

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 576

6
7 S.P. 205

In Senate, February 13, 1985

8 Referred to the Committee on Legal Affairs and ordered printed. Sent
9 down for concurrence.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Trafton of Androscoggin.

11 Cosponsored by Representative Reeves of Pittston, Representative Rioux
of Biddeford and Representative Paul of Sanford.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FOUR
16

17 AN ACT to Recodify the Election Laws.
18

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

21 Sec. 1. 10 MRSA §917, sub-§6, as repealed and
22 replaced by PL 1981, c. 686, §1, is amended to read:

23 6. Climate for economic development. Promotion
24 of an improved climate for economic development in
25 the State through judicious use of the public and
26 private nature of the foundation to provide objective
27 analysis and develop broad consensus on issues of
28 significance to the economic health of the State;
29 provided that the promotion does not require the
30 foundation to register as a lobbyist employer pursu-
31 ant to Title 3, chapter 15; and further provided that
32 the foundation does not advocate to the general pub-
33 lic a position on a question as defined in ~~Title 21,~~
34 ~~section 1, subsection 30~~ Title 21-A, section 1, sub-
35 ~~section 34;~~

1 Sec. 2. 20-A MRSA §4102, sub-§4, ¶B, as enacted
2 by PL 1983, c. 422, §17, is amended to read:

3 B. Secondary schools in school administrative
4 districts and community school districts and ei-
5 ther elementary or secondary schools in other
6 school administrative units may be closed without
7 voter approval, unless the school board is pre-
8 sented with a written petition, within 30 days of
9 the board's decision to close the school, by 10%
10 of the number of voters in the school administra-
11 tive unit who voted at the last gubernatorial
12 election, then a special referendum shall be
13 called pursuant to:

14 (1) Section 1351 for school administrative
15 districts;

16 (2) Title 30, sections 2061 to 2065, for
17 community school districts, except the
18 school board shall issue a warrant specify-
19 ing that the municipalities within the dis-
20 trict place the petitioned article on the
21 ballot, and shall prepare and furnish the
22 required number of ballots for carrying out
23 the election; and

24 (3) ~~Title 21~~ Title 21-A and Title 30, re-
25 spectively, for cities and towns.

26 Sec. 3. 20-A MRSA §8307, sub-§4, as enacted by
27 PL 1981, c. 693, §§5 and 8, is amended to read:

28 4. Referendum. After the public hearing, the
29 school board of the school administrative unit or
30 units requesting a change shall submit the proposal
31 to the voters in their school administrative unit or
32 units in accordance with the relevant provisions for
33 holding elections in sections 1351 to 1354 and in ~~Ti-~~
34 ~~ties 21~~ Titles 21-A and 30.

35 Sec. 4. 20-A MRSA §15904, sub-§1, as enacted by
36 PL 1981, c. 693, §§5 and 8, is amended to read:

37 1. Councils. In a municipality where the re-
38 sponsibility for final adoption of the school budget
39 is vested in a municipal council by municipal charter

1 or in a town meeting, the vote shall be by secret
2 ballot in accordance with the appropriate provisions
3 set forth in ~~Title 21~~ Title 21-A and Title 30.

4 Sec. 5. 21 MRSA, as amended, is repealed.

5 Sec. 6. 21-A MRSA is enacted to read:

6 TITLE 21-A

7 ELECTIONS

8 CHAPTER 1

9 GENERAL PROVISIONS

10 SUBCHAPTER I

11 DEFINITIONS, CONSTRUCTION AND APPLICATION

12 §1. Definitions

13 As used in this Title, unless the context other-
14 wise indicates, the following terms have the follow-
15 ing meanings.

16 1. Absentee voter. "Absentee voter" means a
17 person who qualifies under section 751 to cast an ab-
18 sentee ballot.

19 2. Any election. "Any election" means primary
20 and general elections and referenda, whether regular
21 or special.

22 3. Ballot label. "Ballot label" means that por-
23 tion of the cardboard, paper or other material to be
24 placed within the ballot frames of a voting machine
25 containing the items required of a paper ballot.

26 4. Business day. "Business day" means any day
27 of the calendar year other than a Saturday, Sunday or
28 legal holiday.

29 5. Candidate. "Candidate" means any person who
30 has filed a petition under either sections 335 and
31 336 or sections 354 and 355 and has qualified as a
32 candidate by either procedure, or any person who has

1 received contributions or made expenditures or has
2 given his consent for any other person to receive
3 contributions or make expenditures with the intent of
4 qualifying as a candidate.

5 6. Caucus. "Caucus" means a meeting of a polit-
6 ical party or committee.

7 7. Challenged ballot. "Challenged ballot" means
8 a ballot cast by one whose eligibility to vote has
9 been questioned.

10 8. Circulate. "Circulate" means the presenting
11 of a petition to a voter with an accompanying request
12 that the voter sign it.

13 9. Clerk; municipal clerk. "Clerk" or "municipal
14 clerk" means the clerk or deputy clerk of a mu-
15 nicipality.

16 10. Closed period. "Closed period" means that
17 time period when the registrar may accept only those
18 voter registration applications presented in person.

19 11. County office. "County office" means the
20 office of judge of probate, register of probate,
21 county treasurer, register of deeds, sheriff, dis-
22 trict attorney or county commissioner.

23 12. Disputed ballot. "Disputed ballot" means a
24 ballot whose validity has been questioned during the
25 recount process.

26 13. Distinguishing mark. "Distinguishing mark"
27 means a mark on a ballot of a type or in a place not
28 specifically permitted by this Title, which indicates
29 the apparent intent of the voter to make his ballot
30 distinguishable.

31 14. Election official. "Election official"
32 means a warden, ward clerk or election clerk.

33 15. Election year. "Election year" means the
34 calendar year within which a particular election is
35 held.

- 1 16. Electoral division. "Electoral division"
2 means an area set off for election purposes. It may
3 include the entire State.
- 4 17. Enroll. "Enroll" means to enlist as a mem-
5 ber of a political party.
- 6 18. Federal office. "Federal office" means the
7 office of the United States Senator or Representative
8 to Congress.
- 9 19. General election. "General election" means
10 the regular election of state and county officials
11 occurring biennially in November.
- 12 20. Incoming voting list. "Incoming voting
13 list" means the list of all of the voters in a munic-
14 ipality which is used by election officials at a vot-
15 ing place to record which voters have been issued a
16 ballot at an election.
- 17 21. Major party. "Major party" means a politi-
18 cal party polling the greatest or the next greatest
19 number of votes cast for Governor at the last guber-
20 national election.
- 21 22. Members of the Armed Forces. "Members of
22 the Armed Forces" means:
- 23 A. Personnel serving in the Army, Navy, Air
24 Force, Marine Corps or Coast Guard and their
25 spouses and dependents;
- 26 B. Members of the Merchant Marine of the United
27 States, except those employed in the inland wa-
28 terways, and their spouses and dependents;
- 29 C. Civilian employees of the United States
30 serving outside the territorial limits of the
31 several states and the District of Columbia,
32 whether or not paid from appropriated federal
33 funds, and their spouses and dependents when ac-
34 companying them; and
- 35 D. Members of religious groups and welfare agen-
36 cies serving with or accompanying the Armed
37 Forces, and their spouses and dependents.

1 23. Minor party. "Minor party" means a political
2 party other than a major party.

3 24. Municipal committee. "Municipal committee"
4 means a city, town or ward committee of a political
5 party.

6 25. Municipal officers. "Municipal officers"
7 means the mayor and aldermen or councillors of a
8 city, the selectmen or councillors of a town and the
9 assessors of a plantation.

10 26. Municipality. "Municipality" means a city,
11 town or plantation.

12 27. Party. "Party" means a political organiza-
13 tion which has qualified to participate in a primary
14 or general election under chapter 5.

15 28. Peace officer. "Peace officer" means state
16 police officer, local police officer, sheriff, deputy
17 sheriff or constable.

18 29. Political committee. "Political committee"
19 means 2 or more persons associated for the purpose of
20 promoting or defeating a candidate, party or princi-
21 ple.

22 30. Population. "Population" means the popula-
23 tion determined by the last Decennial Census of the
24 United States.

25 31. Primary election. "Primary election" means
26 the regular election by the voters of a party for the
27 election of nominees for the general election.

28 32. Protective counter. "Protective counter"
29 means a separate counter built into a voting machine
30 which records the total number of movements of the
31 operating lever and which cannot be reset.

32 33. Public official. "Public official" means a
33 person elected or appointed to serve the people.

34 34. Question. "Question" means any proposition
35 submitted to the voters.

- 1 35. Referendum. "Referendum" means an election
2 for the determination of a question.
- 3 36. Register. "Register" means to enlist as a
4 voter.
- 5 37. Registrar. "Registrar" means the registrar,
6 deputy registrar or the board of registration of vot-
7 ers of a municipality.
- 8 38. Regular election. "Regular election" means
9 an election or a referendum held at a regular time
10 prescribed by statute.
- 11 39. Residence. "Residence" means that place in
12 which a person's habitation is fixed and to which
13 that person, whenever absent, has the intention to
14 return.
- 15 40. Special election. "Special election" means
16 an election other than a regular election.
- 17 41. State office. "State office" means the of-
18 ice of Governor, State Senator, Representative to
19 the State Legislature or presidential elector.
- 20 42. Street address. "Street address" means the
21 street and number or other designation indicating the
22 location of a person's dwelling place.
- 23 43. Township. "Township" means unorganized ter-
24 ritory.
- 25 44. Treasurer. "Treasurer" means a person ap-
26 pointed by a candidate or a political committee to
27 accept or disburse money to promote or defeat a can-
28 didate, party or principle. A person who collects
29 money to be transferred to the treasurer of a candi-
30 date or committee is not a treasurer.
- 31 45. Uncontested office. "Uncontested office"
32 means an office where, as of the final date for fil-
33 ing primary nomination petitions, either:
- 34 A. Only members of one party have filed as can-
35 didates for nomination for that office; or

1 B. Only one unenrolled nominee has filed as a
2 candidate for that office.

3 46. Voter "Voter" means a person registered to
4 vote.

5 47. Voting district. "Voting district" means an
6 area set off from another in the same municipality
7 for voting purposes. It includes wards and pre-
8 incts. In a municipality which has only one voting
9 place, it means the entire municipality.

10 48. Voting place. "Voting place" means the
11 building in which ballots are cast at an election.

12 49. Warden. "Warden" means the presiding offi-
13 cer at a voting place.

14 50. Write-in candidate. "Write-in candidate"
15 means a person whose name does not appear on the bal-
16 lot under the office designation to which a voter may
17 wish to elect him.

18 §2. Delegation of authority

19 When this Title requires the performance of a du-
20 ty by an official, he may delegate the duty to anoth-
21 er under his supervision, if it is ministerial.

22 §3. Signatures and names

23 When this Title requires a name or signature on a
24 document, immaterial irregularities shall not invali-
25 date the name or signature if the identity of the
26 person named is clear to the public official charged
27 with reviewing that document.

28 1. Immaterial irregularities. Immaterial irreg-
29 ularities include, but are not limited to, misspell-
30 ing, inclusion or omission of initials and substitu-
31 tion of initials for given names.

32 2. Application. This policy shall apply to cir-
33 cumstances including, but not limited to, the follow-
34 ing:

35 A. Absentee ballot applications;

- 1 B. Absentee ballot affidavits;
 2 C. Signatures on petitions; and
 3 D. Names appearing for write-in candidates on
 4 ballots.

5 §4. Town clerk to perform ward clerk's duties

6 In a town, the municipal clerk shall perform the
 7 duties prescribed for the ward clerk of a city as far
 8 as applicable to an election in the town.

9 §5. Application to plantations

10 The provisions of this Title pertaining to towns
 11 apply equally to plantations.

12 SUBCHAPTER II

13 RECORDS AND DOCUMENTS

14 §21. Form and content of documents

15 The Secretary of State may establish the form and
 16 content of all forms, lists, documents and records
 17 required by or necessary to the efficient operation
 18 of this Title.

19 §22. Records and documents are public

20 All lists, books, documents and records required
 21 to be prepared by or filed with a public official are
 22 public records. Public records are open to public
 23 inspection during regular business hours under proper
 24 protective regulations made by the official charged
 25 with their custody. Ballots are not public records
 26 and may be inspected only in accordance with this Ti-
 27 tle.

28 §23. Preservation and destruction of records

29 The preservation and destruction of records and
 30 other materials required by this Title are governed
 31 by the following provisions.

1 1. Registration and enrollment applica-
2 tions. The registrar shall keep registration, en-
3 rollment and changes of enrollment applications and
4 requests in his office permanently, except that those
5 records must be kept only 10 years for a voter whose
6 name has been removed from the voting lists of the
7 municipality under sections 161 and 162.

8 2. Convention certificates. The Secretary of
9 State shall keep the certificates required by section
10 322 in his office for 2 years.

11 3. Primary and nomination petitions. The Secre-
12 tary of State shall keep primary petitions, nomina-
13 tion petitions and consents in his office for 2
14 years.

15 4. Receipts for ballots. The Secretary of State
16 and each clerk shall keep a record of receipts for
17 ballots issued and received under sections 606 and
18 651 in his office for one year.

19 5. Receipt of voting list. The registrar shall
20 keep the receipt for certified copies of the voting
21 list required by section 624, subsection 2, in his
22 office for one year.

23 6. Election tabulations. The Secretary of State
24 shall keep election tabulations in his office for 10
25 years.

26 7. Ballots and other election materials. The
27 clerk shall keep the ballots and other election mate-
28 rials listed in section 698 in his office for 2
29 months and incoming voting lists for 2 years, unless
30 sooner released to the Secretary of State or required
31 by the Secretary of State to be kept longer. Once
32 released to the Secretary of State, they shall be
33 kept by him until any appeal period bearing on the
34 validity of the election has expired.

35 8. Certificate of presidential electors. The
36 Secretary of State shall keep the certificate of the
37 votes of the presidential electors, delivered to him
38 under section 805, in his office for one year.

1 9. Registration of treasurer. The Commission on
2 Governmental Ethics and Election Practices shall keep
3 the registration of a treasurer under section 1013 in
4 its office for 2 years.

5 10. Records and campaign finances. Each trea-
6 surer and each candidate shall keep the records re-
7 quired by section 1016 for 2 years following the
8 election to which they pertain.

9 11. Campaign reports. The Commission on Govern-
10 mental Ethics and Election Practices shall keep the
11 campaign reports in its office for 2 years or until
12 the expiration of the term of office to which the
13 candidate aspired or was elected, whichever is
14 longer.

15 12. Certificate of appointment. The Secretary
16 of State shall keep a certificate of appointment to
17 fill a vacancy under section 363 in his office for 2
18 years.

19 13. Miscellaneous. The official charged with
20 the custody of any record not specifically provided
21 for in this section shall keep it in his office for 2
22 years.

23 14. Destruction of records. After the records
24 and other materials have been kept for the required
25 period, they may be destroyed. Posted notices, spec-
26 imen ballots and instruction posters may be destroyed
27 as soon as the election to which they pertain is
28 past.

29 §24. Newspaper publication to be reasonably
30 noticeable

31 When publication in a newspaper is required by
32 this Title, the item published must be set in such a
33 size and location as to be reasonably noticeable.

34 §25. Ditto marks

35 Ditto marks may be used, wherever practicable, in
36 the preparation of lists required under this Title.

37 SUBCHAPTER III

1 GENERAL PENALTIES

2 §31. Class E crimes

3 A Class E crime is committed by:

4 1. Public officials. An official who knowingly
5 fails or refuses to perform a duty required of him by
6 this Title;

7 2. General penalty. A person who knowingly vio-
8 lates any provision of this Title for which no penal-
9 ty has been provided; or

10 3. Political advertisements on state proper-
11 ty. A person who knowingly displays or distributes
12 political advertisements in or on state-owned or
13 state-leased property.

14 A. This subsection does not apply to state high-
15 ways or to motor vehicles not owned by the State
16 while they are temporarily parked in parking ar-
17 reas on land maintained by the State. It does not
18 apply to any state-owned or state-leased building
19 for a period beginning 48 hours before and ending
20 48 hours after that building is used by any po-
21 litical party to conduct a political activity
22 within the building.

23 CHAPTER 3

24 VOTER REGISTRATION

25 SUBCHAPTER I

26 REGISTRAR OF VOTERS; BOARD OF REGISTRATION

27 §101. Registrar

28 The municipal officers of each municipality shall
29 appoint in writing a qualified registrar of voters
30 within 10 days after the regular election of municip-
31 al officials.

32 1. Qualifications. The registrar must be a cit-
33 izen of the United States, a resident of the municipi-
34 pality and at least 18 years of age. He may not hold

1 or be a candidate for any state or county office, or
2 hold membership on any party committee.

3 2. Term of office. He shall serve for one year
4 and until his successor is appointed and sworn.

5 3. Oath required. Before assuming the duties of
6 office, he must be sworn and the fact of his oath re-
7 corded as provided in Title 30, section 2060, subsec-
8 tion 9.

9 4. Secretary of State notified. The municipal
10 officers shall notify the Secretary of State of the
11 name of the registrar within 10 days after he is ap-
12 pointed and sworn.

13 5. Compensation. The municipal officers shall
14 determine the compensation of the registrar.

15 6. Office hours. The municipal officers shall
16 establish reasonable office hours for the registrar
17 consistent with the requirements of the municipality.

18 7. Office space, expenses and clerical
19 help. Each municipality shall provide a suitable
20 place in which the registrar may perform his duties,
21 and shall pay reasonable expenses for necessary of-
22 ice supplies purchased and clerical help engaged by
23 the registrar.

24 8. Vacancy. When there is a vacancy in the of-
25 ice of registrar, the municipal officers shall ap-
26 point a qualified person to fill the vacancy for the
27 remainder of the term of office.

28 §102. Deputy registrar

29 The registrar may appoint one or more deputies.
30 If the registrar is to be absent from the municipali-
31 ty for a period exceeding 15 consecutive days, he
32 shall appoint a deputy registrar who must be physi-
33 cally present in the municipality. If the registrar
34 and his appointed deputy are absent from the municipa-
35 lity for more than 15 consecutive days, the clerk
36 shall serve as registrar pro tem.

1 1. Qualifications and compensation. Section
2 101, subsections 1, 3 and 5, apply to a deputy regis-
3 trar.

4 2. Term of office. He shall serve at the will
5 of the registrar.

6 3. Duties. He may perform any of the duties of
7 office prescribed by the registrar.

8 §103. Board of registration in certain cities

9 1. Population of 5,000 or over. In a city or
10 town which has a population of 5,000 or over, a board
11 of registration consisting of 3 members shall be ap-
12 pointed as follows: One member nominated by the mu-
13 nicipal committee of each of the major political par-
14 ties, who must be enrolled in the party of the munic-
15 ipal committee that nominates him and appointed by
16 the municipal officers, and the 3rd member nominated
17 by the clerk of the municipality and appointed by the
18 municipal officers. The 2 members of the board nomi-
19 nated by the municipal committees of the major polit-
20 ical parties may be members of the political commit-
21 tee nominating them and may be members of a state or
22 county delegation to a political convention.

23 2. Population of 4,000 to 5,000. A city or town
24 which has a population of 4,000 to 5,000 may, by vote
25 of its legislative body, have a board of registration
26 instead of a registrar.

27 3. Term of office. Each member nominated by the
28 municipal committees of the major political parties
29 and appointed to the board shall serve for 3 years
30 and until his successor is appointed and sworn. The
31 member nominated by the clerk of the municipality and
32 appointed to the board shall serve for 4 years and
33 until his successor is appointed and sworn.

34 4. Chairman of the board. The member nominated
35 by the clerk of the municipality is chairman of the
36 board.

37 5. Vacancy. When there is a vacancy on the
38 board, the municipal officers shall appoint a quali-
39 fied person nominated by the municipal committee of

1 the party of the former incumbent to fill the vacan-
2 cy. If the vacancy is in the office of chairman of
3 the board, the municipal officers shall appoint a
4 qualified person nominated by the clerk of the munic-
5 ipality to fill the vacancy. Vacancies shall be
6 filled for the remainder of the term of office.

7 6. Hours. In addition to the schedules under
8 sections 123 and 124, each board shall be open to act
9 upon applications for registration and enrollment on
10 at least one business day in each of the months of
11 January, February and March in each even-numbered
12 year.

13 7. Provisions apply to board of registra-
14 tion. Except as otherwise provided in this section,
15 the provisions of law pertaining to the registrar ap-
16 ply equally to a board of registration. A board of
17 registration may only act by unanimous or majority
18 action, except that the chairman of the board may
19 designate himself or another member of the board to
20 accept the application of a disabled person for reg-
21 istration under section 153.

22 §104. Deputies for boards of registration

23 By unanimous action, the board of registration
24 may appoint one or more deputies to serve the board.

25 1. Qualifications and compensation. Qualifica-
26 tions and compensation of deputies serving on boards
27 are governed by the following provisions.

28 A. Section 101, subsections 1, 3 and 5, shall
29 apply to deputies of boards of registration.

30 B. Deputies must be appointed so that the number
31 of board members plus deputies enrolled in one of
32 the 2 major parties does not exceed the number of
33 board members plus deputies enrolled in the other
34 major party by more than one.

35 2. Duties. Deputies shall perform duties as-
36 signed by majority vote of the board, including the
37 acceptance of registrations and enrollments, as if
38 the board had acted. A deputy or deputies assigned
39 to be present at a caucus must be enrolled in the

1 party holding that caucus. Nothing in this section
2 may be construed as limiting the authority of the
3 board to override the actions of its deputies.

4 SUBCHAPTER II

5 VOTER ELIGIBILITY

6 §111. General qualifications

7 A person who meets the following requirements may
8 vote in any election in a municipality.

9 1. Citizenship. He must be a citizen of the
10 United States.

11 2. Age. He must be at least 18 years of age.

12 3. Residence. He must have established a voting
13 residence in that municipality.

14 4. Registration. He must be registered to vote
15 in that municipality.

16 5. Enrollment. He must be enrolled in a party
17 in that municipality to vote at a caucus, convention
18 or primary election.

19 §112. Residence for voting purposes

20 Voting residence is governed by the following
21 provisions.

22 1. Residence. The residence of a person is that
23 place in which his habitation is fixed, and to which,
24 whenever he is absent, he has the intention to re-
25 turn.

26 2. Change. A change of residence is made only
27 by the act of removal, joined with the intent to re-
28 main in another place. A person can have only one
29 residence at any given time.

30 3. Residence retained. A person does not lose
31 his residence if he temporarily leaves his home and
32 goes to another country, state or place in this State
33 with the intent of returning.

1 4. Separate residence. The place where a
2 person's family resides is presumed to be his place
3 of residence, but a person may acquire a separate
4 residence if he takes another abode with the inten-
5 tion of remaining there.

6 5. Armed service personnel, students, institu-
7 tional patients, Indians. A person does not gain or
8 lose a residence solely because of his presence or
9 absence while employed in the service of the United
10 States or of this State, while a student in any in-
11 stitution of learning, while kept in any mental in-
12 stitution at public expense, while confined in any
13 penal institution or while residing upon any Indian
14 or military reservations.

15 6. Voting residence retained. A person who has
16 gained a voting residence in a municipality retains
17 it, if he so desires, when he becomes a patient at a
18 federal institution or an employee of a federal agen-
19 cy where he is required to reside on land ceded to
20 the Federal Government by the State. This subsection
21 applies to a member of the Armed Forces or the Na-
22 tional Guard who is required to be in a place other
23 than that in which he has gained a voting residence.

24 7. Federal property. A person residing on fed-
25 eral property, except as stated in subsection 5, is
26 eligible to register and vote in the voting district
27 in which the federal property is located.

28 8. Becoming 18 on federal property. A person
29 who becomes 18 years of age while residing on federal
30 property as a patient at a federal institution or an
31 employee of a federal agency, or while in the Armed
32 Forces, is considered to have gained a voting resi-
33 dence in the municipality in which he resided at the
34 time he became such a patient, employee or member of
35 the Armed Forces.

36 9. Spouse of member of Armed Forces. A spouse
37 of a member of the Armed Forces on active duty may
38 have the same voting residence as his or her spouse.
39 A member of the Armed Forces on active duty, whose
40 spouse has a place of residence in this State, may
41 establish a residence in the place of residence of
42 the spouse by filing an affidavit with the registrar

1 declaring an intention to reside in that place upon
2 severance from the Armed Forces.

3 10. Spouse may have separate residence. A mar-
4 ried person may be considered to have a residence
5 separate from that of his spouse for the purposes of
6 voting, holding office or performing jury duty. For
7 those purposes, residence is determined as if the
8 person were single.

9 11. Voting in another state. A person loses his
10 residence in this State if he votes in another
11 state's election, either in person or by absentee
12 ballot. That person is not eligible to vote in this
13 State until he again qualifies under section 111.

14 §113. Right survives change of residence

15 A registered voter who moves to another state
16 within 30 days before a presidential election must
17 not be removed from the voting list. He may vote at
18 that presidential election in person or by absentee
19 ballot.

20 §114. Division of municipality, effect

21 When any territory is set off from one municipal-
22 ity and annexed to another, the act establishing the
23 new boundaries must indicate where and for which of-
24 fices the voters in the territory may vote. If this
25 provision is omitted from the act, the voters may
26 vote for all offices in the municipality to which the
27 territory is annexed.

28 §115. Restrictions

29 1. Certain persons may not register or vote. A
30 person under guardianship because of mental illness
31 may not register or vote in any election.

32 2. Voting restricted to district. In a municipi-
33 pality which has voting districts, a voter may, ex-
34 cept as provided in section 630, vote only in the
35 district in which he resides on election day.

36 3. Correct name and address on voting list. A
37 person whose name, or street address in a municipali-

1 ty which has voting districts, does not appear cor-
2 rectly on the voting list on election day may not
3 vote at any election until it is corrected as pro-
4 vided in section 661.

5 SUBCHAPTER III

6 REGISTRATION AND ENROLLMENT

7 ARTICLE I

8 REGISTRATION

9 §121. Exclusive power of registrar

10 The registrar has the exclusive power, subject to
11 section 163, to determine whether a person who ap-
12 plies for registration as a voter meets the quali-
13 fications prescribed by this Title.

14 1. Oath may be required. In making this deter-
15 mination, the registrar may require any person who
16 testifies before him concerning his qualifications or
17 those of another to swear to the truth of his state-
18 ments.

19 2. Political party not a qualification. The
20 registrar shall not inquire as to the political party
21 of the applicant in determining his voting qualifica-
22 tions.

23 §122. Registration procedure

24 A person may register as a voter by appearing be-
25 fore the registrar, proving that he is qualified un-
26 der section 111, subsections 1 to 3, and filing an
27 application provided by the registrar containing the
28 information required by section 171. Township resi-
29 dents may register as provided in section 156.

30 1. Placement on voting list. The registrar
31 shall place the name of the applicant on the voting
32 list as soon as he has qualified. The registrar
33 shall register a person by first name, middle name or
34 initial and last name, or by first name or initial,
35 middle and last name.

1 2. Failure to qualify. If an applicant fails to
2 qualify, the registrar shall, on request of the ap-
3 plicant, notify him in writing of the reason for the
4 failure.

5 3. Notice of new registration. When an appli-
6 cant states in his application that he last voted in
7 another municipality in this State or any other
8 state, the registrar shall immediately send a notice
9 of his new registration, together with the birth date
10 of the applicant and his former street and mailing
11 address, to the registrar of that municipality. The
12 registrar who receives the notice shall remove the
13 name from the voting list, if he is satisfied as to
14 the identity of the person, and he need not send the
15 notice required by section 162.

16 §123. Schedule; regular election

17 1. Regular election. The registrar shall accept
18 registrations at a regular election according to the
19 schedule prescribed by this section.

20 2. Registration before election day. Registra-
21 tion before election day shall be as follows.

22 A. In a municipality with a population of 2,500
23 or less, the registrar accept registrations during
24 the time prescribed by the municipal officers
25 on at least one business day during the week be-
26 fore election day. The names of voters register-
27 ing during this time shall be placed on the vot-
28 ing list.

29 The registrar shall accept the registrations of
30 applicants who appear in person on the last busi-
31 ness day preceding election day. The names of
32 voters registering at this time shall be recorded
33 as provided in subsection 3.

34 B. In a municipality with a population of 2,501
35 to 5,000, the registrar shall accept registra-
36 tions from 1 p.m. to 5 p.m. and from 7 p.m. to 9
37 p.m. on the 4th to 6th business days next prior
38 to election day. The names of voters registering
39 during these times shall be placed on the voting
40 list.

1 The registrar shall accept the registrations of
2 applicants who appear in person on the last 3
3 business days preceding election day. The names
4 of voters registering during this time shall be
5 recorded as provided in subsection 3.

6 C. In a municipality with a population of 5,001
7 to 10,000, the registrar shall accept registra-
8 tions from 1 p.m. to 5 p.m. and from 7 p.m. to 9
9 p.m. on the 6th to 10th business days next prior
10 to election day. The names of voters registering
11 during these times shall be placed on the voting
12 list.

13 The registrar shall accept the registrations of
14 applicants who appear in person on the last 5
15 business days preceding election day. The names
16 of voters registering during this time shall be
17 recorded as provided in subsection 3.

18 D. In a municipality with a population of 10,001
19 to 24,000, the registrar shall accept registra-
20 tions from 1 p.m. to 5 p.m. and from 7 p.m. to 9
21 p.m. on the 8th to 14th business days next prior
22 to election day. The names of voters registering
23 during these times shall be placed on the voting
24 list.

25 The registrar shall accept the registrations of
26 applicants who appear in person on the last 7
27 business days preceding election day. The names
28 of voters registering during this time shall be
29 recorded as provided in subsection 3.

30 E. In a municipality with a population of 24,001
31 or more, the registrar shall accept registrations
32 from 1 p.m. to 5 p.m. and from 7 p.m. to 9 p.m.
33 on the 10th to 18th business days next prior to
34 election day. The names of voters registering
35 during these times shall be placed on the voting
36 list.

37 The registrar shall accept the registrations of
38 applicants who appear in person on the last 9
39 business days preceding election day. The names
40 of voters registering during this time shall be
41 recorded as provided in subsection 3.

1 3. Record of names. The names of voters who
2 register by appearing in person before the registrar
3 during the business days before election day under
4 subsection 2 shall be recorded as provided in either
5 paragraph A or B, as the municipal officers direct:

6 A. The registrar shall, after finding an appli-
7 cant qualified, issue a certificate entitling the
8 applicant to be placed on the voting list at the
9 voting place on election day. Only one certifi-
10 cate may be issued to any person; or

11 B. The registrar shall, after finding an appli-
12 cant qualified, place the names of those voters
13 on a supplemental voting list. Before the polls
14 are opened, the registrar shall deliver the sup-
15 plemental list or lists to the clerk or ward
16 clerk at each voting place. The inclusion of a
17 person's name on that list will entitle the ap-
18 plicant to vote on election day. All references
19 in this Title to the use of the voting list be-
20 fore, during and after election day are consid-
21 ered to include the supplemental voting list as
22 provided in this paragraph.

23 4. Election day registration. The registrar
24 shall accept registrations of applicants who appear
25 in person on election day. The registrar shall issue
26 to each of these applicants a certificate entitling
27 the applicant to be placed on the voting list at the
28 voting place. Only one certificate may be issued to
29 any person.

30 5. Alternative registration schedule for absen-
31 tee voters. The registrar shall accept registrations
32 under section 152 at any time, including election
33 day, provided that the applicant otherwise qualifies
34 as an absentee voter. The receipt of a completed ab-
35 sentee ballot application by the clerk establishes a
36 presumption of qualification under this subsection.

37 6. Change of regular election schedule. The
38 hourly schedule established by this section may be
39 changed by the municipal officers according to the
40 needs of the municipality.

41 §124. Schedule; special elections

1 1. Special election. The registrar shall accept
2 registrations at a special election according to the
3 schedule prescribed by this section.

4 2. Registration before election day. Registra-
5 tion before election day shall be as follows.

6 A. In a municipality with a population of 2,500
7 or less, the registrar shall accept the registra-
8 tions of applicants who appear in person on the
9 last business day preceding election day. The
10 names of voters registering at this time shall be
11 recorded as provided in section 123, subsection
12 3.

13 B. In a municipality with a population of 2,500
14 or more, the registrar shall accept registrations
15 during the time prescribed by the municipal offi-
16 cers on the last 3 business days preceding elec-
17 tion day. The names of voters registering at
18 this time shall be recorded as provided in sec-
19 tion 123, subsection 3.

20 3. Election day registration. The registrar
21 shall accept registrations of applicants who appear
22 in person on election day. The registrar shall issue
23 to each of these applicants a certificate entitling
24 the applicant to be placed on the voting list at the
25 voting place. Only one certificate may be issued to
26 any person.

27 4. Alternative registration schedule for absen-
28 tee voters. The registrar shall accept registrations
29 under section 152 at any time, including election
30 day, provided that the applicant otherwise qualifies
31 as an absentee voter. The receipt of a completed ab-
32 sentee ballot application by the clerk establishes a
33 presumption of qualification under this subsection.

34 5. Hourly special election schedule. The munic-
35 ipal officers shall establish an hourly schedule for
36 the days for registration at a special election pre-
37 scribed by this section.

38 §125. Notice of schedule

1 The registrar shall publish the time and hourly
2 schedules established under sections 123 and 124, or
3 as changed by the municipal officers, in a newspaper
4 having general circulation in the municipality at
5 least 7 days before the schedule becomes effective,
6 except that, in municipalities with a population of
7 2,500 or less, the publication of the time schedule
8 by the registrar is discretionary rather than compul-
9 sory.

10 §126. Combined regular and special elections

11 When a regular and a special election are held on
12 the same day, the registrar shall follow the time
13 schedule prescribed by section 123 or as changed by
14 the municipal officers under section 123, subsection
15 6.

16 §127. Persons present at time for closing registra-
17 tions

18 The registrar shall allow all persons to register
19 who are present at his office at closing time on the
20 final day for registration before an election. Any
21 person who arrives at his office after closing time
22 may not register.

23 §128. Registrar to check records

24 Before the close of the period for accepting the
25 registrations of voters to be placed on the voting
26 list prior to any election, the registrar shall re-
27 view the records of marriage, death, change of name
28 and change of address in the office of the clerk or
29 the assessors, and shall correct the voting list ac-
30 cordingly. Instead of the registrar examining the
31 records in the custody of the clerk, the clerk may
32 provide the registrar with a list, certified by the
33 clerk to be true, of the marriages, deaths and
34 changes which took place during the 2 years preceding
35 the close of the period for accepting the registra-
36 tions of voters to be placed on the voting list.

37 §129. Change of name or address

38 When a voter's name is changed by marriage or
39 other process of law, or when he moves from one vot-

1 ing district to another in a municipality, the fol-
2 lowing provisions apply.

3 1. Notice. The voter must give written notice
4 to the registrar of his new and former names or ad-
5 resses before the close of registrations prior to
6 election day.

7 2. Correction of name or address. The registrar
8 shall correct the voter's name or address on the vot-
9 ing list, and he may then vote under his new name or
10 in his new district on election day.

11 A. In a municipality which has more than one
12 voting district, if a voter has changed his ad-
13 dress and votes absentee after the close of reg-
14 istration, he must send a written notice of his
15 new address along with his absentee application
16 notifying the board of registration of his new
17 address. A certificate containing his name and
18 new address shall be directed to the warden of
19 his new voting place to be attached to the incom-
20 ing voting list on election day.

21 3. Failure to notify. If a voter fails to noti-
22 fy the registrar of his change of name or address be-
23 fore the close of registrations, he must appear be-
24 fore the registrar on election day and follow the
25 procedure outlined in section 661, if he wishes to
26 vote, unless the registrar has already made the cor-
27 rection in following the procedure prescribed by this
28 section.

29 4. Publication of substance. The registrar
30 shall publish the substance of this section along
31 with the notice required by section 125.

