentee ballot application deadline in section 753-B, subsection~~  
21 ~~2, paragraph D, upon~~ Upon receipt of an application or written request for an absentee  
22 ballot prior to 5 p.m. on the day before election day from a uniformed service voter or  
23 overseas voter that is accepted pursuant to section 753-A or section 783, the clerk or the  
24 Secretary of State shall immediately issue an absentee ballot and return envelope by the  
25 authorized means designated by the voter in the application. If the ballot is to be  
26 transmitted to the voter by mail, the clerk or the Secretary of State shall type or write in ink  
27 the name and the residence address of the voter in the designated section of the return  
28 envelope. The Secretary of State shall provide a return envelope that moves free of postage  
29 under federal law.

30 **SUMMARY**

31 This bill removes the prohibition against a municipal clerk's issuing an absentee ballot  
32 to any voter or immediate family member or 3rd person designated by the voter whose  
33 application or written request for an absentee ballot is received in the municipal office after  
34 the 3rd business day before election day. It also allows a municipality or jurisdiction that  
35 conducts its own elections to opt to process absentee ballots beginning on the 7th day  
36 immediately prior to election day, not the 4th day immediately prior to election day, as in  
37 current law.