



# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 439

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H.P. 319

House of Representatives, February 7, 2017

### **An Act To Allow Voters To Choose Ongoing Absentee Voter Status**

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Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative FECTEAU of Biddeford.

Cosponsored by Senator BELLOWS of Kennebec and Representative: HICKMAN of Winthrop.

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

2 **Sec. 1. 21-A MRSA §753-A, sub-§7** is enacted to read:

3 **7. Application for ongoing absentee voter status.** A voter may apply, in writing,  
4 for status as an ongoing absentee voter. Each qualified applicant must automatically  
5 receive an absentee ballot for each ensuing statewide election for which the voter is  
6 entitled to vote and need not submit a separate request for each election.

7 A. A request for status as an ongoing absentee voter must be made in writing by the  
8 voter on a form designed by the Secretary of State.

9 B. The Secretary of State shall send a copy of an approved request under this  
10 subsection to the clerk of the municipality where the absentee voter is registered and  
11 a copy to the address of the absentee voter.

12 C. The Secretary of State shall terminate a voter's ongoing absentee voter status  
13 upon:

14 (1) The written request of the voter;

15 (2) The death or disqualification of the voter;

16 (3) The cancellation of the voter's registration record in the central voter  
17 registration system;

18 (4) The return of an absentee ballot as undeliverable; or

19 (5) The designation of a voter's status as inactive in the central voter registration  
20 system.

21 **Sec. 2. 21-A MRSA §753-B, sub-§1-A** is enacted to read:

22 **1-A. Ballot issued to ongoing absentee voter.** Upon receipt of absentee ballots  
23 from the printer, the clerk shall immediately issue an absentee ballot and return envelope  
24 by mail to any voter who has qualified for ongoing absentee voter status under section  
25 753-A, subsection 7.

26 **Sec. 3. 21-A MRSA §754-A, sub-§1,** as amended by PL 2009, c. 253, §49, is  
27 further amended to read:

28 **1. Ballot delivered to voter or immediate family member.** When a voter or an  
29 immediate family member of a voter obtains a ballot from the clerk in person or by mail  
30 and returns that ballot to the clerk in person or by mail and receives no assistance in  
31 marking the ballot, the following procedures apply.

32 A. The voter shall mark that ballot according to section 691 or 692 so that it is  
33 impossible for anyone present at the time to see how the voter voted.

34 B. While the voter is marking the ballot, there may be no communication between  
35 the voter and any other individual as to the person or question for which the voter is  
36 to vote.

1 C. After the voter has completed marking the ballot, the voter shall then seal the  
2 ballot in its return envelope and complete the affidavit on the envelope. A notary or  
3 witness certification is not required unless the voter is assisted pursuant to subsection  
4 3.

5 D. The voter or an immediate family member of the voter shall then mail or deliver  
6 in person the sealed envelope containing the voted ballot to the clerk of the  
7 municipality of which the voter is a resident. The voter shall send a completed voter  
8 registration or absentee ballot application, if necessary, in a separate envelope.

9 E. If an immediate family member of the voter returns an absentee ballot that was  
10 requested by the voter or another immediate family member of the voter, in writing or  
11 in person, the clerk shall accept the ballot. The clerk shall have the immediate family  
12 member who returned the ballot sign the application or written request and shall  
13 indicate that the ballot was returned by that person.

14 A ballot that was issued to a voter who has filed an application for ongoing absentee voter  
15 status under section 753-A, subsection 7 must be returned by mail or in person by the  
16 voter or an immediate family member of the voter.

17 **SUMMARY**

18 This bill provides a process for a voter to request ongoing absentee voter status,  
19 which allows the voter to automatically receive an absentee ballot for each statewide  
20 election until the status is terminated.