

MAINE STATE LEGISLATURE

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N I N E T Y - F I F T H L E G I S L A T U R E

Legislative Document

No. 82

H. P. 155

House of Representatives, January 18, 1951.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Dickey of Brooks.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-ONE

AN ACT to Eliminate the Oath in Absent Voting.

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

Sec. 1. R. S., c. 6, § 2, sub-§ IV, repealed and replaced. Subsection IV of section 2 of chapter 6 of the revised statutes is hereby repealed and the following enacted in place thereof:

‘IV. Envelopes of sufficient size to contain the ballots specified in subsection I bearing on their reverse the following affidavit:

“State of

County of

ss.

I, _____, am a legally registered voter in the city or town of _____, in the county of _____, and state of Maine, and entitled to cast the within ballot; that I am unable to cast my ballot on election day at the voting place where I am entitled to vote because I am unable to vote as a result of physical incapacity or because I shall be absent from said town of _____ on election day for the following reasons: (here insert reasons) that I have carefully read the instructions forwarded to me with the ballot herein enclosed.

I declare under the penalties of perjury that the above statement is true to the best of my knowledge and belief.

(Signature)

When the physical incapacity ballot is used, it shall be accompanied by a medical certificate which shall briefly describe the physical incapacity, and state that this physical incapacity does not adversely affect the soundness of mind, but that it prevents the person so incapacitated from going to the polls. The certificate shall likewise be mailed to the clerk with the envelope mentioned in this subsection.'

Sec. 2. R. S., c. 6, § 7, repealed and replaced. Section 7 of chapter 6 of the revised statutes, as amended, is hereby repealed and the following enacted in place thereof :

'Sec. 7. How the voter 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 and has obtained an official absent voting ballot or physical incapacity voting ballot, may vote by mailing or delivering such ballot as hereinafter provided to such city or town clerk. He shall mark his ballot in private and shall enclose and seal the ballot in the envelope provided for in subsection IV of section 2. He shall then execute the affidavit on the envelope as set forth in said subsection IV and mail the same within the time prescribed in the following section at any post office or may deliver it in person or by his accredited agent.'