

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

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**Legislative Document**

**No. 1539**

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H. P. 1076

House of Representatives, March 17, 1967

Reported by Mr. Bernard from Committee on Election Laws. Printed under  
Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SEVEN

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**AN ACT to Revise the Election Laws.**

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

**Sec. 1. R. S., T. 21, § 443, amended.** Section 443 of Title 21 of the Revised Statutes is amended to read as follows:

**§ 443. Qualification for state or county office**

A candidate for any state or county office must be a **voting** resident of the electoral division he seeks to represent on the date established for filing primary petitions in the year he seeks election. He must maintain this **voting** residence during his term of office.

**Sec. 2. R. S., T. 21, § 531, amended.** Section 531 of Title 21 of the Revised Statutes, as amended by section 3 of chapter 451 of the public laws of 1965, is further amended by adding at the end, a new sentence, as follows:

**The clerk and the special deputy shall be paid a reasonable compensation as determined by the municipal officers.**

**Sec. 3. R. S., T. 21, § 531-A, additional.** Title 21 of the Revised Statutes is amended by adding a new section 531-A, to read as follows:

**§ 531-A. Duties and vacancies — ward clerk**

In the absence or incapacity of the ward, the ward clerk may perform the duties of the warden. The vacancy of ward clerk shall be filled by the appointment of an election clerk of the same political party as the ward clerk to serve as ward clerk pro tem and such appointment shall be made by the warden.

**Sec. 4. R. S., T. 21, § 532, sub-§ 2, ¶ C, amended.** Paragraph C of subsection 2 of section 532 of Title 21 of the Revised Statutes is amended by adding at the end, a new sentence, to read as follows:

**In the event the municipal committee shall fail to nominate a sufficient number of election clerks to perform the duties prescribed by this Title, the clerk or municipal officers shall appoint to fill the vacancy on election day.**

**Sec. 5. R. S., T. 21, § 532, sub-§ 2, ¶ D, additional.** Subsection 2 of section 532 of Title 21 of the Revised Statutes is amended by adding a new paragraph D, to read as follows:

**D. Counters. The clerk may appoint a sufficient number of election clerks, an equal number from each political party, to serve as counters at the close of polls who shall be paid a reasonable compensation as determined by the municipal officers.**

**Sec. 6. R. S., T. 21, § 532, sub-§ 5, amended.** The last sentence of subsection 5 of section 532 of Title 21 of the Revised Statutes, as enacted by section 4 of chapter 451 of the public laws of 1965, is repealed, as follows:

~~They shall be in attendance at all times on election day.~~

**Sec. 7. R. S., T. 21, § 631, amended.** The first paragraph of section 631 of Title 21 of the Revised Statutes is amended to read as follows:

The registrar shall accept registrations prior to a regular election according to the time schedule prescribed by this section ~~or by the municipal officers under section 633.~~

**Sec. 8. R. S., T. 21, § 631, sub-§§ 4, 5, amended.** Subsections 4 and 5 of section 631 of Title 21 of the Revised Statutes are amended to read as follows:

**4. Municipality of 10,001 to 24,000 population.** In a municipality of 10,001 to ~~25,000~~ 24,000 population, he shall accept registrations from 1 to 5 p.m. and from 7 to 9 p.m. on the 8th to 14th business days next prior to election day. He shall not accept registrations on election day or on the 7 business days next prior to it.

**5. Municipality of 24,001 or more.** In a municipality of ~~25,001~~ 24,001 or more population, he shall accept registrations from 1 to 5 p.m. and from 7 to 9 p.m. on the 10th to 18th business days next prior to election day. He shall not accept registrations on election day or on the 9 business days next prior to it.

**Sec. 9. R. S., T. 21, § 632, amended.** The first paragraph of section 632 of Title 21 of the Revised Statutes is amended to read as follows:

The registrar shall accept registrations prior to a special election according to the time schedule prescribed by this section ~~or by the municipal officers under section 633.~~

**Sec. 10. R. S., T. 21, § 638, sub-§ 2, ¶ A, additional.** Subsection 2 of section 638 of Title 21 of the Revised Statutes is amended by adding a new paragraph A, to read as follows:

A. In a municipality which has more than one voting district, if a voter has changed his address and votes absentee after the close of registration, he must send a written notice of his new address along with his absentee application notifying the board of registration of his new address. A certificate containing his name and new address shall be directed to the warden of his new voting place to be attached to the incoming voting list on election day.

