

By Mr. Businger of Brookline, petition of John A. Businger for a change in the law relative to absentee voter applications and affidavits. Election Laws.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT AMENDING THE ABSENTEE VOTER APPLICATION AND AFFIDAVITS.

Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same, as follows:

SECTION 1. Section 87 of Chapter 54 of the General Laws, as most recently amended by section 2 of Chapter 260 of the Acts of 1975, is hereby amended by striking out subsections (b) and (c) and inserting in place thereof the following: — (b) Blank forms of application for such ballots, worded substantially as follows:

I apply for an absentee ballot for the (check one)
[] primary [] election. If the ballot is for a primary, check here party whose ballot is requested.
[] Democratic [] Republican

I certify that on election day (check one)
[] I will be absent from the city or town in which I am entitled to vote during the hours the polls are open

[] I will be unable to vote at the polls because of physical disability

[] I will be unable to vote at the polls because of religious reasons

SIGNED UNDER PENALTIES OF PERJURY

(SIGNATURE) (DATE)

(PRINT NAME HERE)

My legal voting residence is

(street & number)

(city or town) ward precinct

23 CHECK AND COMPLETE ONE

24 Mail absentee ballot to:25 _____
(street & number)26 _____
(city or town)27 _____
(state or country)28 I will call for the ballot at the office of the city or town clerk or
29 election commissioners, following certification of this application,
30 and vote in that office, at a time arranged with the clerk or election
31 commissioners.

32 CHECK AND COMPLETE ONE

33 I am a registered voter in _____
(city or town)34 I am a non-registered citizen living outside the United States
35 whose last place of residence in the United States was36 _____
(city or town)37 I am a non-registered federal service person whose home of
38 record is39 _____
(city or town)

40 CHECK ONE IF DISABLED

41 I *have NOT* filed with the city or town clerk or election
42 commissioners a doctor's certificate of permanent physical disabili-
43 ty44 I *have* filed with the city or town clerk or election commission-
45 ers a doctor's certificate of permanent physical disability46 We, a majority of the registrars of voters certify that the above
47 signature, to the best of our knowledge and belief, appears to be
48 genuine, and that we believe this applicant is a registered voter or
49 otherwise eligible to vote in

50 ward _____ precinct _____

51 _____

52 _____

53 _____

54 _____

55 Registrars of Voters or Election Commissioners

56 _____
(city or town)

57 Any form of written communication evidencing a desire
 58 than an absent voting ballot be sent to him for use for voting at
 59 any election where absent voting is permitted shall be given the
 60 same effect as an application for an absent voting ballot made
 61 in the form prescribed by law.

62 (c) Envelopes of sufficient size to contain the ballots speci-
 63 fied in subsection (a), bearing on their reverse one or the other
 64 of the following affidavits, as the case may be:

65 (1) for ballots forwarded by mail:

66 Place where ballot is voted:

67 _____
 (state) (county)

68 I swear (affirm) under the penalties of perjury that I am unable
 69 to vote at my polling place on election day because of absence
 70 from the city or town during the hours the polls are open,
 71 physical disability, or religious reasons. I am a registered voter
 72 in Massachusetts at

73 _____ ,
 (voting address)

74 _____ ,
 (city or town)

75 in ward _____ , precinct _____ ,

76 I have carefully read the instructions forwarded to me with the
 77 ballot. I have marked the ballot, and enclosed and sealed it in
 78 this envelope as stated on it by the person taking my oath.

79 _____
 (SIGNATURE OF VOTER)

80 _____
 (PRINT NAME HERE)

81 Signed and sworn to before me by the person named opposite,
 82 personally known to me, or identified to my satisfaction, this

83 _____ day of _____ 19 _____

84 in _____ ,
 (city or town) (state or country)

85 and I certify that when I was alone with that person he showed
 86 me the ballot enclosed in this envelope, unmarked, and then in
 87 my presence marked it without my seeing how he marked it,
 88 after which he sealed the ballot in this envelope. I had no
 89 communication with that person as to how he was to vote.

90 _____
 (signature and title (or rank) of:)

91 _____
 (residence)

92 _____
 (date of expiration of commission of notary public or justice of peace)

93 • Authorized oath-taking official

94 • Registrar or assistant registrar of college or university in
 95 which student is enrolled

96 • Commissioned or warrant officer or non-commissioned
 97 officer not below the rank of sergeant or petty officer in the
 98 military or naval service of the United States for federal service
 99 personnel

100 (1A) for ballots forwarded by mail:

101 Place where ballot is voted:

102 _____ (city or town) _____ (state or country)

103 I swear (affirm) under the penalties of perjury that I am unable
 104 to vote at my polling place on election day because of physical
 105 disability. I am a registered voter in Massachusetts at

106 _____
 (voting address)

107 _____
 (city or town)

108 in ward _____, precinct _____,

109 I have carefully read the instructions forwarded to me with the
 110 ballot.

111 I have marked the ballot and enclosed and sealed it in this
 112 envelope.

113 _____
 (SIGNATURE OF VOTER)

114 _____
 (PRINT NAME HERE)

115 The state secretary shall furnish such explanatory matter
 116 and instructions as he may deem appropriate to carry into
 117 effect the purposed of sections eighty-six to one hundred and
 118 three, inclusive.

119 (2) for ballots voted in person at the office of the clerk:
 120 Commonwealth of Massachusetts

121 _____
 (county where ballot is voted)

122 I swear (affirm) under the penalties of perjury that I am unable
 123 to vote at my polling place on election day. I am a registered
 124 voter in Massachusetts at

125 _____
 (voting address)

126 _____
 (city or town)

127 in ward _____, precinct _____,

128 I have carefully read the instructions given to me with the
 129 ballot, and I have marked the ballot and enclosed and sealed it
 130 in this envelope as stated on it by the person taking my oath.

