

MAINE STATE LEGISLATURE

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ONE - HUNDREDTH LEGISLATURE

Legislative Document

No. 198

H. P. 135

House of Representatives, January 11, 1961.

Referred to Committee on Election Laws. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Johnson of Smithfield.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT Providing for Alphabetical Listing of Candidates on Election Ballot.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 5, § 5, amended. The first 6 sentences of section 5 of chapter 5 of the Revised Statutes, as amended by section 12 of chapter 204 of the public laws of 1959, are further amended to read as follows:

'Every general ballot or ballot intended for the use of all voters, which shall be printed in accordance with ~~the provisions of~~ this chapter, shall contain the names and residences, ward residences in city elections, of all candidates whose nominations for any office specified in the ballot have been duly made and not withdrawn ~~in accordance herewith~~, and the office for which they have been severally nominated, and shall contain no other names except that in case of electors of President and Vice-president of the United States, the names of the candidates for President and Vice-president may be added to the party or political designation. The names of candidates nominated by any party ~~shall be grouped together upon the ballot. The names of the candidates for President and Vice president shall appear first followed by the names of candidates for the office of United States Senator, Governor and Representatives to Congress in that order whenever such offices are to be filled. Above each group shall be placed the name of the political party by which the candidates comprising such group were placed in nomination, or the political designation as described in the certificate of nomination, or nomination papers, under a square each side of which shall be not less than 2 inches; above such square shall be printed the following words in plain letters: To vote a straight ticket mark a cross (X) or a check mark (✓) within this square. Below the name of each candidate for any office in any group there shall be left a blank space~~

in which the voter may write the name of any person for whom he desires to vote as a candidate for such office; at the right of each name and at the right of the blank space above provided for, there shall be left a blank square in which the voter may mark a cross (X) or a check mark (✓); under for an office shall be listed alphabetically upon the ballot below the name of the office for which they have been severally nominated. The offices shall be arranged alphabetically on the ballot, except that the office of President and Vice-president shall appear first, followed by the office of United States Senator, Governor and Representatives to Congress in this order whenever such offices are to be filled. Below the names of the last candidate listed for any office there shall be left a blank space in which the voter may write the name of any person for whom he desires to vote as a candidate for such office. At the right of each name shall be placed a letter to indicate the name of the party or political designation by which the candidate was placed in nomination, followed by a blank space in which the voter may mark a cross (X) or a check mark (✓). Under the name of the office to be voted for, when there is more than one office to be filled, there shall be printed the words "Vote for not more than 2", "Vote for not more than 3" and so forth in accordance with the number of offices to be filled as the case may be. If only one person be nominated by any party, or under any political designation, his name with the office for which he is a candidate shall be printed by itself under the name of such party or political designation.'

Sec. 2. R. S., c. 5, § 35, amended. The first 6 sentences of section 35 of chapter 5 of the Revised Statutes are amended to read as follows:

'On receipt of his ballot the voters shall forthwith, and without leaving the enclosed space, retire alone to one of the voting shelves or compartments and shall prepare his ballot by marking in the appropriate place a cross (X) or a check mark (✓) as follows: He may place such mark within the square above the name of a party group or ticket, in which case he shall be deemed to have voted for all the persons named in the group under such party or designation. If the voter shall desire to vote for any person or persons, whose name or names are not printed as candidates in such party group or ticket, he may erase or draw a line through any name or names which are printed therein and place a cross (X) or a check mark (✓) in the square at the right of the name of the candidate of his choice in any other party group or ticket. Or, as an optional method of voting, the voter may omit the cross (X) or the check mark (✓) in the party square and place an cross (X) or a check mark (✓) in the blank square at the right of the name of each candidate he wishes to vote for. If the voter wishes to vote for a candidate whose name is not on the ballot, he may write the name under the name of the candidate erased or through whose name he has drawn a line in the blank spaces provided for that purpose under each listed office. Or, if the voter does not desire to vote for a person or persons whose name or names are printed upon the party group or ticket, he may erase or draw a line through such name or names with the effect that the ballot shall not be counted for such candidate or candidates.'

Sec. 3. R. S., c. 5, § 40, amended. The last sentence of section 40 of chapter 5 of the Revised Statutes is amended to read as follows:

'No marks, other than those authorized by law, shall be placed upon the ballot by the voters; ~~but no. No~~ ballot, after having been received by the election officers, shall be rejected as defective because of marks, other than those authorized by law, having been placed upon it by the voter, unless such marks are deemed to have been made with fraudulent intent ~~and no ballot shall be rejected as defective because of any irregularity in the form of the cross or the check mark in the square at the head of the party column unless such irregularity is deemed to have been intentional and made with a fraudulent purpose.~~