

MAINE STATE LEGISLATURE

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ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 966

H. P. 688

House of Representatives, January 26, 1961

Referred to the Committee on Legal Affairs, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Nadeau of Biddeford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT Relating to Elections in the City of Biddeford.

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

Sec. 1. P. & S. L., 1933, c. 71, § 2, amended. The 7th sentence of the 4th paragraph of section 2 of chapter 71 of the private and special laws of 1933 is amended to read as follows :

'The warden ~~may~~ shall appoint and swear to the faithful performance of ~~their~~ ~~duties such number of enrolment clerks~~ his duty one enrolment clerk to assist him as may be required, who shall have the power to take the oath required of any person so enrolling at said caucus. The warden shall also appoint and swear to the faithful performance of their duty one ballot clerk representing each of the mayoralty candidates. Said appointments shall be done upon the recommendation of the mayoralty candidates or their committee. The warden shall further appoint persons to assist him in receiving, sorting and counting the ballots. Persons so appointed shall be deemed election clerks for that purpose. The appointment of these election clerks shall be made upon the recommendation of each of the mayoralty candidates or their respective committees. The warden shall appoint an equal number of recommendations from each of the candidates or their respective committees and such appointed election clerks shall be sworn to the faithful performance of their duties by an officer duly empowered to administer the oath.'

Sec. 2. P. & S. L., 1933, c. 71, § 2-A, additional. Chapter 71 of the private and special laws of 1933, as amended, is further amended by adding a new section 2-A, as follows :

'Sec 2-A. Inspection and recount. Upon written application by any candidate within 24 hours after the close of the polls, the city clerk shall permit any candidate or his agent to inspect and recount the ballots cast at any caucus, under such reasonable regulations as will secure any ballot from loss, injury or change in any respect. Notice of such inspection and recount shall be given to the wardens and ward clerks and to the other contesting candidates. The inspection and recount shall be held within 48 hours after the close of the polls. If upon inspection and recount the return or record of the votes cast is found to have been erroneous, the record shall be corrected in accordance with the number of ballots found to have been actually cast and a certificate of nomination shall be issued by the city clerk to the candidate having received the highest number of votes and the name of said candidate shall be placed on the final ballot.'

Sec. 3. P. & S. L., 1933, c. 71, § 3, amended. Section 3 of chapter 71 of the private and special laws of 1933 is amended by adding at the end the following sentence:

'Any presiding officer, election clerk or public official who shall willfully neglect to perform any duty imposed by this act shall be punished by a fine of not less than \$5 nor more than \$100, or by imprisonment for not more than 3 months, or by both.'