

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 620

H. P. 445

House of Representatives, February 7, 1967

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

BERTHA W. JOHNSON, Clerk

Presented by Mr. Ross of Bath.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT to Revise the Election Laws.

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

Sec. 1. R. S., T. 21, § 531, amended. Section 531 of Title 21 of the Revised Statutes, as amended by section 3 of chapter 451 of the public laws of 1965, is further amended by adding at the end, a new sentence, as follows:

The clerk and the special deputy shall be paid a reasonable compensation as determined by the municipal officers.

Sec. 2. R. S., T. 21, § 531-A, additional. Title 21 of the Revised Statutes is amended by adding a new section 531-A, to read as follows:

§ 531-A. Duties and vacancies—ward clerk

In the absence or incapacity of the warden, the ward clerk shall perform the duties of the warden. The vacancies of ward clerk shall be filled by appointment of election clerks by the warden to serve as ward clerks pro tem.

Sec. 3. R. S., T. 21, § 532, sub-§ 2, ¶ C, amended. Paragraph C of subsection 2 of section 532 of Title 21 of the Revised Statutes is amended by adding at the end, a new sentence, to read as follows:

In the event the municipal committee shall fail to nominate a sufficient number of election clerks to perform the duties prescribed by this Title, the clerk or municipal officers shall appoint to fill the vacancy on election day.

Sec. 4. R. S., T. 21, § 532, sub-§ 2, ¶ D, additional. Subsection 2 of section 532 of Title 21 of the Revised Statutes is amended by adding a new paragraph D, to read as follows:

D. Counters. The clerk may appoint a sufficient number of election clerks to serve as counters at the close of polls who shall be paid a reasonable compensation as determined by the municipal officers.

Sec. 5. R. S., T. 21, § 532, sub-§ 5, amended. The last sentence of subsection 5 of section 532 of Title 21 of the Revised Statutes, as enacted by section 4 of chapter 451 of the public laws of 1965, is repealed, as follows:

~~They shall be in attendance at all times on election day.~~

Sec. 6. R. S., T. 21, § 631, amended. The first paragraph of section 631 of Title 21 of the Revised Statutes is amended to read as follows:

The registrar shall accept registrations prior to a regular election according to the time schedule prescribed by this section ~~or by the municipal officers under section 633.~~

Sec. 6-A. R. S., T. 21, § 631, sub-§§ 4, 5, amended. Subsections 4 and 5 of section 631 of Title 21 of the Revised Statutes are amended to read as follows:

4. Municipality of 10,001 to 24,000 population. In a municipality of 10,001 to ~~25,000~~ 24,000 population, he shall accept registrations from 1 to 5 p.m. and from 7 to 9 p.m. on the 8th to 14th business days next prior to election day. He shall not accept registrations on election day or on the 7 business days next prior to it.

5. Municipality of 24,001 or more. In a municipality of ~~25,001~~ 24,001 or more population, he shall accept registrations from 1 to 5 p.m. and from 7 to 9 p.m. on the 10th to 18th business days next prior to election day. He shall not accept registrations on election day or on the 9 business days next prior to it.

Sec. 7. R. S., T. 21, § 632, amended. The first paragraph of section 632 of Title 21 of the Revised Statutes is amended to read as follows:

The registrar shall accept registrations prior to a special election according to the time schedule prescribed by this section ~~or by the municipal officers under section 633.~~

Sec. 8. R. S., T. 21, § 633, repealed. Section 633 of Title 21 of the Revised Statutes is repealed, as follows:

§ 633. Change of

~~The time schedule established by sections 631 and 632 may be changed by the municipal officers according to the needs of the municipality.~~

Sec. 8-A. R. S., T. 21, § 638, sub-§ 2, ¶ A, additional. Subsection 2 of section 638 of Title 21 of the Revised Statutes is amended by adding a new paragraph A, to read as follows:

A. In a municipality which has more than one voting district, if a voter votes absentee after the close of registration, he must send a written notice of his new address along with his absentee application notifying the board of registration of his new address. A certificate containing his name and new address shall be directed to the warden of his new voting place to be attached to the incoming voting list on election day.

