MAINE STATE LEGISLATURE

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ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document   No. 156

H.P. 148   House of Representatives, January 12, 1983

On Motion of Representative Nadeau of Lewiston referred to the
Committee on Election Laws. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Nadeau of Lewiston.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-THREE

AN ACT to Reduce the Mandatory Number of Election Clerks for Each Voting Place.

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

    Sec. 1.   21 MRSA §532, sub-§1, as amended   by   PL
1975, c. 761, §25, is further amended to read:

    1. Appointment. Not   later than May 1st of each
general election year, the municipal officers of each
municipality shall appoint   as   election   clerks   for
each voting place an equal number of persons nomi-
nated by the municipal committees of the 2 major par-
ties.   At the request of the municipal   committee   of
any minor party represented on the official ballot
used at the   last   general   election,   the   municipal
officers   shall   appoint   one election clerk for each
voting place nominated by that committee. The munici-
pal officers shall designate an equal number of elec-

1   tion clerks from each major party ~~to issue ballots to~~
2   ~~incoming voters and receive ballots of outgoing~~
3   ~~voters~~.

4   Sec. 2. 21 MRSA §532, sub-§2, as amended by PL
5   1981, c. 87, is further amended to read:

6   2. Number appointed. The municipal   officers
7   shall appoint ~~4~~ 2 election clerks for each voting
8   place in each municipality who must be   residents   of
9   the municipality.

10   ~~A. Exception. They shall appoint 2 election~~
11   ~~clerks for each voting place in a municipality of~~
12   ~~300 or less population, in the island wards of~~
13   ~~the City of Portland, the island district of the~~
14   ~~Town of Cumberland and the districts of the Town~~
15   ~~of Cranberry Isles.~~

16   B. Additional clerks. They may appoint addition-
17   al election clerks, if necessary, who are nomi-
18   nated as provided in subsection 1.

19   C. Alternate clerks. They shall appoint alter-
20   nate election clerks who are nominated as pro-
21   vided in subsection 1 and who may be called into
22   service by the warden, as needed, to fill a
23   vacancy on election day. In the event the munic-
24   ipal committee shall fail to   nominate   a   suffi-
25   cient number of election clerks to perform the
26   duties prescribed by this Title, the clerk or
27   municipal officers shall appoint the necessary
28   number to fill the vacancy on election day.

29   D. Counters. The clerk may appoint a sufficient
30   number of election clerks, an equal number from
31   each political party, to serve as counters at the
32   close of polls who shall be paid a reasonable
33   compensation as determined by the municipal offi-
34   cers.

35   Sec. 3. 21 MRSA §861, as amended by PL 1977, c.
36   40, §§1 and 2, is further amended to read:

37   §861.   Voting procedure

38   The voting procedure is as follows.

1   1. Name   announced. A voter who wishes to vote
2 must state his name and, upon request, street address
3 to an incoming election clerk who shall announce the
4 name in a loud, clear voice.

5   2. Enters guardrail. The incoming election clerk
6 in charge of the voting list shall place a check mark
7 on the list beside the voter's name and allow him to
8 enter the area within the guardrail.

9   3. Ballot issued. The incoming election clerk in
10 charge of the ballots shall give the voter one ballot
11 of each kind to which he is entitled.

12   4. Retires to voting booth. After receiving his
13 ballot, the   voter   shall   retire to a voting booth,
14 mark his ballot without delay, fold it the same as it
15 was when he received it, and leave the voting booth.
16 No ballot, marked or unmarked, shall be left in the
17 voting booth by the voter.

18   5. Ballot deposited. When he leaves the voting
19 booth, the voter shall proceed to the ballot box. and
20 announce his name and, upon request, street address
21 to the outgoing election clerk in charge of the
22 voting list. As soon as the outgoing election clerk
23 checks his name on the list, the The clerk shall re-
24 quire the voter to deposit in the ballot box all bal-
25 lots, marked or unmarked, issued to the voter under
26 subsection 3, and the voter shall then leave the area
27 within the guardrail. He may not leave the area
28 within the guardrail until he has deposited his bal-
29 lot.

30   6. Reentry prohibited. A voter who has once left
31 the area within the guardrail may not reenter.

32   7. Ballot box opening covered. The outgoing
33 election clerk in charge of the ballot box shall keep
34 the opening covered except when receiving a ballot.

35   STATEMENT OF FACT

36   Municipalities are currently required to appoint
37 4 election clerks per voting place in addition to a
38 warden. This has proved to be an unnecessary expense

1   for many municipalities. This bill would reduce the
2   number of mandatory election clerks per voting place
3   to 2, but allows the municipal officers to appoint
4   additional clerks if they deem it necessary.

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