

MAINE STATE LEGISLATURE

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CHAPTER 39

MISCELLANEOUS PROVISIONS

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§ 1571. Congressional districts

The districts for the election of Representatives to Congress are comprised as follows:

1. First district. The first district is composed of Cumberland, Kennebec, Knox, Lincoln, Sagadahoc, Waldo and York Counties. It is entitled to one Representative to Congress.

2. Second district. The second district is composed of Androscoggin, Aroostook, Franklin, Hancock, Oxford, Penobscot, Piscataquis, Somerset and Washington Counties. It is entitled to one Representative to Congress.

1961, c. 360, § 1; c. 395, §§ 1, 57.

§ 1572. Voting districts

A municipality may be divided into voting districts as follows:

1. Procedure. The municipal officers may divide a town or ward into not more than 5 convenient voting districts after public notice and hearing held at least 60 days before any election. After the hearing, the municipal officers shall prepare a certificate defining the limits of each district. They shall 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.

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 of a city shall appoint a warden, ward clerk and at least 4 election clerks for each voting place created by the division. Election clerks must be nominated as provided in section 532.

A. Exception. In a town, ward clerks are not appointed.

4. Officials sworn. Before assuming the duties of office, the officials appointed under this section shall 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.

1961, c. 360, § 1.

§ 1573. Connor to have separate voting place

The municipal officers of Caswell Plantation are directed to establish a voting place at Connor, an unorganized township in the County of Aroostook, for all state and national elections, including primary elections, at which voting place all residents of unorganized places entitled to vote in Caswell Plantation may cast their ballots under the conditions provided in this section. The municipal officers shall prepare a separate list of such voters, resident in unorganized places who are entitled to vote in Caswell Plantation, as may request the privilege of voting at Connor at the time they qualify as voters in Caswell Plantation under section 246, and all persons whose names are so included in said list shall be entitled to vote at said voting place in Connor instead of at Caswell Plantation.

Municipal officers of Caswell Plantation shall select 4 ballot clerks from the inhabitants of Connor, representing the 2 political parties which at the gubernatorial election next preceding such appointment cast the greatest number of votes and shall select a warden who shall be a resident of Caswell Plantation.

The conduct of elections at said voting place shall be the same as in towns having separate voting districts, and all the

provisions of the Revised Statutes with respect to separate voting districts in towns are made applicable to said voting place at Connor as though the same were located within the territorial limits of Caswell Plantation, and the powers and duties of municipal officers in such case are conferred upon the municipal officers of Caswell Plantation.

1963, c. 407, § 1.

§ 1574. 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.

1961, c. 360, § 1.

§ 1575. Identification of political advertisements

The source of a written or oral advertisement which is designed to promote or defeat a candidate, party or principle must be identified by disclosing as part of the advertisement the name of the person or chairman of the organization which sponsored it.

1961, c. 360, § 1.

§ 1576. Form and content of documents

The Secretary of State may establish the layout and content of all forms, lists, books, documents and records required by or necessary to the efficient operation of this Title, except where the layout or content is specifically regulated by statute.

1961, c. 360, § 1.

§ 1577. 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.

1. Exceptions. Ballots and check lists are not public records and may be inspected only in accordance with this Title.

1961, c. 360, § 1.

§ 1578. 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.

2. **Convention certificates.** The Secretary of State shall keep the certificates required by section 402 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 as provided in sections 601 and 801 in his office for one year.

5. **Receipt for voting list.** The registrar shall keep the receipt for certified copies of the voting list required by section 762 in his office for one year.

6. **Election returns.** The Secretary of State shall keep election returns 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 926 in his office for 3 months and check lists for one year unless sooner released to the Secretary of State or required by him 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, furnished him as required by section 1184, in his office for one year.

9. **Registration of treasurer.** The Secretary of State shall keep the registration of a treasurer under section 1393 in his office for 2 years.

10. **Records of campaign finances.** Each treasurer and each candidate shall keep the records required by section 1396 for 2 years following the election to which they pertain.

11. **Campaign reports.** The Secretary of State shall keep the campaign reports in his office for 2 years.

12. **Certificate of appointment.** The Secretary of State shall keep a certificate of appointment to fill a vacancy, as required by section 1442, 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.

1961, c. 360, § 1.

§ 1579. Misdemeanors

Whoever commits any act described in this section shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both.

