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An Act To Update Absentee Ballot Procedures

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, domestic partners are not included in the definition of immediate family members for the purposes of requesting an absentee ballot; and

Whereas, many citizens of the State have taken advantage of the domestic partner laws; and

Whereas, these domestic partners are unable to request absentee ballots for their partners under the current law; and

Whereas, the next election will take place before the general effective date of legislation passed by the 123rd Legislature; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 21-A MRSA §1, sub-§13-A is enacted to read:

13-A. Domestic partner. "Domestic partner" means the partner of a voter who:

- A. Has been legally domiciled with the voter for at least 12 months;
- B. Is not legally married to or legally separated from another individual;
- C. Is the sole partner of the voter and expects to remain so; and
- D. Is jointly responsible with the voter for each other's common welfare as evidenced by joint living arrangements, joint financial arrangements or joint ownership of real or personal property.

Sec. 2. 21-A MRSA §1, sub-§20, as amended by PL 2001, c. 310, §1, is further amended to read:

20. Immediate family. "Immediate family" means a person's spouse, parent, grandparent, child, grandchild, sister, brother, stepparent, stepgrandparent, stepchild, stepgrandchild, stepsister, stepbrother, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, guardian or former guardian or domestic partner.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective May 15, 2007.