

MAINE STATE LEGISLATURE

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ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 1182

S. P. 371

In Senate, February 2, 1961

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

CHESTER T. WINSLOW, Secretary

Presented by Senator Sampson of Somerset.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT to Hold the Primary Election on the Second Tuesday after Labor Day.

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

Sec. 1. R. S., c. 3, § 37, amended. The first sentence of section 37 of chapter 3 of the Revised Statutes is amended to read as follows:

'In every town, having by the census of the United States last taken more than 3,000 inhabitants, the selectmen shall be in open session to receive evidence of the qualifications of persons ~~claiming~~ **claiming** the right to vote at any primary election and for the correction of such list, for a reasonable time, on not more than 2 days, between the ~~1st and 7th days of June~~ **first and 2nd Monday in August** in every year, giving previous notice of the time and place of each session, as their town meetings are notified.'

Sec. 2. R. S., c. 3, § 38, amended. Section 38 of chapter 3 of the Revised Statutes, as amended by section 4 of chapter 204 of the public laws of 1959, is further amended to read as follows:

'**Sec. 38. Lists to be deposited with clerk and posted.** On or before ~~the 10th day of June and on or before~~ the 20th day of October in every such year, the selectmen shall deposit in the office of the town clerk an alphabetical list of voters prepared and revised as provided for in sections 35 to 37, and post a certified copy thereof in one or more public places in the town.'

Sec. 3. R. S., c. 4, § 16, amended. The first sentence of section 16 of chapter 4 of the Revised Statutes, as amended by section 1 of chapter 251 of the public laws of 1957 and by section 1 of chapter 108 of the public laws of 1959, is further amended to read as follows:

'Not more than 120 days before or not more than 120 days after the ~~3rd Monday in June~~ **2nd Tuesday after Labor Day** of each year in which a biennial state election is to be held, each political party shall hold a state convention with such basis of representation and at such time and place and with such requisites as to call and notice therefor as the state committee of each such political party may determine.'

Sec. 4. R. S., c. 4, § 20, amended. The first sentence of section 20 of chapter 4 of the Revised Statutes, as amended by section 2 of chapter 108 of the public laws of 1959, is further amended to read as follows:

'No such nomination paper shall be signed before the first day of January of the year in which such primary election is to be held, and all such nomination papers shall be filed with the Secretary of State on or before the first Monday in ~~April~~ **July** of that year.'

Sec. 5. R. S., c. 4, § 21, amended. The first sentence of section 21 of chapter 4 of the Revised Statutes, as amended by section 6 of chapter 204 of the public laws of 1959, is further amended to read as follows:

'Whenever one or more United States Senators are to be elected at the biennial state election held on the Tuesday following the first Monday of November, the nominee or nominees for such office or offices, of each political party, shall be chosen at the primary election held on the ~~3rd Monday in June~~ **2nd Tuesday after Labor Day** preceding.'

Sec. 6. R. S., c. 4, § 25, amended. Section 25 of chapter 4 of the Revised Statutes, as amended by section 8 of chapter 204 of the public laws of 1959, is further amended to read as follows:

'**Sec. 25. Selectmen to issue warrants; posting; warrants directed to qualified and legally enrolled voters only.** Not less than 7 days before the ~~3rd Monday of June~~ **2nd Tuesday after Labor Day** preceding a biennial state election, the selectmen of every town, by their warrant, shall notify and warn all legally qualified and enrolled voters to attend at their regular voting places on the ~~3rd Monday in June~~ **2nd Tuesday after Labor Day** for the purpose of voting for persons to be nominated by their respective political parties as candidates to be voted for on the Tuesday following the first Monday of November then next ensuing. The warrant shall be in substance as follows:

"PRIMARY ELECTION WARRANT"

State of Maine,

County of _____ ss.

To the qualified and legally enrolled voters of the Town of _____

You are hereby notified that the primary election in this town, of all political parties, entitled by law to nominate candidates for the next election, will be held at _____ on ~~Monday~~ **Tuesday, June** ~~September~~ next, for the purpose of nominating candidates for the following offices to be voted for at the election to be held on the Tuesday following the first Monday of November next, viz:

(Here follow the officers to be nominated.)

The polls will be opened at _____ o'clock in the forenoon and continue open until 7 o'clock (or 5 o'clock in towns that have so decided) in the afternoon, when they will close.

Voters not enrolled as members of a political party entitled to nominate candidates will not be permitted to vote. Voters entitled to enrollment may cause themselves to be enrolled at the voting places during the primary election on taking and subscribing the oath required by law, but such voters will not be allowed to vote at any primary election within the next 6 months following such enrollment unless a new voter or a voter enrolling for the first time in that municipality.

Dated at _____, this _____ day of ~~June~~ **September**, 19 _____.

Selectmen of

Such warrants shall be posted in the manner required by law for warrants for the state election. Like warrants shall be issued by the municipal officers of cities and the assessors of plantations with appropriate changes, and posted in like manner. The meetings may be opened at 6 o'clock in the forenoon and shall be opened not later than 10 o'clock in the forenoon. The polls shall be kept open until 7 o'clock in the afternoon and shall then be closed, except that towns of 300 inhabitants or less shall have the option of closing the polls at 5 o'clock in the afternoon. Notice of the time of opening and closing shall be given in the warrant calling the meeting. In all such warrants appropriate provisions shall be inserted calling the attention of voters to opportunities for correction of lists of voters by selectmen, municipal officers or boards of registration in the manner required by law.'

Sec. 7. R. S., c. 4, § 31, amended. The first sentence of section 31 of chapter 4 of the Revised Statutes is amended to read as follows:

'The Governor and Council, not later than the ~~first Tuesday of July~~ **last Monday of September** in each year in which a primary election is held, shall open and compare the votes so returned, and have the same tabulated, and then forthwith have forwarded to each candidate a copy of the tabulations of his precinct or district, and may receive testimony on oath to prove that the return from any ~~city, town or plantation~~ **municipality** does not agree with the record of the vote of such ~~city, town or plantation~~ **municipality** in the number of votes or the names of the persons voted for, and to prove which of them is correct; and a return, when found to be erroneous, may be corrected from the record.'

Sec. 8. R. S., c. 4, § 46, amended. The 2nd sentence of section 46 of chapter 4 of the Revised Statutes is amended to read as follows:

'In case a vacancy occurs in any office except that of United States Senator, Governor or Representative to Congress which is to be filled at the next biennial state election for which no nomination has been made at the primary election held on the ~~3rd Monday in June~~ **2nd Tuesday after Labor Day** of the same year, nominations shall be made as provided in this section.'