

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**This document is from the files of the Office of
the Maine Attorney General as transferred to
the Maine State Law and Legislative Reference
Library on January 19, 2022**

November 27, 1925.

Hon. Frank W. Ball,
Secretary of State
Augusta, Maine.

My dear Mr. Ball:

In re inquiry of George H. Allen regarding the provisions of the Primary Law and especially as to Sections 11-13 of Chapter 62 of the Laws of 1925, as contained in his letter of November 3rd.

Section 12 of Chapter 62 of the Public Laws of 1925 provides for a uniform enrollment in cities, towns and plantations, regardless of population.

I do not find any conflict between Sections 11 and 13 of the new law.

Section 11 provides for the issuing and posting of warrants directed to the qualified and legally enrolled voters and gives the form applicable to towns and further provides that "such warrant shall be posted in the manner required by law for warrants for the state election," and that "like warrants shall be issued by the mayor and aldermen of cities and the assessors of plantations with appropriate changes and posted in like manner."

From the foregoing, it is evident that Section 11 applies to cities, towns and plantations.

Section 13 of said Chapter 62, Public Laws of 1925, provides for the conduct of primary elections and the qualifications of voters to vote. The only changes or additions therein made to Section 13 of (the old law), Section 13 of Chapter 6 of the Revised Statutes are as follows, viz:

1. The addition of the words "and enrolled" after the word "qualified" in the second line of said section 13, R. S. thus making it necessary, in order to vote, for the votes of cities, towns and plantations to be enrolled.

2. By omitting after the word "before" in the thirteenth line of said Section 13, R. S. the words

"a ballot clerk" and inserting instead thereof the words "registration board of the district or precinct"; and by emitting, after the word "such" in the fifteenth line of said section, the words "ballot clerk", and substituting in place thereof the words "registration board". Thus all enrollments at the voting place must be made before a registration board, which in cities is the regular registration board and in towns and plantations the municipal officers.

3. By inserting after the words "town" or "towns" where they appear in lines 7, 17 and 20 of said section, the words "plantation" or "plantations". Thus making this section apply to plantations as well as to cities and towns.

4. By inserting after the word "party" in the twenty-fifth line of said section, the words "if a new voter or a voter enrolling for the first time."

My understanding of the present law, and I so advise, is that all voters who were enrolled six months before the primary election and all new voters, and those enrolling for the first time on election day, making an enrollment as aforesaid provided, have a right to vote at such election.

A person changing his enrollment within six months of such election cannot vote.

It will be necessary for the various registration boards to be in session on election day during the time the polls are open.

Yours very truly,

Sanford L. Fogg,

Deputy Attorney General,

See also p. 41, 1925-8 Report