32 §130. Applications before notaries public

33 A notary public or other authorized person before
34 whom a person completes an application for registra-
35 tion to vote, as provided in section 152, shall de-
36 liver the application to the registrar before the
37 closed period for the acceptance of registrations in
38 the person's municipality, to be placed on the voting
39 list prior to the next election; except that applica-
40 tions completed under section 123, subsection 5, and

1 section 124, subsection 4, may be delivered during
2 the closed period for immediate placement on the vot-
3 ing list.

4 ARTICLE II

5 ENROLLMENT

6 §141. Mention of enrollment

7 When a person registers, the registrar shall ask
8 him whether he wishes to enroll. If his answer is in
9 the affirmative, the registrar shall have the person
10 complete the enrollment portion of the application.

11 1. Influence prohibited. The registrar shall
12 not attempt to influence an applicant in his choice
13 of a party, and he shall not allow anyone else
14 present to do so.

15 §142. Enrollment procedure

16 A voter may enroll in a party by filing an appli-
17 cation with the registrar personally, by mail or oth-
18 erwise, at any time, except that on election day a
19 voter must enroll in person.

20 1. Content of application. The application must
21 contain the following information: Name of appli-
22 cant, street address, voting district, name of party
23 in which enrollment is requested, signature of the
24 applicant and the date of application.

25 2. Party designation on voting list. On receipt
26 of the application, the registrar shall place the
27 party designation of the applicant beside his name on
28 the voting list and file the application.

29 §143. Permitted at any election

30 A voter who is not enrolled in a party may enroll
31 at any election by personally filing the application
32 required by section 142 with the election clerk in
33 charge of the ballots, after which he may vote. If
34 the applicant votes by absentee ballot because of
35 physical incapacity, he may file the application with
36 his absentee ballot.

1 1. Application delivered to warden. The elec-
2 tion clerk who receives the completed application
3 shall initial it and deliver it to the warden, who
4 shall have it delivered to the registrar after the
5 polls are closed.

6 2. Party designation on voting list. On receipt
7 of the application, the registrar shall place the
8 party designation of the applicant beside his name on
9 the voting list and file the application.

10 3. Applications furnished by registrar. The
11 registrar shall furnish a reasonable number of en-
12 rollment applications to the warden at each voting
13 place. If there are not enough applications at the
14 voting place, the applicant may write the information
15 required by section 142 on a blank piece of paper.

16 §144. Change of enrollment

17 A voter may change his enrollment by filing an
18 application with the registrar personally, by mail or
19 otherwise.

20 1. Content of application. The application must
21 contain the following information: Name of appli-
22 cant, street address, voting district, name of party
23 in which enrolled, name of party in which enrollment
24 is requested, signature of the applicant and the date
25 of application.

26 2. Party designation removed from voting
27 list. On receipt of the application, the registrar
28 shall remove the party designation beside the name of
29 the applicant on the voting list. The registrar
30 shall make a notation on the voting list that the ap-
31 plicant is ineligible to vote at a caucus or primary
32 election, or to file a petition as a candidate for
33 nomination by primary election, for 3 months. Three
34 months after he receives the application, the regis-
35 trar shall enroll the applicant in the party re-
36 quested.

37 This subsection does not apply in the case of a voter
38 who changes his enrollment under subsection 4.

1 3. Restrictions during change of enrollment. A
2 voter may not vote at a caucus, convention or primary
3 election, or file a petition as a candidate for nomi-
4 nation by primary election within 3 months after fil-
5 ing an application to change his enrollment, except
6 as provided in subsection 4.

7 4. Change of residence. When a voter changes
8 his residence from one municipality to another and
9 establishes a new voting residence there, he may en-
10 roll in any party and vote at a caucus, convention or
11 primary election, or file a petition as a candidate
12 for nomination by primary election, regardless of his
13 previous enrollment.

14 §145. Withdrawal of enrollment

15 A voter may withdraw his enrollment anytime after
16 3 months from the date on which he enrolled by filing
17 a written request with the registrar.

18 1. Candidates for nomination by nomination peti-
19 tion. If enrolled, candidates for nomination by nom-
20 ination petition must withdraw their enrollment at
21 least 3 months before the required date for filing of
22 the nomination petition.

23 ARTICLE III

24 PROVISIONS COMMON TO REGISTRATION

25 AND ENROLLMENT PROCEDURES

26 §151. Same form

27 An individual may register to vote and enroll in
28 a political party at the same time and on the same
29 form.

30 §152. Registration and enrollment procedure

31 1. Application. In addition to the procedure
32 provided by section 122, a person may register to
33 vote and enroll in a political party by completing an
34 application which shall be designed by the Secretary
35 of State and contain the following information:

- 1 A. First name, middle name or initial and last
2 name, or first name or initial, middle name and
3 last name;
- 4 B. Legal address, including street, street num-
5 ber, apartment number, town, county and zip code;
- 6 C. Mailing address;
- 7 D. Date of birth;
- 8 E. Sex;
- 9 F. Most recent prior residence where registered
10 to vote, including the name under which regis-
11 tered, if changed, legal address and mailing ad-
12 dress;
- 13 G. Whether a citizen by birth or naturalization;
14 if by naturalization, the date, place and court
15 of naturalization;
- 16 H. Notification that failure to complete the en-
17 tire application may prevent registration;
- 18 I. Certification that all information is correct
19 and sworn before a notary public;
- 20 J. Date of registration;
- 21 K. Signature of applicant; and
- 22 L. Choice of political party.
- 23 2. Placement on voting list. Upon receipt of
24 the application by the registrar of voters or the
25 board of registration when in open session, the ap-
26 plicant's name shall be entered on the voting lists
27 of the municipality.
- 28 3. Failure to qualify. The registrar of voters
29 or the board of registration may investigate any ap-
30 plication and remove the voter's name from the list
31 for failure to meet a voting requirement under this
32 Title.

1 4. Persons born United States citizens in for-
2 ign countries. Any person born a United States cit-
3 izen in a foreign country may register under this
4 section in the same manner as a person who was born a
5 United States citizen within the territory of the
6 United States.

7 5. Design of application. The Secretary of
8 State shall design the application so that it may be
9 mailed as a postcard.

10 §153. Registration and enrollment of disabled person

11 A person who is physically unable to appear be-
12 fore the registrar and who lives within 20 miles of
13 the office of the registrar may be registered as a
14 voter and enrolled in a party as follows.

15 1. Request and statement. The applicant must
16 make a written request to the registrar certifying
17 the applicant's physical inability to appear.

18 2. Procedure. On receipt of the request and
19 statement, the registrar shall visit the applicant
20 and shall register and, if desired, enroll the appli-
21 cant in accordance with this chapter. This section
22 is subject to the restrictions found in sections 123
23 and 124.

24 The municipality shall pay the registrar travel ex-
25 penditures at the same rate as paid other municipal em-
26 ployees.

27 §154. Overseas registration and enrollment

28 1. Application. A person qualified to register
29 under section 111, subsections 1 to 3, who is outside
30 the United States may register and enroll by filing a
31 federal postcard application or an application de-
32 signed by the Secretary of State and provided by the
33 registrar containing the following information:

34 A. First name, middle name or initial and last
35 name, or first name or initial, middle name and
36 last name;

- 1 B. Legal address, including street, street num-
2 ber, apartment number, town, county and zip code;
- 3 C. Mailing address;
- 4 D. Date of birth;
- 5 E. Last domicile immediately before departure
6 from the United States;
- 7 F. Voting district of the last domicile within
8 the United States;
- 9 G. Whether a citizen by birth or naturalization;
10 if by naturalization, the date, place and court
11 of naturalization;
- 12 H. Notification that failure to complete the en-
13 tire application may prevent registration;
- 14 I. Passport or identity card registration num-
15 ber;
- 16 J. Signature;
- 17 K. Certification that all information is cor-
18 rect, sworn before a diplomatic or consular offi-
19 cial of the United States or before the master of
20 a United States vessel of 1,000 tons or more;
- 21 L. Date of application;
- 22 M. Date of registration; and
- 23 N. Choice of political party if the registrant
24 wishes to enroll.

25 §155. Advance registration and enrollment

26 The registrar shall conditionally accept the reg-
27 istration and enrollment of any person whose age is
28 between 17 years, 6 months and 18 years, and who is
29 otherwise qualified to be a voter, when that person
30 states to the registrar that he will be outside the
31 State, as a student in an educational institution or
32 as a member of the Armed Forces, during the first pe-
33 riod at which he would otherwise be able to register.

1 The registrar shall maintain a separate list of these
2 persons, with a notation of their birthdates, and
3 shall place their names on the voting list as soon as
4 they have attained 18 years of age.

5 A person who has registered under this section
6 and who has not attained 18 years of age may vote by
7 absentee ballot at any election if that person at-
8 tains 18 years of age on or before the date of the
9 election and is otherwise eligible to vote by absen-
10 tee ballot.

11 §156. Special provisions for township residents

12 In accordance with section 632, registration, en-
13 rollment and voting by the resident of a township are
14 governed by the following provisions.

15 1. Registration and enrollment. A township res-
16 ident may register and enroll in any town within his
17 representative district or, if he lives in a portion
18 of a township not easily accessible to a town within
19 his representative district, he may register and en-
20 roll in a more convenient town within or outside the
21 county. He may register and enroll on election day.
22 The registrar shall place the letter "T" beside the
23 voter's name on the voting list and on the general
24 register.

25 2. Voting. He may vote in the town in which he
26 is registered. He may not vote at a municipal elec-
27 tion or on a liquor option question. If he votes in
28 a town outside his representative district, he may
29 not vote for the office of Representative to the Leg-
30 islature. If he votes in a town outside his state
31 senatorial district, he may not vote for the office
32 of State Senator. If he votes in a town outside his
33 county, he may not vote for any county office. The
34 election clerk in charge of the ballots shall mark a
35 line through the names of the officers for which he
36 may not vote and add the letter "T" to and initial
37 the outside of the ballot. If he is unable to be
38 present at the voting place on election day, he may
39 vote by absentee ballot.

40 §157. Acceptance of applications by clerk

1 In a city or town which has a board of registra-
2 tion, the clerk shall accept applications for regis-
3 tration and enrollment when the board is not in ses-
4 sion, except during the closed period prior to elec-
5 tion day according to sections 123 and 124.

6 1. Applicant must qualify before clerk. The
7 clerk shall require an applicant for registration to
8 qualify under section 122. If the applicant quali-
9 fies, the clerk shall write "OK" and initial the ap-
10 plication and file it with the board. If the appli-
11 cant fails to qualify or if his qualifications are in
12 doubt, the clerk shall refuse to accept his applica-
13 tion and direct him to appear before the board.

14 2. Final action by board. Final action for ac-
15 ceptance of a registration or enrollment must be
16 taken by the board. If the board rejects an applica-
17 tion accepted by the clerk, it shall immediately no-
18 tify the applicant by first class mail of the rejec-
19 tion and the reason for it.

20 §158. Municipal caucus

21 The registrar or board of registration shall meet
22 in session on the day of official party caucuses at
23 times designated by municipal officials to accept
24 registrations and enrollments and all persons so reg-
25 istered and enrolled may participate in their party
26 caucus.

27 §159. Violations and penalties

28 1. False statement or false oath. A person who
29 makes a false statement or who takes a false oath be-
30 fore an official concerning the qualifications of any
31 person for registration or enrollment and who does
32 not believe the statement to be true is guilty of a
33 Class E crime.

34 2. Dual registration. A person who, having reg-
35 istered in one voting district or municipality within
36 this State, or in another state, knowingly registers
37 in another voting district or municipality within
38 this State without revealing his prior registration
39 to the registrar is guilty of a Class D crime.

1 SUBCHAPTER IV

2 VOTING LIST

3 §161. Powers and duties of registrar

4 The registrar has the exclusive power to prepare
5 and revise the voting list.

6 1. List prepared. The registrar shall prepare a
7 printed or typewritten list of all the voters of the
8 municipality, arranged alphabetically by last name.
9 He shall add the street address of each voter beside
10 the voter's name, mailing address and zip code num-
11 ber. In a municipality covered by only one zip code,
12 he may print or type the zip code at the top of each
13 page of the voting list. In a municipality which has
14 voting districts, he shall make a separate list for
15 each district.

16 2. List current. The registrar shall keep a
17 list current at all times by adding the names of new
18 voters and by removing the names of those who have
19 died, moved from the municipality with an apparent
20 intention of abandoning their residence in the munic-
21 ipality or become disqualified to vote. When the
22 registrar employs the facilities of the United States
23 Postal Service to determine which voters have moved
24 from the municipality and when the United States
25 Postal Service reports to the registrar that a voter
26 has moved from the address shown on the voting list
27 without having notified the United States Postal Ser-
28 vice of a forwarding address, the registrar shall re-
29 move the name of the voter from the voting list and
30 is not required to send, or to attempt to send, a no-
31 tice to the voter in accordance with section 162.

32 3. List of deceased residents. The clerk shall,
33 upon request of the registrar, furnish the registrar
34 with a list of the deceased in the municipality.

35 4. Proof of qualification shall be re-
36 quested. If the registrar is in doubt as to the
37 qualifications of any person to vote, he shall re-
38 quest that person's appearance at a reasonable time
39 and place to offer proof. If the person fails to ap-
40 pear, the registrar shall remove his name from the

1 voting list and send him a notice in accordance with
2 section 162.

3 5. Record of names added and removed. The reg-
4 istrar shall keep a record of the names added to or
5 removed from the voting list and the date when the
6 action was taken.

7 §162. Notice of removal from list

8 Except as provided under section 122, subsection
9 3, and section 161, subsection 2, the registrar shall
10 mail a notice to the last known place of residence of
11 each person whose name the registrar has removed from
12 the voting list. Upon receipt of that notification,
13 the person must reply to the registrar within 30 days
14 using a postal card mailed with the notice and must
15 state the reasons why his name should not be removed
16 from the voting list. If the notification is re-
17 turned unclaimed, that return is sufficient notice to
18 confirm the removal of the name. The returned no-
19 tices and replies by the voter shall be kept on file
20 by the registrar and available for inspection for 2
21 years.

22 1. Content of notice. The notice must contain
23 the following message:

24 Dear.....:
25 (Name of voter)

26 This is to advise you that your name has been re-
27 moved from the voting list of (name of municipality)
28 for the following reasons: (Here state reason for
29 removal). Your failure to reply within 30 days will
30 be deemed to indicate your agreement with this ac-
31 tion.

32
33 (Name of registrar)
34 Registrar of voters
35 (Name of Municipality)

36 2. Content of reply. The postal card must con-
37 tain the following message:

38 Dear Registrar:

1 I respectfully request that my name be replaced
2 on the voting list of (name of municipality) for the
3 following reason: (Here allow space for reason to be
4 stated). I swear that the reason stated above is
5 true.

6 Signature

7 Address

8 3. Restoration to list. If the registrar is
9 satisfied from the reply that the name should be re-
10 stored to the voting list, he shall do so. If not,
11 the registrar shall notify the person within 14 days
12 that the reason given appears to be insufficient and
13 that the person's name has not been restored to the
14 voting list.

15 §163. Declaration of rights; appeal

16 If the registrar removes a name from the voting
17 list or refuses to place it on the voting list, the
18 interested person may petition the Superior Court or
19 the District Court for a declaratory judgment under
20 Title 14, chapter 707, naming the registrar as de-
21 fendant. The District Court is expressly granted the
22 same powers and jurisdiction as the Superior Court
23 has under Title 14, chapter 707, in petitions arising
24 out of this section.

25 1. Early hearing. On receipt of the petition,
26 the court shall set the matter for hearing at the
27 earliest reasonable time.

28 2. Appeal to municipal officers. If any person
29 is aggrieved by the decision of a registrar of vot-
30 ers, he may appeal in writing to the municipal offi-
31 cers of a municipality by filing a complaint. The
32 municipal officers shall immediately fix a time and
33 place for prompt hearing. After hearing, the municip-
34 al officers may affirm, modify or reverse the deci-
35 sion of the registrar of voters. The aggrieved per-
36 son may appeal the decision of the municipal officers
37 to the District Court in accordance with the Rules of
38 Civil Procedure.

39 §164. Enrollment records

1 The registrar shall record enrollments by adding
2 the party designation of the voter beside the voter's
3 name on the voting list.

4 1. Records current. He shall keep the records
5 current at all times by adding new enrollments and by
6 changing or withdrawing the enrollments of those who
7 have requested it.

8 2. Record of names added and removed. He shall
9 keep a record of the enrollments added, changed or
10 withdrawn and the date when the action was taken.

11 §165. Copies of list available

12 The registrar may require a deposit but shall
13 furnish a certified copy of the voting list to any
14 person within 10 business days after a request and
15 the payment of a reasonable price determined by the
16 municipal officers. The fee charged accrues to the
17 registrar unless the legislative body of the munici-
18 pality votes otherwise. The registrar shall furnish
19 a certified copy of the voting list to the clerk at
20 no charge within 10 days after it is completed.

21 §166. Updated voting lists furnished to candidates

22 Any candidate in a primary or general election
23 for an office of the State Government or of the Fed-
24 eral Government who has purchased a municipal voting
25 list from a municipality, which retains that voting
26 list on an electronic computer and which regularly
27 and periodically updates that list at least every 3
28 months, is entitled to a list of all additions, dele-
29 tions and changes to the purchased list for the fol-
30 lowing periods of time.

31 1. Candidate in primary election. If the candi-
32 date is a candidate in a primary election, he is en-
33 titled to the additions, deletions and changes from
34 the time he is a declared candidate in that primary
35 election until the day of the primary election. But
36 if he is nominated in that primary election to be a
37 candidate in the general election, he is entitled to
38 those additions, deletions and changes until the day
39 of the general election.

1 2. Candidate in general election. If the candi-
2 date is a candidate in a general election, he is en-
3 titled to the additions, deletions and changes from
4 the time he is a declared candidate in that general
5 election until the day of the general election.

6 A municipal registrar shall furnish lists of the
7 additions, deletions and changes in a purchased vot-
8 ing list to a candidate entitled to them under this
9 section. These corrections shall be provided period-
10 ically as updates to the municipal voting list become
11 available and shall be at no additional cost to the
12 candidates.

13 §167. Violation and penalty

14 A person who places or removes the name of anoth-
15 er on or from a voting list or general register,
16 knowing he has no legal right to do so is guilty of a
17 Class E crime.

18 SUBCHAPTER V

19 REGISTER OF VOTERS

20 §171. Preparation and contents

21 The registrar shall prepare and keep a general
22 register of voters.

23 1. Content of general register. The general
24 register must contain the following information con-
25 cerning each person on the voting list on index cards
26 filed alphabetically by last name:

27 A. First name, middle name or initial and last
28 name or first name or initial, middle name and
29 last name;

30 B. Legal address, including street, street num-
31 ber, apartment number, town, county and zip code;

32 C. Mailing address;

33 D. Date of birth;

34 E. Sex;

1 F. Most recent prior residence where registered
2 to vote, including the name under which regis-
3 tered, if changed, legal address and mailing ad-
4 dress;

5 G. Whether a citizen by birth or naturalization:
6 If by naturalization, the date, place and court
7 or naturalization;

8 H. Remarks concerning registration or enroll-
9 ment;

10 I. Date of registration; and

11 J. Signature of registrant.

12 2. Reference file. When the name of a voter is
13 removed from the voting list, the registrar shall re-
14 move his card from the general register and retain it
15 in a reference file for 10 years.

16 CHAPTER 5

17 NOMINATIONS

18 SUBCHAPTER I

19 BY POLITICAL PARTIES

20 ARTICLE I

21 PARTY QUALIFICATION

22 §301. Qualified parties

23 1. Primary election. A party qualifies to par-
24 ticipate in a primary election if its designation was
25 listed on the general election ballot in the last
26 preceding gubernatorial or presidential election and
27 if:

28 A. The party held municipal caucuses as pre-
29 scribed by Article II in at least one municipali-
30 ty in each county in the State during that elec-
31 tion year and fulfills this same requirement dur-
32 ing the year of the primary election;

1 B. The party held a state convention as pre-
2 scribed by Article III during that election year;

3 C. Its candidate for Governor or for President
4 polled at least 5% of the total vote cast in the
5 State for Governor or President in the last pre-
6 ceding gubernatorial or presidential election;
7 and

8 D. Each state party committee must file a state-
9 ment with the Secretary of State on or before
10 April 4th certifying that the party has held the
11 municipal caucuses required by paragraph A. The
12 statement must be signed by the party chairman or
13 his designated agent.

14 2. General election. A party which qualifies
15 under subsection 1 to participate in a primary elec-
16 tion must, in that same year, hold a state convention
17 as prescribed by Article III in order to have the
18 party designation of its candidates printed on the
19 ballot in the general election of that year.

20 §302. Formation of new party; organization about a
21 candidate

22 A party whose designation was not listed on the
23 general election ballot in the last preceding guber-
24 national or presidential election qualifies to par-
25 ticipate in a primary election, if it meets the re-
26 quirements of subsections 1, 2 and 3.

27 1. Declaration of intent. A voter or a group of
28 voters who are not enrolled in a party qualified un-
29 der section 301 must file a declaration of intent to
30 form a party with the Secretary of State before 5
31 p.m. on the 180th day preceding a primary election.
32 The declaration of intent must be on a form designed
33 by the Secretary of State and must include:

34 A. The designation of the proposed party;

35 B. The name of a candidate for Governor or for
36 President in the last preceding gubernatorial or
37 presidential election who was nominated by peti-
38 tion under subchapter II and who received 5% or
39 more of the total vote cast in the State for Gov-
40 ernor or for President in that election;

1 C. The signed consent of that candidate; and

2 D. The name and address of the voter or one of
3 the group of voters who file the declaration of
4 intent.

5 2. Enrollment of voters. After filing the dec-
6 laration described in subsection 1, the voter or vot-
7 ers proposing to form the party may then enroll vot-
8 ers in the proposed party under sections 141 to 145.

9 3. Municipal caucuses. The proposed party must
10 conduct municipal caucuses in at least one municipali-
11 ty in each of the 16 counties during that election
12 year as prescribed in Article II. The chairman of
13 the municipal committee or a resident voter in the
14 municipality must file a copy of the notice required
15 by section 311, subsection 3, with the Secretary of
16 State before 5 p.m. on April 15th.

17 4. Convention. A party which has qualified un-
18 der subsections 1, 2 and 3 to participate in a pri-
19 mary election must, in that same year, hold a state
20 convention, as prescribed by Article III, in order to
21 have the party designation of its candidates printed
22 on the ballot in the general election of that year.
23 The voter or group of voters who file the declaration
24 of intent may perform the duties of the state commit-
25 tee under section 321, subsection 1, for the party's
26 initial convention.

27 §303. Formation of new party; organization by peti-
28 tion

29 In addition to the procedure under section 302, a
30 party whose designation was not listed on the general
31 election ballot in the last preceding gubernatorial
32 or presidential election qualifies to participate in
33 a primary election, if it meets the requirements of
34 subsections 1, 2, 3 and 4.

35 1. Declaration of intent. A voter or group of
36 voters who are not enrolled in a party qualified un-
37 der section 301 must file a declaration of intent to
38 form a party with the Secretary of State. The decla-
39 ration of intent must be on a form designed by the
40 Secretary of State and must include:

1 A. The designation of the proposed party; and

2 B. The name and address of the voter or one of
3 the group of voters who file the declaration of
4 intent.

5 2. Enrollment of voters. After filing the dec-
6 laration of intent required in subsection 1, the vot-
7 er or voters proposing to form the party may then en-
8 roll voters in the proposed party under sections 141
9 to 145.

10 3. Petition. After filing the declaration de-
11 scribed in subsection 1, the voter or a group of vot-
12 ers may then circulate petitions. These petitions
13 must be signed in the same manner as primary peti-
14 tions under section 335, subsections 3 and 4. The
15 circulator of the petition shall certify his belief
16 that the signatures on it are genuine and that the
17 signers are registered and enrolled voters. Each
18 page of the petition must have a caption, in conspic-
19 uous type, which contains the designation of the pro-
20 posed party followed by the words "Petition to par-
21 ticipate in the primary election." The Secretary of
22 State shall prepare forms for these petitions. The
23 petitions must be filed in the office of the Secre-
24 tary of State before 5 p.m. on the 180th day preced-
25 ing a primary election and must contain the
26 signatures and legal addresses of voters, equal in
27 number to at least 5% of the total vote cast in the
28 State for Governor at the last preceding gubernatori-
29 al election.

30 4. Municipal caucuses. The proposed party must
31 conduct municipal caucuses in at least one municipali-
32 ty in each of the 16 counties during that election
33 year as prescribed in Article II. The chairman of
34 the municipal committee or a resident voter in the
35 municipality must file a copy of the notice required
36 by section 311, subsection 3 with the Secretary of
37 State, before 5 p.m. on April 15th.

38 5. Convention. A party which has qualified un-
39 der subsections 1, 2, 3 and 4 to participate in a
40 primary election must, in that same year, hold a
41 state convention as prescribed by Article III, in or-
42 der to have the party designation of its candidates

1 printed on the ballot in the general election of that
2 year. The voter or group of voters who file the dec-
3 laration of intent may perform the duties of the
4 state committee under section 321, subsection 1, for
5 the party's initial convention.

6 §304. Disqualification of parties

7 A party which qualified under section 302 or 303
8 to participate in the last preceding primary and gen-
9 eral elections is not qualified to participate in a
10 subsequent primary election unless it meets the re-
11 quirements of section 301.

12 §305. Secretary of State

13 The Secretary of State shall determine whether or
14 not a party has met the requirements of sections 301,
15 302 and 303.

16 §306. Enrolled voters

17 A voter who is enrolled in a party which failed
18 to meet the requirements of section 302 or 303, or
19 which is disqualified under section 304, is consid-
20 ered an unenrolled voter for all purposes.

21 §307. Party designation

22 A voter or group of voters seeking to participate
23 as a party in a primary election under section 302 or
24 303 must choose a party designation that does not:

25 1. Length. Exceed 3 words in length;

26 2. Use state name. Incorporate the name or an
27 abbreviation of the name of the State; and

28 3. Use established party's designation. Incorpor-
29 ate the designation or an abbreviation of the des-
30 ignation of a party which is qualified to participate
31 in a primary or general election under section 301.

32 ARTICLE II

33 BIENNIAL MUNICIPAL CAUCUS

1 §311. Rules governing

2 A biennial municipal caucus is governed by the
3 following provisions.

4 1. Call. The caucus may be called by the chair-
5 man or a majority of the members of the municipal
6 committee of a political party. At the request of
7 that committee municipal officers shall provide
8 available space in a public building for a caucus.

9 2. Time. A municipal caucus of the Democratic
10 Party, held biennially during the general election
11 year for the purpose of electing delegates to a state
12 convention and for any other business must be held no
13 later than the first Sunday in March. A municipal
14 caucus of any other party, held for the same purpose,
15 must be held before April 1st.

16 3. Notice. The secretary of the committee must
17 have a notice of the caucus published in a newspaper
18 having general circulation in the municipality at
19 least 3 and not more than 7 days before it is to be
20 held, or must post a notice in a conspicuous, public
21 place in each voting district in the municipality at
22 least 7 days before the caucus. The notice must con-
23 tain the name of the party, the time and place of the
24 caucus and the name of the person calling it.

25 A. If the notice is not published as required by
26 this subsection, the caucus is void.

27 B. The secretary of the committee must file a
28 copy of the notice with the clerk who shall
29 record it.

30 4. Procedure. The chairman of the municipal
31 committee shall open the caucus. In his absence, the
32 secretary or any resident voter enrolled in the party
33 may open the caucus. The caucus shall elect a secre-
34 tary and a chairman in that order. The chairman of
35 the caucus shall then preside over the caucus and the
36 secretary shall record the proceeding of the caucus.
37 The caucus shall determine its own parliamentary pro-
38 cedure.

1 5. If no municipal committee. If there is no
2 municipal committee, any resident voter enrolled in
3 the party may call a caucus for the purpose of elect-
4 ing the committee. He must follow the notice proce-
5 dure of subsection 3.

6 §312. Voting list

7 If the person or persons calling the biennial mu-
8 nicipal caucus request a voting list at least 5 busi-
9 ness days before the caucus, the registrar shall pre-
10 pare, at the municipality's expense, a certified copy
11 of the voting list for use at the caucus. The secre-
12 tary of the municipal committee shall obtain the copy
13 from the registrar and that copy shall be retained by
14 the municipal committee.

15 §313. Voting procedure

16 The following provisions apply to voting at a mu-
17 nicipal caucus.

18 1. Vote by list. The caucus may order voting to
19 be done by checking each voter's name on the voting
20 list.

21 2. Secret ballot. The caucus may order voting to
22 be done by secret ballot which may be printed or
23 written on plain paper.

24 §314. Challenges

25 An enrolled voter of a municipality may challenge
26 the right of another to vote at a municipal caucus.
27 The person challenged may vote at the caucus after he
28 has taken the following oath administered by the
29 chairman of the caucus.

30 1. Oath. "I, (name of challenged person), swear
31 that I am a registered and enrolled voter in this
32 voting district, that I am a member of the party
33 holding this caucus, and that I have not been en-
34 rolled in any other party in this municipality within
35 the last 3 months."

36 2. Oath recorded and copy sent to registrar.
37 The secretary of the caucus shall record the adminis-

1 tration of the oath and shall send a copy of the
2 record to the registrar.

3 3. Registrar to compare records. On receipt of
4 the copy of the record, the registrar shall compare
5 it with the voting and enrollment records. If the
6 oath is false, the person who swore to it is guilty
7 of a Class E crime.

8 §315. Party members to govern political committees

9 The members of a party within a municipality
10 shall determine the method of election, the terms of
11 office and the duties of their political committees.

12 ARTICLE III

13 CONVENTIONS

14 §321. Time and place; procedure

15 Each party shall hold a state convention between
16 March 1st and August 1st biennially during general
17 election year.

18 1. Time, place and representation. The party's
19 state committee shall determine the time, place and
20 basis of representation for the convention.

21 2. Proceedings at convention. The convention
22 shall do the following:

23 A. Elect a secretary and a chairman of the con-
24 vention in that order;

25 B. Adopt a platform for the next general elec-
26 tion;

27 C. Nominate the number of presidential electors
28 to which the State is entitled;

29 D. Determine the size of the state, district and
30 county committees and the method of their elec-
31 tion.

32 E. Elect a district committee for each congres-
33 sional district; and

1 F. Elect a county committee for each county from
2 persons nominated at municipal caucuses held in
3 the county. If a municipality entitled to nomi-
4 nate a person for election to the county commit-
5 tee fails to do so, the convention may elect any
6 resident of that municipality to the county com-
7 mittee.

8 §322. Committee functions

9 Committees elected at the convention are governed
10 by the following provisions.

11 1. Committees to organize and report. The com-
12 mittees elected at the convention shall organize
13 within 30 days after the convention. The secretary
14 of each committee shall notify the state committee of
15 the name and residence of its chairman and secretary
16 within 10 days after their election.

17 2. State committee to report organization. The
18 chairman and the secretary of the state committee
19 shall certify to the Secretary of State the platform
20 adopted and the names of the presidential electors
21 within 60 days after the convention. The chairman
22 and the secretary of the state committee shall certi-
23 fy to the Secretary of State the name and residence
24 of the chairman and secretary of each committee and
25 of each committee member within 20 days after their
26 election.

27 3. Term of office and duties of committees. The
28 committees and their officers shall hold office as
29 prescribed in their bylaws and shall perform the du-
30 ties imposed upon them by the convention and their
31 bylaws.

32 4. Certain officers of state committee. The
33 chairman, vice-chairman, treasurer and finance chair-
34 man of the state committee may be chosen from outside
35 the membership of the state committee.

36 ARTICLE IV

37 NOMINATION BY PRIMARY ELECTION

38 §331. Primary required

1 1. Nomination by primary election. A party's
2 nomination of a candidate for any federal, state or
3 county office shall be made by primary election, as
4 provided in this Article.

5 2. Exceptions. This Article does not apply to:

6 A. Nominations for presidential electors;

7 B. Nominations to fill vacancies under subchap-
8 ter III; and

9 C. Nominations by petition under subchapter II.

10 3. Limitations to candidacy. The following lim-
11 itations apply to all candidates for nominations.

12 A. A person may not file, whether by primary
13 election or nomination petition, as a candidate
14 for more than one federal, state or county office
15 at any election, except for a candidate for mem-
16 bership in a county charter commissions under
17 section 351, subsection 3.

18 B. A person may file as a candidate for any fed-
19 eral, state or county office either by primary
20 election or nomination petition but not by both,
21 except for a candidate for membership in a county
22 charter commission under section 351, subsection
23 3.

24 §332. When nomination vacated

25 When a person already nominated for any federal,
26 state or county office accepts nomination to fill a
27 vacancy, the first nomination is vacated by that ac-
28 ceptance.

29 §333. Qualification for county office

30 A candidate for any county office must be a resi-
31 dent of and a voter in the electoral division he
32 seeks to represent on the date established for filing
33 primary petitions in the year he seeks election. He
34 must maintain a voting residence in that electoral
35 division during his term of office.

1 §334. Qualification of candidate for primary nomina-
2 tion

3 A candidate for nomination by primary election
4 must file a primary petition and consent under sec-
5 tions 335 and 336. He must be enrolled, on or before
6 April 1st, in the party named in the petition and
7 must be eligible to file a petition as a candidate
8 for nomination by primary election under section 144,
9 subsection 3. The registrar in the candidate's mu-
10 nicipality of residence must certify to that fact
11 upon the petition.

12 §335. Petition requirements

13 A primary petition shall be on a form provided by
14 the Secretary of State and is governed by the follow-
15 ing provisions.

16 1. Content. A primary petition must contain the
17 name of only one candidate, his place of residence,
18 his party, the office sought and electoral division.
19 A primary petition may contain as many separate pa-
20 pers as necessary and may contain the candidate's
21 consent required by section 336.

22 A. When 2 United States Senators or 2 county
23 commissioners are to be nominated, the primary
24 petition must contain the term of office sought
25 by the candidate.

26 2. By whom signed. A primary petition may be
27 signed only by voters of the electoral division
28 which is to make the nomination and who are enrolled
29 in the party named in the petition. Other signatures
30 are void.

31 3. How signed. The voter must personally sign
32 his name in such a manner as to satisfy the registrar
33 of his municipality that he is a registered voter and
34 enrolled in the party named on the petition. Either
35 the voter or the circulator of the petition must
36 print the voter's name.

37 4. Residence. The voter or the circulator of
38 the petition must write or print the voter's street
39 address and municipality of registration. Ditto

1 marks are permitted for municipality of registration
2 only.

3 5. Number of signatures required. Petitions
4 must be signed by the following numbers of voters:

5 A. For candidate for Governor, at least 2,000
6 and not more than 3,000 voters;

7 B. For a candidate for United States Senator, at
8 least 2,000 and not more than 3,000 voters;

9 C. For a candidate for Representative to Con-
10 gress, at least 1,000 and not more than 1,500
11 voters;

12 D. For a candidate for county office, at least
13 150 and not more than 200 voters;

14 E. For a candidate for county commissioner in
15 any county with a population of 50,000 or less,
16 at least 50 and not more than 75 voters;

17 F. For a candidate for State Senator, at least
18 100 and not more than 150 voters; and

19 G. For a candidate for State Representative, at
20 least 25 and not more than 40 voters.

21 6. When signed. A petition may not be signed
22 before January 1st of the election year in which it
23 is to be used.

24 7. Certification of petition. A primary peti-
25 tion shall be verified and certified as follows.

26 A. The circulator of a primary petition shall
27 verify by oath or affirmation before a notary
28 public or other person authorized by law to ad-
29 minister oaths or affirmations that all of the
30 signatures to the petition were made in his pres-
31 ence and that to the best of his knowledge and
32 belief each signature is the signature of the
33 person whose name it purports to be and each per-
34 son is enrolled in the party named in the peti-
35 tion and is a resident of the electoral division
36 named in the petition.

