§753-A. Procedure for requesting an absentee ballot

1. Applications available. On request, the clerk shall furnish a reasonable number of absentee ballot applications to any person, except that an application may not be furnished more than 3 months before the election for which the application will be used. This subsection does not apply to a uniformed service voter or an overseas voter who requests an absentee ballot under this subchapter. [PL 2003, c. 407, §23 (AMD).]

2. Application for state and municipal ballots at same time. If a municipal election is to be held on the same date as a statewide election, absentee ballots for the municipal and statewide election may be issued in response to the same application unless the municipal ballots are not ready to be issued at the time the statewide ballot is available. The clerk may not delay the issuance of a statewide absentee ballot in order to include a municipal ballot pursuant to this subsection. [PL 1999, c. 645, §6 (NEW).]

3. Request in writing. A voter may complete an application or make a written request for the voter's own ballot by mail, in person or by facsimile. The voter may designate an immediate family member or a 3rd person to deliver the ballot on the voter's behalf. An immediate family member of a voter may also make an application or written request for an absentee ballot for the voter.

A. An application or a written request for an absentee ballot must be accepted by the clerk if it contains the following information:

(1) The voter's name;
(2) The voter's residence address or other address sufficient to identify the voter;
(3) The signature of the voter or the voter's immediate family member who is making the application or written request. If an immediate family member is either making the application or written request or is designated in the application or written request to deliver or return the ballot to the voter, then the family relationship to the voter must also be provided; and
(4) If applicable, a different address to which the applicant requests the ballot be sent or delivered. [PL 2003, c. 447, §28 (NEW).]

B. If the voter needs assistance pursuant to subsection 5, then in addition to the information required in paragraph A, the following information must be provided in order for the application or written request to be accepted by the clerk:

(1) The printed name and signature of the person who helped the voter; and
(2) A statement that the aide helped the voter by either reading or signing the application, or both. [PL 2003, c. 447, §28 (NEW).]

C. If the voter wishes to have the ballot delivered or returned by a 3rd person, then in addition to the information required in paragraph A, the following information must be provided in order for the application or written request to be accepted by the clerk:

(1) The name of the 3rd person whom the voter has designated. A 3rd person may only be designated in an application or written request that is signed by the voter. [PL 2003, c. 447, §28 (NEW).]
[PL 2003, c. 447, §28 (AMD).]

4. Application by telephone. A voter may make a telephone application for the voter's own ballot. In this case, the voter may not designate an immediate family member or a 3rd person to deliver the ballot on the voter's behalf. The clerk shall ask the voter for the information required and complete the application, with the exception of the voter's signature, and shall write "telephone request" on the application. The clerk shall also obtain the voter's birth date and write it on the application. The clerk shall verify that it is the voter who is requesting the ballot by confirming the voter's residence address.
and birth date with the information in the voter's record. A telephone application must be accepted by
the clerk if it contains the voter's name, the voter's date of birth, the voter's residence address or other
address sufficient to identify the voter and, if applicable, a different address to which the applicant
requests the ballot be sent or delivered.
[PL 2003, c. 447, §29 (AMD).]

5. Assistance to certain voters. A voter who is unable to read, sign or complete an application
because of physical disability, illiteracy or religious faith may request another person, other than the
voter's employer or agent of that employer or an officer or agent of the voter's union, to assist the voter
in reading, signing or completing the application. If an aide assists a voter by reading or signing the
application, the aide shall complete and sign the certificate on the application stating that the aide has
assisted the voter.
[PL 1999, c. 645, §6 (NEW).]

6. Application by electronic means. A municipal clerk shall accept absentee ballot applications
by the electronic means authorized by the Secretary of State. The Secretary of State shall design or
approve the form of the absentee ballot application to be submitted by electronic means.
A voter may make an application for the voter's own ballot by electronic means using the form designed
or approved by the Secretary of State. The voter may not designate an immediate family member or a
3rd person to deliver the ballot on the voter's behalf. The clerk shall verify that it is the voter who is
requesting the ballot by confirming the voter's residence address and birth date with the information in
the voter's record. The clerk shall print the electronically submitted application and write "electronic
request" on the application.
[PL 2009, c. 563, §1 (AMD).]

SECTION HISTORY


The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include
the following disclaimer in your publication:

"All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects
changes made through the First Regular Session of the 129th Maine Legislature and is current through October 1, 2018. The text
is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine
Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our
goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to
preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the
public. If you need legal assistance, please contact a qualified attorney."