

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,
SUBSECTION 4.

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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

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ONE HUNDRED AND TWELFTH LEGISLATURE

1985

2. Director of the Division of Deafness; staff; qualifications. Both the Director of the Division of Deafness and staff must be knowledgeable of the needs of the deaf and hearing impaired and possess the ability to communicate on a meaningful basis with those handicapped persons.

Effective September 19, 1985.

CHAPTER 161

S.P. 205 - L.D. 576

AN ACT to Recodify the Election Laws.

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

Sec. 1. 10 MRSA §917, sub-§6, as repealed and replaced by PL 1981, c. 686, §1, is amended to read:

6. Climate for economic development. Promotion of an improved climate for economic development in the State through judicious use of the public and private nature of the foundation to provide objective analysis and develop broad consensus on issues of significance to the economic health of the State; provided that the promotion does not require the foundation to register as a lobbyist employer pursuant to Title 3, chapter 15; and further provided that the foundation does not advocate to the general public a position on a question as defined in Title 21, section 17, subsection 30 Title 21-A, section 1, subsection 34;

Sec. 2. 20-A MRSA §4102, sub-§4, ¶B, as enacted by PL 1983, c. 422, §17, is amended to read:

B. Secondary schools in school administrative districts and community school districts and either elementary or secondary schools in other school administrative units may be closed without voter approval, unless the school board is presented with a written petition, within 30 days of the board's decision to close the school, by 10% of the number of voters in the school administrative unit who voted at the last gubernatorial election, then a special referendum shall be called pursuant to:

(1) Section 1351 for school administrative districts;

(2) Title 30, sections 2061 to 2065, for community school districts, except the school board shall issue a warrant specifying that the municipalities within the district place the petitioned article on the ballot, and shall prepare and furnish the required number of ballots for carrying out the election; and

(3) ~~Title 21~~ Title 21-A and Title 30, respectively, for cities and towns.

Sec. 3. 20-A MRSA §8307, sub-§4, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

4. Referendum. After the public hearing, the school board of the school administrative unit or units requesting a change shall submit the proposal to the voters in their school administrative unit or units in accordance with the relevant provisions for holding elections in sections 1351 to 1354 and in ~~Titles 21~~ Titles 21-A and 30.

Sec. 4. 20-A MRSA §15904, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

1. Councils. In a municipality where the responsibility for final adoption of the school budget is vested in a municipal council by municipal charter or in a town meeting, the vote shall be by secret ballot in accordance with the appropriate provisions set forth in ~~Title 21~~ Title 21-A and Title 30.

Sec. 5. 21 MRSA, as amended, is repealed.

Sec. 6. 21-A MRSA is enacted to read:

TITLE 21-A

ELECTIONS

CHAPTER 1

GENERAL PROVISIONS

SUBCHAPTER I

DEFINITIONS, CONSTRUCTION AND APPLICATION

§1. Definitions

As used in this Title, unless the context otherwise indicates, the following terms have the following meanings.

1. Absentee voter. "Absentee voter" means a person who qualifies under section 751 to cast an absentee ballot.

2. Any election. "Any election" means primary and general elections and referenda, whether regular or special.

3. Ballot label. "Ballot label" means that portion of the cardboard, paper or other material to be placed within the ballot frames of a voting machine containing the items required of a paper ballot.

4. Business day. "Business day" means any day of the calendar year other than a Saturday, Sunday or legal holiday.

5. Candidate. "Candidate" means any person who has filed a petition under either sections 335 and 336 or sections 354 and 355 and has qualified as a candidate by either procedure, or any person who has received contributions or made expenditures or has given his consent for any other person to receive contributions or make expenditures with the intent of qualifying as a candidate.

6. Caucus. "Caucus" means a meeting of a political party or committee.

7. Challenged ballot. "Challenged ballot" means a ballot cast by one whose eligibility to vote has been questioned.

8. Circulate. "Circulate" means the presenting of a petition to a voter with an accompanying request that the voter sign it.

9. Clerk; municipal clerk. "Clerk" or "municipal clerk" means the clerk or deputy clerk of a municipality.

10. Closed period. "Closed period" means that time period when the registrar may accept only those voter registration applications presented in person.

11. County office. "County office" means the office of judge of probate, register of probate,

county treasurer, register of deeds, sheriff, district attorney or county commissioner.

12. Disputed ballot. "Disputed ballot" means a ballot whose validity has been questioned during the recount process.

13. Distinguishing mark. "Distinguishing mark" means a mark on a ballot of a type or in a place not specifically permitted by this Title, which indicates the apparent intent of the voter to make his ballot distinguishable.

14. Election official. "Election official" means a warden, ward clerk or election clerk.

15. Election year. "Election year" means the calendar year within which a particular election is held.

16. Electoral division. "Electoral division" means an area set off for election purposes. It may include the entire State.

17. Enroll. "Enroll" means to enlist as a member of a political party.

18. Federal office. "Federal office" means the office of the United States Senator or Representative to Congress.

19. General election. "General election" means the regular election of state and county officials occurring biennially in November.

20. Immediate family. "Immediate family" means a person's spouse, parent, child, sister or brother.

21. Incoming voting list. "Incoming voting list" means the list of all of the voters in a municipality which is used by election officials at a voting place to record which voters have been issued a ballot at an election.

22. Major party. "Major party" means a political party polling the greatest or the next greatest number of votes cast for Governor at the last gubernatorial election.

23. Members of the Armed Forces. "Members of the Armed Forces" means:

A. Personnel serving in the Army, Navy, Air Force, Marine Corps or Coast Guard and their spouses and dependents;

B. Members of the Merchant Marine of the United States, except those employed in the inland waterways, and their spouses and dependents;

C. Civilian employees of the United States serving outside the territorial limits of the several states and the District of Columbia, whether or not paid from appropriated federal funds, and their spouses and dependents when accompanying them; and

D. Members of religious groups and welfare agencies serving with or accompanying the Armed Forces, and their spouses and dependents.

24. Minor party. "Minor party" means a political party other than a major party.

25. Municipal committee. "Municipal committee" means a city, town or ward committee of a political party.

26. Municipal officers. "Municipal officers" means the mayor and aldermen or councillors of a city, the selectmen or councillors of a town and the assessors of a plantation.

27. Municipality. "Municipality" means a city, town or plantation.

28. Party. "Party" means a political organization which has qualified to participate in a primary or general election under chapter 5.

29. Peace officer. "Peace officer" means state police officer, local police officer, sheriff, deputy sheriff or constable.

30. Political committee. "Political committee" means 2 or more persons associated for the purpose of promoting or defeating a candidate, party or principle.

31. Population. "Population" means the population determined by the last Decennial Census of the United States.

32. Primary election. "Primary election" means the regular election by the voters of a party for the election of nominees for the general election.

33. Protective counter. "Protective counter" means a separate counter built into a voting machine which records the total number of movements of the operating lever and which cannot be reset.

34. Public official. "Public official" means a person elected or appointed to serve the people.

35. Question. "Question" means any proposition submitted to the voters.

36. Referendum. "Referendum" means an election for the determination of a question.

37. Register. "Register" means to enlist as a voter.

38. Registrar. "Registrar" means the registrar, deputy registrar or the board of registration of voters of a municipality.

39. Regular election. "Regular election" means an election or a referendum held at a regular time prescribed by statute.

40. Residence. "Residence" means that place in which a person's habitation is fixed and to which that person, whenever absent, has the intention to return.

41. Special election. "Special election" means an election other than a regular election.

42. State office. "State office" means the office of Governor, State Senator, Representative to the State Legislature or presidential elector.

43. Street address. "Street address" means the street and number or other designation indicating the location of a person's dwelling place.

44. Township. "Township" means unorganized territory.

45. Treasurer. "Treasurer" means a person appointed by a candidate or a political committee to accept or disburse money to promote or defeat a candidate, party or principle. A person who collects money to be transferred to the treasurer of a candidate or committee is not a treasurer.

46. Uncontested office. "Uncontested office" means an office where, as of the final date for filing primary nomination petitions, either:

A. Only members of one party have filed as candidates for nomination for that office; or

B. Only one unenrolled nominee has filed as a candidate for that office.

47. Voter "Voter" means a person registered to vote.

48. Voting district. "Voting district" means an area set off from another in the same municipality for voting purposes. It includes wards and precincts. In a municipality which has only one voting place, it means the entire municipality.

49. Voting place. "Voting place" means the building in which ballots are cast at an election.

50. Warden. "Warden" means the presiding officer at a voting place.

51. Write-in candidate. "Write-in candidate" means a person whose name does not appear on the ballot under the office designation to which a voter may wish to elect him.

§2. Delegation of authority

When this Title requires the performance of a duty by an official, he may delegate the duty to another under his supervision, if it is ministerial.

§3. Signatures and names

When this Title requires a name or signature on a document, immaterial irregularities shall not invalidate the name or signature if the identity of the person named is clear to the public official charged with reviewing that document.

1. Immaterial irregularities. Immaterial irregularities include, but are not limited to, misspelling, inclusion or omission of initials and substitution of initials for given names.

2. Application. This policy shall apply to circumstances including, but not limited to, the following:

A. Absentee ballot applications;

B. Absentee ballot affidavits;

C. Signatures on petitions; and

D. Names appearing for write-in candidates on ballots.

§4. Town clerk to perform ward clerk's duties

In a town, the municipal clerk shall perform the duties prescribed for the ward clerk of a city as far as applicable to an election in the town.

§5. Application to plantations

The provisions of this Title pertaining to towns apply equally to plantations.

SUBCHAPTER II

RECORDS AND DOCUMENTS

§21. Form and content of documents

The Secretary of State may establish the form and content of all forms, lists, documents and records required by or necessary to the efficient operation of this Title.

§22. Records and documents are public

All lists, books, documents and records required to be prepared by or filed with a public official are public records. Public records are open to public inspection during regular business hours under proper protective regulations made by the official charged with their custody. Ballots are not public records and may be inspected only in accordance with this Title.

§23. Preservation and destruction of records

The preservation and destruction of records and other materials required by this Title are governed by the following provisions.

1. Registration and enrollment applications. The registrar shall keep registration, enrollment and changes of enrollment applications and requests in his office permanently, except that those records must be kept only 10 years for a voter whose name has been removed from the voting lists of the municipality under sections 161 and 162.

2. Convention certificates. The Secretary of State shall keep the certificates required by section 322 in his office for 2 years.

3. Primary and nomination petitions. The Secretary of State shall keep primary petitions, nomination petitions and consents in his office for 2 years.

4. Receipts for ballots. The Secretary of State and each clerk shall keep a record of receipts for ballots issued and received under sections 606 and 651 in his office for one year.

5. Receipt of voting list. The registrar shall keep the receipt for certified copies of the voting list required by section 624, subsection 2, in his office for one year.

6. Election tabulations. The Secretary of State shall keep election tabulations in his office for 10 years.

7. Ballots and other election materials. The clerk shall keep the ballots and other election materials listed in section 698 in his office for 2 months and incoming voting lists for 2 years, unless sooner released to the Secretary of State or required by the Secretary of State to be kept longer. Once released to the Secretary of State, they shall be kept by him until any appeal period bearing on the validity of the election has expired.

8. Certificate of presidential electors. The Secretary of State shall keep the certificate of the votes of the presidential electors, delivered to him under section 805, in his office for one year.

9. Registration of treasurer. The Commission on Governmental Ethics and Election Practices shall keep the registration of a treasurer under section 1013 in its office for 2 years.

10. Records and campaign finances. Each treasurer and each candidate shall keep the records required by section 1016 for 2 years following the election to which they pertain.

11. Campaign reports. The Commission on Governmental Ethics and Election Practices shall keep the campaign reports in its office for 2 years or until the expiration of the term of office to which the candidate aspired or was elected, whichever is longer.

12. Certificate of appointment. The Secretary of State shall keep a certificate of appointment to

fill a vacancy under section 363 in his office for 2 years.

13. Miscellaneous. The official charged with the custody of any record not specifically provided for in this section shall keep it in his office for 2 years.

14. Destruction of records. After the records and other materials have been kept for the required period, they may be destroyed. Posted notices, specimen ballots and instruction posters may be destroyed as soon as the election to which they pertain is past.

§24. Newspaper publication to be reasonably noticeable

When publication in a newspaper is required by this Title, the item published must be set in such a size and location as to be reasonably noticeable.

§25. Ditto marks

Ditto marks may be used, wherever practicable, in the preparation of lists required under this Title.

SUBCHAPTER III

GENERAL PENALTIES

§31. Class E crimes

A Class E crime is committed by:

1. Public officials. An official who knowingly fails or refuses to perform a duty required of him by this Title;

2. General penalty. A person who knowingly violates any provision of this Title for which no penalty has been provided; or

3. Political advertisements on state property. A person who knowingly displays or distributes political advertisements in or on state-owned or state-leased property.

A. This subsection does not apply to state highways or to motor vehicles not owned by the State while they are temporarily parked in parking areas on land maintained by the State. It does not apply to any state-owned or state-leased building

for a period beginning 48 hours before and ending 48 hours after that building is used by any political party to conduct a political activity within the building.

CHAPTER 3

VOTER REGISTRATION

SUBCHAPTER I

REGISTRAR OF VOTERS; BOARD OF REGISTRATION

§101. Registrar

The municipal officers of each municipality shall appoint in writing a qualified registrar of voters within 10 days after the regular election of municipal officials.

1. Qualifications. The registrar must be a citizen of the United States, a resident of the municipality and at least 18 years of age. He may not hold or be a candidate for any state or county office, or hold membership on any party committee.

2. Term of office. He shall serve for one year and until his successor is appointed and sworn.

3. Oath required. Before assuming the duties of office, he must be sworn and the fact of his oath recorded as provided in Title 30, section 2060, subsection 9.

4. Secretary of State notified. The municipal officers shall notify the Secretary of State of the name of the registrar within 10 days after he is appointed and sworn.

5. Compensation. The municipal officers shall determine the compensation of the registrar.

6. Office hours. The municipal officers shall establish reasonable office hours for the registrar consistent with the requirements of the municipality.

7. Office space, expenses and clerical help. Each municipality shall provide a suitable place in which the registrar may perform his duties, and shall pay reasonable expenses for necessary office supplies purchased and clerical help engaged by the registrar.

8. Vacancy. When there is a vacancy in the office of registrar, the municipal officers shall appoint a qualified person to fill the vacancy for the remainder of the term of office.

§102. Deputy registrar

The registrar may appoint one or more deputies. If the registrar is to be absent from the municipality for a period exceeding 15 consecutive days, he shall appoint a deputy registrar who must be physically present in the municipality. If the registrar and his appointed deputy are absent from the municipality for more than 15 consecutive days, the clerk shall serve as registrar pro tem.

1. Qualifications and compensation. Section 101, subsections 1, 3 and 5, apply to a deputy registrar.

2. Term of office. He shall serve at the will of the registrar.

3. Duties. He may perform any of the duties of office prescribed by the registrar.

§103. Board of registration in certain cities

1. Population of 5,000 or over. In a city or town which has a population of 5,000 or over, a board of registration consisting of 3 members shall be appointed as follows: One member nominated by the municipal committee of each of the major political parties, who must be enrolled in the party of the municipal committee that nominates him and appointed by the municipal officers, and the 3rd member nominated by the clerk of the municipality and appointed by the municipal officers. The 2 members of the board nominated by the municipal committees of the major political parties may be members of the political committee nominating them and may be members of a state or county delegation to a political convention.

2. Population of 4,000 to 5,000. A city or town which has a population of 4,000 to 5,000 may, by vote of its legislative body, have a board of registration instead of a registrar.

3. Term of office. Each member nominated by the municipal committees of the major political parties and appointed to the board shall serve for 3 years and until his successor is appointed and sworn. The member nominated by the clerk of the municipality and

appointed to the board shall serve for 4 years and until his successor is appointed and sworn.

4. Chairman of the board. The member nominated by the clerk of the municipality is chairman of the board.

5. Vacancy. When there is a vacancy on the board, the municipal officers shall appoint a qualified person nominated by the municipal committee of the party of the former incumbent to fill the vacancy. If the vacancy is in the office of chairman of the board, the municipal officers shall appoint a qualified person nominated by the clerk of the municipality to fill the vacancy. Vacancies shall be filled for the remainder of the term of office.

6. Hours. In addition to the schedules under sections 123 and 124, each board shall be open to act upon applications for registration and enrollment on at least one business day in each of the months of January, February and March in each even-numbered year.

7. Provisions apply to board of registration. Except as otherwise provided in this section, the provisions of law pertaining to the registrar apply equally to a board of registration. A board of registration may only act by unanimous or majority action, except that the chairman of the board may designate himself or another member of the board to accept the application of a disabled person for registration under section 153.

§104. Deputies for boards of registration

By unanimous action, the board of registration may appoint one or more deputies to serve the board.

1. Qualifications and compensation. Qualifications and compensation of deputies serving on boards are governed by the following provisions.

A. Section 101, subsections 1, 3 and 5, apply to deputies of boards of registration.

B. Deputies must be appointed so that the number of board members plus deputies enrolled in one of the 2 major parties does not exceed the number of board members plus deputies enrolled in the other major party by more than one.

2. Duties. Deputies shall perform duties assigned by majority vote of the board, including the

acceptance of registrations and enrollments, as if the board had acted. A deputy or deputies assigned to be present at a caucus must be enrolled in the party holding that caucus. Nothing in this section may be construed as limiting the authority of the board to override the actions of its deputies.

SUBCHAPTER II

VOTER ELIGIBILITY

§111. General qualifications

A person who meets the following requirements may vote in any election in a municipality.

1. Citizenship. He must be a citizen of the United States.

2. Age. He must be at least 18 years of age.

3. Residence. He must have established a voting residence in that municipality.

4. Registration. He must be registered to vote in that municipality.

5. Enrollment. He must be enrolled in a party in that municipality to vote at a caucus, convention or primary election.

§112. Residence for voting purposes

Voting residence is governed by the following provisions.

1. Residence. The residence of a person is that place in which his habitation is fixed, and to which, whenever he is absent, he has the intention to return.

2. Change. A change of residence is made only by the act of removal, joined with the intent to remain in another place. A person can have only one residence at any given time.

3. Residence retained. A person does not lose his residence if he temporarily leaves his home and goes to another country, state or place in this State with the intent of returning.

4. Separate residence. The place where a person's family resides is presumed to be his place of residence, but a person may acquire a separate

residence if he takes another abode with the intention of remaining there.

5. Spouse may have separate residence. A married person may be considered to have a residence separate from that of his spouse for the purposes of voting or holding office. For those purposes, residence is determined as if the person were single.

6. Voting in another state. A person loses his residence in this State if he votes in another state's election, either in person or by absentee ballot. That person is not eligible to vote in this State until he again qualifies under section 111.

7. Armed service personnel, students, institutional patients, Indians. A person does not gain or lose a residence solely because of his presence or absence while employed in the service of the United States or of this State, while a student in any institution of learning, while kept in any institution at public expense, while confined in any penal institution or while residing upon any Indian or military reservations.

8. Voting residence retained. A person who has gained a voting residence in a municipality retains it, if he so desires, when he becomes a patient at a federal institution or an employee of a federal agency where he is required to reside on land ceded to the Federal Government by the State. This subsection applies to a member of the Armed Forces or the National Guard who is required to be in a place other than that in which he has gained a voting residence.

9. Federal property. A person residing on federal property, except as stated in subsection 5, is eligible to register and vote in the voting district in which the federal property is located.

10. Becoming 18 on federal property. A person who becomes 18 years of age while residing on federal property as a patient at a federal institution or an employee of a federal agency, or while in the Armed Forces, is considered to have gained a voting residence in the municipality in which he resided at the time he became such a patient, employee or member of the Armed Forces.

11. Spouse of member of Armed Forces. A spouse of a member of the Armed Forces on active duty may have the same voting residence as his or her spouse. A member of the Armed Forces on active duty, whose

spouse has a place of residence in this State, may establish a residence in the place of residence of the spouse by filing an affidavit with the registrar declaring an intention to reside in that place upon severance from the Armed Forces.

12. Spouse may have separate residence. A married person may be considered to have a residence separate from that of his spouse for the purposes of voting, holding office or performing jury duty. For those purposes, residence is determined as if the person were single.

13. Voting in another state. A person loses his residence in this State if he votes in another state's election, either in person or by absentee ballot. That person is not eligible to vote in this State until he again qualifies under section 111.

§113. Right survives change of residence

A registered voter who moves to another state within 30 days before a presidential election must not be removed from the voting list. He may vote at that presidential election in person or by absentee ballot.

§114. Division of municipality, effect

When any territory is set off from one municipality and annexed to another, the act establishing the new boundaries must indicate where and for which offices the voters in the territory may vote. If this provision is omitted from the act, the voters may vote for all offices in the municipality to which the territory is annexed.

§115. Restrictions

1. Certain persons may not register or vote. A person under guardianship because of mental illness may not register or vote in any election.

2. Voting restricted to district. In a municipality which has voting districts, a voter may, except as provided in section 630, vote only in the district in which he resides on election day.

3. Correct name and address on voting list. A person whose name, or street address in a municipality which has voting districts, does not appear correctly on the voting list on election day may not vote at any election until it is corrected as provided in section 661.

SUBCHAPTER IIIREGISTRATION AND ENROLLMENTARTICLE IREGISTRATION§121. Exclusive power of registrar

The registrar has the exclusive power, subject to section 163, to determine whether a person who applies for registration as a voter meets the qualifications prescribed by this Title.

1. Oath may be required. In making this determination, the registrar may require any person who testifies before him concerning his qualifications or those of another to swear to the truth of his statements.

2. Political party not a qualification. The registrar shall not inquire as to the political party of the applicant in determining his voting qualifications.

§122. Registration procedure

A person may register as a voter by appearing before the registrar, proving that he is qualified under section 111, subsections 1 to 3, and filing an application provided by the registrar containing the information required by section 171. Township residents may register as provided in section 156.

1. Placement on voting list. The registrar shall place the name of the applicant on the voting list as soon as he has qualified. The registrar shall register a person by first name, middle name or initial and last name, or by first name or initial, middle and last name.

2. Failure to qualify. If an applicant fails to qualify, the registrar shall, on request of the applicant, notify him in writing of the reason for the failure.

3. Notice of new registration. When an applicant states in his application that he last voted in another municipality in this State or any other state, the registrar shall immediately send a notice of his new registration, together with the birth date of the applicant and his former street and mailing

address, to the registrar of that municipality. The registrar who receives the notice shall remove the name from the voting list, if he is satisfied as to the identity of the person, and he need not send the notice required by section 162.

§123. Schedule; regular election

1. Regular election. The registrar shall accept registrations at a regular election according to the schedule prescribed by this section.

2. Registration before election day. Registration before election day shall be as follows.

A. In a municipality with a population of 2,500 or less, the registrar shall accept registrations during the time prescribed by the municipal officers on at least one business day during the week before election day. The names of voters registering during this time shall be placed on the voting list.

The registrar shall accept the registrations of applicants who appear in person on the last business day preceding election day. The names of voters registering at this time shall be recorded as provided in subsection 3.

B. In a municipality with a population of 2,501 to 5,000, the registrar shall accept registrations from 1 p.m. to 5 p.m. and from 7 p.m. to 9 p.m. on the 4th to 6th business days next prior to election day. The names of voters registering during these times shall be placed on the voting list.

The registrar shall accept the registrations of applicants who appear in person on the last 3 business days preceding election day. The names of voters registering during this time shall be recorded as provided in subsection 3.

C. In a municipality with a population of 5,001 to 10,000, the registrar shall accept registrations from 1 p.m. to 5 p.m. and from 7 p.m. to 9 p.m. on the 6th to 10th business days next prior to election day. The names of voters registering during these times shall be placed on the voting list.

The registrar shall accept the registrations of applicants who appear in person on the last 5

business days preceding election day. The names of voters registering during this time shall be recorded as provided in subsection 3.

D. In a municipality with a population of 10,001 to 24,000, the registrar shall accept registrations from 1 p.m. to 5 p.m. and from 7 p.m. to 9 p.m. on the 8th to 14th business days next prior to election day. The names of voters registering during these times shall be placed on the voting list.

The registrar shall accept the registrations of applicants who appear in person on the last 7 business days preceding election day. The names of voters registering during this time shall be recorded as provided in subsection 3.

E. In a municipality with a population of 24,001 or more, the registrar shall accept registrations from 1 p.m. to 5 p.m. and from 7 p.m. to 9 p.m. on the 10th to 18th business days next prior to election day. The names of voters registering during these times shall be placed on the voting list.

The registrar shall accept the registrations of applicants who appear in person on the last 9 business days preceding election day. The names of voters registering during this time shall be recorded as provided in subsection 3.

3. Record of names. The names of voters who register by appearing in person before the registrar during the business days before election day under subsection 2 shall be recorded as provided in either paragraph A or B, as the municipal officers direct:

A. The registrar shall, after finding an applicant qualified, issue a certificate entitling the applicant to be placed on the voting list at the voting place on election day. Only one certificate may be issued to any person; or

B. The registrar shall, after finding an applicant qualified, place the names of those voters on a supplemental voting list. Before the polls are opened, the registrar shall deliver the supplemental list or lists to the clerk or ward clerk at each voting place. The inclusion of a person's name on that list will entitle the applicant to vote on election day. All references in this Title to the use of the voting list be-

fore, during and after election day are considered to include the supplemental voting list as provided in this paragraph.

4. Election day registration. The registrar shall accept registrations of applicants who appear in person on election day. The registrar shall issue to each of these applicants a certificate entitling the applicant to be placed on the voting list at the voting place. Only one certificate may be issued to any person.

5. Alternative registration schedule for absentee voters. The registrar shall accept registrations under section 152 at any time, including election day, provided that the applicant otherwise qualifies as an absentee voter. The receipt of a completed absentee ballot application by the clerk establishes a presumption of qualification under this subsection.

6. Change of regular election schedule. The hourly schedule established by this section may be changed by the municipal officers according to the needs of the municipality.

§124. Schedule; special elections

1. Special election. The registrar shall accept registrations at a special election according to the schedule prescribed by this section.

2. Registration before election day. Registration before election day shall be as follows.

A. In a municipality with a population of 2,500 or less, the registrar shall accept the registrations of applicants who appear in person on the last business day preceding election day. The names of voters registering at this time shall be recorded as provided in section 123, subsection 3.

B. In a municipality with a population of more than 2,500, the registrar shall accept registrations during the time prescribed by the municipal officers on the last 3 business days preceding election day. The names of voters registering at this time shall be recorded as provided in section 123, subsection 3.

3. Election day registration. The registrar shall accept registrations of applicants who appear in person on election day. The registrar shall issue to each of these applicants a certificate entitling

the applicant to be placed on the voting list at the voting place. Only one certificate may be issued to any person.

4. Alternative registration schedule for absentee voters. The registrar shall accept registrations under section 152 at any time, including election day, provided that the applicant otherwise qualifies as an absentee voter. The receipt of a completed absentee ballot application by the clerk establishes a presumption of qualification under this subsection.

5. Hourly special election schedule. The municipal officers shall establish an hourly schedule for the days for registration at a special election prescribed by this section.

§125. Notice of schedule

The registrar shall publish the time and hourly schedules established under sections 123 and 124, or as changed by the municipal officers, in a newspaper having general circulation in the municipality at least 7 days before the schedule becomes effective, except that, in municipalities with a population of 2,500 or less, the publication of the time schedule by the registrar is discretionary rather than compulsory.

§126. Combined regular and special elections

When a regular and a special election are held on the same day, the registrar shall follow the time schedule prescribed by section 123 or as changed by the municipal officers under section 123, subsection 6.

§127. Persons present at time for closing registrations

The registrar shall allow all persons to register who are present at his office at closing time on the final day for registration before an election. Any person who arrives at his office after closing time may not register.

§128. Registrar to check records

Before the close of the period for accepting the registrations of voters to be placed on the voting list prior to any election, the registrar shall update the voting list as follows:

1. Registrar shall review records. The registrar shall review the records of marriage, death, change of name and change of address in the office of the clerk or the assessors, and shall correct the voting list accordingly; or

2. Clerk provides list. The clerk may provide the registrar with a list, certified by the clerk to be true, of the marriages, deaths and changes which took place during the 2 years preceding the close of the period for accepting the registrations of voters to be placed on the voting list. The registrar shall use this list to update the voting list accordingly.

§129. Change of name or address

When a voter's name is changed by marriage or other process of law, or when he moves from one voting district to another in a municipality, the following provisions apply.

1. Notice. The voter must give written notice to the registrar of his new and former names or addresses before the close of registrations prior to election day.

2. Correction of name or address. The registrar shall correct the voter's name or address on the voting list, and he may then vote under his new name or in his new district on election day.

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.

3. Failure to notify. If a voter fails to notify the registrar of his change of name or address before the close of registrations, he must appear before the registrar on election day and follow the procedure outlined in section 661, if he wishes to vote, unless the registrar has already made the correction in following the procedure prescribed by section 128.

4. Publication of substance. The registrar shall publish the substance of this section along with the notice required by section 125.

§130. Applications before notaries public

A notary public or other authorized person before whom a person completes an application for registration to vote, as provided in section 152, shall deliver the application to the registrar before the closed period for the acceptance of registrations in the person's municipality, to be placed on the voting list prior to the next election; except that applications completed under section 123, subsection 5, and section 124, subsection 4, may be delivered during the closed period for immediate placement on the voting list.

ARTICLE IIENROLLMENT§141. Mention of enrollment

When a person registers, the registrar shall ask him whether he wishes to enroll. If his answer is in the affirmative, the registrar shall have the person complete the enrollment portion of the application.

1. Influence prohibited. The registrar shall not attempt to influence an applicant in his choice of a party, and he shall not allow anyone else present to do so.

§142. Enrollment procedure

A voter may enroll in a party by filing an application with the registrar personally, by mail or otherwise, at any time, except that on election day a voter must enroll in person.

1. Content of application. The application must contain the following information: Name of applicant, street address, voting district, name of party in which enrollment is requested, signature of the applicant and the date of application.

2. Party designation on voting list. On receipt of the application, the registrar shall place the party designation of the applicant beside his name on the voting list and file the application.

§143. Permitted at any election

A voter who is not enrolled in a party may enroll at any election by personally filing the application required by section 142 with the election clerk in

charge of the ballots, after which he may vote. If the applicant votes by absentee ballot because of physical incapacity, he may file the application with his absentee ballot.

1. Application delivered to warden. The election clerk who receives the completed application shall initial it and deliver it to the warden, who shall have it delivered to the registrar after the polls are closed.

2. Party designation on voting list. On receipt of the application, the registrar shall place the party designation of the applicant beside his name on the voting list and file the application.

3. Applications furnished by registrar. The registrar shall furnish a reasonable number of enrollment applications to the warden at each voting place. If there are not enough applications at the voting place, the applicant may write the information required by section 142 on a blank piece of paper.

§144. Change of enrollment

A voter may change his enrollment by filing an application with the registrar personally, by mail or otherwise.

1. Content of application. The application must contain the following information: Name of applicant, street address, voting district, name of party in which enrolled, name of party in which enrollment is requested, signature of the applicant and the date of application.

2. Party designation removed from voting list. On receipt of the application, the registrar shall remove the party designation beside the name of the applicant on the voting list. The registrar shall make a notation on the voting list that the applicant is ineligible to vote at a caucus or primary election, or to file a petition as a candidate for nomination by primary election, for 3 months. Three months after he receives the application, the registrar shall enroll the applicant in the party requested.

This subsection does not apply in the case of a voter who changes his enrollment under subsection 4.

3. Restrictions during change of enrollment. A voter may not vote at a caucus, convention or primary

election, or file a petition as a candidate for nomination by primary election within 3 months after filing an application to change his enrollment, except as provided in subsection 4.

4. Change of residence. When a voter changes his residence from one municipality to another and establishes a new voting residence there, he may enroll in any party and vote at a caucus, convention or primary election, or file a petition as a candidate for nomination by primary election, regardless of his previous enrollment.

§145. Withdrawal of enrollment

A voter may withdraw his enrollment anytime after 3 months from the date on which he enrolled by filing a written request with the registrar.

1. Candidates for nomination by nomination petition. If enrolled, candidates for nomination by nomination petition must withdraw their enrollment at least 3 months before the required date for filing of the nomination petition.

ARTICLE III

PROVISIONS COMMON TO REGISTRATION

AND ENROLLMENT PROCEDURES

§151. Same form

An individual may register to vote and enroll in a political party at the same time and on the same form.

§152. Registration and enrollment procedure

1. Application. In addition to the procedure provided by section 122, a person may register to vote and enroll in a political party by completing an application which shall be designed by the Secretary of State and contain the following information:

A. First name, middle name or initial and last name, or first name or initial, middle name and last name;

B. Legal address, including street, street number, apartment number, town, county and zip code;

C. Mailing address;

D. Date of birth;

E. Sex;

F. Most recent prior residence where registered to vote, including the name under which registered, if changed, legal address and mailing address;

G. Whether a citizen by birth or naturalization; if by naturalization, the date, place and court of naturalization;

H. Notification that failure to complete the entire application may prevent registration;

I. Certification that all information is correct, sworn before a notary public;

J. Date of registration;

K. Signature of applicant; and

L. Choice of political party.

2. Placement on voting list. Upon receipt of the application by the registrar of voters or the board of registration when in open session, the applicant's name shall be entered on the voting lists of the municipality.

3. Failure to qualify. The registrar of voters or the board of registration may investigate any application and remove the voter's name from the list for failure to meet a voting requirement under this Title.

4. Persons born United States citizens in foreign countries. Any person born a United States citizen in a foreign country may register under this section in the same manner as a person who was born a United States citizen within the territory of the United States.

5. Design of application. The Secretary of State shall design the application so that it may be mailed as a postcard.

§153. Registration and enrollment of disabled person

A person who is physically unable to appear before the registrar and who lives within 20 miles of the office of the registrar may be registered as a voter and enrolled in a party as follows.

1. Request and statement. The applicant must make a written request to the registrar certifying the applicant's physical inability to appear.

2. Procedure. On receipt of the request and statement, the registrar shall visit the applicant and shall register and, if desired, enroll the applicant in accordance with this chapter. This section is subject to the restrictions found in sections 123 and 124.

The municipality shall pay the registrar travel expenses at the same rate as paid other municipal employees.

§154. Overseas registration and enrollment

1. Application. A person qualified to register under section 111, subsections 1 to 3, who is outside the United States may register and enroll by filing a federal postcard application or an application designed by the Secretary of State and provided by the registrar containing the following information:

A. First name, middle name or initial and last name, or first name or initial, middle name and last name;

B. Legal address, including street, street number, apartment number, town, county and zip code;

C. Mailing address;

D. Date of birth;

E. Last domicile immediately before departure from the United States;

F. Voting district of the last domicile within the United States;

G. Whether a citizen by birth or naturalization; if by naturalization, the date, place and court of naturalization;

H. Notification that failure to complete the entire application may prevent registration;

I. Passport or identity card registration number;

J. Signature;

K. Certification that all information is correct, sworn before a diplomatic or consular official of the United States or before the master of a United States vessel of 1,000 tons or more;

L. Date of application;

M. Date of registration; and

N. Choice of political party if the registrant wishes to enroll.

§155. Advance registration and enrollment

The registrar shall conditionally accept the registration and enrollment of any person whose age is between 17 years, 6 months and 18 years, and who is otherwise qualified to be a voter, when that person states to the registrar that he will be outside the State, as a student in an educational institution or as a member of the Armed Forces, during the first period at which he would otherwise be able to register. The registrar shall maintain a separate list of these persons, with a notation of their birthdates, and shall place their names on the voting list as soon as they have attained 18 years of age.

A person who has registered under this section and who has not attained 18 years of age may vote by absentee ballot at any election if that person attains 18 years of age on or before the date of the election and is otherwise eligible to vote by absentee ballot.

§156. Special provisions for township residents

In addition to section 632, registration, enrollment and voting by the resident of a township are governed by the following provisions.

1. Registration and enrollment. A township resident may register and enroll in any town within his representative district or, if he lives in a portion of a township not easily accessible to a town within his representative district, he may register and enroll in a more convenient town within or outside the county. He may register and enroll on election day. The registrar shall place the letter "T" beside the voter's name on the voting list and on the general register.

2. Voting. He may vote in the town in which he is registered. He may not vote at a municipal elec-

tion or on a liquor option question. If he votes in a town outside his representative district, he may not vote for the office of Representative to the Legislature. If he votes in a town outside his state senatorial district, he may not vote for the office of State Senator. If he votes in a town outside his county, he may not vote for any county office. The election clerk in charge of the ballots shall mark a line through the names of the officers for which he may not vote and add the letter "T" to and initial the outside of the ballot. If he is unable to be present at the voting place on election day, he may vote by absentee ballot.

§157. Acceptance of applications by clerk

In a city or town which has a board of registration, the clerk shall accept applications for registration and enrollment when the board is not in session, except during the closed period prior to election day under sections 123 and 124.

1. Applicant must qualify before clerk. The clerk shall require an applicant for registration to qualify under section 122. If the applicant qualifies, the clerk shall write "OK" and initial the application and file it with the board. If the applicant fails to qualify or if his qualifications are in doubt, the clerk shall refuse to accept his application and direct him to appear before the board.

2. Final action by board. Final action for acceptance of a registration or enrollment must be taken by the board. If the board rejects an application accepted by the clerk, it shall immediately notify the applicant by first class mail of the rejection and the reason for it.

§158. Municipal caucus

The registrar or board of registration shall meet in session on the day of official party caucuses at times designated by municipal officials to accept registrations and enrollments and all persons so registered and enrolled may participate in their party caucus.

§159. Violations and penalties

1. False statement or false oath. A person who makes a false statement or who takes a false oath before an official concerning the qualifications of any person for registration or enrollment and who does

not believe the statement to be true is guilty of a Class E crime.

2. Dual registration. A person who, having registered in one voting district or municipality within this State, or in another state, knowingly registers in another voting district or municipality within this State without revealing his prior registration to the registrar is guilty of a Class D crime.

SUBCHAPTER IV

VOTING LIST

§161. Powers and duties of registrar

The registrar has the exclusive power to prepare and revise the voting list.

1. List prepared. The registrar shall prepare a printed or typewritten list of all the voters of the municipality, arranged alphabetically by last name. He shall add the street address of each voter beside the voter's name, mailing address and zip code number. In a municipality covered by only one zip code, he may print or type the zip code at the top of each page of the voting list. In a municipality which has voting districts, he shall make a separate list for each district.

2. List current. The registrar shall keep a list current at all times by adding the names of new voters and by removing the names of those who have died, moved from the municipality with an apparent intention of abandoning their residence in the municipality or become disqualified to vote. When the registrar employs the facilities of the United States Postal Service to determine which voters have moved from the municipality and when the United States Postal Service reports to the registrar that a voter has moved from the address shown on the voting list without having notified the United States Postal Service of a forwarding address, the registrar shall remove the name of the voter from the voting list and is not required to send, or to attempt to send, a notice to the voter in accordance with section 162.

3. List of deceased residents. The clerk shall, upon request of the registrar, furnish the registrar with a list of the deceased in the municipality.

4. Proof of qualification shall be requested. If the registrar is in doubt as to the

qualifications of any person to vote, he shall request that person's appearance at a reasonable time and place to offer proof. If the person fails to appear, the registrar shall remove his name from the voting list and send him a notice in accordance with section 162.

5. Record of names added and removed. The registrar shall keep a record of the names added to or removed from the voting list and the date when the action was taken.

§162. Notice of removal from list

Except as provided under section 122, subsection 3, and section 161, subsection 2, the registrar shall mail a notice to the last known place of residence of each person whose name the registrar has removed from the voting list. Upon receipt of that notification, the person must reply to the registrar within 30 days using a postal card mailed with the notice and must state the reasons why his name should not be removed from the voting list. If the notification is returned unclaimed, that return is sufficient notice to confirm the removal of the name. The returned notices and replies by the voter shall be kept on file by the registrar and available for inspection for 2 years.

1. Content of notice. The notice must contain the following message:

Dear.....:
(Name of voter)

This is to advise you that your name has been removed from the voting list of (name of municipality) for the following reasons: (Here state reason for removal). Your failure to reply within 30 days will be deemed to indicate your agreement with this action.

.....
(Name of registrar)
Registrar of voters
(Name of Municipality)

2. Content of reply. The postal card must contain the following message:

Dear Registrar:

I respectfully request that my name be replaced on the voting list of (name of municipality) for the

following reason: (Here allow space for reason to be stated). I swear that the reason stated above is true.

Signature

Address

3. Restoration to list. If the registrar is satisfied from the reply that the name should be restored to the voting list, he shall do so. If not, the registrar shall notify the person within 14 days that the reason given appears to be insufficient and that the person's name has not been restored to the voting list.

§163. Appeal

If any person is aggrieved by the decision of the registrar of voters to remove a name from the voting list or to refuse to place it on the voting list, he may appeal in writing to the municipal officers of a municipality by filing a complaint. The municipal officers shall immediately fix a time and place for a prompt hearing. After hearing, the municipal officers may affirm, modify or reverse the decision of the registrar of voters. The aggrieved person may appeal the decision of the municipal officers to the District Court in accordance with the Rules of Civil Procedure.

§164. Enrollment records

The registrar shall record enrollments by adding the party designation of the voter beside the voter's name on the voting list.

1. Records current. He shall keep the records current at all times by adding new enrollments and by changing or withdrawing the enrollments of those who have requested it.

2. Record of names added and removed. He shall keep a record of the enrollments added, changed or withdrawn and the date when the action was taken.

§165. Copies of list available

The registrar may require a deposit but shall furnish a certified copy of the voting list to any person within 10 business days after a request and the payment of a reasonable price determined by the municipal officers. The fee charged accrues to the registrar unless the legislative body of the municipi-

pality votes otherwise. The registrar shall furnish a certified copy of the voting list to the clerk at no charge within 10 days after it is completed.

§166. Updated voting lists furnished to candidates

Any candidate in a primary or general election for a state or federal office who has purchased a municipal voting list from a municipality, which retains that voting list on an electronic computer and which regularly and periodically updates that list at least every 3 months, is entitled to a list of all additions, deletions and changes to the purchased list for the following periods of time.

1. Candidate in primary election. If the candidate is a candidate in a primary election, he is entitled to the additions, deletions and changes from the time he is a declared candidate in that primary election until the day of the primary election. But if he is nominated in that primary election to be a candidate in the general election, he is entitled to those additions, deletions and changes until the day of the general election.

2. Candidate in general election. If the candidate is a candidate in a general election, he is entitled to the additions, deletions and changes from the time he is a declared candidate in that general election until the day of the general election.

A municipal registrar shall furnish lists of the additions, deletions and changes in a purchased voting list to a candidate entitled to them under this section. These corrections shall be provided periodically as updates to the municipal voting list become available and shall be at no additional cost to the candidates.

§167. Violation and penalty

A person who places or removes the name of another on or from a voting list or general register, knowing he has no legal right to do so is guilty of a Class E crime.

SUBCHAPTER V

REGISTER OF VOTERS

§171. Preparation and contents

The registrar shall prepare and keep a general register of voters.

1. Content of general register. The general register must contain the following information concerning each person on the voting list on index cards filed alphabetically by last name:

A. First name, middle name or initial and last name or first name or initial, middle name and last name;

B. Legal address, including street, street number, apartment number, town, county and zip code;

C. Mailing address;

D. Date of birth;

E. Sex;

F. Most recent prior residence where registered to vote, including the name under which registered, if changed, legal address and mailing address;

G. Whether a citizen by birth or naturalization: If by naturalization, the date, place and court or naturalization;

H. Remarks concerning registration or enrollment;

I. Date of registration; and

J. Signature of registrant.

2. Reference file. When the name of a voter is removed from the voting list, the registrar shall remove his card from the general register and retain it in a reference file for 10 years.