1 B. The registrar of each municipality concerned
2 shall certify which names on a petition appear on
3 the voting list of that municipality as regis-
4 tered and enrolled voters and shall strike out
5 any names which do not satisfy subsection 3.

6 8. When filed. A primary petition must be filed
7 in the office of the Secretary of State before 5 p.m.
8 on April 1st of the election year in which it is to
9 be used.

10 9. Petition or names void. A primary petition
11 which does not meet the requirements of this section
12 is void. If a voter or a circulator fails to comply
13 with this section in signing or printing the voter's
14 name and address, that voter's name may not be
15 counted, but the petition is otherwise valid.

16 §336. Consent of candidate to be filed

17 The written consent of each candidate must be
18 filed with his primary petition.

19 1. Consent. The consent must contain a state-
20 ment signed by the candidate that he will accept the
21 nomination of the primary election. The statement
22 may be printed as a part of the primary petition.

23 2. Single filing sufficient. A candidate need
24 file only one consent. This consent is valid even
25 though it may be part of a primary petition which is
26 void.

27 §337. Review and challenge of petitions

28 1. Review. When presented with a primary peti-
29 tion, the Secretary of State shall review it and, if
30 the petition contains the required number of certi-
31 fied names and is properly completed, shall accept
32 and file it.

33 2. Challenges. The procedure for challenging
34 the validity of a primary petition or of names upon a
35 petition is as follows.

36 A. Only a registered voter residing in the elec-
37 toral division of the candidate concerned may

1 file a challenge. The challenge must be in writ-
2 ing and must set forth the reasons for the chal-
3 lenge. The challenge must be filed in the office
4 of the Secretary of State before 5 p.m. on the
5 5th day after the final date for filing petitions
6 under section 335, subsection 8.

7 B. Within 7 days after the final date for filing
8 challenges and after due notice of the hearing to
9 the candidate and to the challenger, the Secre-
10 tary of State shall hold a public hearing on any
11 challenge properly filed. The challenger has the
12 burden of providing sufficient evidence to inval-
13 idate the petitions or any names upon the peti-
14 tions.

15 C. The Secretary of State shall rule on the va-
16 lidity of any challenge within 5 days after the
17 completion of the hearing described in paragraph
18 B.

19 D. A challenger or a candidate may appeal the
20 decision of the Secretary of State by commencing
21 an action in the Superior Court. This action
22 shall be conducted in accordance with the Maine
23 Rules of Civil Procedure, Rule 80B, except as
24 modified by this section. This action must be
25 commenced within 5 days of the date of the deci-
26 sion of the Secretary of State and shall be
27 tried, without a jury, within 10 days of the date
28 of that decision. Upon timely application, any-
29 one may intervene in this action when the appli-
30 cant claims an interest relating to the subject
31 matter of the petitions, unless the applicant's
32 interest is adequately represented by existing
33 parties. The court shall issue a written deci-
34 sion containing its findings of fact and conclu-
35 sions of law and setting forth the reasons for
36 its decision within 20 days of the date of the
37 decision of the Secretary of State, unless an ex-
38 tension is required due to the length of the
39 trial, in which case the decision shall issue as
40 soon as possible.

41 E. Any aggrieved party may appeal the decision
42 of the Superior Court, on questions of law, by
43 filing a notice of appeal within 3 days of that

1 decision. The record on appeal must be trans-
2 mitted to the Law Court within 3 days after no-
3 tice of appeal is filed. After filing notice of
4 appeal, the parties have 4 days to file briefs
5 and appendices with the clerk of courts. As soon
6 as the record and briefs have been filed, the
7 court shall immediately consider the case. The
8 court shall issue its decision within 14 days of
9 the date of the decision of the Superior Court.

10 §338. Write-in candidates

11 A person whose name will not appear on the
12 printed primary ballot because he did not file a pe-
13 tition and consent under sections 335 and 336, but
14 who fulfills the other qualifications under section
15 334, may be nominated at the primary election as a
16 write-in candidate in accordance with section 723,
17 subsection 1.

18 §339. Time and nature of election

19 The primary election shall be held on the 2nd
20 Tuesday of June of each general election year and is
21 considered to be a separate election for each party
22 which takes part in it. This includes the duties of
23 public officials in announcing the election, provid-
24 ing forms and ballots, keeping records and any other
25 matter necessary to effect the purpose of a primary
26 election. A primary election shall be conducted the
27 same as the general election, as nearly as practica-
28 ble, for each party.

29 SUBCHAPTER II

30 BY PETITION

31 §351. Nomination authorized

32 The nomination of a candidate, other than by a
33 party, for any federal, state or county office must
34 be made by petition, as provided in this subchapter.

35 1. Limited to one office. A person may not
36 file, whether by primary election or nomination peti-
37 tion, as a candidate for more than one federal, state
38 or county office at any election, except as provided
39 in subsection 3.

1 2. Limited to one method. A person may file as
2 a candidate for any federal, state or county office
3 either by primary election or nomination petition,
4 except as provided in subsection 3, but not by both
5 methods.

6 3. Exception for candidates for county charter
7 commission. A candidate for membership in a county
8 commission must be nominated by petition, and may
9 file as a candidate for one additional federal, state
10 or county office at that same election.

11 §352. Qualification for presidential elector and
12 county office

13 A candidate for the office of presidential elec-
14 tor or any county office must be a resident of and a
15 voter in the electoral division he seeks to represent
16 on the date established for filing nomination peti-
17 tions in the year he seeks election. He must main-
18 tain a voting residence in that electoral division
19 during his term of office.

20 §353. Qualification of candidate for nomination by
21 petition

22 A person who seeks nomination by petition quali-
23 fies by filing a nomination petition and consent as
24 provided in sections 354 and 355. If enrolled, the
25 person must also withdraw his enrollment in a party,
26 as provided in section 145, at least 3 months before
27 the filing date for the nomination petition.

28 §354. Petition requirements

29 A nomination petition shall be on a form provided
30 by the Secretary of State and is governed by the fol-
31 lowing provisions.

32 1. Content. A nomination petition must contain
33 the name of only one candidate, his place of resi-
34 dence, the office sought and electoral division. A
35 nomination petition may contain as many separate pa-
36 pers as necessary and may contain the candidate's
37 consent required by section 355. It may also contain
38 the candidate's political designation, which may not
39 exceed 3 words in length, and may not incorporate the

1 candidate's name, or the designation or an abbrevia-
2 tion of the designation of a party which is qualified
3 to nominate candidates by primary election.

4 A. When 2 United States Senators or 2 county
5 commissioners are to be nominated, the nomination
6 petition must contain the term of office sought
7 by the candidate.

8 B. The names of presidential electors must be
9 placed on the petition as a slate. The names of
10 the candidates for President and Vice President
11 must be placed on a petition for the nomination
12 of presidential electors.

13 2. By whom signed. A nomination petition may be
14 signed only by voters of the electoral division which
15 is to make the nomination, except that nomination pe-
16 titions for presidential electors may be signed by
17 any Maine voter. Other signatures are void.

18 3. How signed. The voter must personally sign
19 his name in such a manner as to satisfy the registrar
20 of his municipality that he is a registered voter.
21 Either the voter or the circulator of the petition
22 must print the voter's name.

23 4. Residence. The voter or the circulator of
24 the petition must write or print the voter's street
25 address and municipality of registration. Ditto
26 marks are permitted for municipality or registration
27 only.

28 5. Number of signatures required. Nomination
29 petitions must be signed by the following numbers of
30 voters:

31 A. For a slate of candidates for the office of
32 presidential elector, at least 4,000 and not more
33 than 6,000 voters;

34 B. For a candidate for Governor, at least 4,000
35 and not more than 6,000 voters;

36 C. For a candidate for United States Senator, at
37 least 4,000 and not more than 6,000 voters;

1 D. For a candidate for United States Representa-
2 tive, at least 2,000 and not more than 3,000 vot-
3 ers;

4 E. For a candidate for county office, at least
5 300 and not more than 400 voters;

6 F. For a candidate for State Senator, at least
7 200 and not more than 300 voters;

8 G. For a candidate for State Representative, at
9 least 50 and not more than 80 voters; and

10 H. For a candidate for county charter commission
11 member, at least 50 and not more than 80 voters.

12 6. When signed. A nomination petition may not
13 be signed before January 1st of the election year in
14 which it is to be used.

15 7. Certification of petitions. A nomination pe-
16 tition shall be verified and certified as follows.

17 A. The circulator of a nomination petition shall
18 verify by oath or affirmation before a notary
19 public or other person authorized by law to ad-
20 minister oaths that all of the signatures to the
21 petition were made in his presence and that to
22 the best of his knowledge and belief each signa-
23 ture is the signature of the person whose name it
24 purports to be and each person is a resident of
25 the electoral division named in the petition.

26 B. The registrar of each municipality concerned
27 shall certify which names on a petition appear on
28 the voting list of the municipality as registered
29 voters and shall strike out any names which do
30 not satisfy subsection 3.

31 8. Filed with the Secretary of State. The peti-
32 tion must be filed in the following manner.

33 A. A petition for nomination as a candidate for
34 presidential elector must be filed in the office
35 of the Secretary of State by 5 p.m. on July 1st
36 of the election year in which it is to be used.

1 B. A petition for nomination as a candidate for
2 a federal, state or county office, except for
3 presidential elector, must be filed in the office
4 of the Secretary of State by 5 p.m. on April 1st
5 of the election year in which it is to be used.

6 C. Notwithstanding paragraphs A and B, if any
7 office is uncontested, a petition for nomination
8 as a candidate for that office must be filed in
9 the office of the Secretary of State by 5 p.m. on
10 the date of the primary election in the election
11 year in which that person will be a candidate.

12 9. Petition void. A nomination petition which
13 does not meet the requirements of this section is
14 void. If a voter or circulator fails to comply with
15 this section in signing or printing the voter's name
16 and address, that voter's name may not be counted,
17 but the petition is otherwise valid.

18 §355. Consent of candidate to be filed

19 The written consent of each candidate must be
20 filed with his nomination petition.

21 1. Consent. The consent must contain a state-
22 ment signed by the candidate that he will accept the
23 nomination. The statement may be printed as a part
24 of the nomination petition.

25 2. Single filing sufficient. A candidate need
26 file only one consent. The consent is valid even
27 though it may be part of a nomination petition which
28 is void.

29 §356. Review and challenge of petitions

30 1. Review. When presented with a nomination pe-
31 tion, the Secretary of State shall review it and,
32 if the petition contains the required number of cer-
33 tified names and is properly completed, shall accept
34 and file it.

35 2. Challenges. The procedure for challenging
36 the validity of a nomination petition or of names
37 upon a petition is as follows.

1 A. Only a registered voter residing in the elec-
2 toral division of the candidate concerned may
3 file a challenge. The challenge must be in writ-
4 ing and must set forth the reasons for the chal-
5 lenge. The challenge must be filed in the office
6 of the Secretary of State by 5 p.m. on the 5th
7 day after the final date for filing petitions un-
8 der section 354, subsection 8.

9 B. Within 7 days after the final date for filing
10 challenges and after due notice of the hearing to
11 the candidate and to the challenger, the Secre-
12 tary of State shall hold a public hearing on any
13 challenge properly filed. The challenger has the
14 burden of providing evidence to invalidate the
15 petitions or any names upon the petitions.

16 C. The Secretary of State shall rule on a chal-
17 lenge within 5 days after the completion of the
18 hearing described in paragraph B.

19 D. A challenger or a candidate may appeal the
20 decision of the Secretary of State by commencing
21 an action in the Superior Court. This action
22 shall be conducted in accordance with the Maine
23 Rules of Civil Procedure, Rule 80B, except as
24 modified by this section. This action must be
25 commenced within 5 days of the date of the deci-
26 sion of the Secretary of State and shall be
27 tried, without a jury, within 10 days of the date
28 of that decision. Upon timely application, any-
29 one may intervene in this action when the appli-
30 cant claims an interest relating to the subject
31 matter of the petition, unless the applicant's
32 interest is adequately represented by existing
33 parties. The court shall issue its written deci-
34 sion containing its findings of fact and conclu-
35 sions of law and setting forth the reasons for
36 its decision within 20 days of the date of the
37 decision of the Secretary of State.

38 E. Any aggrieved party may appeal the decision
39 of the Superior Court, on questions of law, by
40 filing a notice of appeal within 3 days of that
41 decision. The record on appeal must be trans-
42 mitted to the Law Court within 3 days after no-
43 tice of appeal is filed. After filing notice of

1 appeal, the parties have 4 days to file briefs
2 and appendices with the clerk of courts. As soon
3 as the record and briefs have been filed, the
4 court shall immediately consider the case. The
5 court shall issue its decision within 14 days of
6 the date of the decision of the Superior Court.

7 F. Only a voter of the county establishing a
8 charter commission may challenge the nomination
9 petition for county charter commission member.
10 The challenge must be in writing and must set
11 forth the reasons for the challenge. The chal-
12 lenge must be filed in the office of the Secre-
13 tary of State before 5 p.m. on the 55th day fol-
14 lowing the order of the county officers under Ti-
15 tle 30, section 1551, subsection 1, or the re-
16 ceipt of a certificate of sufficiency under Title
17 30, section 1551, subsection 4.

18 §357. Candidates certified by the Secretary of State

19 The Secretary of State shall immediately certify
20 by mail the nomination of each person nominated by
21 petition.

22 SUBCHAPTER III

23 VACANCIES

24 ARTICLE I

25 GENERAL PROVISIONS

26 §361. Vacancy defined

27 A vacancy in any federal, state or county office,
28 in the office of an election official, or in any po-
29 litical committee occurs when the incumbent dies, re-
30 signs, becomes disqualified or changes his residence
31 to an electoral division other than that from which
32 he was elected or when the person elected fails to
33 qualify.

34 1. Filled for unexpired term. A vacancy in any
35 office shall be filled for an unexpired term, except
36 where it is specifically provided to the contrary.

1 §362. Governor's proclamation for political commit-
2 tee meetings

3 When required by this subchapter, the Governor
4 shall issue a proclamation declaring the vacancy, or-
5 dering the appropriate political committee to fill it
6 and setting a time and place for the committee to
7 meet.

8 §363. Political committee; choosing candidates and
9 nominees

10 The meeting of a political committee as required
11 by sections 371, 373, 374, 381, 382 and 393 is gov-
12 erned by the following provisions.

13 1. Time and place of meeting. The committee
14 shall meet at the time and place prescribed in the
15 Governor's proclamation.

16 2. Duties of committee. The committee shall
17 choose a qualified person to fill the vacancy. The
18 secretary of the committee shall immediately deliver
19 a certificate to the Secretary of State containing
20 the name of the person chosen, his residence, his po-
21 litical party, title of the office sought, and the
22 method by which he was chosen. The certificate must
23 be signed by the chairman of the committee and at-
24 tested to by the secretary.

25 A. In a electoral division consisting of more
26 than one municipality, the municipal committee of
27 each municipality shall meet jointly, elect a
28 secretary and a chairman for the meeting and then
29 fill the vacancy.

30 3. Acceptance filed. A person chosen under this
31 section must file his written acceptance with the
32 Secretary of State.

33 4. Changes in ballot. The Secretary of State
34 shall make the necessary changes in the ballot.

35 §364. Candidacy by nomination petition

36 The nomination of a candidate or nominee, other
37 than by party, to fill a vacancy must be made by nom-

1 ination petition. The nomination process shall be in
2 the same manner as provided by subchapter II, except
3 that all petitions must be filed by 5 p.m. on the
4 latest date established in the Governor's proclama-
5 tion for the meeting of the appropriate political
6 committees to fill the vacancy or, where a special
7 election is to be held, by 5 p.m. of the date speci-
8 fied in the proclamation for filing by party candi-
9 dates for the special election.

10 §365. Jurisdiction

11 The political committee which has jurisdiction
12 over the choice of a candidate for nomination or a
13 nominee to fill a vacancy under sections 371, 373,
14 374, 381 and 382 is as follows.

15 1. Municipal committee. Choices for Representa-
16 tive to the Legislature must be made by a municipal
17 committee when a representative district consists of
18 one municipality, by a joint meeting of municipal
19 committees when a representative district consists of
20 2 or more municipalities or by members of a municipal
21 committee or committees residing within a representa-
22 tive district when the representative district in-
23 cludes a part of a municipality or parts of different
24 municipalities.

25 2. County committee. A county committee makes
26 choices for all county offices and committee members
27 residing within senatorial districts makes choices
28 for State Senator.

29 3. District committee. A district committee
30 makes choices for Representative to Congress.

31 4. State committee. A state committee makes
32 choices for Governor, United State Senator and presi-
33 dential elector.

34 §366. Special elections

35 The proclamation of a special election must spec-
36 ify the time and place it must be held as well as any
37 necessary filing, posting, publishing and reporting
38 dates. A special election must be publicized and
39 conducted like its regular counterpart, as nearly as
40 practicable.

1 ARTICLE II

2 CANDIDATES AND NOMINEES

3 §371. Candidates for nomination

4 If a candidate for nomination dies, withdraws or
5 becomes disqualified after having filed his primary
6 petition, so that a party has fewer candidates than
7 there are offices to be filled, the vacancy may be
8 filled as follows.

9 1. Primary petition if time. If there is suffi-
10 cient time to circulate a primary petition before the
11 primary election, as determined by the Secretary of
12 State, the new candidate must be chosen in that man-
13 ner. The Secretary of State shall set a time for
14 filing the new petition and the consent described in
15 section 336.

16 2. Chosen by committee if not time. If there is
17 not sufficient time to circulate a primary petition,
18 the Secretary of State shall notify the Governor who
19 shall issue a proclamation under section 362.

20 §372. Nominees; 60 days or more before election

21 If a person nominated for United States Senator,
22 Representative to Congress or Governor at a primary
23 election dies, withdraws or becomes disqualified at
24 least 60 days before the general election, the Gover-
25 nor shall issue a proclamation declaring the vacancy
26 and ordering a special primary election under section
27 366.

28 §373. Nominees; less than 60 days before election

29 If a person nominated for United States Senator,
30 Representative to Congress or Governor at a primary
31 election or by a political committee dies, withdraws
32 or becomes disqualified less than 60 days before the
33 general election, the Governor shall issue a procla-
34 mation under section 362.

35 §374. Certain nominees at any time

1 If a person nominated for an office, other than
2 United States Senator, Representative to Congress or
3 Governor, at a primary election or by a political
4 committee dies, withdraws or becomes disqualified be-
5 fore the general election, the Governor shall issue a
6 proclamation under section 362.

7 §375. Presidential and vice-presidential candidates
8 chosen by petition

9 1. Candidate for President; death; withdrawal;
10 disqualification. If a candidate for President who
11 has been nominated by petition under section 354,
12 subsection 1, paragraph B, dies, withdraws or becomes
13 disqualified, the nomination of the presidential,
14 vice-presidential and presidential electoral candi-
15 dates is terminated.

16 2. Candidate for Vice President; death; with-
17 drawal; disqualification. If a candidate for Vice
18 President who has been nominated by petition under
19 section 354, subsection 1, paragraph B, dies, with-
20 draws or becomes disqualified, the vacancy may be
21 filled by a new vice-presidential candidate, if the
22 following conditions are met:

23 A. Written resignation is filed with the Secre-
24 tary of State by the previous vice-presidential
25 candidate, if the mental and physical condition
26 of the candidate allows;

27 B. Written consent is filed with the Secretary
28 of State by the new vice-presidential candidate;

29 C. Written acceptance of the new
30 vice-presidential candidate is filed with the
31 Secretary of State by the presidential candidate;
32 and

33 D. Written acceptance of the new
34 vice-presidential candidate is filed with the
35 Secretary of State by each of the presidential
36 electors.

37 3. Candidate for presidential elector; death;
38 withdrawal; disqualification. If a presidential
39 elector, who has been nominated by petition under

1 section 354, subsection 1, paragraph B, dies, with-
2 draws or becomes disqualified, the vacancy may be
3 filled by a new presidential elector, if the follow-
4 ing conditions are met:

5 A. Written resignation is filed with the Secre-
6 tary of State by the previous presidential elec-
7 tor, if the mental and physical condition of the
8 elector allows;

9 B. Written consent is filed with the Secretary
10 of State by the new presidential elector; and

11 C. Written acceptance of the new presidential
12 elector is filed with the Secretary of State by
13 the presidential candidate.

14 This subsection does not apply to a vacancy as de-
15 scribed in section 804.

16 §376. Withdrawal of candidates or nominees

17 1. Federal or gubernatorial office. If a candi-
18 date or nominee for a federal or gubernatorial office
19 withdraws less than 40 days before any election, the
20 Secretary of State is not required to produce new
21 ballots.

22 2. State Senator or county office. If a candi-
23 date or nominee for State Senator or county office
24 withdraws less than 20 days before any election, the
25 Secretary of State is not required to produce new
26 ballots.

27 3. Representative to Legislature. If a candi-
28 date or nominee for Representative to the Legislature
29 withdraws less than 10 days before any election, the
30 Secretary of State is not required to produce new
31 ballots.

32 4. Last day for withdrawal. Immediately after
33 the last day for withdrawal, the Secretary of State
34 shall list all names to be placed on the ballot for
35 any election.

36 ARTICLE III

1 LOCAL AND STATE OFFICIALS

2 §381. State Senators

3 When there is a vacancy in the office of State
4 Senator, the Governor shall issue a proclamation de-
5 claring the vacancy and ordering a special election
6 under section 366.

7 1. Nominees chosen. He shall order the appro-
8 priate political committee members to choose nominees
9 and shall set a time and place for them to meet. The
10 committee members shall follow the procedure outlined
11 in section 363.

12 §382. Representative to Legislature

13 When there is a vacancy in the office of Repre-
14 sentative to the Legislature, the municipal officers
15 of any municipality affected by the vacancy may in-
16 form the Governor if there is a need to fill the va-
17 cancy before the next general election, and the Gov-
18 ernor shall issue a proclamation declaring the vacan-
19 cy and ordering a special election under section 366.

20 1. Nominees chosen. He shall order the appro-
21 priate political committees to chose nominees and
22 shall set a time and place for them to meet. The
23 committees shall follow the procedure outlined in
24 section 363.

25 §383. Political committees

26 A political committee shall fill a vacancy in its
27 membership.

28 1. Secretary of State notified. The secretary
29 of a state, district or county committee shall inform
30 the Secretary of State of the name and residence of
31 each person chosen to fill a vacancy.

32 §384. Election officials

33 The municipal officers shall appoint a qualified
34 person to fill a vacancy in the office of any elec-
35 tion official.

1 1. Limitation. An election clerk appointed to
2 fill a vacancy must be enrolled in the same party as
3 the former incumbent and must be nominated as pro-
4 vided in section 503.

5 ARTICLE IV

6 FEDERAL OFFICIALS

7 §391. United States Senators

8 A vacancy in the office of United States Senator
9 is governed by the following provisions.

10 1. Interim appointment. Within a reasonable
11 time after the vacancy occurs, the Governor shall ap-
12 point a qualified person to fill the vacancy until
13 his successor is elected and qualified.

14 2. Vacancy 60 days before primary. If the va-
15 cancy occurs 60 days or more before a regular primary
16 election, nominees must be chosen at the primary and
17 a successor elected for the remainder of the term at
18 the general election.

19 3. Vacancy less than 60 days before primary. If
20 the vacancy occurs less than 60 days before a regular
21 primary election, nominees must be chosen at the next
22 regular primary following the one in question, and a
23 successor elected for the remainder of the term at
24 the general election.

25 §392. Representatives to Congress

26 When there is a vacancy in the office of Repre-
27 sentative to Congress, the Governor shall issue a
28 proclamation declaring the vacancy and ordering a
29 special primary election followed by a special elec-
30 tion to fill the vacancy as provided in section 366.

31 1. Congress in session. If Congress is in ses-
32 sion, the elections must be held as soon as reason-
33 ably possible. If Congress is not in session, the
34 elections must be held before the next regular or
35 called session.

36 §393. Presidential electors

1 Except as provided in section 804, when there is
2 a vacancy in the office of presidential elector, the
3 Governor shall issue a proclamation under section 362
4 ordering the appropriate state committee to choose a
5 qualified person to fill the vacancy. The procedure
6 outlined in section 363 shall be followed.

7 CHAPTER 7

8 ELECTION OFFICIALS

9 §501. Wardens and ward clerks

10 1. In a city. In a city, the election, term of
11 office, compensation and partial duties of wardens
12 and ward clerks are determined by the city charter.
13 Additional duties are prescribed by this Title.

14 2. In a town. In a town, unless otherwise de-
15 termined by charter, the clerk of the municipality
16 shall be the supervisor of all elections. With the
17 approval of the municipal officers, he shall appoint
18 a warden and may appoint one or more deputy wardens
19 to assist in the duties on election day. The clerk
20 may designate himself as warden or deputy warden.
21 The municipal clerk, warden and deputy warden shall
22 be paid a reasonable compensation as determined by
23 the municipal officers.

24 3. Provisions applicable to both towns and
25 cities. Neither the warden nor any deputy warden may
26 be an officer of a municipal committee of a political
27 party. Deputy wardens shall perform the duties of
28 the warden when necessary and may not replace elec-
29 tion clerks prescribed by this Title. The warden and
30 deputy wardens must be registered voters of the mu-
31 nicipality.

32 §502. Duties and vacancies -- ward clerk

33 In the absence or incapacity of the warden, the
34 ward clerk may perform the duties of the warden. A
35 vacancy in the office of ward clerk shall be filled
36 by an election clerk appointed by the warden. This
37 election clerk must be enrolled in the same political
38 party as the ward clerk and shall serve as ward clerk
39 pro tem.

1 §503. Election clerks

2 Elections clerks are governed by the following
3 provisions.

4 1. Appointment. The municipal officers of each
5 municipality must appoint election clerks no later
6 than May 1st of each general election year. They
7 shall appoint persons nominated by the municipal com-
8 mittees of the major parties to serve as election
9 clerks for each voting place. They must designate an
10 equal number of election clerks from each major par-
11 ty. At the request of the municipal committee of any
12 minor party represented on the last general election
13 ballot, the municipal officers shall appoint one
14 election clerk nominated by that committee for each
15 voting place.

16 2. Number appointed. The municipal officers
17 shall appoint 2 election clerks, who must be resi-
18 dents of the municipality, for each voting place in
19 each municipality.

20 A. They may appoint additional election clerks,
21 if necessary, who are nominated as provided in
22 subsection 1.

23 B. They shall appoint alternate election clerks
24 who are nominated as provided in subsection 1 and
25 who may be called into service by the warden, as
26 needed, to fill a vacancy on election day. If
27 the municipal committee fails to nominate a suf-
28 ficient number of alternate election clerks, the
29 municipal clerk or municipal officers shall ap-
30 point the necessary number to fill the vacancy on
31 election day.

32 C. The municipal clerk may appoint a sufficient
33 number of election clerks, and equal number from
34 each political party, to serve as counters when
35 the polls close. Counters shall be paid a rea-
36 sonable compensation as determined by the munici-
37 pal officers.

38 3. Sworn to office. Before assuming the duties
39 of office, an election clerk must be sworn by the
40 warden or clerk, and the fact of his having been
41 sworn shall be recorded by the clerk.

1 4. Term of office. An election clerk holds of-
2 vice for 2 years from the date of his appointment,
3 and until his successor is appointed and qualified,
4 except that an election clerk who is appointed to
5 represent a minor party holds office only 2 years
6 from the date of his appointment.

7 5. Duties. Election clerks shall attend the
8 voting places for which they are appointed, at each
9 election. They shall assist the warden as requested
10 by him. They shall be in attendance during voting
11 hours on election day.

12 6. Compensation. Election clerks shall be paid
13 a reasonable compensation as determined by the munic-
14 ipal officers.

15 7. Application of city charter. A city charter
16 which provides for the election of 2 persons to as-
17 sist the warden in receiving, sorting and counting
18 ballots is not affected by this section. The persons
19 elected under authority of the charter are considered
20 to be election clerks and each must represent a dif-
21 ferent major party.

22 §504. Persons ineligible to serve

23 The following may not serve as election offi-
24 cial:

25 1. Certain employees. An employee of a party or
26 candidate;

27 2. Direct pecuniary interest. A person having a
28 direct pecuniary interest in the result of a referen-
29 dum question; or

30 3. Candidate and certain relatives. A candidate
31 or his spouse, parent, child, sister or brother, in
32 the electoral division from which the candidate seeks
33 election.

34 A. This subsection does not apply to a candidate
35 for warden or ward clerk or his spouse, parents,
36 children, sister or brother.

37 B. This subsection does not apply to municipali-
38 ties with a population of less than 500.

1 CHAPTER 9

2 CONDUCT OF ELECTIONS

3 SUBCHAPTER I

4 PREELECTION PROCEDURE

5 ARTICLE I

6 SECRETARY OF STATE'S RESPONSIBILITIES

7 §601. Primary ballot

8 The Secretary of State shall prepare the primary
9 election ballots according to the following provi-
10 sions.

11 1. Arrangement. The ballot must be arranged in
12 one column.

13 2. Content. The ballot must contain the things
14 listed in this section. It may contain no others.

15 A. The following instructions must be printed in
16 bold type at the top of the ballot: "MAKE A
17 CROSS (X) OR A CHECK MARK () IN THE SQUARE AT
18 THE LEFT OF THE NAME OF THE CANDIDATE FOR WHOM
19 YOU WISH TO VOTE. YOU MAY VOTE FOR A PERSON
20 WHOSE NAME DOES NOT APPEAR ON THE BALLOT BY WRIT-
21 ING IT OR PASTING A STICKER WITH THE PERSON'S
22 NAME AND MUNICIPALITY OF RESIDENCE ON IT IN THE
23 PROPER BLANK SPACE AND MARKING THE SQUARE AT THE
24 LEFT. DO NOT ERASE NAMES."

25 B. The ballot must contain the name, without any
26 title, and place of residence of each candidate,
27 arranged alphabetically with the last name first,
28 under the proper office designation. The name
29 of each candidate may be printed on the ballot in
30 only one space.

31 C. When 2 United States Senators or 2 county
32 commissioners are to be nominated, the term of
33 office sought by each candidate must be specified
34 on the ballot.

1 D. At the end of the list of candidates for nom-
2 ination to each office, there must be left as
3 many blank spaces as there are vacancies to be
4 filled. These spaces may be used by a voter to
5 write or paste in the name and municipality of
6 residence of any person for whom he desires to
7 vote, as provided in section 691, subsection 2.

8 E. Words of explanation such as, "Vote for one"
9 or "Vote for not more than 2" must be printed on
10 the ballot to assist the voter in voting correct-
11 ly.

12 F. A square must be printed at the left of and
13 close to the name of each candidate or write-in
14 space, so that a voter may designate his choice
15 clearly by a cross (X) or a check mark ().

16 G. On the front and back of the folded ballot
17 must be printed "Official (name of political par-
18 ty) Primary Ballot for (name of voting place for
19 which ballot was prepared)", the date of the
20 election, and a facsimile of the state seal.

21 H. The name of each nominee must appear on the
22 ballot as follows: Last name first, in block
23 capital letters, followed by the first name and
24 middle name or initial; or last name first in
25 block capital letters, followed by the first name
26 or the first initial and the middle name.

27 3. Order of offices. The order of offices on
28 the ballot is as follows: United States Senator,
29 Governor, Representative to Congress, State Senator
30 and Representative to the Legislature followed by the
31 county offices.

32 4. Distinctively colored. The ballots must be
33 printed separately for each political party on paper
34 of a distinctive color: White for the party which
35 cast the greatest number of votes for Governor at the
36 last gubernatorial election; yellow for the 2nd high-
37 est; blue for the 3rd highest; and green for the 4th
38 highest. For municipalities which include more than
39 one single member district of the House of Represen-
40 tatives, or parts of more than one single member dis-
41 trict, the Secretary of State may prepare primary

1 election ballots of one or more distinctive colors
2 for each single member district or part thereof with-
3 in the municipality.

4 §602. General election ballot

5 The Secretary of State shall prepare the general
6 election ballots, according to the following provi-
7 sions.

8 1. Arrangement. The ballot must contain the
9 name, without any title, and municipality of resi-
10 dence of each nominee, arranged alphabetically with
11 the last name first, under the proper office designa-
12 tion, except that the names of Presidential Electors
13 shall not appear on the ballot.

14 2. Content. The ballot must contain the things
15 listed in this section. It may contain no others.

16 A. The names of all nominees for office must as
17 far as possible be placed in one vertical column.
18 When there are over 25 names to be printed on the
19 ballot, another column or columns may be added
20 for the names of the additional nominees. When 2
21 or more columns are used, the same number of
22 names, so far as possible, must be printed in
23 each column. The names of candidates for any one
24 office may not be split into more than one column
25 regardless of number. The initial letter of the
26 last name of the several candidates in each col-
27 umn must be printed directly beneath each other
28 in a vertical line and the initial letter of the
29 respective party designations of each nominee
30 must be printed directly beneath each other in a
31 vertical line.

32 B. The designation of the party which the nomi-
33 nee represents must be printed to the right of
34 each nominee's name, properly separated from but
35 still in line with the name of the nominee. The
36 party designation may be abbreviated.

37 C. The following instructions must be printed in
38 bold type at the top of the ballot: "MAKE A
39 CROSS (X) OR A CHECK MARK () IN THE SQUARE AT
40 THE LEFT OF THE NOMINEE FOR WHOM YOU WISH TO

1 VOTE. YOU MAY VOTE FOR A PERSON WHOSE NAME DOES
2 NOT APPEAR ON THE BALLOT BY WRITING IT AND THE
3 PERSON'S MUNICIPALITY OF RESIDENCE IN THE PROPER
4 BLANK SPACE AND MARKING THE SQUARE AT THE LEFT.
5 DO NOT ERASE NAME."

6 D. When 2 United States Senators or 2 county
7 commissioners are to be elected, the term of of-
8 fice sought by each nominee must be specified on
9 the ballot.

10 E. At the end of the list of nominees to each
11 office, there must be left as many blank spaces
12 as there are vacancies to be filled. These
13 spaces may be used by a voter to write in the
14 name and municipality of residence of any person
15 for whom he desires to vote, as provided in sec-
16 tion 692, subsection 2.

17 F. Words of explanation such as "Vote for one"
18 or "Vote for not more than 2" must be printed on
19 the ballot to assist the voter in voting correct-
20 ly.

21 G. A square must be printed at the left of and
22 close to the name of each nominee or write-in
23 space, so that a voter may designate his choice
24 clearly by a cross or a check mark in it.

25 H. The name of each nominee must appear on the
26 ballot as follows: Last name first, in block
27 capital letters, followed by the first name and
28 middle name or initial; or last name first, in
29 block capital letters, followed by the first name
30 or first initial and the middle name.

31 3. Printed on outside. On the front and back of
32 the folded ballot must be printed "Official Ballot
33 for (name of voting district)," the date of the elec-
34 tion, and a facsimile of the state seal.

35 4. Order of offices. The order of offices on
36 the ballot is as follows: President and Vice Presi-
37 dent, United States Senator, Governor, Representative
38 to Congress, State Senator and Representative to the
39 Legislature followed by the county offices.

1 5. Distinctively colored. Election ballots must
2 be printed on white paper. For municipalities which
3 include more than one single member district of the
4 House of Representatives, or parts of more than one
5 single member district, the Secretary of State may
6 prepare general election ballots of one or more dis-
7 tingtive colors for each single member district or
8 part thereof within the municipality.

9 6. Size. The Secretary of State shall determine
10 the size of the ballots.

11 7. Contents concealed. The ballots must be
12 folded uniformly so that the interior contents are
13 concealed.

14 §603. Specimens

15 Specimen ballots are governed by the following
16 provisions.

17 1. Secretary of State to prepare. The Secretary
18 of State shall prepare the specimen ballots.

19 A. The words "SPECIMEN BALLOT" in bold type, the
20 title and date of the election, and the name of
21 the voting district must be printed at the top of
22 the ballot. The facsimile of the signature of
23 the Secretary of State must not be printed on it.
24 It must be printed flat with the back blank.
25 Otherwise, it must be printed substantially the
26 same as a regular ballot.