Sec. 11. R. S., T. 21, § 701, sub-§ 2, ¶ B, amended. The first sentence of paragraph B of subsection 2 of section 701 of Title 21 of the Revised Statutes is amended to read as follows:

The ballot must contain the name, **without any title**, and place of residence of each candidate arranged under the proper office designation alphabetically by surname.

Sec. 12. R. S., T. 21, § 702, sub-§ 2, ¶ D, amended. The first sentence of paragraph D of subsection 2 of section 702 of Title 21 of the Revised Statutes is amended to read as follows:

The ballot must contain the name, **without any title**, and place of residence of each nominee arranged under the proper office designation alphabetically by surname.

Sec. 13. R. S., T. 21, § 761, amended. Section 761 of Title 21 of the Revised Statutes is amended to read as follows:

#### § 761. Posting of

The registrar shall post a certified copy of the voting list for each voting district at the usual voting place in that district at least ~~30~~ 5 days before any regular election. He need not post the list before a special election.

Sec. 14. R. S., T. 21, § 801, sub-§ 2, amended. Subsection 2 of section 801 of Title 21 of the Revised Statutes is amended to read as follows:

2. **Election materials distributed and posted.** At the opening of the polls, the warden shall open the boxes of election materials, break the seals on the packages publicly and distribute the ballots to the incoming election clerks. He shall then post **an adequate number of instruction posters** in each voting booth, and **an adequate number of** instruction posters and **5** specimen ballots in the voting room outside the guardrail.

Sec. 15. R. S., T. 21, § 891, sub-§ 1, amended. Subsection 1 of section 891 of Title 21 of the Revised Statutes is amended to read as follows:

1. **Within the guardrail.** ~~Election~~ **The clerk, election** officials and not more than 2 voters in excess of the number of voting booths may be within the guardrail. The warden may permit peace officers to be within the guardrail to enforce the law. All other persons must remain outside.

Sec. 16. R. S., T. 21, § 1041, **repealed and replaced.** Section 1041 of Title 21 of the Revised Statutes is repealed and the following enacted in place thereof:

**§ 1041. Warden to post specimen ballots or labels**

The warden shall post 2 sets of specimen ballots or 2 sets of specimen ballot labels conspicuously at the voting place at the opening of the polls on election day.

**Sec. 17. R. S., T. 21, § 1255, repealed and replaced.** Section 1255 of Title 21 of the Revised Statutes is repealed and the following enacted in place thereof:

**§ 1255. Deadline**

In order to be valid, an absentee ballot must be delivered to the clerk before noon on election day in a municipality of more than 5,000 population and before 3 p.m. on election day in a municipality of 5,000 or less population.

**Sec. 18. R. S., T. 21, § 1256, sub-§ 5, amended.** Subsection 5 of section 1256 of Title 21 of the Revised Statutes is amended to read as follows:

**5. Envelopes and lists delivered.** Before the polls are closed on election day, he shall deliver the return envelopes ~~including those received after the deadline~~ prescribed by section 1255 with the applications attached, and the list required by subsection 4 to the warden of the voting district in which the voter is registered.

**Sec. 19. R. S., T. 21, § 1259, sub-§ 2, amended.** The last sentence of subsection 2 of section 1259 of Title 21 of the Revised Statutes is amended to read as follows:

After havin an election clerk, **who is of a different political party from the warden**, mark the letters "AV" beside the name of each absentee voter on the incoming voting list, he shall deposit the ballot in the ballot box.

**Sec. 20. R. S., T. 21, § 1262, amended.** The last sentence of section 1262 of Title 21 of the Revised Statutes is amended to read as follows:

The clerk shall keep them in his office for ~~3~~ 2 months after election day unless sooner released to the Secretary of State.

**Sec. 21. R. S., T. 21, § 1309, amended.** The first sentence of section 1309 of Title 21 of the Revised Statutes is repealed and the following enacted in place thereof:

The clerk shall accept all absentee ballots delivered to him before noon on election day in a municipality of more than 5,000 population and before 3 p.m. on election day in a municipality of 5,000 or less population.