

MAINE STATE LEGISLATURE

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

Legislative Document

No. 303

H. P. 219

House of Representatives, January 30, 1957.

Referred to the Committee on Judiciary, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Walker of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT Relating to Absent Voting.

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

Sec. 1. R. S., c. 6, § 1, amended. Section one of chapter 6 of the Revised Statutes is hereby amended to read as follows:

'Sec. 1. "Absentee voters" defined. An absentee voter is defined to be any person who is a duly qualified registered voter and, in respect to any primary election, duly enrolled as a member of the political party in the primary of which he proposes to vote except when he is serving a sentence in jail or in any penal institution, after conviction, in this or any other state, of a criminal offense, but who, through absence from the city or town in which he is entitled to vote, or who, through some physical incapacity not adversely affecting his soundness of mind, to which condition a physician duly admitted to practice, a **hospital superintendent, an attending registered nurse or a municipal health officer** shall have certified ~~after examination~~, or who for religious reasons, is unable to cast his ballot at the voting place where he is entitled to vote, at any city election, which shall include a city primary where the Australian ballot is used, at any primary election held pursuant to the provisions of sections 1, 15, 46 and 47 of chapter 4, or at any general or special state election as the term state election is defined in section 1 of chapter 5, including also elections for the choice of electors of President and Vice-president of the United States, elections held in accordance with the initiative or referendum provisions of the Constitution of Maine, and elections to vote upon amendments to the Constitution of Maine.'

Sec. 2. R. S., c. 6, § 6, amended. The first sentence of section 6 of chapter 6 of the Revised Statutes, as amended by section 9, chapter 47 of the public laws of 1955, is hereby further amended to read as follows:

'When a written request, **signed by the person desiring to so vote**, for an absent voting ballot or physical incapacity voting ballot is received by the clerk of a city, he shall forthwith mail or deliver the application and ballot to the applicant; ~~provided, however, that if~~. **If** the request is made on the form prescribed by subsections II and III of section 2, then he shall mail or deliver only the ballot.'

Sec. 3. R. S., c. 6, § 7, amended. The last sentence of section 7 of chapter 6 of the Revised Statutes is hereby amended to read as follows:

'The clerk shall cause to be placed on the voting list, opposite the name of each person to whom an official absent voting ballot or physical incapacity voting ballot is mailed or delivered, the letters in capitals **A. V., at the time said application is submitted to them for approval.**'

Sec. 4. R. S., c. 6, § 9, amended. Section 9 of chapter 6 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 9. Receipt of ballots from absent voter.** All ballots cast under the provisions of ~~the preceding~~ section 8 shall be mailed on or before the day of election or, if delivered, shall be delivered at least 24 hours before the opening of the polls at the voter's voting place on the day of election. The postmark, if legible, shall be conclusive evidence of the time and place of mailing. ~~whether delivered in person or by mail shall be received by the plantation, town or city clerk before the closing of the polls on the day of election~~'