27 B. The ballot must be printed on paper of a dis-
28 tinctive color.

29 2. When furnished. The Secretary of State shall
30 send a reasonable number of specimen ballots to the
31 clerk for posting, as provided in section 625, and an
32 additional number with the regular ballots.

33 3. Secretary of State to publish. A reasonable
34 time before the election the Secretary of State shall
35 make specimen ballots available for publication in
36 all newspapers having general circulation in the area
37 to which the ballots pertain. A single specimen bal-
38 lot so published may carry the name of each candidate

1 for State Senator and Representative to the Legisla-
2 ture in the area covered by the circulation of the
3 newspaper. The name of the voting district need not
4 be printed on the published specimen ballot.

5 4. Candidate or nominee to fill vacancy. When a
6 candidate for nomination or a nominee is chosen to
7 fill a vacancy, the Secretary of State and the clerk
8 of each interested municipality shall perform the du-
9 ties required by this section as promptly as possi-
10 ble.

11 5. Specimen ballot instructions printed in the
12 French language. The Secretary of State shall pre-
13 pare ballot instructions in the French language, to
14 be printed on a separate sheet of paper which may
15 conveniently be attached to specimen ballots. The
16 Secretary of State shall furnish these ballot in-
17 struction sheets upon request by the clerk of a mu-
18 nicipality. The number of specimen ballot instruc-
19 tion sheets to be furnished to a municipality, when
20 added to the number of specimen ballots and instruc-
21 tion posters in the English language to be furnished
22 to that municipality, may not be greater than the to-
23 tal number of specimen ballots and instruction pos-
24 ters to be furnished that municipality, if specimen
25 ballot sheets printed in the French language had not
26 been requested.

27 6. Violation; unofficial specimen ballot. A
28 person, candidate or political committee who prepares
29 or circulates a paper in the form of a ballot or a
30 part of a ballot on which is printed the words SPECI-
31 MEN BALLOT or the instructions in section 601, sub-
32 section 2, paragraph A or section 602, subsection 2,
33 paragraph C, is guilty of a Class E crime.

34 §604. Emergency ballot procedure

35 In an emergency as described in subsection 2, the
36 Secretary of State may prepare new ballots, amend
37 those already printed or procure ballots from another
38 municipality or voting district. He may authorize
39 any clerk to do the same.

40 1. Ballots amended. Ballots already printed may
41 be amended by having corrective stickers added, as
42 directed by the Secretary of State.

1 2. Emergency described. An emergency may exist
2 as follows:

3 A. If there is a shortage of ballots;

4 B. If the ballots are not delivered in time for
5 the election;

6 C. If the ballots are missing, defaced or de-
7 stroyed; or

8 D. If replacement of a vacancy or the correction
9 of an error in the ballot requires its amendment.

10 §605. Instructions

11 1. For election officials. The Secretary of
12 State shall provide the clerk, registrar and election
13 officials of each municipality with printed instruc-
14 tions and information to assist them in performing
15 the requirements of this Title.

16 2. For voters. The Secretary of State shall
17 prepare instruction posters to guide voters in re-
18 placing spoiled ballots, correctly marking their bal-
19 lots, including the procedure for write-in votes, and
20 to inform them of the penalties for illegal voting.

21 §606. Materials furnished

22 Within a reasonable time before any election, the
23 Secretary of State shall furnish each municipality
24 with ballots, specimen ballots, instruction posters,
25 election return forms, posters of specimen ballots
26 for constitutional resolutions and statewide referen-
27 da, including the Attorney General's explanatory
28 statements prepared under Title 1, section 353, mate-
29 rials setting forth the full text of all constitu-
30 tional resolutions and statewide referenda and other
31 materials necessary for conducting and reporting the
32 results of the election.

33 1. Number of ballots furnished. The Secretary
34 of State shall furnish each voting place with at
35 least 75 ballots for every 50 votes cast at that vot-
36 ing place at the last election of that type. If the
37 clerk believes that extra ballots will be needed, he

1 must request them from the Secretary of State a rea-
2 sonable time before the election. The Secretary of
3 State shall send the requested number to the clerk
4 and may furnish as many additional ballots as he be-
5 lieves necessary.

6 2. How packaged. The ballots must be packed in
7 sealed, marked packages in standard units as deter-
8 mined by the Secretary of State. The other election
9 materials must be separately packed in a sealed pack-
10 age or packages or box or boxes and sent to the clerk
11 of each municipality. Each package or box must be
12 labeled on the outside with the number of each kind
13 of material enclosed and the name of the voting place
14 for which they are intended.

15 3. Receipt issued. The clerk shall immediately
16 send a receipt to the Secretary of State for the bal-
17 lots received by him.

18 4. Records kept. The Secretary of State shall
19 keep a record of the time when and the manner in
20 which the ballots were furnished to each voting
21 place.

22 §607. Official ballot box

23 An official ballot box is governed by the follow-
24 ing provisions.

25 1. Furnished by Secretary of State. The Secre-
26 tary of State shall furnish an official ballot box
27 for each voting district.

28 2. Described. The boxes must be of uniform de-
29 sign. Each box must be equipped with a suitable lock
30 and key. In the top of the box there must be an
31 opening large enough to allow a single, folded ballot
32 to be inserted, and no larger, with a slide device by
33 which the opening may be covered or uncovered. The
34 box must be large enough to receive the ballots de-
35 posited in it at any election.

36 3. Municipality may provide. A municipality may
37 provide ballot boxes at its own expense. Each box
38 may contain a mechanical device for counting and
39 endorsing the ballots deposited in it but it may not

1 be equipped to record any distinguishing mark or num-
2 ber on a ballot. Each box must meet the requirements
3 of this section. Once approved by the Secretary of
4 State, each box becomes an official ballot box.

5 4. Official ballot box required. Only an offi-
6 cial ballot box may be used to receive official bal-
7 lots cast at any election.

8 5. Separate ballot box for constitutional amend-
9 ments and referenda. A municipality having 5,000 or
10 more inhabitants, except where the municipality uses
11 voting machines or electronic voting systems, shall,
12 and a municipality with fewer inhabitants may, by
13 vote of its municipal officers, use separate ballot
14 boxes at elections for the deposit of votes on con-
15 stitutional amendments and referenda. The municipal
16 officers must notify the Secretary of State of this
17 action at least 60 days before the date of the elec-
18 tion at which the separate ballot boxes are to be
19 used. These ballot boxes are subject to all the pro-
20 visions relating to official ballot boxes under this
21 section. They may be furnished by the Secretary of
22 State at the expense of the municipality.

23 §608. Field examiner

24 The Secretary of State may appoint a field exam-
25 iner who shall instruct and assist municipal election
26 officials in their administration of this Title.

27 ARTICLE II

28 LOCAL OFFICIALS' RESPONSIBILITIES

29 §621. Announcing an election

30 The municipal officers of each municipality shall
31 announce an election as follows.

32 1. Warrant issued. They shall issue a warrant
33 signed by a majority of the municipal officers and
34 directed personally to a constable or any resident
35 ordering him to announce the election.

1 2. Warrant posted and return made. The person
2 to whom the warrant is directed shall post an at-
3 tested copy of it in a conspicuous, public place in
4 each voting district in the municipality at least 7
5 days immediately before election day. He shall make
6 a return on the warrant stating the manner of an-
7 ouncement and the time it was given and return the
8 warrant to the municipal officers.

9 3. Warrant recorded. The municipal officers
10 shall then deliver the warrant to the clerk who shall
11 record it.

12 §622. Warrant

13 The warrant for announcing an election must read
14 substantially as follows.

15 (Title of election) ELECTION WARRANT

16 (Name of county), ss. _____ State of Maine

17 To (name of constable or resident), a constable
18 (or resident) of (name of municipality): You are
19 hereby required in the name of the State of Maine to
20 notify the voters of (name of municipality) of the
21 election described in this warrant.

22 To the voters of (name of municipality and voting
23 district, if any):

24 You are hereby notified that the (title of elec-
25 tion) election in this municipality will be held at
26 (name of voting place) on (day and date of election)
27 for the purpose of effecting the (nomination or elec-
28 tion) to the following offices: (list of offices);
29 and determining the following referendum questions:
30 (list of questions).

31 The polls shall be opened at _____ a.m. and
32 closed at _____ p.m.

33 The registrar of voters or board of registration
34 will hold office hours while the polls are open to
35 correct any error in or change a name or address on
36 the voting list; to accept the registration of any
37 person eligible to vote and to accept new
38 enrollments.

1 A person who is not registered as a voter may not
2 vote in any election. A voter who is not enrolled in
3 a political party may not vote in a primary election.

4 Dated at (name of municipality),

5 (date signed).
6 _____
7 _____
8 _____
9 _____
10 _____

11 Majority of municipal officers
12 of (name of municipality)

13 §623. Officer's return on warrant

14 The officer's return must appear on the back of
15 the warrant substantially as follows.

16 OFFICER'S RETURN

17 (Name of county), ss. State of Maine

18 I certify that I have notified the voters of
19 (name of municipality and voting district, if any) of
20 the time and place of the (title of election) elec-
21 tion by posting an attested copy of the within war-
22 rant at (place of posting) which is at least 7 days
23 next prior to election day.

24 Dated at (name of municipality), (date signed).

25 (Signature of Officer)

26 Constable (or resident) of

27 (name of municipality)

28 §624. Voting lists

29 1. Posting of. The registrar shall post a cer-
30 tified copy of the voting list for each voting dis-
31 trict at the usual voting place in that district be-
32 fore the polls are opened on election day. He need
33 not post the list before a special election.

1 2. Delivery of. The registrar shall deliver the
2 necessary number of certified copies of the voting
3 list to the clerk by 5 p.m. on the last business day
4 before election day. The clerk shall give the regis-
5 trar a receipt for the copies.

6 §625. Posting of specimen ballots

7 At least 7 days before an election, the clerk
8 shall post a specimen ballot, furnished to him under
9 section 603, in a conspicuous, public place in each
10 voting district.

11 §626. Polling times

12 The following provisions apply to polling times
13 at any election.

14 1. Opening time flexible. The polls must be
15 opened no earlier than 6 a.m. and no later than 10
16 a.m. on election day. The municipal officers of each
17 municipality shall determine the time of opening the
18 polls within these limits.

19 2. Closing time fixed. Except in a municipality
20 which uses voting machines or where all registered
21 voters have voted, the polls must be closed at 8 p.m.
22 on election day. If voting machines are used in a
23 voting place, the municipal officers may permit those
24 polls to remain open until 9 p.m. The polls may be
25 closed before 8 p.m. in a municipality in which every
26 registered voter of the municipality has voted in the
27 election.

28 A. The warden shall give all voters present at
29 the voting place at closing time the opportunity
30 to vote. Any person who arrives at the voting
31 place after the time for closing the polls has
32 passed may not vote.

33 3. Polling times in warrant. The municipal of-
34 ficers shall state the times of opening and closing
35 the polls in the warrant announcing the election.

36 §627. Arrangement of voting place

37 The arrangement of a voting place is governed by
38 the following provisions.

1 1. General layout. The voting place must be ar-
2 ranged so that the ballot box is within view of per-
3 sons present. Each voting booth must be arranged so
4 that those outside the guardrail enclosure can see
5 who enters and leaves it.

6 2. Guardrail. A guardrail must be constructed
7 so that only those inside its enclosure can approach
8 within 6 feet of the ballot box and the voting
9 booths.

10 3. Flag displayed. An American flag must be
11 displayed in each voting place at any election.

12 4. Size. Municipalities must provide a polling
13 place large enough to allow at least one worker from
14 each political party to remain outside the guardrail
15 enclosure for the purpose of checking voters, chal-
16 lenging voters or viewing. If the chairman of any
17 party's state committee submits a written complaint
18 to the Secretary of State at least 30 days before an
19 election, the Secretary of State shall authorize an
20 inspection of the polling place considered to be too
21 small to allow party workers access. If the Secre-
22 tary of State finds a polling place to be too small
23 to allow party workers access, he shall instruct the
24 municipal officers to change the location of the
25 polling place to one of a suitable size. The municip-
26 al officers must advertise the change of the polling
27 place at least 3 times in the daily or weekly newspa-
28 per, or both, that covers the area.

29 §628. Care and custody of ballot box

30 The care and custody of an official ballot box
31 are governed by the following provisions.

32 1. Custody during election. The ballot box is
33 in the custody of the warden of each voting place
34 during an election. He is responsible for requiring
35 that it is attended constantly. He shall return it
36 to the clerk at the close of the election.

37 2. Custody at other times. At other times, the
38 ballot box is in the custody of the clerk. He shall
39 keep it in good repair and shall provide safe storage
40 for it at the expense of the municipality, subject to
41 the supervision of the Secretary of State.

1 3. Defective, lost or destroyed. If a ballot
2 box becomes defective, lost or destroyed, the clerk
3 must apply in writing to the Secretary of State for
4 another. The Secretary of State shall supply a re-
5 placement at the expense of the municipality.

6 §629. Voting booths

7 Voting booths are governed by the following pro-
8 visions.

9 1. Provided by municipality. The municipal of-
10 ficers of each municipality shall provide a suffi-
11 cient number of voting booths for each election.
12 Those municipalities using voting machines must com-
13 ply with section 811, subsection 4. Those municipal-
14 ities using voting devices must comply with section
15 842, subsection 4.

16 A. In a general election, the municipal officers
17 must provide at least one voting booth for each
18 150, or fraction exceeding 1/2 of that number, of
19 the voters qualified to vote at each voting
20 place.

21 B. In other than a general election, the municipi-
22 pal officers may provide fewer voting booths than
23 required by paragraph A when circumstances indi-
24 cate that fewer booths will be adequate to pro-
25 vide for an orderly flow of voters on election
26 day.

27 C. In any election, the municipal officers may
28 provide more than the number of voting booths re-
29 quired by paragraph A.

30 D. A reasonable time before a general election,
31 the Secretary of State shall notify the clerk of
32 each municipality of the requirements of this
33 subsection. The clerk shall calculate the number
34 of voting booths required at each voting place
35 based on the number of voters registered at that
36 time. Within 10 days after receiving the notice,
37 the clerk shall certify in writing to the Secre-
38 tary of State the number of voters registered at
39 each voting place and the number of voting booths
40 the municipality will provide at each voting
41 place for the election.

1 E. The Secretary of State may arrange for in-
2 spections to ensure that municipalities comply
3 with this subsection.

4 2. Voting machines. In municipalities which
5 have voting machines, the municipal officers must al-
6 so provide sufficient voting booths and paper ballots
7 to ensure adequate voting facilities.

8 3. Described. Each booth must have within it a
9 pencil and a shelf on which a voter may mark his bal-
10 lot conveniently. An instruction poster provided un-
11 der section 605 must be securely placed above the
12 shelf to assist the voter. Each booth must have a
13 wooden swinging door or a drop curtain arranged so
14 that the top of it is not less than 6 feet from the
15 floor and the bottom is at least 2 1/2 feet from the
16 floor, so that the voter is screened from the obser-
17 vation of others. The entrance to the booth must be
18 closed while the voter is inside.

19 §630. Alternative accessible voting places for the
20 physically handicapped

21 1. Definitions. As used in this section, unless
22 the context indicates otherwise, the following terms
23 have the following meanings:

24 A. "Accessible voting place" means a voting
25 place in a building in which the part of the
26 building set aside for voting meets the require-
27 ments for accessible routes of the 1981 standards
28 of construction described in Title 25, chapter
29 331.

30 B. "Physical handicap" means an impairment which
31 confines an individual to a wheelchair; causes an
32 individual to walk with difficulty; affects the
33 sight or hearing to the extent that an individual
34 functioning in public areas is insecure or ex-
35 posed to danger; or causes faulty coordination or
36 reduces mobility, flexibility, coordination and
37 perceptiveness to the extent that special facili-
38 ties are needed to provide for the safety of that
39 individual.

1 2. Voting places. Before July 1, 1985, each mu-
2 nicipality shall provide at least one voting place
3 which is in a building which is accessible as defined
4 in subsection 1.

5 A. The Secretary of State shall grant a waiver
6 from the requirements of this subsection to any
7 municipality which satisfactorily demonstrates
8 that those requirements ought not to apply or
9 would create an extreme hardship. Factors which
10 the Secretary of State may consider in making
11 that determination include, but are not limited
12 to, the following: The municipality has no hand-
13 icapped voters and the physical limitations of a
14 voting place make it impractical to provide an
15 accessible voting place as described in subsec-
16 tion 1. The Secretary of State shall promulgate
17 in accordance with the Maine Administrative Pro-
18 cedure Act, Title 5, chapter 375, subchapter II,
19 rules governing the circumstances and procedures
20 for granting a waiver under this paragraph.

21 B. In municipalities in which one or more voting
22 places are inaccessible to handicapped voters and
23 in which the office of the clerk is in a building
24 which is accessible as defined in subsection 1,
25 paragraph A, the municipal officers shall design-
26 ate the office of the clerk as an alternative
27 voting place for physically handicapped voters
28 who reside in voting districts which do not have
29 accessible voting places. In municipalities in
30 which one or more voting places and the office of
31 the clerk are inaccessible to physically handi-
32 capped voters and in which one or more voting
33 place is accessible to these voters, the municip-
34 al officers shall designate one of these acces-
35 sible voting places, as centrally located as pos-
36 sible, as the alternative voting place for physi-
37 cally handicapped voters who reside in voting
38 districts which do not have accessible voting
39 places. A physically handicapped voter who
40 wishes to vote at the office of the clerk or at
41 an alternative voting place must notify the clerk
42 of the municipality at least 5 days before the
43 date of any election. The clerk shall keep a
44 list of the persons who give this notice.

1 Not later than 10 days before the date of any
2 election, the clerk shall issue a public notice
3 designating the location of the alternative ac-
4 cessible voting place. This notice is not re-
5 quired in any municipality in which all or no
6 voting places are accessible to these persons.

7 When a physically handicapped voter votes at the
8 office of the clerk or at an alternative voting
9 place, he shall vote by absentee ballot and the
10 method of voting shall be the same as in section
11 754. If an alternative voting place has been
12 designated, the clerk shall furnish a reasonable
13 number of absentee ballots and return envelopes
14 to the warden. When the clerk or the warden re-
15 ceives such a ballot, he shall follow, as far as
16 applicable, the same procedure prescribed in sub-
17 chapter IV for the clerk to follow in handling
18 absentee ballots.

19 3. Alternative paper ballots. At all voting
20 places which are equipped with voting machines, paper
21 ballots must be provided for use by voters who are
22 physically unable to operate a voting machine.

23 §631. Voting districts

24 A municipality may be divided into voting dis-
25 tricts as follows.

26 1. Procedure. The municipal officers may divide
27 a town or ward into convenient voting districts after
28 public notice and hearing held at least 60 days be-
29 fore any election. After the hearing, the municipal
30 officers must prepare a certificate defining the lim-
31 its of each district. They must file the certificate
32 with the clerk who shall record it. The clerk shall
33 post an attested copy of the certificate in a con-
34 spicuous, public place in the town or ward, and shall
35 publish it in at least one newspaper having general
36 circulation in the municipality at least 30 days be-
37 fore election day. The clerk shall file an attested
38 copy of the certificate with the Secretary of State.
39 Voting districts, once established, may be consoli-
40 dated into a lesser number of districts by following
41 the same procedure. Voting districts may be estab-
42 lished or consolidated under this section for all or

1 only certain classes of elections. If the municipal
2 officers determine that there is no building within a
3 voting district which is suitable for a voting place,
4 as described in section 627, the municipal officers
5 may, subject to the approval of the Secretary of
6 State, establish a voting place outside the voting
7 district in a suitable building which is as close as
8 possible to the voting district and as convenient as
9 possible to the voters of the voting district.

10 2. Division terminates office. The division of
11 a town or ward terminates the office of election of-
12 ficials previously elected or appointed from it.

13 3. Appointment of wardens and ward clerks. At
14 least 10 days before the election, the municipal of-
15 ficers shall appoint a warden, a ward clerk in a city
16 and at least 2 election clerks for each voting place
17 created by the division. Election clerks must be
18 nominated as provided in section 503.

19 4. Officials sworn. Before assuming the duties
20 of office, the officials appointed under this section
21 must be sworn by the clerk who shall record the fact
22 of their having been sworn.

23 5. Term and duties. The appointed election of-
24 ficials shall perform the same duties at elections as
25 those regularly chosen and shall hold office for the
26 same term.

27 §632. Separate voting places; reimbursement of elec-
28 tion expense

29 1. Voting places in unorganized townships. The
30 procedure for establishing a voting place in unorga-
31 nized townships is as follows.

32 A. The commissioners of each county may provide
33 or contract with a municipality to provide a vot-
34 ing place in any unorganized township in their
35 county, for all state and national elections, in-
36 cluding primary elections, where all residents of
37 unorganized places entitled to vote in municipal-
38 ities near the township, under section 156, may
39 cast their ballots under conditions provided in
40 this section.

1 B. The commissioner or the municipal officers of
2 the contracting municipality shall prepare a sep-
3 arate list of these voters and shall select at
4 least 2 ballot clerks from the inhabitants of the
5 township, representing the respective major po-
6 litical parties and shall select a warden who may
7 be a resident of the township.

8 C. The conduct of elections at that voting place
9 shall be the same as in municipalities and all
10 provisions of the Revised Statutes with respect
11 to voting districts are applicable to that voting
12 place. The powers and duties of the municipal
13 officers in such case are conferred upon the com-
14 missioners or the municipal officers of the con-
15 tracting municipality.

16 D. Upon receipt of a petition signed by at least
17 10 persons qualified to vote under section 156,
18 the commissioners shall provide or contract with
19 a municipality to provide a voting place in the
20 unorganized township provided in the petition.

21 2. Reimbursement of election expense. The coun-
22 ty commissioners shall reimburse the municipality for
23 those expenses incurred in the conduct of elections
24 held under this section.

25 3. Notice to Secretary of State. The county
26 commissioners shall notify the Secretary of State of
27 all unorganized territories for which voting places
28 are contracted or provided. They shall also notify
29 the Secretary of State of those unorganized territo-
30 ries for which provision of voting places has been
31 discontinued. Notification must be made at least 120
32 days before the election in which it will be effec-
33 tive.

34 §633. Election expenses

35 Except for the added expenses incurred by a mu-
36 nicipality under section 632, each municipality shall
37 pay for the expense it incurs in calling, holding and
38 reporting the results of an election. The State
39 shall pay for other election expenses incurred as a
40 result of the performance by state officials of their
41 duties under this Title.

1 SUBCHAPTER II

2 ELECTION PROCEDURE

3 ARTICLE I

4 MATERIALS

5 §651. Furnishing and distribution

6 The following procedure shall be observed on
7 election day.

8 1. Election materials sent to voting
9 place. Before the polls are opened, the clerk shall
10 deliver or have delivered the election materials
11 marked for each voting place to the warden at that
12 voting place. The warden shall give the clerk a re-
13 ceipt for them.

14 A. In a municipality which has an island voting
15 district, the clerk may deliver the ballots and
16 other election materials to that district on the
17 day before the election and leave them in the
18 protective custody of the warden or ward clerk.

19 2. Election materials distributed and posted.
20 At any time after the materials are received and be-
21 fore the polls are opened, the clerk may open the
22 packages or boxes of election materials, break the
23 seals on the packages not marked "ballots," and use
24 the materials for instructional purposes. Then the
25 clerk or his designated agents shall post an adequate
26 number of instruction posters, posters of specimen
27 ballots for constitutional resolutions and statewide
28 referenda, including the Attorney General's explana-
29 tory statements prepared under Title 1, section 353,
30 materials setting out the full text of constitutional
31 resolutions and statewide referenda, and specimen
32 ballots in the voting room outside the guardrail en-
33 closure. When the polls are opened, the warden shall
34 break the seals on the packages containing the bal-
35 lots and distribute the ballots to the election
36 clerks in charge of them.

37 3. Ballot box examined. The warden shall then
38 open the official ballot box, examine it and show

1 publicly that it is empty. Immediately after exami-
2 nation, he shall lock the box and deliver the key to
3 the ward clerk who shall keep it until the polls are
4 closed. After the box has been locked, it may not be
5 moved until the polls are closed.

6 4. Voting starts. As soon as the duties re-
7 quired by subsections 1 to 3 have been performed, the
8 warden shall permit voting to start.

9 §652. Certified voting list and official ballot box

10 The certified copies of the voting list provided
11 by the registrar and official ballot boxes shall be
12 used exclusively at each voting place. If it becomes
13 impossible to use the official ballot box, the warden
14 shall direct the method by which voting is to pro-
15 ceed. The ward clerk shall record the reason why the
16 ballot box was not used and shall place an attested
17 copy of this record in the package with the ballots
18 cast.

19 ARTICLE II

20 POWERS AND DUTIES OF OFFICIALS

21 §661. Registrar

22 The registrar shall hold office hours as long as
23 the polls are open on any election day for the fol-
24 lowing purposes.

25 1. Error in voting list. The registrar shall
26 correct any error in the voting list which might oth-
27 erwise deprive a voter of his franchise.

28 A. A voter who is prevented from voting because
29 his name or address does not appear correctly on
30 the voting list may request the registrar to cor-
31 rect it.

32 B. If the name or address of the voter was omit-
33 ted by error from or placed incorrectly on the
34 voting list, the registrar shall issue a certifi-
35 cate to him containing his correct name and ad-
36 dress and directed to the warden of his voting

1 place. The registrar shall correct the name and
2 address on the voting list.

3 C. On receipt of the certificate, the warden
4 shall allow the person named in it to vote, check
5 his name on the certificate as having voted and
6 attach the certificate securely to the incoming
7 voting list.

8 2. Change of name or address. The registrar
9 shall change a name or address on the voting list.

10 A. A voter whose name or address has changed as
11 provided in section 129 may request the registrar
12 to change it on the voting list.

13 B. The registrar shall issue a certificate to
14 him and he may vote as provided in subsection 1.

15 3. Registration and enrollment. The registrar
16 shall accept registrations under sections 123 and
17 124. He shall accept the enrollment of any voter under
18 section 143.

19 §662. Warden

20 A warden has the following powers and duties.

21 1. Enforcement of election law. He shall enforce
22 the law governing voting and counting procedures
23 at the voting place over which he has jurisdiction
24 on election day.

25 2. Order at voting place. He shall keep order
26 at all times in and around the voting place. He
27 shall direct that any person who creates a disturbance
28 or otherwise violates the law at the voting
29 place be removed from it and, if necessary, confined
30 until the polls are closed.

31 A. On request of the warden, a peace officer
32 shall remove, confine or arrest a person who creates
33 a disturbance or otherwise violates the law
34 at a voting place.

35 3. Control of election clerk. The election
36 clerks at the voting place are under the supervision

1 and control of the warden. He may assign their du-
2 ties for convenience and efficiency and may delegate
3 his ministerial duties to them.

4 ARTICLE III

5 VOTING AND CHALLENGES

6 §671. Voting procedure

7 The voting procedure is as follows.

8 1. Name announced. A voter who wishes to vote
9 must state his name and, upon request, street address
10 to an election clerk who shall announce the name in a
11 loud, clear voice.

12 2. Enters guardrail enclosure. The election
13 clerk in charge of the incoming voting list shall
14 place a check mark on the list beside the voter's
15 name and allow him to enter the area enclosed by the
16 guardrail.

17 3. Ballot issued. The election clerk in charge
18 of the ballots shall give the voter one ballot of
19 each kind to which he is entitled.

20 4. Retires to voting booth. After receiving his
21 ballot, the voter shall retire to a voting booth,
22 mark his ballot without delay, fold it the same as it
23 was when he received it and leave the voting booth.
24 No ballot, marked or unmarked, may be left in the
25 voting booth by the voter.

26 5. Ballot deposited. When he leaves the voting
27 booth, the voter shall proceed to the ballot box.
28 The clerk shall require the voter to deposit in the
29 ballot box all ballots, marked or unmarked, issued to
30 the voter under subsection 3, and the voter shall
31 then leave the area enclosed by the guardrail. He may
32 not leave the guardrail enclosure until he has depos-
33 ited his ballot.

34 A. If, by vote of the municipal officials, a mu-
35 nicipality has required the use of a outgoing
36 voting list, the voter must announce his name

1 and, upon request, street address to the election
2 clerk in charge of that list before depositing
3 the ballots in the ballot box.

4 6. Reentry prohibited. A voter who has once
5 left the area enclosed by the guardrail may not reen-
6 ter.

7 7. Ballot box opening covered. The election
8 clerk in charge of the ballot box shall keep the
9 opening covered except when receiving a ballot.

10 §672. Assistance

11 A voter who is unable to read or mark his ballot
12 because of blindness, other physical disability, il-
13 literacy, or whose religious faith prevents him from
14 marking the ballot, may obtain assistance in marking
15 the ballot from 2 election officials or from a person
16 selected by the voter, if that aide is of voting age.
17 No candidate for election may act as aide. When the
18 assistance of election officials is requested, the
19 warden shall designate 2 election officials repre-
20 senting different political parties, but in primary
21 elections representing the same political party as
22 the voter.

23 §673. Challenges

24 A voter of any municipality may challenge the
25 right of another to vote at any election in that mu-
26 nicipality.

27 1. How made. The challenge must be made to the
28 warden. The challenger must state his name, the name
29 of the voter challenged and the reason for the chal-
30 lenge.

31 2. Voting list marked. As soon as the challenge
32 has been made, the election clerk in charge of the
33 incoming voting list shall write "Challenged" beside
34 the voter's name on the list, and give a ballot to
35 the warden.

36 3. Ballot marked. The warden shall write "Chal-
37 lenged", the name of the challenger, the name of the
38 voter challenged, the reason for the challenge and

1 his signature on the outside of the ballot. An elec-
2 tion clerk from each political party must sign his
3 name as a witness to the statements and the signature
4 of the warden.

5 4. Proceed to vote. The challenged voter shall
6 then proceed to vote in the usual way using the
7 marked ballot.

8 §674. Violations and penalties

9 1. Class E crimes. The commission of any act
10 described as follows in this subsection is a Class E
11 crime:

12 A. A person who knowingly removes a ballot from
13 a voting place on election day except as autho-
14 rized by this Title;

15 B. A person who assists another in voting know-
16 ing that that other person is not eligible to
17 vote;

18 C. A person who solicits votes from another
19 knowing that that other person is under guardian-
20 ship because of mental illness;

21 D. A person who interferes with a voter attempt-
22 ing to cast his vote or who interferes with or
23 attempts to influence a voter in marking his bal-
24 lot;

25 E. A person who assists or offers to assist an-
26 other at the voting place in marking his ballot
27 unless he has been requested to do so by the war-
28 den or ward clerk; or

29 F. A person who shows his marked ballot to an-
30 other with the intent to reveal how he voted.

31 2. Class D crimes. The commission of any act
32 described as follows in this subsection is a Class D
33 crime:

34 A. A person who knowingly causes a delay in the
35 registration or enrollment of another, or who
36 knowingly causes a delay in the delivery of an

1 absentee ballot or absentee ballot application,
2 with the intent to prevent a person from voting
3 or to render his vote ineffective;

4 B. A person who tampers with ballots or voting
5 lists or who breaks a seal or opens any sealed
6 box or package of ballots or voting lists, except
7 as permitted by this Title;

8 C. A person who votes or attempts to vote know-
9 ing that he is not eligible to do so, or who hav-
10 ing once voted either within or outside this
11 State, again votes or attempts to vote at the
12 same election; or

13 D. A person who votes or attempts to vote by
14 using the name of another.

15 ARTICLE IV

16 RESTRICTIONS

17 §681. Positions at polling place

18 The guardrail area is governed by the following
19 provisions.

20 1. Within the guardrail enclosure. The clerk,
21 election officials and not more than 2 voters in ex-
22 cess of the number of voting booths may be within the
23 guardrail enclosure. The warden may permit peace of-
24 ficers to be within the enclosure to enforce the law.
25 All other persons must remain outside of the enclo-
26 sure.

27 2. Limited time within guardrail enclosure or
28 voting machine. A voter may not remain within the
29 guardrail enclosure for more than 10 minutes and may
30 not occupy a voting booth or voting machine for more
31 than 5 minutes.

32 3. Voting booth. Except as provided in para-
33 graphs A and B, no one may enter a voting booth with
34 a voter.

35 A. If the voter requests assistance under sec-
36 tion 672, a proper election official or aide may
37 enter the voting booth with the voter.

1 B. If a voter is accompanied by a child of 6
2 years of age or younger, the child may enter the
3 voting booth with the voter.

4 4. Outside the guardrail enclosure. Party work-
5 ers and others may remain in the voting place outside
6 the guardrail enclosure as long as they do not at-
7 tempt to influence voters or interfere with their
8 free passage. If any person attempts to influence
9 voters or interfere with their free passage, the war-
10 den shall have him removed from the voting place.

11 §682. Political activities

12 Certain activity is prohibited on election day.

13 1. Instruction limited. Within the voting
14 place, no person may instruct another in the method
15 of marking his ballot, except as provided in section
16 672.

17 2. Influence prohibited. Within the voting
18 place, no person may influence or attempt to influ-
19 ence another person's choice of candidates. This
20 limitation does not prohibit a candidate from attend-
21 ing the voting place and orally communicating with
22 voters, as long as he does not attempt to influence
23 their vote.

24 3. Advertising prohibited. No person may dis-
25 play any advertising material or operate any adver-
26 tising medium, including a sound amplification de-
27 vice, intended to influence the opinion of any voter,
28 within 250 feet of the entrance to either the voting
29 place or the registrar's office. The term "sound am-
30 plification device" includes, but is not limited to,
31 sound trucks, loudspeakers and blowhorns.

32 A. This subsection does not apply to advertising
33 material on automobiles traveling to and from the
34 voting place. It does not prohibit a person from
35 passing out stickers at the voting place which
36 are to be pasted on the ballot at a primary elec-
37 tion. It does not prohibit a person from wearing
38 a campaign button.

1 B. A person who knowingly engages in activities
2 prohibited by this section is guilty of a Class E
3 crime.

4 ARTICLE V

5 MARKING, COUNTING AND HANDLING OF BALLOTS

6 §691. Marking ballots; primary election

7 A voter shall mark his ballot at a primary elec-
8 tion with a cross (X) or a check mark () according
9 to the following provisions.

10 1. Individual square method. He must place the
11 mark in the square at the left of and close to the
12 name of each candidate for nomination for whom he
13 wishes to vote.

14 2. Write-in vote. If he wishes to vote for a
15 person whose name is not on the ballot, he must write
16 the name and municipality of residence or paste a
17 sticker containing the name and municipality of resi-
18 dence in the blank space provided at the end of the
19 list of candidates for nomination to the office in
20 question, with the last name first or last. He must
21 then place the mark in the square at the left of the
22 space.

23 §692. General election

24 A voter shall mark his ballot at a general elec-
25 tion with a cross (X) or a check mark () according
26 to the following provisions.

27 1. Individual square method. He must place the
28 mark in the square at the left of and close to the
29 name of each nominee for whom he wishes to vote, re-
30 gardless of political designation, but must follow
31 directions as to the number of nominees to be elected
32 to each office.

33 2. Write-in vote. If he wishes to vote for a
34 person whose name is not on the ballot, he must write
35 the name and municipality of residence in the blank
36 space provided at the end of the list of nominees for
37 the office in question, with the last name first or

1 last. He must then place the mark in the square at
2 the left of the space. A sticker may not be used to
3 vote for a write-in candidate.

4 3. Referendum question. In voting on a referen-
5 dum question, he shall place the mark in the square
6 of his choice at the left of the question.

7 §693. Spoiled ballots

8 If a voter spoils his ballot, he may obtain a re-
9 placement, not more than twice, by returning the
10 spoiled ballot to the election clerk in charge of is-
11 ssuing ballots. The warden or ward clerk shall mark
12 "Spoiled by voter" on the outside of the spoiled bal-
13 lot, sign it and keep it segregated from the other
14 ballots. If a replacement ballot is issued to the
15 voter, the warden or ward clerk must indicate that
16 fact on the outside of the spoiled ballot.