CHAPTER 5

NOMINATIONS

SUBCHAPTER I

BY POLITICAL PARTIES

ARTICLE I

PARTY QUALIFICATION

§301. Qualified parties

1. Primary election. A party qualifies to participate in a primary election if its designation was listed on the general election ballot in the last preceding gubernatorial or presidential election and if:

A. The party held municipal caucuses as prescribed by Article II in at least one municipality in each county in the State during that election year and fulfills this same requirement during the year of the primary election;

B. The party held a state convention as prescribed by Article III during that election year;

C. Its candidate for Governor or for President polled at least 5% of the total vote cast in the State for Governor or President in the last preceding gubernatorial or presidential election; and

D. Each state party committee must file a statement with the Secretary of State on or before April 4th certifying that the party has held the municipal caucuses required by paragraph A. The statement must be signed by the party chairman or his designated agent.

2. General election. A party which qualifies under subsection 1 to participate in a primary election must, in that same year, hold a state convention as prescribed by Article III in order to have the party designation of its candidates printed on the ballot in the general election of that year.

§302. Formation of new party; organization about a candidate

A party whose designation was not listed on the general election ballot in the last preceding gubernatorial or presidential election qualifies to participate in a primary election, if it meets the requirements of subsections 1, 2 and 3.

1. Declaration of intent. A voter or a group of voters who are not enrolled in a party qualified under section 301 must file a declaration of intent to form a party with the Secretary of State before 5 p.m. on the 180th day preceding a primary election. The declaration of intent must be on a form designed by the Secretary of State and must include:

A. The designation of the proposed party;

B. The name of a candidate for Governor or for President in the last preceding gubernatorial or presidential election who was nominated by petition under subchapter II and who received 5% or more of the total vote cast in the State for Governor or for President in that election;

C. The signed consent of that candidate; and

D. The name and address of the voter or one of the group of voters who file the declaration of intent.

2. Enrollment of voters. After filing the declaration described in subsection 1, the voter or voters proposing to form the party may then enroll voters in the proposed party under sections 141 to 145.

3. Municipal caucuses. The proposed party must conduct municipal caucuses in at least one municipality in each of the 16 counties during that election year as prescribed in Article II. The chairman of the municipal committee or a resident voter in the municipality must file a copy of the notice required by section 311, subsection 3, with the Secretary of State before 5 p.m. on April 15th.

4. Convention. A party which has qualified under subsections 1, 2 and 3 to participate in a primary election must, in that same year, hold a state convention, as prescribed by Article III, in order to have the party designation of its candidates printed on the ballot in the general election of that year. The voter or group of voters who file the declaration of intent may perform the duties of the state committee under section 321, subsection 1, for the party's initial convention.

§303. Formation of new party; organization by petition

In addition to the procedure under section 302, a party whose designation was not listed on the general election ballot in the last preceding gubernatorial or presidential election qualifies to participate in a primary election, if it meets the requirements of subsections 1, 2, 3 and 4.

1. Declaration of intent. A voter or group of voters who are not enrolled in a party qualified under section 301 must file a declaration of intent to form a party with the Secretary of State. The declaration of intent must be on a form designed by the Secretary of State and must include:

A. The designation of the proposed party; and

B. The name and address of the voter or one of the group of voters who file the declaration of intent.

2. Enrollment of voters. After filing the declaration of intent required in subsection 1, the voter or voters proposing to form the party may then enroll voters in the proposed party under sections 141 to 145.

3. Petition. After filing the declaration described in subsection 1, the voter or a group of voters may then circulate petitions. These petitions must be signed in the same manner as primary petitions under section 335, subsections 3 and 4. The circulator of the petition must certify his belief that the signatures on it are genuine and that the signers are registered and enrolled voters. Each page of the petition must have a caption, in conspicuous type, which contains the designation of the proposed party followed by the words "Petition to participate in the primary election." The Secretary of State shall prepare forms for these petitions. The petitions must be filed in the office of the Secretary of State before 5 p.m. on the 180th day preceding a primary election and must contain the signatures and legal addresses of voters, equal in number to at least 5% of the total vote cast in the State for Governor at the last preceding gubernatorial election.

4. Municipal caucuses. The proposed party must conduct municipal caucuses in at least one municipality in each of the 16 counties during that election year as prescribed in Article II. The chairman of the municipal committee or a resident voter in the municipality must file a copy of the notice required by section 311, subsection 3 with the Secretary of State, before 5 p.m. on April 15th.

5. Convention. A party which has qualified under subsections 1, 2, 3 and 4 to participate in a primary election must, in that same year, hold a state convention as prescribed by Article III, in order to have the party designation of its candidates printed on the ballot in the general election of that year. The voter or group of voters who file the declaration of intent may perform the duties of the state committee under section 321, subsection 1, for the party's initial convention.

§304. Disqualification of parties

A party which qualified under section 302 or 303 to participate in the last preceding primary and general elections is not qualified to participate in a subsequent primary election unless it meets the requirements of section 301.

§305. Secretary of State

The Secretary of State shall determine whether or not a party has met the requirements of sections 301, 302 and 303.

§306. Enrolled voters

A voter who is enrolled in a party which failed to meet the requirements of section 302 or 303, or which is disqualified under section 304, is considered an unenrolled voter for all purposes.

§307. Party designation

A voter or group of voters seeking to participate as a party in a primary election under section 302 or 303 must choose a party designation that does not:

1. Length. Exceed 3 words in length;
2. Use state name. Incorporate the name or an abbreviation of the name of the State; and
3. Use established party's designation. Incorporate the designation or an abbreviation of the designation of a party which is qualified to participate in a primary or general election under section 301.

ARTICLE II

BIENNIAL MUNICIPAL CAUCUS

§311. Rules governing

A biennial municipal caucus is governed by the following provisions.

1. Call. The caucus may be called by the chairman or a majority of the members of the municipal committee of a political party. At the request of that committee municipal officers shall provide available space in a public building for a caucus.

2. Time. A municipal caucus of the Democratic Party, held biennially during the general election

year for the purpose of electing delegates to a state convention and for any other business must be held no later than the first Sunday in March. A municipal caucus of any other party, held for the same purpose, must be held before April 1st.

3. Notice. The secretary of the committee must have a notice of the caucus published in a newspaper having general circulation in the municipality at least 3 and not more than 7 days before it is to be held, or must post a notice in a conspicuous, public place in each voting district in the municipality at least 7 days before the caucus. The notice must contain the name of the party, the time and place of the caucus and the name of the person calling it.

A. If the notice is not published as required by this subsection, the caucus is void.

B. The secretary of the committee must file a copy of the notice with the clerk who shall record it.

4. Procedure. The chairman of the municipal committee shall open the caucus. In his absence, the secretary or any resident voter enrolled in the party may open the caucus. The caucus shall elect a secretary and a chairman in that order. The chairman of the caucus shall then preside over the caucus and the secretary shall record the proceeding of the caucus. The caucus shall determine its own parliamentary procedure.

5. If no municipal committee. If there is no municipal committee, any resident voter enrolled in the party may call a caucus for the purpose of electing the committee. He must follow the notice procedure of subsection 3.

§312. Voting list

If the person or persons calling the biennial municipal caucus request a voting list at least 5 business days before the caucus, the registrar shall prepare, at the municipality's expense, a certified copy of the voting list for use at the caucus. The secretary of the municipal committee shall obtain the copy from the registrar and that copy shall be retained by the municipal committee.

§313. Voting procedure

The following provisions apply to voting at a municipal caucus.

1. Vote by list. The caucus may order voting to be done by checking each voter's name on the voting list.

2. Secret ballot. The caucus may order voting to be done by secret ballot which may be printed, or written on plain paper.

§314. Challenges

An enrolled voter of a municipality may challenge the right of another to vote at a municipal caucus. The person challenged may vote at the caucus after he has taken the following oath administered by the chairman of the caucus.

1. Oath. "I, (name of challenged person), swear that I am a registered and enrolled voter in this voting district, that I am a member of the party holding this caucus, and that I have not been enrolled in any other party in this municipality within the last 3 months."

2. Oath recorded and copy sent to registrar. The secretary of the caucus shall record the administration of the oath and shall send a copy of the record to the registrar.

3. Registrar to compare records. On receipt of the copy of the record, the registrar shall compare it with the voting and enrollment records. If the oath is false, the person who swore to it is guilty of a Class E crime.

§315. Party members to govern political committees

The members of a party within a municipality shall determine the method of election, the terms of office and the duties of their political committees.

ARTICLE III

CONVENTIONS

§321. Time and place; procedure

Each party shall hold a state convention between March 1st and August 1st biennially during general election year.

1. Time, place and representation. The party's state committee shall determine the time, place and basis of representation for the convention.

2. Proceedings at convention. The convention shall do the following:

A. Elect a secretary and a chairman of the convention in that order;

B. Adopt a platform for the next general election;

C. Nominate the number of presidential electors to which the State is entitled;

D. Determine the size of the state, district and county committees and the method of their election.

E. Elect a district committee for each congressional district; and

F. Elect a county committee for each county from persons nominated at municipal caucuses held in the county. If a municipality entitled to nominate a person for election to the county committee fails to do so, the convention may elect any resident of that municipality to the county committee.

§322. Committee functions

Committees elected at the convention are governed by the following provisions.

1. Committees to organize and report. The committees elected at the convention shall organize within 30 days after the convention. The secretary of each committee shall notify the state committee of the name and residence of its chairman and secretary within 10 days after their election.

2. State committee to report organization. The chairman and the secretary of the state committee shall certify to the Secretary of State the platform adopted and the names of the presidential electors within 60 days after the convention. The chairman and the secretary of the state committee shall certify to the Secretary of State the name and residence of the chairman and secretary of each committee and of each committee member within 20 days after their election.

3. Term of office and duties of committees. The committees and their officers shall hold office as prescribed in their bylaws and shall perform the du-

ties imposed upon them by the convention and their bylaws.

4. Certain officers of state committee. The chairman, vice-chairman, treasurer and finance chairman of the state committee may be chosen from outside the membership of the state committee.

ARTICLE IV

NOMINATION BY PRIMARY ELECTION

§331. Primary required

1. Nomination by primary election. A party's nomination of a candidate for any federal, state or county office shall be made by primary election, as provided in this Article.

2. Exceptions. This Article does not apply to:

A. Nominations for presidential electors;

B. Nominations to fill vacancies under subchapter III; and

C. Nominations by petition under subchapter II.

3. Limitations to candidacy. The following limitations apply to all candidates for nominations.

A. A person may not file, whether by primary election or nomination petition, as a candidate for more than one federal, state or county office at any election, except for a candidate for membership in a county charter commission under section 351, subsection 3.

B. A person may file as a candidate for any federal, state or county office either by primary election or nomination petition but not by both, except for a candidate for membership in a county charter commission under section 351, subsection 3.

§332. When nomination vacated

When a person already nominated for any federal, state or county office accepts nomination to fill a vacancy, the first nomination is vacated by that acceptance.

§333. Qualification for county office

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

§334. Qualification of candidate for primary nomination

A candidate for nomination by primary election must file a primary petition and consent under sections 335 and 336. He must be enrolled, on or before April 1st, in the party named in the petition and must be eligible to file a petition as a candidate for nomination by primary election under section 144, subsection 3. The registrar in the candidate's municipality of residence must certify to that fact upon the petition.

§335. Petition requirements

A primary petition shall be on a form provided by the Secretary of State and is governed by the following provisions.

1. Content. A primary petition must contain the name of only one candidate, his place of residence, his party, the office sought and electoral division. A primary petition may contain as many separate papers as necessary and may contain the candidate's consent required by section 336.

A. When 2 United States Senators or 2 county commissioners are to be nominated, the primary petition must contain the term of office sought by the candidate.

2. By whom signed. A primary petition may be signed only by voters of the electoral division which is to make the nomination and who are enrolled in the party named in the petition. Other signatures are void.

3. How signed. The voter must personally sign his name in such a manner as to satisfy the registrar of his municipality that he is a registered voter and enrolled in the party named on the petition. Either the voter or the circulator of the petition must print the voter's name.

4. Residence. The voter or the circulator of the petition must write or print the voter's street

address and municipality of registration. Ditto marks are permitted for municipality of registration only.

5. Number of signatures required. Petitions must be signed by the following numbers of voters:

A. For candidate for Governor, at least 2,000 and not more than 3,000 voters;

B. For a candidate for United States Senator, at least 2,000 and not more than 3,000 voters;

C. For a candidate for Representative to Congress, at least 1,000 and not more than 1,500 voters;

D. For a candidate for county office, at least 150 and not more than 200 voters;

E. For a candidate for county commissioner in any county with a population of 50,000 or less, at least 50 and not more than 75 voters;

F. For a candidate for State Senator, at least 100 and not more than 150 voters; and

G. For a candidate for State Representative, at least 25 and not more than 40 voters.

6. When signed. A petition may not be signed before January 1st of the election year in which it is to be used.

7. Certification of petition. A primary petition shall be verified and certified as follows.

A. The circulator of a primary petition shall verify by oath or affirmation before a notary public or other person authorized by law to administer oaths or affirmations that all of the signatures to the petition were made in his presence and that to the best of his knowledge and belief each signature is the signature of the person whose name it purports to be and each person is enrolled in the party named in the petition and is a resident of the electoral division named in the petition.

B. The registrar of each municipality concerned shall certify which names on a petition appear on the voting list of that municipality as registered and enrolled voters and shall strike out any names which do not satisfy subsection 3.

8. When filed. A primary petition must be filed in the office of the Secretary of State before 5 p.m. on April 1st of the election year in which it is to be used.

9. Petition or names void. A primary petition which does not meet the requirements of this section is void. If a voter or a circulator fails to comply with this section in signing or printing the voter's name and address, that voter's name may not be counted, but the petition is otherwise valid.

§336. Consent of candidate to be filed

The written consent of each candidate must be filed with his primary petition.

1. Consent. The consent must contain a statement signed by the candidate that he will accept the nomination of the primary election. The statement may be printed as a part of the primary petition.

2. Single filing sufficient. A candidate need file only one consent. This consent is valid even though it may be part of a primary petition which is void.

§337. Review and challenge of petitions

1. Review. When presented with a primary petition, the Secretary of State shall review it and, if the petition contains the required number of certified names and is properly completed, shall accept and file it.

2. Challenges. The procedure for challenging the validity of a primary petition or of names upon a petition is as follows.

A. Only a registered voter residing in the electoral division of the candidate concerned may file a challenge. The challenge must be in writing and must set forth the reasons for the challenge. The challenge must be filed in the office of the Secretary of State before 5 p.m. on the 5th day after the final date for filing petitions under section 335, subsection 8.

B. Within 7 days after the final date for filing challenges and after due notice of the hearing to the candidate and to the challenger, the Secretary of State shall hold a public hearing on any challenge properly filed. The challenger has the

burden of providing sufficient evidence to invalidate the petitions or any names upon the petitions.

C. The Secretary of State shall rule on the validity of any challenge within 5 days after the completion of the hearing described in paragraph B.

D. A challenger or a candidate may appeal the decision of the Secretary of State by commencing an action in the Superior Court. This action shall be conducted in accordance with the Maine Rules of Civil Procedure, Rule 80B, except as modified by this section. This action must be commenced within 5 days of the date of the decision of the Secretary of State and shall be tried, without a jury, within 10 days of the date of that decision. Upon timely application, anyone may intervene in this action when the applicant claims an interest relating to the subject matter of the petitions, unless the applicant's interest is adequately represented by existing parties. The court shall issue a written decision containing its findings of fact and conclusions of law and setting forth the reasons for its decision within 20 days of the date of the decision of the Secretary of State.

E. Any aggrieved party may appeal the decision of the Superior Court, on questions of law, by filing a notice of appeal within 3 days of that decision. The record on appeal must be transmitted to the Law Court within 3 days after notice of appeal is filed. After filing notice of appeal, the parties have 4 days to file briefs and appendices with the clerk of courts. As soon as the record and briefs have been filed, the court shall immediately consider the case. The court shall issue its decision within 14 days of the date of the decision of the Superior Court.

§338. Write-in candidates

A person whose name will not appear on the printed primary ballot because he did not file a petition and consent under sections 335 and 336, but who fulfills the other qualifications under section 334, may be nominated at the primary election as a write-in candidate in accordance with section 723, subsection 1.

§339. Time and nature of election

The primary election shall be held on the 2nd Tuesday of June of each general election year and is considered to be a separate election for each party which takes part in it. This includes the duties of public officials in announcing the election, providing forms and ballots, keeping records and any other matter necessary to effect the purpose of a primary election. A primary election shall be conducted the same as the general election, as nearly as practicable, for each party.

SUBCHAPTER II

BY PETITION

§351. Nomination authorized

The nomination of a candidate, other than by a party, for any federal, state or county office must be made by petition, as provided in this subchapter.

1. Limited to one office. A person may not file, whether by primary election or nomination petition, as a candidate for more than one federal, state or county office at any election, except as provided in subsection 3.

2. Limited to one method. A person may file as a candidate for any federal, state or county office either by primary election or nomination petition, except as provided in subsection 3, but not by both methods.

3. Exception for candidates for county charter commission. A candidate for membership in a county charter commission must be nominated by petition, and may file as a candidate for one additional federal, state or county office at that same election.

§352. Qualification for presidential elector and county office

A candidate for the office of presidential elector or any county office must be a resident of and a voter in the electoral division he seeks to represent on the date established for filing nomination petitions in the year he seeks election. He must maintain a voting residence in that electoral division during his term of office.

§353. Qualification of candidate for nomination by petition

A person who seeks nomination by petition qualifies by filing a nomination petition and consent as provided in sections 354 and 355. If enrolled, the person must also withdraw his enrollment in a party, as provided in section 145, at least 3 months before the filing date for the nomination petition.

§354. Petition requirements

A nomination petition shall be on a form provided by the Secretary of State and is governed by the following provisions.

1. Content. A nomination petition must contain the name of only one candidate, his place of residence, the office sought and electoral division. A nomination petition may contain as many separate papers as necessary and may contain the candidate's consent required by section 355. It may also contain the candidate's political designation, which may not exceed 3 words in length, and may not incorporate the candidate's name, or the designation or an abbreviation of the designation of a party which is qualified to nominate candidates by primary election.

A. When 2 United States Senators or 2 county commissioners are to be nominated, the nomination petition must contain the term of office sought by the candidate.

B. The names of presidential electors must be placed on the petition as a slate. The names of the candidates for President and Vice President must be placed on a petition for the nomination of presidential electors.

2. By whom signed. A nomination petition may be signed only by voters of the electoral division which is to make the nomination, except that nomination petitions for presidential electors may be signed by any Maine voter. Other signatures are void.

3. How signed. The voter must personally sign his name in such a manner as to satisfy the registrar of his municipality that he is a registered voter. Either the voter or the circulator of the petition must print the voter's name.

4. Residence. The voter or the circulator of the petition must write or print the voter's street address and municipality of registration. Ditto marks are permitted for municipality or registration only.

5. Number of signatures required. Nomination petitions must be signed by the following numbers of voters:

A. For a slate of candidates for the office of presidential elector, at least 4,000 and not more than 6,000 voters;

B. For a candidate for Governor, at least 4,000 and not more than 6,000 voters;

C. For a candidate for United States Senator, at least 4,000 and not more than 6,000 voters;

D. For a candidate for United States Representative, at least 2,000 and not more than 3,000 voters;

E. For a candidate for county office, at least 300 and not more than 400 voters;

F. For a candidate for State Senator, at least 200 and not more than 300 voters;

G. For a candidate for State Representative, at least 50 and not more than 80 voters; and

H. For a candidate for county charter commission member, at least 50 and not more than 80 voters.

6. When signed. A nomination petition may not be signed before January 1st of the election year in which it is to be used.

7. Certification of petitions. A nomination petition shall be verified and certified as follows.

A. The circulator of a nomination petition shall verify by oath or affirmation before a notary public or other person authorized by law to administer oaths that all of the signatures to the petition were made in his presence and that to the best of his knowledge and belief each signature is the signature of the person whose name it purports to be and each person is a resident of the electoral division named in the petition.

B. The registrar of each municipality concerned shall certify which names on a petition appear on the voting list of the municipality as registered voters and shall strike out any names which do not satisfy subsection 3.

8. Filed with the Secretary of State. The petition must be filed in the following manner.

A. A petition for nomination as a candidate for presidential elector must be filed in the office of the Secretary of State by 5 p.m. on July 1st of the election year in which it is to be used.

B. A petition for nomination as a candidate for a federal, state or county office, except for presidential elector, must be filed in the office of the Secretary of State by 5 p.m. on April 1st of the election year in which it is to be used.

C. Notwithstanding paragraphs A and B, if any office is uncontested, a petition for nomination as a candidate for that office must be filed in the office of the Secretary of State by 5 p.m. on the date of the primary election in the election year in which that person will be a candidate.

9. Petition void. A nomination petition which does not meet the requirements of this section is void. If a voter or circulator fails to comply with this section in signing or printing the voter's name and address, that voter's name may not be counted, but the petition is otherwise valid.

§355. Consent of candidate to be filed

The written consent of each candidate must be filed with his nomination petition.

1. Consent. The consent must contain a statement signed by the candidate that he will accept the nomination. The statement may be printed as a part of the nomination petition.

2. Single filing sufficient. A candidate need file only one consent. The consent is valid even though it may be part of a nomination petition which is void.

§356. Review and challenge of petitions

1. Review. When presented with a nomination petition, the Secretary of State shall review it and, if the petition contains the required number of certified names and is properly completed, shall accept and file it.

2. Challenges. The procedure for challenging the validity of a nomination petition or of names upon a petition is as follows.

A. Only a registered voter residing in the electoral division of the candidate concerned may file a challenge. The challenge must be in writing and must set forth the reasons for the challenge. The challenge must be filed in the office of the Secretary of State by 5 p.m. on the 5th day after the final date for filing petitions under section 354, subsection 8.

B. Within 7 days after the final date for filing challenges and after due notice of the hearing to the candidate and to the challenger, the Secretary of State shall hold a public hearing on any challenge properly filed. The challenger has the burden of providing evidence to invalidate the petitions or any names upon the petitions.

C. The Secretary of State shall rule on a challenge within 5 days after the completion of the hearing described in paragraph B.

D. A challenger or a candidate may appeal the decision of the Secretary of State by commencing an action in the Superior Court. This action shall be conducted in accordance with the Maine Rules of Civil Procedure, Rule 80B, except as modified by this section. This action must be commenced within 5 days of the date of the decision of the Secretary of State and shall be tried, without a jury, within 10 days of the date of that decision. Upon timely application, anyone may intervene in this action when the applicant claims an interest relating to the subject matter of the petition, unless the applicant's interest is adequately represented by existing parties. The court shall issue its written decision containing its findings of fact and conclusions of law and setting forth the reasons for its decision within 20 days of the date of the decision of the Secretary of State.

E. Any aggrieved party may appeal the decision of the Superior Court, on questions of law, by filing a notice of appeal within 3 days of that decision. The record on appeal must be transmitted to the Law Court within 3 days after notice of appeal is filed. After filing notice of appeal, the parties have 4 days to file briefs and appendices with the clerk of courts. As soon as the record and briefs have been filed, the court shall immediately consider the case. The court shall issue its decision within 14 days of the date of the decision of the Superior Court.

F. Only a voter of the county establishing a charter commission may challenge the nomination petition for county charter commission member. The challenge must be in writing and must set forth the reasons for the challenge. The challenge must be filed in the office of the Secretary of State before 5 p.m. on the 55th day following the order of the county officers under Title 30, section 1551, subsection 1, or the receipt of a certificate of sufficiency under Title 30, section 1551, subsection 4.

§357. Candidates certified by the Secretary of State

The Secretary of State shall immediately certify by mail the nomination of each person nominated by petition.

SUBCHAPTER III

VACANCIES

ARTICLE I

GENERAL PROVISIONS

§361. Vacancy defined

A vacancy in any federal, state or county office, in the office of an election official, or in any political committee occurs when the incumbent dies, resigns, becomes disqualified or changes his residence to an electoral division other than that from which he was elected or when the person elected fails to qualify.

1. Filled for unexpired term. A vacancy in any office shall be filled for an unexpired term, except where it is specifically provided to the contrary.

§362. Governor's proclamation for political committee meetings

When required by this subchapter, the Governor shall issue a proclamation declaring the vacancy, ordering the appropriate political committee to fill it and setting a time and place for the committee to meet.

§363. Political committee; choosing candidates and nominees

The meeting of a political committee as required by sections 371, 373, 374, 381, 382 and 393 is governed by the following provisions.

1. Time and place of meeting. The committee shall meet at the time and place prescribed in the Governor's proclamation.

2. Duties of committee. The committee shall choose a qualified person to fill the vacancy. The secretary of the committee shall immediately deliver a certificate to the Secretary of State containing the name of the person chosen, his residence, his political party, title of the office sought, and the method by which he was chosen. The certificate must be signed by the chairman of the committee and attested to by the secretary.

A. In an electoral division consisting of more than one municipality, the municipal committee of each municipality shall meet jointly, elect a secretary and a chairman for the meeting and then fill the vacancy.

3. Acceptance filed. A person chosen under this section must file his written acceptance with the Secretary of State.

4. Changes in ballot. The Secretary of State shall make the necessary changes in the ballot.

§364. Candidacy by nomination petition

The nomination of a candidate or nominee, other than by party, to fill a vacancy must be made by nomination petition. The nomination process shall be in the same manner as provided by subchapter II, except that all petitions must be filed by 5 p.m. on the latest date established in the Governor's proclamation for the meeting of the appropriate political committees to fill the vacancy or, where a special election is to be held, by 5 p.m. of the date specified in the proclamation for filing by party candidates for the special election.

§365. Jurisdiction

The political committee which has jurisdiction over the choice of a candidate for nomination or a nominee to fill a vacancy under sections 371, 373, 374, 381 and 382 is as follows.

1. Municipal committee. Choices for Representative to the Legislature must be made by a municipal

committee when a representative district consists of one municipality, by a joint meeting of municipal committees when a representative district consists of 2 or more municipalities or by members of a municipal committee or committees residing within a representative district when the representative district includes a part of a municipality or parts of different municipalities.

2. County committee. A county committee makes choices for all county offices and committee members residing within senatorial districts make choices for State Senator.

3. District committee. A district committee makes choices for Representative to Congress.

4. State committee. A state committee makes choices for Governor, United States Senator and presidential elector.

§366. Special elections

The proclamation of a special election must specify the time and place it must be held as well as any necessary filing, posting, publishing and reporting dates. A special election must be publicized and conducted like its regular counterpart, as nearly as practicable.

ARTICLE II

CANDIDATES AND NOMINEES

§371. Candidates for nomination

If a candidate for nomination dies, withdraws or becomes disqualified after having filed his primary petition, so that a party has fewer candidates than there are offices to be filled, the vacancy may be filled as follows.

1. Primary petition if time. If there is sufficient time to circulate a primary petition before the primary election, as determined by the Secretary of State, the new candidate must be chosen in that manner. The Secretary of State shall set a time for filing the new petition and the consent described in section 336.

2. Chosen by committee if not time. If there is not sufficient time to circulate a primary petition, the Secretary of State shall notify the Governor who shall issue a proclamation under section 362.

§372. Nominees; 60 days or more before election

If a person nominated for United States Senator, Representative to Congress or Governor at a primary election dies, withdraws or becomes disqualified at least 60 days before the general election, the Governor shall issue a proclamation declaring the vacancy and ordering a special primary election under section 366.

§373. Nominees; less than 60 days before election

If a person nominated for United States Senator, Representative to Congress or Governor at a primary election or by a political committee dies, withdraws or becomes disqualified less than 60 days before the general election, the Governor shall issue a proclamation under section 362.

§374. Certain nominees at any time

If a person nominated for an office, other than United States Senator, Representative to Congress or Governor, at a primary election or by a political committee dies, withdraws or becomes disqualified before the general election, the Governor shall issue a proclamation under section 362.

§375. Presidential and vice-presidential candidates chosen by petition

1. Candidate for President; death; withdrawal; disqualification. If a candidate for President who has been nominated by petition under section 354, subsection 1, paragraph B, dies, withdraws or becomes disqualified, the nomination of the presidential, vice-presidential and presidential electoral candidates is terminated.

2. Candidate for Vice President; death; withdrawal; disqualification. If a candidate for Vice President who has been nominated by petition under section 354, subsection 1, paragraph B, dies, withdraws or becomes disqualified, the vacancy may be filled by a new vice-presidential candidate, if the following conditions are met:

A. Written resignation is filed with the Secretary of State by the previous vice-presidential candidate, if the mental and physical condition of the candidate allows;

B. Written consent is filed with the Secretary of State by the new vice-presidential candidate;

C. Written acceptance of the new vice-presidential candidate is filed with the Secretary of State by the presidential candidate; and

D. Written acceptance of the new vice-presidential candidate is filed with the Secretary of State by each of the presidential electors.

3. Candidate for presidential elector; death; withdrawal; disqualification. If a presidential elector, who has been nominated by petition under section 354, subsection 1, paragraph B, dies, withdraws or becomes disqualified, the vacancy may be filled by a new presidential elector, if the following conditions are met:

A. Written resignation is filed with the Secretary of State by the previous presidential elector, if the mental and physical condition of the elector allows;

B. Written consent is filed with the Secretary of State by the new presidential elector; and

C. Written acceptance of the new presidential elector is filed with the Secretary of State by the presidential candidate.

This subsection does not apply to a vacancy as described in section 804.

§376. Withdrawal of candidates or nominees

1. Federal or gubernatorial office. If a candidate or nominee for a federal or gubernatorial office withdraws less than 40 days before any election, the Secretary of State is not required to produce new ballots.

2. State Senator or county office. If a candidate or nominee for State Senator or county office withdraws less than 20 days before any election, the Secretary of State is not required to produce new ballots.

3. Representative to Legislature. If a candidate or nominee for Representative to the Legislature withdraws less than 10 days before any election, the Secretary of State is not required to produce new ballots.

4. Last day for withdrawal. Immediately after the last day for withdrawal, the Secretary of State shall list all names to be placed on the ballot for any election.

ARTICLE III

LOCAL AND STATE OFFICIALS

§381. State Senators

When there is a vacancy in the office of State Senator, the Governor shall issue a proclamation declaring the vacancy and ordering a special election under section 366.

1. Nominees chosen. He shall order the appropriate political committee members to choose nominees and shall set a time and place for them to meet. The committee members shall follow the procedure outlined in section 363.

§382. Representative to Legislature

When there is a vacancy in the office of Representative to the Legislature, the municipal officers of any municipality affected by the vacancy may inform the Governor if there is a need to fill the vacancy before the next general election, and the Governor shall issue a proclamation declaring the vacancy and ordering a special election under section 366.

1. Nominees chosen. He shall order the appropriate political committees to chose nominees and shall set a time and place for them to meet. The committees shall follow the procedure outlined in section 363.

§383. Political committees

A political committee shall fill a vacancy in its membership.

1. Secretary of State notified. The secretary of a state, district or county committee shall inform the Secretary of State of the name and residence of each person chosen to fill a vacancy.

§384. Election officials

The municipal officers shall appoint a qualified person to fill a vacancy in the office of any election official.

1. Limitation. An election clerk appointed to fill a vacancy must be enrolled in the same party as the former incumbent and must be nominated as provided in section 503.

ARTICLE IV

FEDERAL OFFICIALS

§391. United States Senators

A vacancy in the office of United States Senator is governed by the following provisions.

1. Interim appointment. Within a reasonable time after the vacancy occurs, the Governor shall appoint a qualified person to fill the vacancy until his successor is elected and qualified.

2. Vacancy 60 days before primary. If the vacancy occurs 60 days or more before a regular primary election, nominees must be chosen at the primary and a successor elected for the remainder of the term at the general election.

3. Vacancy less than 60 days before primary. If the vacancy occurs less than 60 days before a regular primary election, nominees must be chosen at the next regular primary following the one in question, and a successor elected for the remainder of the term at the general election.

§392. Representatives to Congress

When there is a vacancy in the office of Representative to Congress, the Governor shall issue a proclamation declaring the vacancy and ordering a special primary election followed by a special election to fill the vacancy as provided in section 366.

1. Congress in session. If Congress is in session, the elections must be held as soon as reasonably possible. If Congress is not in session, the elections must be held before the next regular or called session.

§393. Presidential electors

Except as provided in section 804, when there is a vacancy in the office of presidential elector, the Governor shall issue a proclamation under section 362 ordering the appropriate state committee to choose a qualified person to fill the vacancy. The procedure outlined in section 363 shall be followed.

CHAPTER 7ELECTION OFFICIALS§501. Wardens and ward clerks

1. In a city. In a city, the election, term of office, compensation and partial duties of wardens and ward clerks are determined by the city charter. Additional duties are prescribed by this Title.

2. In a town. In a town, unless otherwise determined by charter, the clerk of the municipality shall be the supervisor of all elections. With the approval of the municipal officers, he shall appoint a warden and may appoint one or more deputy wardens to assist in the duties on election day. The clerk may designate himself as warden or deputy warden. The municipal clerk, warden and deputy warden shall be paid a reasonable compensation as determined by the municipal officers.

3. Provisions applicable to both towns and cities. Neither the warden nor any deputy warden may be an officer of a municipal committee of a political party. Deputy wardens shall perform the duties of the warden when necessary and may not replace election clerks prescribed by this Title. The warden and deputy wardens must be registered voters of the municipality.

§502. Duties and vacancies -- ward clerk

In the absence or incapacity of the warden, the ward clerk may perform the duties of the warden. A vacancy in the office of ward clerk shall be filled by an election clerk appointed by the warden. This election clerk must be enrolled in the same political party as the ward clerk and shall serve as ward clerk pro tem.

§503. Election clerks

Elections clerks are governed by the following provisions.

1. Appointment. The municipal officers of each municipality must appoint election clerks no later than May 1st of each general election year. They shall appoint persons nominated by the municipal committees of the major parties to serve as election clerks for each voting place. They must designate an equal number of election clerks from each major par-

ty. At the request of the municipal committee of any minor party represented on the last general election ballot, the municipal officers shall appoint one election clerk nominated by that committee for each voting place.

2. Number appointed. The municipal officers shall appoint 2 election clerks, who must be residents of the municipality, for each voting place in each municipality.

A. They may appoint additional election clerks, if necessary, who are nominated as provided in subsection 1.

B. They shall appoint alternate election clerks who are nominated as provided in subsection 1 and who may be called into service by the warden, as needed, to fill a vacancy on election day. If the municipal committee fails to nominate a sufficient number of alternate election clerks, the municipal clerk or municipal officers shall appoint the necessary number to fill the vacancy on election day.

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

3. Sworn to office. Before assuming the duties of office, an election clerk must be sworn by the warden or clerk, and the fact of his having been sworn shall be recorded by the clerk.

4. Term of office. An election clerk holds office for 2 years from the date of his appointment, and until his successor is appointed and qualified, except that an election clerk who is appointed to represent a minor party holds office only 2 years from the date of his appointment.

5. Duties. Election clerks shall attend the voting places for which they are appointed, at each election. They shall assist the warden as requested by him. They shall be in attendance during voting hours on election day.

6. Compensation. Election clerks shall be paid a reasonable compensation as determined by the municipal officers.

7. Application of city charter. A city charter which provides for the election of 2 persons to assist the warden in receiving, sorting and counting ballots is not affected by this section. The persons elected under authority of the charter are considered to be election clerks and each must represent a different major party.

§504. Persons ineligible to serve

The following may not serve as election officials:

1. Certain employees. An employee of a party or candidate;

2. Direct pecuniary interest. A person having a direct pecuniary interest in the result of a referendum question; or

3. Candidate and certain relatives. A candidate or member of his immediate family, in the electoral division from which the candidate seeks election.

A. This subsection does not apply to a candidate for warden or ward clerk or his spouse, parents, children, sister or brother.

B. This subsection does not apply to municipalities with a population of less than 500.

CHAPTER 9

CONDUCT OF ELECTIONS

SUBCHAPTER I

PREELECTION PROCEDURE

ARTICLE I

SECRETARY OF STATE'S RESPONSIBILITIES

§601. Primary ballot

The Secretary of State shall prepare the primary election ballots according to the following provisions.

1. Arrangement. The ballot must be arranged in one column.

2. Content. The ballot must contain the things listed in this section. It may contain no others.

A. The following instructions must be printed in bold type at the top of the ballot: "MAKE A CROSS (X) OR A CHECK MARK () IN THE SQUARE AT THE LEFT OF THE NAME OF THE CANDIDATE FOR WHOM YOU WISH TO VOTE. YOU MAY VOTE FOR A PERSON WHOSE NAME DOES NOT APPEAR ON THE BALLOT BY WRITING IT OR PASTING A STICKER WITH THE PERSON'S NAME AND MUNICIPALITY OF RESIDENCE ON IT IN THE PROPER BLANK SPACE AND MARKING THE SQUARE AT THE LEFT. DO NOT ERASE NAMES."

B. The ballot must contain the name, without any title, and place of residence of each candidate, arranged alphabetically with the last name first, under the proper office designation. The name of each candidate may be printed on the ballot in only one space.

C. When 2 United States Senators or 2 county commissioners are to be nominated, the term of office sought by each candidate must be specified on the ballot.

D. At the end of the list of candidates for nomination to each office, there must be left as many blank spaces as there are vacancies to be filled. These spaces may be used by a voter to write or paste in the name and municipality of residence of any person for whom he desires to vote, as provided in section 691, subsection 2.

E. Words of explanation such as, "Vote for one" or "Vote for not more than 2" must be printed on the ballot to assist the voter in voting correctly.

F. A square must be printed at the left of and close to the name of each candidate or write-in space, so that a voter may designate his choice clearly by a cross (X) or a check mark ().

G. On the front and back of the folded ballot must be printed "Official (name of political party) Primary Ballot for (name of voting place for which ballot was prepared)", the date of the election, and a facsimile of the state seal.

H. The name of each nominee must appear on the ballot as follows: Last name first, in block capital letters, followed by the first name and middle name or initial; or last name first in block capital letters, followed by the first name or the first initial and the middle name.

3. Order of offices. The order of offices on the ballot is as follows: United States Senator, Governor, Representative to Congress, State Senator and Representative to the Legislature followed by the county offices.

4. Distinctively colored. The ballots must be printed separately for each political party on paper of a distinctive color: White for the party which cast the greatest number of votes for Governor at the last gubernatorial election; yellow for the 2nd highest; blue for the 3rd highest; and green for the 4th highest. For municipalities which include more than one single member district of the House of Representatives, or parts of more than one single member district, the Secretary of State may prepare primary election ballots of one or more distinctive colors for each single member district or part thereof within the municipality.

§602. General election ballot

The Secretary of State shall prepare the general election ballots, according to the following provisions.

1. Arrangement. The ballot must contain the name, without any title, and municipality of residence of each nominee, arranged alphabetically with the last name first, under the proper office designation, except that the names of Presidential Electors shall not appear on the ballot.

2. Content. The ballot must contain the things listed in this section. It may contain no others.

A. The names of all nominees for office must as far as possible be placed in one vertical column. When there are over 25 names to be printed on the ballot, another column or columns may be added for the names of the additional nominees. When 2 or more columns are used, the same number of names, so far as possible, must be printed in each column. The names of candidates for any one office may not be split into more than one column regardless of number. The initial letter of the last name of the several candidates in each column must be printed directly beneath each other in a vertical line and the initial letter of the respective party designations of each nominee must be printed directly beneath each other in a vertical line.

B. The designation of the party which the nominee represents must be printed to the right of each nominee's name, properly separated from but still in line with the name of the nominee. The party designation may be abbreviated.

C. The following instructions must be printed in bold type at the top of the ballot: "MAKE A CROSS (X) OR A CHECK MARK () IN THE SQUARE AT THE LEFT OF THE NOMINEE FOR WHOM YOU WISH TO VOTE. YOU MAY VOTE FOR A PERSON WHOSE NAME DOES NOT APPEAR ON THE BALLOT BY WRITING IT AND THE PERSON'S MUNICIPALITY OF RESIDENCE IN THE PROPER BLANK SPACE AND MARKING THE SQUARE AT THE LEFT. DO NOT ERASE NAMES."

D. When 2 United States Senators or 2 county commissioners are to be elected, the term of office sought by each nominee must be specified on the ballot.

E. At the end of the list of nominees to each office, there must be left as many blank spaces as there are vacancies to be filled. These spaces may be used by a voter to write in the name and municipality of residence of any person for whom he desires to vote, as provided in section 692, subsection 2.

F. Words of explanation such as "Vote for one" or "Vote for not more than 2" must be printed on the ballot to assist the voter in voting correctly.

G. A square must be printed at the left of and close to the name of each nominee or write-in space, so that a voter may designate his choice clearly by a cross or a check mark in it.

H. The name of each nominee must appear on the ballot as follows: Last name first, in block capital letters, followed by the first name and middle name or initial; or last name first, in block capital letters, followed by the first name or first initial and the middle name.

3. Printed on outside. On the front and back of the folded ballot must be printed "Official Ballot for (name of voting district)," the date of the election, and a facsimile of the state seal.

4. Order of offices. The order of offices on the ballot is as follows: President and Vice Presi-

dent, United States Senator, Governor, Representative to Congress, State Senator and Representative to the Legislature followed by the county offices.

5. Distinctively colored. Election ballots must be printed on white paper. For municipalities which include more than one single member district of the House of Representatives, or parts of more than one single member district, the Secretary of State may prepare general election ballots of one or more distinctive colors for each single member district or part thereof within the municipality.

6. Size. The Secretary of State shall determine the size of the ballots.

7. Contents concealed. The ballots must be folded uniformly so that the interior contents are concealed.

§603. Specimens

Specimen ballots are governed by the following provisions.

1. Secretary of State to prepare. The Secretary of State shall prepare the specimen ballots.

A. The words "SPECIMEN BALLOT" in bold type, the title and date of the election, and the name of the voting district must be printed at the top of the ballot. The facsimile of the signature of the Secretary of State must not be printed on it. It must be printed flat with the back blank. Otherwise, it must be printed substantially the same as a regular ballot.

B. The ballot must be printed on paper of a distinctive color.

2. When furnished. The Secretary of State shall send a reasonable number of specimen ballots to the clerk for posting, as provided in section 625, and an additional number with the regular ballots.

3. Secretary of State to publish. A reasonable time before the election the Secretary of State shall make specimen ballots available for publication in all newspapers having general circulation in the area to which the ballots pertain. A single specimen ballot so published may carry the name of each candidate for State Senator and Representative to the Legislature in the area covered by the circulation of the

newspaper. The name of the voting district need not be printed on the published specimen ballot.

4. Candidate or nominee to fill vacancy. When a candidate for nomination or a nominee is chosen to fill a vacancy, the Secretary of State and the clerk of each interested municipality shall perform the duties required by this section as promptly as possible.

5. Specimen ballot instructions printed in the French language. The Secretary of State shall prepare ballot instructions in the French language, to be printed on a separate sheet of paper which may conveniently be attached to specimen ballots. The Secretary of State shall furnish these ballot instruction sheets upon request by the clerk of a municipality. The number of specimen ballot instruction sheets to be furnished to a municipality, when added to the number of specimen ballots and instruction posters in the English language to be furnished to that municipality, may not be greater than the total number of specimen ballots and instruction posters to be furnished that municipality, if specimen ballot sheets printed in the French language had not been requested.

