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Legislative Document

No. 1615

H.P. 1187

House of Representatives, December 30, 2013

An Act To Amend the Election Laws

(EMERGENCY)

Submitted by the Secretary of State pursuant to Joint Rule 204.

Received by the Clerk of the House on December 23, 2013. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative LUCHINI of Ellsworth.
Cosponsored by Senator TUTTLE of York and
Representatives: BERRY of Bowdoinham, HOBBS of Saco, WILLETTE of Mapleton,
Senators: COLLINS of York, CRAVEN of Androscoggin, JACKSON of Aroostook,
MAZUREK of Knox, VALENTINO of York.

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

3 **Whereas,** changes to the election laws should apply to both the primary and general
4 elections and thus should be effective prior to the June primary election; and

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

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

10 **Sec. 1. 21-A MRSA §23, sub-§4,** as amended by PL 2013, c. 131, §4, is further
11 amended to read:

12 **4. Receipts for ballots.** The Secretary of State and each clerk shall keep a record of
13 receipts for ballots issued and received under sections 606 and 651 in ~~the office of the~~
14 ~~Secretary of State~~ their respective offices for 6 months.

15 **Sec. 2. 21-A MRSA §144, sub-§3,** as amended by PL 2013, c. 131, §8 and c.
16 173, §1, is repealed and the following enacted in its place:

17 **3. Restrictions during change of enrollment.** Except as provided in subsection 4, a
18 voter may not vote at a caucus, convention or primary election for 15 days after filing an
19 application to change enrollment. A voter may sign a primary nomination petition during
20 the 15-day period after filing an application to change enrollment, and the voter's
21 signature must be counted as valid, as long as the 15-day period has elapsed by the time
22 the petition is certified pursuant to section 335, subsection 7 and the voter otherwise is
23 qualified to sign a petition for that office. Notwithstanding subsection 4, a voter must file
24 an application to change enrollment prior to January 1st to be eligible to file a petition as
25 a candidate in that election year.

26 **Sec. 3. 21-A MRSA §753-B, sub-§6, ¶A,** as amended by PL 2005, c. 364, §7, is
27 further amended to read:

28 A. The list of absentee voters must include each voter's name, residence address,
29 voting district and party affiliation; the date and manner by which the ballot was
30 requested, issued and received; and a notation of whether the application and the
31 ballot were accepted or rejected; ~~and a place for the registrar to certify the voter~~
32 ~~registration status of the absentee voters.~~ The clerk must also indicate on the list
33 when the absentee voter is a uniformed service voter, overseas voter or township
34 voter. By the time that all absentee ballots have been processed on election day, the
35 clerk must update the central voter registration system or annotate the printed list of
36 absentee voters to reflect all ballots that were received by the close of the polls on
37 election day, including a notation of whether the ballots were accepted or rejected
38 and the reasons for such rejections. This list, reflecting all absentee ballots received
39 by the close of the polls, must be made available for public inspection. Any absentee
40 voter certified as a participant in the Address Confidentiality Program pursuant to

1 Title 5, section 90-B must be listed by the voter code assigned to that individual
2 under the program instead of by the voter's name and reflect the Address
3 Confidentiality Program address assigned to the voter. The list of absentee voters
4 must be sorted so that the program participants appear at the end of the list and must
5 be printed on a separate page of the list. The portion of the list of absentee voters
6 relating to Address Confidentiality Program participants must be kept under seal and
7 excluded from public inspection.

8 **Sec. 4. 21-A MRSA §760-B, sub-§2**, as amended by PL 2013, c. 131, §23, is
9 further amended to read:

10 **2. Notice of early processing.** The clerk must give notice of the municipality's
11 intent to process absentee ballots prior to election day using the notice of election under
12 section 621-A, stating the time that the clerk intends to begin processing absentee ballots
13 and the inspection period provided in subsection 3. At least ~~30~~ 60 days before election
14 day, the clerk shall provide a copy of the notice of election to the Secretary of State and
15 the chairs of each political party of the municipality indicating that early processing of
16 absentee ballots will occur. The notice to the political parties must be considered
17 sufficient as long as it is mailed to the last address of each municipal chair that is known
18 to the clerk. The notice to the Secretary of State may be delivered by mail or facsimile or
19 as a scanned attachment to an e-mail address established by the Secretary of State. If the
20 notice is not received by the Secretary of State by 5:00 p.m. on the ~~30th~~ 60th day before
21 election day, the municipality may not process absentee ballots prior to election day.

