

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 91

In Senate, Jan. 24, 1913.

*Came from the House referred to the Committee on Judiciary
and on motion by Senator Hersey of Aroostook laid on the table
for printing pending reference in concurrence.*

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTEEN.

AN ACT to permit the election of town officers by secret ballot.

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

Section 1. Section twelve of chapter four of the Revised
2 Statutes is hereby amended by adding in the second line
3 thereof after the word "vote" the following words: 'except
4 as provided in section fourteen of chapter four as amended
5 by this act'; and is hereby further amended by striking out
6 in line seven of said section twelve the words "they shall
7 choose" and in line eight the words "by a major vote," so
8 that said section as amended shall read as follows:

‘Sect. 12. Annual town meetings shall be held in March
10 and the voters shall then choose by a major vote except as
11 provided in section fourteen of chapter four as amended by
12 this act, a clerk, three, five or seven inhabitants of the town
13 to be selectmen and overseers of the poor, when other over-
14 seers are not chosen, three or more assessors, two or more
15 fence viewers, treasurer, surveyors of lumber, sealers of
16 leather, measurers of wood and bark, constables, collectors
17 of taxes and other usual town officers; and if one-third of
18 the voters present are in favor thereof one auditor of ac-
19 counts, all of whom shall be sworn. Treasurers and col-
20 lectors of towns shall not be selectmen or assessors, until
21 they have completed their duties as treasurers and collectors
22 and had a final settlement with the town. The treasurer
23 and collector of taxes of cities and towns, may be one and
24 the same person.’

Sect. 2. Section thirteen of chapter four of the Revised
2 Statutes as amended by chapter two hundred of the public
3 laws of 1909 is hereby amended by adding in the third line
4 after the word “vote” the following words: ‘except as pro-
5 vided in section fourteen of chapter four as amended by
6 this act,’ so that said section as amended shall read as fol-
7 lows:

‘Sect. 13. Each town at its annual meeting may elect and
9 all towns with over sixty-five hundred inhabitants shall elect
10 by major vote except as provided in section fourteen of
11 chapter four as amended by this act, a road commissioner,

12 who shall hold his office for the term of one year from the
13 date of his election. Any town may, at its option, elect not
14 more than three commissioners, whose powers and duties
15 shall be the same as prescribed for a single commissioner.
16 No person shall, at the same time, hold the office of road
17 commissioner and selectman.'

Sect. 3. Section fourteen of chapter four of the Revised
2 Statutes is hereby amended by adding in the fourth line
3 thereof after the word "selectmen" the following words:
4 'and any town may provide in its bylaws for the election of
5 any or all of its officers by secret ballot; in which case the
6 election may be by plurality vote if so provided in the by-
7 laws,' so that said section as amended shall read as follows:

'Sect. 14. Moderator, town clerk, selectmen, assessors and
9 overseers of the poor, treasurer, auditor, school committee,
10 town agent and road commissioners shall be elected by bal-
11 lot, and the other said officers by ballot, or if not so elected,
12 they shall be appointed by the selectmen, and any town may
13 provide in its bylaws for the election of any or all of its
14 officers by secret ballot; in which case the election may be
15 by plurality vote if so provided in the bylaws. Town agent
16 shall act under the direction of the selectmen, and shall re-
17 ceive from the treasurer of the town such compensation for
18 his services as may be fixed by vote of the town; otherwise,
19 as the selectmen shall allow.'

Sect. 4. Section thirty-three, chapter four of the Revised
2 Statutes is hereby amended by adding in the second line

3 thereof after the word "vote" the following words: 'except
4 in case the election is by secret ballot as provided in section
5 fourteen of chapter four as amended by this act,' so that
6 said section as amended shall read as follows:

'Sect. 33. The person presiding at a meeting for the choice
8 of town officers, shall not receive any folded vote except in
9 case the election is by secret ballot as provided in section
10 fourteen of chapter four as amended by this act, or permit
11 any person before the poll is closed, without the consent of
12 the voter, to examine his ballot, on penalty of twenty dollars.'