6. Violation; unofficial specimen ballot. A person, candidate or political committee who prepares or circulates a paper in the form of a ballot or a part of a ballot on which is printed the words SPECIMEN BALLOT or the instructions in section 601, subsection 2, paragraph A or section 602, subsection 2, paragraph C, is guilty of a Class E crime.

§604. Emergency ballot procedure

In an emergency as described in subsection 2, the Secretary of State may prepare new ballots, amend those already printed or procure ballots from another municipality or voting district. He may authorize any clerk to do the same.

1. Ballots amended. Ballots already printed may be amended by having corrective stickers added, as directed by the Secretary of State.

2. Emergency described. An emergency may exist as follows:

A. If there is a shortage of ballots;

B. If the ballots are not delivered in time for the election;

C. If the ballots are missing, defaced or destroyed; or

D. If replacement of a vacancy or the correction of an error in the ballot requires its amendment.

§605. Instructions

1. For election officials. The Secretary of State shall provide the clerk, registrar and election officials of each municipality with printed instructions and information to assist them in performing the requirements of this Title.

2. For voters. The Secretary of State shall prepare instruction posters to guide voters in replacing spoiled ballots, correctly marking their ballots, including the procedure for write-in votes, and to inform them of the penalties for illegal voting.

§606. Materials furnished

Within a reasonable time before any election, the Secretary of State shall furnish each municipality with ballots, specimen ballots, instruction posters, election return forms, posters of specimen ballots for constitutional resolutions and statewide referenda, including the Attorney General's explanatory statements prepared under Title 1, section 353, materials setting forth the full text of all constitutional resolutions and statewide referenda and other materials necessary for conducting and reporting the results of the election.

1. Number of ballots furnished. The Secretary of State shall furnish each voting place with at least 75 ballots for every 50 votes cast at that voting place at the last election of that type. If the clerk believes that extra ballots will be needed, he must request them from the Secretary of State a reasonable time before the election. The Secretary of State shall send the requested number to the clerk and may furnish as many additional ballots as he believes necessary.

2. How packaged. The ballots must be packed in sealed, marked packages in standard units as determined by the Secretary of State. The other election materials must be separately packed in a sealed package or packages or box or boxes and sent to the clerk of each municipality. Each package or box must be labeled on the outside with the number of each kind of material enclosed and the name of the voting place for which they are intended.

3. Receipt issued. The clerk shall immediately send a receipt to the Secretary of State for the ballots received by him.

4. Records kept. The Secretary of State shall keep a record of the time when and the manner in which the ballots were furnished to each voting place.

§607. Official ballot box

An official ballot box is governed by the following provisions.

1. Furnished by Secretary of State. The Secretary of State shall furnish an official ballot box for each voting district.

2. Described. The boxes must be of uniform design. Each box must be equipped with a suitable lock and key. In the top of the box there must be an opening large enough to allow a single, folded ballot to be inserted, and no larger, with a slide device by which the opening may be covered or uncovered. The box must be large enough to receive the ballots deposited in it at any election.

3. Municipality may provide. A municipality may provide ballot boxes at its own expense. Each box may contain a mechanical device for counting and endorsing the ballots deposited in it but it may not be equipped to record any distinguishing mark or number on a ballot. Each box must meet the requirements of this section. Once approved by the Secretary of State, each box becomes an official ballot box.

4. Official ballot box required. Only an official ballot box may be used to receive official ballots cast at any election.

5. Separate ballot box for constitutional amendments and referenda. A municipality having 5,000 or more inhabitants, except where the municipality uses voting machines or electronic voting systems, shall, and a municipality with fewer inhabitants may, by vote of its municipal officers, use separate ballot boxes at elections for the deposit of votes on constitutional amendments and referenda. The municipal officers must notify the Secretary of State of this action at least 60 days before the date of the election at which the separate ballot boxes are to be used. These ballot boxes are subject to all the provisions relating to official ballot boxes under this

section. They may be furnished by the Secretary of State at the expense of the municipality.

§608. Field examiner

The Secretary of State may appoint a field examiner who shall instruct and assist municipal election officials in their administration of this Title.

ARTICLE II

LOCAL OFFICIALS' RESPONSIBILITIES

§621. Announcing an election

The municipal officers of each municipality shall announce an election as follows.

1. Warrant issued. They shall issue a warrant signed by a majority of the municipal officers and directed personally to a constable or any resident ordering him to announce the election.

2. Warrant posted and return made. The person to whom the warrant is directed shall post an attested copy of it in a conspicuous, public place in each voting district in the municipality at least 7 days immediately before election day. He shall make a return on the warrant stating the manner of announcement and the time it was given and return the warrant to the municipal officers.

3. Warrant recorded. The municipal officers shall then deliver the warrant to the clerk who shall record it.

§622. Warrant

The warrant for announcing an election must read substantially as follows.

(Title of election) ELECTION WARRANT

(Name of county), ss. State of Maine

To (name of constable or resident), a constable (or resident) of (name of municipality): You are hereby required in the name of the State of Maine to notify the voters of (name of municipality) of the election described in this warrant.

To the voters of (name of municipality and voting district, if any):

You are hereby notified that the (title of elec-
tion) election in this municipality will be held at
(name of voting place) on (day and date of election)
for the purpose of effecting the (nomination or elec-
tion) to the following offices: (list of offices);
and determining the following referendum questions:
(list of questions).

The polls shall be opened at _____ a.m. and
closed at _____ p.m.

The registrar of voters or board of registration
will hold office hours while the polls are open to
correct any error in or change a name or address on
the voting list; to accept the registration of any
person eligible to vote and to accept new
enrollments.

A person who is not registered as a voter may not
vote in any election. A voter who is not enrolled in
a political party may not vote in a primary election.

Dated at (name of municipality),

(date signed).

Majority of municipal officers
of (name of municipality)

§623. Officer's return on warrant

The officer's return must appear on the back of
the warrant substantially as follows.

OFFICER'S RETURN

(Name of county), ss. _____ State of Maine

I certify that I have notified the voters of
(name of municipality and voting district, if any) of
the time and place of the (title of election) elec-
tion by posting an attested copy of the within war-
rant at (place of posting) on (date of posting) which
is at least 7 days next prior to election day.

Dated at (name of municipality), (date signed).

(Signature of Officer)

Constable (or resident) of
(name of municipality)

§624. Voting lists

1. 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 before the polls are opened on election day. He need not post the list before a special election.

2. Delivery of. The registrar shall deliver the necessary number of certified copies of the voting list to the clerk by 5 p.m. on the last business day before election day. The clerk shall give the registrar a receipt for the copies.

§625. Posting of specimen ballots

At least 7 days before an election, the clerk shall post a specimen ballot, furnished to him under section 603, in a conspicuous, public place in each voting district.

§626. Polling times

The following provisions apply to polling times at any election.

1. Opening time flexible. The polls must be opened no earlier than 6 a.m. and no later than 10 a.m. on election day. The municipal officers of each municipality shall determine the time of opening the polls within these limits.

2. Closing time fixed. Except in a municipality which uses voting machines or where all registered voters have voted, the polls must be closed at 8 p.m. on election day. If voting machines are used in a voting place, the municipal officers may permit those polls to remain open until 9 p.m. The polls may be closed before 8 p.m. in a municipality in which every registered voter of the municipality has voted in the election.

A. The warden shall give all voters present at the voting place at closing time the opportunity to vote. Any person who arrives at the voting place after the time for closing the polls has passed may not vote.

3. Polling times in warrant. The municipal officers shall state the times of opening and closing the polls in the warrant announcing the election.

§627. Arrangement of voting place

The arrangement of a voting place is governed by the following provisions.

1. General layout. The voting place must be arranged so that the ballot box is within view of persons present. Each voting booth must be arranged so that those outside the guardrail enclosure can see who enters and leaves it.

2. Guardrail. A guardrail must be constructed so that only those inside its enclosure can approach within 6 feet of the ballot box and the voting booths.

3. Flag displayed. An American flag must be displayed in each voting place at any election.

4. Size. Municipalities must provide a polling place large enough to allow at least one worker from each political party to remain outside the guardrail enclosure for the purpose of checking voters, challenging voters or viewing. If the chairman of any party's state committee submits a written complaint to the Secretary of State at least 30 days before an election, the Secretary of State shall authorize an inspection of the polling place considered to be too small to allow party workers access. If the Secretary of State finds a polling place to be too small to allow party workers access, he shall instruct the municipal officers to change the location of the polling place to one of a suitable size. The municipal officers must advertise the change of the polling place at least 3 times in the daily or weekly newspaper, or both, that covers the area.

§628. Care and custody of ballot box

The care and custody of an official ballot box are governed by the following provisions.

1. Custody during election. The ballot box is in the custody of the warden of each voting place during an election. He is responsible for requiring that it is attended constantly. He shall return it to the clerk at the close of the election.

2. Custody at other times. At other times, the ballot box is in the custody of the clerk. He shall

keep it in good repair and shall provide safe storage for it at the expense of the municipality, subject to the supervision of the Secretary of State.

3. Defective, lost or destroyed. If a ballot box becomes defective, lost or destroyed, the clerk must apply in writing to the Secretary of State for another. The Secretary of State shall supply a replacement at the expense of the municipality.

§629. Voting booths

Voting booths are governed by the following provisions.

1. Provided by municipality. The municipal officers of each municipality shall provide a sufficient number of voting booths for each election. Those municipalities using voting machines must comply with section 811, subsection 4. Those municipalities using voting devices must comply with section 842, subsection 4.

A. In a general election, the municipal officers must provide at least one voting booth for each 150, or fraction exceeding 1/2 of that number, of the voters qualified to vote at each voting place.

B. In other than a general election, the municipal officers may provide fewer voting booths than required by paragraph A when circumstances indicate that fewer booths will be adequate to provide for an orderly flow of voters on election day.

C. In any election, the municipal officers may provide more than the number of voting booths required by paragraph A.

D. A reasonable time before a general election, the Secretary of State shall notify the clerk of each municipality of the requirements of this subsection. The clerk shall calculate the number of voting booths required at each voting place based on the number of voters registered at that time. Within 10 days after receiving the notice, the clerk shall certify in writing to the Secretary of State the number of voters registered at each voting place and the number of voting booths the municipality will provide at each voting place for the election.

E. The Secretary of State may arrange for inspections to ensure that municipalities comply with this subsection.

2. Voting machines. In municipalities which have voting machines, the municipal officers must also provide sufficient voting booths and paper ballots to ensure adequate voting facilities.

3. Described. Each booth must have within it a pencil and a shelf on which a voter may mark his ballot conveniently. An instruction poster provided under section 605 must be securely placed above the shelf to assist the voter. Each booth must have a wooden swinging door or a drop curtain arranged so that the top of it is not less than 6 feet from the floor and the bottom is at least 2 1/2 feet from the floor, so that the voter is screened from the observation of others. The entrance to the booth must be closed while the voter is inside.

§630. Alternative accessible voting places for the physically handicapped

1. Definitions. As used in this section, unless the context indicates otherwise, the following terms have the following meanings:

A. "Accessible voting place" means a voting place in a building in which the part of the building set aside for voting meets the requirements for accessible routes of the 1981 standards of construction described in Title 25, chapter 331.

B. "Physical handicap" means an impairment which confines an individual to a wheelchair; causes an individual to walk with difficulty; affects the sight or hearing to the extent that an individual functioning in public areas is insecure or exposed to danger; or causes faulty coordination or reduces mobility, flexibility, coordination and perceptiveness to the extent that special facilities are needed to provide for the safety of that individual.

2. Voting places. Before July 1, 1985, each municipality shall provide at least one voting place which is in a building which is accessible as defined in subsection 1.

A. The Secretary of State shall grant a waiver from the requirements of this subsection to any municipality which satisfactorily demonstrates

that those requirements ought not to apply or would create an extreme hardship. Factors which the Secretary of State may consider in making that determination include, but are not limited to, the following: The municipality has no handicapped voters and the physical limitations of a voting place make it impractical to provide an accessible voting place as described in subsection 1. The Secretary of State shall promulgate in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter II, rules governing the circumstances and procedures for granting a waiver under this paragraph.

B. In municipalities in which one or more voting places are inaccessible to handicapped voters and in which the office of the clerk is in a building which is accessible as defined in subsection 1, paragraph A, the municipal officers shall designate the office of the clerk as an alternative voting place for physically handicapped voters who reside in voting districts which do not have accessible voting places. In municipalities in which one or more voting places and the office of the clerk are inaccessible to physically handicapped voters and in which one or more voting place is accessible to these voters, the municipal officers shall designate one of these accessible voting places, as centrally located as possible, as the alternative voting place for physically handicapped voters who reside in voting districts which do not have accessible voting places. A physically handicapped voter who wishes to vote at the office of the clerk or at an alternative voting place must notify the clerk of the municipality at least 5 days before the date of any election. The clerk shall keep a list of the persons who give this notice.

Not later than 10 days before the date of any election, the clerk shall issue a public notice designating the location of the alternative accessible voting place. This notice is not required in any municipality in which all or no voting places are accessible to these persons.

When a physically handicapped voter votes at the office of the clerk or at an alternative voting place, he shall vote by absentee ballot and the method of voting shall be the same as in section 754. If an alternative voting place has been designated, the clerk shall furnish a reasonable number of absentee ballots and return envelopes to the warden. When the clerk or the warden re-

ceives such a ballot, he shall follow, as far as applicable, the same procedure prescribed in subchapter IV for the clerk to follow in handling absentee ballots.

3. Alternative paper ballots. At all voting places which are equipped with voting machines, paper ballots must be provided for use by voters who are physically unable to operate a voting machine.

§631. Voting districts

A municipality may be divided into voting districts as follows.

1. Procedure. The municipal officers may divide a town or ward into convenient voting districts after public notice and hearing held at least 60 days before any election. After the hearing, the municipal officers must prepare a certificate defining the limits of each district. They must file the certificate with the clerk who shall record it. The clerk shall post an attested copy of the certificate in a conspicuous, public place in the town or ward, and shall publish it in at least one newspaper having general circulation in the municipality at least 30 days before election day. The clerk shall file an attested copy of the certificate with the Secretary of State. Voting districts, once established, may be consolidated into a lesser number of districts by following the same procedure. Voting districts may be established or consolidated under this section for all or only certain classes of elections. If the municipal officers determine that there is no building within a voting district which is suitable for a voting place, as described in section 627, the municipal officers may, subject to the approval of the Secretary of State, establish a voting place outside the voting district in a suitable building which is as close as possible to the voting district and as convenient as possible to the voters of the voting district.

2. Division terminates office. The division of a town or ward terminates the office of election officials previously elected or appointed from it.

3. Appointment of wardens and ward clerks. At least 10 days before the election, the municipal officers shall appoint a warden, a ward clerk in a city and at least 2 election clerks for each voting place created by the division. Election clerks must be nominated as provided in section 503.

4. Officials sworn. Before assuming the duties of office, the officials appointed under this section must be sworn by the clerk who shall record the fact of their having been sworn.

5. Term and duties. The appointed election officials shall perform the same duties at elections as those regularly chosen and shall hold office for the same term.

§632. Separate voting places; reimbursement of election expense

1. Voting places in unorganized townships. The procedure for establishing a voting place in unorganized townships is as follows.

A. The commissioners of each county may provide or contract with a municipality to provide a voting place in any unorganized township in their county, for all state and national elections, including primary elections, where all residents of unorganized places entitled to vote in municipalities near the township, under section 156, may cast their ballots under conditions provided in this section.

B. The commissioner or the municipal officers of the contracting municipality shall prepare a separate list of these voters and shall select at least 2 ballot clerks from the inhabitants of the township, representing the respective major political parties and shall select a warden who may be a resident of the township.

C. The conduct of elections at that voting place shall be the same as in municipalities and all provisions of the Revised Statutes with respect to voting districts are applicable to that voting place. The powers and duties of the municipal officers in such case are conferred upon the commissioners or the municipal officers of the contracting municipality.

D. Upon receipt of a petition signed by at least 10 persons qualified to vote under section 156, the commissioners shall provide or contract with a municipality to provide a voting place in the unorganized township provided in the petition.

2. Reimbursement of election expense. The county commissioners shall reimburse the municipality for those expenses incurred in the conduct of elections held under this section.

3. -Notice to Secretary of State. The county commissioners shall notify the Secretary of State of all unorganized territories for which voting places are contracted or provided. They shall also notify the Secretary of State of those unorganized territories for which provision of voting places has been discontinued. Notification must be made at least 120 days before the election in which it will be effective.

§633. Election expenses

Except for the added expenses incurred by a municipality under section 632, each municipality shall pay for the expense it incurs in calling, holding and reporting the results of an election. The State shall pay for other election expenses incurred as a result of the performance by state officials of their duties under this Title.

SUBCHAPTER II

ELECTION PROCEDURE

ARTICLE I

MATERIALS

§651. Furnishing and distribution

The following procedure shall be observed on election day.

1. Election materials sent to voting place. Before the polls are opened, the clerk shall deliver or have delivered the election materials marked for each voting place to the warden at that voting place. The warden shall give the clerk a receipt for them.

A. In a municipality which has an island voting district, the clerk may deliver the ballots and other election materials to that district on the day before the election and leave them in the protective custody of the warden or ward clerk.

2. Election materials distributed and posted. At any time after the materials are received and before the polls are opened, the clerk may open the packages or boxes of election materials, break the seals on the packages not marked "ballots," and use the materials for instructional purposes. Then the clerk or his designated agents shall post an adequate number of instruction posters, posters of specimen

ballots for constitutional resolutions and statewide referenda, including the Attorney General's explanatory statements prepared under Title 1, section 353, materials setting out the full text of constitutional resolutions and statewide referenda, and specimen ballots in the voting room outside the guardrail enclosure. When the polls are opened, the warden shall break the seals on the packages containing the ballots and distribute the ballots to the election clerks in charge of them.

3. Ballot box examined. The warden shall then open the official ballot box, examine it and show publicly that it is empty. Immediately after examination, he shall lock the box and deliver the key to the ward clerk who shall keep it until the polls are closed. After the box has been locked, it may not be moved until the polls are closed.

4. Voting starts. As soon as the duties required by subsections 1 to 3 have been performed, the warden shall permit voting to start.

§652. Certified voting list and official ballot box

The certified copies of the voting list provided by the registrar and official ballot boxes shall be used exclusively at each voting place. If it becomes impossible to use the official ballot box, the warden shall direct the method by which voting is to proceed. The ward clerk shall record the reason why the ballot box was not used and shall place an attested copy of this record in the package with the ballots cast.

ARTICLE II

POWERS AND DUTIES OF OFFICIALS

§661. Registrar

The registrar shall hold office hours as long as the polls are open on any election day for the following purposes.

1. Error in voting list. The registrar shall correct any error in the voting list which might otherwise deprive a voter of his franchise.

A. A voter who is prevented from voting because his name or address does not appear correctly on the voting list may request the registrar to correct it.

B. If the name or address of the voter was omitted by error from or placed incorrectly on the voting list, the registrar shall issue a certificate to him containing his correct name and address and directed to the warden of his voting place. The registrar shall correct the name and address on the voting list.

C. On receipt of the certificate, the warden shall allow the person named in it to vote, check his name on the certificate as having voted and attach the certificate securely to the incoming voting list.

2. Change of name or address. The registrar shall change a name or address on the voting list.

A. A voter whose name or address has changed as provided in section 129 may request the registrar to change it on the voting list.

B. The registrar shall issue a certificate to him and he may vote as provided in subsection 1.

3. Registration and enrollment. The registrar shall accept registrations under sections 123 and 124. He shall accept the enrollment of any voter under section 143.

§662. Warden

A warden has the following powers and duties.

1. Enforcement of election law. He shall enforce the law governing voting and counting procedures at the voting place over which he has jurisdiction on election day.

2. Order at voting place. He shall keep order at all times in and around the voting place. He shall direct that any person who creates a disturbance or otherwise violates the law at the voting place be removed from it and, if necessary, confined until the polls are closed.

A. On request of the warden, a peace officer shall remove, confine or arrest a person who creates a disturbance or otherwise violates the law at a voting place.

3. Control of election clerk. The election clerks at the voting place are under the supervision and control of the warden. He may assign their du-

ties for convenience and efficiency and may delegate his ministerial duties to them.

ARTICLE III

VOTING AND CHALLENGES

§671. Voting procedure

The voting procedure is as follows.

1. Name announced. A voter who wishes to vote must state his name and, upon request, street address to an election clerk who shall announce the name in a loud, clear voice.

2. Enters guardrail enclosure. The election clerk in charge of the incoming voting list shall place a check mark on the list beside the voter's name and allow him to enter the area enclosed by the guardrail.

3. Ballot issued. The election clerk in charge of the ballots shall give the voter one ballot of each kind to which he is entitled.

4. Retires to voting booth. After receiving his ballot, the voter shall retire to a voting booth, mark his ballot without delay, fold it the same as it was when he received it and leave the voting booth. No ballot, marked or unmarked, may be left in the voting booth by the voter.

5. Ballot deposited. When he leaves the voting booth, the voter shall proceed to the ballot box. The clerk shall require the voter to deposit in the ballot box all ballots, marked or unmarked, issued to the voter under subsection 3, and the voter shall then leave the area enclosed by the guardrail. He may not leave the guardrail enclosure until he has deposited his ballot.

A. If, by vote of the municipal officials, a municipality has required the use of a outgoing voting list, the voter must announce his name and, upon request, street address to the election clerk in charge of that list before depositing the ballots in the ballot box.

6. Reentry prohibited. A voter who has once left the area enclosed by the guardrail may not reenter.

7. Ballot box opening covered. The election clerk in charge of the ballot box shall keep the opening covered except when receiving a ballot.

§672. Assistance

A voter who is unable to read or mark his ballot because of blindness, other physical disability, illiteracy, or whose religious faith prevents him from marking the ballot, may obtain assistance in marking the ballot from 2 election officials or from a person selected by the voter, if that aide is of voting age. No candidate for election may act as aide. When the assistance of election officials is requested, the warden shall designate 2 election officials representing different political parties, but in primary elections representing the same political party as the voter.

§673. Challenges

A voter of any municipality may challenge the right of another to vote at any election in that municipality.

1. How made. The challenge must be made to the warden. The challenger must state his name, the name of the voter challenged and the reason for the challenge.

2. Voting list marked. As soon as the challenge has been made, the election clerk in charge of the incoming voting list shall write "Challenged" beside the voter's name on the list, and give a ballot to the warden.

3. Ballot marked. The warden shall write "Challenged", the name of the challenger, the name of the voter challenged, the reason for the challenge and his signature on the outside of the ballot. An election clerk from each political party must sign his name as a witness to the statements and the signature of the warden.

4. Proceed to vote. The challenged voter shall then proceed to vote in the usual way using the marked ballot.

§674. Violations and penalties

1. Class E crimes. The commission of any act described as follows in this subsection is a Class E crime:

A. A person who knowingly removes a ballot from a voting place on election day except as authorized by this Title;

B. A person who assists another in voting knowing that that other person is not eligible to vote;

C. A person who solicits votes from another knowing that that other person is under guardianship because of mental illness;

D. A person who interferes with a voter attempting to cast his vote or who interferes with or attempts to influence a voter in marking his ballot;

E. A person who assists or offers to assist another at the voting place in marking his ballot unless he has been requested to do so by the warden or ward clerk; or

F. A person who shows his marked ballot to another with the intent to reveal how he voted.

2. Class D crimes. The commission of any act described as follows in this subsection is a Class D crime:

A. A person who knowingly causes a delay in the registration or enrollment of another, or who knowingly causes a delay in the delivery of an absentee ballot or absentee ballot application, with the intent to prevent a person from voting or to render his vote ineffective;

B. A person who tampers with ballots or voting lists or who breaks a seal or opens any sealed box or package of ballots or voting lists, except as permitted by this Title;

C. A person who votes or attempts to vote knowing that he is not eligible to do so, or who having once voted either within or outside this State, again votes or attempts to vote at the same election; or

D. A person who votes or attempts to vote by using the name of another.

ARTICLE IV

RESTRICTIONS

§681. Positions at polling place

The guardrail area is governed by the following provisions.

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

2. Limited time within guardrail enclosure or voting machine. A voter may not remain within the guardrail enclosure for more than 10 minutes and may not occupy a voting booth or voting machine for more than 5 minutes.

3. Voting booth. Except as provided in paragraphs A and B, no one may enter a voting booth with a voter.

A. If the voter requests assistance under section 672, a proper election official or aide may enter the voting booth with the voter.

B. If a voter is accompanied by a child of 6 years of age or younger, the child may enter the voting booth with the voter.

4. Outside the guardrail enclosure. Party workers and others may remain in the voting place outside the guardrail enclosure as long as they do not attempt to influence voters or interfere with their free passage. If any person attempts to influence voters or interfere with their free passage, the warden shall have him removed from the voting place.

§682. Political activities

Certain activity is prohibited on election day.

1. Instruction limited. Within the voting place, no person may instruct another in the method of marking his ballot, except as provided in section 672.

2. Influence prohibited. Within the voting place, no person may influence or attempt to influence another person's choice of candidates. This limitation does not prohibit a candidate from attending the voting place and orally communicating with

voters, as long as he does not attempt to influence their vote.

3. Advertising prohibited. No person may display any advertising material or operate any advertising medium, including a sound amplification device, intended to influence the opinion of any voter, within 250 feet of the entrance to either the voting place or the registrar's office. The term "sound amplification device" includes, but is not limited to, sound trucks, loudspeakers and blowhorns.

A. This subsection does not apply to advertising material on automobiles traveling to and from the voting place. It does not prohibit a person from passing out stickers at the voting place which are to be pasted on the ballot at a primary election. It does not prohibit a person from wearing a campaign button.

B. A person who knowingly engages in activities prohibited by this section is guilty of a Class E crime.

ARTICLE V

MARKING, COUNTING AND HANDLING OF BALLOTS

§691. Marking ballots; primary election

A voter shall mark his ballot at a primary election with a cross (X) or a check mark () according to the following provisions.

1. Individual square method. He must place the mark in the square at the left of and close to the name of each candidate for nomination for whom he wishes to vote.

2. Write-in vote. If he wishes to vote for a person whose name is not on the ballot, he must write the name and municipality of residence or paste a sticker containing the name and municipality of residence in the blank space provided at the end of the list of candidates for nomination to the office in question, with the last name first or last. He must then place the mark in the square at the left of the space.

§692. General election

A voter shall mark his ballot at a general election with a cross (X) or a check mark () according to the following provisions.

1. Individual square method. He must place the mark in the square at the left of and close to the name of each nominee for whom he wishes to vote, regardless of political designation, but must follow directions as to the number of nominees to be elected to each office.

2. Write-in vote. If he wishes to vote for a person whose name is not on the ballot, he must write the name and municipality of residence in the blank space provided at the end of the list of nominees for the office in question, with the last name first or last. He must then place the mark in the square at the left of the space. A sticker may not be used to vote for a write-in candidate.

3. Referendum question. In voting on a referendum question, he shall place the mark in the square of his choice at the left of the question.

§693. Spoiled ballots

If a voter spoils his ballot, he may obtain a replacement, not more than twice, by returning the spoiled ballot to the election clerk in charge of issuing ballots. The warden or ward clerk shall mark "Spoiled by voter" on the outside of the spoiled ballot, sign it and keep it segregated from the other ballots. If a replacement ballot is issued to the voter, the warden or ward clerk must indicate that fact on the outside of the spoiled ballot.

§694. Voting list signed

As soon as the polls have closed, the warden and one election clerk from each party shall sign the incoming voting list.

§695. Counting of ballots

The election officials shall count the ballots under the supervision of the warden as soon as the polls are closed, except that if, in the opinion of the municipal clerk the public interests will best be served, referendum ballots may be counted on the day immediately following the election, provided that the count is completed within 24 hours after the polls are closed. If referendum ballots are counted under this exception, the municipal clerk is responsible for the security and safekeeping of the ballots until the count has been completed.

1. Counted in public. The ballots must be counted publicly so that those present may observe the proceedings.

2. Separated into lots. In counting the ballots, the election clerks shall separate them into distinct lots. Each of these lots must consist of 100 ballots, except for one lot, which may have less than 100 ballots. They shall place with each lot a statement of the count in that lot and the names of the election clerk who made the count. They shall wrap the statement of the count around the outside of each lot of ballots.

3. Results declared. As soon as the ballots are counted, the warden shall declare the results publicly at the voting place.

4. Instructions. The Secretary of State may issue to each warden instructions on opening the ballot boxes, separating various types of ballots and giving priority in counting various types of ballots.

5. Uniformity. The Secretary of State shall design and print uniform tabulation sheets to be used by the workers at the polls. The Secretary of State shall write, print and distribute to wardens instructions on the use of that material and require the use of a uniform system of counting and tabulation.

§696. Challenged, defective or void ballots

The counting of ballots is governed by the following provisions.

1. Challenged ballot. A challenged ballot must be counted the same as a regular ballot. The validity of a challenged ballot need not be determined unless it affects the results of an election.

If the challenged ballot affects the result of an election, its validity must be determined by the Commission on Governmental Ethics and Election Practices, subject to the right of appeal for county offices under section 746, except where final determination of the election of a candidate is governed by the Constitution of the State of Maine or the Constitution of the United States.

2. Defective ballot. A ballot held to be defective by the warden or ward clerk shall not be counted for the office, candidate or question affected by the defect, as follows.

A. If a voter marks more names for an office than there are vacancies to be filled, his vote for that office shall not be counted.

B. If a voter marks his ballot in such a manner that it is impossible to determine his choice, his vote for the office or question concerned shall not be counted.

C. If a voter marks a write-in square for an office, but does not write in a name and municipality of residence in the blank space provided to the right of the write-in square, that vote for that office shall not be counted.

D. If a voter writes in a name and municipality of residence, but does not mark the write-in square, that vote for that office shall not be counted.

E. If a voter writes in a write-in square a fictitious name, the name of a deceased person or the name of a well-known person from outside the State who could not be a candidate for office, the vote for that office shall not be counted. A name written in this manner is not a distinguishing mark.

F. The warden or ward clerk shall mark "Defective" on the outside of the defective ballot, the reason for the ballot to have been held defective, the office, candidate or question for which it is defective and shall replace the ballot with the other ballots, to be counted for other offices or questions.

3. Void ballots. A ballot held to be void by the warden or ward clerk shall not be counted.

A. A ballot which is not prepared in accordance with the requirements of this Title is void.

B. The warden or ward clerk shall mark "void" on the outside of the void ballot, the reason for the ballot to have been voided and shall keep it segregated from the other ballots.

4. Determination of choice possible. If a voter marks his ballot in a manner which differs from the instructions at the top of the ballot but in such a manner that it is possible to determine the voter's choice, then the vote for the office or question concerned shall be counted. A mark made on or in the

square which differs from the instructions at the top of the ballot but which clearly indicates the voter's choice is not a distinguishing mark.

A. When a voter has clearly manifested an intention to make a distinguishing mark, or to mark his ballot in a manner inconsistent with an honest purpose or to act in a fraudulent manner, then the ballot is void.

§697. Disqualification of ballots

Any person engaged at any election as a ballot clerk, assistant ballot clerk or any person employed as a counter of ballots must use pens or pencils containing only red ink or red lead.

§698. Packaging and return of ballots and lists

As soon as the election return has been prepared, the election officials shall perform the following duties.

1. Ballots packed. The election clerks shall pack each lot of used ballots and the tabulation of the count in that lot in a sealed package. Referendum ballots must be packaged separately.

A. Each package must be marked substantially as follows: "This package contains ballots cast at the (title of election) election held in (name of voting district and municipality) on (date of election). These ballots were counted, declared, recorded and packaged publicly in accordance with the Maine Revised Statutes, Title 21-A, section 698." This statement must be signed by the warden and the ward clerk.

2. Ballots replaced in containers. The election clerks shall place the sealed packages of used ballots, unused ballots, spoiled ballots, defective ballots, void ballots, used and unused absentee ballots, used absentee envelopes and used absentee applications in the containers in which they were delivered. They shall then seal the containers publicly. The total number of used ballots, unused ballots, spoiled ballots, defective ballots and absentee ballots must equal the number of ballots furnished by the Secretary of State to the municipal clerk, less the number of absentee ballots issued to voters and not returned.

3. Lists packed separately. The election clerks shall seal the copies of the incoming voting list in a separate package outside the containers of ballots.

4. Ballots and lists returned. The warden shall deliver the ballots and lists to the clerk within 24 hours after the polls have closed.

5. Two or more voting districts. In municipalities having 2 or more voting districts where absentee ballots are counted at a place other than the voting district, all absentee ballots, applications and envelopes may be packed together in the same container, which shall then be sealed publicly.

A. The portions of subsection 1, paragraph A, and subsection 2 which deal with absentee ballots do not apply to municipalities with 2 or more voting districts where absentee ballots are counted separately.

6. Ballot security. The municipal clerk shall take appropriate security measures to ensure the safety and protection of all ballots.

§699. Sealing of ballot container

When a container is required to be sealed, it shall be done so that the seal on the container must be broken before its contents can be examined.

ARTICLE VI

RETURNS

§711. Preparation of returns

As soon as the results of the election have been declared, the election return must be prepared.

1. Town. In a town which has one voting district, the clerk shall fill out in duplicate the election return form provided by the Secretary of State, showing the number of votes cast for each candidate or question. He must sign the return, have it attested by the warden and immediately send the duplicate copy to the Secretary of State.

2. City or multi-district town. In a city, or in a town which has more than one voting district, the ward clerk shall fill out the election return form provided by the Secretary of State, showing the number of votes cast for each candidate or question. He must sign the return, have it attested by the war-

den and immediately deliver it to the municipal clerk. Within 26 hours after the polls are closed, the municipal clerk shall tabulate the returns in duplicate on the election return provided by the Secretary of State, in the presence of the municipal officers. The clerk shall sign the return, have it attested by a majority of the municipal officers and immediately send the duplicate copy to the Secretary of State.

3. Clerk to record. The clerk shall record the original election return within 3 days after election day.

§712. Lost or not delivered

If an election return is not delivered to the Secretary of State within 7 days after an election, the Secretary of State must send a messenger to the municipality concerned, and the clerk shall give him a certified copy of the return.

SUBCHAPTER III

POST ELECTION PROCEDURE

ARTICLE I

TABULATION AND RESULTS

§721. Reports of registration and enrollment

Within 10 days after a general election, the registrar shall send a report to the Secretary of State, stating the number of voters in each voting district of the municipality at the close of the polls on election day. Within 10 days after a primary election, the registrar shall report the total number of voters in each voting district of the municipality and the number of voters enrolled in each political party in each voting district of the municipality at the close of the polls on election day.

§722. Secretary of State to tabulate and print results

Within 20 days after an election, the Secretary of State shall tabulate the election returns and submit the tabulation to the Governor.

1. How tabulated. The Secretary of State shall tabulate all votes which appear by an election return to have been cast for a candidate, even though the candidate's name is misspelled, written with his ini-

tials, with wrong initials, or otherwise, on the re-
turn. All candidates receiving less than .1% of the
total vote cast shall be titled "others" when the
tabulation is processed.

2. Correction of return. If it appears that an
election return does not agree with the record of the
vote at any voting place, the Secretary of State
shall correct the tabulation by obtaining a certified
copy of the record from the clerk.

3. Tabulation printed. The Secretary of State
shall have copies of the tabulation printed and made
available to the public.

§723. Determination of election

The determination of an election or referendum
question is governed by the following provisions.

1. Primary election. In a primary election, the
person who receives a plurality of the votes cast for
nomination to any office is nominated for that office
if his vote total equals or exceeds the minimum num-
ber of signatures needed to place his name on the
primary ballot by petition, except for write-in can-
didates under paragraph A.

A. A person who has not qualified as a candidate
for nomination by primary election by filing a
petition and consent under sections 335 and 336,
but who fulfills the other qualifications under
section 334, may be nominated at the primary
election if he receives a number of valid
write-in votes equal to at least twice the mini-
mum number of signatures required under section
335, subsection 5, on a primary petition for a
candidate for that office.

(1) Within 7 days after receiving notice of
his nomination, a write-in candidate must
file a written acceptance with the Secretary
of State. If the candidate fails to do so,
he is disqualified and his name shall not be
printed on the general election ballot.

B. The Secretary of State shall immediately cer-
tify by mail the nomination of each person nomi-
nated by the primary election.

2. Other elections. In any other election, the
person who receives a plurality of the votes cast for
election to any office is elected to that office.

3. More than one vacancy. In any election, if there is more than one vacancy in an office, as many persons are nominated or elected as there are vacancies to be filled in decreasing order of the plurality of votes received by them.

4. Referendum question. A referendum question is determined by majority vote.

§724. Election certificate issued

Within a reasonable time after an election, the Governor shall issue an election certificate, in accordance with Title 5, section 84, or a notice of apparent election to each person elected to office, according to the tabulation under section 722. For cases involving elections finally determined by the Governor, a certificate shall be issued under section 744, subsection 3, paragraphs B and C. For cases involving elections not finally determined by the Governor, the Governor shall not issue a certificate while the election is contested before the Commission on Governmental Ethics and Election Practices under Article IV. If, before the convening of the finally determinative body in an election not determined by the Governor, the commission finds that a candidate has been apparently elected, the commission shall immediately notify the Governor of that apparent election. The Governor shall issue a notice of apparent election to the person apparently elected, according to the findings of the commission.

1. Ineligible person. The Governor shall not issue an election certificate to a person who is ineligible for the office.

§725. Commencement of term of office

County officials elected at the general election take office on January 1st directly following election day. The terms of other officials commence on the day provided in the Constitution of the State of Maine or the Constitution of the United States.

ARTICLE II

TIE VOTES

§731. Tie defined

There is a tie vote when 2 or more persons receive an equal number of votes, which number would entitle each one to nomination or election, except for the tie. There is a tie vote in a referendum,

when a question receives an equal number of affirmative and negative votes.

§732. Procedure

When there is a tie vote, the following provisions apply.

1. Primary election. In a primary election, the Secretary of State shall notify each person involved in the tie to be present at his office at a certain time. At that time, the Secretary of State shall select the nominee publicly by lot.

2. Other elections. In any other election, the Governor shall issue a proclamation under section 366 declaring the tie and ordering a special election between the persons tied.

A. If there is a tie vote for presidential electors, the Governor shall convene the Legislature by proclamation. The Legislature by joint ballot of the members assembled in convention shall determine which are elected.

B. This subsection does not apply to the election of the following offices which are governed by the Constitution of the State of Maine or the Constitution of the United States: United States Senator, Representative to Congress, Governor and members of the Legislature.

C. If there is a tie vote for State Senator or Representative to the Legislature as finally determined by the proper House under the Constitution of Maine, Article IV, Part Third, Section 3, the Governor shall issue a proclamation under section 366 declaring the tie and ordering a special election between the persons tied.

3. Referendum. In a referendum, other than on a liquor local option question, the negative vote prevails.

ARTICLE III

INSPECTION AND RECOUNT

§736. Candidate's inspection of ballots and incoming voting list

If a candidate in any election applies in writing within 7 days after election day, the clerk shall permit him or his counsel to inspect the ballots and

incoming voting lists, under proper protective regulations. The purpose of this inspection must be to provide factual basis for a request for recount. The inspection must be of reasonable duration and may not be used for harassment, assessment of ballot splitting or any other purpose not related to determining whether ballots were counted in a proper and lawful manner.

1. Notice of inspection. When the application is received, the clerk shall send written notice of the inspection to the candidates for the office in question, stating the time and place of inspection.

2. Time of inspection. The inspection must be held as soon as reasonably possible at a time and place that affords the candidates a reasonable opportunity to be present.

3. Packages resealed and marked. After the inspection, the clerk shall reseat the packages of ballots and the incoming voting lists, and shall note the fact and date of inspection on them.

§737. Recount

If a losing candidate in any election applies in writing within 10 days after the tabulation of the vote is submitted to the Governor, the Secretary of State shall permit him or his counsel to recount the ballots under proper protective regulations, subject to the following provisions.

1. Percentage difference. For purposes of this section, "percentage difference" means the percentage of the total vote for an office represented by the difference between the votes received by the candidate requesting a recount and the votes received by the nearest winning candidate.

2. When deposit is required. A deposit is not required if the percentage difference shown by the official tabulation is:

A. 10% or less if the combined vote for the 2 candidates is 1,000 or less, otherwise a deposit of \$150 is required;

B. 5% or less if the combined vote for the 2 candidates is 1,001 to 5,000, otherwise a deposit of \$200 is required;

C. 4% or less if the combined vote for the 2 candidates is 5,001 to 10,000, otherwise a deposit of \$250 is required;

D. 3% or less if the combined vote for the 2 candidates is 10,001 to 50,000, otherwise a deposit of \$300 is required;

E. 1% or less if the combined vote received by the 2 candidates is 50,001 to 100,000, otherwise a deposit of \$500 is required; or

F. 1/2 of 1% or less if the combined vote received by the 2 candidates is 100,001 or over, otherwise a deposit of \$1,000 is required.

All deposits required by this section must be made with the Secretary of State when the recount is requested. This deposit, made by the candidate requesting the recount, is forfeited to the State if the recount has begun and it fails to change the result of the election. If the recount reverses the election, the deposit shall be returned to the candidate requesting the recount.

3. Ballots and incoming voting lists recalled. When the application is received, the Secretary of State shall recall all the ballots and incoming voting lists from the clerk of each municipality concerned. The clerk shall return or release them to him as soon as any pending ballot inspection has been made.

4. Notice of recount. The Secretary of State shall send written notice of the recount to the candidates for the office in question, stating the time and place of the recount.

5. Time of recount. The recount must be held as soon as reasonably possible at a time and place that affords the candidates a reasonable opportunity to be present.

6. Disputed ballots segregated. At the recount, the Secretary of State shall segregate any disputed ballots.

7. Mistake in ballot count. If it is found that a mistake was made in counting the ballots on election day, the Secretary of State shall submit a corrected tabulation to the Governor.

8. Appeal to Commission on Governmental Ethics and Election Practices. If there are enough disputed

ballots to affect the result of an election, a candidate for that office may appeal to the Commission on Governmental Ethics and Election Practices, as provided in Article IV, for a determination of the election. A written notice of this appeal must be given to the Secretary of State at the close of the recount.

9. Package resealed and marked. After the recount, the Secretary of State shall reseat the packages of ballots and the incoming voting lists, and shall note the fact and date of the recount on them. If there is an appeal to determine the validity of the disputed ballots, the Secretary of State shall keep them until needed by the Commission on Governmental Ethics and Election Practices.

10. Withdrawal from recount. A losing candidate who requests and receives a recount may withdraw from the recount at any time while the recount shows him to be the loser. If, during the recount, the losing candidate overtakes and passes the winning candidate, the losing candidate may not withdraw and the recount shall be completed.

§738. Statewide referendum ballots

On petition signed by 100 or more affected voters, an inspection and recount may be held on any referendum question by applying to the Secretary of State within the deadlines provided in sections 736 and 737. Appeal of disputed ballots must be to the Commission on Governmental Ethics and Election Practices as provided under Article IV.

§739. Ballots and incoming voting lists available for inspection

On request, a municipal clerk or the Secretary of State, or both, shall produce any ballots or incoming voting lists in his custody before the Governor, the Commission on Governmental Ethics and Election Practices, either branch of the Legislature, any legislative committee or any court of competent jurisdiction.

