

MAINE STATE LEGISLATURE

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August 17, 1933

Mr. Ray S. Foster
Dennysville, Maine

Dear Sir:

On July 29th, I wrote you in response to your letter of July 28th, relative to the right of voters in unorganized territory to vote in adjacent towns, and in that letter after quoting a section of Chapter 209 of the Public Laws of 1937, I advised you that in my opinion the matter of obtaining "satisfactory evidence of such legal residence" is for the decision of the municipal officers or other election officials.

After a more extended and careful study of the above quoted chapter it is now my opinion that the apparent intent of the Legislature was to require such voters to have, as a preliminary to voting, a certificate of residence from the State Tax Assessor which could be presented to the municipal officers or election officials of an adjoining town as proof of the right to vote in such town.

A voter living in an organized town or in a plantation which is organized must, of course, prove to the satisfaction of the election officials in that town his right to have his name placed on the voting lists and to vote.

Obviously, the election officials in any town in Maine cannot of their own knowledge have the necessary information of the qualifications of voters in adjoining unorganized territory to decide which names should be placed on the voting list. The Legislature devised this new method in order to take care of that situation.

Mr. Ray S. Foster

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August 17, 1938

The State Tax Assessor, of course, is aware of the fact that not all persons in the unorganized territory will be familiar with this requirement and he has done everything possible to call the requirement to the attention of such residents. The agents have carefully compiled a list of the persons entitled to vote in their respective territories and Mr. Holley is now sending such ones of those who appear on these lists a form for applying for the certificate of residence and notifying them of the requirements of the statute.

I have called Mr. Holley's attention to the fact that there may possibly be some residents who are entitled to the certificate and with it to vote in an adjoining town but would neglect to apply until election day. In order not to prevent these people from voting, Mr. Holley is sending to each one of his agents certificates of residence signed by him with instructions to the agents to fill in the name of any person entitled to such certificate and deliver the certificate to such person.

In view of all these efforts which have been made to see that every person is given a chance to vote who is so entitled, I do not anticipate there will be any trouble, and that this first test of the new law will be found to be a satisfactory solution of this problem.

Very truly yours.

Sanford L. Fogg
Deputy Attorney General