17 §694. Voting list signed

18 As soon as the polls have closed, the warden and
19 one election clerk from each party shall sign the in-
20 coming voting list.

21 §695. Counting of ballots

22 The election officials shall count the ballots
23 under the supervision of the warden as soon as the
24 polls are closed, except that if, in the opinion of
25 the municipal clerk the public interests will best be
26 served, referendum ballots may be counted on the day
27 immediately following the election, provided that the
28 count is completed within 24 hours after the polls
29 are closed. If referendum ballots are counted under
30 this exception, the municipal clerk is responsible
31 for the security and safekeeping of the ballots until
32 the count has been completed.

33 1. Counted in public. The ballots must be
34 counted publicly so that those present may observe
35 the proceedings.

36 2. Separated into lots. In counting the bal-
37 lots, the election clerks shall separate them into
38 distinct lots. Each of these lots must consist of

1 100 ballots, except for one lot, which may have less
2 than 100 ballots. They shall place with each lot a
3 statement of the count in that lot and the names of
4 the election clerk who made the count. They shall
5 wrap the statement of the count around the outside of
6 each lot of ballots.

7 3. Results declared. As soon as the ballots are
8 counted, the warden shall declare the results public-
9 ly at the voting place.

10 4. Instructions. The Secretary of State may is-
11 sue to each warden instructions on opening the ballot
12 boxes, separating various types of ballots and giving
13 priority in counting various types of ballots.

14 5. Uniformity. The Secretary of State shall de-
15 sign and print uniform tabulation sheets to be used
16 by the workers at the polls. The Secretary of State
17 shall write, print and distribute to wardens instruc-
18 tions on the use of that material and require the use
19 of a uniform system of counting and tabulation.

20 §696. Challenged, defective or void ballots

21 The counting of ballots is governed by the fol-
22 lowing provisions.

23 1. Challenged ballot. A challenged ballot must
24 be counted the same as a regular ballot. The validi-
25 ty of a challenged ballot need not be determined un-
26 less it affects the results of an election.

27 If the challenged ballot affects the result of an
28 election, its validity must be determined by the Com-
29 mission on Governmental Ethics and Election Prac-
30 tices, subject to the right of appeal for county of-
31 fices under section 746, except where final determi-
32 nation of the election of a candidate is governed by
33 the Constitution of the State of Maine or the Consti-
34 tution of the United States.

35 2. Defective ballot. A ballot held to be defec-
36 tive by the warden or ward clerk shall not be counted
37 for the office, candidate or question affected by the
38 defect, as follows.

1 A. If a voter marks more names for an office
2 than there are vacancies to be filled, his vote
3 for that office shall not be counted.

4 B. If a voter marks his ballot in such a manner
5 that it is impossible to determine his choice,
6 his vote for the office or question concerned
7 shall not be counted.

8 C. If a voter marks a write-in square for an of-
9 fice, but does not write in a name and municipal-
10 ity of residence in the blank space provided to
11 the right of the write-in square, that vote for
12 that office shall not be counted.

13 D. If a voter writes in a name and municipality
14 of residence, but does not mark the write-in
15 square, that vote for that office shall not be
16 counted.

17 E. If a voter writes in a write-in square a fic-
18 titious name, the name of a deceased person or
19 the name of a well-known person from outside the
20 State who could not be a candidate for office,
21 the vote for that office shall not be counted. A
22 name written in this manner is not a distinguish-
23 ing mark.

24 F. The warden or ward clerk shall mark "Defec-
25 tive" on the outside of the defective ballot, the
26 reason for the ballot to have been held defec-
27 tive, the office, candidate or question for which
28 it is defective and shall replace the ballot with
29 the other ballots, to be counted for other of-
30 fices or questions.

31 3. Void ballots. A ballot held to be void by
32 the warden or ward clerk shall not be counted.

33 A. A ballot which is not prepared in accordance
34 with the requirements of this Title is void.

35 B. The warden or ward clerk shall mark "void" on
36 the outside of the void ballot, the reason for
37 the ballot to have been voided and shall keep it
38 segregated from the other ballots.

1 4. Determination of choice possible. If a voter
2 marks his ballot in a manner which differs from the
3 instructions at the top of the ballot but in such a
4 manner that it is possible to determine the voter's
5 choice, then the vote for the office or question con-
6 cerned shall be counted. A mark made on or in the
7 square which differs from the instructions at the top
8 of the ballot but which clearly indicates the voter's
9 choice is not a distinguishing mark.

10 A. When a voter has clearly manifested an inten-
11 tion to make a distinguishing mark, or to mark
12 his ballot in a manner inconsistent with an hon-
13 est purpose or to act in a fraudulent manner,
14 then the ballot is void.

15 §697. Disqualification of ballots

16 Any person engaged at any election as a ballot
17 clerk, assistant ballot clerk or any person employed
18 as a counter of ballots must use pens or pencils
19 containing only red ink or red lead.

20 §698. Packaging and return of ballots and lists

21 As soon as the election return has been prepared,
22 the election officials shall perform the following
23 duties.

24 1. Ballots packed. The election clerks shall
25 pack each lot of used ballots and the tabulation of
26 the count in that lot in a sealed package. Referen-
27 dum ballots must be packaged separately.

28 A. Each package must be marked substantially as
29 follows: "This package contains ballots cast at
30 the (title of election) election held in (name of
31 voting district and municipality) on (date of
32 election). These ballots were counted, declared,
33 recorded and packaged publicly in accordance with
34 this section." This statement must be signed by
35 the warden and the ward clerk.

36 2. Ballots replaced in containers. The election
37 clerks shall place the sealed packages of used bal-
38 lots, unused ballots, spoiled ballots, defective bal-
39 lots, void ballots, used and unused absentee ballots,

1 used absentee envelopes and used absentee applica-
2 tions in the containers in which they were delivered.
3 They shall then seal the containers publicly. The
4 total number of used ballots, unused ballots, spoiled
5 ballots, defective ballots and absentee ballots must
6 equal the number of ballots furnished by the Secre-
7 tary of State to the municipal clerk, less the number
8 of absentee ballots issued to voters and not re-
9 turned.

10 3. Lists packed separately. The election clerks
11 shall seal the copies of the incoming voting list in
12 a separate package outside the containers of ballots.

13 4. Ballots and lists returned. The warden shall
14 deliver the ballots and lists to the clerk within 24
15 hours after the polls have closed.

16 5. Two or more voting districts. In municipali-
17 ties having 2 or more voting districts where absentee
18 ballots are counted at a place other than the voting
19 district, all absentee ballots, applications and en-
20 velopes may be packed together in the same container,
21 which shall then be sealed publicly.

22 A. The portions of subsection 1, paragraph A,
23 and subsection 2 which deal with absentee ballots
24 do not apply to municipalities with 2 or more
25 voting districts where absentee ballots are
26 counted separately.

27 6. Ballot security. The municipal clerk shall
28 take appropriate security measures to ensure the
29 safety and protection of all ballots.

30 §699. Sealing of ballot container

31 When a container is required to be sealed, it
32 shall be done so that the seal on the container must
33 be broken before its contents can be examined.

34 ARTICLE VI

35 RETURNS

36 §711. Preparation of returns

1 As soon as the results of the election have been
2 declared, the election return must be prepared.

3 1. Town. In a town which has one voting dis-
4 trict, the clerk shall fill out in duplicate the
5 election return form provided by the Secretary of
6 State, showing the number of votes cast for each candi-
7 date or question. He must sign the return, have it
8 attested by the warden and immediately send the du-
9 PLICATE copy to the Secretary of State.

10 2. City or multi-district town. In a city, or
11 in a town which has more than one voting district,
12 the ward clerk shall fill out the election return
13 form provided by the Secretary of State, showing the
14 number of votes cast for each candidate or question.
15 He must sign the return, have it attested by the war-
16 den and immediately deliver it to the municipal
17 clerk. Within 26 hours after the polls are closed,
18 the municipal clerk shall tabulate the returns in du-
19 PLICATE on the election return provided by the Secre-
20 tary of State, in the presence of the municipal offi-
21 cers. The clerk shall sign the return, have it at-
22 tested by a majority of the municipal officers and
23 immediately send the duplicate copy to the Secretary
24 of State.

25 3. Clerk to record. The clerk shall record the
26 original election return within 3 days after election
27 day.

28 §712. Lost or not delivered

29 If an election return is not delivered to the
30 Secretary of State within 7 days after an election,
31 the Secretary of State must send a messenger to the
32 municipality concerned, and the clerk shall give him
33 a certified copy of the return.

34 SUBCHAPTER III

35 POST ELECTION PROCEDURE

36 ARTICLE I

37 TABULATION AND RESULTS

1 §721. Reports of registration and enrollment

2 Within 10 days after a general election, the reg-
3 istrar shall send a report to the Secretary of State,
4 stating the number of voters in each voting district
5 of the municipality at the close of the polls on
6 election day. Within 10 days after a primary elec-
7 tion, the registrar shall report the total number of
8 voters in each voting district of the municipality
9 and the number of voters enrolled in each political
10 party in each voting district of the municipality at
11 the close of the polls on election day.

12 §722. Secretary of State to tabulate and print re-
13 sults

14 Within 20 days after an election, the Secretary
15 of State shall tabulate the election returns and sub-
16 mit the tabulation to the Governor.

17 1. How tabulated. The Secretary of State shall
18 tabulate all votes which appear by an election return
19 to have been cast for a candidate, even though the
20 candidate's name is misspelled, written with his ini-
21 tials, with wrong initials, or otherwise, on the re-
22 turn. All candidates receiving less than .1% of the
23 total vote cast shall be titled "others" when the
24 tabulation is processed.

25 2. Correction of return. If it appears that an
26 election return does not agree with the record of the
27 vote at any voting place, the Secretary of State
28 shall correct the tabulation by obtaining a certified
29 copy of the record from the clerk.

30 3. Tabulation printed. The Secretary of State
31 shall have copies of the tabulation printed and made
32 available to the public.

33 §723. Determination of election

34 The determination of an election or referendum
35 question is governed by the following provisions.

36 1. Primary election. In a primary election, the
37 person who receives a plurality of the votes cast for
38 nomination to any office is nominated for that office

1 if his vote total equals or exceeds the minimum num-
2 ber of signatures needed to place his name on the
3 primary ballot by petition, except for write-in cand-
4 idates under paragraph A.

5 A. A person who has not qualified as a candidate
6 for nomination by primary election by filing a
7 petition and consent under sections 335 and 336,
8 but who fulfills the other qualifications under
9 section 334, may be nominated at the primary
10 election if he receives a number of valid
11 write-in votes equal to at least twice the mini-
12 imum number of signatures required under section
13 335, subsection 5, on a primary petition for a
14 candidate for that office.

15 (1) Within 7 days after receiving notice of
16 his nomination, a write-in candidate must
17 file a written acceptance with the Secretary
18 of State. If the candidate fails to do so,
19 he is disqualified and his name shall not be
20 printed on the general election ballot.

21 B. The Secretary of State shall immediately cer-
22 tify by mail the nomination of each person nomi-
23 nated by the primary election.

24 2. Other elections. In any other election, the
25 person who receives a plurality of the votes cast for
26 election to any office is elected to that office.

27 3. More than one vacancy. In any election, if
28 there is more than one vacancy in an office, as many
29 persons are nominated or elected as there are vacan-
30 cies to be filled in decreasing order of the plurali-
31 ty of votes received by them.

32 4. Referendum question. A referendum question
33 is determined by majority vote.

34 §724. Election certificate issued

35 Within a reasonable time after an election, the
36 Governor shall issue an election certificate, in ac-
37 cordance with Title 5, section 84, or a notice of ap-
38 parent election to each person elected to office, ac-
39 cording to the tabulation under section 722. For

1 cases involving elections finally determined by the
2 Governor, a certificate shall be issued under section
3 744, subsection 3, paragraphs B and C. For cases in-
4 volving elections not finally determined by the Gov-
5 ernor, the Governor shall not issue a certificate
6 while the election is contested before the Commission
7 on Governmental Ethics and Election Practices under
8 Article IV. If, before the convening of the finally
9 determinative body in an election not determined by
10 the Governor, the commission finds that a candidate
11 has been apparently elected, the commission shall im-
12 mediately notify the Governor of that apparent elec-
13 tion. The Governor shall issue a notice of apparent
14 election to the person apparently elected, according
15 to the findings of the commission.

16 1. Ineligible person. The Governor shall not
17 issue an election certificate to a person who is in-
18 eligible for the office.

19 §725. Commencement of term of office

20 County officials elected at the general election
21 take office on January 1st directly following elec-
22 tion day. The terms of other officials commence on
23 the day provided in the Constitution of the State of
24 Maine or the Constitution of the United States.

25 ARTICLE II

26 TIE VOTES

27 §731. Tie defined

28 There is a tie vote when 2 or more persons re-
29 ceive an equal number of votes, which number would
30 entitle each one to nomination or election, except
31 for the tie. There is a tie vote in a referendum,
32 when a question receives an equal number of affirma-
33 tive and negative votes.

34 §732. Procedure

35 When there is a tie vote, the following provi-
36 sions apply.

1 1. Primary election. In a primary election, the
2 Secretary of State shall notify each person involved
3 in the tie to be present at his office at a certain
4 time. At that time, the Secretary of State shall se-
5 lect the nominee publicly by lot.

6 2. Other elections. In any other election, the
7 Governor shall issue a proclamation under section 366
8 declaring the tie and ordering a special election be-
9 tween the persons tied.

10 A. If there is a tie vote for presidential elec-
11 tors, the Governor shall convene the Legislature
12 by proclamation. The Legislature by joint ballot
13 of the members assembled in convention shall de-
14 termine which are elected.

15 B. This subsection does not apply to the elec-
16 tion of the following offices which are governed
17 by the Constitution of the State of Maine or the
18 Constitution of the United States: United States
19 Senator, Representative to Congress, Governor and
20 members of the Legislature.

21 C. If there is a tie vote for State Senator or
22 Representative to the Legislature as finally de-
23 termined by the proper House under the Constitu-
24 tion of Maine, Article IV, Part Third, Section 3,
25 the Governor shall issue a proclamation under
26 section 366 declaring the tie and ordering a spe-
27 cial election between the persons tied.

28 3. Referendum. In a referendum, other than on a
29 liquor local option question, the negative vote pre-
30 vails.

31 ARTICLE III

32 INSPECTION AND RECOUNT

33 §736. Candidate's inspection of ballots and incoming
34 voting list

35 If a candidate in any election applies in writing
36 within 7 days after election day, the clerk shall
37 permit him or his counsel to inspect the ballots and
38 incoming voting lists, under proper protective regu-

1 lations. The purpose of this inspection must be to
2 provide factual basis for a request for recount. The
3 inspection must be of reasonable duration and may not
4 be used for harassment, assessment of ballot split-
5 ting or any other purpose not related to determining
6 whether ballots were counted in a proper and lawful
7 manner.

8 1. Notice of inspection. When the application
9 is received, the clerk shall send written notice of
10 the inspection to the candidates for the office in
11 question, stating the time and place of inspection.

12 2. Time of inspection. The inspection must be
13 held as soon as reasonably possible at a time and
14 place that affords the candidates a reasonable oppor-
15 tunity to be present.

16 3. Packages resealed and marked. After the in-
17 spection, the clerk shall reseal the packages of bal-
18 lots and the incoming voting lists, and shall note
19 the fact and date of inspection on them.

20 §737. Recount

21 If a losing candidate in any election applies in
22 writing within 10 days after the tabulation of the
23 vote is submitted to the Governor, the Secretary of
24 State shall permit him or his counsel to recount the
25 ballots under proper protective regulations, subject
26 to the following provisions.

27 1. Percentage difference. For purposes of this
28 section, "percentage difference" means the percentage
29 of the total vote for an office represented by the
30 difference between the votes received by the candi-
31 date requesting a recount and the votes received by
32 the nearest winning candidate.

33 2. When deposit is required. A deposit is not
34 required if the percentage difference shown by the
35 official tabulation is:

36 A. 10% or less if the combined vote for the 2
37 candidates is 1,000 or less, otherwise a deposit
38 of \$150 is required;

1 B. 5% or less if the combined vote for the 2
2 candidates is 1,001 to 5,000, otherwise a deposit
3 of \$200 is required;

4 C. 4% or less if the combined vote for the 2
5 candidates is 5,001 to 10,000, otherwise a depos-
6 it of \$250 is required;

7 D. 3% or less if the combined vote for the 2
8 candidates is 10,001 to 50,000, otherwise a de-
9 posit of \$300 is required;

10 E. 1% or less if the combined vote received by
11 the 2 candidates is 50,001 to 100,000, otherwise
12 a deposit of \$500 is required; or

13 F. 1/2 of 1% or less if the combined vote re-
14 ceived by the 2 candidates is 100,001 or over,
15 otherwise a deposit of \$1,000 is required.

16 All deposits required by this section must be made
17 with the Secretary of State when the recount is re-
18 quested. This deposit, made by the candidate re-
19 questing the recount, is forfeited to the State if
20 the recount has begun and it fails to change the re-
21 sult of the election. If the recount reverses the
22 election, the deposit shall be returned to the candi-
23 date requesting the recount.

24 3. Ballots and incoming voting lists recalled.
25 When the application is received, the Secretary of
26 State shall recall all the ballots and incoming vot-
27 ing lists from the clerk of each municipality con-
28 cerned. The clerk shall return or release them to
29 him as soon as any pending ballot inspection has been
30 made.

31 4. Notice of recount. The Secretary of State
32 shall send written notice of the recount to the can-
33 didates for the office in question, stating the time
34 and place of the recount.

35 5. Time of recount. The recount must be held as
36 soon as reasonably possible at a time and place that
37 affords the candidates a reasonable opportunity to be
38 present.

1 6. Disputed ballots segregated. At the recount,
2 the Secretary of State shall segregate any disputed
3 ballots.

4 7. Mistake in ballot count. If it is found that
5 there was a mistake made in counting the ballots on
6 election day, the Secretary of State shall submit a
7 corrected tabulation to the Governor.

8 8. Appeal to Commission on Governmental Ethics
9 and Election Practices. If there are enough disputed
10 ballots to affect the result of an election, a candi-
11 date for that office may appeal to the Commission on
12 Governmental Ethics and Election Practices, as pro-
13 vided in Article IV, for a determination of the elec-
14 tion. A written notice of this appeal must be given
15 to the Secretary of State at the close of the re-
16 count.

17 9. Package resealed and marked. After the re-
18 count, the Secretary of State shall reseat the pack-
19 ages of ballots and the incoming voting lists, and
20 shall note the fact and date of the recount on them.
21 If there is an appeal to determine the validity of
22 the disputed ballots, the Secretary of State shall
23 keep them until needed by the Commission on Govern-
24 mental Ethics and Election Practices.

25 10. Withdrawal from recount. A losing candidate
26 who requests and receives a recount may withdraw from
27 the recount at any time while the recount shows him
28 to be the loser. If, during the recount, the losing
29 candidate overtakes and passes the winning candidate,
30 the losing candidate may not withdraw and the recount
31 shall be completed.

32 §738. Statewide referendum ballots

33 On petition signed by 100 or more affected vot-
34 ers, an inspection and recount may be held on any
35 referendum question by applying to the Secretary of
36 State within the deadlines provided in sections 736
37 and 737. Appeal of disputed ballots must be to the
38 Commission on Governmental Ethics and Election Prac-
39 tices as provided under Article IV.

40 §739. Ballots and incoming voting lists available
41 for inspection

1 On request, a municipal clerk or the Secretary of
2 State, or both, shall produce any ballots or incoming
3 voting lists in his custody before the Governor, the
4 Commission on Governmental Ethics and Election Prac-
5 tices, either branch of the Legislature, any legisla-
6 tive committee or any court of competent jurisdic-
7 tion.

8 After the time for completion of recounts follow-
9 ing any election has elapsed, and on request of any
10 person, the clerk of any municipality or the Secre-
11 tary of State, or both, shall produce any incoming
12 voting lists in his custody.

13 ARTICLE IV

14 DETERMINATION OF DISPUTED ELECTIONS

15 §741. Jurisdiction

16 The Commission on Governmental Ethics and Elec-
17 tion Practices, established under Title 1, section
18 1002 and referred to in this chapter as the "commis-
19 sion," shall make findings of fact and opinion on the
20 final determination of election results in primary,
21 general and special elections for county, state or
22 federal offices that are appealed.

23 §742. Appeal to commission

24 1. By candidate; election. If, after the re-
25 count proceeding provided under this Title, there are
26 challenged or disputed ballots, or both, which affect
27 the result of a primary, general or special election
28 involving county, state or federal office, the com-
29 mission shall make findings of fact and opinion on
30 the validity of those ballots. Any candidate for
31 county, state or federal office may appeal to the
32 commission, in writing, not more than 5 days after
33 the recount proceedings are completed. This written
34 appeal must set forth in detail the grounds for the
35 appeal.

36 2. By resident; referendum. Any resident of the
37 State affected by the results of a statewide referen-
38 dum may request an appeal in the same manner as a
39 candidate under subsection 1.

1 §743. Investigations

2 1. Investigations. The commission may investi-
3 gate and make findings of fact and issue an opinion
4 on the final determination of the results, within the
5 limits of the Constitution of Maine and the Constitu-
6 tion of the United States, of any contested county,
7 state or federal election within the State. For this
8 purpose, the commission may subpoena witnesses and
9 records and take evidence under oath. A person who
10 fails to obey the lawful subpoena of the commission
11 or to testify before it under oath shall be punished
12 by the Superior Court for contempt on application of
13 the Attorney General on behalf of the commission.

14 2. Investigation requested. Not more than 5
15 days after the recount proceedings are completed, any
16 candidate in a contested election may apply in writ-
17 ing to the commission, requesting an investigation
18 and stating the reasons for the request. The commis-
19 sion shall review the application and shall make the
20 investigation, if the reasons stated show sufficient
21 grounds for believing that a violation of law affect-
22 ing the outcome of the election has occurred.

23 3. State Auditor; Secretary of State. The State
24 Auditor and the Secretary of State shall assist the
25 commission in making investigations and in other
26 phases of the commission's duties under this chapter
27 and shall have all necessary powers to carry out
28 these responsibilities.

29 4. Attorney General. The Attorney General is
30 counsel for the commission and may examine any wit-
31 nesses before the commission.

32 §744. Procedure

33 The following procedures apply.

34 1. Notice of hearing. When a written appeal or
35 application requesting an investigation is received,
36 the commission shall notify the opposing candidate
37 and shall set a time, date and place for a hearing on
38 the matter. This hearing must be held within 15 days
39 after the commission receives the appeal or applica-
40 tion.

1 2. Review; findings. The commission shall re-
2 view the matter, including a review of the contested
3 ballots, and hold any necessary hearings. When the
4 review and hearings are completed, the commission
5 shall make findings of fact and issue an opinion on
6 the final determination of the election.

7 3. Reports. In the following instances, the
8 commission shall send copies of the findings of fact
9 and opinions.

10 A. In cases involving elections where the Con-
11 stitution of the State of Maine or the Constitu-
12 tion of the United States provides for the final
13 determination of the election of a candidate, the
14 commission shall send a copy of the findings of
15 fact and opinion to the body vested with final
16 determination powers.

17 B. In cases involving general and special elec-
18 tions for county office, the commission shall
19 send a copy of the findings of fact and opinion
20 to the Secretary of State for preparation and de-
21 livery to the Governor, and to each candidate,
22 and shall make its findings available to the pub-
23 lic. The Governor shall make the final determi-
24 nation in these cases, subject to the right of
25 appeal under section 746.

26 C. In all other cases involving primary, general
27 and special elections, the commission shall send
28 a copy of the findings of fact and opinion to the
29 Secretary of State for preparation and delivery
30 to the Governor, and to each candidate, and shall
31 make its findings available to the public. The
32 Governor shall make the final determination in
33 these other cases.

34 D. The commission shall send copies of its find-
35 ings of fact and opinion on election contests to
36 all parties to the appeal of the election before
37 the commission. These findings shall be mailed
38 to the parties by certified mail within 3 days
39 after the commission adopts the findings.

40 4. Record. The commission shall keep a public
41 record of its proceedings under this subchapter.

1 §745. Questions of law

2 1. Appeals. An appeal from a final decision by
3 the body with final determinative powers under sec-
4 tion 744 may be taken to the Supreme Judicial Court
5 on questions of law, if taken within 3 days of the
6 final determination, in accordance with the procedure
7 described in subsection 2.

8 2. Procedure. The appellant must file the re-
9 quired number of copies of the record of the findings
10 of fact and opinions and any decision issued pursuant
11 to the final determination made by the appropriate
12 body with the clerk of courts within 5 days after
13 filing notice of appeal. After notice of appeal is
14 filed, the parties have 10 days to file briefs with
15 the clerk of courts. As soon as the record and
16 briefs have been filed, the court shall immediately
17 consider the case. The court shall not recount the
18 ballots, but shall determine questions of law. The
19 court must issue its decision as soon as reasonably
20 possible. The court shall allow costs to the pre-
21 vailing party as justice may require.

22 §746. Judicial determination of disputed county of-
23 fice

24 A person who claims to have been elected to any
25 county office may proceed against another who claims
26 title to the office, as follows.

27 1. Procedure. The person must bring a complaint
28 to the Superior Court within 15 days after the cer-
29 tificate of election is issued. The complaint must
30 allege the facts upon which the person relies in
31 maintaining his action. The action must be brought
32 in the county where the defendant resides. The court
33 shall hear and decide the case as soon as reasonably
34 possible.

35 2. Appeal procedure. The party against whom the
36 judgment is rendered may appeal to the Supreme Judi-
37 cial Court within 10 days after entry of the judg-
38 ment. The appellant must file the required number of
39 copies of the record with the clerk of courts within
40 20 days after filing the notice of appeal. Within 30
41 days after notice of appeal is filed, the parties

1 must file briefs with the clerk of courts. As soon
2 as the records and briefs have been filed, the court
3 shall immediately consider the case, and shall issue
4 its decision as soon as reasonably possible. Final
5 judgment shall be entered accordingly.

6 3. Court to issue order. As soon as final judg-
7 ment has been rendered, the Superior Court, on re-
8 quest of the prevailing party, shall issue an order
9 to the party unlawfully claiming or holding the of-
10 office, commanding him to immediately surrender it to
11 the person who has been adjudged lawfully entitled to
12 it, together with all the records and property con-
13 connected with it. The prevailing party may assume the
14 duties of the office as soon as his term begins.

15 4. Costs. The court shall allow costs to the
16 prevailing party as justice may require.

17 SUBCHAPTER IV

18 ABSENTEE VOTING

19 ARTICLE I

20 REGULAR ABSENTEE VOTING

21 §751. Proper at any election

22 Absentee ballots may be cast at any election by a
23 voter who is unable to cast his ballot for one of the
24 following reasons:

25 1. Absence. Absence from the municipality dur-
26 ing the time the polls are open on election day;

27 2. Incapacity. Physical incapacity;

28 3. Religious belief. Religious belief which
29 prohibits his doing so;

30 4. Confinement. Confinement in a penal institu-
31 tion;

32 5. Distance from polls. Unreasonable distance
33 from the polls, if he is a resident of a township or
34 a coastal island ward or district; or

1 6. At registrar's office. The person was en-
2 gaged in registering voters for that election on
3 election day at the office of the registrar or the
4 board of registration and, as a result, is unable to
5 get to his voting place while the polls are open.

6 §752. Materials furnished

7 At least 3 months before any election, the Secre-
8 tary of State shall furnish each municipality with a
9 reasonable number of dated absentee ballot applica-
10 tions. A reasonable time before any election, the
11 Secretary of State shall furnish each municipality
12 with a reasonable number of absentee ballots and re-
13 turn envelopes.

14 1. Absentee ballots to be identical; exception.
15 Except as provided in paragraph A, absentee ballots
16 shall be identical to the regular ballots used at an
17 election, except that the words "Absentee Ballot"
18 must be printed conspicuously on at least one side of
19 the folded ballot.

20 A. At least 90 days before the election to which
21 they pertain, the Secretary of State shall fur-
22 nish each municipality with a reasonable number
23 of blank absentee ballots for the exclusive use
24 of members of the Armed Forces. These ballots
25 shall be similar to regular ballots, except that
26 no candidate names may be printed. The Secretary
27 of State shall prepare a ballot listing all of-
28 fices to be selected with a space after each of-
29 fice to write in the voter's preference. The
30 following instructions must be printed in bold
31 type at the top of the ballot: YOU MAY VOTE FOR
32 A PERSON BY PLACING THAT PERSON'S NAME AND MUNIC-
33 IPALITY OF RESIDENCE IN THE BLANK SPACE UNDER THE
34 PROPER OFFICE.

35 2. Content of application. The application must
36 contain a place for the following: Name of applicant,
37 address, address to which ballot is to be sent, title
38 and year of election at which ballot is to be cast,
39 name of party in which he is or desires to be en-
40 rolled, date of application and signature of appli-
41 cant. It must contain a place for the applicant to
42 designate the reason for requesting an absentee bal-

1 lot, the name of a person to whom his ballot may be
2 delivered and a place for the registrar to certify
3 whether the applicant is registered and the party in
4 which he is or desires to be enrolled. It must con-
5 tain a conspicuously printed summary warning of the
6 provisions of Title 17-A, section 703.

7 3. Form of envelope. The return envelope in
8 which the absentee ballot is to be placed must in-
9 clude on its outside a conspicuously printed summary
10 warning to the voter of the provisions of section
11 758; section 791, subsection 1, paragraphs A and C;
12 and Title 17-A, section 703.

13 4. Delivery of materials; insufficient quantity.
14 The Secretary of State shall send the voting materi-
15 als to the clerk of each municipality. If the clerk
16 believes that a larger number should be furnished, he
17 must notify the Secretary of State who shall furnish
18 them as promptly as possible.

19 §753. Procedure for obtaining

20 The following procedure must be observed in ob-
21 taining an absentee ballot.

22 1. Applications available. On request, the
23 clerk shall furnish a reasonable number of ballot ap-
24 plications to any person, except that no application
25 shall be furnished more than 3 months before the
26 election for which the application will be used.
27 Each application must have the date of the election
28 for which it is to be used plainly printed on the
29 face of the application.

30 2. Applications by voters outside the country.
31 If a voter is temporarily outside of the United
32 States, a written request for an absentee ballot from
33 the voter, the voter's spouse, a blood relative of
34 the voter or the voter's former guardian is suffi-
35 cient.

36 3. Application or request received. On receipt
37 of a completed application or a request for an absen-
38 tee ballot signed by the applicant, the clerk shall
39 immediately send or deliver an absentee ballot and
40 return envelope to the applicant or to a 3rd person

1 designated in the application or request. If a mu-
2 nicipal election is to be held on the same date as a
3 statewide election, absentee ballots for the municipi-
4 pal and statewide election may be issued in response
5 to the same application. The clerk shall issue to
6 any 3rd person designated in an application or re-
7 quest only enough absentee ballots to insure that
8 that person will not have more than 40 absentee bal-
9 lots for voters in a municipality at any time. Such
10 a 3rd person must, unless good cause is shown, return
11 as absentee ballot to the clerk's office within the
12 time limits provided in section 755. The clerk shall
13 include a ballot application to be completed by the
14 person who signed only a written request, unless the
15 written request is sufficient under subsection 2.
16 The clerk shall type or write in ink the name and the
17 legal address of the person for whom the absentee
18 ballot is intended in the upper left hand section of
19 all return envelopes.

20 A. If the clerk receives a duplicate application
21 from a person from whom the clerk has received a
22 return envelope apparently containing an absentee
23 ballot, the clerk shall not furnish another ab-
24 sentee ballot for that person.

25 B. The clerk may issue a 2nd absentee ballot to
26 an applicant, if the applicant requests one, in
27 person or in writing and:

28 (1) If the applicant states good cause, in-
29 cluding, but not limited to, loss of, spoil-
30 ing of or damage to the first absentee bal-
31 lot; or

32 (2) If an absentee ballot for the applicant
33 which was furnished to a designated 3rd per-
34 son is not returned to the clerk's office
35 within 5 business days of the date that bal-
36 lot was sent or delivered to the 3rd person
37 or by 10 a.m. on the day before election
38 day, whichever is earlier. This subpara-
39 graph shall not be construed to affect the
40 time for delivery of absentee ballots under
41 section 755.

1 4. Assistance to certain voters. A voter who is
2 unable to read or complete his application because of
3 blindness, other physical disability, illiteracy, or
4 whose religious faith prevents him from completing
5 the application, may request any person who is of
6 voting age to assist him in completing the applica-
7 tion. That aide may read the application to the vot-
8 er or sign it, or both, according to the voter's in-
9 structions, or may assist him in signing the applica-
10 tion. When an aide assists a voter in this way, the
11 aide must write on the application that he has so as-
12 sisted the voter in signing the application, the rea-
13 son the voter was unable to complete or sign the ap-
14 plication, or both, and must sign his name.

15 5. Clerk to list. The clerk shall keep a list
16 of the persons to whom he furnishes absentee ballots
17 until after election day, or the clerk shall file the
18 applications and requests in alphabetical order. The
19 clerk shall keep a list of the persons who vote in
20 the clerk's office under subsection 7. The clerk
21 shall submit this list to the registrar for certifi-
22 cation before the close of business on the day before
23 election day.

24 The clerk shall keep a list of the 3rd persons, des-
25 ignated in applications or requests, to whom absentee
26 ballots are sent or delivered under subsection 3 and
27 of the number of absentee ballots sent or delivered
28 to these persons. These 3rd persons may not have
29 more than 40 absentee ballots for voters in a munici-
30 pality at any time.

31 6. Application checked by registrar. As soon as
32 reasonably possible, the clerk shall deliver the com-
33 pleted application to the registrar. If the appli-
34 cant is registered and enrolled where necessary, the
35 registrar shall so certify on the application. If
36 the applicant has registered and enrolled where nec-
37 essary, under section 155, and will attain 18 years
38 of age on or before the date of the election, the
39 registrar shall so certify on the application. If
40 not, the registrar shall write "Not registered" or
41 "Not enrolled" on the face of the application and
42 sign his name. He shall immediately return all ap-
43 plications to the clerk.

1 7. Absentee voting in clerk's office. A person
2 who wishes to vote by absentee ballot because he will
3 not be present in the municipality or able to vote in
4 person at the voting place on election day may, with-
5 out completing an application, vote by absentee bal-
6 lot before the clerk or deputy clerk of the municipi-
7 ality in the clerk's office during regular business
8 hours. The method of voting shall otherwise be as
9 prescribed in this Article. After the person has
10 voted, the clerk or deputy clerk shall determine
11 whether the affidavit on the return envelope is prop-
12 erly completed, as described in section 754, subsec-
13 tion 4.

14 8. Denial of application. Whenever an applica-
15 tion for an absentee ballot is denied, the municipal
16 clerk shall immediately notify the applicant in writ-
17 ing of the reason for the denial.

18 §754. Method of voting

19 The method of voting by absentee ballot is as
20 follows.

21 1. Marked before certain officials. When an ab-
22 sentee voter is within the State, he must mark his
23 ballot in the presence of one of the following offi-
24 cial: Notary public, clerk or deputy clerk of a mu-
25 nicipality, dedimus justice or clerk of courts. When
26 he is outside the State but within the United States,
27 the voter must mark his ballot before a notary public
28 having a seal or functional equivalent. When he is
29 outside of the United States, the voter must mark his
30 ballot and return the ballot, as provided in subsec-
31 tion 5.

32 2. Ballot unmarked. Except when he is outside
33 the United States, a voter, before marking his bal-
34 lot, must show it to the official who must examine it
35 to be certain it is unmarked.

36 3. No communication. There may be no communica-
37 tion between the voter and the official as to the
38 person for whom the voter is to vote, except as pro-
39 vided in subsection 6.

