

MAINE STATE LEGISLATURE

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CHAPTER 243

CITY OFFICIALS AND ELECTIONS

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§ 5351. Designation of officials

The following miscellaneous provisions apply to the choice and terms of various city officials:

1. Assessors and assistant assessors.

A. Assessors and their assistants shall be chosen annually on the 2nd Monday of March to serve for one year and until others are chosen and qualified in their stead, unless the city charter provides otherwise.

B. In addition to the assistant assessors chosen under a city charter, the municipal officers may authorize the assessors to appoint such assistants as public necessity requires, to serve during the municipal year in which they are appointed.

2. Board of assessment review.

A. Any city choosing a single assessor may adopt a board of assessment review by vote of the city council at least 30 days before the annual city election.

B. The board of assessment review shall consist of 3 members to be appointed by the city council.

C. The city council, when adopting such board, may fix the compensation of the members of such board. One member shall be appointed for one year, one member for 2 years and one member for 3 years, and thereafter the term of each new member shall be 3 years.

D. Any city adopting a board of assessment review may discontinue such board by vote of the city council at least 30

days before the annual city election, in which case the board shall cease to exist at the end of the municipal year.

1963, c. 299, § 4.

3. Constable.

A. When a vacancy occurs in the office of constable, the municipal officers may appoint a qualified person to fill the vacancy for the remainder of the term.

4. Warden and clerk.

A. A warden and clerk for each ward shall be elected by secret ballot at the regular election of municipal officers.

(1) They shall assume the duties of office on the Monday following election.

(2) They shall hold office for one year and until others are chosen and qualified in their stead.

5. Officials elected by aldermen and common council.

A. In the election of any official by the board of aldermen or jointly by the aldermen and common council in which the mayor has a right to give a deciding vote, if the candidates have an equal number of votes he shall determine which of them is elected.

6. Officials appointed by the municipal officers.

A. Whenever appointments to office may be made by the municipal officers, they shall be made by the mayor with the consent of the aldermen, and may be removed by the mayor.

R.S.1954, c. 91, §§ 75-79; 1957, c. 405, § 1; 1963, c. 299, § 4.

§ 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, as nearly as practicable.

R.S.1954, c. 91, § 74; 1957, c. 405, § 1; 1961, c. 360, § 13.

§ 5353. Change in ward limits

When a change has been made by a city government in the limits of a ward, it becomes valid as soon as it is approved at the next city election.

R.S.1954, c. 91, § 74; 1957, c. 405, § 1.

§ 5354. Nomination to city office by petition

A person may be nominated to any city office by nomination petition following the procedure prescribed by Title 21, chapter 17, using a political designation only if permitted by the city charter. The petition and consent must be filed with the clerk at least 14 days prior to election day.

1961, c. 360, § 14.

§ 5355. Ballots, specimen ballots and instruction posters

Except as otherwise provided by its charter, the ballots, specimen ballots and instruction posters for use in a city election are governed by the following provisions:

1. Prepared by clerk. They shall be prepared by the clerk at the expense of the city a reasonable time before each election as nearly as practicable in accordance with section 2061, subsection 5.

2. Specimen ballots and instruction posters. At least 4 days prior to election day, the clerk shall post a specimen ballot in one or more conspicuous, public places in each ward. Before the election he shall publish a composite specimen ballot containing the names of all the nominees, in a newspaper having general circulation in the city. On election day, at the opening of the polls, the clerk shall post an instruction poster in each voting booth, and 3 instruction posters and 5 specimen ballots in the voting room outside the guardrail.

1961, c. 360, § 14.

§ 5356. Campaign reports in municipal election

A candidate for municipal office of a city of 10,000 or more population is governed by Title 21, sections 1392 to 1397, except that notices of appointment of a treasurer and campaign reports must be filed with the clerk instead of the Secretary of State.

1. Penalty. A candidate who fails to file a notice or report as required by this section shall be punished by a fine of \$5 for every day he is in default or by imprisonment for not more than 30 days, or by both.

1961, c. 360, § 14.

§ 5357. Election by plurality

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

1961, c. 360, § 14.

§ 5358. Power of police

Police officers appointed in any city have the powers of constables in all matters criminal or relating to the bylaws of their city.

R.S.1954, c. 89, § 211.