22 **Sec. 5. 21-A MRSA §906, sub-§3**, as amended by PL 1997, c. 581, §8, is
23 repealed.

24 **Sec. 6. 21-A MRSA §1203-B, sub-§12, ¶A**, as enacted by PL 2013, c. 270, Pt.
25 A, §2 and affected by §3, is amended to read:

26 A. In Knox County, the minor civil divisions and unorganized territories of
27 Appleton; Camden; Criehaven; Cushing; Friendship; Hope; Isle au Haut; Matinicus
28 Isle; ~~Mussel~~ Muscle Ridge Islands; North Haven; Owls Head; Rockland; Rockport;
29 South Thomaston; St. George; Thomaston; Union; Vinalhaven; and Warren.

30 **Sec. 7. 21-A MRSA §1203-B, sub-§31, ¶A**, as enacted by PL 2013, c. 270, Pt.
31 A, §2 and affected by §3, is amended to read:

32 A. In York County, the following census units in the minor civil division of Buxton:
33 Blocks 4003, 4017, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4029,
34 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042,
35 4043, 4047, 4048, 4049, 4050, 4051, 4052, 4053, 4054, 4055, 4056, 4057, 4058 and
36 4059 of Tract ~~02000~~ 020000; and the minor civil divisions of Hollis; Limington; Old
37 Orchard Beach; and Saco.

38 **Sec. 8. 21-A MRSA §1204-B, sub-§9, ¶A**, as enacted by PL 2013, c. 270, Pt. B,
39 §2 and affected by §3, is amended to read:

40 A. In York County, the minor civil division of Kennebunkport; the following census
41 units in the minor civil division of Biddeford: Blocks 1028, 1029, 2000, 2001, 2002,

1 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015,
2 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024 and 2025 of Tract 025300;
3 Tract 025400; Block 0006 of Tract 990100; and the following census units in the
4 minor civil division of Kennebunk: Blocks 1000, 1001, 1002, 1003, 1004, 1005,
5 1006, 1007, 1008, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1050,
6 1051, 1052, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 2000, 2001, 2002, 2003,
7 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016,
8 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029,
9 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042,
10 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055,
11 2056, 2057, 2058, 2059, 2060, 3020, 3022 and 3023 of Tract 028002; and Blocks
12 ~~0006~~, 0009 and 0010 of Tract 990100.

13 **Sec. 9. 21-A MRSA §1204-B, sub-§36, ¶A**, as enacted by PL 2013, c. 270, Pt.
14 B, §2 and affected by §3, is amended to read:

15 A. In Cumberland County, the following census units in the minor civil division of
16 Portland: Blocks 2003, 2004, 2005, 2006, 2007 and 2009 of Tract 001800; Block
17 1002 of Tract 001900; Block 1042 of Tract ~~00201~~ 002001; Blocks 1000, 1001, 1002,
18 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015,
19 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028,
20 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 2000, 2001, 2002, 2003,
21 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016,
22 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029,
23 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2044, 2045, 2046,
24 2047, 3000, 3001, 3002, 3003, 3004, 3005, 3006 and 3007 of Tract 002102; and
25 Blocks 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011,
26 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024,
27 2025, 2026, 2027, 2028, 2029, 2030, 2031 and 2032 of Tract 002200.

28 **Sec. 10. 21-A MRSA §1204-B, sub-§66, ¶A**, as enacted by PL 2013, c. 270, Pt.
29 B, §2 and affected by §3, is amended to read:

30 A. In Androscoggin County, the following census units in the minor civil division of
31 Poland: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010,
32 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023,
33 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036,
34 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1045, 1046, 1047, 1048, 1049, 1050,
35 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 2021, 2024,
36 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038,
37 2039, 2040, 2041, 2043, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070,
38 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080 and 2086 of Tract
39 041000; and

40 **Sec. 11. 21-A MRSA §1204-B, sub-§92, ¶A**, as enacted by PL 2013, c. 270, Pt.
41 B, §2 and affected by §3, is amended to read:

42 A. In Knox County, the minor civil divisions and unorganized territories of
43 Criehaven, Cushing, Matinicus Isle, ~~Musset~~ Muscle Ridge Islands, South Thomaston,
44 St. George and Thomaston.