Sec. 8-B. R. S., T. 21, § 761, amended Section 761 of Title 21 of the Revised Statutes is amended to read as follows:

§ 761. Posting of

The registrar shall post a certified copy of the voting list for each voting district at the usual voting place in that district at least ~~30~~ 5 days before any regular election. He need not post the list before a special election.

Sec. 9. R. S., T. 21, § 801, sub-§ 2, amended. Subsection 2 of section 801 of Title 21 of the Revised Statutes is amended to read as follows:

2. **Election materials distributed and posted.** At the opening of the polls, the warden shall open the boxes of election materials, break the seals on the packages publicly and distribute the ballots to the incoming election clerks. He shall then post ~~an adequate number of instruction poster posters~~ in each voting booth, and ~~3~~ an adequate number of instruction posters and ~~5~~ specimen ballots in the voting room outside the guardrail.

Sec. 10. R. S., T. 21, § 891, sub-§ 1, amended. Subsection 1 of section 891 of Title 21 of the Revised Statutes is amended to read as follows:

1. **Within the guardrail.** ~~Election~~ The clerk, election officials and not more than 2 voters in excess of the number of voting booths may be within the guardrail. The warden may permit peace officers to be within the guardrail to enforce the law. All other persons must remain outside.

Sec. 11. R. S., T. 21, § 1041, repealed and replaced. Section 1041 of Title 21 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 1041. Warden to post specimen ballots or labels

The warden shall post 2 sets of specimen ballots or 2 sets of specimen ballot labels conspicuously at the voting place at the opening of the polls on election day.

Sec. 12. R. S., T. 21, § 1254, repealed and replaced. Section 1254 of Title 21 of the Revised Statutes, as amended by section 9 of chapter 451 of the public laws of 1965, is repealed and the following enacted in place thereof:

§ 1254. Method of voting

The method of voting by absentee ballot is as follows:

1. **Ballot sealed.** He shall then seal the ballot in the return envelope.
2. **Ballot sent.** The voter shall then complete the address on the envelope and mail or deliver it personally or by agent to the clerk of the municipality of which he is a resident. He shall send a completed application in a separate envelope, if he has not previously done so.
3. **Physically incapacitated voter.** A voter who is unable to mark his ballot because of physical incapacity may request a justice of the peace, a notary public, a clerk or deputy clerk of a municipality, a dedimus justice or a clerk of courts to read the ballot to him and mark it for him according to his instructions.

Sec. 13. R. S., T. 21, § 1255, repealed and replaced. Section 1255 of Title 21 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 1255. Deadline

In order to be valid, an absentee ballot must be delivered to the clerk before noon on election day in a municipality of 5,000 or less population and before 3 p.m. on election day in a municipality of more than 5,000 population.

Sec. 14. R. S., T. 21, § 1256, sub-§ 5, amended. Subsection 5 of section 1256 of Title 21 of the Revised Statutes is amended to read as follows:

5. Envelopes and lists delivered. Before the polls are closed on election day, he shall deliver the return envelopes ~~including those received after the deadline~~ prescribed by section 1255 with the applications attached, and the list required by subsection 4 to the warden of the voting district in which the voter is registered.

Sec. 15. R. S., T. 21, § 1259, sub-§ 2, amended. The last sentence of subsection 2 of section 1259 of Title 21 of the Revised Statutes is amended to read as follows:

After having an election clerk, **who is of a different political party from the warden**, mark the letters "AV" beside the name of each absentee voter on the **incoming** voting list, he shall deposit the ballot in the ballot box.

Sec. 16. R. S., T. 21, § 1262, amended. The last sentence of section 1262 of Title 21 of the Revised Statutes is amended to read as follows:

The clerk shall keep them in his office for ~~3~~ 2 months after election day unless sooner released to the Secretary of State.

Sec. 17. R. S., T. 21, § 1309, amended. The first sentence of section 1309 of Title 21 of the Revised Statutes is repealed and the following enacted in place thereof:

The clerk shall accept all absentee ballots delivered to him before noon on election day in a municipality of 5,000 or less population and before 3 p.m. on election day in a municipality of more than 5,000 population.