After the time for completion of recounts following any election has elapsed, and on request of any person, the clerk of any municipality or the Secretary of State, or both, shall produce any incoming voting lists in his custody.

ARTICLE IV

DETERMINATION OF DISPUTED ELECTIONS

§741. Jurisdiction

The Commission on Governmental Ethics and Election Practices, established under Title 1, section 1002 and referred to in this chapter as the "commission," shall make findings of fact and opinion on the final determination of election results in primary, general and special elections for county, state or federal offices that are appealed.

§742. Appeal to commission

1. By candidate; election. If, after the recount proceeding provided under this Title, there are challenged or disputed ballots, or both, which affect the result of a primary, general or special election involving county, state or federal office, the commission shall make findings of fact and opinion on the validity of those ballots. Any candidate for county, state or federal office may appeal to the commission, in writing, not more than 5 days after the recount proceedings are completed. This written appeal must set forth in detail the grounds for the appeal.

2. By resident; referendum. Any resident of the State affected by the results of a statewide referendum may request an appeal in the same manner as a candidate under subsection 1.

§743. Investigations

1. Investigations. The commission may investigate and make findings of fact and issue an opinion on the final determination of the results, within the limits of the Constitution of Maine and the Constitution of the United States, of any contested county, state or federal election within the State. For this purpose, the commission may subpoena witnesses and records and take evidence under oath. A person who fails to obey the lawful subpoena of the commission or to testify before it under oath shall be punished by the Superior Court for contempt on application of the Attorney General on behalf of the commission.

2. Investigation requested. Not more than 5 days after the recount proceedings are completed, any candidate in a contested election may apply in writing to the commission, requesting an investigation

and stating the reasons for the request. The commission shall review the application and shall make the investigation, if the reasons stated show sufficient grounds for believing that a violation of law affecting the outcome of the election has occurred.

3. State Auditor; Secretary of State. The State Auditor and the Secretary of State shall assist the commission in making investigations and in other phases of the commission's duties under this chapter and shall have all necessary powers to carry out these responsibilities.

4. Attorney General. The Attorney General is counsel for the commission and may examine any witnesses before the commission.

§744. Procedure

The following procedures apply.

1. Notice of hearing. When a written appeal or application requesting an investigation is received, the commission shall notify the opposing candidate and shall set a time, date and place for a hearing on the matter. This hearing must be held within 15 days after the commission receives the appeal or application.

2. Review; findings. The commission shall review the matter, including a review of the contested ballots, and hold any necessary hearings. When the review and hearings are completed, the commission shall make findings of fact and issue an opinion on the final determination of the election.

3. Reports. In the following instances, the commission shall send copies of the findings of fact and opinions.

A. In cases involving elections where the Constitution of the State of Maine or the Constitution of the United States provides for the final determination of the election of a candidate, the commission shall send a copy of the findings of fact and opinion to the body vested with final determination powers.

B. In cases involving general and special elections for county office, the commission shall send a copy of the findings of fact and opinion to the Secretary of State for preparation and delivery to the Governor, and to each candidate, and shall make its findings available to the pub-

lic. The Governor shall make the final determination in these cases, subject to the right of appeal under section 746.

C. In all other cases involving primary, general and special elections, the commission shall send a copy of the findings of fact and opinion to the Secretary of State for preparation and delivery to the Governor, and to each candidate, and shall make its findings available to the public. The Governor shall make the final determination in these other cases.

D. The commission shall send copies of its findings of fact and opinion on election contests to all parties to the appeal of the election before the commission. These findings shall be mailed to the parties by certified mail within 3 days after the commission adopts the findings.

4. Record. The commission shall keep a public record of its proceedings under this subchapter.

§745. Questions of law

1. Appeals. An appeal from a final decision by the body with final determinative powers under section 744 may be taken to the Supreme Judicial Court on questions of law, if taken within 3 days of the final determination, in accordance with the procedure described in subsection 2.

2. Procedure. The appellant must file the required number of copies of the record of the findings of fact and opinions and any decision issued pursuant to the final determination made by the appropriate body with the clerk of courts within 5 days after filing notice of appeal. After notice of appeal is filed, the parties have 10 days to file briefs with the clerk of courts. As soon as the record and briefs have been filed, the court shall immediately consider the case. The court shall not recount the ballots, but shall determine questions of law. The court must issue its decision as soon as reasonably possible. The court shall allow costs to the prevailing party as justice may require.

§746. Judicial determination of disputed county office

A person who claims to have been elected to any county office may proceed against another who claims title to the office, as follows.

1. Procedure. The person must bring a complaint in the Superior Court within 15 days after the certificate of election is issued. The complaint must allege the facts upon which the person relies in maintaining his action. The action must be brought in the county where the defendant resides. The court shall hear and decide the case as soon as reasonably possible.

2. Appeal procedure. The party against whom the judgment is rendered may appeal to the Supreme Judicial Court within 10 days after entry of the judgment. The appellant must file the required number of copies of the record with the clerk of courts within 20 days after filing the notice of appeal. Within 30 days after notice of appeal is filed, the parties must file briefs with the clerk of courts. As soon as the records and briefs have been filed, the court shall immediately consider the case, and shall issue its decision as soon as reasonably possible. Final judgment shall be entered accordingly.

3. Court to issue order. As soon as final judgment has been rendered, the Superior Court, on request of the prevailing party, shall issue an order to the party unlawfully claiming or holding the office, commanding him to immediately surrender it to the person who has been adjudged lawfully entitled to it, together with all the records and property connected with it. The prevailing party may assume the duties of the office as soon as his term begins.

4. Costs. The court shall allow costs to the prevailing party as justice may require.

SUBCHAPTER IV

ABSENTEE VOTING

ARTICLE I

REGULAR ABSENTEE VOTING

§751. Proper at any election

Absentee ballots may be cast at any election by a voter who is unable to cast his ballot for one of the following reasons:

1. Absence. Absence from the municipality during the time the polls are open on election day;

2. Incapacity. Physical incapacity;

3. Religious belief. Religious belief which prohibits his doing so;

4. Confinement. Confinement in a penal institution;

5. Distance from polls. Unreasonable distance from the polls, if he is a resident of a township or a coastal island ward or district; or

6. At registrar's office. The person was engaged in registering voters for that election on election day at the office of the registrar or the board of registration and, as a result, is unable to get to his voting place while the polls are open.

§752. Materials furnished

At least 3 months before any election, the Secretary of State shall furnish each municipality with a reasonable number of dated absentee ballot applications. A reasonable time before any election, the Secretary of State shall furnish each municipality with a reasonable number of absentee ballots and return envelopes.

1. Absentee ballots to be identical; exception. Except as provided in paragraph A, absentee ballots shall be identical to the regular ballots used at an election, except that the words "Absentee Ballot" must be printed conspicuously on at least one side of the folded ballot.

A. At least 90 days before the election to which they pertain, the Secretary of State shall furnish each municipality with a reasonable number of blank absentee ballots for the exclusive use of members of the Armed Forces. These ballots shall be similar to regular ballots, except that no candidate names may be printed. The Secretary of State shall prepare a ballot listing all offices to be selected with a space after each office to write in the voter's preference. The following instructions must be printed in bold type at the top of the ballot: **YOU MAY VOTE FOR A PERSON BY PLACING THAT PERSON'S NAME AND MUNICIPALITY OF RESIDENCE IN THE BLANK SPACE UNDER THE PROPER OFFICE.**

2. Content of application. The application must contain a place for the following: Name of applicant, address, address to which ballot is to be sent, title and year of election at which ballot is to be cast,

name of party in which he is or desires to be enrolled, date of application and signature of applicant. It must contain a place for the applicant to designate the reason for requesting an absentee ballot, the name of a person to whom his ballot may be delivered and a place for the registrar to certify whether the applicant is registered and the party in which he is or desires to be enrolled. It must contain a conspicuously printed summary warning of the provisions of Title 17-A, section 703.

3. Form of envelope. The return envelope in which the absentee ballot is to be placed must include on its outside a conspicuously printed summary warning to the voter of the provisions of section 758; section 791, subsection 1, paragraphs A and C; and Title 17-A, section 703.

4. Delivery of materials; insufficient quantity. The Secretary of State shall send the voting materials to the clerk of each municipality. If the clerk believes that a larger number should be furnished, he must notify the Secretary of State who shall furnish them as promptly as possible.

§753. Procedure for obtaining

The following procedure must be observed in obtaining an absentee ballot.

1. Applications available. On request, the clerk shall furnish a reasonable number of ballot applications to any person, except that no application shall be furnished more than 3 months before the election for which the application will be used. Each application must have the date of the election for which it is to be used plainly printed on the face of the application.

2. Applications by voters outside the country. If a voter is temporarily outside of the United States, a written request for an absentee ballot from the voter, the voter's spouse, a blood relative of the voter or the voter's former guardian is sufficient.

3. Application or request received. On receipt of a completed application or a request for an absentee ballot signed by the applicant, the clerk shall immediately send or deliver an absentee ballot and return envelope to the applicant or to a 3rd person designated in the application or request. 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. The clerk shall issue to any 3rd person designated in an application or request only enough absentee ballots to insure that that person will not have more than 40 absentee ballots for voters in a municipality at any time. Such a 3rd person must, unless good cause is shown, return an absentee ballot to the clerk's office within the time limits provided in section 755. The clerk shall include a ballot application to be completed by the person who signed only a written request, unless the written request is sufficient under subsection 2. The clerk shall type or write in ink the name and the legal address of the person for whom the absentee ballot is intended in the upper left hand section of all return envelopes.

A. If the clerk receives a duplicate application from a person from whom the clerk has received a return envelope apparently containing an absentee ballot, the clerk shall not furnish another absentee ballot for that person.

B. The clerk may issue a 2nd absentee ballot to an applicant, if the applicant requests one, in person or in writing and:

(1) The applicant states good cause, including, but not limited to, loss of, spoiling of or damage to the first absentee ballot; or

(2) An absentee ballot for the applicant which was furnished to a designated 3rd person is not returned to the clerk's office within 5 business days of the date that ballot was sent or delivered to the 3rd person or by 10 a.m. on the day before election day, whichever is earlier. This subparagraph shall not be construed to affect the time for delivery of absentee ballots under section 755.

4. Assistance to certain voters. A voter who is unable to read or complete his application because of blindness, other physical disability, illiteracy, or whose religious faith prevents him from completing the application, may request any person who is of voting age to assist him in completing the application. That aide may read the application to the voter or sign it, or both, according to the voter's instructions, or may assist him in signing the applica-

tion. When an aide assists a voter in this way, the aide must write on the application that he has so assisted the voter in signing the application, the reason the voter was unable to complete or sign the application, or both, and must sign his name.

5. Clerk to list. The clerk shall keep a list of the persons to whom he furnishes absentee ballots until after election day, or the clerk shall file the applications and requests in alphabetical order. The clerk shall keep a list of the persons who vote in the clerk's office under subsection 7. The clerk shall submit this list to the registrar for certification before the close of business on the day before election day.

The clerk shall keep a list of the 3rd persons, designated in applications or requests, to whom absentee ballots are sent or delivered under subsection 3 and of the number of absentee ballots sent or delivered to these persons. These 3rd persons may not have more than 40 absentee ballots for voters in a municipality at any time.

6. Application checked by registrar. As soon as reasonably possible, the clerk shall deliver the completed application to the registrar. If the applicant is registered and enrolled where necessary, the registrar shall so certify on the application. If the applicant has registered and enrolled where necessary, under section 155, and will attain 18 years of age on or before the date of the election, the registrar shall so certify on the application. If not, the registrar shall write "Not registered" or "Not enrolled" on the face of the application and sign his name. He shall immediately return all applications to the clerk.

7. Absentee voting in clerk's office. A person who wishes to vote by absentee ballot because he will not be present in the municipality or able to vote in person at the voting place on election day may, without completing an application, vote by absentee ballot before the clerk or deputy clerk of the municipality in the clerk's office during regular business hours. The method of voting shall otherwise be as prescribed in this Article. After the person has voted, the clerk or deputy clerk shall determine whether the affidavit on the return envelope is properly completed, as described in section 754, subsection 4.

8. Denial of application. Whenever an application for an absentee ballot is denied, the municipal

clerk shall immediately notify the applicant in writing of the reason for the denial.

§754. Method of voting

The method of voting by absentee ballot is as follows.

1. Marked before certain officials. When an absentee voter is within the State, he must mark his ballot in the presence of one of the following officials: Notary public, clerk or deputy clerk of a municipality, dedimus justice or clerk of courts. When he is outside the State but within the United States, the voter must mark his ballot before a notary public having a seal or functional equivalent. When he is outside of the United States, the voter must mark his ballot and return the ballot, as provided in subsection 5.

2. Ballot unmarked. Except when he is outside the United States, a voter, before marking his ballot, must show it to the official who must examine it to be certain it is unmarked.

3. No communication. There may be no communication between the voter and the official as to the person for whom the voter is to vote, except as provided in subsection 6.

4. Ballot marked and sealed. The voter must mark his ballot according to section 691 or 692 so that it is impossible for anyone present at the time to see how he voted. He must then seal the ballot in its return envelope and complete the affidavit on the envelope in the presence of the official who shall subscribe his name, note his title and may affix his seal, if he is a notary public. If the voter is outside the United States, he must complete the certificate of authenticity on the envelope, which shall be in a form prescribed by the Secretary of State and which shall include a warning of the provisions of Title 17-A, section 453.

5. Ballot sent. The voter must then complete the address on the envelope and mail or deliver it personally or by agent to the clerk of the municipality of which he is a resident. He must send a completed application in a separate envelope, if he has not previously done so.

6. Assistance. A voter who is unable to read or to mark his ballot because of blindness, other physical disability, illiteracy, or whose religious faith

prevents him from marking the ballot, may request one of the officials listed in subsection 1, or any person who is of voting age, to assist him in marking the ballot. The official or person may read the ballot to the voter and mark it according to the voter's instructions or may assist the voter in marking the ballot. The official may, at the request of the voter, complete and sign the affidavit on the envelope. When an official or aide assists a voter in this way, the official must write on the envelope that he or an aide marked the ballot or assisted the voter in marking the ballot and, if an aide was employed, must write the aide's name. In addition, the aide must sign his name.

§755. Deadline

The office of the clerk shall be open a minimum of 4 hours on the Saturday immediately preceding a general election to allow voters to obtain or cast absentee ballots. In order to be valid, an absentee ballot must be delivered to the municipal clerk at any time before the polls are closed.

§756. Procedure on receipt

When the clerk receives a return envelope apparently containing an absentee ballot, he shall observe the following procedures.

1. Time of receipt noted. He shall note the date and time of delivery on each return envelope. On request, he shall give the person who delivers the ballot a receipt, stating the exact time of delivery.

2. Clerk to examine signatures and affidavit. He shall compare the signature of the voter on the application, where required, with that on the corresponding return envelope. He shall examine the affidavit on the return envelope. If the signatures appear to have been made by the same person and if the affidavit is properly completed, he shall write "OK" and his initials on the return envelope. Otherwise, he shall note any discrepancy on the return envelope.

A. If the signatures do not appear to have been made by the same person, but this discrepancy is apparently the result of the voter's having properly obtained assistance under either section 753, subsection 4, or section 754, subsection 6, or both, then the clerk shall note the discrepancy on the return envelope, but shall also write "OK" and his initials on the return envelope.

3. Application attached. The clerk shall attach each application, where required, to the corresponding envelope. He shall not open any return envelope.

4. Lists prepared. The clerk shall prepare, in duplicate, lists by districts of the names and addresses of the voters as shown on the return envelopes. He shall maintain a copy for 4 years as a public record.

5. Envelopes and lists delivered. On election day, the clerk shall deliver or have delivered the return envelopes prescribed by section 752, subsection 3, with the applications, where required, attached and the list required by subsection 4 to the warden of the voting district in which the voter is registered, except in those municipalities where the municipal officers have authorized the clerk to process absentee ballots. If more than one return envelope is received from the same voter, the clerk shall deliver or have delivered to the warden for counting only the return envelope bearing the earliest date and time.

This subsection does not apply to municipalities with 2 or more voting precincts where absentee ballots are counted at a place other than the voting district.

§757. Challenges

An absentee ballot may be challenged the same as a regular ballot under section 673.

§758. Personal vote required when possible

A person who has voted by absentee ballot, but who is present in the municipality and able to vote in person at the voting place on election day, must do so, unless that person is engaged in registering voters for that election on election day at the office of the registrar or the board of registration and, as a result, is unable to get to his voting place while the polls are open.

§759. Counting procedure

The following counting procedure shall be observed at each voting place.

1. Warden to review notes of clerk. As soon as the polls are closed and the regular ballots removed from the ballot box, the warden shall review the notes of the clerk on each return envelope.

2. Deposited in ballot box if correct. If the warden finds that the signatures appear to have been made by the same person and that the affidavit is properly completed, or, if no application was required, he shall examine the incoming voting list to determine whether the voter voted in person at the election. He shall then announce the name of each absentee voter who has not voted at the election and remove each ballot from its envelope without destroying the envelope or unfolding the ballot. After having an election clerk from a political party different than that of 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.

3. Rejected if incorrect. The warden shall not open the envelope and shall write "Rejected" on it, the reason why and his initials if he finds that:

A. The signatures do not appear to have been made by the same person and the discrepancy is not the result of the voter's having obtained assistance under section 753, subsection 4 or section 754, subsection 6, in cases where an application is required;

B. The affidavit is not properly completed;

C. The person is not registered or enrolled where necessary;

D. The voter has voted in person; or

E. The ballot was received by the clerk after the deadline.

4. Primary election provisions. At a primary election when the warden removes a ballot from its envelope, he shall check its color to be sure it is the ballot of the party in which the voter is enrolled. If it is not, he shall immediately replace it in its envelope, reseal the envelope and write "Rejected" on it, the reason why and his initials.

5. Rejected ballots separate. The warden shall place the return envelopes containing rejected ballots in a separate lot. He shall not deposit them in the ballot box.

6. Ballots counted. As soon as the absentee ballots have been processed, they shall be removed from the ballot box and counted the same as regular ballots. Rejected ballots shall not be counted.

§760. Procedures when counting to be by the clerk

The following procedure shall be used when the municipal officers have voted to have the clerk process the absentee ballots.

1. Envelopes and lists retained. The clerk shall retain possession of return envelopes with the applications attached, where required, and the list required by section 756, subsection 4.

2. Ballot boxes provided. The municipality shall provide a ballot box with a padlock to be used by the clerk in all primary, regular and special state elections. If the same procedure is to be used in municipal elections, the clerk must be provided with a separate ballot box and padlock for each voting district.

3. Incoming voting list to clerk. As soon as the polls are closed, the ward clerk shall fold, wrap and seal the incoming voting list. This package shall be signed on one of the seals holding the package together by the warden and ward clerk. A ballot clerk or counter shall take the incoming voting list to the designated counting place. The clerk shall select these persons before the election so that the total number from the voting districts is as evenly divided as possible between the political parties. Upon receipt of the voting list, the clerk shall unseal the lists and use them in processing the absentee ballots. When the count is completed, the clerk shall sign each copy of the voting list.

4. Counting procedure. The clerk shall use the same counting procedure as set forth in sections 759, 761 and 762. The ballots must be counted publicly so that all those present may observe the proceedings.

§761. Deceased voter; ballot rejected

If an absentee voter dies before the polls are opened on election day, and this fact comes to the attention of the clerk, registrar or any election official, he shall notify the warden who shall reject the ballot of the dead person. The warden shall write on the unopened envelope "Rejected as deceased," and place it with the other rejected ballots.

§762. Irregularities disregarded

An absentee ballot may not be rejected for any immaterial irregularity in completing the application

or affidavit on the return envelope. The following information must be on the envelope for the ballot to be accepted:

1. Name and address. The voter's name and legal address typed or written in ink by the clerk in the upper left-hand corner;

2. Signature. The voter's signature;

3. Reason. The voter's reason for voting absentee; and

4. Official's signature. The certifying official's signature, when required.

§763. Return of election materials

As soon as the ballots have been counted, the applications, where required, absentee ballots, return envelopes, lists required by section 756 and other election materials shall be repacked, in accordance with section 698, and returned to the clerk. The clerk shall keep them in his office for 2 months after election day, unless sooner released to the Secretary of State.

§764. Applications and envelopes as public records

Absentee ballot applications and absentee ballot return envelopes are public records until the close of voting on election day. After that time, the applications and envelopes are not public records and may be inspected only in accordance with this Title.

ARTICLE II

VOTING BY MEMBERS OF THE

ARMED FORCES

§776. Applicability of provisions

This Article applies to members of the Armed Forces.

§777. Methods of registration and enrollment

A member of the Armed Forces may register or enroll at any time as follows.

1. Federal form. He may complete and file the federal postcard application form with the registrar.

2. Municipal application. He may complete and file with the registrar an application provided by the municipality, stating the information necessary to show his qualifications.

3. Request by relative. A blood relative, former guardian or spouse may complete and file the application described in subsection 2 with the registrar.

§778. Duty of registrar

On receipt of an application under section 777, the registrar shall register the applicant, unless it appears that he is not qualified. If he is not qualified, the registrar shall notify him of the reason why.

1. Member specially designated. The registrar shall place the letter "S" on the voting list beside the name of each member of the Armed Forces registered under this section.

§779. Name may be added at any time

The registrar may add the name of a member of the Armed Forces to the voting list at any time.

§780. Absentee ballots; application

A written request for an absentee ballot from the member of the Armed Forces, his spouse, a blood relative or his former guardian is sufficient. The applicant for the absentee ballot may request the regular absentee ballot specified in section 752, subsection 1, or the special blank ballot specified in section 752, subsection 1, paragraph A. The clerk shall promptly fill requests for absentee ballots made under this section.

§781. Absentee ballots; procedure on receipt

The following absentee ballot procedure shall be observed.

1. Delivery of ballot. On receipt of an absentee ballot application, federal postcard application or a written request under section 780, the clerk shall immediately mail the ballot and voting instructions to the member.

2. Special ballots and envelopes. The Secretary of State shall provide a ballot and an envelope which will move free of postage under federal law.

3. Ballot marked and sealed. The member must mark his ballot according to section 691 or 692 so that it is impossible for anyone present at the time to see how he voted. He must then seal the ballot in its return envelope, write his voting residence, including the street address, in the upper left-hand corner of the return envelope and sign a certification as to authenticity on the envelope, in a form to be prescribed by the Secretary of State, which must include a warning of the provisions of Title 17-A, section 453. He must then mail the envelope to the clerk of his municipality.

§782. Absentee ballots; procedure on return

On receipt of a return envelope apparently containing an absentee ballot, the clerk shall note the date and time of delivery on it and deliver it to the registrar. The registrar shall certify on the envelope whether the person whose name appears as sender is registered and, in a primary election, enrolled in the municipality. He shall then return the envelope to the clerk.

§783. Authority of Secretary of State

The Secretary of State may act administratively to facilitate voting by members of the Armed Forces. He may use federal or other facilities available for this purpose.

ARTICLE III

VIOLATIONS AND PENALTIES

§791. Violations and penalties

1. Class E crime. The commission of any act described as follows in this subsection is a Class E crime:

A. A person who has voted by absentee ballot but who is present in the municipality and able to vote at the proper voting place on election day and fails to vote in person is guilty of a Class E crime, unless that person was engaged in registering voters for that election on election day at the office of the registrar or the board of registration and, as a result, was unable to get to his voting place while the polls were open;

B. A municipal clerk who, when a person has voted by absentee ballot in the clerk's office under section 753, subsection 7, signs his name

to an affidavit on the absentee ballot return envelope when the affidavit is not properly completed; or

C. A 3rd person, designated in an application or request for an absentee ballot, who receives an absentee ballot from the clerk in accordance with that application or request, and who, without good cause, fails to return that absentee ballot to the clerk's office within the time limit provided in section 755.

2. Class D crime. The commission of any act described as follows in this subsection is a Class D crime:

A. A person who forges the name of another on an absentee ballot, return envelope or the application for an absentee ballot.

SUBCHAPTER V

PRESIDENTIAL ELECTORS

§801. Election

In a presidential election year, the presidential electors shall be chosen at the general election.

1. Vote for presidential candidate construed. A vote for the candidates for President and Vice President is a vote for the presidential electors nominated by the candidates' political party or by petition.

§802. Representation

One presidential elector shall be chosen from each congressional district and 2 at large.

§803. Duties of Governor

As soon as possible after the presidential electors are chosen, the Governor shall send a certificate of the determination of the electors to the administrator of general services under the state seal. The certificate shall state the names of the electors and the number of votes which each received. The Governor shall deliver 6 original duplicates of the same certificate under the state seal to the electors on or before the first Monday after the 2nd Wednesday of December, following their election.

§804. Meeting in convention

The presidential electors shall convene in the Senate Chamber in Augusta at 2 p.m. on the first Monday after the 2nd Wednesday of December following their election. If any electors are not present, the electors present shall fill the vacancy by majority vote.

§805. Convention duties

The duties of the presidential electors in convention are as follows.

1. Separate ballots. When convened as required by section 804, the presidential electors shall each cast separate ballots for President and Vice President, at least one of whom must not be a resident of this State.

2. Presidential electors. The presidential electors at large shall cast their ballots for the presidential and vice-presidential candidates who received the largest number of votes in the State. The presidential electors of each congressional district shall cast their ballots for the presidential and vice-presidential candidates who received the largest number of votes in each respective congressional district.

3. Certificate prepared and sent. The presidential electors shall make and subscribe to 6 certificates containing the number of votes cast separately for President and Vice President. They shall attach one of the lists of electors furnished them by the Governor to each certificate. They shall seal each certificate and attached list in an envelope stating that a certificate of the votes of this State for President and Vice President is contained inside.

4. Envelope sent immediately. The presidential electors shall send one envelope immediately by registered mail to the President of the Senate of the United States, Washington, D.C. They shall deliver 2 envelopes immediately to the Secretary of State of this State, who shall hold one of them subject to the order of the President of the Senate of the United States and shall keep the other in his office as a public record for one year. They shall immediately deliver one envelope by registered mail to the Judge of the United States District Court for the district of Maine.

5. Envelopes sent next day. On the following day, the presidential electors shall send 2 envelopes by registered mail to the Administrator of General Services of the United States, Washington, D.C.

§806. Compensation of electors and employees

The presidential electors shall be paid \$10 a day for each day actually and necessarily employed in the performance of their duties and necessary expenses, including travel expenses, at the same rate as that paid to members of the Legislature. The presidential electors may hire necessary clerical employees who shall be paid a reasonable compensation established by the electors.

SUBCHAPTER VI

VOTING DEVICES

ARTICLE 1

VOTING MACHINES

§811. Obtaining and using

A municipality may obtain and use voting machines according to the following provisions.

1. Purchased or rented. The municipality may either purchase or rent voting machines.

2. Use authorized. The voting machines shall be used at each type of election authorized by the legislative body of the municipality. Once authorization has been given for use of the machines at any type of election, that authorization continues until specifically revoked by the legislative body.

3. Use in one or more districts. A municipality which has more than one voting district may use voting machines in one or more of the districts as determined by its legislative body.

4. Provided by municipality. In those municipal voting districts using voting machines, the municipal officers of each municipality must provide at least one voting machine for each 450, or fraction exceeding 1/2 of that number, of the voters qualified to vote at each voting place.

§812. Requirements for machines

A voting machine purchased by a municipality must meet the following requirements.

1. Secrecy. It must be constructed so that each voter may vote in secrecy.

2. Voting limited. It must permit a voter to vote once and only once for each candidate and each question for whom or on which he is entitled to vote. It must prevent a voter from voting for more persons for an office than there are offices to be filled.

3. Write-in vote. It must permit a voter to vote for a write-in candidate.

4. Form of ballot label. The titles of offices may be arranged horizontally with the names of candidates for an office arranged vertically under the title of the office, or the titles of offices may be arranged vertically with the names of candidates for an office arranged horizontally opposite the title of the office, or the titles of offices and the names of candidates for an office may be arranged in any horizontal and vertical combination as may be deemed advisable by the Secretary of State.

5. Voting restricted at primary. It must prevent a voter from voting for the nomination of candidates of more than one party at a primary election.

6. Unauthorized voting prohibited. It must prevent a voter from voting for any office or upon any question for whom or on which he is not entitled to vote.

7. Change of vote permitted. It must permit a voter to change or retract a vote he has attempted to cast for any person, or on any question, before his vote has been completed and registered.

8. Device for printing or photographing candidate or question counters. It may be provided with a device or devices for printing and photographing candidate and question counters which will provide a record before the polls open and after the polls close.

9. Official approval required. It must be of an identical type approved by the Secretary of State and the Attorney General.

§813. Regulations of Secretary of State

The Secretary of State may make reasonable regulations governing the use of voting machines.

§814. Custody

The municipal clerk has custody of a voting machine used by the municipality.

1. Storage and maintenance. He is responsible for the proper storage and maintenance of each machine.

A. He shall have each machine locked, sealed and stored in a safe, dry building.

B. He shall have each machine kept in proper operating condition.

§815. Expense of storage and maintenance

The municipality shall pay reasonable expenses for the storage and maintenance of the machines as authorized by the clerk.

§816. Operating instructions

The clerk must hold a meeting before an election whenever it is necessary to instruct election officials in the operation of voting machines.

1. Permission to use machines refused. The clerk may not permit a voting machine to be used at any voting place, unless he is satisfied that the election officials at that voting place know how to operate the machine properly and how to instruct a voter in operating it.

§817. Ballot labels

The Secretary of State shall furnish the ballot labels for all except municipal elections.

1. Content of label. The ballot label must contain the names of the candidates or nominees of each political party arranged as nearly as practicable in accordance with the requirements for paper ballots, except that the voting square shall be in the position required by the construction of the machine and subject to section 812, subsection 4.

2. Referendum question. A referendum question must be arranged so that the voter may vote for or against it.

§818. Arrangement of voting place

The municipal officers shall arrange each voting place in compliance with section 627, except that voting booths need not be furnished.

§819. Secrecy preserved

The warden at each voting place shall not remain or allow any other person to remain where he can see how anyone votes, except that a proper official may remain when his assistance has been requested by a voter.

§820. 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.

§821. Delivery

The municipal clerk shall perform the following duties concerning the delivery of voting machines.

1. Delivery. He shall have the voting machines delivered to each voting place at least 12 hours before the polls are opened on election day. At the time of delivery, the ballot labels must be in place on each machine.

2. Arrangements of machines. The clerk shall arrange each voting machine so that each ballot label, when not in use, and the exterior of the machine are completely visible to the election officials.

3. Machines locked. After the voting machines have been placed in the proper position at the voting place, the clerk shall make certain that each machine is ready for use when the polls open and he shall then lock each machine.

4. Keys to voting machines. At least 1/2 hour before the polls are opened on election day, the clerk shall deliver the keys to each machine in a sealed envelope to the warden at the voting place.

§822. Preparation for voting

When it is time for the polls to open, the warden shall open the envelope containing the keys to the voting machines in the presence of an election clerk from a political party other than that of the warden.

1. Counters exposed. If the number on the seal agrees with the number on the envelope, the warden shall open the doors concealing the counters, inspect the machine and sign a certificate provided by the Secretary of State showing that all counters are set at "000," that the number of the protective counter agrees with the number on the envelope and that all parts of the machine and the ballot labels are in proper condition for voting.

A. If the machine is provided with a device or devices for printing or photographing candidate and question counters, it is not necessary to open the door concealing the counters. The warden and the election clerk shall proceed to operate the mechanism provided to produce one "before election inspection record" showing whether the candidate and question counters register "000" and sign the certificate as prescribed by the Secretary of State.

2. Machine satisfactory. If the machine is in satisfactory condition for voting, the warden shall immediately permit its use, after closing the doors concealing the counters.

§823. Directions for voting

A voter must follow the same procedure before voting as if paper ballots were being used. He is entitled to the same assistance in voting by machine as by paper ballot.

§824. Challenge of right to vote

A voter who is challenged in a voting precinct where voting machines are used may not use the voting machine for casting his vote, but must use an official paper ballot.

§825. Activation of machines

The voting machines shall be activated by the warden or an election clerk designated by him.

1. Primary election. In a primary election, the warden or, in his absence, a designated election clerk must activate each voting machine so that a voter can vote only for the candidates of the political party in which he is enrolled.

§826. Procedure for tabulating votes

The following regulations outline the procedure for tabulating votes at an election in which voting machines are used.

1. Counters exposed. As soon as the polls are closed, the warden shall unlock each machine to prevent further voting. He shall then open the counters on each voting machine so that anyone present can see the totals. If the machine is provided with a device for printing or photographing candidate and question counters, it is not necessary to open the door concealing the counters. The warden and an election clerk from a political party other than that of the warden shall proceed to operate the mechanism provided to produce a record of the votes cast on the candidate and question counters. This record may be considered an official statement or certificate of returns for that machine and may be endorsed, delivered and filed as required by the Secretary of State.

2. Totals announced. The warden shall announce the total for each candidate in the order shown on the ballot label, for each referendum question and for each write-in candidate. As each total is read, it shall be recorded by an election clerk from a political party other than that of the warden.

3. Totals checked. When all the totals for a voting machine have been read and recorded, the election clerk shall check the totals recorded by him with those appearing on the machine. If the totals do not agree, the election clerk shall record the number of the machine at the top of the column of totals recorded from it.

4. Machine locked. After allowing any person to compare the record with the totals shown on the machine, the warden shall close and lock it with the totals remaining on it and proceed to tabulate the next machine in the same manner.

5. Paper ballots counted. After the totals for all voting machines have been recorded and checked, all absentee and other official paper ballots shall be counted.

6. Total announced. As soon as the paper ballots have been counted, the total vote for each candidate and on each referendum question shall be tabulated and the result announced by the warden.

§827. Procedure after election

The following procedure shall be observed after an election at which voting machines are used.

1. Keys sealed in envelope. In the presence of an election clerk from a political party other than that of the warden, the warden shall enclose the keys to each voting machine in separate envelopes furnished by the municipal clerk. The warden shall write the number of each machine, the location of the voting place in which it was used, the number on the seal and the numbers registered on the protective counter on the outside of each envelope.

2. Envelopes signed. After sealing each envelope securely, the warden and the election clerk shall sign their names on it and the warden shall have it immediately returned to the municipal clerk.

3. Counter totals preserved. The totals shown on the counters of a voting machine must be retained for 2 months after the election at which the machine is used.

A. If the occurrence of another election requires the removal of the counter totals within 2 months after an election, the municipal clerk must have them photographed in his presence and in the presence of the warden and an election clerk of a party other than that of the warden. The warden must make a statement showing the number and counter totals of each machine as it is photographed. He must sign the statement, have it attested and deliver it to the municipal clerk who shall record it. As soon as the photographs are printed legibly, the municipal clerk shall remove the totals and retain the photographs for the balance of the 2-month period. If the machines were equipped with a device or devices which had produced a printed or photographed record of the vote shown on the candidate and question counters, the municipal clerk shall remove the totals and retain the printed or photographed record for the balance of the 2-month period.

§828. Security for keys

The municipal clerk shall keep the keys to each voting machine in a vault or safe which is kept securely locked when the keys are not being removed from or replaced in it. He shall not allow any unauthorized person to have possession of the keys to any voting machine.

1. Keys returned. A person who is authorized to have possession of the keys to a voting machine must return them to the clerk when he no longer needs them for the authorized purpose.

§829. Violation and penalty

Any person who alters, adjusts, operates, moves, unlocks or unseals a voting machine or any part of a voting machine, or who attempts such an act, with the intent of changing the outcome of any election is guilty of a Class D crime.

§830. Application of provisions to voting by machine

The provisions of this Title which are not inconsistent with this Article apply to all elections where voting machines are used.

ARTICLE II

ELECTRONIC VOTING SYSTEMS

§841. Definitions

As used in this Article, unless the context indicates otherwise, the following terms have the following meanings.

1. Automatic tabulating equipment. "Automatic tabulating equipment" means any apparatus which automatically examines and counts votes recorded on paper ballots or on ballot cards and tabulates the results.

2. Ballot. "Ballot" or "paper ballot" means the printed paper ballot in the layout and format required to conform to the electronic voting system in use.

3. Ballot card. "Ballot card" means a tabulating card on which votes may be recorded.

4. Ballot labels. "Ballot labels" means the pages, cards or other material containing the names of offices and candidates and the statements of measures to be voted on, which are placed on the voting device.

5. Counting center. "Counting center" means one or more locations selected by the municipal officers for the automatic counting of ballots.

6. Electronic voting system. "Electronic voting system" means a system in which votes are recorded on

paper ballots utilizing special marking devices or on ballot cards utilizing special styluses as part of a voting device and these votes are subsequently counted and tabulated by automatic tabulating equipment at one or more counting centers.

7. Marking device. "Marking device" means any special marking implements, styluses or fluorescent or opaque inks that may be required for the marking of paper ballots or ballot cards to conform with the type of system in use.

8. Voting device. "Voting device" means all the apparatus which the voter uses to record his votes on paper ballots or on a tabulating card and all the automatic tabulating equipment that is integral to the electronic voting system in use.

§842. Obtaining and using

A municipality may obtain and use electronic voting systems according to the following provisions.

1. Purchased or rented. The municipality may either purchase or rent voting devices.

2. Use authorized. The voting devices may be used at each type of election authorized by the legislative body of the municipality. Once authorization has been given for use of the devices at any type of election, that authorization continues until specifically revoked by the legislative body.

3. Use in one or more districts. A municipality which has more than one voting district may use voting devices in one or more of the districts as determined by its legislative body.

4. Provided by municipality. In those municipal voting districts using electronic voting systems, the municipal officers of each municipality must provide at least one voting device for each 250, or fraction exceeding 1/2 of that number, of the voters qualified to vote at each voting place.

§843. Requirements for devices

A voting device purchased or rented by a municipality must meet the following requirements.

1. Secrecy. It must be used so that each voter may vote in secrecy.

2. Voting limited. It must permit each voter to vote at any election for all persons and offices for whom and for which he is entitled to vote; to vote for as many persons for an office as he is entitled to vote for; to vote for or against any question upon which he is entitled to vote; and the automatic tabulating equipment must reject choices recorded on his ballot or ballot card, if the number of choices exceeds the number for which he is entitled to vote for the office or on the measure.

3. Write-in vote. It must permit a voter to vote for a write-in candidate.

4. Voting restricted at primary. It must prevent a voter from voting for the nomination of candidates of more than one party at a primary election.

5. Unauthorized voting prohibited. It must prevent a voter from voting for any office or upon any question for whom or on which he is not entitled to vote.

6. Change of vote permitted. It must permit a voter to change or retract a vote he has attempted to cast, in accordance with section 693, before his ballot or ballot card has been deposited in the ballot box.

7. Official approval required. It must be of an identical type approved by the Secretary of State and the Attorney General.

§844. Regulations of Secretary of State

The Secretary of State may make reasonable regulations governing the use of electronic voting systems.

§845. Custody

The municipal clerk has custody of voting devices used by the municipality.

1. Storage and maintenance. He is responsible for the proper storage and maintenance of each device.

A. He shall have each device sealed and stored in a safe, dry building.

B. He shall have each device kept in proper operating condition.

§846. Expense of storage and maintenance

The municipality shall pay reasonable expenses for the storage and maintenance of the devices as authorized by the clerk.

§847. Operating instructions

The clerk must hold a meeting before an election whenever it is necessary to instruct election officials in the operation of voting devices.

1. Permission to use devices refused. The clerk may not permit a voting device to be used at any voting place unless he is satisfied that the election officials at that voting place know how to operate the device properly and how to instruct a voter in operating it.

§848. Ballot labels

The Secretary of State shall furnish all ballot materials for all except municipal elections.

1. Ballot format. Ballots furnished for elections must have the titles of offices and the names of candidates arranged in vertical columns. The office title with a statement of the number of candidates to be voted for must be printed above the names of the candidates for that office. The names of candidates must be printed in the order provided by law and the party designation of each candidate must be printed following or below his name, in bold type. The number of columns and the length of the ballot may be adjusted as is necessary to accommodate all of the offices, candidates and write-in spaces constituting the total slate for that election.

2. Content of label. The titles of offices and the names of candidates on ballot labels may be arranged in vertical columns or in a series of separate pages. The office title with a statement of the number of candidates to be voted for must be printed above or at the side of the names of the candidates for that office. The names of candidates must be printed in the order provided by law, and in general elections the party designation of each candidate, which may be abbreviated, must be printed following his name. In case there are more candidates for an office than can be printed in one column or on one ballot page, the ballot label must be clearly marked that the list of candidates is continued on the following column or page, and so far as possible, the same number of names must be printed on each column

or page. Arrows may be used to indicate the place to vote for each candidate and on each measure.

3. Ballot labels for separate elections. The different parts of the ballot, such as partisan, non-partisan and measures, must be prominently indicated on the ballot labels, and, if practicable, each part must be placed on a separate page or pages. If 2 or more elections are held on the same day, the ballot labels must be clearly marked to indicate the ballot for each election, and, if practicable, the ballot labels for each election must be placed upon separate pages and labels of a different color or tint may be used for each election.

4. Referendum question. A referendum question must be arranged so that the voter may vote for or against it.

§849. Arrangement of voting place

The municipal officers shall arrange each voting place in compliance with section 627.

§850. Secrecy preserved

The warden at each voting place shall not remain or allow any other person to remain where he can see how anyone votes, except that a proper official may remain when his assistance has been requested by a voter.

§851. Preparation for elections

The municipal clerk shall perform the following duties in preparing for an election.

1. Ballots and supplies. He shall have the voting devices prepared for the election and shall deliver, to the precinct election officials or to the polling place, voting devices, voting booths, ballot boxes, ballots, ballot cards, "write-in" ballots, marking devices and other records and supplies as required to conform with the system in use.

2. Ballot cards. Ballot cards must be of the size, design and stock suitable for processing by automatic data processing machines. In primary elections, the ballot cards of each political party must be distinctly marked or must be a different color or tint so that the ballot cards of each political party are readily distinguishable.

3. Write-in ballots. A separate write-in ballot must be provided to permit voters to write in the title of the office and the name of the person or persons for whom he wishes to vote.

4. Voting booths. Unless the voting device enables the voter to mark his choices in secret, the clerk must provide a sufficient number of voting booths for each voting district or precinct, which must allow the voter to mark his ballot in secret.

§852. Procedure at the polling place

The following regulations govern the procedure for the conduct of elections in which an electronic voting system is used.

1. Preparation for voting. Before the polls are opened, the election officials shall arrive at the polling place and place the voting devices in position for voting. The officials shall ensure that the devices are in proper working order and shall see that the devices have the correct ballot labels by comparing them with the specimen ballots. They shall open and check the ballots, ballot cards, supplies, records and forms and post the specimen ballots and instructions to voters.

2. Instruction of voters. If requested, election officials shall instruct a voter on how to operate the voting device before he enters the voting booth. If he needs additional instruction after entering the voting booth, election officials may, if necessary, enter the booth and give him additional instructions in accordance with section 672.

3. Depositing ballot card in ballot box. After the voter has marked his ballot card, he must place the ballot card inside the envelope provided for this purpose and deposit the envelope with the enclosed ballot card in the ballot box.

4. Spoiled ballots. Any voter who spoils his ballot card may return it enclosed in the envelope and obtain a replacement not more than twice. The word "Spoiled" must be written across the face of the envelope which shall be placed in the spoiled ballot card container.