1 4. Ballot marked and sealed. The voter must
2 mark his ballot according to section 691 or 692 so
3 that it is impossible for anyone present at the time
4 to see how he voted. He must then seal the ballot in
5 its return envelope and complete the affidavit on the
6 envelope in the presence of the official who shall
7 subscribe his name, note his title and may affix his
8 seal, if he is a notary public. If the voter is out-
9 side the United States, he must complete the certifi-
10 cate of authenticity on the envelope, which shall be
11 in a form prescribed by the Secretary of State and
12 which shall include a warning of the provisions of
13 Title 17-A, section 453.

14 5. Ballot sent. The voter must then complete
15 the address on the envelope and mail or deliver it
16 personally or by agent to the clerk of the municipali-
17 ty of which he is a resident. He must send a com-
18 pleted application in a separate envelope, if he has
19 not previously done so.

20 6. Assistance. A voter who is unable to read or
21 to mark his ballot because of blindness, other physi-
22 cal disability, illiteracy, or whose religious faith
23 prevents him from marking the ballot, may request one
24 of the officials listed in subsection 1, or any per-
25 son who is of voting age, to assist him in marking
26 the ballot. The official or person may read the bal-
27 lot to the voter and mark it according to the voter's
28 instructions or may assist the voter in marking the
29 ballot. The official may, at the request of the vot-
30 er, complete and sign the affidavit on the envelope.
31 When an official or aide assists a voter in this way,
32 the official must write on the envelope that he or an
33 aide marked the ballot or assisted the voter in mark-
34 ing the ballot and, if an aide was employed, must
35 write the aide's name. In addition, the aide must
36 sign his name.

37 §755. Deadline

38 The office of the clerk shall be open a minimum
39 of 4 hours on the Saturday immediately preceding a
40 general election to allow voters to obtain or cast
41 absentee ballots. In order to be valid, an absentee
42 ballot must be delivered to the municipal clerk at
43 any time before the polls are closed.

1 §756. Procedure on receipt

2 When the clerk receives a return envelope appar-
3 ently containing an absentee ballot, he shall observe
4 the following procedures.

5 1. Time of receipt noted. He shall note the
6 date and time of delivery on each return envelope.
7 On request, he shall give the person who delivers the
8 ballot a receipt, stating the exact time of delivery.

9 2. Clerk to examine signatures and affidavit.
10 He shall compare the signature of the voter on the
11 application, where required, with that on the corre-
12 sponding return envelope. He shall examine the affi-
13 davit on the return envelope. If the signatures ap-
14 pear to have been made by the same person and if the
15 affidavit is properly completed, he shall write "OK"
16 and his initials on the return envelope. Otherwise,
17 he shall note any discrepancy on the return envelope.

18 A. If the signatures do not appear to have been
19 made by the same person, but this discrepancy is
20 apparently the result of the voter's having prop-
21 erly obtained assistance under either section
22 753, subsection 4, or section 754, subsection 6,
23 or both, then the clerk shall note the discrepan-
24 cy on the return envelope, but shall also write
25 "OK" and his initials on the return envelope.

26 3. Application attached. The clerk shall attach
27 each application, where required, to the correspond-
28 ing envelope. He shall not open any return envelope.

29 4. Lists prepared. The clerk shall prepare, in
30 duplicate, lists by districts of the names and ad-
31 resses of the voters as shown on the return enve-
32 lopes. He shall maintain a copy for 4 years. This
33 copy is a public record.

34 5. Envelopes and lists delivered. On election
35 day, the clerk shall deliver or have delivered the
36 return envelopes prescribed by section 752, subsec-
37 tion 3, with the applications, where required, at-
38 tached and the list required by subsection 4 to the
39 warden of the voting district in which the voter is
40 registered, except in those municipalities where the

1 municipal officers have authorized the clerk to pro-
2 cess absentee ballots. If more than one return enve-
3 lope is received from the same voter, the clerk shall
4 deliver or have delivered to the warden for counting
5 only the return envelope bearing the earliest date
6 and time.

7 This subsection does not apply to municipalities with
8 2 or more voting precincts where absentee ballots are
9 counted at a place other than the voting district.

10 §757. Challenges

11 An absentee ballot may be challenged the same as
12 a regular ballot under section 673.

13 §758. Personal vote required when possible

14 A person who has voted by absentee ballot, but
15 who is present in the municipality and able to vote
16 in person at the voting place on election day, must
17 do so, unless that person is engaged in registering
18 voters for that election on election day at the of-
19 fice of the registrar or the board of registration
20 and, as a result, is unable to get to his voting
21 place while the polls are open.

22 §759. Counting procedure

23 The following counting procedure shall be ob-
24 erved at each voting place.

25 1. Warden to review notes of clerk. As soon as
26 the polls are closed and the regular ballots removed
27 from the ballot box, the warden shall review the
28 notes of the clerk on each return envelope.

29 2. Deposited in ballot box if correct. If the
30 warden finds that the signatures appear to have been
31 made by the same person and that the affidavit is
32 properly completed, or, if no application was re-
33 quired, he shall examine the incoming voting list to
34 determine whether the voter voted in person at the
35 election. He shall then announce the name of each
36 absentee voter who has not voted at the election and
37 remove each ballot from its envelope without destroy-
38 ing the envelope or unfolding the ballot. After hav-

1 ing an election clerk from a political party differ-
2 ent than that of the warden mark the letters "AV" be-
3 side the name of each absentee voter on the incoming
4 voting list, he shall deposit the ballot in the bal-
5 lot box.

6 3. Rejected if incorrect. The warden shall not
7 open the envelope and shall write "Rejected" on it,
8 the reason why and his initials if he finds that:

9 A. The signatures do not appear to have been
10 made by the same person and the discrepancy is
11 not the result of the voter's having obtained as-
12 sistance under section 753, subsection 4 or sec-
13 tion 754, subsection 6, in cases where an appli-
14 cation is required;

15 B. The affidavit is not properly completed;

16 C. The person is not registered or enrolled
17 where necessary;

18 D. The voter has voted in person; or

19 E. The ballot was received by the clerk after
20 the deadline.

21 4. Primary election provisions. At a primary
22 election when the warden removes a ballot from its
23 envelopes, he shall check its color to be sure it is
24 the ballot of the party in which the voter is en-
25 rolled. If it is not, he shall immediately replace
26 it in its envelope, reseal the envelope and write
27 "Rejected" on it, the reason why and his initials.

28 5. Rejected ballots separate. The warden shall
29 place the return envelopes containing rejected bal-
30 lots in a separate lot. He shall not deposit them in
31 the ballot box.

32 6. Ballots counted. As soon as the absentee
33 ballots have been processed, they shall be removed
34 from the ballot box and counted the same as regular
35 ballots. Rejected ballots shall not be counted.

36 §760. Procedures when counting to be by the clerk

1 The following procedure shall be used when the
2 municipal officers have voted to have the clerk pro-
3 cess the absentee ballots.

4 1. Envelopes and lists retained. The clerk
5 shall retain possession of return envelopes with the
6 applications attached, where required, and the list
7 required by section 756, subsection 4.

8 2. Ballot boxes provided. The municipality
9 shall provide a ballot box with a padlock to be used
10 by the clerk in all primary, regular and special
11 state elections. If the same procedure is to be used
12 in municipal elections, the clerk must be provided
13 with a separate ballot box and padlock for each vot-
14 ing district.

15 3. Incoming voting list to clerk. As soon as
16 the polls are closed, the ward clerk shall fold, wrap
17 and seal the incoming voting list. This package
18 shall be signed on one of the seals holding the pack-
19 age together by the warden and ward clerk. A ballot
20 clerk or counter shall take the incoming voting list
21 to the designated counting place. The clerk shall
22 select these persons before the election so that the
23 total number from the voting districts is as evenly
24 divided as possible between the political parties.
25 Upon receipt of the voting list, the clerk shall
26 unseal the lists and use them in processing the ab-
27 sentee ballots. When the count is completed, the
28 clerk shall sign each copy of the voting list.

29 4. Counting procedure. The clerk shall use the
30 same counting procedure as set forth in sections 759,
31 761 and 762. The ballots must be counted publicly so
32 that all those present may observe the proceedings.

33 §761. Deceased voter; ballot rejected

34 If an absentee voter dies before the polls are
35 opened on election day, and this fact comes to the
36 attention of the clerk, registrar or any election of-
37 ficial, he shall notify the warden who shall reject
38 the ballot of the dead person. The warden shall
39 write on the unopened envelope "Rejected as de-
40 ceased," and place it with the other rejected bal-
41 lots.

1 §762. Irregularities disregarded

2 An absentee ballot may not be rejected for any
3 immaterial irregularity in completing the application
4 or affidavit on the return envelope. The following
5 information must be on the envelope for the ballot to
6 be accepted:

7 1. Name and address. The voter's name and legal
8 address typed or written in ink by the clerk in the
9 upper left-hand corner;

10 2. Signature. The voter's signature;

11 3. Reason. The voter's reason for voting absen-
12 tee; and

13 4. Official's signature. The certifying
14 official's signature, when required.

15 §763. Return of election materials

16 As soon as the ballots have been counted, the ap-
17 plications, where required, absentee ballots, return
18 envelopes, lists required by section 756 and other
19 election materials shall be repacked, in accordance
20 with section 698, and returned to the clerk. The
21 clerk shall keep them in his office for 2 months af-
22 ter election day, unless sooner released to the Sec-
23 retary of State.

24 §764. Applications and envelopes as public records

25 Absentee ballot applications and absentee ballot
26 return envelopes are public records until the close
27 of voting on election day. After that time, the ap-
28 plications and envelopes are not public records and
29 may be inspected only in accordance with this Title.

30 ARTICLE II

31 VOTING BY MEMBERS OF THE

32 ARMED FORCES

33 §776. Applicability of provisions

1 This Article applies to members of the Armed
2 Forces.

3 §777. Methods of registration and enrollment

4 A member of the Armed Forces may register or en-
5 roll at any time as follows.

6 1. Federal form. He may complete and file the
7 federal postcard application form with the registrar.

8 2. Municipal application. He may complete and
9 file with the registrar an application provided by
10 the municipality, stating the information necessary
11 to show his qualifications.

12 3. Request by relative. A blood relative,
13 former guardian or spouse may complete and file the
14 application described in subsection 2 with the regis-
15 trar.

16 §778. Duty of registrar

17 On receipt of an application under section 777,
18 the registrar shall register the applicant, unless it
19 appears that he is not qualified. If he is not qual-
20 ified, the registrar shall notify him of the reason
21 why.

22 1. Member specially designated. The registrar
23 shall place the letter "S" on the voting list beside
24 the name of each member of the Armed Forces regis-
25 tered under this section.

26 §779. Name may be added at any time

27 The registrar may add the name of a member of the
28 Armed Forces to the voting list at any time.

29 §780. Absentee ballots; application

30 A written request for an absentee ballot from the
31 member of the Armed Forces, his spouse, a blood rela-
32 tive or his former guardian is sufficient. The ap-
33 plicant for the absentee ballot may request the regu-
34 lar absentee ballot specified in section 752, subsec-
35 tion 1, or the special blank ballot specified in sec-

1 tion 752, subsection 1, paragraph A. The clerk shall
2 promptly fill requests for absentee ballots made un-
3 der this section.

4 §781. Absentee ballots; procedure on receipt

5 The following absentee ballot procedure shall be
6 observed.

7 1. Delivery of ballot. On receipt of an absen-
8 tee ballot application, federal postcard applica-
9 tion or a written request under section 780, the clerk
10 shall immediately mail the ballot and voting instruc-
11 tions to the member.

12 2. Special ballots and envelopes. The Secretary
13 of State shall provide a ballot and an envelope which
14 will move free of postage under federal law.

15 3. Ballot marked and sealed. The member must
16 mark his ballot according to section 691 or 692 so
17 that it is impossible for anyone present at the time
18 to see how he voted. He must then seal the ballot in
19 its return envelope, write his voting residence, in-
20 cluding the street address, in the upper left-hand
21 corner of the return envelope and sign a certifica-
22 tion as to authenticity on the envelope, in a form to
23 be prescribed by the Secretary of State, which must
24 include a warning of the provisions of Title 17-A,
25 section 453. He must then mail the envelope to the
26 clerk of his municipality.

27 §782. Absentee ballots; procedure on return

28 On receipt of a return envelope apparently con-
29 taining an absentee ballot, the clerk shall note the
30 date and time of delivery on it and deliver it to the
31 registrar. The registrar shall certify on the enve-
32 lope whether the person whose name appears as sender
33 is registered and, in a primary election, enrolled in
34 the municipality. He shall then return the envelope
35 to the clerk.

36 §783. Authority of Secretary of State

37 The Secretary of State may act administratively
38 to facilitate voting by members of the Armed Forces.

1 He may use federal or other facilities available for
2 this purpose.

3 ARTICLE III

4 VIOLATIONS AND PENALTIES

5 §791. Violations and penalties

6 1. Class E crime. The commission of any act de-
7 scribed as follows in this subsection is a Class E
8 crime:

9 A. A person who has voted by absentee ballot but
10 who is present at the proper voting place on
11 election day and fails to vote in person is
12 guilty of a Class E crime, unless that person was
13 engaged in registering voters for that election
14 on election day at the office of the registrar or
15 the board of registration and, as a result, was
16 unable to get to his voting place while the polls
17 were open;

18 B. A municipal clerk who, when a person has
19 voted by absentee ballot in the clerk's office
20 under section 753, subsection 7, signs his name
21 to an affidavit on the absentee ballot return en-
22 velope when the affidavit is not properly com-
23 pleted; or

24 C. A 3rd person, designated in an application or
25 request for an absentee ballot, who receives an
26 absentee ballot from the clerk in accordance with
27 that application or request, and who, without
28 good cause, fails to return that absentee ballot
29 to the clerk's office within the time limit pro-
30 vided in section 755.

31 2. Class D crime. The commission of any act de-
32 scribed as follows in this subsection is a Class D
33 crime:

34 A. A person who forges the name of another on an
35 absentee ballot, return envelope or the applica-
36 tion for an absentee ballot.

37 SUBCHAPTER V

PRESIDENTIAL ELECTORS

§801. Election

In a presidential election year, the presidential electors shall be chosen at the general election.

1. Vote for presidential candidate construed. A vote for the candidates for President and Vice President is a vote for the presidential electors nominated by the candidates' political party or by petition.

§802. Representation

One presidential elector shall be chosen from each congressional district and 2 at large.

§803. Duties of Governor

As soon as possible after the presidential electors are chosen, the Governor shall send a certificate of the determination of the electors to the administrator of general services under the state seal. The certificate shall state the names of the electors and the number of votes which each received. The Governor shall deliver 6 original duplicates of the same certificate under the state seal to the electors on or before the first Monday after the 2nd Wednesday of December, following their election.

§804. Meeting in convention

The presidential electors shall convene in the Senate Chamber in Augusta at 2 p.m. on the first Monday after the 2nd Wednesday of December following their election. If any electors are not present, the electors present shall fill the vacancy by majority vote.

§805. Convention duties

The duties of the presidential electors in convention are as follows.

1. Separate ballots. When convened as required by section 804, the presidential electors shall each

1 cast separate ballots for President and Vice Presi-
2 dent, at least one of whom must not be a resident of
3 this State.

4 2. Presidential electors. The presidential elec-
5 tors at large shall cast their ballots for the presi-
6 dential and vice-presidential candidates who received
7 the largest number of votes in the State. The presi-
8 dential electors of each congressional district shall
9 cast their ballots for the presidential and
10 vice-presidential candidates who received the largest
11 number of votes in each respective congressional dis-
12 trict.

13 3. Certificate prepared and sent. The presiden-
14 tial electors shall make and subscribe to 6 certifi-
15 cates containing the number of votes cast separately
16 for President and Vice President. They shall attach
17 one of the lists of electors furnished them by the
18 Governor to each certificate. They shall seal each
19 certificate and attached list in an envelope stating
20 that a certificate of the votes of this State for
21 President and Vice President is contained inside.

22 4. Envelope sent immediately. The presidential
23 electors shall send one envelope immediately by reg-
24 istered mail to the President of the Senate of the
25 United States, Washington, D.C. They shall deliver 2
26 envelopes immediately to the Secretary of State of
27 this State, who shall hold one of them subject to the
28 order of the President of the Senate of the United
29 States and shall keep the other in his office as a
30 public record for one year. They shall immediately
31 deliver one envelope by registered mail to the Judge
32 of the United States District Court for the district
33 of Maine.

34 5. Envelopes sent next day. On the following
35 day, the presidential electors shall send 2 envelopes
36 by registered mail to the Administrator of General
37 Services of the United States, Washington, D.C.

38 §806. Compensation of electors and employees

39 The presidential electors shall be paid \$10 a day
40 for each day actually and necessarily employed in the
41 performance of their duties and necessary expenses,

1 including travel expenses, at the same rate as that
2 paid to members of the Legislature. The presidential
3 electors may hire necessary clerical employees who
4 shall be paid a reasonable compensation established
5 by the electors.

6 SUBCHAPTER VI

7 VOTING DEVICES

8 ARTICLE 1

9 VOTING MACHINES

10 §811. Obtaining and using

11 A municipality may obtain and use voting machines
12 according to the following provisions.

13 1. Purchased or rented. The municipality may ei-
14 ther purchase or rent voting machines.

15 2. Use authorized. The voting machines shall be
16 used at each type of election authorized by the leg-
17 islative body of the municipality. Once authorization
18 has been given for use of the machines at any type of
19 election, that authorization continues until specifi-
20 cally revoked by the legislative body.

21 3. Use in one or more districts. A municipality
22 which has more than one voting district may use vot-
23 ing machines in one or more of the districts as de-
24 termined by its legislative body.

25 4. Provided by municipality. In those municipal
26 voting districts using voting machines, the municipal
27 officers of each municipality must provide at least
28 one voting machine for each 450, or fraction exceed-
29 ing 1/2 of that number, of the voters qualified to
30 vote at each voting place.

31 §812. Requirements for machines

32 A voting machine purchased by a municipality must
33 meet the following requirements.

34 1. Secrecy. It must be constructed so that each
35 voter may vote in secrecy.

1 2. Voting limited. It must permit a voter to
2 vote once and only once for each candidate and each
3 question for whom or on which he is entitled to vote.
4 It must prevent a voter from voting for more persons
5 for an office than there are offices to be filled.

6 3. Write-in vote. It must permit a voter to vote
7 for a write-in candidate.

8 4. Form of ballot label. The titles of offices
9 may be arranged horizontally with the names of candi-
10 dates for an office arranged vertically under the ti-
11 tle of the office, or the titles of offices may be
12 arranged vertically with the names of candidates for
13 an office arranged horizontally opposite the title of
14 the office, or the titles of offices and the names of
15 candidates for an office may be arranged in any hori-
16 zontal and vertical combination as may be deemed ad-
17 visable by the Secretary of State.

18 5. Voting restricted at primary. It must prevent
19 a voter from voting for the nomination of candidates
20 of more than one party at a primary election.

21 6. Unauthorized voting prohibited. It must pre-
22 vent a voter from voting for any office or upon any
23 question for whom or on which he is not entitled to
24 vote.

25 7. Change of vote permitted. It must permit a
26 voter to change or retract a vote he has attempted to
27 cast for any person, or on any question, before his
28 vote has been completed and registered.

29 8. Device for printing or photographing candi-
30 date or question counters. It may be provided with a
31 device or devices for printing and photographing candi-
32 date and question counters which will provide a
33 record before the polls open and after the polls
34 close.

35 9. Official approval required. It must be of an
36 identical type approved by the Secretary of State and
37 the Attorney General.

38 §813. Regulations of Secretary of State

1 The Secretary of State may make reasonable regu-
2 lations governing the use of voting machines.

3 §814. Custody

4 The municipal clerk has custody of a voting ma-
5 chine used by the municipality.

6 1. Storage and maintenance. He is responsible
7 for the proper storage and maintenance of each ma-
8 chine.

9 A. He shall have each machine locked, sealed and
10 stored in a safe, dry building.

11 B. He shall have each machine kept in proper op-
12 erating condition.

13 §815. Expense of storage and maintenance

14 The municipality shall pay reasonable expenses
15 for the storage and maintenance of the machines as
16 authorized by the clerk.

17 §816. Operating instructions

18 The clerk must hold a meeting before an election
19 whenever it is necessary to instruct election offi-
20 cial in the operation of voting machines.

21 1. Permission to use machines refused. The clerk
22 may not permit a voting machine to be used at any
23 voting place, unless he is satisfied that the elec-
24 tion officials at that voting place know how to oper-
25 ate the machine properly and how to instruct a voter
26 in operating it.

27 §817. Ballot labels

28 The Secretary of State shall furnish the ballot
29 labels for all except municipal elections.

30 1. Content of label. The ballot label must con-
31 tain the names of the candidates or nominees of each
32 political party arranged as nearly as practicable in
33 accordance with the requirements for paper ballots,
34 except that the voting square shall be in the posi-

1 tion required by the construction of the machine and
2 subject to section 812, subsection 4.

3 2. Referendum question. A referendum question
4 must be arranged so that the voter may vote for or
5 against it.

6 §818. Arrangement of voting place

7 The municipal officers shall arrange each voting
8 place in compliance with section 627, except that
9 voting booths need not be furnished.

10 §819. Secrecy preserved

11 The warden at each voting place shall not remain
12 or allow any other person to remain where he can see
13 how anyone votes, except that a proper official may
14 remain when his assistance has been requested by a
15 voter.

16 §820. Warden to post specimen ballots or labels

17 The warden shall post 2 sets of specimen ballots
18 or 2 sets of specimen ballot labels conspicuously at
19 the voting place at the opening of the polls on elec-
20 tion day.

21 §821. Delivery

22 The municipal clerk shall perform the following
23 duties concerning the delivery of voting machines.

24 1. Delivery. He shall have the voting machines
25 delivered to each voting place at least 12 hours be-
26 fore the polls are opened on election day. At the
27 time of delivery, the ballot labels must be in place
28 on each machine.

29 2. Arrangements of machines. The clerk shall ar-
30 range each voting machine so that each ballot label,
31 when not in use, and the exterior of the machine are
32 completely visible to the election officials.

33 3. Machines locked. After the voting machines
34 have been placed in the proper position at the voting
35 place, the clerk shall make certain that each machine

1 is ready for use when the polls open and he shall
2 then lock each machine.

3 4. Keys to voting machines. At least 1/2 hour
4 before the polls are opened on election day, the
5 clerk shall deliver the keys to each machine in a
6 sealed envelope to the warden at the voting place.

7 §822. Preparation for voting

8 When it is time for the polls to open, the warden
9 shall open the envelope containing the keys to the
10 voting machines in the presence of an election clerk
11 from a political party other than that of the warden.

12 1. Counters exposed. If the number on the seal
13 agrees with the number on the envelope, the warden
14 shall open the doors concealing the counters, inspect
15 the machine and sign a certificate provided by the
16 Secretary of State showing that all counters are set
17 at "000," that the number of the protective counter
18 agrees with the number on the envelope and that all
19 parts of the machine and the ballot labels are in
20 proper condition for voting.

21 A. If the machine is provided with a device or
22 devices for printing or photographing candidate
23 and question counters, it is not necessary to
24 open the door concealing the counters. The warden
25 and the election clerk shall proceed to operate
26 the mechanism provided to produce one "before
27 election inspection record" showing whether the
28 candidate and question counters register "000"
29 and sign the certificate as prescribed by the
30 Secretary of State.

31 2. Machine satisfactory. If the machine is in
32 satisfactory condition for voting, the warden shall
33 immediately permit its use, after closing the doors
34 concealing the counters.

35 §823. Directions for voting

36 A voter must follow the same procedure before
37 voting as if paper ballots were being used. He is en-
38 titled to the same assistance in voting by machine as
39 by paper ballot.

1 §824. Challenge of right to vote

2 A voter who is challenged in a voting precinct
3 where voting machines are used may not use the voting
4 machine for casting his vote, but must use an offi-
5 cial paper ballot.

6 §825. Activation of machines

7 The voting machines shall be activated by the
8 warden or an election clerk designated by him.

9 1. Primary election. In a primary election, the
10 warden or, in his absence, a designated election
11 clerk must activate each voting machine so that a
12 voter can vote only for the candidates of the politi-
13 cal party in which he is enrolled.

14 §826. Procedure for tabulating votes

15 The following regulations outline the procedure
16 for tabulating votes at an election in which voting
17 machines are used.

18 1. Counters exposed. As soon as the polls are
19 closed, the warden shall unlock each machine to pre-
20 vent further voting. He shall then open the counters
21 on each voting machine so that anyone present can see
22 the totals. If the machine is provided with a device
23 for printing or photographing candidate and question
24 counters, it is not necessary to open the door con-
25 cealing the counters. The warden and an election
26 clerk from a political party other than that of the
27 warden shall proceed to operate the mechanism pro-
28 vided to produce a record of the votes cast on the
29 candidate and question counters. This record may be
30 considered an official statement or certificate of
31 returns for that machine and may be endorsed, deliv-
32 ered and filed as required by the Secretary of State.

33 2. Totals announced. The warden shall announce
34 the total for each candidate in the order shown on
35 the ballot label, for each referendum question and
36 for each write-in candidate. As each total is read,
37 it shall be recorded by an election clerk from a po-
38 litical party other than that of the warden.

1 3. Totals checked. When all the totals for a
2 voting machine have been read and recorded, the elec-
3 tion clerk shall check the totals recorded by him
4 with those appearing on the machine. If the totals do
5 not agree, the election clerk shall record the number
6 of the machine at the top of the column of totals re-
7 corded from it.

8 4. Machine locked. After allowing any person to
9 compare the record with the totals shown on the ma-
10 chine, the warden shall close and lock it with the
11 totals remaining on it and proceed to tabulate the
12 next machine in the same manner.

13 5. Paper ballots counted. After the totals for
14 all voting machines have been recorded and checked,
15 all absentee and other official paper ballots shall
16 be counted.

17 6. Total announced. As soon as the paper ballots
18 have been counted, the total vote for each candidate
19 and on each referendum question shall be tabulated
20 and the result announced by the warden.

21 §827. Procedure after election

22 The following procedure shall be observed after
23 an election at which voting machines are used.

24 1. Keys sealed in envelope. In the presence of
25 an election clerk from a political party other than
26 that of the warden, the warden shall enclose the keys
27 to each voting machine in separate envelopes fur-
28 nished by the municipal clerk. The warden shall write
29 the number of each machine, the location of the vot-
30 ing place in which it was used, the number on the
31 seal and the numbers registered on the protective
32 counter on the outside of each envelope.

33 2. Envelopes signed. After sealing each envelope
34 securely, the warden and the election clerk shall
35 sign their names on it and the warden shall have it
36 immediately returned to the municipal clerk.

37 3. Counter totals preserved. The totals shown on
38 the counters of a voting machine must be retained for
39 2 months after the election at which the machine is
40 used.

1 A. If the occurrence of another election re-
2 quires the removal of the counter totals within 2
3 months after an election, the municipal clerk
4 must have them photographed in his presence and
5 in the presence of the warden and an election
6 clerk of a party other than that of the warden.
7 The warden must make a statement showing the num-
8 ber and counter totals of each machine as it is
9 photographed. He must sign the statement, have it
10 attested and deliver it to the municipal clerk
11 who shall record it. As soon as the photographs
12 are printed legibly, the municipal clerk shall
13 remove the totals and retain the photographs for
14 the balance of the 2-month period. If the ma-
15 chines were equipped with a device or devices
16 which had produced a printed or photographed
17 record of the vote shown on the candidate and
18 question counters, the municipal clerk shall re-
19 move the totals and retain the printed or photo-
20 graphed record for the balance of the 2-month pe-
21 riod.

22 §828. Security for keys

23 The municipal clerk shall keep the keys to each
24 voting machine in a vault or safe which is kept se-
25 curately locked when the keys are not being removed
26 from or replaced in it. He shall not allow any unau-
27 thorized person to have possession of the keys to any
28 voting machine.

29 1. Keys returned. A person who is authorized to
30 have possession of the keys to a voting machine must
31 return them to the clerk when he no longer needs them
32 for the authorized purpose.

33 §829. Violation and penalty

34 Any person who alters, adjusts, operates, moves,
35 unlocks or unseals a voting machine or any part of a
36 voting machine, or who attempts such an act, with the
37 intent of changing the outcome of any election is
38 guilty of a Class D crime.

39 §830. Application of provisions to voting by machine

1 The provisions of this Title which are not incon-
2 sistent with this Article apply to all elections
3 where voting machines are used.

4 ARTICLE II

5 ELECTRONIC VOTING SYSTEMS

6 §841. Definitions

7 As used in this Article, unless the context indi-
8 icates otherwise, the following terms have the follow-
9 ing meanings.

10 1. Automatic tabulating equipment. "Automatic
11 tabulating equipment" means any apparatus which auto-
12 matically examines and counts votes recorded on paper
13 ballots or on ballot cards and tabulates the results.

14 2. Ballot. "Ballot" or "paper ballot" means the
15 printed paper ballot in the layout and format re-
16 quired to conform to the electronic voting system in
17 use.

18 3. Ballot card. "Ballot card" means a tabulating
19 card on which votes may be recorded.

20 4. Ballot labels. "Ballot labels" means the
21 pages, cards or other material containing the names
22 of offices and candidates and the statements of mea-
23 sures to be voted on, which are placed on the voting
24 device.

25 5. Counting center. "Counting center" means one
26 or more locations selected by the municipal officers
27 for the automatic counting of ballots.

28 6. Electronic voting system. "Electronic voting
29 system" means a system in which votes are recorded on
30 paper ballots utilizing special marking devices or on
31 ballot cards utilizing special styluses as part of a
32 voting device and these votes are subsequently
33 counted and tabulated by automatic tabulating equip-
34 ment at one or more counting centers.

35 7. Marking device. "Marking device" means any
36 special marking implements, styluses or fluorescent

1 or opaque inks that may be required for the marking
2 of paper ballots or ballot cards to conform with the
3 type of system in use.

4 8. Voting device. "Voting device" means all the
5 apparatus which the voter uses to record his votes on
6 paper ballots or on a tabulating card and all the au-
7 tomatic tabulating equipment that is integral to the
8 electronic voting system in use.

9 §842. Obtaining and using

10 A municipality may obtain and use electronic vot-
11 ing systems according to the following provisions.

12 1. Purchased or rented. The municipality may ei-
13 ther purchase or rent voting devices.

14 2. Use authorized. The voting devices may be
15 used at each type of election authorized by the leg-
16 islative body of the municipality. Once authorization
17 has been given for use of the devices at any type of
18 election, that authorization continues until specifi-
19 cally revoked by the legislative body.

20 3. Use in one or more districts. A municipality
21 which has more than one voting district may use vot-
22 ing devices in one or more of the districts as deter-
23 mined by its legislative body.

24 4. Provided by municipality. In those municipal
25 voting districts using electronic voting systems, the
26 municipal officers of each municipality must provide
27 at least one voting device for each 250, or fraction
28 exceeding 1/2 of that number, of the voters qualified
29 to vote at each voting place.

30 §843. Requirements for devices

31 A voting device purchased or rented by a munici-
32 pality must meet the following requirements.

33 1. Secrecy. It must be used so that each voter
34 may vote in secrecy.

35 2. Voting limited. It must permit each voter to
36 vote at any election for all persons and offices for

1 whom and for which he is entitled to vote; to vote
2 for as many persons for an office as he is entitled
3 to vote for; to vote for or against any question upon
4 which he is entitled to vote; and the automatic tabu-
5 lating equipment must reject choices recorded on his
6 ballot or ballot card, if the number of choices ex-
7 ceeds the number for which he is entitled to vote for
8 the office or on the measure.

9 3. Write-in vote. It must permit a voter to vote
10 for a write-in candidate.

11 4. Voting restricted at primary. It must prevent
12 a voter from voting for the nomination of candidates
13 of more than one party at a primary election.

14 5. Unauthorized voting prohibited. It must pre-
15 vent a voter from voting for any office or upon any
16 question for whom or on which he is not entitled to
17 vote.

18 6. Change of vote permitted. It must permit a
19 voter to change or retract a vote he has attempted to
20 cast, in accordance with section 693, before his bal-
21 lot or ballot card has been deposited in the ballot
22 box.

23 7. Official approval required. It must be of an
24 identical type approved by the Secretary of State and
25 the Attorney General.

26 §844. Regulations of Secretary of State

27 The Secretary of State may make reasonable regu-
28 lations governing the use of electronic voting sys-
29 tems.

30 §845. Custody

31 The municipal clerk has custody of voting devices
32 used by the municipality.

33 1. Storage and maintenance. He is responsible
34 for the proper storage and maintenance of each de-
35 vice.

36 A. He shall have each device sealed and stored
37 in a safe, dry building.

1 B. He shall have each device kept in proper op-
2 erating condition.

3 §846. Expense of storage and maintenance

4 The municipality shall pay reasonable expenses
5 for the storage and maintenance of the devices as au-
6 thorized by the clerk.

7 §847. Operating instructions

8 The clerk must hold a meeting before an election
9 whenever it is necessary to instruct election offi-
10 cial in the operation of voting devices.

11 1. Permission to use devices refused. The clerk
12 may not permit a voting device to be used at any vot-
13 ing place unless he is satisfied that the election
14 officials at that voting place know how to operate
15 the device properly and how to instruct a voter in
16 operating it.

17 §848. Ballot labels

18 The Secretary of State shall furnish all ballot
19 materials for all except municipal elections.

20 1. Ballot format. Ballots furnished for elec-
21 tions must have the titles of offices and the names
22 of candidates arranged in vertical columns. The of-
23 office title with a statement of the number of candi-
24 dates to be voted for must be printed above the names
25 of the candidates for that office. The names of can-
26 didates must be printed in the order provided by law
27 and the party designation of each candidate must be
28 printed following or below his name, in bold type.
29 The number of columns and the length of the ballot
30 may be adjusted as is necessary to accommodate all of
31 the offices, candidates and write-in spaces consti-
32 tuting the total slate for that election.

33 2. Content of label. The titles of offices and
34 the names of candidates on ballot labels may be ar-
35 ranged in vertical columns or in a series of separate
36 pages. The office title with a statement of the num-
37 ber of candidates to be voted for must be printed
38 above or at the side of the names of the candidates

1 for that office. The names of candidates must be
2 printed in the order provided by law, and in general
3 elections the party designation of each candidate,
4 which may be abbreviated, must be printed following
5 his name. In case there are more candidates for an
6 office than can be printed in one column or on one
7 ballot page, the ballot label must be clearly marked
8 that the list of candidates is continued on the fol-
9 lowing column or page, and so far as possible, the
10 same number of names must be printed on each column
11 or page. Arrows may be used to indicate the place to
12 vote for each candidate and on each measure.

13 3. Ballot labels for separate elections. The
14 different parts of the ballot, such as partisan, non-
15 partisan and measures, must be prominently indicated
16 on the ballot labels, and, if practicable, each part
17 must be placed on a separate page or pages. If 2 or
18 more elections are held on the same day, the ballot
19 labels must be clearly marked to indicate the ballot
20 for each election, and, if practicable, the ballot
21 labels for each election must be placed upon separate
22 pages and labels of a different color or tint may be
23 used for each election.

24 4. Referendum question. A referendum question
25 must be arranged so that the voter may vote for or
26 against it.

27 §849. Arrangement of voting place

28 The municipal officers shall arrange each voting
29 place in compliance with section 627.

30 §850. Secrecy preserved

31 The warden at each voting place shall not remain
32 or allow any other person to remain where he can see
33 how anyone votes, except that a proper official may
34 remain when his assistance has been requested by a
35 voter.

36 §851. Preparation for elections

37 The municipal clerk shall perform the following
38 duties in preparing for an election.

1 1. Ballots and supplies. He shall have the vot-
2 ing devices prepared for the election and shall de-
3 liver, to the precinct election officials or to the
4 polling place, voting devices, voting booths, ballot
5 boxes, ballots, ballot cards, "write-in" ballots,
6 marking devices and other records and supplies as re-
7 quired to conform with the system in use.

