

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 1276

H.P. 936

House of Representatives, March 29, 2021

An Act To Ensure All Legal Voters Are Able To Participate in Elections

Received by the Clerk of the House on March 25, 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 ROBERTS of South Berwick.
Cosponsored by Representatives: MEYER of Eliot, RIELLY of Westbrook, STOVER of Boothbay, Senators: DAUGHTRY of Cumberland, LUCHINI of Hancock.

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

2 **Sec. 1. 21-A MRSA §765** is enacted to read:

3 **§765. Exterior absentee ballot drop boxes or drop slots**

4 A municipality may obtain and deploy one absentee ballot drop box or drop slot outside
5 the municipal office building for use by voters of that municipality to return their voted
6 ballots without requiring contact with an election official. Delivery to a drop box or drop
7 slot pursuant to this section constitutes delivery to the clerk as provided in section 754-A.
8 An absentee ballot drop box, or a drop slot attached to a secure collection box, must meet
9 the following requirements.

10 **1. Securely located.** The absentee ballot drop box or drop slot must be located on
11 municipal property next to or adjoining the municipal office building. The drop box or
12 drop slot must be secured so that it cannot be moved or removed by any unauthorized
13 person. If the drop box or drop slot is positioned against an outside wall of the municipal
14 office building, it must be bolted or otherwise securely fastened to the municipal office
15 building wall or to the deck or landing. If the drop box or drop slot is located away from
16 the municipal office building, it must be set onto a post that is sunk into the ground or set
17 into a concrete pad or bolted or otherwise securely affixed to a platform or other structure.
18 When in use for an election, the drop box or drop slot must be monitored periodically by
19 law enforcement personnel, municipal staff or a surveillance camera.

20 **2. Provide secure method for ballot deposit.** The drop box or drop slot must provide
21 a slot or chute that the voter can use to deposit an absentee ballot envelope into the
22 collection box. This slot or chute must be designed so that it prevents a person from
23 reaching in and accessing envelopes deposited into the drop box or drop slot and so that
24 the deposited ballots are protected from the elements. The slot or chute also must have a
25 mechanism with which the slot or chute may be closed and locked so that no ballots can be
26 deposited once it is closed and locked. The slot or chute must feed directly into a secure,
27 locked collection box, so that the deposited envelopes remain secured until the municipal
28 clerk or designee removes the envelopes and secures them in the clerk's office.

29 **3. Clearly labeled.** The drop box or drop slot must be labeled, or a sign must be
30 posted on or near the drop box or drop slot, to indicate that it is an official absentee ballot
31 drop box or drop slot. Unless the drop box or drop slot is affixed to the outside wall of the
32 municipal office building, the drop box or drop slot must display the name of the
33 municipality. The drop box or drop slot may have additional signage instructing voters
34 about absentee voting requirements, including warnings against use by voters of other
35 municipalities.

36 **4. Use and access during absentee voting period.** During the period when absentee
37 voting is taking place before an election, the absentee ballot drop box or drop slot must be
38 used only for collection of absentee ballots and not for other municipal office filings or
39 payments. The contents of the drop box or drop slot collection box must be accessible only
40 to the municipal clerk or designees. No other municipal staff may have keys or access to
41 the drop box or drop slot collection box contents during the absentee voting period. If
42 material other than absentee ballot envelopes is deposited into the drop box or drop slot,
43 the municipal clerk or designee is responsible for delivering that material to the appropriate
44 municipal official.