5. Closing of the polls. As soon as the polls have closed and the last qualified voter has voted, all unused ballot cards and records and supplies

shall be placed in a container and sealed for return to the municipal clerk. The ballot box shall be opened at the polling place and all write-in votes and absentee and other official paper ballots counted and the regular ballot cards separated from the envelopes. The separated ballot cards and envelopes, along with absentee, write-in and other official paper ballots, shall then be delivered to the counting center for the official counting and recording of all ballots cast.

§853. Delivery of ballots or ballot cards to the counting center

The precinct election officials shall prepare a report of the number of voters who have voted, as indicated by the incoming voting list, and shall place the original copy of this report in the ballot box or ballot card container for delivery to the counting center. The ballot box or ballot card container must be sealed so that no additional ballots or ballot cards may be deposited or removed. The duplicate copy of the report shall be returned to the municipal clerk with other records. The clerk shall have the voted ballots or ballot cards of designated polling places picked up at the polling places and delivered to the counting center by authorized election officials or police officers.

§854. Test of automatic tabulating equipment; programs and voted ballot cards to be retained under seal

Before counting the ballots, the clerk must have the automatic tabulating equipment tested to ascertain that it will accurately count the votes cast for all offices and on all measures. The test must be conducted by processing a preaudited group of ballots or ballot cards, marked or punched to record a predetermined number of valid votes for each candidate and on each measure. The test must include one or more ballots which have votes for each office in excess of the number allowed by law in order to test the ability of the automatic tabulating equipment to reject those votes. In this test a different number of valid votes must be assigned to each candidate for an office and for and against each measure. If any error is detected, the cause for the error must be ascertained and corrected and an errorless count must be made and certified to by the clerk before the count is started. The tabulating equipment must pass the same test at the conclusion of the count before the

election returns are approved as official. The tests provided for in this section must be open to the public.

§855. Proceedings at the counting center

All proceedings at the counting center are under the direction of the municipal clerk and shall be conducted in the following manner.

1. Open to public. The count must be conducted under the observation of the public, but no persons except those authorized may touch any ballot card or return.

2. Personnel to be deputized and take oath. All persons who are engaged in processing and counting the ballots must be deputized and take an oath that they will faithfully perform their assigned duties.

3. Damaged or defective ballots or ballot cards. If it appears that any ballot or ballot card is damaged or defective so that it cannot properly be counted by the automatic tabulating equipment, in the case of a paper ballot, it must be tabulated manually and, in the case of a ballot card, a true duplicate copy must be made and substituted for the damaged ballot card or the card may be tabulated manually. All duplicate ballot cards must be clearly labeled "duplicate" and must bear a serial number which shall be recorded on the damaged or defective ballot card.

4. Ballots, ballot cards, program and text materials to be retained. When the count is completed, the programs, test materials, ballots and ballot cards shall be sealed and retained as provided in section 23.

§856. Official returns

The official return of each voting district consists of the certified return printed by the automatic tabulating equipment and all certified absentee, write-in and other official paper ballots. The official returns shall be open to the public as soon as the count is completed.

§857. Manual counting authorized

If for any reason it becomes impracticable to count all or a part of the ballots or ballot cards with tabulating equipment, the clerk shall have them counted manually following the provisions governing the counting of paper ballots.

§858. Absentee votes

Absentee votes may be cast on paper ballots or ballot cards or both methods may be used. These ballots may be counted by automatic tabulating equipment or by deputized personnel at the counting center appointed by and under the direction of the clerk, except that only ballots cast on ballot cards may be counted by automatic tabulating equipment.

§859. Recounts

In case of a recount, the ballots or ballot cards shall be recounted in the manner provided by sections 854 to 857, unless the court ordering the recount directs that they be counted manually.

§860. Violation and penalty

The penal laws and election laws relating to misconduct at elections apply to elections conducted with voting devices and automatic tabulating equipment. Any person who, before, during or after an election, tampers with or willfully injures any voting device, ballot cards or other records or equipment used in the election, or interferes or attempts to interfere with the correct operation of such device or equipment or the secrecy of voting, is guilty of a Class D crime.

§861. Application of provisions to voting by electronic voting system

The provisions of this Title which are not inconsistent with this Article apply to all elections where an electronic voting system is used.

CHAPTER 11BALLOT QUESTIONS§901. Petitions

On a voter's written application, signed in the office of the Secretary of State on a form designed by the Secretary of State, the Secretary of State shall furnish enough petition forms to enable the voter to invoke the initiative procedure or the referendum procedure provided in the Constitution of Maine, Article IV, Part Third. This application must contain the names and addresses of 5 voters who shall receive any notices in proceedings under this chapter.

1. Limitation on referendum petition. An application for a referendum petition must be filed in the office of the Secretary of State within 10 days after adjournment of the legislative session at which the Act in question was passed.

2. Furnished within 10 days. The Secretary of State shall furnish the forms within 10 days after request and after payment.

3. Forms printed by voters. If a voter wishes to furnish the forms by himself at his own expense, he may do so, but those forms must first be approved by the Secretary of State.

4. Ballot question. The ballot question for initiative and people's veto referenda shall be drafted by the Secretary of State in accordance with section 906 and rules adopted under it. The question must be conspicuously displayed on the face of the petition.

§902. Verification and certification

The verification and certification of the petition as required by the Constitution of Maine, Article IV, Part Third, Section 20, must be worded so that a single verification or certification may cover one or more pages fastened together as a single petition.

§903. Instructions to be printed on

The Secretary of State shall prepare complete instructions to inform the clerk and the signer or circulator of a petition of the statutory and constitutional requirements. The instructions must specify the conditions which have been held to invalidate either individual signatures or complete petitions. The instructions must be printed in bold type or capital letters on the petition.

§904. Violations and penalties

The commission of any of the following acts is a Class E crime:

1. False statement. A circulator of an initiative or referendum petition who willfully swears that one or more signatures to the petition were made in his presence when those signatures were not made in his presence or that one or more signatures are those of the persons whose names they purport to be when he knows that the signature or signatures are not those of such persons;

2. False acknowledgement of oath. A person authorized by law to administer oaths who willfully and falsely acknowledges the oath of a circulator of an initiative or referendum petition when that oath was not made in his presence;

3. Unauthorized signature. A person who knowingly signs an initiative or referendum petition with any name other than his own; or

4. Duplicate signature. A person who knowingly signs his name more than once on initiative or referendum petitions for the same measure.

§905. Review of initiative and referendum petitions

1. Secretary of State. The Secretary of State shall review all petitions filed in his office for a referendum under the Constitution of Maine, Article IV, Part Third, Section 17, or for an initiative under the Constitution of Maine, Article IV, Part Third, Section 18. The Secretary of State shall determine the validity of these petitions and shall issue a written decision stating the reasons for his decision within 25 days after the final date for filing the petitions in his office under the Constitution of Maine, Article IV, Part Third, Section 17 or 18.

2. Superior Court. Any voter named in the application under section 901, or any person who has validly signed the petitions, if these petitions are determined to be invalid, or any other voter, if these petitions are determined to be valid, may appeal the decision of the Secretary of State by commencing an action in the Superior Court. This action shall be conducted in accordance with the Maine Rules of Civil Procedure, Rule 80B, except as modified by this section. This action must be commenced within 5 days of the date of the decision of the Secretary of State and shall be tried, without a jury, within 15 days of the date of that decision. Upon timely application, anyone may intervene in this action when the applicant claims an interest relating to the subject matter of the petitions, unless the applicant's interest is adequately represented by existing parties. The court shall issue its written decision containing its findings of fact and stating the reasons for its decision within 30 days of the commencement of the trial or within 45 days of the date of the decision of the Secretary of State, if there is no trial.

3. Supreme Judicial Court. Any aggrieved party may appeal the decision of the Superior Court, on

questions of law, by filing a notice of appeal within 3 days of that decision. The appellant must file the required number of copies of the record with the clerk within 3 days after filing notice of appeal. After a notice of appeal is filed, the parties have 10 days to file briefs with the clerk of courts. As soon as the record and briefs have been filed, the court shall immediately consider the case. The court shall issue its decision within 30 days of the date of the decision of the Superior Court.

§906. Form of ballot

The Secretary of State shall prepare the ballots for referendum questions according to the following provisions.

1. Referendum questions on separate ballot. Referendum questions must be printed on a ballot separate from the general election ballots. Two squares must be printed at the left of any referendum question submitted, with "Yes" above one and "No" above the other, so that a voter may designate his choice clearly by a cross or a check mark.

2. Bond issues; total interest. Whenever ratification by the electors is essential to the validity of bonds issued on behalf of the State, the ballot must contain the total interest necessary for the retirement of the bonds outstanding and unpaid.

3. Distinctively colored. Referendum ballots must be printed on paper of a distinctive color selected by the Secretary of State.

4. Size. The Secretary of State shall determine the size of the ballots.

5. Contents concealed. The ballots must be folded uniformly so that the interior contents are concealed.

6. Wording of ballots for people's veto and initiative referenda. Ballots for a statewide vote on people's veto and initiative questions must set out the question to be voted on in clear, concise and direct language. The Secretary of State, by rules adopted under the Maine Administrative Procedure Act, Title 5, chapter 375, shall establish a method for drafting ballot questions which will attain that standard of readability.

7. Order of questions on the ballot. The Secretary of State shall arrange questions on the ballot

in the following order: People's veto questions; initiated measures; bond issues; constitutional amendments; and other legislatively proposed referenda. Within each group, questions must be arranged in a random order determined by a selection process conducted in public. All ballot questions must be numbered sequentially.

CHAPTER 13

CAMPAIGN REPORTS AND FINANCES

SUBCHAPTER I

GENERAL PROVISIONS

§1001. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Commission. "Commission" means the Commission on Governmental Ethics and Election Practices established under Title 1, section 1002.

2. Election. "Election" means any primary, general or special election for state or county offices.

3. Person. "Person" means an individual, committee, firm, partnership, corporation, association, group or organization.

§1002. Meetings of commission

The commission shall meet in Augusta for the purposes of this chapter at least 4 times during any year in which primary and general elections are held. The commission shall meet at other times on the call of the Secretary of State, the Speaker of the House, the President of the Senate, the chairman or a majority of the members of the commission, provided that all members are notified of the time, place and purpose of the meeting at least 24 hours in advance.

§1003. Investigations by commission

1. Investigations. The commission may investigate to determine the facts concerning the registration of any political action committee and contributions by or to and expenditures by any person, candidate or political action committee. For this purpose, the commission may subpoena witnesses and records and take evidence under oath. Any person or political action committee who fails to obey the lawful subpoena

of the commission or to testify before it under oath shall be punished by the Superior Court for contempt on application by the Attorney General on behalf of the commission.

2. Investigations requested. Any person may apply in writing to the commission requesting an investigation concerning the registration of any political action committee and contributions by or to and expenditures by any person, candidate or political action committee. The commission shall review the application and shall make the investigation if the reasons stated for the request show sufficient grounds for believing that a violation may have occurred.

3. State Auditor; Secretary of State. The State Auditor and the Secretary of State shall assist the commission in making investigations and in other phases of the commission's duties under this chapter, as requested by the commission, and shall have all necessary powers to carry out these responsibilities.

4. Attorney General. The Attorney General is the counsel for the commission and may examine any witnesses before the commission. The commission shall refer any apparent violations of this chapter to the Attorney General for prosecution.

§1004. Violations

The violation of any of the following subsections is a Class E crime.

1. Contributions and expenditures. No person, candidate or political action committee may knowingly make or accept any contribution or make any expenditure in violation of this chapter.

2. False statements. No person, candidate or political action committee may make a false statement in any report required by this chapter.

3. Contributions in another's name. No person may make a contribution in the name of another person or knowingly permit his name to be used to accomplish such a contribution, and no person may knowingly accept a contribution made by one person in the name of another person.

4. Registration; political action committees. No political action committee required to be registered under section 1053 may operate in this State unless it is so registered.

SUBCHAPTER IIREPORTS ON CAMPAIGNS FOR OFFICE§1011. Application

This subchapter applies to candidates for all state and county offices and to campaigns for their nomination and election. This subchapter also applies to candidates for federal offices for the purposes of section 1017, subsection 1.

§1012. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Clearly identified. "Clearly identified," with respect to a candidate, means that:

A. The name of the candidate appears;

B. A photograph or drawing of the candidate appears; or

C. The identity of the candidate is apparent by unambiguous reference.

2. Contribution. The term "contribution:"

A. Includes:

(1) A gift, subscription, loan, advance or deposit of money or anything of value made for the purpose of influencing the nomination or election of any person to state or county office or for the purpose of liquidating any campaign deficit of a candidate, except that a loan of money to a candidate by a financial institution in this State made in accordance with applicable banking laws and regulations and in the ordinary course of business is not included;

(2) A contract, promise or agreement, expressed or implied, whether or not legally enforceable, to make a contribution for such purposes;

(3) Funds received by a candidate or a political committee which are transferred to the candidate or committee from another political committee or other source; and

(4) The payment, by any person other than a candidate or a political committee, of compensation for the personal services of other persons which are provided to the candidate or political committee without charge for any such purpose; and

B. Does not include:

(1) The value of services provided without compensation by individuals who volunteer a portion or all of their time on behalf of a candidate or political committee;

(2) The use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by an individual to a candidate in rendering voluntary personal services for candidate-related activities, if the cumulative value of these activities by the individual on behalf of any candidate does not exceed \$50 with respect to any election;

(3) The sale of any food or beverage by a vendor for use in a candidate's campaign at a charge less than the normal comparable charge, if the charge to the candidate is at least equal to the cost of the food or beverages to the vendor and if the cumulative value of the food or beverages does not exceed \$50 with respect to any election;

(4) Any unreimbursed travel expenses incurred and paid for by an individual who volunteers his personal services to a candidate, if the cumulative amount of these expenses does not exceed \$50 with respect to any election; or

(5) The payment by a party's state, district, county or municipal committee of the costs of preparation, display or mailing or other distribution incurred by the committee with respect to a printed slate card, sample ballot or other printed listing of 3 or more candidates for any political office.

3. Expenditure. The term "expenditure:"

A. Includes:

(1) A purchase, payment, distribution, loan, advance, deposit or gift of money or

anything of value made for the purpose of influencing the nomination or election of any person to political office, except that a loan of money to a candidate by a financial institution in this State made in accordance with applicable banking laws and regulations and in the ordinary course of business is not included;

(2) A contract, promise or agreement, expressed or implied, whether or not legally enforceable, to make any expenditure; or

(3) The transfer of funds by a candidate or a political committee to another candidate or political committee; and

B. Does not include:

(1) Any news story, commentary or editorial distributed through the facilities of any broadcasting station, newspaper, magazine or other periodical publication, unless the facilities are owned or controlled by any political party, political committee or candidate;

(2) Nonpartisan activity designed to encourage individuals to register to vote or to vote;

(3) Any communication by any membership organization or corporation to its members or stockholders, if that membership organization or corporation is not organized primarily for the purpose of influencing the nomination or election of any person to state or county office;

(4) The use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by an individual to a candidate in rendering voluntary personal services for candidate-related activities, if the cumulative value of these activities does not exceed \$50 with respect to any election;

(5) Any unreimbursed travel expenses incurred and paid for by an individual who volunteers his personal services to a candidate, if the cumulative amount of these expenses does not exceed \$50 with respect to any election;

(6) Any communication by any person which is not made for the purpose of influencing the nomination for election, or election, of any person to state or county office;

(7) The payment by a party's state, district, county or municipal committee of the costs of preparation, display or mailing or other distribution incurred by the committee with respect to a printed slate card or sample ballot, or other printed listing, of 3 or more candidates for any political office for which an election is held; or

(8) The use or distribution of any communication, as described in section 1014, prepared for a previous election and fully paid for during that election campaign which was not used or distributed in that previous election.

§1013. Treasurer; political committees

1. Candidates. A candidate may accept contributions personally or make or authorize expenditures personally. A candidate may appoint a treasurer to accept contributions or to make or authorize expenditures. A candidate who appoints a treasurer must inform the commission of the name and address of his treasurer, the name and address of the candidate making the appointment and the treasurer's term of office, if any, within 7 days after the appointment.

2. Authorized political committees. A candidate may authorize one or more political committees to promote the candidate. Each of these political committees must appoint a treasurer before accepting any contributions or making or authorizing any expenditures. Within 7 days after that appointment, the political committee must inform the commission of the name and address of its treasurer, the name or title of the committee making the appointment and the treasurer's term of office. In addition to the registration of its treasurer, a political committee authorized by a candidate shall submit the names and addresses of all of its officers to the commission, whether or not the committee accepts any contributions or makes or authorizes any expenditures.

3. Other political committees. A political committee which is not authorized by a candidate, but which accepts any contributions or makes or authorizes any expenditures to promote or defeat a candidate or candidates, must appoint a treasurer before

accepting any contributions or making or authorizing any expenditures. Within 7 days after that appointment, the political committee must inform the commission of the name and address of its treasurer, the name or title of the committee making the appointment, the name of the candidate or candidates it intends to promote or defeat and the treasurer's term of office. In addition to the registration of its treasurer, such a political committee shall submit the names and addresses of all of its officers to the commission.

4. Party committees. The state, district and county committees of parties shall submit to the commission the names and addresses of all their officers and of their treasurers and the name and address of the principal paid employee, if any, within 30 days after the appointment, election or hiring of these persons.

The state committee of a party may submit a consolidated report, including the information required under this subsection for the district, county and municipal committees of that party.

§1014. Publication or distribution of political statements

1. Authorized by candidate. Whenever any person makes an expenditure to finance communications expressly advocating the election or defeat of a clearly identified candidate through broadcasting stations, newspapers, magazines, outdoor advertising facilities, direct mails and other similar types of general public political advertising and through flyers, handbills, bumper stickers and other nonperiodical publications, the communication, if authorized by a candidate, a candidate's authorized political committee or their agents, must clearly and conspicuously state that the communication has been so authorized and must clearly state the name and address of the person who made or financed the expenditure for the communication.

2. Not authorized by candidate. If the communication described in subsection 1 is not authorized by a candidate, a candidate's authorized political committee or their agents, the communication must clearly and conspicuously state that the communication is not authorized by any candidate and state the name and address of the person who made or financed the expenditure for the communication.

3. Broadcasting prohibited without disclosure. No person operating a broadcasting station within

this State may broadcast any communication, as described in subsections 1 and 2, without an oral or written visual announcement of the name of the person who made or financed the expenditure for the communication.

§1015. Limitations on contributions and expenditures

1. Individuals. No individual may make contributions to a candidate in support of the candidacy of one person, aggregating more than \$1,000 in any election. This limitation does not apply to contributions in support of a candidate by that candidate or his spouse.

2. Committees; corporations; associations. No political committee, other committee, corporation or association may make contributions to a candidate, in support of the candidacy of one person, aggregating more than \$5,000 in any election.

3. Aggregate contributions. No individual may make contributions to candidates aggregating more than \$25,000 in any calendar year. This limitation does not apply to contributions in support of a candidate by that candidate or his spouse.

4. Political committees; intermediaries. For the purpose of the limitations imposed by this section, contributions made to any political committee authorized by a candidate to accept contributions on the candidate's behalf are considered to be contributions made to that candidate.

For the purposes of the limitations imposed by this section, all contributions made by a person, either directly or indirectly, on behalf of a particular candidate, including contributions which are in any way earmarked or otherwise directed through an intermediary or conduit to the candidate, are considered to be contributions from that person to the candidate. The intermediary or conduit shall report the original source and the intended recipient of the contribution to the commission and to the intended recipient.

5. Other contributions and expenditures. Expenditures made by any person in cooperation, consultation or concert with, or at the request or suggestion of, a candidate, a candidate's political committee or their agents are considered to be a contribution to that candidate.

The financing by any person of the dissemination, distribution or republication, in whole or in part,

of any broadcast or any written or other campaign materials prepared by the candidate, the candidate's political committee or committees or their authorized agents is considered to be a contribution to that candidate.

6. Prohibited expenditures. A candidate, a political committee, a party or party committee, a person required to file a report under this subchapter or their authorized agents may not make any expenditures for liquor to be distributed to or consumed by voters while the polls are open on election day.

§1016. Records

Each treasurer or each candidate shall keep detailed records of all contributions received and of each expenditure which the treasurer or candidate makes or authorizes, as provided in this section.

1. Segregated funds. All funds of a political committee must be segregated from, and may not be commingled with, any personal funds of officers, members or associates of the committee.

2. Account of contributions. Every person who receives a contribution in excess of \$10 for a candidate or a political committee shall give the treasurer or candidate a detailed account of the contribution on demand of the treasurer or candidate and in any event within 5 days after receiving the contribution. This account must include the amount of the contribution, the name and address of the person making the contribution and the date on which the contribution was received.

3. Record keeping. A treasurer or a candidate shall keep a detailed and exact account of:

A. All contributions made to or for the candidate or committee;

B. The name and address of every person making a contribution in excess of \$10, the date and amount of that contribution and, if a person's contributions in any report filing period aggregate more than \$50, the account must include the contributor's occupation and his principal place of business, if any. If the contributor is the candidate or a member of the candidate's immediate family, the account must also state the relationship. For purposes of this paragraph, "filing period" is as provided in section 1017, subsection 3, paragraph A;

C. All expenditures made by or on behalf of the committee or candidate; and

D. The name and address of every person to whom any expenditure is made and the date and amount of the expenditure.

4. Receipts preservation. A treasurer or a candidate shall obtain and keep a receipted bill, stating the particulars, for every expenditure in excess of \$50 made by or on behalf of a political committee or a candidate and for any such expenditure in a lesser amount if the aggregate amount of those expenditures to the same person in any election exceeds \$50. The treasurer or candidate shall preserve all receipted bills and accounts required to be kept by this section for 2 years following the final report required to be filed for the election to which they pertain, unless otherwise ordered by the commission or a court.

§1017. Reports by candidates

1. Federal candidates. Each candidate for federal office and the treasurer of the political committee or committees of each candidate shall file with the commission a copy of the complete report required of them under federal law on the same date that those reports are required to be filed under federal law.

2. Gubernatorial candidates. Each candidate for the office of Governor or the candidate's treasurer and the treasurer of each political committee authorized by the candidate shall file reports with the commission as follows.

A. In any calendar year, other than a gubernatorial election year, in which the candidate and the candidate's political committee or committees received contributions in excess of \$1,000 or made expenditures in excess of \$1,000, reports shall be filed not later than 5 p.m. on January 15th of the following calendar year and must be complete as of the close of the calendar year for which the report is filed.

B. Reports shall be filed not later than 5 p.m. on the 42nd day before the date on which an election is held and must be complete as of the 49th day before that date. If no report was filed under paragraph A, the report required under this paragraph must cover the 6 months immediately preceding the completion date.

C. Reports shall be filed not later than 5 p.m. on the 7th day before the date on which an election is held and must be complete as of the 11th day before that date.

D. Any contribution or expenditure of \$1,000 or more, made after the 11th day and more than 48 hours before any election, shall be reported within 48 hours of that contribution or expenditure.

E. Reports shall be filed not later than 5 p.m. on the 42nd day after the date on which an election is held and must be complete for the entire election campaign as of the 35th day after that date.

F. Unless further reports will be filed in relation to a later election in the same calendar year, the disposition of any surplus or deficit in excess of \$50 shown in the reports described in paragraph E shall be reported to the commission on the first day of each quarter of the State's fiscal year, until the surplus is disposed of or the deficit is liquidated. The reports may either be filed in person with the commission on that date or postmarked by that time on that date. The reports must set forth any contributions for the purpose of liquidating the deficit, in the same manner as contributions are set forth in other reports required in this section.

G. Unless otherwise specified in this subsection, reports must be complete back to the completion date of the previous report. The report described in paragraph E, if filed with respect to a primary election, is considered a previous report in relation to reports concerning a general election.

H. Reports with respect to a candidate who seeks nomination by petition for the office of Governor shall be filed on the same dates that reports must be filed with respect to a candidate who seeks that nomination by primary election.

3. Other candidates. Each candidate for state or county office, other than the office of Governor, or the candidate's treasurer and the treasurer of each political committee authorized by a candidate shall file reports with the commission as follows.

A. Reports shall be filed not later than 5 p.m. on the 7th day before the date on which an elec-

tion is held and must be complete as of the 11th day before that date. The first reports filed in a year in which an election is held must cover the 6 months immediately preceding the completion date. Other reports must be complete for the filing period. A filing period is that period of time from one completion date to the next completion date.

B. Any contribution or expenditure of \$1,000 or more, made after the 11th day and more than 48 hours before any election, shall be reported within 48 hours of that contribution or expenditure.

C. Reports shall be filed not later than 5 p.m. on the 42nd day after the date on which an election is held and must be complete for the filing period as of the 35th day after that date.

D. Unless further reports will be filed in relation to a later election in the same calendar year, the disposition of any surplus or deficit in excess of \$50 shown in the reports described in paragraph C shall be reported to the commission on the first day of each quarter of the State's fiscal year, until the surplus is disposed of or the deficit is liquidated. The reports must set forth any contributions for the purpose of liquidating the deficit, in the same manner as contributions are set forth in other reports required in this section. The reports may be either filed in person with the commission on that date or postmarked by that time on that date.

E. Reports with respect to a candidate who seeks nomination by petition shall be filed on the same dates that reports must be filed by a candidate for the same office who seeks that nomination by primary election.

4. New candidate or nominee. A candidate for nomination or a nominee chosen to fill a vacancy under chapter 5, subchapter III, shall file a campaign report under this section within 15 days after his appointment and thereafter on the appropriate schedule under this section. The commission shall send notification of this requirement and report forms to the candidate immediately upon his appointment.

5. Content. A report required under this section must contain the itemized accounts of contributions received and the name, address, occupation and prin-

cipal place of business, if any, of each person who has made a contribution aggregating in excess of \$50 for that report filing period. It must contain the itemized expenditures made or authorized, the purpose of each expenditure and the name of each payee and creditor. Total contributions with respect to an election of less than \$500 and total expenditures of less than \$500 need not be itemized. The report must contain a statement of any loan of money in an aggregate amount of \$500 or more to a candidate by a financial institution made during the period covered by the report, whether or not the loan is defined as a contribution under section 1012, subsection 2, paragraph A.

6. Forms. Reports required by this section must be on forms prescribed by the commission, prepared by the Secretary of State and sent by the commission to the candidate at least 7 days before the filing date for the report. Persons filing reports may use additional pages if necessary, but the pages must be the same size as the pages of the form. Although the commission mails the forms for required reports, failure to receive forms by mail does not excuse committees, candidates and other persons who must file reports from otherwise obtaining the forms.

§1018. Reports by party committees

1. State committee; federal reports. The state committee of each party shall file with the commission a copy of the complete report required of them under federal law on the same date that those reports are required to be filed under federal law.

2. Party committee. When a state, district, county or municipal committee of a party makes contributions or expenditures, aggregating in excess of \$50 in an election, that expressly advocate the election or defeat of a candidate or candidates, other than by contribution to a candidate or a candidate's authorized political committee, the party committee making the contribution or expenditure shall file a report with the commission.

A. Reports required by this subsection in relation to a candidate for Governor shall be filed on the same dates on which reports for gubernatorial candidates are to be filed under section 1017, subsection 2. Reports required by this subsection in relation to a candidate for state or county office, other than Governor, shall be filed on the same dates on which reports for these candidates are to be filed under section 1017, subsection 3.

B. This report must contain an itemized account of each such contribution or expenditure aggregating in excess of \$50 in any election, the purpose of each and the name of each payee or creditor. Total contributions or expenditures of less than \$500 in any election need not be itemized.

C. Reports required by this subsection must be on forms prescribed by the commission, prepared by the Secretary of State and sent by the commission to the candidate at least 7 days before the filing date for the report. Persons filing these reports may use additional pages if necessary, but the pages must be the same size as the pages of the form. Although the commission mails the forms for required reports, failure to receive forms by mail does not excuse committees, candidates and other persons who must file reports from otherwise obtaining the forms.

§1019. Reports by other persons

Each person, other than a candidate, a candidate's authorized political committee or a party committee, who makes contributions or expenditures, aggregating in excess of \$50 in an election, that expressly advocate the election or defeat of a clearly identified candidate, other than by contribution to a candidate or a candidate's authorized political committee, shall file a report with the commission.

1. Filing dates. Reports required by this section in relation to a candidate for Governor shall be filed on the same dates on which reports for gubernatorial candidates are to be filed under section 1017, subsection 2. Reports required by this section in relation to a candidate for state or county office, other than the office of Governor, shall be filed on the same dates on which reports for those candidates are to be filed under section 1017, subsection 3.

2. Content. This report must contain an itemized account of each contribution or expenditure aggregating in excess of \$50 in any election, the purpose of each and the name of each payee or creditor. Total contributions or expenditures of less than \$500 in any election need not be itemized. The report must state whether the contribution or expenditure is in support of or in opposition to the candidate and must include, under penalty of perjury, as provided in Title 17-A, section 451, a statement under oath or affirmation whether the expenditure is made in cooperation, consultation or concert with, or at the request or suggestion of, any candidate or any authorized committee or agent of a candidate. Any membership or-

ganization or corporation which makes a communication to its members or stockholders expressly advocating the election or defeat of a clearly identified candidate must report any expenditures aggregating in excess of \$50 for such a communication in any election, whether or not the communication is defined as an expenditure under section 1012, subsection 5, paragraph C.

3. Forms. Reports required by this section must be on forms prescribed by the commission and prepared by the Secretary of State and, in the case of quarterly reports, sent by the commission to the person at least 7 days before the filing date for the report. Persons filing these reports may use additional pages if necessary, but the pages must be the same size as the pages of the form. Although the commission mails the forms for required reports, failure to receive forms by mail does not excuse committees, candidates and other persons who must file reports from otherwise obtaining the forms.

§1020. Failure to file report on time

The commission shall determine whether a report received after the date required by this subchapter is late and, if determined to be late, the number of days of lateness. If the reason for the late filing is that the forms sent to the candidate by the commission were not postmarked at least 7 days before the filing date, the period for filing shall be increased by the deficiency without penalty.

1. Penalty. There is a penalty of \$10 for each business day that a report required to be filed under this subchapter is late.

2. Notice of lateness. A notice of lateness shall be sent to candidates and treasurers registered with the commission whose reports are not received within 2 days of the filing deadline. That notice shall be sent on the 3rd day following the deadline.

3. Grace period. A late report filed within 10 days of any deadline, except a report required to be filed 7 days before an election, is not subject to penalty. Reports filed after this grace period are subject to penalties from the original filing deadline.

4. Enforcement and collection. The commission, upon determining that a report is late, shall notify the Secretary of State of the lateness. The Secretary of State has the initial responsibility for collecting the full amount of any penalty within 30 days af-

ter receiving notice of a report's lateness from the commission. The Secretary of State shall have all necessary powers to carry out this responsibility.

Failure to pay the full amount of any penalty levied under this section is a civil violation. Thirty days after receiving notice of the lateness of any report, the Secretary of State shall report to the Attorney General the name of any person who has failed to pay the full amount of any penalty. The Attorney General shall enforce the violation in a civil action to collect the full amount outstanding of the penalty. This action shall be brought in the Superior Court for the County of Kennebec or the District Court, 7th District, Division of South Kennebec.

SUBCHAPTER III

REPORTS ON REFERENDUM CAMPAIGNS

§1031. Application

This subchapter applies to campaigns for the initiation, promotion or defeat of questions.

§1032. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Campaign. "Campaign" means a campaign for the initiation, promotion or defeat of a question, including:

A. The referendum procedure under the Constitution of Maine, Article IV, Part Third, Section 17;

B. The initiative procedure under the Constitution of Maine, Article IV, Part Third, Section 18;

C. An amendment to the Constitution of Maine under the Constitution of Maine, Article X, Section 4;

D. Legislation expressly conditioned upon ratification by a referendum vote under the Constitution of Maine, Article IV, Part Third, Section 19; and

E. The ratification of the issue of bonds by the State or any agency of the State.

2. Contribution. The term "contribution:"A. Includes:

(1) A gift, subscription, loan, advance or deposit of money or anything of value made for the purpose of influencing a campaign or referendum;

(2) A contract, promise or agreement, expressed or implied, whether or not legally enforceable, to make a contribution for such purposes;

(3) Funds received by a person for the purpose of influencing a campaign or referendum which are transferred to that person from another person, a political committee or other source; and

(4) The payment, by any person other than a person required to make a report under this chapter, of compensation for the personal services of other persons which are rendered to a campaign without charge for any such purpose; and

B. Does not include:

(1) The value of services provided without compensation by individuals who volunteer a portion or all of their time on behalf of a campaign;

(2) The use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by an individual in rendering voluntary personal services for campaign related activities, if the cumulative value of these activities by the individual on behalf of any campaign does not exceed \$50 with respect to any campaign;

(3) The sale of any food or beverage by a vendor for use in a campaign at a charge less than the normal comparable charge, if the charge for use in a campaign is at least equal to the cost of the food or beverages to the vendor and if the cumulative value of the food or beverages does not exceed \$50 with respect to any campaign; or

(4) Any unreimbursed travel expenses incurred and paid for by an individual who volunteers his personal services to a cam-

paign if the cumulative amount of these expenses does not exceed \$50 with respect to any campaign.

3. Expenditure. The term "expenditure:"

A. Includes:

(1) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value made for the purpose of influencing a campaign or referendum;

(2) A contract, promise or agreement, expressed or implied, whether or not legally enforceable, to make any expenditures; and

(3) The transfer of funds to another person for purposes of influencing a campaign or referendum; and

B. Does not include:

(1) Nonpartisan activity designed to encourage individuals to register to vote, or to vote;

(2) Any communication by any membership organization or corporation to its members or stockholders, if the membership organization or corporation is not organized primarily for the purpose of influencing a campaign or referendum;

(3) The use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by an individual in rendering voluntary personal services for campaign-related activities, if the cumulative value of these activities by the individual on behalf of any campaign does not exceed \$50 with respect to any campaign; or

(4) Any unreimbursed travel expenses incurred and paid for by an individual who volunteers his personal services to a campaign if the cumulative amount of these expenses does not exceed \$50 with respect to any campaign.

§1033. Committee

Any political committee which is formed with respect to a campaign must appoint a treasurer before accepting any contributions or making any expendi-

tures. Within 7 days after that appointment, the committee must inform the commission of the name and address of its treasurer, the name or title of the committee making the appointment and the treasurer's term of office. In addition to the registration of its treasurer, the committee shall submit the names and addresses of all of its officers to the commission.

§1034. Publication or distribution of statements

Whenever any person makes an expenditure to finance communications expressly advocating the initiation, promotion or defeat of a question through broadcasting stations, newspapers, magazines, outdoor advertising facilities, direct mails and other similar types of general public political advertising and through flyers, handbills, bumper stickers and other nonperiodical publications, the communication must clearly and conspicuously state the name and address of the person who made or financed the expenditure for the communication.

No person operating a broadcasting station within this State may broadcast any such communication without an oral or visual announcement of the name of the person who made or financed the expenditure for the communication.

§1035. Records

Any person who accepts contributions aggregating in excess of \$50 or makes expenditures in excess of \$50 with respect to any campaign shall keep records as provided in this section.

1. Segregated funds. All funds of a committee must be segregated from, and may not be commingled with, any personal funds of officers, members or associates of the committee.

2. Account of contributions. Every person who receives a contribution in excess of \$10 for a political committee shall give the treasurer a detailed account of the contribution on demand of the treasurer, and in any event within 5 days after receiving the contribution. This account must include the amount of the contribution, the name and address of the person making the contribution and the date on which the contribution was received.

3. Record keeping. It is the duty of a person or a treasurer to keep a detailed and exact account of:

A. All contributions made to or for a campaign or to or for a committee;

B. The name and address of every person making a contribution in excess of \$10, and the date and amount of the contribution. If a person's contributions in any campaign aggregate more than \$50, the account must also include the contributor's occupation and principal place of business, if any;

C. All expenditures made by or on behalf of the campaign or committee; and

D. The name and address of every person to whom any expenditure is made and the date and amount of the expenditure.

4. Receipts preservation. It is the duty of a person or treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure made by or on behalf of a campaign in excess of \$50, and for any such expenditure in a lesser amount if the aggregate amount of those expenditures to the same person in any campaign exceeds \$50. The person shall preserve all receipted bills and accounts required to be kept by this section for 2 years following the final report required to be filed for the campaign or referendum to which they pertain, unless otherwise ordered by the commission or a court.

§1036. Reports

1. Who must file. Any person who accepts contributions aggregating in excess of \$50 or makes expenditures in excess of \$50 with respect to any campaign shall file a report with the commission, as provided in this section. Any person who is required under this subsection to file a report shall file a report for each filing period in subsection 2, whether or not contributions or expenditures are in excess of \$50 in any one period.

2. Filing dates. Reports shall be filed with the commission according to the schedule in this section. A report must cover the 6 months immediately preceding the reporting date or the period since the completion date of a previous report on the same campaign.

A. In the case of the referendum procedure under the Constitution of Maine, Article IV, Part Third, Section 17, and of the initiative procedure under the Constitution of Maine, Article IV,

Part Third, Section 18, a report shall be filed with the commission not later than 5 p.m. on the 14th day after the final date provided in the Constitution of Maine for filing petitions under the appropriate procedure and must be complete as of that final date.

B. A report shall be filed with the commission not later than 5 p.m. on the 42nd day before the date of the referendum and must be complete as of the 49th day before the date of the referendum. This requirement applies to each campaign defined in section 1032.

C. A report shall be filed with the commission not later than 5 p.m. on the 7th day before the date of the referendum and must be complete as of the 11th day before the date of the referendum. This requirement applies to each campaign defined in section 1032.

D. Any contribution or expenditure of \$1,000 or more, made after the 11th day and more than 48 hours before any referendum, shall be reported within 48 hours of the contribution or expenditures. This requirement applies to each campaign defined in section 1032.

E. A report shall be filed not later than 5 p.m. on the 42nd day after the date on which a referendum is held and must be complete for the entire campaign as of the 35th day after that date. This requirement applies to each campaign defined in section 1032.

F. The disposition of any surplus or deficit in excess of \$50 shown in the reports described in paragraph E shall be reported to the commission on the first day of each quarter of this State's fiscal year, until the surplus is disposed of or the deficit is liquidated. The reports must set forth any contributions for the purpose of liquidating the deficit, in the same manner as contributions are set forth in other reports required in this section.

3. Content. A report required under this section must contain the itemized accounts of contributions received and the name, address, occupation and principal place of business, if any, of each person who has made a contribution aggregating in excess of \$50 for that campaign. It must contain the itemized expenditures made or authorized, the purpose of each expenditure and the name of each payee and creditor. Total contributions of less than \$500, except when

contributions in any campaign by one person aggregating in excess of \$50 are included, and total expenditures of less than \$500 need not be itemized.

4. Forms. Reports required by this subchapter must be on forms prescribed by the commission and prepared by the Secretary of State. Persons filing reports may use additional pages if necessary, but those pages must be the same size as the pages of the form. Although the commission mails the forms for required reports, failure to receive forms by mail does not excuse persons required to file reports from otherwise obtaining the forms.

§1037. Failure to file report on time

The commission shall determine whether a report received after the date required by this subchapter is late and, if determined to be late, the number of days of lateness.

1. Penalty. There is a penalty of \$10 for each business day that a report required to be filed under this subchapter is late.

2. Enforcement and collection. The commission, upon determining that a report is late, shall notify the Secretary of State of the lateness. The Secretary of State has the initial responsibility for collecting the full amount of any penalty within 30 days after receiving notice of a report's lateness from the commission. The Secretary of State shall have all necessary powers to carry out this responsibility.

Failure to pay the full amount of any penalty levied under the provisions of this section is a civil violation. Thirty days after receiving notice of the lateness of any report, the Secretary of State shall report to the Attorney General the name of any person who has failed to pay the full amount of any penalty. The Attorney General shall enforce the violation in a civil action to collect the full amount outstanding of the penalty. The action shall be brought in the Superior Court for the County of Kennebec or the District Court, 7th District, Division of Southern Kennebec.

SUBCHAPTER IV

REPORTS BY POLITICAL ACTION COMMITTEES

§1051. Application

This subchapter applies to the activities of political action committees organized in this State which expend in excess of \$50 in any one calendar year for the election of state or county officers, or for the support or defeat of any campaign, as defined in this subchapter.

§1052. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Campaign. "Campaign" means any course of activities for a specific purpose such as the initiation, promotion or defeat of a candidate or question, including:

A. The referendum procedure under the Constitution of Maine, Article IV, Part Third, Section 17;

B. The initiative procedure under the Constitution of Maine, Article IV, Part Third, Section 18;

C. An amendment to the Constitution of Maine under Article X, Section 4;

D. Legislation expressly conditioned upon ratification by a referendum vote under the Constitution of Maine, Article IV, Part Third, Section 19; and

E. The ratification of the issue of bonds by the State or any agency thereof.

2. Committee. "Committee" means any political action committee, as defined in this subchapter, and includes any agent of a political committee.

3. Contribution. "Contribution" includes:

A. A gift, subscription, loan, advance or deposit of money or anything of value made to a political action committee, except that a loan of money by a financial institution made in accordance with applicable banking laws and regulations and in the ordinary course of business is not included;

B. A contract, promise or agreement, expressed or implied whether or not legally enforceable, to make a contribution to a political action committee;

C. Any funds received by a political action committee which are to be transferred to any candidate, committee, campaign or organization for the purpose of promoting, defeating or initiating a candidate, referendum, political party or initiative in this State; or

D. The payment, by any person or organization, of compensation for the personal services of other persons provided to a political action committee which is used by the political action committee to promote, defeat or initiate a candidate, campaign political party, referendum or initiated petition in this State.

4. Expenditure. The term "expenditure:"

A. Includes:

(1) A purchase, payment, distribution, loan, advance, deposit or gift or money or anything of value, made for the purpose of influencing the nomination or election of any person to political office; or for the initiation, support or defeat of a campaign, referendum or initiative in this State;

(2) A contract, promise or agreement, expressed or implied, whether or not legally enforceable, to make any expenditure for the purposes set forth in this paragraph; and

(3) The transfer of funds by a political action committee to another candidate or political committee; and

B. Does not include:

(1) Any news story, commentary or editorial distributed through the facilities of any broadcasting station, newspaper, magazine or other periodical publication, unless these facilities are owned or controlled by any political party, political committee or candidate;

(2) Nonpartisan activity designed to encourage individuals to register to vote or to vote;

(3) Any communication by any membership organization or corporation to its members or stockholders, if that membership organization or corporation is not organized primar-

ily for the purpose of influencing the nomination or election of any person to state or county office;

(4) The use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by a political action committee in rendering voluntary personal services for candidate-related activities, if the cumulative value of these activities by the political action committee on behalf of any candidate does not exceed \$50 with respect to any election;

(5) Any unreimbursed travel expenses incurred and paid for by a political action committee which volunteers personal services to a candidate, if the cumulative amount of these expenses does not exceed \$50 with respect to any election; and

(6) Any communication by any political action committee member which is not made for the purpose of influencing the nomination for election, or election, of any person to state or county office.

5. Political action committee. The term "political action committee:"

A. Includes:

(1) Any separate or segregated fund established by any corporation, membership organization, cooperative or labor organization whose purpose is to influence the outcome of an election including a candidate or question; and

(2) Any person which serves as a funding and transfer mechanism and by which moneys are expended to advance, promote, defeat, influence in any way or initiate a candidate, campaign, political party, referendum or initiated petition in this State; and

B. Does not include:

(1) A candidate or a candidate's treasurer under section 1013, subsection 1;

(2) A candidate's authorized political committee under section 1013, subsection 2; or

(3) A party committee under section 1013, subsection 4.