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

2. False registration or enrollment. A person who knowingly makes a false statement or takes a false oath before an official concerning the qualification of any person for registration or enrollment, or who enters the name of a person on a voting list or general register knowing it should not have been entered;

3. Fraudulent removal. A person who removes the name of a voter from a voting list or general register, knowing it should not have been removed;

4. Dual registration. A person who knowingly registers in more than one voting district or municipality without revealing his prior registration to the registrar;

5. Failure to enforce educational test. A registrar or deputy who knowingly or willfully fails or refuses to require an applicant for registration to prove that he can read and write as provided in section 241;

6. Public records. A person who defaces, falsifies or suppresses a public record; or who knowingly makes a false public record; or who destroys a public record, except as permitted by section 1578;

7. Ballots and checklists. A person who defaces, falsifies or suppresses a ballot or checklist; or who knowingly makes a false checklist; or who destroys a ballot or checklist, except as permitted by section 1578;

8. Notices, specimen ballots and instructions. A person who destroys or defaces a posted notice, specimen ballot or instruction poster before the election to which it pertains is over;

9. Failure to report. A person or organization which receives, spends or promises money without reporting it as required by this Title;

10. Excess spending. A person or organization which spends more for any purpose than the amount stated in the final campaign report;

11. False statement. A person or organization which makes a false statement in a campaign report;

12. Failure to file. A person or organization which fails to file a campaign report as required by this Title;

13. Failure to vote in person. A person who has voted by absentee ballot but who is present and able to vote in person at the proper voting place on election day and fails to do so;

14. Aiding ineligible voter. A person who aids another in voting knowing that the voter is not eligible to vote;

1963, c. 78, § 23.

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

16. Failure to identify advertisement. A person or organization which fails to identify as required by section 1575 an advertisement designed to promote or defeat a candidate, party or principle by disclosing as part of the advertisement the name of the person or chairman of the organization which sponsored it;

17. Voting under assumed name. A person who votes or attempts to vote by using the name of another;

18. Interference with voter. A person who interferes with a voter attempting to cast his vote in the voting place;

19. Assistance in voting. A person who assists or offers to assist a voter in marking his ballot before being requested to do so by the warden;

20. Improper voting. A person who votes or attempts to vote knowing that he is not eligible to do so, or who votes more than once at the same election;

1963, c. 78, § 24.

21. Ballot revealed. A person who shows his marked ballot to another for the purpose of revealing how he voted;

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

23. Damaging voting machines. A person who willfully damages a voting machine;

24. Unauthorized handling of voting machines. A person who attempts to alter, operate, adjust, move, unlock or unseal a voting machine contrary to a provision of this Title;

25. Improper contribution. A person who contributes money to a treasurer or candidate in any name other than his own, or a treasurer or candidate who knowingly accepts or records a contribution in any name other than that of the donor;

26. General penalty. A person who performs an act prohibited by this Title for which no penalty has been provided;

27. Failure to pay fine. A person who fails to pay any fine assessed by the Campaign Reports Committee. (1963, c. 78, § 25.)

1961, c. 360, § 1; 1963, c. 78, §§ 23-25.

§ 1580. Felonies

Whoever commits any act described in this section shall be punished by a fine of not more than \$2,000 or by imprisonment for not more than 2 years, or by both.

1. Public official. An official who knowingly fails or refuses to perform a duty required of him by this Title and receives money or anything of value for so doing;

2. Unreasonable delay or refusal. A person who knowingly causes a delay in the registration or enrollment of another or in the delivery of a ballot or an application for an absentee ballot so as to prevent a person from voting, or so as to render his vote ineffective; or who refuses to allow a person to vote who has qualified as required by this Title;

3. Offer of money. A person who offers money or anything of value to another to induce him to vote for or against a candidate, party or principle;

4. Solicitation of money. A person who solicits or accepts money or anything of value and in consideration offers to vote for or against a candidate, political party or principle;

5. Offer of position. A person who offers to appoint another to a position of honor, trust or profit in consideration of the support of the other in securing his election to public office;

6. Solicitation of position. A person who solicits appointment to a position of honor, trust or profit in consideration of his support in securing the election of another to public office;

7. Tampering with voting machines. A person who tampers with a voting machine for the purpose of causing it to operate in any other manner than it was designed to operate.

1961, c. 360, § 1.