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Date: (Filing No. S-)

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STATE OF MAINE
SENATE
130TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to S.P. 99, L.D. 231, “An Act To Establish Open Primaries”

Amend the amendment by inserting after the 3rd instructional paragraph the following:

'Amend the bill by striking out all of section 4 and inserting the following:

'Sec. 4. 21-A MRSA §441, sub-§2, as amended by PL 2021, c. 273, §7, is repealed.'

Amend the amendment by striking out all of section 8 and inserting the following:

'Sec. 8. 21-A MRSA §723-A, sub-§5-B, as amended by PL 2021, c. 273, §11, is further amended to read:

5-B. Presidential primary elections; selection of delegates. Notwithstanding any provision of this section to the contrary, for presidential primary elections, batch elimination may not be used for any candidates with more than 100 votes, tabulation must continue until only 2 continuing candidates remain, separate tabulations must be conducted statewide and for each congressional district and selection and allocation of delegates to a party's national presidential nominating convention must be in accordance with any reasonable procedures established at the state party convention, except that unenrolled voters who participate in the party's primary election must be considered members of the party for purposes of allocating delegates.'

Amend the amendment by striking out all of section 9 and inserting the following:

'Sec. 9. 21-A MRSA §753-B, sub-§6, ¶A, as amended by PL 2021, c. 273, §20, is further amended to read:

A. The list of absentee voters must include each voter's name, residence address, voting district and party affiliation; the date and manner by which the ballot was requested, issued and received; if the voter is unenrolled, which party's ballot the voter requested for the primary election, if applicable; and a notation of whether the application and the ballot were accepted or rejected. If the clerk determines that there is a defect on the return envelope of an absentee ballot under section 756, subsection 2 and that defect is cured pursuant to section 756-A, the clerk shall note whether the ballot was accepted or accepted but challenged and shall list the date that the defect was cured as the date that the ballot was received. The clerk must also indicate on the

SENATE AMENDMENT

1 list when the absentee voter is a uniformed service voter, overseas voter or township
2 voter. By the time that all absentee ballots have been processed on election day, the
3 clerk must update the central voter registration system or annotate the printed list of
4 absentee voters to reflect all ballots that were received by the close of the polls on
5 election day, including a notation of whether the ballots were accepted, accepted but
6 challenged or rejected and the reasons for such rejections. This list, reflecting all
7 absentee ballots received by the close of the polls, must be made available for public
8 inspection. Any absentee voter certified as a participant in the Address Confidentiality
9 Program pursuant to Title 5, section 90-B must be listed by the voter code assigned to
10 that individual under the program instead of by the voter's name and reflect the Address
11 Confidentiality Program address assigned to the voter. The list of absentee voters must
12 be sorted so that the program participants appear at the end of the list and must be
13 printed on a separate page of the list. The portion of the list of absentee voters relating
14 to Address Confidentiality Program participants must be kept under seal and excluded
15 from public inspection.'

16 Amend the amendment by inserting after section 9 the following:

17 **'Sec. 10. Transfer from Medical Use of Marijuana Fund, Other Special**
18 **Revenue Funds account to unappropriated surplus of General Fund.**
19 Notwithstanding any provision of law to the contrary, on or before June 30, 2023, the State
20 Controller shall transfer \$200,932 from the Medical Use of Marijuana Fund, Other Special
21 Revenue Funds account to the unappropriated surplus of the General Fund.'

22 Amend the amendment by relettering or renumbering any nonconsecutive Part letter or
23 section number to read consecutively.

24 **SUMMARY**

25 This amendment directs the State Controller to transfer \$200,932 from the Medical Use
26 of Marijuana Fund, Other Special Revenue Funds account to the unappropriated surplus of
27 the General Fund on or before June 30, 2023. It also makes a number of technical changes
28 to reflect current law.

29 **SPONSORED BY:** _____

30 **(Senator BREEN, C.)**

31 **COUNTY: Cumberland**