

MAINE STATE LEGISLATURE

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June 7, 1926.

Hon. Raymond S. Oakes,
702 Fidelity Bldg.,
Portland, Maine.

Dear Brother Oakes:

I am pleased to acknowledge the receipt of your letter of June 3rd, relative to the enrollment of voters.

Section 38 of Chapter 62 of the Public Laws of 1925, provides that:

"Any person who is a legal voter may enroll himself as a member of any political party by filing with the board of registration of voters of the city, town or plantation of which he is a legal voter a declaration in writing, signed by him, substantially as follows: 'I.....being a legal voter of.....hereby elect to be enrolled as a member of the..... party. The following statement of name, residence, place of last enrollment, if any, and party of last enrollment if any, is true.' A new enrollment may be made at any time, but the person making such new enrollment shall not vote in any political caucus or primary election within six months thereafter;****"

My interpretation of the above is that, the voter has the right to make such enrollment any time up to the opening of the polling places on election day and that it is the duty of the Boards of Registration in the various cities, towns and plantations to receive the voter's declaration and cause his name to be entered on the enrollment list.

In Section 13 of the aforesaid act, it is provided that:

"No person shall vote at any primary election unless a legally qualified and enrolled voter at such voting place, as required by the preceding section. The selectmen of towns and plantations, the wardens of wards in cities shall be seasonably furnished by the town, plantation or city clerk, or other official charged with the duty of preserving the same, with duly certified copies of all enrollment lists, arranging each political party separately and its names of voters therein alphabetically. If not therein enrolled, any voter qualified by law and this chapter as a legal voter at such voting place, may be enrolled after subscribing and making oath before a registration board of the district or precinct to the statement as required by section thirty-nine of this chapter."

My interpretation of that section is that the voter has the right to be enrolled during the primary election by subscribing and making oath before the registration board to the statement required by Section thirty-nine of said Act.

I agree with you that a literal interpretation of the act, as far as it relates to cities where there are several polling places would be to require that which is impos-

It is my opinion that the only reasonable solu-
of the matter is to require the voter desiring to be enrolled during the primary election to go before the Board of Registration at its office and subscribe and make oath to the aforesaid statements.

Yours very truly,

Sanford L. Fogg,

Deputy Attorney General.