



129th MAINE LEGISLATURE

SECOND REGULAR SESSION-2020

Legislative Document

No. 2067

S.P. 736

In Senate, January 23, 2020

**An Act To Authorize the Automatic Continuation of Absentee Voter
Status until the Termination of That Status**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator SANBORN, L. of Cumberland.
Cosponsored by Representative FECTEAU of Biddeford and
Senators: CHENETTE of York, President JACKSON of Aroostook, LIBBY of Androscoggin,
Representatives: HUBBELL of Bar Harbor, MOONEN of Portland.

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 for status as
4 an ongoing absentee voter. Each qualified applicant must automatically receive an
5 absentee ballot for each ensuing statewide election, municipal election and any other
6 election for which the voter is entitled to vote and need not submit a separate request for
7 each election.

8 A. An application must be made by a voter using procedures designed by the
9 Secretary of State. These procedures must include a process for notifying the voter
10 that if the voter moves out of the municipality, that voter's status as an ongoing
11 absentee voter in that municipality terminates. A voter may obtain assistance in
12 completing an application for ongoing absentee voter status pursuant to subsection 5.

13 B. The clerk or Secretary of State shall terminate a voter's ongoing absentee voter
14 status only upon:

15 (1) The written request of the voter;

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

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

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

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

22 This subsection does not apply to uniformed service voters or overseas voters who are
23 covered by the federal Uniformed and Overseas Citizens Absentee Voting Act, 52 United
24 States Code, Section 20302 (2019).

25 **Sec. 2. 21-A MRSA §753-A, sub-§8** is enacted to read:

26 **8. Telephone and e-mail contact information.** In addition to any other information
27 required, a voter applying for an absentee ballot or an ongoing absentee ballot must be
28 asked to provide that voter's telephone number and e-mail address, if available.

29 **Sec. 3. 21-A MRSA §753-B, sub-§1-A** is enacted to read:

30 **1-A. Ballot issued to ongoing absentee voter.** Upon receipt of absentee ballots, the
31 clerk shall immediately issue an absentee ballot and return envelope by mail to any voter
32 who has qualified for ongoing absentee voter status under section 753-A, subsection 7.

33 **Sec. 4. 21-A MRSA §756, sub-§2,** as amended by PL 2009, c. 538, §9, is further
34 amended to read:

35 **2. Clerk to examine signatures and affidavit.** The clerk shall compare the
36 signature of the voter on the application, where required, with that on the corresponding
37 return envelope. The clerk shall examine the affidavit on the return envelope. If the clerk

1 notes a discrepancy in signature on the return envelope, the return envelope is missing a
2 signature or the affidavit on the return envelope is not properly completed, the clerk shall
3 make a good faith effort to notify the voter within 24 hours by mail, telephone or e-mail
4 of the procedure by which the voter may cure the discrepancy, correct the missing
5 signature or properly complete the affidavit on the return envelope. If the signatures
6 appear to have been made by the same person and if the affidavit is properly completed,
7 the clerk shall write "OK" and the clerk's initials on the return envelope. Otherwise, the
8 clerk shall note any discrepancy on the return envelope.

9 A. If the signatures do not appear to have been made by the same person, but this
10 discrepancy is apparently the result of the voter's having properly obtained assistance
11 under either section 753-A, subsection 5, or section 754-A, subsection 3, or both,
12 then the clerk shall note the discrepancy on the return envelope, but shall also write
13 "OK" and the clerk's initials on the return envelope.

14 **Sec. 5. Effective date.** This Act takes effect January 1, 2022.

15 SUMMARY

16 This bill provides a process for a voter to request ongoing absentee voter status,
17 which allows the voter to automatically receive an absentee ballot for each statewide
18 election, municipal election and any other election until the status is terminated. It
19 provides that if the clerk notes a discrepancy in signature on the return envelope of an
20 absentee ballot, the return envelope is missing a signature or the affidavit on the return
21 envelope is not properly completed, the clerk shall make a good faith effort to notify the
22 voter within 24 hours by mail, telephone or e-mail of the procedure by which the voter
23 may cure the discrepancy, correct the missing signature or properly complete the affidavit
24 on the return envelope. It provides an effective date of January 1, 2022.