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Date: (Filing No. H-)

VETERANS AND LEGAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 697, L.D. 941, “An Act To Protect the Privacy of Absentee Voters”

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 21-A MRSA §759, sub-§2, as amended by PL 2007, c. 455, §42, is further amended to read:

2. Accepted if correct. If the warden finds that the affidavit is properly completed, that the clerk has verified that the signature on the return envelope matches the signature on the application where applicable; and that the person is registered and enrolled where necessary, the warden shall then examine the incoming voting list to determine whether the voter voted in person at the election. The warden shall then announce the name of each absentee voter who has not voted at the election and remove each ballot from its return envelope without destroying the return envelope or unfolding the ballot. After having an election clerk from a political party different from that of the warden mark the letters "AV" beside the name of each absentee voter on the incoming voting lists and place a check mark or horizontal line in red ink on the list beside the voter's name, the warden shall accept the ballot and place the folded ballot in a bin designated for the collection of accepted ballots. An election official may not remove fewer than 10 accepted ballots from the bin at a single time to be unfolded for counting under subsection 6, unless there are fewer than 10 folded ballots remaining in the bin after all other absentee ballots have been counted or rejected after the close of the polls as described in this section.

Sec. 2. 21-A MRSA §760-B, sub-§4, as amended by PL 2009, c. 538, §13, is further amended to read:

4. Processing and other procedures. The clerk shall use the procedure described in this section and shall perform the duties of the warden described in section 759, subsections 2 to 4 when processing the absentee ballots during the designated times, except that, if there are fewer than 10 absentee ballots remaining to be processed at the designated time, the clerk may not remove those ballots from the return envelopes and shall secure those ballots

COMMITTEE AMENDMENT

1 for processing at the next time designated for processing of ballots under subsection 1 or
2 section 759, subsection 7 or after the polls close on election day. Procedures for handling
3 full ballot boxes, pollwatching and challenging ballots are conducted in the same manner
4 as election day or as close as practicable.'

5 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
6 number to read consecutively.

7 **SUMMARY**

8 This amendment, which is the minority report of the committee, strikes and replaces
9 the bill. The amendment requires election officials to keep an accepted absentee ballot
10 folded when it is removed from the return envelope and prohibits election officials from
11 unfolding fewer than 10 accepted absentee ballots at a single time unless there are fewer
12 than 10 accepted absentee ballots remaining after all other accepted absentee ballots have
13 been counted on election day.