131 _____
 (SIGNATURE OF VOTER)

132 _____
 (PRINT NAME HERE)

133 Signed and sworn to before me or identified to my satisfaction,
 134 this _____ day of _____ 19 ____ in _____
 (city or town)

135 and I certify that when I was alone with that person he showed
 136 me the ballot enclosed in this envelope, unmarked, and then in
 137 my presence marked it without me seeing how he marked it,
 138 after which he sealed the ballot in this envelope. I had no
 139 communication with that person as to how he was to vote.

140 _____
 (signature of clerk or assistant)

141 _____
 (city or town)

1 SECTION 2. Section 1030 of said Chapter 54 as most re-
 2 cently amended by section 3 of Chapter 420 of the Acts of 1976
 3 is hereby further amended by striking out subsections (a), (b),
 4 (b½), (c), (d), and (e) and inserting in place thereof the follow-
 5 ing: —

6 *Section 1030.* The state secretary or the clerk of each city or
 7 town shall prepare, in such quantities as he may deem neces-
 8 sary, the following papers: —

9 (a) Blank forms of application by kindred for absentee bal-
 10 lots worded substantially as follows: —

11 I, _____, a registered voter at
 12 _____, in _____
 (street & number) (city or town)

13 hereby apply for an absentee ballot for

14 _____
 (name of person in whose behalf application is made)

15 whose voting address is: _____, in
 (street & number)

_____ ward _____ precinct _____
 16 (city or town)

17 for the (check one) primary election

18 to be held on _____ 19 _____
 (date of primary or election)

19 If ballot is for a primary, check here party whose ballot is
 20 requested.

21 Democratic Republican

22 The person in whose behalf this application is made is

23 (check and complete one)

24 Serving in the United States _____
 (branch or type of service)

25 The (circle one) spouse, parent, child of

26 _____ who is

27 serving in the United States _____
 (branch or type of service)

28 A United States citizen residing outside of the United States.

29 The person in whose behalf this application if made is: (check an
 30 complete one)

31 A registered voter

32 Not registered but is a United States citizen born in

33 _____
 (city or town)

_____ on _____
 34 (state or country) (date of birth)

35 and eligible to vote in _____,
 (city or town)

36 since that city or town is that person's home of record or last
 37 place of residence in the United States.

38 I HEREBY FURTHER DECLARE that I am the

39 _____ of the person in whose behalf this
 (relationship)

40 application is made.

_____ 19 _____
 41 (signature of applicant) (date)

42 MAIL BALLOT TO

43 _____
(name)44 _____
(street & number, or military address)45 _____
(city or town)_____
(state or country)46 _____
(name of applicant)47 personally appeared before me and made oath that the forego-
48 ing statements are true to the best of his knowledge and belief.49 _____
(Registrar of Voters)50 We, the undersigned, a majority of the registrars of voters
51 hereby certify that52 _____
(name of person in whose behalf application is made)53 is a registered voter or otherwise eligible to vote in
54 ward _____ precinct _____

55 _____

56 _____

57 _____

58 _____

Registrars of Voters or
Election Commissioners59 (b) Blank forms of affidavit to be printed on envelope for
60 enclosing absentee ballot furnished to person determined to be
61 eligible to vote as provided in section 103J, worded substantial-
62 ly as follows: —

63 I swear (affirm) that I am eligible to vote in Massachusetts at

64 _____
(city or town)65 _____
(voting address)

66 in ward _____ precinct _____ .

67 CHECK ONE:

68 I am a federal service person or family member accompa-
69 nyng such a person whose home of record is the above city or
70 town;

71 I am a U.S. citizen residing abroad whose last residence in
 72 the United States was the above city or town and have a card of
 73 identity or valid passport issued by the Secretary of State of the
 74 United States or other acceptable identification.

75 I was born on _____ in
 (date of birth)

76 _____
 (city or town) (state or country)

77 I swear (affirm) that I shall request a ballot only from Massa-
 78 chusetts and

79 only from _____ in Massachusetts;
 (city or town)

80 and that I will be absent from that city or town on election day.

81 I have carefully read the instructions on the ballot, have
 82 marked and sealed it in this envelope, as stated on it by the
 83 person taking my oath.

84 _____
 (SIGNATURE OF VOTER)

85 _____
 (PRINT NAME HERE)

86 Signed and sworn to before me by the person named opposite,
 87 personally known to me, or identified to my satisfaction, this

88 _____ day of _____ 19 _____ in _____

89 _____
 (city or town) (state or country)

90 and I certify that when I was alone with that person he showed
 91 me the ballot enclosed in this envelope, unmarked, and then in
 92 my presence marked it without my seeing how he marked it,
 93 after which he sealed the ballot in this envelope. I had no
 94 communication with that person as to how he was to vote.

95 _____
 (signature and title (or rank) of:)

96 _____
 (residence)

97 _____
 (date of expiration of commission of notary public or justice of peace)

98 • Authorized oath-taking official

99 • Registrar or assistant registrar of college or university in
 100 which student is enrolled

101 • Commissioned or warrant officer or non-commissioned
 102 officer not below the rank of sergeant or petty officer in the

103 military or naval service of the United States for federal service
 104 personnel
 105 (c) Blank forms of report of police investigation, worded sub-
 106 stantially as follows: This is to certify that, after investigation, I
 107 find that

108 _____
 (name of person in whose behalf application is made)

109 is a legal resident of _____
 (city or town and state)

110 at _____
 (street and number)

111 This information was furnished to me by _____
 112 (name of informant)

113 residing at _____
 (place of residence of informant)

114 Signed _____
 (police officer)

115 Date _____

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