§1053. Registration

Every political action committee which makes expenditures in excess of \$50 in any single calendar year to initiate, support, defeat or influence in any way a campaign, a referendum, initiated petition, candidate, political committee or another political action committee must register with the commission on forms prescribed by the commission. These forms must include the following information and any additional information reasonably required by the commission or the Secretary of State to monitor the activities of political action committees in this State under this subchapter.

1. Identification of committee. The names and mailing addresses of the committee, its treasurer and its principal officers;

2. Status. A statement whether the political action committee is a continuing one;

3. Depository of funds. The names and addresses of the depositories in which funds of the committee are kept and the account numbers of each depository account;

4. Form of organization. The form or structure of organization, including cooperatives, corporations, voluntary associations, partnerships or any other structure by which the committee functions. The date of origin or incorporation must also be specified;

5. Assets. The total assets of the committee available to influence elections in this State at the time of registration to be itemized and to include deposits in financial institutions, real property, personal property, investments, cash and any other form of wealth available to the committee;

6. Statement of support or opposition. A statement indicating the positions of the committee, support or opposition, with respect to a candidate, political committee, referendum, initiated petition or campaign, if known at the time of registration. If a committee has no position on a candidate, campaign or issue at the time of registration, the committee must inform the commission as soon as the committee knows this information; and

7. Contributions to committee. The names and mailing addresses of contributors who donate in excess of \$50 each year to the committee with amount or value of each contribution at the time of registration. Any person who makes contributions on an installment basis, the total of which exceeds \$50 in the calendar year, is considered a contributor to be identified under this subsection.

§1054. Appointment of treasurer

Any political action committee required to register under section 1053 must appoint a treasurer before making any expenditure, as defined in this chapter. The treasurer shall retain, for a minimum of 4 years, all receipts, including cancelled checks, of expenditures made in support of or in opposition to a campaign, political committee, political action committee, referendum or initiated petition in this State.

§1055. Publication or distribution of statements

Whenever any political action committee makes an expenditure to finance communications expressly advocating the initiation, promotion or defeat of a question or candidate through broadcasting stations, newspapers, magazines, outdoor advertising facilities, direct mails and other similar types of general public political advertising and through flyers, handbills, bumper stickers and other nonperiodical publications, these communications must clearly and conspicuously state the name and address of the political action committee which made or financed the expenditure for the communication.

No person operating a broadcasting station within this State may broadcast any such communication without an oral or visual announcement of the name and address of the political action committee which made or financed the expenditure for the communication and statement that reads: "A copy of our report is available from and may be viewed at the office of the Secretary of State."

§1056. Expenditure limitations

Any committee required to register under this chapter shall comply with the following expenditure limitations.

1. Aggregate expenditures. No committee may make expenditures in support of or opposition to the candidacy of one person or to a political committee

in an aggregate amount greater than \$5,000 in any election.

2. Prohibited expenditures. No committee may make any expenditure for liquor to be distributed to or consumed by voters while the polls are open on election day.

§1057. Records

Any political action committee that makes expenditures which aggregate in excess of \$50 to any one or more candidates, committees or campaigns in this State shall keep records as provided in this section. Records required to be kept under subsections 1, 2 and 3 shall be retained by the political action committee until 10 days after the next election following the election to which the records pertain.

1. Details of records. The treasurer of a political action committee must record a detailed account of:

A. All expenditures made to or in behalf of a candidate, campaign or committee;

B. The identity and address of each candidate, campaign or committee;

C. The office sought by a candidate and the district he seeks to represent, for candidates which a political action committee has made an expenditure to or in behalf of; and

D. The date of each expenditure.

2. Receipts. The treasurer of a political action committee must retain all receipts of expenditures made for a candidate, committee or campaign in this State. Receipts may be in the form of cancelled checks.

3. Record of contributions. The treasurer of a political action committee must keep a record of all contributions to the committee, by name and mailing address, of each donor and the amount and date of the contribution. This provision does not apply to contributions which do not exceed \$50 each for a general election, primary election and campaign.

§1058. Reports, qualifications for filing

Any political action committee that expends in excess of \$50 on any one or more campaigns for the office of Governor, for state or county office or for

the support or defeat of a referendum or initiated petition shall file a report on its activities in that campaign with the commission on forms as prescribed by the commission. Any political action committee required under this section to file a report shall file the report for each filing period under section 1059, whether or not the expenditures are in excess of \$50 in any one period.

§1059. Reports; filing requirements

Political action committees required under section 1053 to file reports shall do so in compliance with this section. All reports must be filed no later than 5 p.m. on the filing deadline.

1. Periodic reports. During the year in which an election is held, committees shall file reports as required by this subsection. The reports required in paragraphs A to C must contain: Itemized expenditures required by the commission to closely monitor the activities of political action committees; aggregate expenditures for the periods between the filing dates specified; and cumulative aggregated expenditures which must include all preceding reporting periods. The commission may accept computer printout sheets that contain the information required by this chapter.

A. Primary election reports shall be filed:

(1) On January 22nd and must be complete as of January 15th. This report must cover all previous expenditures made by the committee to influence, in any way, the outcome of a primary election;

(2) On April 8th and must be complete as of April 1st;

(3) On the 7th day before the date on which a primary election is held and must be complete as of the 11th day before that date; and

(4) On July 22nd and must be complete as of July 15th. This report must aggregate all expenditures made to influence, in any way, the outcome of a primary election.

B. General election reports shall be filed:

(1) On January 22nd and must be complete as of January 15th. This report must cover all previous expenditures made by the committee

to influence, in any way, the outcome of a general election;

(2) On April 8th and must be complete as of April 1st;

(3) On July 22nd and must be complete as of July 15th;

(4) On October 8th and must be complete as of October 1st;

(5) On the 7th day before the date on which a general election is held and must be complete as of the 11th day before that date; and

(6) On December 22nd and must be complete as of December 15th. This report must aggregate all expenditures made to influence, in any way, the outcome of a general election.

C. Reports of spending to influence referenda, initiative, bond issues or constitutional amendment elections shall be filed:

(1) On January 22nd and must be complete as of January 15th. This report must cover all previous expenditures made by the committee to influence, in any way, the outcome of a ballot issue campaign;

(2) On April 8th and must be complete as of April 1st;

(3) On July 22nd and must be complete as of July 15th;

(4) On October 8th and must be complete as of October 1st;

(5) On the 7th day before the date on which a ballot question election is held and must be complete as of the 11th day before that date; and

(6) On December 22nd and must be complete as of December 15th. This report must aggregate all expenditures made to influence, in any way, the outcome of a ballot question campaign.

2. Annual reports. If a political action committee makes expenditures in excess of \$50 to influ-

ence, in any way, the outcome of an election in a year other than the year in which that election is held, the committee shall file an annual report on forms prescribed by the commission. That report is due on January 22nd of the next calendar year and must be complete as of the close of the calendar year during which the expenditures were made.

3. Report of expenditures made after the 11th day and more than 48 hours before any election. Any expenditures of \$100 or more, made after the 11th day and more than 48 hours before any election, shall be reported within 48 hours of that expenditure.

4. Special election reports. If a special election is held, a political action committee which makes expenditures in excess of \$50 to influence, in any way, the outcome of that special election shall file reports on forms prescribed by the commission. Special election reports shall be filed:

A. On the 42nd day before the date on which the special election is held and must be complete as of the 49th day before that date. This report must cover all previous expenditures made by the committee to influence, in any way, the outcome of the special election;

B. On the 7th day before the date on which the special election is held and must be complete as of the 11th day before that date; and

C. On the 42nd day after the date on which the special election is held and must be complete as of the 35th day after that date. This report must aggregate all expenditures made to influence, in any way, the outcome of the special election.

§1060. Content of reports

The reports must contain the following information and any additional information required by the commission to monitor the activities of political action committees:

1. Identification of candidates. The names and mailing addresses of any candidate whom the committee supports, intends to support or seeks to defeat. The report must indicate the office that the candidate is seeking, the political party represented by the candidate, if any, the date of the contest and whether the contest is an election or a primary;

2. Identification of committees; parties. The names and mailing addresses of any political committee or political party supported in any way by the registrant;

3. Identification of referendum or initiated petition. The referendum or initiated petition which the committee supports or opposes and the names and mailing addresses of the organizations to which expenditures were made;

4. Itemized expenditures. An itemization of expenditures and the date of each expenditure made to support or oppose any candidate, campaign, political committee, political action committee, political party, referendum or initiated petition. The commission may specify the categories of expenditures which are to be reported to enable the commission to closely monitor the activities of political action committees;

5. Aggregate expenditures. An aggregation of expenditures and cumulative aggregation of expenditures to a candidate, campaign, political committee, political action committee, referendum or initiated petition; and

6. Identification of contributions. Names and mailing addresses of contributors who have given more than \$50 to the political committee after the committee has registered under section 1053, the amount contributed by each donor and the date of the contribution. The information already reported as required by section 1053, subsection 7, should not be duplicated.

§1061. Dissolution of committees

Whenever any political action committee disbands or determines that obligations will no longer be incurred and no expenditures will be made to any candidate, political committee or political party, or to initiate, support, defeat or influence in any way the outcome of a referendum, initiated petition, election or primary, and the committee has no outstanding obligations, it must file a termination report with the Secretary of State. If a termination report is not filed, the committee shall continue to file periodic reports as required in this chapter.

§1062. Failure to file report on time

The commission shall determine whether a report received after the date required by this subchapter

is late and, if determined to be late, the number of days of lateness.

1. Penalty. There is a penalty of \$50 for each business day that a report required to be filed under this subchapter is late.

2. Notice of lateness. A notice of lateness shall be sent to political action committees and treasurers registered with the commission whose reports are not received by 2 days after the filing deadline. That notice shall be sent on the 3rd day following the deadline.

3. Grace period. A late report filed within 10 days of any deadline, except a report required to be filed within 11 days before an election, is not subject to penalty. Reports filed after this grace period are subject to penalties from the original filing deadline.

4. Enforcement and collection. The commission, upon determining that a report is late, shall notify the Secretary of State of the lateness. The Secretary of State has the initial responsibility for collecting the full amount of any penalty within 30 days after receiving from the commission notice of a report's lateness. The Secretary of State shall have all necessary powers to carry out this responsibility.

Failure to pay the full amount of any penalty levied under this section is a civil violation. Thirty days after receiving notice of the lateness of any report, the Secretary of State shall report to the Attorney General the name of any political action committee which has failed to pay the full amount of any penalty. The Attorney General shall enforce this violation in a civil action to collect the full amount outstanding of the penalty. The action shall be brought in the Superior Court for the County of Kennebec or the District Court, 7th District, Division of Southern Kennebec.

CHAPTER 15

APPORTIONMENT

§1201. Apportionment of the Maine Senate, Maine House of Representatives and Maine congressional districts

1. Legislative findings. The Legislature finds that the State's population growth during the period

from completion of the 1970 federal census to completion of the 1980 federal census and population shifts within the State during the same time period have combined to render the present apportionment of the Maine Senate, the Maine House of Representatives and Maine's 2 congressional districts unconstitutional. The Legislature further finds that the apportionment of the Maine Senate, the Maine House of Representatives and Maine congressional districts contained in the final report of the Maine Apportionment Commission, presented to the Legislature pursuant to the provisions of this section, the Constitution of Maine, Article IV, Part 1, Sections 2 and 3 and Article IV, Part 2, Section 2, satisfies the constitution requirement of a fair and reasonable apportionment when viewed by the standards of population equality, contiguity of districts, compactness of districts and combination of communities of interest. The Legislature also finds that the delicate balancing of diverse political interests required in apportionment matters has been achieved by the Maine Apportionment Commission, and that substantial alteration of the plans proposed by the commission will detract, both now and in the future, from the important objective of apportioning the legislative and congressional districts by the politically balanced process of the Maine Apportionment Commission and by the Legislature itself.

2. Nonseverability and constitutionality. It is the intent of the Legislature that the apportionment of the Maine Senate, the Maine House of Representatives and Maine congressional districts, as proposed by the Maine Apportionment Commission, shall become law as an entirety substantially as proposed by the commission. In the event that the apportionment of one or more of the bodies apportioned in this section shall be rendered invalid or unlawful by a court of law, it is the intent of the Legislature that the apportionment of all of the bodies apportioned in this section shall become invalid, null and void. In the event that this Act or any portion thereof is found by any court to be unconstitutional, it is the intent of the Legislature to remedy any unconstitutional provision itself.

3. Implementation. The Secretary of State shall implement the election districts adopted in this section pursuant to this Title and the Constitution of Maine. Implementation shall include informing municipal clerks of the voting district or districts in which each municipality lies and providing copies of both maps and narrative descriptions of relevant election districts to those officials. The Secretary of State may resolve ambiguities concerning the loca-

tion of election district lines consistent with the intent of these provisions.

4. Interpretation. Where a road, street or waterway is used as a boundary of an election district, the boundary line shall lie at the center of the street or road and at the thread of the waterway, unless otherwise noted. Where a description refers to a bridge or railroad line, the district boundary lies at the center of the bridge or railroad tracks. Where a description refers to a railroad spur, it refers to the principal spur in the area. Where a description uses the word "ocean," the district boundary line lies coincident with the legal boundary of the particular community along or within the Atlantic Ocean. Where an election district includes a particular unorganized territory, it shall include that unorganized territory described in the United States Census for 1980, whether the territory is organized or unorganized at the effective date of these provisions. Unless otherwise noted, mention of a municipality includes all of the municipality.

5. House of Representatives district. The House of Representatives shall consist of 151 Representatives, with one Representative elected from each of the following districts:

District Number 1, in the County of York, consisting of that portion of the Town of Kittery enclosed by a line described as follows: Beginning at the Eliot-Kittery boundary and its intersection with Dennett Road; thence east on the Dennett Road to Eliot Road; thence east on the Eliot Road to its intersection with the Route 1 bypass, Blue Star Memorial Highway; thence southwest along the Route 1 bypass to the Maine-New Hampshire border; thence south along the Maine-New Hampshire border to a point due south of Spruce Creek; thence north along Spruce Creek to Crockett's Brook; thence east along Crockett's Brook to the extension of Bartlett Road in a southwest direction, the line to correspond to the boundary of Enumeration District 413, 1980 Census, State of Maine; thence northeast along the extension of Bartlett Road; thence north on Bartlett Road to Charles Hill Road; thence east on Charles Hill Road .08 miles to an unnamed creek; thence south and east along the unnamed creek, the line to correspond to the eastern boundary of Enumeration District 406 and the northern boundary of Enumeration District 405, 1980 Census, State of Maine to Route 103; thence north on Route 103 to the York-Kittery boundary;

thence northwest to the Kittery-Eliot boundary;
thence south along the Kittery-Eliot boundary to
the starting point.

District Number 2, in the County of York, con-
sisting of that portion of the Town of Kittery
east and south of a line described as follows:
Beginning at the Maine-New Hampshire border at a
point due south of Spruce Creek; thence north on
a direct line to Spruce Creek; thence north along
Spruce Creek to Crockett's Brook; thence east
along Crockett's Brook to the extension of
Bartlett Road in a southwest direction, the line
to correspond to the boundary of Enumeration Dis-
trict 413, 1980 Census, State of Maine; thence
northeast along the extension of Bartlett Road;
thence north on Bartlett Road to Charles Hill
Road; thence east on Charles Hill Road .08 miles
to unnamed creek; thence south and east along the
unnamed creek, the line to correspond to the
eastern boundary of Enumeration District 406 and
the northern boundary of Enumeration District
405, 1980 Census, State of Maine to Route 103;
thence north on Route 103 to the York-Kittery
boundary to include Gerrish Island and Cutts Is-
land; and that portion of the Town of York de-
scribed as follows: Being that portion of the
Town of York to the east of the Maine Turnpike.

District Number 3, in the County of York, con-
sisting of the municipality of Eliot and that
portion of the municipality of York described as
follows: Being that portion of the municipality
of York west of the Maine Turnpike; and that por-
tion of the Town of Kittery south of a line de-
scribed as follows: Beginning at the
Eliot-Kittery boundary and its intersection with
the Dennett Road; thence east on Dennett Road to
Eliot Road; thence east on the Eliot Road to its
intersection with the Route 1 bypass, Blue Star
Memorial Highway; thence south on Route 1 to the
Maine-New Hampshire border.

District Number 4, in the County of York, con-
sisting of the municipalities of North Berwick,
South Berwick and that portion of the Town of
Wells enclosed by a line described as follows:
Beginning at the York-Wells boundary and its in-
tersection with the Ogunquit River; thence east
along the Ogunquit River to the Maine Turnpike;
thence north on the Maine Turnpike to Route 9-B;
thence west on Route 9-B to Route 9; thence west
on Route 9 to the North Berwick-Wells boundary;
thence southeast on the North Berwick-Wells

boundary, South Berwick-Wells boundary and York-Wells boundary to the beginning point.

District Number 5, in the County of York, consisting of the municipalities of Berwick and Lebanon.

District Number 6, in the County of York, consisting of the municipality of Ogunquit and that portion of the Town of Wells enclosed by a line described as follows: Beginning at the coast of the Atlantic Ocean and its intersection with the Wells-Kennebunk boundary; thence west along the Wells-Kennebunk boundary to Route 9-A; thence south along Route 9-A to Route 109; thence west on Route 109 to the Wells-Sanford boundary; thence south along the Wells-Sanford line to the Wells-North Berwick line; thence east along the Wells-North Berwick line to Route 9; thence east along Route 9 to Route 9-B; thence east along Route 9-B to the Maine Turnpike; thence south along the Maine Turnpike to the Wells-Ogunquit boundary; thence east along the Wells-Ogunquit boundary to the Atlantic Ocean; thence north along the coast of the Atlantic Ocean to the starting point.

District Number 7, in the County of York, consisting of the municipality of Kennebunk and that portion of the Town of Wells enclosed by a line described as follows: Beginning at the Wells-Kennebunk boundary and its intersection with Route 9-A; thence south on Route 9-A to Route 109; thence west on Route 109 to the Wells-Sanford boundary; thence north on the Wells-Sanford boundary to the Wells-Kennebunk boundary; thence east on the Wells-Kennebunk boundary to the starting point.

District Number 8, in the County of York, consisting of the municipalities of Arundel, Kennebunkport and Lyman.

District Number 9, in the County of York, consisting of the municipalities of Acton, Alfred and Shapleigh, and the portion of the Town of Sanford west of a line described as follows: Beginning at the Sanford-Lebanon boundary at its intersection with Route 11; thence northeast on Route 11 to Route 11-A; thence north on Route 11-A, which becomes Oak Street; thence north on Oak Street to Bridge Street; thence north on Bridge Street to Pleasant Street; thence east and south on Pleasant Street to Shaws Ridge Road; thence southeast on Shaws Ridge Road to its in-

tersection with a transmission line approximately .22 miles southeast of the intersection of River Street and Shaws Ridge Road; thence northeast along the transmission line on a direct line, across Ridley Road, to the Alfred-Sanford boundary, the line to correspond to the boundary of Enumeration District 764, 1980 Census, State of Maine.

District Number 10, in the County of York, consisting of that portion of the Town of Sanford enclosed by a line described as follows: Beginning at the intersection of Winter and Main Streets; thence south on Main Street to its intersection with the southernmost entrance of Gerrish Drive; thence north from the intersection on a direct line to the Mousam River; thence west on the Mousam River to School Street; thence east on School Street to Rushton Street; thence north on Rushton Street to High Street; thence on a line due northeast from the intersection of Rushton and High Streets .25 miles to an electrical transmission line; thence north and west along the transmission line, crossing Grammar Street and Cottage Street, to Shaw Road; thence north on Shaw Road to Shaws Ridge Road; thence northwest on Shaws Ridge Road to Pleasant Street; thence northwest on Pleasant Street to Bridge Street; thence southwest on Bridge Street to Oak Street; thence southwest on Oak Street to the intersection of Oak and Whipple Streets; thence south and east from Oak Street to Main Street, on a line which passes through a point south of the intersection of Howard and Roles Street, the line to correspond to the line between Enumeration Districts 765 and 769, 1980 Census, State of Maine; thence south on Main Street to the starting point.

District Number 11, in the County of York, consisting of that portion of the Town of Sanford enclosed by a line described as follows: Beginning at the Sanford-Lebanon boundary at its intersection with Route 11; thence northeast on Route 11 to Route 11-A; thence north on Route 11-A, which becomes Oak Street; thence north on Oak Street to the intersection of Oak and Whipple Streets; thence south and east from Oak Street to Main Street, on a line which passes through a point south of the intersection of Howard and Roles Streets, the line to correspond to the line between Enumeration Districts 765 and 769, 1980 Census, State of Maine; thence south on Main Street to its intersection with the southernmost

entrance of Gerrish Drive; thence north from the intersection on a direct line to the Mousam River; thence west on the Mousam River to School Street; thence east on School Street to Rushton Street; thence north on Rushton Street to High Street; thence on a line due northeast from the intersection of Rushton and High Streets .25 miles to an electrical transmission line; thence north and west along the transmission line, crossing Grammar Street and Cottage Street to Shaw Road; thence north on Shaw Road to Shaws Ridge Road; thence northwest on Shaws Ridge Road to its intersection with an electrical transmission line approximately .22 miles southeast of the intersection of River Street and Shaws Ridge Road; thence northeast along the transmission line, on a direct line, across Ridley Road to the Alfred-Sanford boundary, the line to correspond to the boundary of Enumeration District 764, 1980 Census, State of Maine; thence east along the Sanford-Alfred boundary to the Sanford-Kennebunk boundary; thence south along the Sanford-Kennebunk boundary to the Sanford-Wells boundary; thence south along the Sanford-Wells boundary to the Sanford-North Berwick boundary; thence west along the Sanford-North Berwick boundary to the Sanford-Lebanon boundary; thence west along the boundary to the starting point.

District Number 12, in the County of York, consisting of that portion of the City of Biddeford east of a line described as follows: Beginning at the Arundel-Biddeford boundary and its intersection with a line drawn due south from Granite Street Extension; thence north along the line to Granite Street; thence north along Granite Street to Hill Street; thence north along Hill Street to Main Street; thence north along Main Street to the Biddeford-Saco boundary.

District Number 13, in the County of York, consisting of that portion of the City of Biddeford enclosed by a line described as follows: Beginning at the Arundel-Biddeford boundary and its intersection with a line drawn due south from Granite Street Extension; thence north along the line to Granite Street; thence north along Granite Street to Hill Street; thence north along Hill Street to Main Street; thence west on Main Street to South Street; thence south on South Street to Crescent Street; thence south on Crescent Street to Elm Street; thence south on Elm Street to the Alfred Road; thence west on Alfred Road to the Boston and Maine Railroad; thence

south on the Boston and Maine Railroad to the Biddeford-Arundel boundary; thence east along the Biddeford-Arundel boundary to the starting point.

District Number 14, in the County of York, consisting of the municipality of Dayton and that portion of the City of Biddeford west of a line described as follows: Beginning at the Biddeford-Saco boundary and its intersection with Main Street; thence west on Main Street to South Street; thence south on South Street to Crescent Street; thence south on Crescent Street to Elm Street; thence south on Elm Street to the Alfred Road; thence west on the Alfred Road to the Boston and Maine Railroad; thence south on the Boston and Maine Railroad on the Biddeford-Arundel boundary; and that portion of the Town of Hollis southeast of a line described as follows: Beginning at the northernmost intersection of the Hollis-Buxton boundary and the Saco River; thence south along the Saco River to the Route 112 bridge between Hollis and West Buxton; thence west on Route 112 to Route 35; thence south on Route 35 to Tylers Corners; thence west on the Saco Road to the Haley Road; thence southwest on the Haley Road to the intersection of Route 117; thence west on the Pleasant Hill Road from its intersection with Route 117 to its intersection with the Waterboro-Hollis boundary.

District Number 15, in the County of York, consisting of the municipalities of Cornish, Limerick, Limington and Waterboro.

District Number 16, in the County of York, consisting of the municipality of Buxton and that portion of the Town of Hollis northwest of a line described as follows: Beginning at the northernmost intersection of the Hollis-Buxton boundary and the Saco River; thence south along the Saco River, town line, to the Route 112 bridge between Hollis and West Buxton; thence west on Route 112 to Route 35; thence south on Route 35 to Tylers Corners; thence west on the Saco Road to the Haley Road; thence southwest on the Haley Road to the intersection of Route 117; from the intersection of Route 117 thence west on the Pleasant Hill Road to its intersection with the Waterboro-Hollis boundary.

District Number 17, in the County of York, consisting of the municipality of Old Orchard Beach and that portion of the City of Saco east and

north of a line described as follows: Beginning at the intersection of Goosefare Brook and Old Orchard Road at the Saco-Old Orchard Beach boundary; thence south on Old Orchard Road to the intersection with Ferry Road; thence east on Ferry Road to the intersection with Ferry Lane; thence south on Ferry Lane to the Saco River.

District Number 18, in the County of York, consisting of that portion of the City of Saco enclosed by a line described as follows: Beginning at the intersection of Jenkins Road and the Buxton Road, thence north on the Jenkins Road to the Flagpond Road; thence west on Flagpond Road to Hearn Road; thence north on Hearn Road to the Scarborough-Saco boundary; thence east along the Scarborough-Saco boundary to the Saco-Old Orchard Beach boundary; thence south along the Saco-Old Orchard Beach boundary to Old Orchard Road; thence south on Old Orchard Road to Ferry Road; thence east on Ferry Road to Ferry Lane; thence south on Ferry Lane to the Saco River; thence west along the Saco River to the Boston and Maine Railroad track; thence north on the Boston and Maine Railroad track to its intersection with Lincoln Street; thence east on Lincoln Street to Cote Street; thence north on Cote Street to Bradley Street; thence west along Bradley Street to the Boston and Maine Railroad; thence north along the Boston and Maine Railroad to North Street; thence west on North Street to Jenkins Road.

District Number 19, consisting of that portion of the City of Saco, in the County of York, west of the following line: Beginning at the intersection of the Boston and Maine Railroad and the Saco River at the Saco-Biddeford boundary; thence north on the Boston and Maine Railroad track to its intersection with Lincoln Street; thence east on Lincoln Street to the intersection with Cote Street; thence north on Cote Street to its intersection with Bradley Street; thence west on Bradley Street to the intersection of the Boston and Maine Railroad; thence north on the Boston and Maine Railroad to North Street; thence west on North Street to Jenkins Road; thence north on the Jenkins Road to the Flagpond Road; thence west on the Flagpond Road to Hearn Road; thence north on Hearn Road to the Scarborough-Saco boundary; and that portion of the Town of Scarborough, in the County of Cumberland, west of a line described as follows: Beginning at the Scarborough-Saco boundary at its intersection with the Maine Turnpike; thence north on the Maine Turnpike to the

intersection of Two Rod Road; thence east on Two Rod Road to the intersection of Scottow Hill Road; thence east on Scottow Hill Road to its intersection with U.S. Route 1; thence north on U.S. Route 1 to the Scarborough-South Portland boundary.

District Number 20, in the County of Cumberland, consisting of that portion of the municipality of Scarborough east of a line described as follows: Beginning at the Scarborough-Saco boundary and its intersection with the Maine Turnpike; thence north on the Maine Turnpike to the intersection of Two Rod Road; thence east on Two Rod Road to the intersection of Scottow Hill Road; thence east on Scottow Hill Road to its intersection with U.S. Route 1; thence north on U.S. Route 1 to the Scarborough-South Portland boundary.

District Number 21, in the County of Cumberland consisting of the municipality of Cape Elizabeth.

District Number 22, in the County of Cumberland, consisting of that portion of the City of South Portland to the east of a line described as follows: Beginning at the Fore River and its intersection with a line run due north from Pine Street; thence proceeding on a line due south to Pine Street; thence south on Pine Street to Pleasant Street; thence east on Pleasant Street to Sawyer Street; thence south on Sawyer Street to Cottage Road; thence west on Cottage Road to Hillside Avenue; thence southwest on Hillside Avenue to Pitt Street; thence west on Pitt Street to Providence Avenue; thence south on Providence Avenue to Mount Vernon Street, Lawrence Lano Street; thence west on Mount Vernon Street, across Trout Brook, so-called, to the continuation of Mount Vernon Street; thence due west to Ocean Street; thence north on Ocean Street to Highland Avenue; thence southwest on Highland Avenue to Stillman Street; thence south on Stillman Street to the South Portland-Cape Elizabeth boundary.

District Number 23, in the County of Cumberland consisting of that portion of the City of South Portland enclosed by a line described as follows: Beginning at the South Portland-Scarborough boundary and its intersection with Main Street; thence north on Main Street, U.S. Route 1, to Broadway; thence east on Broadway to Elm Street; thence north on Elm Street on a direct line to the Fore River; thence east along the Fore River to a point due north of Pine Street's

northernmost end; thence south on a line due south to Pine Street; thence south on Pine Street to Pleasant Street; thence east on Pleasant Street to Sawyer Street; thence south on Sawyer Street to Cottage Road; thence west on Cottage Road to Hillside Avenue; thence southwest on Hillside Avenue to Pitt Street; thence west on Pitt Street to Providence Avenue; thence south on Providence Avenue to Mount Vernon Street, Lawrence Lano Street; thence west on Mount Vernon Street, across Trout Brook, so-called, to the continuation of Mount Vernon Street; thence due west to Ocean Street; thence north on Ocean Street to Highland Avenue; thence southwest on Highland Avenue to Stillman Street; thence south on Stillman Street to the South Portland-Cape Elizabeth boundary; thence west along the South Portland-Cape Elizabeth boundary to the South Portland-Scarborough boundary; thence west along the South Portland-Scarborough boundary to the starting point.

District Number 24, in the County of Cumberland, consisting of that portion of the City of South Portland north and west of a line described as follows: Beginning at the South Portland - Scarborough boundary at its intersection with Main Street; thence north on Main Street, U.S. Route 1, to Broadway; thence east on Broadway to Elm Street; thence north on Elm Street on a direct line to the Fore River.

District Number 25, in the County of Cumberland, consisting of that portion of Portland described as follows: All islands within the City of Portland; in addition, an area north and east of a line described as follows: Beginning at Tukey's Bridge; thence south along Route 295 to Washington Avenue; thence south on Washington Avenue to Anderson Street; thence south and east on Anderson Street to Cumberland Avenue; thence southwest on Cumberland Avenue to Smith Street; thence east on Smith Street to Congress Street; thence north on Congress Street to Mountfort Street; thence north and east on Mountfort Street to Fore Street; thence north on Fore Street to Atlantic Street; thence southeast on a line from Atlantic Street to Casco Bay.

District Number 26, in the County of Cumberland consisting of that portion of the City of Portland enclosed by a line described as follows: Beginning at Casco Bay and its intersection with a line drawn southeast from Atlantic Street;

thence northwest on a line to Atlantic Street; thence south on Fore Street to Mountfort Street; thence north and west on Mountfort Street to Congress Street; thence south on Congress Street to Smith Street; thence west on Smith Street to Cumberland Avenue; thence south on Cumberland Avenue to Oak Street; thence southeast on Oak Street to Congress Street; thence south on Congress Street to State Street; thence east on State Street to Pine Street; thence south on Pine Street to Brackett Street; thence west on Brackett Street to Carleton Street; thence south on Carleton Street to Pine Street; thence east on Pine Street to Thomas Street; thence south on Thomas Street to Spring Street; thence east on Spring Street to Emery Street; thence south on Emery Street and along the line of its extension to the Maine Central Railroad tracks; thence west on the Maine Central Railroad tracks to Danforth Street; thence south on Danforth Street to the Fore River; thence east along the Fore River to the starting point.

District Number 27, in the County of Cumberland consisting of that portion of the City of Portland enclosed by a line described as follows: Beginning at Tukey's Bridge; thence south on Route 295 to Washington Avenue; thence south on Washington Avenue to Anderson Street; thence south and east on Anderson Street to Cumberland Avenue; thence south on Cumberland Avenue to Oak Street; thence east on Oak Street to Congress Street; thence south on Congress Street to State Street; thence east on State Street to Pine Street; thence west on Pine Street to Brackett Street; thence west on Brackett Street to Charles Street; thence northwest on Charles Street to Crescent Street; thence east on Crescent Street to Ellsworth Street; thence northeast on Ellsworth Street to Congress Street; thence west on Congress Street to Gilman Street; thence north on Gilman Street to Park Avenue; thence west on Park Avenue to St. John Street; thence north on St. John Street to Granite Street; thence east on Granite Street to Deering Avenue; thence north on Deering Avenue to Bedford Street; thence east on Bedford Street which becomes Baxter Boulevard; thence east on Baxter Boulevard to the intersection of Preble Street; thence across Preble Street on a straight line to Back Cove; thence east along the shore of Back Cove to Tukey's Bridge.

District Number 28, in the County of Cumberland consisting of that portion of the City of Port-

land enclosed by a line described as follows: Beginning at the Fore River at its intersection with Danforth Street; thence north on Danforth Street to the Maine Central Railroad track; thence east on the Maine Central Railroad tracks to its intersection with a line representing the southerly extension of Emery Street; thence north along the southerly extension of Emery Street to Emery Street; thence north on Emery Street to Spring Street; thence west on Spring Street to Thomas Street; thence north on Thomas Street to Pine Street; thence west on Pine Street to Carleton Street; thence north on Carleton Street to Brackett Street; thence west on Brackett Street to Charles Street; thence northwest on Charles Street to Crescent Street; thence east on Crescent Street to Ellsworth Street; thence northeast on Ellsworth Street to Congress Street; thence west on Congress Street to Gilman Street; thence north on Gilman Street to Park Avenue; thence west on Park Avenue to St. John's Street and the Maine Central Railroad bridge; thence south on Maine Central Railroad to the intersection of the Boston and Maine Railroad; thence north on the Boston and Maine Railroad to Brighton Avenue; thence west on Brighton Avenue to Whitney Avenue; thence south on Whitney Avenue to Congress Street; thence west on Congress Street to Stevens Avenue; thence north on Stevens Avenue to Capisic Street; thence west on Capisic Street to Bancroft Street; thence north on Bancroft Street to Brighton Avenue; thence west on Brighton Avenue to Dorset Street; thence north on Dorset Street to Riggs Street; thence west on Riggs Street to Warwick Street; thence north on Warwick Street to Sunset Lane; thence northwest on Sunset Lane to Pinecrest Road; thence north on Pinecrest Road to Birchwood Road; thence west on Birchwood Road, excluding both sides of Birchwood Road to Holm Avenue; thence south along Holm Avenue to Robin Street; thence east along Robin Street to Taft Avenue; thence south on Taft Avenue to Godfrey Street; thence east on Godfrey Street to Purchase Street; thence south on Purchase Street to Popham Street; thence west on Popham Street to Cabot Street; thence south on Cabot Street to Brighton Avenue; thence west on Brighton Avenue to the Portland-Westbrook boundary; thence south on the Portland-Westbrook boundary to the Portland-South Portland boundary, the Fore River; thence east on the Fore River to Danforth Street.

District Number 29, in the County of Cumberland, consisting of that portion of the City of Port-

land enclosed by a line described as follows: Beginning at the intersection of the Boston and Maine and Maine Central Railroads; thence north-east along the Maine Central Railroad to St. John Street; thence north along St. John Street to Granite Street; thence east along Granite Street to Deering Avenue; thence north on Deering Avenue to Bedford Street; thence east on Bedford Street which becomes Baxter Boulevard; thence east on Baxter Boulevard to the intersection of Preble Street; thence across Preble Street on a straight line to Back Cove; thence north along the shore of Back Cove to a line drawn due south from the westernmost street entrance to Edward Payson Park from Baxter Boulevard; thence northeast along the northernmost road transversing the park to Ocean Avenue; thence northeast along Ocean Avenue to Murray Street; thence northwest along Murray Street to Fall Brook; thence north along Fall Brook to Fallbrook Street; thence north and west along Fallbrook Street to Washington Avenue; thence northwest along Washington Avenue to Canco Road; thence south along Canco Road to Walton Street; thence west on Walton Street to Stevens Avenue; thence south on Stevens Avenue to Hartley Street; thence east on Hartley Street to James Street; thence south on James Street to Pleasant Avenue; thence east on Pleasant Avenue to Glenwood Avenue; thence south on Glenwood Avenue to Concord Street; thence east on Concord Street to Berkeley Street; thence south on Berkeley Street to Woodford Street; thence east on Woodford Street to Highland Street; thence south on Highland Street to Brighton Avenue; thence east on Brighton Avenue to the Boston and Maine Railroad; thence south on the Boston and Maine Railroad to the intersection with the Maine Central Railroad.

District Number 30, in the County of Cumberland, consisting of that portion of the City of Portland enclosed by a line described as follows: Beginning at the intersection of Brighton Avenue and Whitney Avenue; thence south on Whitney Avenue to Congress Street; thence west on Congress Street to Stevens Avenue; thence north on Stevens Avenue to Capisic Street; thence west on Capisic Street to Bancroft Street; thence north on Bancroft Street to Brighton Avenue; thence west on Brighton Avenue to Dorset Street; thence north on Dorset Street to Riggs Street; thence west on Riggs Street to Warwick Street; thence north on Warwick Street to Sunset Lane; thence northwest on Sunset Lane to Pinecrest Road; thence north on

Pinecrest Road to its nearest point to the Boston and Maine Railroad, a line following the boundary line between 153 and 159 Pinecrest; thence on a straight line to the Boston and Maine Railroad; thence east on the Boston and Maine Railroad to its intersection with Forest Avenue; thence south on Forest Avenue to Stevens Avenue; thence south along Stevens Avenue to Hartley Street; thence east along Hartley Street to James Street; thence south along James Street to Pleasant Avenue; thence east on Pleasant Avenue to Glenwood Avenue; thence south along Glenwood Avenue to Concord Street; thence east along Concord Street to Berkeley Street; thence south along Berkeley Street to Woodford Street; thence east along Woodford Street to Highland Street; thence south along Highland Street to Brighton Avenue; thence east on Brighton Avenue to its intersection with Whitney Avenue.

District Number 31, in the County of Cumberland consisting of that portion of the City of Portland north and east of a line described as follows: Beginning at a line drawn due south to Back Cove from the westernmost street entrance to Edward Payson Park from Baxter Boulevard; thence northeast along the northernmost road transversing the park to Ocean Avenue; thence northeast along Ocean Avenue to Murray Street; thence northwest along Murray Street to Fall Brook; thence north along Fall Brook to Fallbrook Street; thence north and west along Fallbrook Street to Washington Avenue; thence northwest along Washington Avenue to Canco Road; thence south along Canco Road to Walton Street; thence west along Walton Street to Stevens Avenue; thence north along Stevens Avenue to Forest Avenue; thence north along Forest Avenue to Allen Avenue; thence north along Allen Avenue to the Portland-Falmouth boundary.

District Number 32, in the County of Cumberland, consisting of that portion of Portland enclosed by a line described as follows: Beginning at the intersection of the Boston and Maine Railroad and Forest Avenue; thence north along Forest Avenue to Allen Avenue; thence north along Allen Avenue to Summit Street; thence northwest along Summit Street to Jackson Street; thence west along Jackson Street to Auburn Street; thence north along Auburn Street to Hillside Road; thence east along Hillside Road to Summit Street; thence northwest along Summit Street to Abbey Lane; thence north on Abbey Lane to Crestview Drive; thence north on Crestview Drive to Bonny Street; thence north on

Bonny Street to Carter Street; thence north on Carter Street to Panoramic View; thence northwest on Panoramic View to Longview Drive; thence southwest on Longview Drive to Auburn Street; thence north on Auburn Street to the Portland-Falmouth boundary; thence west along the Portland-Falmouth boundary to the Presumpscot River, Portland-Westbrook boundary; thence south along the Portland-Westbrook boundary to the Boston and Maine Railroad; thence east along the Boston and Maine Railroad to its nearest point to the intersection of Holm Avenue and Birchwood Road; thence east along Birchwood Road, including both sides of Birchwood Road, to Pinecrest Road; thence north along Pinecrest Road to its nearest point to the Boston and Maine Railroad, a line following the boundary line between 153 and 159 Pinecrest; thence on a straight line to the Boston and Maine Railroad; thence east along the Boston and Maine Railroad to its intersection with Stevens Avenue.

District Number 33, in the County of Cumberland, consisting of that portion of the City of Westbrook to the south and east of a line described as follows: Beginning at the Scarborough-Westbrook boundary and its intersection with Saco Street; thence north on Saco Street to Bernadette Street; thence west on Bernadette Street to Alphonse Avenue; thence north on Alphonse Avenue to Huntress Avenue; thence north on Huntress Avenue to Arlington Avenue; thence west and north on Arlington Avenue to Longfellow Street; thence east on Longfellow Street to the westernmost unnamed road which connects Longfellow Street and the New Gorham Road; thence north on the unnamed road to the New Gorham Road; thence east on the New Gorham Road to the point where it becomes Main Street; thence east on Main Street to Saco Street; thence south on Saco Street to West Valentine Street; thence east on West Valentine Street to West Pleasant Street; thence north on West Pleasant Street to Quimby Avenue; thence east on Quimby Avenue to the point where it becomes Cross Street; thence east on Cross Street to Brackett Street; thence north on Brackett Street to Wayside Drive; thence east on Wayside Drive to Stroudwater Street; thence north on Stroudwater Street to Main Street; thence west on Main Street to Foster Street; thence on Foster Street to the Presumpscot River; thence north and east along the Presumpscot River to that point where the municipalities of Portland-

Falmouth-Westbrook come together; and that portion of the City of Portland enclosed by a line described as follows: Beginning at the Westbrook-Portland boundary and its intersection with the Boston and Maine Railroad; thence east on the Boston and Maine Railroad to the point nearest the intersection of Holm Avenue and Birchwood Drive; thence south on Holm Avenue to Robin Street; thence east on Robin Street to Taft Avenue; thence south on Taft Avenue to Godfrey Street; thence east on Godfrey Street to Purchase Street; thence west and south on Purchase Street to Popham Street; thence west on Popham Street to Cabot Street; thence south on Cabot Street to Brighton Avenue; thence west on Brighton Avenue to the Portland-Westbrook boundary.

District Number 34, in the County of Cumberland, consisting of that portion of the City of Westbrook north of a line described as follows: Beginning at the Presumpscot River at a point where the municipalities of Westbrook-Windham-Gorham meet; thence southeast along the Presumpscot River to the bridge connecting Main Street and Bridge Street; thence south across the bridge to Main Street; thence west on Main Street to Saco Street; thence south on Saco Street to West Valentine Street; thence east on West Valentine Street to West Pleasant Street; thence north on West Pleasant Street to Quimby Avenue to the point where it becomes Cross Street; thence east on Cross Street to Brackett Street; thence north on Brackett Street to Wayside Drive; thence east on Wayside Drive to Stroudwater Street; thence north on Stroudwater Street to Main Street; thence west on Main Street to Foster Street; thence north on Foster Street to the Presumpscot River; thence north and west along the Presumpscot River to that point where the municipalities of Portland-Falmouth-Westbrook come together.

