

MAINE STATE LEGISLATURE

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STATE OF MAINE

Inter-Departmental Memorandum Date August 3, 1972

To John Stevens, Commissioner

Dept. Indian Affairs

From George C. West, Deputy

Dept. Attorney General

Subject _____

It is my understanding that the Penobscot Tribe at a caucus on August 1 voted to allow absentee ballots to be used at the tribal election in September. This is a new procedure which has never been done before and you have asked whether it is legal.

I do not find anything in the statutes relating to tribal elections which forbids the use of absentee ballots. I can see no reason why the tribes should not use absentee ballots in their tribal elections. I would assume, of course, that the tribe would utilize the procedures set forth in the State election laws contained in Title 21. I also assume that the tribal clerk would handle the absentee ballots the same as the town or city clerks.

If any questions arise in the near future concerning the use of absentees, I will be glad to have this office assist you in setting up proper procedures.


George C. West
Deputy Attorney General

GCW:H