8 2. Ballot cards. Ballot cards must be of the
9 size, design and stock suitable for processing by au-
10 tomatic data processing machines. In primary elec-
11 tions, the ballot cards of each political party must
12 be distinctly marked or must be a different color or
13 tint so that the ballot cards of each political party
14 are readily distinguishable.

15 3. Write-in ballots. A separate write-in ballot
16 must be provided to permit voters to write in the ti-
17 tle of the office and the name of the person or pers-
18 ons for whom he wishes to vote.

19 4. Voting booths. Unless the voting device en-
20 ables the voter to mark his choices in secret, the
21 clerk must provide a sufficient number of voting
22 booths for each voting district or precinct, which
23 must allow the voter to mark his ballot in secret.

24 §852. Procedure at the polling place

25 The following regulations govern the procedure
26 for the conduct of elections in which an electronic
27 voting system is used.

28 1. Preparation for voting. Before the polls are
29 opened, the election officials shall arrive at the
30 polling place and place the voting devices in posi-
31 tion for voting. The officials shall ensure that the
32 devices are in proper working order and shall see
33 that the devices have the correct ballot labels by
34 comparing them with the specimen ballots. They shall
35 open and check the ballots, ballot cards, supplies,
36 records and forms and post the specimen ballots and
37 instructions to voters.

38 2. Instruction of voters. If requested, election
39 officials shall instruct a voter on how to operate
40 the voting device before he enters the voting booth.

1 If he needs additional instruction after entering the
2 voting booth, election officials may, if necessary,
3 enter the booth and give him additional instructions
4 in accordance with section 672.

5 3. Depositing ballot card in ballot box. After
6 the voter has marked his ballot card, he must place
7 the ballot card inside the envelope provided for this
8 purpose and deposit the envelope with the enclosed
9 ballot card in the ballot box.

10 4. Spoiled ballots. Any voter who spoils his
11 ballot card may return it enclosed in the envelope
12 and obtain a replacement not more than twice. The
13 word "Spoiled" must be written across the face of the
14 envelope which shall be placed in the spoiled ballot
15 card container.

16 5. Closing of the polls. As soon as the polls
17 have closed and the last qualified voter has voted,
18 all unused ballot cards and records and supplies
19 shall be placed in a container and sealed for return
20 to the municipal clerk. The ballot box shall be
21 opened at the polling place and all write-in votes
22 and absentee and other official paper ballots counted
23 and the regular ballot cards separated from the enve-
24 lopes. The separated ballot cards and envelopes,
25 along with absentee, write-in and other official pa-
26 per ballots, shall then be delivered to the counting
27 center for the official counting and recording of all
28 ballots cast.

29 §853. Delivery of ballots or ballot cards to the
30 counting center

31 The precinct election officials shall prepare a
32 report of the number of voters who have voted, as in-
33 dicated by the incoming voting list, and shall place
34 the original copy of this report in the ballot box or
35 ballot card container for delivery to the counting
36 center. The ballot box or ballot card container must
37 be sealed so that no additional ballots or ballot
38 cards may be deposited or removed. The duplicate copy
39 of the report shall be returned to the municipal
40 clerk with other records. The clerk shall have the
41 voted ballots or ballot cards of designated polling
42 places picked up at the polling places and delivered

1 to the counting center by authorized election offi-
2 cial or police officers.

3 §854. Test of automatic tabulating equipment; pro-
4 grams and voted ballot cards to be retained
5 under seal

6 Before counting the ballots, the clerk must have
7 the automatic tabulating equipment tested to ascer-
8 tain that it will accurately count the votes cast for
9 all offices and on all measures. The test must be
10 conducted by processing a preaudited group of ballots
11 or ballot cards, marked or punched to record a prede-
12 termined number of valid votes for each candidate and
13 on each measure. The test must include one or more
14 ballots which have votes for each office in excess of
15 the number allowed by law in order to test the abili-
16 ty of the automatic tabulating equipment to reject
17 those votes. In this test a different number of valid
18 votes must be assigned to each candidate for an of-
19 fice and for and against each measure. If any error
20 is detected, the cause for the error must be ascer-
21 tained and corrected and an errorless count must be
22 made and certified to by the clerk before the count
23 is started. The tabulating equipment must pass the
24 same test at the conclusion of the count before the
25 election returns are approved as official. The tests
26 provided for in this section must be open to the pub-
27 lic.

28 §855. Proceedings at the counting center

29 All proceedings at the counting center are under
30 the direction of the municipal clerk and shall be
31 conducted in the following manner.

32 1. Open to public. The count must be conducted
33 under the observation of the public, but no persons
34 except those authorized may touch any ballot card or
35 return.

36 2. Personnel to be deputized and take oath. All
37 persons who are engaged in processing and counting
38 the ballots must be deputized and take an oath that
39 they will faithfully perform their assigned duties.

1 3. Damaged or defective ballots or ballot cards.
2 If it appears that any ballot or ballot card is dam-
3 aged or defective so that it cannot properly be
4 counted by the automatic tabulating equipment, in the
5 case of a paper ballot, it must be tabulated manually
6 and, in the case of a ballot card, a true duplicate
7 copy must be made and substituted for the damaged
8 ballot card or the card may be tabulated manually.
9 All duplicate ballot cards must be clearly labeled
10 "duplicate" and must bear a serial number which shall
11 be recorded on the damaged or defective ballot card.

12 4. Ballots, ballot cards, program and text mate-
13 rials to be retained. When the count is completed,
14 the programs, test materials, ballots and ballot
15 cards shall be sealed and retained as provided in
16 section 23.

17 §856. Official returns

18 The official return of each voting district con-
19 sists of the certified return printed by the automat-
20 ic tabulating equipment and all certified absentee,
21 write-in and other official paper ballots. The offi-
22 cial returns shall be open to the public as soon as
23 the count is completed.

24 §857. Manual counting authorized

25 If for any reason it becomes impracticable to
26 count all or a part of the ballots or ballot cards
27 with tabulating equipment, the clerk shall have them
28 counted manually following the provisions governing
29 the counting of paper ballots.

30 §858. Absentee votes

31 Absentee votes may be cast on paper ballots or
32 ballot cards or both methods may be used. These bal-
33 lots may be counted by automatic tabulating equipment
34 or by deputized personnel at the counting center ap-
35 pointed by and under the direction of the clerk, ex-
36 cept that only ballots cast on ballot cards may be
37 counted by automatic tabulating equipment.

38 §859. Recounts

1 In case of a recount, the ballots or ballot cards
2 shall be recounted in the manner provided by sections
3 854 to 857, unless the court ordering the recount di-
4 rects that they be counted manually.

5 §860. Violation and penalty

6 The penal laws and election laws relating to mis-
7 conduct at elections apply to elections conducted
8 with voting devices and automatic tabulating equip-
9 ment. Any person who, before, during or after an
10 election, tampers with or willfully injures any vot-
11 ing device, ballot cards or other records or equip-
12 ment used in the election, or interferes or attempts
13 to interfere with the correct operation of such de-
14 vice or equipment or the secrecy of voting, is guilty
15 of a Class D crime.

16 §861. Application of provisions to voting by elec-
17 tronic voting system

18 The provisions of this Title which are not incon-
19 sistent with this Article apply to all elections
20 where an electronic voting system is used.

21 CHAPTER 11

22 BALLOT QUESTIONS

23 §901. Petitions

24 On a voter's written application, signed in the
25 office of the Secretary of State on a form designed
26 by the Secretary of State, the Secretary of State
27 shall furnish enough petition forms to enable the
28 voter to invoke the initiative procedure or the ref-
29 erendum procedure provided in the Constitution of
30 Maine, Article IV, Part Third. This application must
31 contain the names and addresses of 5 voters who shall
32 receive any notices in proceedings under this chap-
33 ter.

34 1. Limitation on referendum petition. An appli-
35 cation for a referendum petition must be filed in the
36 office of the Secretary of State within 10 days after
37 adjournment of the legislative session at which the
38 Act in question was passed.

1 2. Furnished within 10 days. The Secretary of
2 State shall furnish the forms within 10 days after
3 request and after payment.

4 3. Forms printed by voters. If a voter wishes to
5 furnish the forms by himself at his own expense, he
6 may do so, but those forms must first be approved by
7 the Secretary of State.

8 4. Ballot question. The ballot question for ini-
9 tiative and people's veto referenda shall be drafted
10 by the Secretary of State in accordance with section
11 906 and rules adopted under it. The question must be
12 conspicuously displayed on the face of the petition.

13 §902. Verification and certification

14 The verification and certification of the peti-
15 tion as required by the Constitution of Maine, Arti-
16 cle IV, Part Third, Section 20, must be worded so
17 that a single verification or certification may cover
18 one or more pages fastened together as a single peti-
19 tion.

20 §903. Instructions to be printed on

21 The Secretary of State shall prepare complete in-
22 structions to inform the clerk and the signer or
23 circulator of a petition of the statutory and consti-
24 tutional requirements. The instructions must specify
25 the conditions which have been held to invalidate ei-
26 ther individual signatures or complete petitions. The
27 instructions must be printed in bold type or capital
28 letters on the petition.

29 §904. Violations and penalties

30 The commission of any of the following acts is a
31 Class E crime:

32 1. False statement. A circulator of an initia-
33 tive or referendum petition who willfully swears that
34 one or more signatures to the petition were made in
35 his presence when those signatures were not made in
36 his presence or that one or more signatures are those
37 of the persons whose names they purport to be when he
38 knows that the signature or signatures are not those
39 of such persons;

1 2. False acknowledgement of oath. A person au-
2 thorized by law to administer oaths who willfully and
3 falsely acknowledges the oath of a circulator of an
4 initiative or referendum petition when that oath was
5 not made in his presence;

6 3. Unauthorized signature. A person who knowin-
7 gly signs an initiative or referendum petition with
8 any name other than his own; or

9 4. Duplicate signature. A person who knowingly
10 signs his name more than once on initiative or refer-
11 endum petitions for the same measure.

12 §905. Review of initiative and referendum petitions

13 1. Secretary of State. The Secretary of State
14 shall review all petitions filed in his office for a
15 referendum under the Constitution of Maine, Article
16 IV, Part Third, Section 17, or for an initiative un-
17 der the Constitution of Maine, Article IV, Part
18 Third, Section 18. The Secretary of State shall de-
19 termine the validity of these petitions and shall is-
20 ssue a written decision stating the reasons for his
21 decision within 25 days after the final date for fil-
22 ing the petitions in his office under the Constitu-
23 tion of Maine, Article IV, Part Third, Section 17 or
24 18.

25 2. Superior Court. Any voter named in the appli-
26 cation under section 901, or any person who has val-
27 idly signed the petitions, if these petitions are de-
28 termined to be invalid, or any other voter, if these
29 petitions are determined to be valid, may appeal the
30 decision of the Secretary of State by commencing an
31 action in the Superior Court. This action shall be
32 conducted in accordance with the Maine Rules of Civil
33 Procedure, Rule 80B, except as modified by this sec-
34 tion. This action must be commenced within 5 days of
35 the date of the decision of the Secretary of State
36 and shall be tried, without a jury, within 15 days of
37 the date of that decision. Upon timely application,
38 anyone may intervene in this action when the appli-
39 cant claims an interest relating to the subject mat-
40 ter of the petitions, unless the applicant's interest
41 is adequately represented by existing parties. The
42 court shall issue its written decision containing its

1 findings of fact and stating the reasons for its de-
2 cision within 30 days of the commencement of the tri-
3 al or within 45 days of the date of the decision of
4 the Secretary of State, if there is no trial.

5 3. Supreme Judicial Court. Any aggrieved party
6 may appeal the decision of the Superior Court, on
7 questions of law, by filing a notice of appeal within
8 3 days of that decision. The appellant must file the
9 required number of copies of the record with the
10 clerk within 3 days after filing notice of appeal.
11 After a notice of appeal is filed, the parties have
12 10 days to file briefs with the clerk of courts. As
13 soon as the record and briefs have been filed, the
14 court shall immediately consider the case. The court
15 shall issue its decision within 30 days of the date
16 of the decision of the Superior Court.

17 §906. Form of ballot

18 The Secretary of State shall prepare the ballots
19 for referendum questions according to the following
20 provisions.

21 1. Referendum questions on separate ballot. Ref-
22 erendum questions must be printed on a ballot sepa-
23 rate from the general election ballots. Two squares
24 must be printed at the left of any referendum ques-
25 tion submitted, with "Yes" above one and "No" above
26 the other, so that a voter may designate his choice
27 clearly by a cross or a check mark.

28 2. Bond issues; total interest. Whenever ratifi-
29 cation by the electors is essential to the validity
30 of bonds issued on behalf of the State, the ballot
31 must contain the total interest necessary for the re-
32 tirement of the bonds outstanding and unpaid.

33 3. Distinctively colored. Referendum ballots
34 must be printed on paper of a distinctive color se-
35 lected by the Secretary of State.

36 4. Size. The Secretary of State shall determine
37 the size of the ballots.

38 5. Contents concealed. The ballots must be
39 folded uniformly so that the interior contents are
40 concealed.

1 6. Wording of ballots for people's veto and ini-
2 tiative referenda. Ballots for a statewide vote on
3 people's veto and initiative questions must set out
4 the question to be voted on in clear, concise and di-
5 rect language. The Secretary of State, by rules
6 adopted under the Maine Administrative Procedure Act,
7 Title 5, chapter 375, shall establish a method for
8 drafting ballot questions which will attain that
9 standard of readability.

10 7. Order of questions on the ballot. The Secre-
11 tary of State shall arrange questions on the ballot
12 in the following order: People's veto questions; ini-
13 tiated measures; bond issues; constitutional amend-
14 ments; and other legislatively proposed referenda.
15 Within each group, questions must be arranged in a
16 random order determined by a selection process con-
17 ducted in public. All ballot questions must be num-
18 bered sequentially.

19 CHAPTER 13

20 CAMPAIGN REPORTS AND FINANCES

21 SUBCHAPTER I

22 GENERAL PROVISIONS

23 §1001. Definitions

24 As used in this chapter, unless the context oth-
25 erwise indicates, the following terms have the fol-
26 lowing meanings.

27 1. Commission. "Commission" means the Commission
28 on Governmental Ethics and Election Practices estab-
29 lished under Title 1, section 1002.

30 2. Election. "Election" means any primary, gen-
31 eral or special election for state or county offices.

32 3. Person. "Person" means an individual, commit-
33 tee, firm, partnership, corporation, association,
34 group or organization.

35 §1002. Meetings of commission

1 The commission shall meet in Augusta for the pur-
2 poses of this chapter at least 4 times during any
3 year in which primary and general elections are held.
4 The commission shall meet at other times on the call
5 of the Secretary of State, the Speaker of the House,
6 the President of the Senate and the chairman or a ma-
7 jority of the members of the commission, provided
8 that all members are notified of the time, place and
9 purpose of the meeting at least 24 hours in advance.

10 §1003. Investigations by commission

11 1. Investigations. The commission may investi-
12 gate to determine the facts concerning the registra-
13 tion of any political action committee and contribu-
14 tions by or to and expenditures by any person, candi-
15 date or political action committee. For this purpose,
16 the commission may subpoena witnesses and records and
17 take evidence under oath. Any person or political ac-
18 tion committee who fails to obey the lawful subpoena
19 of the commission or to testify before it under oath
20 shall be punished by the Superior Court for contempt
21 on application by the Attorney General on behalf of
22 the commission.

23 2. Investigations requested. Any person may ap-
24 ply in writing to the commission requesting an invest-
25 igation concerning the registration of any political
26 action committee and contributions by or to and ex-
27 pensitures by any person, candidate or political ac-
28 tion committee. The commission shall review the ap-
29 plication and shall make the investigation if the
30 reasons stated for the request show sufficient
31 grounds for believing that a violation may have oc-
32 curred.

33 3. State Auditor; Secretary of State. The State
34 Auditor and the Secretary of State shall assist the
35 commission in making investigations and in other
36 phases of the commission's duties under this chapter,
37 as requested by the commission, and shall have all
38 necessary powers to carry out these responsibilities.

39 4. Attorney General. The Attorney General is the
40 counsel for the commission and may examine any wit-
41 nesses before the commission. The commission shall
42 refer any apparent violations of this chapter to the
43 Attorney General for prosecution.

1 §1004. Violations

2 The violation of any of the following subsections
3 is a Class E crime.

4 1. Contributions and expenditures. No person,
5 candidate or political action committee may knowingly
6 make or accept any contribution or make any expendi-
7 ture in violation of this chapter.

8 2. False statements. No person, candidate or po-
9 litical action committee may make a false statement
10 in any report required by this chapter.

11 3. Contributions in another's name. No person
12 may make a contribution in the name of another person
13 or knowingly permit his name to be used to accomplish
14 such a contribution, and no person may knowingly ac-
15 cept a contribution made by one person in the name of
16 another person.

17 4. Registration; political action committees. No
18 political action committee required to be registered
19 under section 1053 may operate in this State unless
20 it is so registered.

21 SUBCHAPTER II

22 REPORTS ON CAMPAIGNS FOR OFFICE

23 §1011. Application

24 This subchapter applies to candidates for all
25 state and county offices and to campaigns for their
26 nomination and election. This subchapter also applies
27 to candidates for federal offices for the purposes of
28 section 1017, subsection 1.

29 §1012. Definitions

30 As used in this subchapter, unless the context
31 otherwise indicates, the following terms have the
32 following meanings.

33 1. Clearly identified. "Clearly identified,"
34 with respect to a candidate, means that:

- 1 A. The name of the candidate appears;
- 2 B. A photograph or drawing of the candidate ap-
- 3 pears; or
- 4 C. The identity of the candidate is apparent by
- 5 unambiguous reference.

6 2. Contribution. The term "contribution:"

7 A. Includes:

8 (1) A gift, subscription, loan, advance or
9 deposit of money or anything of value made
10 for the purpose of influencing the nomina-
11 tion or election of any person to state or
12 county office or for the purpose of liqui-
13 dating any campaign deficit of a candidate,
14 except that a loan of money to a candidate
15 by a financial institution in this State
16 made in accordance with applicable banking
17 laws and regulations and in the ordinary
18 course of business is not included;

19 (2) A contract, promise or agreement, ex-
20 pressed or implied, whether or not legally
21 enforceable, to make a contribution for such
22 purposes;

23 (3) Funds received by a candidate or a po-
24 litical committee which are transferred to
25 the candidate or committee from another po-
26 litical committee or other source; and

27 (4) The payment, by any person other than a
28 candidate or a political committee, of com-
29 ensation for the personal services of other
30 persons which are provided to the candidate
31 or political committee without charge for
32 any such purpose; and

33 B. Does not include:

34 (1) The value of services provided without
35 compensation by individuals who volunteer a
36 portion or all of their time on behalf of a
37 candidate or political committee;

1 (2) The use of real or personal property
2 and the cost of invitations, food and beverages,
3 voluntarily provided by an individual
4 to a candidate in rendering voluntary personal
5 services for candidate-related activities,
6 if the cumulative value of these activities
7 by the individual on behalf of any
8 candidate does not exceed \$50 with respect
9 to any election;

10 (3) The sale of any food or beverage by a
11 vendor for use in a candidate's campaign at
12 a charge less than the normal comparable
13 charge, if the charge to the candidate is at
14 least equal to the cost of the food or beverages
15 to the vendor and if the cumulative
16 value of the food or beverages does not exceed
17 \$50 with respect to any election;

18 (4) Any unreimbursed travel expenses incurred
19 and paid for by an individual who
20 volunteers his personal services to a candidate,
21 if the cumulative amount of these expenses
22 does not exceed \$50 with respect to
23 any election; or

24 (5) The payment by a party's state, district,
25 county or municipal committee of the costs of
26 preparation, display or mailing or other distribution
27 incurred by the committee with respect to a printed
28 slate card, sample ballot or other printed listing of 3 or more
29 candidates for any political office.
30

31 3. Expenditure. The term "expenditure:"

32 A. Includes:

33 (1) A purchase, payment, distribution,
34 loan, advance, deposit or gift of money or
35 anything of value made for the purpose of
36 influencing the nomination or election of
37 any person to political office, except that
38 a loan of money to a candidate by a financial
39 institution in this State made in accordance
40 with applicable banking laws and
41 regulations and in the ordinary course of

1 business is not included;

2 (2) A contract, promise or agreement, ex-
3 pressed or implied, whether or not legally
4 enforceable, to make any expenditure; or

5 (3) The transfer of funds by a candidate or
6 a political committee to another candidate
7 or political committee; and

8 B. Does not include:

9 (1) Any news story, commentary or editorial
10 distributed through the facilities of any
11 broadcasting station, newspaper, magazine or
12 other periodical publication, unless the fa-
13 ilities are owned or controlled by any po-
14 litical party, political committee or candi-
15 date;

16 (2) Nonpartisan activity designed to en-
17 courage individuals to register to vote or
18 to vote;

19 (3) Any communication by any membership or-
20 ganization or corporation to its members or
21 stockholders, if that membership organiza-
22 tion or corporation is not organized primar-
23 ily for the purpose of influencing the nomi-
24 nation or election of any person to state or
25 county office;

26 (4) The use of real or personal property
27 and the cost of invitations, food and bever-
28 ages, voluntarily provided by an individual
29 to a candidate in rendering voluntary per-
30 sonal services for candidate-related activi-
31 ties, if the cumulative value of these ac-
32 tivities does not exceed \$50 with respect to
33 any election;

34 (5) Any unreimbursed travel expenses in-
35 curring and paid for by an individual who
36 volunteers his personal services to a candi-
37 date, if the cumulative amount of these ex-
38 penditures does not exceed \$50 with respect to
39 any election;

1 (6) Any communication by any person which
2 is not made for the purpose of influencing
3 the nomination for election, or election, of
4 any person to state or county office;

5 (7) The payment by a party's state, dis-
6 trict, county or municipal committee of the
7 costs of preparation, display or mailing or
8 other distribution incurred by the committee
9 with respect to a printed slate card or sam-
10 ple ballot, or other printed listing, of 3
11 or more candidates for any political office
12 for which an election is held; or

13 (8) The use or distribution of any communi-
14 cation, as described in section 1014, pre-
15 pared for a previous election and fully paid
16 for during that election campaign which was
17 not used or distributed in that previous
18 election.

19 §1013. Treasurer; political committees

20 1. Candidates. A candidate may accept contribu-
21 tions personally or make or authorize expenditures
22 personally. A candidate may appoint a treasurer to
23 accept contributions or to make or authorize expendi-
24 tures. A candidate who appoints a treasurer must in-
25 form the commission of the name and address of his
26 treasurer, the name and address of the candidate mak-
27 ing the appointment and the treasurer's term of of-
28 fice, if any, within 7 days after the appointment.

29 2. Authorized political committees. A candidate
30 may authorize one or more political committees to
31 promote the candidate. Each of these political com-
32 mittees must appoint a treasurer before accepting any
33 contributions or making or authorizing any expendi-
34 tures. Within 7 days after that appointment, the po-
35 litical committee must inform the commission of the
36 name and address of its treasurer, the name or title
37 of the committee making the appointment and the
38 treasurer's term of office. In addition to the regis-
39 tration of its treasurer, a political committee au-
40 thorized by a candidate shall submit the names and
41 addresses of all of its officers to the commission,
42 whether or not the committee accepts any contribu-
43 tions or makes or authorizes any expenditures.

1 3. Other political committees. A political com-
2 mittee which is not authorized by a candidate, but
3 which accepts any contributions or makes or autho-
4 rizes any expenditures to promote or defeat a candi-
5 date or candidates, must appoint a treasurer before
6 accepting any contributions or making or authorizing
7 any expenditures. Within 7 days after that appoint-
8 ment, the political committee must inform the commis-
9 sion of the name and address of its treasurer, the
10 name or title of the committee making the appoint-
11 ment, the name of the candidate or candidates it in-
12 tends to promote or defeat and the treasurer's term
13 of office. In addition to the registration of its
14 treasurer, such a political committee shall submit
15 the names and addresses of all of its officers to the
16 commission.

17 4. Party committees. The state, district and
18 county committees of parties shall submit to the com-
19 mission the names and addresses of all their officers
20 and of their treasurers and the name and address of
21 the principal paid employee, if any, within 30 days
22 after the appointment, election or hiring of these
23 persons.

24 The state committee of a party may submit a consoli-
25 dated report, including the information required un-
26 der this subsection for the district, county and mu-
27 nicipal committees of that party.

28 §1014. Publication or distribution of political
29 statements

30 1. Authorized by candidate. Whenever any person
31 makes an expenditure to finance communications ex-
32 pressly advocating the election or defeat of a clear-
33 ly identified candidate through broadcasting sta-
34 tions, newspapers, magazines, outdoor advertising fa-
35 ilities, direct mails and other similar types of
36 general public political advertising and through
37 flyers, handbills, bumper stickers and other
38 nonperiodical publications, the communication, if au-
39 thorized by a candidate, a candidate's authorized po-
40 litical committee or their agents, must clearly and
41 conspicuously state that the communication has been
42 so authorized and must clearly state the name and ad-
43 dress of the person who made or financed the expendi-
44 ture for the communication.

1 2. Not authorized by candidate. If the communi-
2 cation described in subsection 1 is not authorized by
3 a candidate, a candidate's authorized political com-
4 mittee or their agents, the communication must clear-
5 ly and conspicuously state that the communication is
6 not authorized by any candidate and state the name
7 and address of the person who made or financed the
8 expenditure for the communication.

9 3. Broadcasting prohibited without disclosure.
10 No person operating a broadcasting station within
11 this State may broadcast any communication, as de-
12 scribed in subsections 1 and 2, without an oral or
13 written visual announcement of the name of the person
14 who made or financed the expenditure for the communi-
15 cation.

16 §1015. Limitations on contributions and expenditures

17 1. Individuals. No individual may make contribu-
18 tions to a candidate in support of the candidacy of
19 one person, aggregating more than \$1,000 in any elec-
20 tion. This limitation does not apply to contributions
21 in support of a candidate by that candidate or his
22 spouse.

23 2. Committees; corporations; associations. No
24 political committee, other committee, corporation or
25 association may make contributions to a candidate, in
26 support of the candidacy of one person, aggregating
27 more than \$5,000 in any election.

28 3. Aggregate contributions. No individual may
29 make contributions to candidates aggregating more
30 than \$25,000 in any calendar year. This limitation
31 does not apply to contributions in support of a candi-
32 date by that candidate or his spouse.

33 4. Political committees; intermediaries. For the
34 purpose of the limitations imposed by this section,
35 contributions made to any political committee autho-
36 rized by a candidate to accept contributions on the
37 candidate's behalf are considered to be contributions
38 made to that candidate.

39 For the purposes of the limitations imposed by this
40 section, all contributions made by a person, either

1 directly or indirectly, on behalf of a particular
2 candidate, including contributions which are in any
3 way earmarked or otherwise directed through an inter-
4 mediary or conduit to the candidate, are considered
5 to be contributions from that person to the candi-
6 date. The intermediary or conduit shall report the
7 original source and the intended recipient of the
8 contribution to the commission and to the intended
9 recipient.

10 5. Other contributions and expenditures. Expend-
11 itures made by any person in cooperation, consulta-
12 tion or concert with, or at the request or suggestion
13 of, a candidate, a candidate's political committee or
14 their agents are considered to be a contribution to
15 that candidate.

16 The financing by any person of the dissemination,
17 distribution or republication, in whole or in part,
18 of any broadcast or any written or other campaign ma-
19 terials prepared by the candidate, the candidate's
20 political committee or committees or their authorized
21 agents is considered to be a contribution to that
22 candidate.

23 6. Prohibited expenditures. A candidate, a po-
24 litical committee, a party or party committee, a per-
25 son required to file a report under this subchapter
26 or their authorized agents may not make any expendi-
27 tures for liquor to be distributed to or consumed by
28 voters while the polls are open on election day.

29 §1016. Records

30 Each treasurer or each candidate shall keep de-
31 tailed records of all contributions received and of
32 each expenditure which the treasurer or candidate
33 makes or authorizes, as provided in this section.

34 1. Segregated funds. All funds of a political
35 committee must be segregated from, and may not be
36 commingled with, any personal funds of officers, mem-
37 bers or associates of the committee.

38 2. Account of contributions. Every person who
39 receives a contribution in excess of \$10 for a candi-
40 date or a political committee shall give the treasur-

1 er or candidate a detailed account of the contribu-
2 tion on demand of the treasurer or candidate and in
3 any event within 5 days after receiving the contribu-
4 tion. This account must include the amount of the
5 contribution, the name and address of the person mak-
6 ing the contribution and the date on which the con-
7 tribution was received.

8 3. Record keeping. A treasurer or a candidate
9 shall keep a detailed and exact account of:

10 A. All contributions made to or for the candi-
11 date or committee;

12 B. The name and address of every person making a
13 contribution in excess of \$10, the date and
14 amount of that contribution and, if a person's
15 contributions in any report filing period aggre-
16 gate more than \$50, the account must include the
17 contributor's occupation and his principal place
18 of business, if any. If the contributor is a mem-
19 ber of a candidate's immediate family, as defined
20 in section 1015, subsection 1, the account must
21 also state that relationship. For purposes of
22 this paragraph, "filing period" is as provided in
23 section 1017, subsection 3, paragraph A;

24 C. All expenditures made by or on behalf of the
25 committee or candidate; and

26 D. The name and address of every person to whom
27 any expenditure is made and the date and amount
28 of the expenditure.

29 4. Receipts preservation. A treasurer or a candi-
30 date shall obtain and keep a receipted bill, stat-
31 ing the particulars, for every expenditure in excess
32 of \$50 made by or on behalf of a political committee
33 or a candidate and for any such expenditure in a
34 lesser amount if the aggregate amount of those ex-
35 penditures to the same person in any election exceeds
36 \$50. The treasurer or candidate shall preserve all
37 receipted bills and accounts required to be kept by
38 this section for 2 years following the final report
39 required to be filed for the election to which they
40 pertain, unless otherwise ordered by the commission
41 or a court.

1 §1017. Reports by candidates

2 1. Federal candidates. Each candidate for feder-
3 al office and the treasurer of the political commit-
4 tee or committees of each candidate shall file with
5 the commission a copy of the complete report required
6 of them under federal law on the same date that those
7 reports are required to be filed under federal law.

8 2. Gubernatorial candidates. Each candidate for
9 the office of Governor or the candidate's treasurer
10 and the treasurer of each political committee autho-
11 rized by the candidate shall file reports with the
12 commission as follows.

13 A. In any calendar year, other than a gubernato-
14 rial election year, in which the candidate and
15 the candidate's political committee or committees
16 received contributions in excess of \$1,000 or
17 made expenditures in excess of \$1,000, reports
18 shall be filed not later than 5 p.m. on January
19 15th of the following calendar year and must be
20 complete as of the close of the calendar year for
21 which the report is filed.

22 B. Reports shall be filed not later than 5 p.m.
23 on the 42nd day before the date on which an elec-
24 tion is held and must be complete as of the 49th
25 day before that date. If no report was filed un-
26 der paragraph A, the report required under this
27 paragraph must cover the 6 months immediately
28 preceding the completion date.

29 C. Reports shall be filed not later than 5 p.m.
30 on the 7th day before the date on which an elec-
31 tion is held and must be complete as of the 11th
32 day before that date.

33 D. Any contribution or expenditure of \$1,000 or
34 more, made after the 11th day and more than 48
35 hours before any election, shall be reported
36 within 48 hours of that contribution or expendi-
37 ture.

38 E. Reports shall be filed not later than 5 p.m.
39 on the 42nd day after the date on which an elec-
40 tion is held and must be complete for the entire

1 election campaign as of the 35th day after that
2 date.

3 F. Unless further reports will be filed in rela-
4 tion to a later election in the same calendar
5 year, the disposition of any surplus or deficit
6 in excess of \$50 shown in the reports described
7 in paragraph E shall be reported to the commis-
8 sion on the first day of each quarter of the
9 state's fiscal year, until the surplus is dis-
10 posed of or the deficit is liquidated. The re-
11 ports may either be filed in person with the com-
12 mission on that date or postmarked by that time
13 on that date. The reports must set forth any con-
14 tributions for the purpose of liquidating the
15 deficit, in the same manner as contributions are
16 set forth in other reports required in this sec-
17 tion.

18 G. Unless otherwise specified in this subsec-
19 tion, reports must be complete back to the com-
20 pletion date of the previous report. The report
21 described in paragraph E, if filed with respect
22 to a primary election, is considered a previous
23 report in relation to reports concerning a gener-
24 al election.

25 H. Reports with respect to a candidate who seeks
26 nomination by petition for the office of Governor
27 shall be filed on the same dates that reports
28 must be filed with respect to a candidate who
29 seeks that nomination by primary election.

30 3. Other candidates. Each candidate for state or
31 county office, other than the office of Governor, or
32 the candidate's treasurer and the treasurer of each
33 political committee authorized by a candidate shall
34 file reports with the commission as follows.

35 A. Reports shall be filed not later than 5 p.m.
36 on the 7th day before the date on which an elec-
37 tion is held and must be complete as of the 11th
38 day before that date. The first reports filed in
39 a year in which an election is held must cover
40 the 6 months immediately preceding the completion
41 date. Other reports must be complete for the fil-
42 ing period. A filing period is that period of

1 time from one completion date to the next comple-
2 tion date.

3 B. Any contribution or expenditure of \$1,000 or
4 more, made after the 11th day and more than 48
5 hours before any election, shall be reported
6 within 48 hours of that contribution or expendi-
7 ture.

8 C. Reports shall be filed not later than 5 p.m.
9 on the 42nd day after the date on which an elec-
10 tion is held and must be complete for the filing
11 period as of the 35th day after that date.

12 D. Unless further reports will be filed in rela-
13 tion to a later election in the same calendar
14 year, the disposition of any surplus or deficit
15 in excess of \$50 shown in the reports described
16 in paragraph C shall be reported to the commis-
17 sion on the first day of each quarter of the
18 state's fiscal year, until the surplus is dis-
19 posed of or the deficit is liquidated. The re-
20 ports must set forth any contributions for the
21 purpose of liquidating the deficit, in the same
22 manner as contributions are set forth in other
23 reports required in this section. The reports may
24 be either filed in person with the commission on
25 that date or postmarked by that time on that
26 date.

27 E. Reports with respect to a candidate who seeks
28 nomination by petition shall be filed on the same
29 dates that reports must be filed by a candidate
30 for the same office who seeks that nomination by
31 primary election.

32 4. New candidate or nominee. A candidate for
33 nomination or a nominee chosen to fill a vacancy un-
34 der chapter 5, subchapter III, shall file a campaign
35 report under this section within 15 days after his
36 appointment and thereafter on the appropriate sched-
37 ule under this section. The commission shall send no-
38 tification of this requirement and report forms to
39 the candidate immediately upon his appointment.

40 5. Content. A report required under this section
41 must contain the itemized accounts of contributions

1 received and the name, address, occupation and prin-
2 cipal place of business, if any, of each person who
3 has made a contribution aggregating in excess of \$50
4 for that report filing period. It must contain the
5 itemized expenditures made or authorized, the purpose
6 of each expenditure and the name of each payee and
7 creditor. Total contributions with respect to an
8 election of less than \$500 and total expenditures of
9 less than \$500 need not be itemized. The report must
10 contain a statement of any loan of money in an aggre-
11 gate amount of \$500 or more to a candidate by a fi-
12 nancial institution made during the period covered by
13 the report, whether or not the loan is defined as a
14 contribution under section 1012, subsection 2, para-
15 graph A.

16 6. Forms. Reports required by this section must
17 be on forms prescribed by the commission, prepared by
18 the Secretary of State and sent by the commission to
19 the candidate at least 7 days before the filing date
20 for the report. Persons filing reports may use addi-
21 tional pages if necessary, but the pages must be the
22 same size as the pages of the form. Although the com-
23 mission mails the forms for required reports, failure
24 to receive forms by mail does not excuse committees,
25 candidates and other persons who must file reports
26 from otherwise obtaining the forms.