District Number 35, in the County of Cumberland, consisting of portions of the municipalities of Gorham, Windham and Westbrook, described in this district: Being that portion of the Town of Gorham south and east of a line described as follows: Beginning at the Buxton-Gorham town line at its intersection with Route 202/4; thence northeast on Route 202/4 to the Gorham High School access road; thence east on the access road to School Drive; thence south on School Drive to Morrill Avenue; thence east on Morrill Avenue to South Street; thence south on South Street to

Robie Avenue; thence east on Robie Avenue to Robie Street; thence north on Robie Street to Railroad Avenue; thence east on Railroad Avenue to Mechanic Street; thence north on Mechanic Street to the New Portland Road; thence east on the New Portland Road to Libby Avenue; thence north on Libby Avenue to State Highway 25; thence east on State Highway 25 to the Mosher Road; thence north on the Mosher Road to the Little River; thence east and north to the Presumpscot River; and also containing that portion of the City of Westbrook enclosed by a line described as follows: Beginning at the Scarborough-Westbrook boundary at its intersection with Saco Street; thence north on Saco Street to Bernadette Street; thence west on Bernadette Street to Alphonse Avenue; thence north on Alphonse Avenue to Huntress Avenue; thence north on Huntress Avenue to Arlington Avenue; thence west and north on Arlington Avenue to Longfellow Street; thence east on Longfellow Street to an unnamed road which connects Longfellow Street and the New Gorham Road at a point between Canal and Fairlawn Streets; thence north on the unnamed road to the New Gorham Road; thence east on the New Gorham Road to the point where it becomes Main Street; thence east on Main Street to the bridge connecting Main Street and Bridge Street; thence north on the bridge to the Presumpscot River; thence northwest along the Presumpscot River to the Gorham-Westbrook boundary; thence south on the Gorham-Westbrook boundary to the Gorham-Scarborough-Westbrook boundary; thence east on the Scarborough-Westbrook boundary to the beginning point; and that portion of Windham to the south and east of a line described as follows: Beginning at the Windham-Falmouth boundary at its intersection with Falmouth Road; thence northwest on Falmouth Road to Albion Road; thence southwest along Albion Road to Pope Road; thence southeast on Pope Road to Chute Street; thence south on Chute Street to Webb Road; thence northwest on Webb Road to Black Brook; thence south on Black Brook to River Road; thence northwest along River Road to Route 202; thence north along Route 202 to Wood Road; thence southwest along Wood Road to River Road; thence northwest along River Road to Newhall Road; thence southwest along Newhall/Gumbo Road to the Gorham-Windham boundary.

District Number 36, in the County of Cumberland, consisting of that portion of the Town of Gorham west and north of a line described as follows: Beginning at the Buxton-Gorham town line at its

intersection with Route 202/4; thence northeast on Route 202/4 to the Gorham High School access road; thence east on the access road to School Drive; thence south on School Drive to Morrill Avenue; thence east on Morrill Avenue to South Street; thence south on South Street to Robie Avenue; thence east along Robie Avenue to Robie Street; thence north on Robie Street to Railroad Avenue; thence east on Railroad Avenue to Mechanic Street; thence north on Mechanic Street to the New Portland Road; thence east on the New Portland Road to Libby Avenue; thence north on Libby Avenue to State Highway 25; thence east on State Highway 25 to the Mosher Road; thence north on the Mosher Road to the Little River; thence east and north to the Presumpscot River.

District Number 37, in the County of Cumberland, consisting of that portion of the municipality of Windham enclosed by a line described as follows: Beginning at the intersection of Windham Center Road and Albion Road; thence northwest along the Windham Center Road to the Pleasant River; thence northwest along the Pleasant River to the Falmouth Road; thence northwest on the Falmouth Road to the Varney's Mill Road; thence north on the Varney's Mill Road to Route 115; thence north on Route 115 to the Gray-Windham boundary; thence northwest on the Gray-Windham boundary to the Raymond-Windham boundary; thence southwest on the Raymond-Windham boundary to the Standish-Windham boundary; thence south on the Standish-Windham boundary to the Presumpscot River; thence south on the Presumpscot River to Gumbo Road; thence northeast on Gumbo/Newhall Road to River Road; thence southeast on River Road to Wood Road; thence northeast on Wood Road to Route 202; thence south on Route 202 to River Road; thence southeast on River Road to Black Brook; thence north on Black Brook to Webb Road; thence southeast on Webb Road to Chute Street; thence north on Chute Street to Pope Road; thence northwest on Pope Road to Albion Road; thence northeast on Albion Road to the Windham Center Road.

District Number 38, in the County of Cumberland, consisting of portions of the municipalities of Cumberland, Windham and Yarmouth: Being that portion of the Town of Windham north and east of a line described as follows: Beginning at the Windham-Falmouth boundary; thence northwest on Falmouth Road to Albion Road; thence south on Albion Road to Windham Center Road; thence northwest on the Windham Center Road to the Pleasant

River; thence northwest on the Falmouth Road to the Varney's Mill Road; thence north on Varney's Mill Road to Route 115; thence north on Route 115 to the Gray-Windham boundary; and that portion of the Town of Yarmouth enclosed by a line described as follows: Beginning at the Yarmouth-Cumberland line at its intersection with Hillside Street; thence northeast on Hillside Street to Route 115, Main Street; thence southeast on Route 115, Main Street, to Interstate 95; thence north on Interstate 95 to the intersection of U.S. Route 1; thence southwest on Route 1 to the Royal River; thence west along the Royal River to Maine Central Railroad; thence southwest along the Main Central Railroad to Route 115; thence west on Route 115 to the North Yarmouth-Yarmouth boundary; thence southwest along the North Yarmouth-Yarmouth boundary to the Yarmouth-Cumberland boundary; thence south and east along the Yarmouth-Cumberland boundary to Hillside Street; and that part of Cumberland described as follows: Beginning at the easternmost boundary of the Town of Cumberland and the Town of Falmouth; thence northwest along the Cumberland-Falmouth boundary to Route 88; thence north along Route 88 to Heritage Lane; thence west on Heritage Lane to Carriage Road; thence north on Carriage Road; thence east on Carriage Road to Route 88; thence north on Route 88 to King's Highway; thence west on King's Highway to Tuttle Road; thence west on Tuttle Road to Interstate 95; thence south on Interstate 95 to the Falmouth-Cumberland boundary; thence west along the Falmouth-Cumberland boundary to its westernmost point; and including Chebeague Island.

District Number 39, in the County of Cumberland, consisting of the municipality of Falmouth and that portion of the City of Portland to the north and east of a line described as follows: Beginning at the Falmouth-Portland boundary at its intersection with Allen Avenue; thence south on Allen Avenue to Summit Street; thence northwest along Summit Street to Jackson Street; thence west along Jackson Street to Auburn Street; thence north along Auburn Street to Hillside Road; thence east along Hillside Road to Summit Street; thence northwest along Summit Street to Abbey Lane; thence north on Abbey Lane to Crestview Drive; thence north on Crestview Drive to Bonny Street; thence north on Bonny Street to Carter Street; thence north on Carter Street to Panoramic View; thence northwest on Panoramic

View to Longview Drive; thence southwest on Longview Drive to Auburn Street; thence north on Auburn Street to the Portland-Falmouth boundary; and that portion of the municipality of Cumberland enclosed by a line described as follows: Beginning at the intersection of State Highway 88 and the Cumberland-Falmouth boundary; thence north along Route 88 to Heritage Lane; thence west on Heritage Lane to Carriage Road; thence north on Carriage Road; thence east on Carriage Road to Route 88; thence north on Route 88 to King's Highway; thence west on King's Highway to Tuttle Road; thence west on Tuttle Road to Interstate 95; thence south on Interstate 95 to the Falmouth-Cumberland boundary.

District Number 40, in the County of Cumberland, consisting of the municipality of North Yarmouth and that portion of the Town of Yarmouth enclosed by a line described as follows: Beginning at the Yarmouth-Cumberland line at its intersection with Hillside Street; thence northeast on Hillside Street to Route 115, Main Street; thence southeast on Route 115, Main Street, to Interstate 95; thence north on Interstate 95 to the intersection of U.S. Route 1; thence southwest on Route 1 to the Royal River; thence west along the Royal River to the Maine Central Railroad; thence southwest along the Maine Central Railroad to Route 115; thence west on Route 115 to the North Yarmouth-Yarmouth boundary; thence north along the North Yarmouth-Yarmouth boundary to the Pownal-Yarmouth boundary; thence southeast along the Pownal-Yarmouth boundary to the Yarmouth - Freeport boundary; thence east along the Yarmouth-Freeport boundary to the Yarmouth - Cumberland boundary; thence south and west along the Yarmouth-Cumberland boundary to Hillside Street.

District Number 41, in Cumberland County, consisting of the municipalities of Freeport and Pownal.

District Number 42, in the County of Cumberland, consisting of that portion of the municipality of Brunswick south and east of a line described as follows: Beginning at the Freeport-Brunswick boundary at its intersection with Church Road; thence north on Church Road to Pleasant Street; thence east on Pleasant Street to Stanwood Street; thence south on Stanwood Street to McKeen Street; thence west on McKeen Street to Baribeau Drive; thence south on Baribeau Drive to McMillan Drive; thence east on McMillan Drive to Richards Drive; thence east on Richards Drive to Maine

Street; thence north on Maine Street to Longfellow Avenue; thence east on Longfellow Avenue to Coffin Street; thence south on Coffin Street to Grove Street; thence east on Grove Street to Harpswell Road; thence south on Harpswell Road to Hambleton Avenue; thence east on Hambleton Avenue to the boundary of the Brunswick Naval Air Station; thence north on the western boundary of the Brunswick Naval Air Station to Bath Road; thence east on the Bath Road to the Brunswick-West Bath boundary.

District Number 43, in the County of Cumberland, consisting of that portion of the Town of Brunswick north and east of a line described as follows: Beginning at the Topsham-Brunswick bridge; thence south on Maine Street to Mill Street; thence west on Mill Street to Union Street; thence south on Union Street to Pleasant Street; thence east on Pleasant Street to Maine Street; thence south on Maine Street to Noble Street; thence west on Noble Street to Union Street; thence south on Union Street to Weymouth Street; thence west on Weymouth Street to Spring Street; thence north on Spring Street to Hennessey Avenue; thence west on Hennessey Avenue to Stanwood Street; thence south on Stanwood Street to McKeen Street; thence west on McKeen Street to Baribeau Drive; thence south on Baribeau Drive to MacMillan Drive; thence east on MacMillan Drive to Richards Drive; thence east on Richards Drive to Maine Street; thence north on Maine Street to Longfellow Avenue; thence east on Longfellow Avenue to Coffin Street; thence south on Coffin Street to Grove Street; thence east on Grove Street to Harpswell Road; thence south on Harpswell Road to Hambleton Avenue; thence east on Hambleton Avenue to the boundary of the Brunswick Naval Air Station; thence north on the western boundary of the Brunswick Naval Air Station to Bath Road; thence east on the Bath Road to the Brunswick-West Bath boundary.

District Number 44, in the County of Cumberland, consisting of the municipalities of Gray and New Gloucester.

District Number 45, consisting of the municipalities of Casco, Naples and Raymond in Cumberland County, and the municipality of Otisfield in Oxford County.

District Number 46, consisting of the municipali-

ties of Bridgton, Harrison and Sebago in Cumberland County, and the municipalities of Hiram and Sweden in Oxford County.

District Number 47, consisting of the municipalities of Baldwin and Standish in Cumberland County.

District Number 48, consisting of the municipalities of Newfield and Parsonsfield in York County, and the municipalities of Brownfield, Denmark, Fryeburg, Porter, Stoneham and Stow in Oxford County.

District Number 49, consisting of the municipalities of Bethel, Byron, Gilead, Hanover, Lincoln Plantation, Lovell, Magalloway Plantation, Newry, Upton, Waterford, the unorganized territories of South Oxford County and North Oxford County in Oxford County the municipalities of Avon, Rangeley, Rangeley Plantation, Sandy River Plantation and Weld, and the unorganized territories of West Central Franklin County in Franklin County.

District Number 50, consisting of the municipalities of Greenwood, Norway and Oxford in Oxford County.

District Number 51, consisting of the municipalities of Buckfield, Hebron, Paris and West Paris in Oxford County.

District Number 52, in Oxford County, consisting of the municipalities of Hartford, Mexico, Milton Township, Roxbury, Sumner, Woodstock and that portion of the municipality of Rumford south and west of a line described as follows: Beginning at the Rumford-Mexico Bridge over the Androscoggin River thence southwest along Railroad Street to the intersection with Route 108; thence westward along Route 108 to the junction of the Boise Cascade private road; thence in a southern direction along the Boise Cascade private road to the junction of the South Rumford Road near the High Bridge; thence westward along the South Rumford Road to the Androscoggin River at the High Bridge; thence south along the Androscoggin River to the nearest point of the river to the intersection of Route 2 and the East Andover Road; thence on a straight line through the intersection to the East Andover Road; thence northwest on the East Andover Road to the Andover-Rumford boundary.

District Number 53, in Oxford County, consisting of the municipality of Andover and that portion of the municipality of Rumford north and east of a line described as follows: Beginning at the Rumford-Mexico Bridge over the Androscoggin River thence southwest along Railroad Street to the intersection with Route 108; thence westward along Route 108 to the junction of the Boise Cascade private road; thence in a southern direction along the Boise Cascade private road to the junction of the South Rumford Road near the High Bridge; thence westward along the South Rumford Road to the Androscoggin River at the High Bridge; thence south along the Androscoggin River to the nearest point of the river to the intersection of Route 2 and the East Andover Road; thence on a straight line through the intersection; thence northwest on the East Andover Road to the Andover-Rumford boundary.

District Number 54, consisting of the municipality of Dixfield in Oxford County and the municipalities of Carthage, Temple and Wilton, and the unorganized territory consisting of Perkins Township and Washington Township in South Franklin County, in Franklin County.

District Number 55, consisting of the municipalities of Carrabassett Valley, Coplin Plantation, Dallas Plantation, Eustis, Industry, Kingfield, Madrid, New Vineyard, Phillips and Strong, and the unorganized territories of East Franklin County, North Franklin County, and Wyman Township, in Franklin County, the municipalities of Embden and New Portland, and the unorganized territories of Central Somerset County, known as Lexington and Concord Townships in Somerset County.

District Number 56, consisting of the municipalities of Farmington and New Sharon in Franklin County.

District Number 57, consisting of the municipalities of Canton and Peru, in Oxford County, and the municipality of Jay in Franklin County.

District Number 58, consisting of the municipality of Livermore Falls in Androscoggin County, the municipality of Chesterville in Franklin County, and the municipalities of Belgrade, Rome and Vienna in Kennebec County.

District Number 59, in Androscoggin County, consisting of the municipalities of Leeds, Livermore and Turner, and that portion of the City of Auburn north and west of a line described as follows: Beginning at the Minot-Auburn boundary at its intersection with Young's Corner Road; thence east along Young's Corner Road to Hotel Road; thence north along Hotel Road to Spring Road; thence north along Spring Road to Point of Pines Road; thence east and north on Point of Pines Road to its intersection with Lake Auburn; thence north along the shore of Lake Auburn to its intersection with the water flowage from the Basin; thence north along the Basin Flowage to Lake Shore Drive; thence south and east along Lake Shore Drive to Route 4; thence north along Route 4 to the Auburn-Turner boundary.

District Number 60, consisting of the municipalities of Mechanic Falls, Minot and Poland, in Androscoggin County.

District Number 61, in Androscoggin County, consisting of that portion of the City of Auburn enclosed by a line described as follows: Beginning at the Androscoggin River on a direct line to Mary Carroll Street; thence southeast on Seventh Street to Foster Avenue; thence southwest on Foster Avenue to Loring Avenue; thence northwest on Loring Avenue to South Main Street; thence north on South Main Street to Ninth Street; thence west on Ninth Street to its end at Mill Street; thence on a direct line to the Little Androscoggin River; thence north along the Little Androscoggin River to a point opposite the end of Adams Street; thence west on a straight line to Adams Street; thence west on Adams Street to the southbound lane of Route 202; thence north along the lane to its northernmost intersection with Minot Avenue; thence north along Minot Avenue to the Union Street By-pass; thence north along the Union Street By-pass to Turner Street; thence northwest on Turner Street to Reed Street; thence north on Reed Street to Whitney Street; thence northwest along Whitney Street to French's Lane; thence north on French's Lane to Turner Street; thence north along Turner Street to Mayfield Road; thence southwest along Mayfield Road to Summer Street; thence northwest along Summer Street to Young's Corner Road; thence west along Young's Corner Road to Hotel Road; thence north along Hotel Road to Spring Road; thence north along Spring Road to Point of Pines Road; thence east and north on Point of Pines Road to its intersection with Lake Auburn; thence north along

the shore of Lake Auburn to its intersection with the water flowage from "The Basin," thence north along "The Basin" flowage to Lake Shore Drive; thence south and east along Lake Shore Drive to Route 4; thence north along Route 4 to the Auburn-Turner boundary; thence east along the Auburn-Turner boundary to the Auburn-Lewiston boundary; thence south along the Auburn-Lewiston boundary, Androscoggin River, to the starting point.

District Number 62, in Androscoggin County, consisting of the portion of the City of Auburn enclosed by a line described as follows: Beginning at the Auburn-Minot boundary at its intersection with Young's Corner Road; thence east along Young's Corner Road to its intersection with Summer Street; thence southeast on Summer Street to Mayfield Road; thence northeast on Mayfield Road to Turner Street; thence south on Turner Street to French's Lane; thence southeast on French's Lane to Whitney Street; thence south on Whitney Street to Reed Street; thence south on Reed Street to Turner Street; thence southeast on Turner Street to the Union Street By-pass; thence south on the Union Street By-pass to Hampshire Street; thence northwest on Hampshire Street to Willow Street; thence southwest on Willow Street to Pine Street; thence west on Pine Street to Goff Street; thence south on Goff Street to Grant Street; thence west on Grant Street to James Street; thence south on James Street to Court Street; thence southwest on Court Street to Stevens Mills Road; thence south on Stevens Mills Road to Minot Avenue; thence west on Minot Avenue to Manley Road; thence south on Manley Road to Old Hotel Road; thence southwest on Old Hotel Road to the Little Androscoggin River; thence northwest along the Little Androscoggin River to the point where the boundaries of Auburn and Poland converge; thence west along the Auburn-Poland boundary to the Auburn-Minot boundary; thence north along the Auburn-Minot boundary to the beginning point.

District Number 63, in Androscoggin County, consisting of that portion of the City of Auburn, enclosed by a line described as follows: Beginning at the Androscoggin River, on a direct line to Mary Carroll Street; thence southwest on Mary Carroll Street to Seventh Street; thence southeast on Seventh Street to Foster Avenue; thence southeast on Foster Avenue to Loring Avenue; thence northwest on Loring Avenue to South Main Street; thence north on South Main Street to

Ninth Street; thence west on Ninth Street to its end at Mill Street; thence on a direct line to the Little Androscoggin River; thence north along the Little Androscoggin River to a point opposite the end of Adams Street; thence west on a straight line to Adams Street; thence west on Adams Street to the south bound lane of Route 202; thence north along the lane to its northernmost intersection with Minot Avenue; thence north along Minot Avenue to the Union Street By-pass; thence north along the Union Street By-pass to Hampshire Street; thence northwest on Hampshire Street to Willow Street; thence southwest on Willow Street to Pine Street; thence west on Pine Street to Goff Street; thence south on Goff Street to Grant Street; thence west on Grant Street to James Street; thence south on James Street to Court Street; thence southwest on Court Street to Stevens Mills Road; thence south on Stevens Mills Road to Minot Avenue; thence west on Minot Avenue to Manley Road; thence south on Manley Road to Old Hotel Road; thence southwest on Old Hotel Road to the Little Androscoggin River; thence west along the Little Androscoggin River to the Auburn-Poland boundary; thence southwest along the Poland-Auburn boundary to the Auburn-New Gloucester boundary; thence southeast along the Auburn-New Gloucester boundary to the Trapp Road; thence north on Trapp Road to Pownal Road; thence north on Pownal Road to the Harmon's Corner Road; thence east on Harmon's Corner Road to the South Witham Road; thence south on the South Witham Road to the Soper's Mill Road; thence north on the Soper's Mill Road to Soper's Mill Brook; thence east on the Soper's Mill Brook to State Highway 136; thence south on State Highway 136 to the Durham-Auburn line; thence along the Auburn-Durham boundary to the Androscoggin River; thence north along the Androscoggin River to the starting point.

District Number 64, in Androscoggin County, consisting of the municipalities of Greene and Wales, and that portion of the City of Lewiston north and west of a line described as follows: Beginning at the Lewiston-Greene boundary; thence south on College Street to Russell Street; thence west on Russell Street to the eastbound lane of the Vietnam Veterans Memorial Bridge; thence west on the bridge to the Androscoggin River.

District Number 65, in Androscoggin County, consisting of that portion of the City of Lewiston enclosed by a line described as follows: Beginning at the Lewiston-Greene boundary; thence

south on College Street to Holland Street; thence east on Holland Street to Nichols Street; thence south on Nichols Street to Sabattus Street; thence north and east on Sabattus Street to North Temple Street; thence north on North Temple Street to Old Greene Road; thence north on the Old Greene Road to the Lewiston-Greene boundary; thence west on the boundary to the beginning point.

District Number 66, in Androscoggin County, consisting of that portion of the City of Lewiston enclosed by a line described as follows: Beginning at the Vietnam Veterans Memorial Bridge; thence east on the eastbound lane of the bridge to Russell Street; thence east on Russell Street to College Street; thence south on College Street to Holland Street; thence east on Holland Street to Nichols Street; thence south on Nichols Street to Sabattus Street; thence north and east on Sabattus Street to Bradley Street; thence southeast on Bradley Street to Pine Street; thence southwest on Pine Street to Shawmut Street; thence southeast on Shawmut Street to Walnut Street; thence southwest on Walnut Street on a line through Kennedy Park to Chestnut Street; thence southwest on Chestnut Street to Lisbon Street; thence southeast on Lisbon Street to Cedar Street; thence south on Cedar Street to South Bridge; thence south on South Bridge to the Androscoggin River; thence north on the river to the Vietnam Veterans Memorial Bridge.

District Number 67, in Androscoggin County, consisting of that portion of the City of Lewiston enclosed by a line described as follows: Beginning at the South Bridge across the Androscoggin River; thence northeast along Cedar Street to Lisbon Street; thence northwest on Lisbon Street to Chestnut Street; thence northeast on Chestnut Street to Kennedy Park; thence due northeast through Kennedy Park on a line to Walnut Street; thence northeast on Walnut Street to Shawmut Street; thence northwest on Shawmut Street to Pine Street; thence north on Pine Street to Bradley Street; thence northwest on Bradley Street to Sabattus Street; thence northeast on Sabattus Street to East Avenue; thence south on East Avenue to Warren Avenue; thence east on Warren Avenue to Farwell Street; thence south on Farwell Street to Webster Avenue; thence west on Webster Avenue to East Avenue; thence south on East Avenue to Lisbon Street; thence west on Lisbon Street to a point where an inlet of the Androscoggin River approaches Lisbon Street, east

of Locust Street; thence south along the inlet across Lincoln Street to the Androscoggin River, the line from Lisbon Street to correspond to the division lines between Tracts 204 and 205, City of Lewiston, 1980 Maine Census; thence north along the Androscoggin River to the starting point.

District Number 68, in Androscoggin County, consisting of that portion of the City of Lewiston enclosed by a line described as follows: Beginning at the Lewiston-Greene boundary; thence south along Old Greene Road to North Temple Street; thence south along North Temple Street to Sabattus Street; thence southwest along Sabattus Street to East Avenue; thence south along East Avenue to Warren Avenue; thence east on Warren Avenue to Farwell Street; thence south on Farwell Street to Webster Street; thence west on Webster Street to East Avenue; thence south on East Avenue to Pleasant Street; thence east on Pleasant Street to Scribner Boulevard; thence north on Scribner Boulevard to Webster Street; thence east on Webster Street to Pond Road; thence north on Pond Road to Sabattus Street; thence north and east on Sabattus Street to the Lewiston-Sabattus boundary; thence north along the boundary to the Lewiston-Greene boundary; thence west along the Lewiston-Greene boundary to the starting point.

District Number 69, in Androscoggin County, consisting of that portion of the City of Lewiston south and east of a line described as follows: Beginning at the Sabattus-Lewiston boundary; thence southwest along Sabattus Road to Pond Road; thence south along Pond Road to Webster Street; thence south on Webster Street to Scribner Boulevard; thence south on Scribner Boulevard to Pleasant Street; thence west on Pleasant Street to East Avenue; thence south on East Avenue to Lisbon Street; thence west on Lisbon Street to a point where an inlet of the Androscoggin River approaches Lisbon Street east of Locust Street; thence south along the inlet across Lincoln Street to the Androscoggin River, the line from Lisbon Street to correspond to the division lines between Tracts 204 and 205, City of Lewiston, 1980 Maine Census.

District Number 70, consisting of the municipality of Durham, in Androscoggin County, and that portion of Brunswick in Cumberland County, to the west and north of a line described as follows: Beginning at the Topsham-Brunswick bridge; thence

south on Maine Street to Mill Street; thence west on Mill Street to Union Street; thence south on Union Street to Pleasant Street; thence east on Pleasant Street to Maine Street; thence south on Maine Street to Noble Street; thence west on Noble Street to Union Street; thence south on Union Street to Weymouth Street; thence west on Weymouth Street to Spring Street; thence north on Spring Street to Hennessey Avenue; thence west on Hennessey Avenue to Stanwood Street; thence north on Stanwood Street to Pleasant Street; thence west on Pleasant Street to Church Road; thence south on Church Road to the Freeport-Brunswick boundary; and that portion of the City of Auburn, in Androscoggin County, enclosed by a line described as follows: Beginning at the Auburn-New Gloucester boundary at its intersection with the Trapp Road; thence north on Trapp Road to the Pownal Road; thence north on the Pownal Road to the Harmon's Corner Road; thence east on the Harmon's Corner Road to the South Witham Road; thence south on the South Witham Road to the Soper's Mill Road; thence north on the Soper's Mill Road to Soper's Mill Brook; thence east on Soper's Mill Brook to State Highway 136; thence south on State Highway 136 to the Durham-Auburn boundary; thence south along the Durham-Auburn boundary to the Auburn-Durham-New Gloucester boundary; thence north along the Auburn-New Gloucester boundary to the starting point; and that portion of the Town of Lisbon, in Androscoggin County, enclosed by a line described as follows: Beginning at the Topsham-Lisbon boundary and its intersection at Lisbon Street; thence west on Lisbon Street to Summer Street; thence north on Summer Street to Tarr Street; thence east on Tarr Street to Jack Lane; thence north on Jack Lane to Libby Street; thence west on Libby Street to Summer Street; thence north on Summer Street to Edgecomb Street; thence west on Edgecomb Street to Main Street; thence south on Main Street to Hewey Street; thence east on Hewey Street to Crossman Street; thence south on Crossman Street to North Street; thence west on North Street to Free Street; thence south on Free Street to Earle Street; thence west on Earle Street to Main Street; thence north on Main Street to North Street; thence west on North Street to Vining Street; thence north on Vining Street to North Street; thence west on North Street to Pleasant Street; thence south on Pleasant Street to Lisbon Street; thence east and south on Lisbon Street to Main Street; thence south on Main Street to the intersection of Route 9; thence south on Route 9 to the Lisbon-Durham

boundary; thence east along the Lisbon-Durham boundary to the Lisbon-Topsham boundary.

District Number 71, in Androscoggin County, consisting of that portion of the municipality of Lisbon north and west of a line described as follows: Beginning at the Topsham-Lisbon boundary at its intersection with Lisbon Street; thence west on Lisbon Street to Summer Street; thence north on Summer Street to Tarr Street; thence east on Tarr Street to Jack Lane; thence north on Jack Lane to Libby Street; thence west on Libby Street to Summer Street; thence north on Summer Street to Edgecomb Street; thence west on Edgecomb Street to Main Street; thence south on Main Street to Hewey Street; thence east on Hewey Street to Crossman Street; thence south on Crossman Street to North Street; thence west on North Street to Free Street; thence south on Free Street to Earle Street; thence west on Earle Street to Main Street; thence north on Main Street to North Street; thence west on North Street to Vining Street; thence north on Vining Street to North Street; thence west on North Street to Pleasant Street; thence south on Pleasant Street to Lisbon Street; thence east and south on Lisbon Street to Main Street; thence south on Main Street to the intersection of Route 9; thence south on Route 9 to the Lisbon-Durham boundary.

District Number 72, consisting of the municipality of Sabattus in Androscoggin County and the municipalities of Bowdoin and Richmond in Sagadahoc County.

District Number 73, in Sagadahoc County, consisting of the municipality of Topsham and that portion of the Town of Bowdoinham, west of a line described as follows: Beginning at the Topsham-Bowdoinham boundary and its intersection with Route 24; thence proceeding north along Route 24 to the center of Bowdoinham Village; thence continuing north along Route 24 to the intersection of Route 24 and Ridge Road; thence proceeding north along the Ridge Road to the Bowdoinham-Richmond boundary.

District Number 74, in Sagadahoc County, consisting of the municipalities of Arrowsic, Perkins Township, Woolwich and that portion of the municipality of Bowdoinham east of a line described as follows: Beginning at the Topsham-Bowdoinham boundary at its intersection with Route 24; thence north along Route 24 to the center of

Bowdoinham Village; thence north along Route 24 to the intersection of Route 24 and Ridge Road; thence north along the Ridge Road to the Bowdoinham-Richmond boundary; and, in addition, that portion of the municipality of Bath south and west of a line described as follows: Beginning at the West Bath-Bath boundary at its intersection with Center Street; thence east on Center Street to Washington Street; thence south on Washington Street to the Maine Central Railroad tracks; thence east along the Maine Central Railroad tracks to Water Street; thence south on Water Street to King Street; thence west on King Street to Washington Street; thence south on Washington Street to Bath Street; thence west on Bath Street to High Street; thence south on High Street to Pine Street; thence east on Pine Street to Washington Street; thence south on Washington Street where Washington Street crosses an inlet of the Kennebec River at a point approximately 200 yards north of Hunt Street; thence east on a straight line to the Kennebec River; and the municipality of Dresden in Lincoln County.

District Number 75, in Sagadahoc County, consisting of that portion of the municipality of Bath north and east of a line described as follows: Beginning at the West Bath-Bath boundary at its intersection with Center Street; thence east on Center Street to Washington Street; thence south on Washington Street to the Maine Central Railroad tracks; thence east along the Maine Central Railroad tracks to Water Street; thence south on Water Street to King Street; thence west on King Street to Washington Street; thence south on Washington Street to Bath Street; thence west on Bath Street to High Street; thence south on High Street to Pine Street; thence east on Pine Street to Washington Street; thence south on Washington Street to a point where Washington Street crosses an inlet of the Kennebec River, approximately 200 yards north of Hunt Street; thence east on a straight line to the Kennebec River.

District Number 76, consisting of the municipality of Harpswell in Cumberland County and the municipalities of Georgetown, Phippsburg and West Bath in Sagadahoc County.

District Number 77, consisting of the municipalities of Boothbay, Boothbay Harbor, Edgecomb, South Bristol, Southport and Westport in Lincoln County.

District Number 78, consisting of the municipalities of Alna, Damariscotta, Newcastle, Whitefield and Wiscasset in Lincoln County.

District Number 79, consisting of the municipalities of Bremen, Bristol, Nobleboro and Waldoboro in Lincoln County.

District Number 80, in Knox County, consisting of the municipalities of Friendship, Thomaston, Warren and that portion of the municipality of Rockland north and west of a line described as follows: Beginning at the Rockland-Rockport boundary at its intersection with Old County Road; thence southwest on the Old County Road to Limerock Street; thence east on Limerock Street to Highland Street; thence south on Highland Street to Park Street; thence west on Park Street to the Rockland-Thomaston boundary.

District Number 81, consisting of the municipalities of Cushing, Matinicus Isle Plantation, North Haven, Owls Head, St. George, South Thomaston and Vinalhaven, and the unorganized territory of Criehaven, in Knox County and Monhegan Plantation in Lincoln County.

District Number 82, in Knox County, consisting of that portion of the municipality of Rockland south and east of a line described as follows: Beginning at the Rockland-Rockport boundary at its intersection with Old County Road; thence southwest on the Old County Road to Limerock Street; thence east on Limerock Street to Highland Street; thence south on Highland Street to Park Street; thence west on Park Street to the Rockland-Thomaston line.

District Number 83, consisting of the municipalities of Camden and Rockport in Knox County.

District Number 84, consisting of the municipalities of Jefferson and Somerville, and the unorganized territory of Hibberts Gore, in Lincoln County, the municipalities of Appleton, Hope, Union and Washington in Knox County and the municipalities of Liberty and Palermo in Waldo County.

District Number 85, in Kennebec County, consisting of the municipalities of Albion, Benton, China and that portion of the municipality of Winslow north and east of a line described as follows: Beginning at the Winslow-China boundary at its intersection with Route 137; thence west on Route 137 to the Outlet Stream, so-called;

thence north along Outlet Stream to the Sebasticook River; thence proceeding north on the Sebasticook River to the Winslow-Benton boundary.

District Number 86, in Kennebec County, consisting of that portion of the municipality of Winslow south and west of a line described as follows: Beginning at the Winslow-China boundary at its intersection with Route 137; thence west on Route 137 to the Outlet Stream, so-called; thence north along Outlet Stream to the Sebasticook River; thence north on the Sebasticook River to the Winslow-Benton boundary.

District Number 87, consisting of the municipalities of Sidney, Vassalboro and Windsor in Kennebec County.

District Number 88, in Kennebec County, consisting of that portion of the City of Augusta, north and east of a line described as follows: Beginning at the Vassalboro-Augusta border at its intersection with the Kennebec River, thence proceeding south along the Kennebec River to Memorial Bridge; thence proceeding east across Memorial Bridge to Sturgis Lane; thence south and east on Sturgis Lane to Arsenal Street; thence south on Arsenal Street to Eastern Avenue; thence east on Eastern Avenue to Hospital Street; thence south on Hospital Street to First Avenue; thence east on First Avenue and along the line of its extension to Mayflower Road; thence east on Mayflower Road to Porter Street; thence north on Porter Street to Route 17; thence east on Route 17 to Cony Road; thence north on Cony Road to Cony Street Extension; thence east at the intersection of Cony Road and Cony Street Extension to Riggs Brook; thence north on Riggs Brook to South Belfast Avenue, Route 105; thence east on Route 105 to the Windsor town boundary.

District Number 89, in Kennebec County, consisting of that portion of the City of Augusta north and west of a line described as follows: Beginning at the Vassalboro-Augusta boundary at its intersection with the Kennebec River; thence south along the Kennebec River to the Father Curran Bridge; thence west on the Father Curran Bridge to Bridge Street; thence west on Bridge Street to North Chestnut Street; thence south on North Chestnut Street to South Chestnut Street; thence south on South Chestnut Street to Western Avenue; thence west on Western Avenue to the Manchester-Augusta boundary.

District Number 90, in Kennebec County, consisting of that portion of the City of Augusta south of a line described as follows: Beginning at the Augusta-Windsor boundary at its intersection with Route 105; thence west on Route 105 to Riggs Brook; thence south on Riggs Brook to a line drawn due west to the intersection of Cony Street Extension and Cony Road; thence west along the line to Cony Road; thence south on Cony Road to Route 17; thence west on Route 17 to Porter Street; thence south on Porter Street to Mayflower Road; thence west on Mayflower Road and along the line of its extension to First Avenue; thence west on First Avenue to Hospital Street; thence north on Hospital Street to Eastern Avenue; thence west on Eastern Avenue to Arsenal Street; thence north on Arsenal Street to Sturgis Lane; thence west and north on Sturgis Lane to the Memorial Bridge; thence west across the Memorial Bridge to the Kennebec River; thence north along the Kennebec River to the Father Curran Bridge; thence west on the Father Curran Bridge to Bridge Street; thence west on Bridge Street to North Chestnut Street; thence south on North Chestnut Street to South Chestnut Street; thence south on South Chestnut Street to Western Avenue; thence west on Western Avenue to the Manchester-Augusta boundary.

District Number 91, consisting of the municipalities of Chelsea, Hallowell and Pittston in Kennebec County.

District Number 92, in Kennebec County, consisting of the municipality of Gardiner and that portion of Randolph north of a line described as follows: Beginning at the Kennebec River; thence east at the site of the former Gardiner-Randolph bridge to the intersection of Bridge Street, Water Street and Route 226, also known as Windsor Street; thence east on Route 226 to the Randolph-Chelsea boundary.

District Number 93, in Kennebec County, consisting of the municipalities of Farmingdale, Litchfield, West Gardiner and that portion of Randolph south of a line described as follows: Beginning at the Kennebec River; thence east at the site of the former Gardiner-Randolph bridge to the intersection of Bridge Street, Water Street and Route 226, also known as Windsor Street; thence east on Route 226 to the Randolph-Chelsea boundary.

District Number 94, in Kennebec County, consisting of the municipalities of Monmouth, Wayne and that portion of the municipality of Winthrop west and north of a line described as follows: Beginning at the Monmouth-Winthrop boundary in Annabessacook Lake; thence proceeding north on a straight line to the flowage of Hoyt Brook; thence west and north along Hoyt Brook to Route 202; thence north and east of Route 202 to Route 135; thence north on Route 135 to the Winthrop-Readfield boundary.

District Number 95, in Kennebec County, consisting of the municipalities of Fayette, Manchester, Mount Vernon, Readfield and that portion of the municipality of Winthrop east and south of a line described as follows: Beginning at the Monmouth-Winthrop boundary in Annabessacook Lake; thence proceeding north on a straight line to the flowage of Hoyt Brook; thence west and north along Hoyt Brook to Route 202; thence north and east on Route 202 to Route 135; thence north on Route 135 to the Winthrop-Readfield boundary.

District Number 96, in Kennebec County, consisting of the municipality of Oakland and that portion of Waterville north and east of a line described as follows: Beginning at the Oakland-Waterville boundary at its intersection with the County Road; thence proceeding south along the County Road to the North Street Bridge; thence south on North Street to the Eustis Parkway; thence southeast on the Eustis Parkway to the intersection of Main Street; thence south on Main Street to Kelsey Street; thence southeast on Kelsey Street to Ticonic Street; thence north on Ticonic Street to Ash Street; thence south on Ash Street to College Street; thence northeast on College Street to Collins Street; thence southeast on Collins Street to Eastern Avenue; thence east on Eastern Avenue and along the line of its extension to Allen Street; thence south on Allen Street to its end; thence southeast on a direct line from Allen Street to the Kennebec River.

District Number 97, in Kennebec County, consisting of that portion of the municipality of Waterville to the south and west of a line described as follows: Beginning at the Waterville-Winslow bridge; thence northwest across the Waterville-Winslow bridge to Bridge Street; thence northwest along Bridge Street to Main Street; thence north on Main Street to College Street; thence south on College Street to

Center Street; thence west on Center Street to Pleasant Street; thence southwest on Pleasant Street to Western Avenue; thence northwest on Western Avenue to First Rangeway; thence west on First Rangeway to the Kennedy Memorial Drive, Oakland Road; thence northwest on Kennedy Memorial Drive to the Waterville-Oakland boundary.

District Number 98, in Kennebec County, consisting of that portion of the City of Waterville enclosed by a line described as follows: Beginning at the Oakland-Waterville boundary at its intersection with the County Road; thence south along the County Road to the North Street Bridge; thence south on North Street to the Eustis Parkway; thence southeast on the Eustis Parkway to the intersection of Main Street; thence south on Main Street to Kelsey Street; thence southeast on Kelsey Street to Ticonic Street; thence north on Ticonic Street to Ash Street; thence south on Ash Street to College Avenue; thence northeast on College Avenue to Collins Street; thence southeast on Collins Street to Eastern Avenue; thence east on Eastern Avenue and along the line of its extension to Allen Street; thence south on Allen Street to its end; thence southeast on a direct line from Allen Street to the Kennebec River; thence southwest along the Kennebec River to the Waterville-Winslow bridge; thence northwest across the bridge to Bridge Street; thence northwest on Bridge Street to Main Street; thence north on Main Street to College Street; thence south on College Street to Center Street; thence west on Center Street to Pleasant Street; thence southwest on Pleasant Street to Western Avenue; thence northwest on Western Avenue to First Rangeway; thence west on First Rangeway to the Kennedy Memorial Drive; thence northwest on Kennedy Memorial Drive to the Waterville-Oakland boundary; thence northeast along the Waterville-Oakland boundary to the starting point.

District Number 99, in Somerset County, consisting of the municipalities of Fairfield and Smithfield, and that portion of the municipality of Skowhegan enclosed by a line described as follows: Beginning at the Fairfield-Skowhegan boundary at its intersection with Middle Road; thence north on Middle Road to Bigelow Street; thence north and east on Bigelow Street to Route 201; thence east on Route 201 a distance of .8 (eight-tenths) mile; thence on a direct line northeast across an abandoned railroad track to the Kennebec River; thence southeast to a point

south of where Wesserunsett Stream enters the Kennebec; thence north along Wesserunsett Stream to Route 2; thence east on Route 2 to the East River Road; thence south on East River Road to the Skowhegan-Clinton boundary; thence west along the boundary to the Fairfield-Skowhegan boundary; thence west along the Fairfield-Skowhegan boundary to the starting point, the area to correspond to Enumeration District 522 of the 1980 Census, State of Maine.

District Number 100, in Somerset County, consisting of that portion of the municipality of Skowhegan north of a line described as follows: Beginning at the westernmost junction of the Skowhegan-Fairfield boundary; thence east along the boundary to the Middle Road; thence north on Middle Road to Bigelow Street; thence north and east on Bigelow Street to Route 201; thence east on Route 201 a distance of .8 (eight-tenths) mile; thence on a direct line northeast across an abandoned railroad track to the Kennebec River; thence southeast to a point south of where Wesserunsett Stream enters the Kennebec River; thence north along Wesserunsett Stream to Route 2; thence east on Route 2 to the East River Road; thence south on East River Road to the Skowhegan-Clinton boundary; thence east on the boundary to the southeasternmost boundary of Skowhegan and Clinton.

District Number 101, consisting of the municipalities of Canaan, Cornville, Hartland and Pittsfield in Somerset County.

District Number 102, consisting of the municipalities of Madison, Mercer, Norridgewock and Starks in Somerset County.

District Number 103, consisting of the municipalities of Anson, Athens, Bingham, Brighton Plantation, Caratunk, Dennistown Plantation, Highland Plantation, Jackman, Moose River, Moscow, Pleasant Ridge Plantation, Solon, The Forks Plantation, West Forks Plantation and the unorganized territories of East Somerset County, North Somerset County and West Somerset County, in the County of Somerset.

District Number 104, consisting of the municipalities of Cambridge, Harmony and Ripley in Somerset County, and the municipalities of Abbot, Beaver Cove, Blanchard Plantation, Greenville, Kingsbury Plantation, Monson, Parkman, Sangerville, Shirley and Wellington in

Piscataquis County, and the unorganized territory of Elliottsville Plantation, northwest Piscataquis Unorganized Territory, consisting of Big Squaw Township, Cove Point Township, Hartford's Point Township and Little Squaw Township; and that portion of the northeast Piscataquis Unorganized Territory north of a line described as follows: Beginning at the intersection of the Golden Road and the northern boundary of Beaver Cove; thence north on the Golden Road to the point where Roach River flows from First Roach Pond; thence east on a line passing through Rowell Brook; thence east along the south shore of Second Roach Pond; thence north on unnamed logging road to Penobscot Pond; thence east on same unnamed road along the north shore of Penobscot Pond; thence south along a branch of the same road to Little Penobscot Pond; thence east along a flowage including the following landmarks: Sing-Sing Pond, Hedgehog Pond, Rabbit Pond, Leavitt Pond, Pratt Brook, Mud Pond, Mud Brook and Middle Jo-Mary Lake, north shore, to the Penobscot County-Piscataquis County boundary, the line to correspond to the northern line of Enumeration District 104, 1980 Census, State of Maine.

