

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by inserting after the title and before the enacting clause the following:

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

**Whereas,** changes to current law are necessary to ensure that uniformed service and overseas voters are able to participate in elections; 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,'

Amend the bill in section 9 in §783 by striking out all of subsection 5 and inserting the following:

**5. Electronic receipt of absentee ballots.** Authorizing the electronic receipt of an image of voted absentee ballots transmitted by e-mail or fax from uniformed service voters or overseas voters.

The Secretary of State shall adopt rules to administer the central issuance and processing of absentee ballots, including rules that provide for the examination, counting and storage of ballots in the same manner as regular absentee ballots. Rules adopted in accordance with this section are routine technical rules as described by Title 5, chapter 375, subchapter 2A.'

Amend the bill by inserting after section 9 the following:

**Sec. 10. Report.** No later than March 1, 2011, the Secretary of State shall submit a report to the joint standing committee of the Legislature having jurisdiction over voting matters regarding the central issuance and processing of absentee ballots for uniformed service and overseas voters including the provisions adopted by rule to provide for examination, counting and storage of those ballots. The joint standing committee of the Legislature having jurisdiction over voting matters may submit a bill to the First Regular Session of the 125th Legislature.

**Sec. 11. Application.** This Act does not apply to the primary election scheduled to occur in June 2010.'

Amend the bill by adding before the summary the following:

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved except as otherwise indicated.'

## SUMMARY

This amendment clarifies a provision in the bill that allows the Secretary of State to receive absentee ballots for uniformed service and overseas voters by e-mail or fax. It requires the Secretary of State to adopt rules regarding the central issuance and processing of absentee ballots for uniformed service

and overseas voters to ensure the ballots are examined, counted and stored in the same manner as regular absentee ballots. The amendment requires the Secretary of State to issue a report on the central issuance and processing of absentee ballots for uniformed service and overseas voters to the joint standing committee of the Legislature having jurisdiction over voting matters by March 1, 2011. The amendment also specifies that the bill, as amended by this amendment, does not apply to the primary election scheduled to occur in June 2010, and adds an emergency preamble and clause to the bill.