

MAINE STATE LEGISLATURE

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(New Draft of S.P. 125, L.D. 312)

FIRST REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 1639

S.P. 566

In Senate, May 19, 1983

Reported by Senator Usher of Cumberland from the Committee on Election Laws and printed under Joint Rule 2.

Original bill presented by Senator Pearson of Penobscot. Cosponsored by Representative Michael of Auburn, Senator Usher of Cumberland and Representative Vose of Eastport.

JOY J. O'BRIEN, Secretary of the Senate

STATE OF MAINE

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

AN ACT to Increase the Number of Voting
Booths Required in Maine Elections.

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

Sec. 1. 21 MRSA §603, sub-§1, as amended by PL 1977, c. 468, is repealed and the following enacted in its place:

1. Provided by municipality. The municipal officers of each municipality shall provide a sufficient number of voting booths for each election. Those municipalities using voting machines shall comply with section 1031, subsection 4. Those municipalities using voting devices shall comply with section 1062, subsection 4.

A. In a general election, the municipal officers shall provide at least one voting booth for each

1 150, or fraction exceeding 1/2 thereof, of the
2 voters qualified to vote at each voting place.

3 B. In other than a general election, the municipi-
4 pal officers may provide fewer than the number of
5 voting booths required by paragraph A when cir-
6 cumstances indicate that fewer booths will be ad-
7 equiate to provide for an orderly flow of voters
8 on election day.

9 C. In an election, the municipal officers may
10 provide more than the number of voting booths re-
11 quired by paragraph A.

12 D. A reasonable time prior to a general elec-
13 tion, the Secretary of State shall send notice to
14 the clerk of each municipality, stating the re-
15 quirements of this subsection. The clerk shall
16 calculate the number of voting booths required at
17 each voting place based on the number of voters
18 registered at that time. Within 10 days of
19 receipt of the notice, the clerk shall certify in
20 writing to the Secretary of State the number of
21 voters registered at each voting place and the
22 number of voting booths the municipality will
23 provide at each voting place for the election.

24 E. The Secretary of State may arrange for
25 inspections to ensure that municipalities comply
26 with the requirements of this subsection.

27 Sec. 2. 21 MRSA §1031, sub-§4, as enacted by PL
28 1973, c. 414, §43, is amended to read:

29 4. Provided by municipality. In those municipal
30 voting districts using voting machines, the municipal
31 officers of each municipality shall provide at least
32 one voting machine for each 450, or fraction exceed-
33 ing 1/2 thereof, of the voters qualified to vote at
34 each voting place.

35 Sec. 3. 21 MRSA §1062, sub-§4, as enacted by PL
36 1975, c. 761, section 36, is amended to read:

37 4. Provided by municipality. In those municipal
38 voting districts using electronic voting systems, the
39 municipal officers of each municipality shall provide

1 at least one voting device for each 250, or fraction
2 exceeding 1/2 thereof, of the voters qualified to
3 vote at each voting place.

4 STATEMENT OF FACT

5 The purpose of this new draft is to require the
6 Secretary of State to notify the town clerk of the
7 requirements of the law concerning the number of
8 voting booths required for an election and to require
9 the town clerk to certify to the Secretary of State
10 the number of voting booths which will be provided.
11 The Secretary of State may conduct inspections to
12 ensure that the proper number of voting booths,
13 machines or devices are provided. Municipal officials
14 who fail to provide the required number would be
15 guilty of a Class E crime as presently provided in
16 Title 21, section 1579, subsection 1.

17 The new draft also clarifies the method of deter-
18 mining the number of voting booths, machines and
19 devices required, namely, that the figure arrived at
20 by dividing the number of voters by 150, 250 or 450
21 will be rounded to the nearest whole number. The
22 prior law was unclear on this point, which created a
23 good deal of confusion.

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