District Number 105, consisting of the municipalities of Bowerbank, Brownville, Lake View Plantation, Medford, Milo and Willimantic, the unorganized territory of Barnard Plantation, the southeast unorganized territory of Piscataquis County and that portion of the northeast Piscataquis Unorganized Territory enclosed by a line described as follows: Beginning at the intersection of the Golden Road and the northern boundary of Beaver Cove; thence north on the Golden Road to the point where Roach River flows from First Roach Pond; thence east on a line passing through Rowell Brook; thence east along the south shore of Second Roach Pond; thence north on unnamed logging road to Penobscot Pond; thence east on same unnamed road along the north shore of Penobscot Pond; thence south along a branch of same road to Little Penobscot Pond; thence east along a flowage including the following landmarks: Sing-Sing Pond, Hedgehog Pond, Rabbit Pond, Leavitt Pond, Pratt Brook, Mud Pond, Mud Brook to Middle Jo-Mary Lake, north shore, to the Penobscot County-Piscataquis County boundary; thence south along that boundary to the northern boundary of Lake View Plantation; west along the boundary to Brownville's northern boundary; thence west along the boundary to Brownville's western boundary; thence south along the boundary

to the northern boundary of Sebec; thence west along that boundary to the eastern boundary of the unorganized territory of Barnard Plantation; thence north along the boundary to the northern boundary of the plantation; thence west along the boundary to the northern boundary of Bowerbank; thence west along the boundary to the eastern boundary of Elliotsville Plantation; thence north along the boundary to the northern boundary of the plantation; thence west along the boundary to the eastern boundary of Greenville; thence north along the eastern boundary of Greenville to the southern boundary of Beaver Cove; thence east along the plantation's southern boundary to its eastern boundary; north along its eastern boundary to its northern boundary; thence west along its northern boundary to the starting point; the area enclosed by the line to correspond to the area of Enumeration District 104, 1980 Census, State of Maine; and the municipalities of Bradford, Charleston and Hudson in Penobscot County.

District Number 106, consisting of the municipalities of Atkinson, Dover-Foxcroft, Guilford and Sebec in Piscataquis County; and the municipality of Garland in Penobscot County.

District Number 107, consisting of the municipalities of Corinna and Dexter in Penobscot County; and St. Albans in Somerset County.

District Number 108, consisting of the municipalities of Etna, Newport and Plymouth in Penobscot County; the municipality of Troy in Waldo County; and the municipalities of Detroit and Palmyra in Somerset County.

District Number 109, consisting of the municipalities of Burnham, Freedom, Jackson, Monroe, Thorndike and Unity in Waldo County; and Clinton and Unity Township in Kennebec County.

District Number 110, in Waldo County, consisting of the municipalities of Belmont, Brooks, Islesboro, Knox, Lincolnville, Montville, Morrill, Searsmont, Swanville and Waldo.

District Number 111, in Waldo County, consisting of the municipalities of Belfast and Northport.

District Number 112, in Waldo County, consisting of the municipalities of Frankfort, Prospect, Searsport, Stockton Springs and Winterport.

District Number 113, in Penobscot County, consisting of the municipalities of Dixmont, Hampden and Newburgh.

District Number 114, in Penobscot County, consisting of the municipalities of Carmel, Corinth, Exeter, Kenduskeag, Levant and Stetson.

District Number 115, in Penobscot County, consisting of the municipalities of Glenburn and Hermon and that portion of the City of Bangor south and west of a line described as follows: Beginning at the Hampden-Bangor boundary at its intersection with the Maine Central Railroad; thence northwest on the Maine Central Railroad tracks to Interstate 95; thence northeast on Interstate 95 to Perry Road; thence east on Perry Road to Webster Avenue; thence northeast on Webster Avenue to the northern boundary of the municipal golf course; thence southeast along the boundary to the western boundary of Bass Park; thence northeast along the Bass Park boundary to its intersection with a direct line from the end of Silver Road to Bass Park; thence northwest along the line to Silver Road; thence northwest on Silver Road to 7th Street; thence northeast on 7th Street to Buck Street; thence northwest on Buck Street to West Broadway; thence northeast on West Broadway to Hammond Street; thence west on Hammond Street to Allen Street; thence northwest on Allen Street to 14th Street; thence southwest on 14th Street to Hammond Street; thence west on Hammond Street to the eastern boundary of Bangor Municipal Airport; thence following the airport boundary south and then west to the Hermon-Bangor boundary.

District Number 116, in Penobscot County, consisting of that portion of the City of Bangor to the south and east of a line described as follows: Beginning at the Hampden-Bangor boundary at its intersection with the Maine Central Railroad; thence northwest on the Maine Central Railroad tracks to Interstate 95; thence northeast on Interstate 95 to Perry Road; thence east on Perry Road to Webster Avenue; thence northeast on Webster Avenue to the northern boundary of the municipal golf course; thence southeast along the boundary to the western boundary of Bass Park; thence northeast along the Bass Park boundary to its intersection with a direct line from the end of Silver Road to Bass Park; thence northwest along the line to Silver Road; thence northwest on Silver Road to 7th Street; thence northeast on 7th Street to Buck Street; thence northwest on

Buck Street to West Broadway; thence northeast on West Broadway to Hammond Street; thence west on Hammond Street to 13th Street; thence northeast on 13th Street to Union Street; thence northwest on Union Street to 14th Street; thence north on 14th Street to Ohio Street; thence east and south on Ohio Street to Bower Street; thence southeast on Bower Street to Everett Street; thence northeast on Everett Street to Nelson Street; thence north on Nelson Street to Valley Avenue; thence north on Nelson Street to Valley Avenue; thence southeast across Kenduskeag Stream on Valley Avenue, which becomes Harlow Street; thence southeast on Harlow Street to Spring Street; thence northeast on Spring Street to Center Street; thence southeast on Center Street to Somerset Street; thence east on Somerset Street to Park Street; thence southeast on Park Street to Exchange Street; thence southeast on Exchange Street to Washington Street; thence west on Washington Street to Kenduskeag Stream; thence south on Kenduskeag Stream to the Penobscot River.

District Number 117, in Penobscot County, consisting of that portion of the City of Bangor north of a line described as follows: Beginning at the Bangor-Glenburn boundary and its intersection with Hudson Road; thence southeast on Hudson Road, Route 221, to Broadway, State Road 15; thence east and south on Broadway to the north boundary of Husson College; thence east, southwest and then west along the boundary to its intersection with Hillman Avenue and Husson Avenue; thence southwest along Hillman Avenue to Kenduskeag Avenue; thence southeast on Kenduskeag Avenue to Interstate 95; thence southwest on Interstate 95 to Union Street; thence southeast on Union Street to 14th Street; thence north on 14th Street to Ohio Street; thence east and south on Ohio Street to Bower Street; thence southeast on Bower Street to Everett Street; thence northeast on Everett Street to Nelson Street; thence north on Nelson Street to Valley Avenue; thence north on Nelson Street to Valley Avenue; thence southeast across Kenduskeag Stream on Valley Avenue, which becomes Harlow Street; thence southeast on Harlow Street to Spring Street; thence northeast on Spring Street to Center Street; thence southeast on Center Street to Somerset Street; thence east on Somerset Street to French Street; thence north on French Street to Garland Street; thence east on Garland Street to Essex Street; thence north on Essex Street to Stillwater Avenue; thence north and east on Stillwater Avenue to In-

terstate 95; thence east and north on Interstate 95 to the Bangor-Veazie boundary.

District Number 118, in Penobscot County, consisting of that portion of the City of Bangor south and east of a line described as follows: Beginning at the Penobscot River at its intersection with Kenduskeag Stream; thence north along the Kenduskeag Stream to Washington Street; thence east on Washington Street to Exchange Street; thence northwest on Exchange Street to Park Street; thence northwest on Park Street to Somerset Street; thence east on Somerset Street to French Street; thence north on French Street to Garland Street; thence east on Garland Street to Essex Street; thence north on Essex Street to Stillwater Avenue; thence north and east on Stillwater Avenue to Interstate 95; thence east and north on Interstate 95 to the Bangor-Veazie boundary.

District Number 119, in Penobscot County, consisting of that portion of the City of Bangor enclosed by a line described as follows: Beginning at the Bangor-Glenburn boundary beginning at its intersection with Hudson Road; thence southeast on Hudson Road, Route 221, to Broadway, State Road 15; thence east and south on Broadway to the north boundary of Husson College; thence east, southwest and then west along the Husson College boundary to its intersection with Hillman Avenue and Husson Avenue; thence southwest along Hillman Avenue to Kenduskeag Avenue; thence southeast on Kenduskeag Avenue to Interstate 95; thence southwest on Interstate 95 to Union Street; thence southeast on Union Street to 13th Street; thence southwest on 13th Street to Hammond Street; thence west on Hammond Street to Allen Street; thence northwest on Allen Street to 14th Street; thence southwest on 14th Street to Hammond Street; thence west on Hammond Street to the eastern boundary of Bangor Municipal Airport; thence following the airport boundary south and then west to the Hermon-Bangor boundary; thence north along the Hermon-Bangor boundary to the Glenburn-Bangor boundary; thence north along the boundary to the starting point.

District Number 120, in Penobscot County, consisting of that portion of the City of Brewer south of a line described as follows: Beginning at the Brewer-Holden boundary at its intersection with Eastern Avenue; thence west on Eastern Avenue to Washington Street; thence northwest on Washington Street to Broadlawn Drive; thence

north on Broadlawn Drive to North Main Street; thence southwest on North Main Street to the intersection with the Maine Central Railroad; thence north along the Maine Central Railroad tracks to the Penobscot River.

District Number 121, in Penobscot County, consisting of the municipalities of Holden and Orrington and that portion of the City of Brewer north of a line described as follows: Beginning at the Brewer-Holden boundary at its intersection with Eastern Avenue; thence west on Eastern Avenue to Washington Street; thence northwest on Washington Street to Broadlawn Drive; thence on Broadlawn Drive to North Main Street; thence southwest on North Main Street to its intersection with the Maine Central Railroad; thence north along the Maine Central Railroad tracks to the Penobscot River.

District Number 122, consisting of the municipalities of Bucksport, Dedham, Orland and Verona in Hancock County.

District Number 123, consisting of the municipalities of Brooklin, Brooksville, Castine, Deer Isle, Penobscot, Sedgwick and Stonington in Hancock County; and the municipality of Isle au Haut in Knox County.

District Number 124, consisting of the municipalities of Cranberry Isles, Frenchboro, Lamoine, Mount Desert, Southwest Harbor, Swan's Island, Tremont and Trenton in Hancock County.

District Number 125, consisting of the municipalities of Bar Harbor, Gouldsboro and Winter Harbor in Hancock County; and the municipality of Steuben in Washington County.

District Number 126, consisting of the municipalities of Addison, Cherryfield, Harrington and Milbridge in Washington County; and the municipalities of Franklin, Hancock, Sorrento, Sullivan and the eastern unorganized portion of Hancock County in Hancock County; except Township 32, M.D.

District Number 127, in Hancock County, consisting of the municipalities of Blue Hill, Ellsworth and Surry.

District Number 128, consisting of the municipalities of Amherst, Aurora, Eastbrook, Great Pond,

Mariaville, Osborn, Otis, Waltham, Township 32, M.D. and Township 8, S.D., in Hancock County; and the municipalities of Alton, Bradley, Greenfield, Milford and that portion of the City of Old Town west of a line described as follows, in Penobscot County: Beginning at the northernmost boundary of Old Town and Milford; thence proceeding south and west along the boundary, following the Penobscot River to the Stillwater River; thence south along the Stillwater River to State Highway 43; thence southeast on State Highway 43 to College Road; thence south on College Road to College Avenue, Route 2-A; thence east and south on College Avenue to the Old Town-Orono boundary.

District Number 129, in Penobscot County, consisting of the municipalities of Clifton, Eddington, Veazie and that portion of the Town of Orono west and south of a line described as follows: Beginning at the Old Town-Orono boundary at its intersection with Stillwater Avenue; thence south on Stillwater Avenue, U.S. Highway 2-A, to Forest Avenue; thence east on Forest Avenue to Main Street; thence north on Main Street to the Stillwater River; thence east along the Stillwater River to the Penobscot River.

District Number 130, in Penobscot County, consisting of that portion of the Town of Orono east and north of a line described as follows: Beginning at the Old Town-Orono boundary at its intersection with Stillwater Avenue; thence south on Stillwater Avenue, U.S. Highway 2, to Forest Avenue; thence east on Forest Avenue to Main Street; thence north on Main Street to the Stillwater River; thence east along the Stillwater River to the Penobscot River.

District Number 131, in Penobscot County, consisting of the Penobscot Indian Island Indian Reservation and that portion of the City of Old Town east of a line described as follows: Beginning at the northernmost boundary of Old Town and Milford; thence south and west along the boundary, following the Penobscot River to the Stillwater River; thence south along the Stillwater River to State Highway 43; thence southeast on State Highway 43 to the College Road; thence south on College Road to College Avenue, Route 2-A; thence east and south along the College Avenue to the Orono-Old Town boundary.

District Number 132, consisting of the municipalities of Burlington, Carroll Plantation, Edinburg, Enfield, Greenbush, Howland, Lagrange,

Lakeville, Lee, Lowell, Passadumkeag, Springfield and the unorganized townships of Argyle, Summit, Grand Falls, T 3, R 1 and T 5, R 1 in Penobscot County.

District Number 133, consisting of the municipalities of Drew Plantation, Kingman Township, Lincoln, Mattawamkeag, Prentiss Plantation, Webster Plantation and Winn in Penobscot County; and Macwahoc Plantation in Aroostook County.

District Number 134, consisting of the municipalities of Chester, East Millinocket, Maxfield, Medway, Mount Chase, Patten, Seboeis Plantation, Stacyville, Woodville and the unorganized north portion of Penobscot County; and the municipality of Benedicta in Aroostook County.

District Number 135, consisting of the municipality of Millinocket in Penobscot County.

District Number 136, consisting of the municipalities of Beals, Centerville, Columbia, Columbia Falls, East Machias, Jonesboro, Jonesport, Machias, Rogue Bluffs and Whitneyville in Washington County.

District Number 137, consisting of the municipalities of Cutler, Eastport, Lubec, Machiasport, Marshfield, Pleasant Point-Passamaquoddy Indian Reservation, Whiting and the unorganized east central portion in Washington County.

District Number 138, consisting of the municipalities of Alexander, Baileyville, Baring Plantation, Calais and Meddybemps in Washington County.

District Number 139, consisting of the municipalities of Beddington, Charlotte, Codyville Plantation, Cooper, Crawford, Danforth, Deblois, Dennysville, Grand Lake Stream Plantation, Indian Township, Northfield, Number 14 Plantation, Pembroke, Perry, Princeton, Robbinston, Talmadge, Topsfield, Vanceboro, Waite, Wesley, the unorganized territory of Number 21 Plantation and the unorganized portion of North Washington County, in Washington County; and the municipalities of Bancroft, Haynesville, Orient, Reed Plantation and Weston in Aroostook County.

District Number 140, consisting of the municipalities of Amity, Cary Plantation, Crystal, Dyer Brook, Glenwood Plantation, Hammond, Hersey, Hodgdon, Island Falls, Linneus, Ludlow, Merrill,

Moro Plantation, New Limerick, Oakfield, Sherman, Smyrna and the unorganized southern portion in Aroostook County.

District Number 141, consisting of the municipalities of Houlton and Littleton in Aroostook County.

District Number 142, in Aroostook County, consisting of the municipalities of Blaine, Bridgewater, E Plantation, Monticello, Westfield and those portions of the municipality of Presque Isle enclosed by a line described as follows: Part A, beginning at the Presque Isle-Easton boundary; thence north along the boundary to the Presque Isle-Fort Fairfield boundary; thence north along the boundary to the Old Fort Fairfield Road; thence west and south on Old Fort Fairfield Road to State Street; thence west on State Street to Barton Street; thence north on Barton Street to Blake Street; thence west on Blake Street to Charles Street; thence north on Charles Street to Allen Street; thence west on Allen Street to the northernmost bridge across Presque Isle Stream; thence across the bridge to Park Street; thence northwest on Park Street to School Street; thence west on School Street to State Street; thence southeast on State Street to Judd Street; thence west on Judd Street to Mechanic Street; thence east on Mechanic Street to Lake Street; thence south on Lake Street to Exchange Street; thence northeast on Exchange Street to Edgemont Drive; thence east on Edgemont Drive across a bridge over Presque Isle Stream to State Street; thence east on State Street to Main Street; thence south on Main Street to the Bangor and Aroostook Railroad; thence south and east along the Bangor and Aroostook Railroad to the Presque Isle-Westfield boundary; thence east along the boundary to the Presque Isle-Easton boundary; and Part B, beginning at the Presque Isle-Westfield boundary; thence north along the Houlton Road to the Bangor and Aroostook Railroad; thence west and north along the Bangor and Aroostook Railroad's principal branch to Chapman Street; thence west and south on Chapman Street to its intersection with the western spur of the Bangor and Aroostook Railroad; thence west on the spur to the Mapleton-Presque Isle boundary; thence south along the boundary to the Presque Isle-Westfield boundary; thence east along the boundary to the beginning point of Part B.

District Number 143, in Aroostook County, consisting of that portion of the municipality of

Mapleton south of a line described as follows: Beginning at the Presque Isle-Mapleton boundary and its intersection with Route 143; thence west along Route 143 to the Mapleton-Castle Hill boundary; and those portions of the City of Presque Isle enclosed by a line described as follows: Beginning at the northernmost boundary of Presque Isle and Fort Fairfield; thence south along the boundary to the Old Fort Fairfield Road; thence west and south on Old Fort Fairfield Road to State Street; thence west on State Street to Barton Street; thence north on Barton Street to Blake Street; thence west on Blake Street to Charles Street; thence north on Charles Street to Allen Street; thence west on Allen Street to the northernmost bridge across Presque Isle Stream; thence across the bridge to Park Street; thence northwest on Park Street to School Street; thence west on School Street to Edgemont Drive; thence southeast on Edgemont Drive to Judd Street; thence west on Judd Street to Mechanic Street; thence east on Mechanic Street to Lake Street; thence south on Lake Street to Exchange Street; thence northeast on Exchange Street to State Street; thence east on State Street across a bridge over Presque Isle Stream to State Street; thence east on State Street to Main Street; thence south on Main Street to the Bangor and Aroostook Railroad, B&A RR; thence south and east along the Bangor and Aroostook Railroad to the Presque Isle-Westfield boundary; thence west along the boundary to the Houlton Road, U.S. Route 1; thence north along the Houlton Road to the Bangor and Aroostook Railroad; thence west and north along the Bangor and Aroostook Railroad's principal branch to Chapman Street; thence west and south on Chapman Street to its intersection with the western spur of the Bangor and Aroostook Railroad; thence west on the spur to the Mapleton-Presque Isle boundary; thence north along the boundary to the Presque Isle-Washburn boundary; thence north along the boundary to the Caribou-Presque Isle-Washburn boundary; thence east along the Presque Isle-Caribou boundary to the Presque Isle-Fort Fairfield boundary, which is the beginning point.

District Number 144, consisting of the municipalities of Mars Hill, Easton and Fort Fairfield in Aroostook County.

District Number 145, in Aroostook County, consisting of all of Limestone, except that portion

of Loring Air Force Base included in District Number 148.

District Number 146, in Aroostook County, consisting of that portion of the City of Caribou north and east of a line described as follows: Beginning at the Woodland-Caribou boundary and its intersection with the Woodland Road; thence proceeding east on the Woodland Road, which becomes Sweden Street; thence east and south on Sweden Street to Main Street; thence south on South Main Street to the Fort Fairfield Road; thence east on the Fort Fairfield Road to the Aroostook River; thence south along the river to the Caribou-Presque Isle boundary.

District Number 147, in Aroostook County, consisting of the municipalities of Woodland and Washburn; that portion of the City of Caribou south and west of a line described as follows: Beginning at the Woodland-Caribou boundary and its intersection with the Woodland Road; thence east and south along the Woodland Road, which becomes Sweden Street; thence south on Sweden Street to Main Street; thence south on South Main Street to the Fort Fairfield Road; thence east on the Fort Fairfield Road to the Aroostook River; thence south along the river to the Caribou - Presque Isle border; and that portion of the Town of Mapleton north of a line described as follows: Beginning at the Presque Isle-Mapleton boundary and its intersection with Route 163; thence west on Route 163 to the Castle Hill-Mapleton boundary.

District Number 148, in Aroostook County, consisting of the municipalities of Caswell Plantation, Connor, Cyr Plantation, Hamlin, New Sweden, Stockholm, Van Buren and a portion of the Loring Air Force Base enclosed by a line described as follows: Beginning at the intersection of Caswell Plantation and Sawyer Road; thence south on Sawyer Road to Cobb Drive; thence east on Cobb Drive to Dickman Drive to include all housing west of Dickman Drive and north of Cobb Drive, including Foulois Drive, Wells Drive, Duncan Court, Brookley Court and Andrews Court; thence north to the Caswell Plantation boundary.

District Number 149, consisting of the municipalities of Grand Isle, Madawaska, Perham, Wade and Westmanland, and the unorganized territory of Square Lake, in Aroostook County.

District Number 150, consisting of the municipalities of Fort Kent, Frenchville and Saint Agatha in Aroostook County.

District Number 151, consisting of the municipalities of Allagash, Ashland, Castle Hill, Chapman, Eagle Lake, Garfield Plantation, Masardis, Nashville Plantation, New Canada, Oxbow Plantation, Portage Lake, St. Francis, St. John Plantation, Wallagrass Plantation and Winterville Plantation, and the unorganized central and northwest portions in Aroostook County.

6. Senate districts. The Senate shall consist of 35 Senators, with one Senator elected from each of the following districts:

Senate District Number 1, consisting of the municipalities of Caswell Plantation, Connor, Cyr Plantation, Fort Kent, Frenchville, Grand Isle, Hamlin, Limestone, Madawaska, New Canada, New Sweden, Saint Agatha, Stockholm, Van Buren, Wallagrass Plantation and Woodland in Aroostook County.

Senate District Number 2, consisting of the municipalities of Allagash, Ashland, Caribou, Castle Hill, Chapman, Eagle Lake, Mapleton, Nashville Plantation, Perham, Portage Lake, Presque Isle, St. Francis, St. John Plantation, Wade, Washburn, Westmanland, Winterville Plantation and the unorganized territories of northwest Aroostook and Square Lake in Aroostook County.

Senate District Number 3, consisting of the municipalities of Amity, Bancroft, Benedicta, Blaine, Bridgewater, Cary Plantation, Crystal, Dyer Brook, E Plantation, Easton, Fort Fairfield, Garfield Plantation, Glenwood Plantation, Hammond, Haynesville, Hersey, Hodgdon, Houlton, Island Falls, Linneus, Littleton, Ludlow, Macwahoc Plantation, Mars Hill, Masardis, Merrill, Monticello, Moro Plantation, New Limerick, Oakfield, Orient, Oxbow Plantation, Reed Plantation, Sherman, Smyrna, Westfield, Weston and the unorganized territories of central Aroostook and south Aroostook in Aroostook County; and the municipalities of Drew Plantation, Mattawamkeag, Prentiss Plantation and the unorganized territory of Kingman in Penobscot County; and the municipalities of Codyville Plantation, Danforth, Grand Lake Stream Plantation, Passamaquoddy Indian Reservation, Talmadge,

Topsfield, Vanceboro, Waite and the unorganized territory of North Washington in Washington County.

Senate District Number 4, consisting of the municipalities of Anson, Athens, Bingham, Brighton Plantation, Caratunk, Dennistown Plantation, Embden, Highland Plantation, Jackman, Madison, Mercer, Moose River, Moscow, New Portland, Norridgewock, Pleasant Ridge Plantation, Seboomook Township, Smithfield, Solon, Starks, The Forks Plantation, West Forks Plantation, Central Somerset and the unorganized territories of northeast Somerset and northwest Somerset in Somerset County; and the municipalities of Carrabassett Valley, Chesterville, Coplin Plantation, Eustis, Farmington, Industry, Kingfield, Madrid, New Sharon, New Vineyard, Phillips, Strong and the unorganized territories of East Franklin and Wyman in Franklin County; and the municipality of Rome in Kennebec County.

Senate District Number 5, consisting of the municipalities of Abbot, Atkinson, Beaver Cove, Blanchard Plantation, Bowerbank, Brownville, Dover-Foxcroft, Greenville, Guilford, Kingsbury Plantation, Lakeview Plantation, Medford, Milo, Monson, Parkman, Sangerville, Sebec, Shirley, Wellington, Willimantic, the unorganized territories of Barnard Plantation and Elliottsville Plantation and the unorganized territories of northeast Piscataquis, northwest Piscataquis and southeast Piscataquis in Piscataquis County; and the municipalities of Chester, East Millinocket, Maxfield, Medway, Millinocket, Mount Chase, Patten, Seboeis Plantation, Stacyville, Woodville and the unorganized territory of north Penobscot in Penobscot County.

Senate District Number 6, consisting of the municipalities of Alton, Bradford, Burlington, Carroll Plantation, Charleston, Corinth, Edinburg, Enfield, Exeter, Garland, Glenburn, Greenbush, Howland, Hudson, Kenduskeag, Lagrange, Lakeville Plantation, Lee, Levant, Lincoln, Lowell, Old Town, Passadumkeag, Penobscot Indian Reservation, Springfield, Webster Plantation, Winn and the unorganized territories of Argyle Township, Summit Township and Grand Falls Plantation in Penobscot County.

Senate District Number 7, consisting of the municipalities of Addison, Alexander, Baileyville, Baring Plantation, Beals, Beddington, Calais, Centerville, Charlotte, Cherryfield, Co-

lumbia, Columbia Falls, Cooper, Crawford, Cutler, Deblois, Dennysville, East Machias, Eastport, Harrington, Jonesboro, Jonesport, Lubec, Machias, Machiasport, Marshfield, Meddybemps, Milbridge, Northfield, Pleasant Point-Passamaquoddy Indian Reservation, Pembroke, Perry, Plantation 14, Princeton, Robbinston, Roque Bluffs, Steuben, Wesley, Whiting, Whitneyville and the unorganized territories of Plantation 21 and east central Washington in Washington County.

Senate District Number 8, consisting of the municipalities of Andover, Bethel, Byron, Canton, Dixfield, Gilead, Hanover, Lincoln Plantation, Magalloway Plantation, Mexico, Milton Township, Newry, Roxbury, Rumford, Upton and the unorganized territory of north Oxford in Oxford County; and the municipalities of Avon, Carthage, Dallas Plantation, Jay, Rangeley, Rangeley Plantation, Sandy River Plantation, Temple, Weld, Wilton and the unorganized territories of North Franklin and South Franklin in Franklin County.

Senate District Number 9, consisting of the municipalities of Carmel, Corinna, Dexter, Dixmont, Etna, Hampden, Hermon, Newburgh, Newport, Plymouth and Stetson in Penobscot County; and the municipalities of Cambridge, Canaan, Cornville, Detroit, Harmony, Hartland, Palmyra, Ripley and St. Albans in Somerset County.

Senate District Number 10, consisting of the municipality of Bangor in Penobscot County.

Senate District Number 11, consisting of the municipalities of Brewer, Bradley, Clifton, Eddington, Greenfield, Holden, Milford, Orono, Orrington and Veazie in Penobscot County.

Senate District Number 12, consisting of the municipalities of Amherst, Aurora, Bar Harbor, Blue Hill, Brooklin, Brooksville, Cranberry Isles, Dedham, Deer Isle, Eastbrook, Ellsworth, Franklin, Frenchboro, Gouldsboro, Great Pond, Hancock, Lamoine, Mariaville, Mount Desert, Osborn, Otis, Sedgwick, Sorrento, Southwest Harbor, Stonington, Sullivan, Surry, Swans Island, Tremont, Trenton, Waltham, Winter Harbor and the unorganized territories of central Hancock and east Hancock in Hancock County; and the municipality of Isle Au Haut in Knox County.

Senate District Number 13, consisting of the municipalities of Albion, Benton, Clinton, Unity

Township and Winslow in Kennebec County; and the municipalities of Fairfield, Pittsfield and Skowhegan in Somerset County.

Senate District Number 14, consisting of the municipalities of Belfast, Brooks, Burnham, Frankfort, Freedom, Islesboro, Jackson, Knox, Monroe, Northport, Prospect, Searsport, Stockton Springs, Swanville, Thorndike, Troy, Unity, Waldo and Winterport in Waldo County; and the municipalities of Bucksport, Castine, Orland, Penobscot and Verona in Hancock County.

Senate District Number 15, consisting of the municipalities of Brownfield, Buckfield, Denmark, Fryeburg, Greenwood, Hartford, Hebron, Hiram, Lovell, Norway, Otisfield, Oxford, Paris, Peru, Stoneham, Stow, Sweden, Sumner, Waterford, West Paris, Woodstock and the unorganized territory of south Oxford in Oxford County; and the municipalities of Bridgton and Harrison in Cumberland County.

Senate District Number 16, consisting of the municipalities of Greene, Leeds, Lisbon, Livermore, Minot, Sabattus, Turner and Wales and that portion of the City of Lewiston south of a line described as follows: Beginning at the Androscoggin River at the inlet which approaches Lincoln Street; thence north along the inlet of the Androscoggin River, across Lincoln Street, to a point approaching Lisbon Street, east of Locust Street, the line to correspond to the boundary between House Districts 67 and 69 and to the division lines between Tracts 204 and 205, City of Lewiston, 1980 Federal Census of Maine; thence north along the line to Lisbon Street; thence northwest on Lisbon Street to Willow Street; thence northeast on Willow Street to Bartlett Street; thence north on Bartlett Street to Walnut Street; thence east on Walnut Street to Webster Street; thence southeast on Webster Street to Mitchell Street; thence southwest on Mitchell Street to Pleasant Street; thence east on Pleasant Street to Lisbon Street; thence southeast on Lisbon Street across the Maine Turnpike to the Maine Central Railroad; thence east and south along the Maine Central Railroad tracks to the Lewiston-Lisbon boundary in Androscoggin County.

Senate District Number 17, consisting of the municipalities of Belgrade, Fayette, Mount Vernon, Oakland, Sidney, Vienna and Waterville in Kennebec County; and the municipality of Livermore Falls in Androscoggin County.

Senate District Number 18, consisting of the municipalities of Farmingdale, Gardiner, Litchfield, Manchester, Monmouth, Pittston, Randolph, Readfield, Wayne, West Gardiner and Winthrop in Kennebec County; and the municipality of Whitefield in Lincoln County.

Senate District Number 19, consisting of the municipalities of Augusta, Chelsea, China, Hallowell and Vassalboro in Kennebec County.

Senate District Number 20, consisting of the municipalities of Alna, Boothbay, Boothbay Harbor, Bremen, Bristol, Damariscotta, Dresden, Edgecomb, Hibberts Gore, Jefferson, Monhegan Plantation, Newcastle, Nobleboro, Somerville, South Bristol, Southport, Waldoboro, Westport and Wiscasset in Lincoln County; and the municipalities of Cushing, Friendship, Union, Warren and Washington in Knox County; and the municipality of Windsor in Kennebec County.

Senate District Number 21, consisting of the municipalities of Appleton, Camden, Criehaven Township, Hope, Matinicus Isle Plantation, North Haven, Owls Head, Rockland, Rockport, St. George, South Thomaston, Thomaston and Vinalhaven in Knox County; and the municipalities of Belmont, Liberty, Lincolnville, Montville, Morrill, Palermo and Searsmont in Waldo County.

Senate District Number 22, consisting of the municipalities of Auburn, Mechanic Falls and Poland in Androscoggin County; and the municipality of New Gloucester in Cumberland County.

Senate District Number 23, in Androscoggin County, consisting of a part of the City of Lewiston north of a line described as follows: Beginning at the Androscoggin River at an inlet which approaches Lincoln Street; thence north along an inlet of the Androscoggin River, across Lincoln Street, to a point approaching Lisbon Street, east of Locust Street, the line to correspond to the boundary between House Districts 67 and 69 and to the division lines between Tracts 204 and 205, City of Lewiston, 1980 Federal Census of Maine; thence north along the line to Lisbon Street; thence northwest on Lisbon Street to Willow Street; thence northeast on Willow Street to Bartlett Street; thence north on Bartlett Street to Walnut Street; thence east on Walnut Street to Webster Street; thence southeast on Webster Street to Mitchell Street; thence southwest on Mitchell Street to Pleasant Street; thence east

on Pleasant Street to Lisbon Street; thence southeast on Lisbon Street (Rte. 196) across the Maine Turnpike to the Maine Central Railroad; thence east and south along the Maine Central Railroad tracks to the Lewiston-Lisbon boundary.

Senate District Number 24, consisting of the municipalities of Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Phippsburg, Richmond, Topsham, West Bath, Woolwich and the unorganized territory of Perkins Township in Sagadahoc County; and the municipality of Harpswell in Cumberland County.

Senate District Number 25, consisting of the municipalities of Acton, Alfred, Cornish, Hollis, Limerick, Limington, Lyman, Newfield, Parsonsfield, Shapleigh and Waterboro in York County; and the municipalities of Baldwin, Casco, Naples, Sebago and Standish in Cumberland County; and the municipality of Porter in Oxford County.

Senate District Number 26, consisting of the municipalities of Brunswick, Freeport, Pownal and Yarmouth in Cumberland County; and the municipality of Durham in Androscoggin County.

Senate District Number 27, consisting of the municipalities of Cumberland, including Chebeague Island, Falmouth, Gray, North Yarmouth, Raymond and Windham in Cumberland County.

Senate District Number 28, consisting of the municipalities of Gorham and Westbrook in Cumberland County; and the municipality of Buxton in York County.

Senate District Number 29, in Cumberland County, consisting of that portion of the City of Portland north of a line described as follows: Beginning at the Portland-Westbrook boundary at its intersection with Brighton Avenue; thence southeast on Brighton Avenue to Deering Avenue; thence south on Deering Avenue to Route 295; thence east on Route 295 to a point 100 feet northeast of the intersection of Route 295 and Preble Street Extension; thence due north to Back Cove; thence north and east along the shore of Back Cove to Casco Bay; thence north along the shore of Casco Bay to the Falmouth-Portland boundary; thence along the Falmouth-Portland boundary to the Westbrook-Portland boundary; thence along the Westbrook-Portland boundary to the beginning, the

district to exclude all islands within the boundaries of the City of Portland.

Senate District Number 30, in Cumberland County, consisting of that portion of the City of Portland south of a line described as follows: Beginning at the Portland-Westbrook boundary at its intersection with Brighton Avenue; thence southeast on Brighton Avenue to Deering Avenue; thence south on Deering Avenue to Route 295; thence east on Route 295 to a point 100 feet northeast of the intersection of Route 295 and Preble Street Extension; thence due north to Back Cove; thence north and east along the shore of Back Cove to Casco Bay; thence north along the shore of Casco Bay to the Falmouth-Portland boundary; thence east along the Falmouth-Portland boundary until the boundaries close, the district to contain all islands within boundaries of the City of Portland.

Senate District Number 31, consisting of the municipalities of Dayton, Old Orchard Beach and Saco in York County; and the municipality of Scarborough in Cumberland County.

Senate District Number 32, consisting of the municipalities of Cape Elizabeth and South Portland in Cumberland County.

Senate District Number 33, consisting of the municipalities of Berwick, Lebanon, North Berwick, Sanford and South Berwick in York County.

Senate District Number 34, consisting of the municipalities of Arundel, Biddeford, Kennebunk and Kennebunkport in York County.

Senate District Number 35, consisting of the municipalities of Eliot, Kittery, Ogunquit, Wells and York in York County.

7. Congressional districts. The State of Maine shall be divided into 2 districts for the election of Representatives to Congress. The districts are comprised as follows.

A. The first district is comprised of York, Cumberland, Sagadahoc, Lincoln, Kennebec and Knox Counties and the municipalities of Burnham, Freedom, Islesboro, Liberty, Lincolnville, Montville, Morrill, Northport, Palermo, Searsmont, Troy, Waldo and Unity in Waldo County.

B. The 2nd district is comprised of Androscoggin, Aroostook, Franklin, Hancock, Oxford, Penobscot, Piscataquis, Somerset and Washington Counties and the municipalities of Belfast, Belmont, Brooks, Frankfort, Jackson, Knox, Monroe, Prospect, Searsport, Stockton Springs, Swanville, Thorndike and Winterport in Waldo County.

C. In 1983 and every 10 years thereafter, when the Secretary of State has received notification of the number of congressional seats to which the State is entitled and the Federal Decennial Census population count is final, the apportionment commission established pursuant to the Constitution of Maine, Article IV, Part Third, Section 1-A, shall review the existing congressional districts. If the districts do not conform to Supreme Judicial Court guidelines, the commission shall reapportion the State into congressional districts.

In making such a reapportionment, the commission shall insure that each congressional district is formed of compact and contiguous territory and crosses political subdivisions the least number of times necessary to establish as equally populated districts as possible. The commission shall submit its plan to the Clerk of the House no later than 90 calendar days after appointment of the commission. The Legislature shall enact the submitted plan of the commission or a plan of its own in regular or special session by a vote of 2/3 of the members of each house within 30 calendar days after the plan is submitted to the Clerk of the House. This action is subject to the Governor's approval, as provided in the Constitution of Maine, Article IV, Part Third, Section 2.

D. In the event that the Legislature fails to make an apportionment within 30 calendar days, the Supreme Judicial Court shall, within 60 days following the period in which the Legislature is required to act, but fails to do so, make the apportionment. In making such apportionment, the Supreme Judicial Court shall take into consideration plans and briefs filed by the public with the court during the first 30 days of the period in which the court is required to apportion.

The Supreme Judicial Court shall have original jurisdiction to hear any challenge to an apportionment law enacted by the Legislature, as reg-

istered by any citizen or group thereof. If any challenge is sustained, the Supreme Judicial Court shall make the apportionment.

Sec. 7. 26 MRSA §821, as enacted by PL 1983, c. 128, §1, is amended to read:

§821. Person employed in position other than temporary

Any person, except a person covered under Title 20, section 2001, employed in a position other than a temporary position shall be granted a leave of absence to fulfill the duties of a Legislator, provided that the employee gives written notice to his employer of his intent to become a candidate for the Legislature within 10 days after taking action under ~~Title 21~~ Title 21-A to place his name on a primary or general election ballot. Following his term of service as a Legislator, the employee, if he is still qualified to perform the duties of the position from which he was granted leave, shall be entitled to be restored to his previous, or a similar, position with the same status, pay and seniority. This leave of absence shall, within the discretion of the employer, be with or without pay and shall be limited to one legislative term of 2 years.

Sec. 8. 30 MRSA §2061, sub-§5, ¶I, as repealed and replaced by PL 1977, c. 696, §223, is amended to read:

I. Instruction cards containing the substance of Title 21, sections 861 to 863, 891, 892, 921, 923, 1579 and 1580 Title 21-A, sections 671 to 674, 681, 682, 691 and 693, to guide voters in obtaining and marking ballots and to inform them of penalties for improper conduct shall be printed.

Sec. 9. 30 MRSA §2062, sub-§1 is amended to read:

1. Procedure. The absentee voting procedure outlined in ~~Title 21~~ Title 21-A shall be used, except the duties of the Secretary of State shall be performed by the clerk.

Sec. 10. 30 MRSA §2062, sub-§2, as enacted by PL 1975, c. 386, §2, is amended to read:

2. Absentee ballot. The absentee ballot requirements of ~~Title 21, section 1252~~ Title 21-A, section 752, shall apply, provided that the words "Absentee Ballot" may be marked conspicuously, instead of

printed, on both sides of the folded ballot, if at least one such marking includes an attestation with the written signature of the clerk and is sealed with the municipal seal.

Sec. 11. 30 MRSA §2066, as amended by PL 1975, c. 164, is further amended to read:

§2066. Applicability of provisions

Except as otherwise provided by this Title or by charter, the method of voting and the conduct of a municipal election are governed by ~~Title 21~~ Title 21-A. The qualifications for voting in a municipal election conducted under this Title are governed solely by ~~Title 21, section 241~~ Title 21-A, section 111.

Sec. 12. 30 MRSA §5352 is amended to read:

§5352. Warrant for city election; conduct of election

Each city election shall be called by a warrant. The warrant shall meet the requirements listed in section 2052. An attested copy shall be posted in a conspicuous, public place in each ward. The election shall be conducted in each ward in the same manner as a general election under ~~Title 21~~ Title 21-A, as nearly as practicable.

Sec. 13. 30 MRSA §5356, first ¶, as amended by PL 1977, c. 696, §229, is further amended to read:

A candidate for municipal office of a city of 10,000 or more population is governed by ~~Title 21, sections 1391 to 1402~~ Title 21-A, sections 1001 to 1004, and sections 1011 to 1020, except that notices of appointment of a treasurer and campaign reports must be filed with the clerk instead of the Secretary of State.

Sec. 14. 34-A MRSA §1001, sub-§18, as enacted by PL 1983, c. 459, §6, is amended to read:

18. Written political material. "Written political material" means flyers, handbills or other nonperiodical publications, which are subject to the restrictions of ~~Title 21, chapter 35~~ Title 21-A, chapter 13.

Sec. 15. 34-A MRSA §3007, sub-§4, as enacted by PL 1983, c. 459, §6, is amended to read:

4. Violation. The posting of written political material under this section is not a violation of Title 21, section 1575-A Title 21-A, section 31, subsection 3, or Title 21, section 1579, subsection 7 Title 21-A, section 674, subsection 1, paragraph C.

Effective September 19, 1985.

CHAPTER 162

S.P. 414 - L.D. 1144

AN ACT to Amend the Department of
Environmental Protection Laws.

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

Sec. 1. 4 MRSA §152, sub-§6, as enacted by PL 1983, c. 796, §1, is amended to read:

6. Land use laws. Original jurisdiction, concurrent with that of the Superior Court, to grant equitable relief in proceedings involving alleged violations of a local land use ordinance or regulation or a state land use statute or regulation, which shall include, but shall not be limited to, the following: The laws pertaining to the Maine Land Use Regulation Commission, Title 12, chapter 206-A; minimum lot size law, Title 12, sections 4807 to 4807-G; shoreland zoning ordinances adopted pursuant to Title 12, sections 4811 to 4817; the Alteration of Rivers, Streams and Brooks law, Title 12, sections 7776-7780 7776 to 7780; the plumbing and subsurface wastewater disposal rules adopted by the Department of Human Services pursuant to Title 22, section 42; laws pertaining to public water supplies, Title 22, sections 2642, 2647 and 2648; local ordinances pursuant to Title 22, section 2642; local ordinances adopted pursuant to Title 30, section 1917; local building codes adopted pursuant to Title 30, sections 1917 and 2151; Title 30, chapter 215, subchapter I, automobile junkyards and subchapter X, regulation and inspection of plumbing; Title 30, section 4359, malfunctioning domestic sewage disposal units; Title 30, section 4956, the subdivision law, and local subdivision ordinances adopted pursuant to Title 30, section 1917 and subdivision regulations adopted pursuant to Title 30, section 4956; local zoning ordinances adopted