

MAINE STATE LEGISLATURE

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N I N E T I E T H L E G I S L A T U R E

Legislative Document

No. 134

H. P. 338

House of Representatives, January 22, 1941.

Referred to Committee on Judiciary. Sent up for concurrence and 500 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Southard of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

AN ACT Relating to Absent Voting.

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

R. S., c. 9, § 6, amended. Section 6 of chapter 9 of the revised statutes, as amended by section 5 of chapter 183 of the public laws of 1937 and section 3 of chapter 234 of the public laws of 1939, is hereby further amended to read as follows:

'Sec. 6. How the voter who has received an absent voting ballot or physical incapacity voting ballot may vote. A voter who has executed and filed an application for an official absent voting ballot or physical incapacity voting ballot with the clerk of the city or town in which he is a registered voter may, after his application is certified and he has obtained an official absent voting ballot or physical incapacity voting ballot as provided in the 2 sections last preceding, vote by mailing said ballot as hereinafter provided or by delivering said ballot in person, to such city or town clerk. He shall mark said ballot in the presence of any official authorized by law to administer oaths, if the marking is done within the state of Maine, ~~and~~ **or** in the presence of any notary public having a seal, if the marking is done outside ~~of~~ the state of Maine, **or in the presence of any commissioned officer of the army, navy or marine corps, including officers of the national guard, officers' reserve corps, naval militia, naval reserve, or marine corps reserve**

in federal service, if the voter is in the military service of the United States, whether within or outside of the state of Maine ; but, in either case, no person other than the voter and the official taking his oath shall be present during the marking and sealing of said ballot. Before marking said ballot, the voter shall exhibit it to said official, who shall satisfy himself that it is unmarked, but he shall not allow said official to see how he marked it. Said official shall hold no communication with the voter, nor he with said official, as to how he is to vote. Thereafter the voter shall enclose and seal the ballot in the envelope provided for in clause (c) of section 2. He shall then execute before said official the affidavit on said envelope as set forth in said clause (c), and commissioned officers of the army, navy and marine corps, including officers of the national guard, officers' reserve corps, naval militia, naval reserve, and marine corps reserve in federal service are hereby authorized to administer the oaths herein required. Said official shall endorse thereon the certificate provided for in said clause (c) and affix his official seal, if any, and said voter shall enclose and seal the envelope with the ballot in the envelope provided for in clause (d) of section 2, endorse thereon his name, address and voting place, and mail the same within the time prescribed in the following section, by registered mail requesting return receipt therefor, postage prepaid, at any post office, or may deliver the same in person as above provided.'