27 §1018. Reports by party committees

28 1. State committee; federal reports. The state
29 committee of each party shall file with the commis-
30 sion a copy of the complete report required of them
31 under federal law on the same date that those reports
32 are required to be filed under federal law.

33 2. Party committee. When a state, district,
34 county or municipal committee of a party makes con-
35 tributions or expenditures, aggregating in excess of
36 \$50 in an election, that expressly advocate the elec-
37 tion or defeat of a candidate or candidates, other
38 than by contribution to a candidate or a candidate's
39 authorized political committee, the party committee
40 making the contribution or expenditure shall file a
41 report with the commission.

1 A. Reports required by this subsection in rela-
2 tion to a candidate for Governor shall be filed
3 on the same dates on which reports for gubernato-
4 rial candidates are to be filed under section
5 1017, subsection 2. Reports required by this sub-
6 section in relation to a candidate for state or
7 county office, other than Governor, shall be
8 filed on the same dates on which reports for
9 these candidates are to be filed under section
10 1017, subsection 3.

11 B. This report must contain an itemized account
12 of each such contribution or expenditure aggre-
13 gating in excess of \$50 in any election, the pur-
14 pose of each and the name of each payee or credi-
15 tor. Total contributions or expenditures of less
16 than \$500 in any election need not be itemized.

17 C. Reports required by this subsection must be
18 on forms prescribed by the commission, prepared
19 by the Secretary of State and sent by the commis-
20 sion to the candidate at least 7 days before the
21 filing date for the report. Persons filing these
22 reports may use additional pages if necessary,
23 but the pages must be the same size as the pages
24 of the form. Although the commission mails the
25 forms for required reports, failure to receive
26 forms by mail does not excuse committees, candi-
27 dates and other persons who must file reports
28 from otherwise obtaining the forms.

29 §1019. Reports by other persons

30 Each person, other than a candidate or a candi-
31 date's authorized political committee, who makes con-
32 tributions or expenditures, aggregating in excess of
33 \$50 in an election, that expressly advocate the elec-
34 tion or defeat of a clearly identified candidate,
35 other than by contribution to a candidate or a candi-
36 date's authorized political committee, shall file a
37 report with the commission.

38 1. Filing dates. Reports required by this sec-
39 tion in relation to a candidate for Governor shall be
40 filed on the same dates on which reports for gubernato-
41 rial candidates are to be filed under section 1017,
42 subsection 2. Reports required by this section in re-

1 lation to a candidate for state or county office,
2 other than the office of Governor, shall be filed on
3 the same dates on which reports for those candidates
4 are to be filed under section 1017, subsection 3.

5 2. Content. This report must contain an itemized
6 account of each contribution or expenditure aggregat-
7 ing in excess of \$50 in any election, the purpose of
8 each and the name of each payee or creditor. Total
9 contributions or expenditures of less than \$500 in
10 any election need not be itemized. The report must
11 state whether the contribution or expenditure is in
12 support of or in opposition to the candidate and must
13 include, under penalty of perjury, as provided in Ti-
14 tle 17-A, section 451, a statement under oath or af-
15 firmation whether the expenditure is made in coopera-
16 tion, consultation or concert with, or at the request
17 or suggestion of, any candidate or any authorized
18 committee or agent of a candidate. Any membership or-
19 ganization or corporation which makes a communication
20 to its members or stockholders expressly advocating
21 the election or defeat of a clearly identified candi-
22 date must report any expenditures aggregating in ex-
23 cess of \$50 for such a communication in any election,
24 whether or not the communication is defined as an ex-
25 penditure under section 1012, subsection 5, paragraph
26 C.

27 3. Forms. Reports required by this section must
28 be on forms prescribed by the commission, prepared by
29 the Secretary of State and sent by the commission to
30 the candidate at least 7 days before the filing date
31 for the report. Persons filing these reports may use
32 additional pages if necessary, but the pages must be
33 the same size as the pages of the form. Although the
34 commission mails the forms for required reports,
35 failure to receive forms by mail does not excuse com-
36 mittees, candidates and other persons who must file
37 reports from otherwise obtaining the forms.

38 §1020. Failure to file report on time

39 The commission shall determine whether a report
40 received after the date required by this subchapter
41 is late and, if determined to be late, the number of
42 days of lateness. If the reason for the late filing
43 is that the forms sent to the candidate by the com-

1 mission were not postmarked at least 7 days before
2 the filing date, the period for filing shall be in-
3 creased by the deficiency without penalty.

4 1. Penalty. There is a penalty of \$10 for each
5 business day that a report required to be filed under
6 this subchapter is late.

7 2. Notice of lateness. A notice of lateness
8 shall be sent to candidates and treasurers registered
9 with the commission whose reports are not received
10 within 2 days of the filing deadline. That notice
11 shall be sent on the 3rd day following the deadline.

12 3. Grace period. A late report filed within 10
13 days of any deadline, except a report required to be
14 filed 7 days before an election, is not subject to
15 penalty. Reports filed after this grace period are
16 subject to penalties from the original filing dead-
17 line.

18 4. Enforcement and collection. The commission,
19 upon determining that a report is late, shall notify
20 the Secretary of State of the lateness. The Secretary
21 of State has the initial responsibility for collect-
22 ing the full amount of any penalty within 30 days af-
23 ter receiving notice of a report's lateness from the
24 commission. The Secretary of State shall have all
25 necessary powers to carry out this responsibility.

26 Failure to pay the full amount of any penalty levied
27 under this section is a civil violation. Thirty days
28 after receiving notice of the lateness of any report,
29 the Secretary of State shall report to the Attorney
30 General the name of any person who has failed to pay
31 the full amount of any penalty. The Attorney General
32 shall enforce the violation in a civil action to col-
33 lect the full amount outstanding of the penalty. This
34 action shall be brought in the Superior Court for the
35 County of Kennebec or the District Court, 7th Dis-
36 trict, Division of South Kennebec.

37 SUBCHAPTER III

38 REPORTS ON REFERENDUM CAMPAIGNS

39 §1031. Application

1 This subchapter applies to campaigns for the ini-
2 tiation, promotion or defeat of questions.

3 §1032. Definitions

4 As used in this subchapter, unless the context
5 otherwise indicates, the following terms have the
6 following meanings.

7 1. Campaign. "Campaign" means a campaign for the
8 initiation, promotion or defeat of a question, in-
9 cluding:

10 A. The referendum procedure under the Constitu-
11 tion of Maine, Article IV, Part Third, Section
12 17;

13 B. The initiative procedure under the Constitu-
14 tion of Maine, Article IV, Part Third, Section
15 18;

16 C. An amendment to the Constitution of Maine un-
17 der the Constitution of Maine, Article X, Section
18 4;

19 D. Legislation expressly conditioned upon rati-
20 fication by a referendum vote under the Constitu-
21 tion of Maine, Article IV, Part Third, Section
22 19; and

23 E. The ratification of the issue of bonds by the
24 State or any agency of the State.

25 2. Contribution. The term "contribution:"

26 A. Includes:

27 (1) A gift, subscription, loan, advance or
28 deposit of money or anything of value made
29 for the purpose of influencing a campaign or
30 referendum;

31 (2) A contract, promise or agreement, ex-
32 pressed or implied, whether or not legally
33 enforceable, to make a contribution for such
34 purposes;

1 (3) Funds received by a person for the pur-
2 pose of influencing a campaign or referendum
3 which are transferred to that person from
4 another person, a political committee or
5 other source; and

6 (4) The payment, by any person other than a
7 person required to make a report under this
8 chapter, of compensation for the personal
9 services of other persons which are rendered
10 to a campaign without charge for any such
11 purpose; and

12 B. Does not include:

13 (1) The value of services provided without
14 compensation by individuals who volunteer a
15 portion or all of their time on behalf of a
16 campaign;

17 (2) The use of real or personal property
18 and the cost of invitations, food and bever-
19 ages, voluntarily provided by an individual
20 in rendering voluntary personal services for
21 campaign related activities, if the cumula-
22 tive value of these activities by the indi-
23 vidual on behalf of any campaign does not
24 exceed \$50 with respect to any campaign;

25 (3) The sale of any food or beverage by a
26 vendor for use in a campaign at a charge
27 less than the normal comparable charge, if
28 the charge for use in a campaign is at least
29 equal to the cost of the food or beverages
30 to the vendor and if the cumulative value of
31 the food or beverages does not exceed \$50
32 with respect to any campaign; or

33 (4) Any unreimbursed travel expenses in-
34 curring and paid for by an individual who
35 volunteers his personal services to a cam-
36 campaign if the cumulative amount of these ex-
37 penditures does not exceed \$50 with respect to
38 any campaign.

39 3. Expenditure. The term "expenditure:"

1 A. Includes:

2 (1) A purchase, payment, distribution,
3 loan, advance, deposit or gift of money or
4 anything of value made for the purpose of
5 influencing a campaign or referendum;

6 (2) A contract, promise or agreement, ex-
7 pressed or implied, whether or not legally
8 enforceable, to make any expenditures; and

9 (3) The transfer of funds to another person
10 for purposes of influencing a campaign or
11 referendum; and

12 B. Does not include:

13 (1) Nonpartisan activity designed to en-
14 courage individuals to register to vote, or
15 to vote;

16 (2) Any communication by any membership or-
17 ganization or corporation to its members or
18 stockholders, if the membership organization
19 or corporation is not organized primarily
20 for the purpose of influencing a campaign or
21 referendum;

22 (3) The use of real or personal property
23 and the cost of invitations, food and bever-
24 ages, voluntarily provided by an individual
25 in rendering voluntary personal services for
26 campaign-related activities, if the cumula-
27 tive value of these activities by the indi-
28 vidual on behalf of any campaign does not
29 exceed \$50 with respect to any campaign; or

30 (4) Any unreimbursed travel expenses in-
31 curring and paid for by an individual who
32 volunteers his personal services to a cam-
33 campaign if the cumulative amount of these ex-
34 penditures does not exceed \$50 with respect to
35 any campaign.

36 §1033. Committee

1 Any political committee which is formed with re-
2 spect to a campaign must appoint a treasurer before
3 accepting any contributions or making any expendi-
4 tures. Within 7 days after that appointment, the
5 committee must inform the commission of the name and
6 address of its treasurer, the name or title of the
7 committee making the appointment and the treasurer's
8 term of office. In addition to the registration of
9 its treasurer, the committee shall submit the names
10 and addresses of all of its officers to the commis-
11 sion.

12 §1034. Publication or distribution of statements

13 Whenever any person makes an expenditure to fi-
14 nance communications expressly advocating the initia-
15 tion, promotion or defeat of a question through
16 broadcasting stations, newspapers, magazines, outdoor
17 advertising facilities, direct mails and other simi-
18 lar types of general public political advertising and
19 through flyers, handbills, bumper stickers and other
20 nonperiodical publications, the communication must
21 clearly and conspicuously state the name and address
22 of the person who made or financed the expenditure
23 for the communication.

24 No person operating a broadcasting station within
25 this State may broadcast any such communication with-
26 out an oral or visual announcement of the name of the
27 person who made or financed the expenditure for the
28 communication.

29 §1035. Records

30 Any person who accepts contributions aggregating
31 in excess of \$50 or makes expenditures in excess of
32 \$50 with respect to any campaign shall keep records
33 as provided in this section.

34 1. Segregated funds. All funds of a committee
35 must be segregated from, and may not be commingled
36 with, any personal funds of officers, members or as-
37 sociates of the committee.

38 2. Account of contributions. Every person who
39 receives a contribution in excess of \$10 for a polit-
40 ical committee shall give the treasurer a detailed

1 account of the contribution on demand of the treasurer,
2 and in any event within 5 days after receiving
3 the contribution. This account must include the
4 amount of the contribution, the name and address of
5 the person making the contribution and the date on
6 which the contribution was received.

7 3. Recordkeeping. It is the duty of a person or
8 a treasurer to keep a detailed and exact account of:

9 A. All contributions made to or for a campaign
10 or to or for a committee;

11 B. The name and address of every person making a
12 contribution in excess of \$10, and the date and
13 amount of the contribution. If a person's con-
14 tributions in any campaign aggregate more than
15 \$50, the account must also include the contribu-
16 tor's occupation and principal place of business,
17 if any;

18 C. All expenditures made by or on behalf of the
19 campaign or committee; and

20 D. The name and address of every person to whom
21 any expenditure is made and the date and amount
22 of the expenditure.

23 4. Receipts preservation. It is the duty of a
24 person or treasurer to obtain and keep a receipted
25 bill, stating the particulars, for every expenditure
26 made by or on behalf of a campaign in excess of \$50,
27 and for any such expenditure in a lesser amount if
28 the aggregate amount of those expenditures to the
29 same person in any campaign exceeds \$50. The person
30 shall preserve all receipted bills and accounts re-
31 quired to be kept by this section for 2 years follow-
32 ing the final report required to be filed for the
33 campaign or referendum to which they pertain, unless
34 otherwise ordered by the commission or a court.

35 §1036. Reports

36 1. Who must file. Any person who accepts con-
37 tributions aggregating in excess of \$50 or makes ex-
38 penditures in excess of \$50 with respect to any cam-
39 campaign shall file a report with the commission, as

1 provided in this section. Any person who is required
2 under this subsection to file a report shall file a
3 report for each filing period in subsection 2, wheth-
4 er or not contributions or expenditures are in excess
5 of \$50 in any one period.

6 2. Filing dates. Reports shall be filed with
7 the commission according to the schedule in this sec-
8 tion. A report must cover the 6 months immediately
9 preceding the reporting date or the period since the
10 completion date of a previous report on the same cam-
11 paign.

12 A. In the case of the referendum procedure under
13 the Constitution of Maine, Article IV, Part
14 Third, Section 17, and of the initiative proce-
15 cedure under the Constitution of Maine, Article IV,
16 Part Third, Section 18, a report shall be filed
17 with the commission not later than 5 p.m. on the
18 14th day after the final date provided in the
19 Constitution of Maine for filing petitions under
20 the appropriate procedure and must be complete as
21 of that final date.

22 B. A report shall be filed with the commission
23 not later than 5 p.m. on the 42nd day before the
24 date of the referendum and must be complete as of
25 the 49th day before the date of the referendum.
26 This requirement applies to each campaign defined
27 in section 1032.

28 C. A report shall be filed with the commission
29 not later than 5 p.m. on the 7th day before the
30 date of the referendum and must be complete as of
31 the 11th day before the date of the referendum.
32 This requirement applies to each campaign defined
33 in section 1032.

34 D. Any contribution or expenditure of \$1,000 or
35 more, made after the 11th day and more than 48
36 hours before any referendum, shall be reported
37 within 48 hours of the contribution or expendi-
38 tures. This requirement applies to each campaign
39 defined in section 1032.

40 E. A report shall be filed not later than 5 p.m.
41 on the 42nd day after the date on which a refer-

1 endum is held and must be complete for the entire
2 campaign as of the 35th day after that date.
3 This requirement applies to each campaign defined
4 in section 1032.

5 F. The disposition of any surplus or deficit in
6 excess of \$50 shown in the reports described in
7 paragraph E shall be reported to the commission
8 on the first day of each quarter of this state's
9 fiscal year, until the surplus is disposed of or
10 the deficit is liquidated. The reports must set
11 forth any contributions for the purpose of liqui-
12 dating the deficit, in the same manner as contri-
13 butions are set forth in other reports required
14 in this section.

15 3. Content. A report required under this sec-
16 tion must contain the itemized accounts of contribu-
17 tions received and the name, address, occupation and
18 principal place of business, if any, of each person
19 who has made a contribution aggregating in excess of
20 \$50 for that campaign. It must contain the itemized
21 expenditures made or authorized, the purpose of each
22 expenditure and the name of each payee and creditor.
23 Total contributions of less than \$500, except when
24 contributions in any campaign by one person aggregat-
25 ing in excess of \$50 are included, and total expendi-
26 tures of less than \$500 need not be itemized.

27 4. Forms. Reports required by this subchapter
28 must be on forms prescribed by the commission and
29 prepared by the Secretary of State. Persons filing
30 reports may use additional pages if necessary, but
31 those pages must be the same size as the pages of the
32 form. Although the commission mails the forms for
33 required reports, failure to receive forms by mail
34 does not excuse persons required to file reports from
35 otherwise obtaining the forms.

36 §1037. Failure to file report on time

37 The commission shall determine whether a report
38 received after the date required by this subchapter
39 is late and, if determined to be late, the number of
40 days of lateness.

1 1. Penalty. There is a penalty of \$10 for each
2 business day that a report required to be filed under
3 this subchapter is late.

4 2. Enforcement and collection. The commission,
5 upon determining that a report is late, shall notify
6 the Secretary of State of the lateness. The Secre-
7 tary of State has the initial responsibility for col-
8 lecting the full amount of any penalty within 30 days
9 after receiving notice of a report's lateness from
10 the commission. The Secretary of State shall have
11 all necessary powers to carry out this responsibili-
12 ty.

13 Failure to pay the full amount of any penalty levied
14 under the provisions of this section is a civil vio-
15 lation. Thirty days after receiving notice of the
16 lateness of any report, the Secretary of State shall
17 report to the Attorney General the name of any person
18 who has failed to pay the full amount of any penalty.
19 The Attorney General shall enforce the violation in a
20 civil action to collect the full amount outstanding
21 of the penalty. The action shall be brought in the
22 Superior Court for the County of Kennebec or the Dis-
23 trict Court, 7th District, Division of Southern Ken-
24 nebec.

25 SUBCHAPTER IV

26 REPORTS BY POLITICAL ACTION COMMITTEES

27 §1051. Application

28 This subchapter applies to the activities of po-
29 litical action committees organized in this State
30 which expend in excess of \$50 in any one calendar
31 year for the election of state or county officers, or
32 for the support or defeat of any campaign, as defined
33 in this subchapter.

34 §1052. Definitions

35 As used in this subchapter, unless the context
36 otherwise indicates, the following terms have the
37 following meanings.

1 1. Campaign. "Campaign" means any course of ac-
2 tivities for a specific purpose such as the initia-
3 tion, promotion or defeat of a candidate or question,
4 including:

5 A. The referendum procedure under the Constitu-
6 tion of Maine, Article IV, Part Third, Section
7 17;

8 B. The initiative procedure under the Constitu-
9 tion of Maine, Article IV, Part Third, Section
10 18;

11 C. An amendment to the Constitution of Maine un-
12 der Article X, Section 4;

13 D. Legislation expressly conditioned upon rati-
14 fication by a referendum vote under the Constitu-
15 tion of Maine, Article IV, Part Third, Section
16 19; and

17 E. The ratification of the issue of bonds by the
18 State or any agency thereof.

19 2. Committee. "Committee" means any political
20 action committee, as defined in this subchapter, and
21 includes any agent of a political committee.

22 3. Contribution. "Contribution" includes:

23 A. A gift, subscription, loan, advance or depos-
24 it of money or anything of value made to a polit-
25 ical action committee, except that a loan of mon-
26 ey by a financial institution made in accordance
27 with applicable banking laws and regulations and
28 in the ordinary course of business is not in-
29 cluded;

30 B. A contract, promise or agreement, expressed
31 or implied whether or not legally enforceable, to
32 make a contribution to a political action commit-
33 tee;

34 C. Any funds received by a political action com-
35 mittee which are to be transferred to any candi-
36 date, committee, campaign or organization for the
37 purpose of promoting, defeating or initiating a

1 candidate, campaign referendum, political party
2 or initiative in this State; or

3 D. The payment, by any person or organization,
4 of compensation for the personal services of oth-
5 er persons provided to a political action commit-
6 tee which is used by the political action commit-
7 tee to promote, defeat or initiate a candidate,
8 campaign political party, referendum or initiated
9 petition in this State.

10 4. Expenditure. The term "expenditure:"

11 A. Includes:

12 (1) A purchase, payment, distribution,
13 loan, advance, deposit or gift or money or
14 anything of value, made for the purpose of
15 influencing the nomination or election of
16 any person to political office; or for the
17 initiation, support or defeat of a campaign,
18 referendum or initiative in this State;

19 (2) A contract, promise or agreement, ex-
20 pressed or implied, whether or not legally
21 enforceable, to make any expenditure for the
22 purposes set forth in this paragraph; and

23 (3) The transfer of funds by a political
24 action committee to another candidate or po-
25 litical committee; and

26 B. Does not include:

27 (1) Any news story, commentary or editorial
28 distributed through the facilities of any
29 broadcasting station, newspaper, magazine or
30 other periodical publication, unless these
31 facilities are owned or controlled by any
32 political party, political committee or can-
33 didate;

34 (2) Nonpartisan activity designed to en-
35 courage individuals to register to vote or
36 to vote;

1 (3) Any communication by any membership or-
2 ganization or corporation to its members or
3 stockholders, if that membership organiza-
4 tion or corporation is not organized primar-
5 ily for the purpose of influencing the nomi-
6 nation or election of any person to state or
7 county office;

8 (4) The use of real or personal property
9 and the cost of invitations, food and bever-
10 ages, voluntarily provided by a political
11 action committee in rendering voluntary per-
12 sonal services for candidate-related activi-
13 ties, if the cumulative value of these ac-
14 tivities by the political action committee
15 on behalf of any candidate does not exceed
16 \$50 with respect to any election;

17 (5) Any unreimbursed travel expenses in-
18 curring and paid for by a political action
19 committee which volunteers personal services
20 to a candidate, if the cumulative amount of
21 these expenses does not exceed \$50 with re-
22 spect to any election; and

23 (6) Any communication by any political ac-
24 tion committee member which is not made for
25 the purpose of influencing the nomination
26 for election, or election, of any person to
27 state or county office.

28 5. Political action committee. The term "polit-
29 ical action committee:"

30 A. Includes:

31 (1) Any separate or segregated fund estab-
32 lished by any corporation, membership orga-
33 nization, cooperative or labor organization
34 whose purpose is to influence the outcome of
35 an election including a candidate or ques-
36 tion; and

37 (2) Any person which serves as a funding
38 and transfer mechanism and by which moneys
39 are expended to advance, promote, defeat,
40 influence in any way or initiate a candi-

1 date, campaign, political party, referendum
2 or initiated petition in this State; and

3 B. Does not include:

4 (1) A candidate or a candidate's treasurer
5 under section 1013, subsection 1;

6 (2) A candidate's authorized political com-
7 mittee under section 1013, subsection 2; or

8 (3) A party committee under section 1013,
9 subsection 4.

10 §1053. Registration

11 Every political action committee which makes ex-
12 penditures in excess of \$50 in any single calendar
13 year to initiate, support, defeat or influence in any
14 way a campaign, a referendum, initiated petition,
15 candidate, political committee or another political
16 action committee must register with the commission on
17 forms prescribed by the commission. These forms must
18 include the following information and any additional
19 information reasonably required by the commission or
20 the Secretary of State to monitor the activities of
21 political action committees in this State under this
22 subchapter.

23 1. Identification of committee. The names and
24 mailing addresses of the committee, its treasurer and
25 its principal officers;

26 2. Status. A statement whether the political
27 action committee is a continuing one;

28 3. Depository of funds. The names and addresses
29 of the depositories in which funds of the committee
30 are kept and the account numbers of each depository
31 account;

32 4. Form of organization. The form or structure
33 of organization, including cooperatives, corpora-
34 tions, voluntary associations, partnerships or any
35 other structure by which the committee functions.
36 The date of origin or incorporation must also be
37 specified;

1 5. Assets. The total assets of the committee
2 available to influence elections in this State at the
3 time of registration to be itemized and to include
4 deposits in financial institutions, real property,
5 personal property, investments, cash and any other
6 form of wealth available to the committee;

7 6. Statement of support or opposition. A state-
8 ment indicating the positions of the committee, sup-
9 port or opposition, with respect to a candidate, po-
10 litical committee, referendum, initiated petition or
11 campaign, if known at the time of registration. If a
12 committee has no position on a candidate, campaign or
13 issue at the time of registration, the committee must
14 inform the commission as soon as the committee knows
15 this information; and

16 7. Contributions to committee. The names and
17 mailing addresses of contributors who donate in ex-
18 cess of \$50 each year to the committee with amount or
19 value of each contribution at the time of registra-
20 tion. Any person who makes contributions on an in-
21 stallment basis, the total of which exceeds \$50 in
22 the calendar year, is considered a contributor to be
23 identified under this subsection.

24 §1054. Appointment of treasurer

25 Any political action committee required to regis-
26 ter under section 1053 must appoint a treasurer be-
27 fore making any expenditure, as defined in this chap-
28 ter. The treasurer shall retain, for a minimum of 4
29 years, all receipts, including cancelled checks, of
30 expenditures made in support of or in opposition to a
31 campaign, political committee, political action com-
32 mittee, referendum or initiated petition in this
33 State.

34 §1055. Publication or distribution of statements

35 Whenever any political action committee makes an
36 expenditure to finance communications expressly advo-
37 cating the initiation, promotion or defeat of a ques-
38 tion or candidate through broadcasting stations,
39 newspapers, magazines, outdoor advertising facili-
40 ties, direct mails and other similar types of general
41 public political advertising and through flyers,

1 handbills, bumper stickers and other nonperiodical
2 publications, these communications must clearly and
3 conspicuously state the name and address of the po-
4 litical action committee which made or financed the
5 expenditure for the communication.

6 No person operating a broadcasting station with-
7 in this State may broadcast any such communication
8 without an oral or visual announcement of the name
9 and address of the political action committee which
10 made or financed the expenditure for the communica-
11 tion and statement that reads: "A copy of our report
12 is available from and may be viewed at the office of
13 the Secretary of State."

14 §1056. Expenditure limitations

15 Any committee required to register under this
16 chapter shall comply with the following expenditure
17 limitations.

18 1. Aggregate expenditures. No committee may
19 make expenditures in support of or opposition to the
20 candidacy of one person or to a political committee
21 in an aggregate amount greater than \$5,000 in any
22 election.

23 2. Prohibited expenditures. No committee may
24 make any expenditure for liquor to be distributed to
25 or consumed by voters while the polls are open on
26 election day.

27 §1057. Records

28 Any political action committee that makes expend-
29 itures which aggregate in excess of \$50 to any one or
30 more candidates, committees or campaigns in this
31 State shall keep records as provided in this section.
32 Records required to be kept under subsections 1, 2
33 and 3 shall be retained by the political action com-
34 mittee until 10 days after the next election follow-
35 ing the election to which the records pertain.

36 1. Details of records. The treasurer of a po-
37 litical action committee must record a detailed ac-
38 count of:

1 A. All expenditures made to or in behalf of a
2 candidate, campaign or committee;

3 B. The identity and address of each candidate,
4 campaign or committee;

5 C. The office sought by a candidate and the dis-
6 trict he seeks to represent, for candidates which
7 a political action committee has made an expendi-
8 ture to or in behalf of; and

9 D. The date of each expenditure.

10 2. Receipts. The treasurer of a political ac-
11 tion committee must retain all receipts of expendi-
12 tures made for a candidate, committee or campaign in
13 this State. Receipts may be in the form of cancelled
14 checks.

15 3. Record of contributions. The treasurer of a
16 political action committee must keep a record of all
17 contributions to the committee, by name and mailing
18 address, of each donor and the amount and date of the
19 contribution. This provision does not apply to con-
20 tributions which are less than \$51 each for a general
21 election, primary election and campaign.

22 §1058. Reports, qualifications for filing

23 Any political action committee that expends in
24 excess of \$50 on any one or more campaigns for the
25 office of Governor, for state or county office or for
26 the support or defeat of a referendum or initiated
27 petition shall file a report on its activities in
28 that campaign with the commission on forms as pre-
29 scribed by the commission. Any political action com-
30 mittee required under this section to file a report
31 shall file the report for each filing period under
32 section 1059, whether or not the expenditures are in
33 excess of \$50 in any one period.

34 §1059. Reports; filing requirements

35 Political action committees required under sec-
36 tion 1053 to file reports shall do so in compliance
37 with this section. All reports must be filed no la-
38 ter than 5 p.m. on the filing deadline.

1 1. Periodic reports. During the year in which
2 an election is held, committees shall file reports as
3 required by this subsection. The reports required in
4 paragraphs A to C must contain: Itemized expendi-
5 tures required by the commission to closely monitor
6 the activities of political action committees; aggregate
7 expenditures for the periods between the filing
8 dates specified; and cumulative aggregated expendi-
9 tures which must include all preceding reporting pe-
10 riods. The commission may accept computer printout
11 sheets that contain the information required by this
12 chapter.

13 A. Primary election reports shall be filed:

14 (1) On January 22nd and must be complete as
15 of January 15th. This report must cover all
16 previous expenditures made by the committee
17 to influence, in any way, the outcome of a
18 primary election;

19 (2) On April 8th and must be complete as of
20 April 1st;

21 (3) On the 7th day before the date on which
22 a primary election is held and must be com-
23 plete as of the 11th day before that date;
24 and

25 (4) On July 22nd and must be complete as of
26 July 15th. This report must aggregate all
27 expenditures made to influence, in any way,
28 the outcome of a primary election.

29 B. General election reports shall be filed:

30 (1) On January 22nd and must be complete as
31 of January 15th. This report must cover all
32 previous expenditures made by the committee
33 to influence, in any way, the outcome of a
34 general election;

35 (2) On April 8th and must be complete as of
36 April 1st;

37 (3) On July 22nd and must be complete as of
38 July 15th;

1 (4) On October 8th and must be complete as
2 of October 1st;

3 (5) On the 7th day before the date on which
4 a general election is held and must be com-
5 plete as of the 11th day before that date;
6 and

7 (6) On December 22nd and must be complete
8 as of December 15th. This report must ag-
9 gregate all expenditures made to influence,
10 in any way, the outcome of a general elec-
11 tion.

12 C. Reports of spending to influence referenda,
13 initiative, bond issues or constitutional amend-
14 ment elections shall be filed:

15 (1) On January 22nd and must be complete as
16 of January 15th. This report must cover all
17 previous expenditures made by the committee
18 to influence, in any way, the outcome of a
19 ballot issue campaign;

20 (2) On April 8th and must be complete as of
21 April 1st;

22 (3) On July 22nd and must be complete as of
23 July 15th;

24 (4) On October 8th and must be complete as
25 of October 1st;

26 (5) On the 7th day before the date on which
27 a ballot question election is held and must
28 be complete as of the 11th day before that
29 date; and

30 (6) On December 22nd and must be complete
31 as of December 15th. This report must ag-
32 gregate all expenditures made to influence,
33 in any way, the outcome of a ballot question
34 campaign.

35 2. Annual reports. If a political action com-
36 mittee makes expenditures in excess of \$50 to influ-
37 ence, in any way, the outcome of an election in a

1 year other than the year in which that election is
2 held, the committee shall file an annual report on
3 forms prescribed by the commission. That report is
4 due on January 22nd of the next calendar year and
5 must be complete as of the close of the calendar year
6 during which the expenditures were made.

7 3. Report of expenditures made after the 11th
8 day and more than 48 hours before any election. Any
9 expenditures of \$100 or more, made after the 11th day
10 and more than 48 hours before any election, shall be
11 reported within 48 hours of that expenditure.

12 4. Special election reports. If a special elec-
13 tion is held, a political action committee which
14 makes expenditures in excess of \$50 to influence, in
15 any way, the outcome of that special election shall
16 file reports on forms prescribed by the commission.
17 Special election reports shall be filed:

18 A. On the 42nd day before the date on which the
19 special election is held and must be complete as
20 of the 49th day before that date. This report
21 must cover all previous expenditures made by the
22 committee to influence, in any way, the outcome
23 of the special election;

24 B. On the 7th day before the date on which the
25 special election is held and must be complete as
26 of the 11th day before that date; and

27 C. On the 42nd day after the date on which the
28 special election is held and must be complete as
29 of the 35th day after that date. This report
30 must aggregate all expenditures made to influ-
31 ence, in any way, the outcome of the special
32 election.

33 §1060. Content of reports

34 The reports must contain the following informa-
35 tion and any additional information required by the
36 commission to monitor the activities of political ac-
37 tion committees:

38 1. Identification of candidates. The names and
39 mailing addresses of any candidate whom the committee

1 supports, intends to support or seeks to defeat. The
2 report must indicate the office that the candidate is
3 seeking, the political party represented by the candi-
4 date, if any, the date of the contest and whether
5 the contest is an election or a primary;

6 2. Identification of committees; parties. The
7 names and mailing addresses of any political commit-
8 tee or political party supported in any way by the
9 registrant;

10 3. Identification of referendum or initiated pe-
11 tition. The referendum or initiated petition which
12 the committee supports or opposes and the names and
13 mailing addresses of the organizations to which ex-
14 penditures were made;

15 4. Itemized expenditures. An itemization of ex-
16 penditures and the date of each expenditure made to
17 support or oppose any candidate, campaign, political
18 committee, political action committee, political par-
19 ty, referendum or initiated petition. The commission
20 may specify the categories of expenditures which are
21 to be reported to enable the commission to closely
22 monitor the activities of political action commit-
23 tees;

24 5. Aggregate expenditures. An aggregation of
25 expenditures and cumulative aggregation of expendi-
26 tures to a candidate, campaign, political committee,
27 political action committee, referendum or initiated
28 petition; and

29 6. Identification of contributions. Names and
30 mailing addresses of contributors who have given more
31 than \$50 to the political committee after the commit-
32 tee has registered under section 1053, the amount
33 contributed by each donor and the date of the contri-
34 bution. The information required in this subsection
35 must be kept separate from the information required
36 in section 1053, subsection 7.

37 §1061. Dissolution of committees

38 Whenever any political action committee disbands
39 or determines that obligations will no longer be in-
40 curring and no expenditures will be made to any candi-

1 date, political committee or political party, or to
2 initiate, support, defeat or influence in any way the
3 outcome of a referendum, initiated petition, election
4 or primary, and the committee has no outstanding ob-
5 ligations, it must file a termination report with the
6 Secretary of State. If a termination report is not
7 filed, the committee shall continue to file periodic
8 reports as required in this chapter.

9 §1062. Failure to file report on time

10 The commission shall determine whether a report
11 received after the date required by this subchapter
12 is late and, if determined to be late, the number of
13 days of lateness.

14 1. Penalty. There is a penalty of \$50 for each
15 business day that a report required to be filed under
16 this subchapter is late.

17 2. Notice of lateness. A notice of lateness
18 shall be sent to political action committees and
19 treasurers registered with the commission whose re-
20 ports are not received by 2 days after the filing
21 deadline. That notice shall be sent on the 3rd day
22 following the deadline.

23 3. Grace period. A late report filed within 10
24 days of any deadline, except a report required to
25 filed within 11 days before an election, is not sub-
26 ject to penalty. Reports filed after this grace pe-
27 riod are subject to penalties from the original fil-
28 ing deadline.

29 4. Enforcement and collection. The commission,
30 upon determining that a report is late, shall notify
31 the Secretary of State of the lateness. The Secre-
32 tary of State has the initial responsibility for col-
33 lecting the full amount of any penalty within 30 days
34 after receiving from the commission notice of a
35 report's lateness. The Secretary of State shall have
36 all necessary powers to carry out this responsibili-
37 ty.

38 Failure to pay the full amount of any penalty
39 levied under this section is a civil violation.
40 Thirty days after receiving notice of the lateness of

1 any report, the Secretary of State shall report to
2 the Attorney General the name of any political action
3 committee which has failed to pay the full amount of
4 any penalty. The Attorney General shall enforce this
5 violation in a civil action to collect the full
6 amount outstanding of the penalty. The action shall
7 be brought in the Superior Court for the County of
8 Kennebec or the District Court, 7th District, Divi-
9 sion of Southern Kennebec.

10 CHAPTER 15

11 APPORTIONMENT

12 §1201. Apportionment of the Maine Senate, Maine
13 House of Representatives and Maine congress-
14 sional districts

15 1. Legislative findings. The Legislature finds
16 that the state's population growth during the period
17 from completion of the 1970 federal census to comple-
18 tion of the 1980 federal census and population shifts
19 within the State during the same time period have
20 combined to render the present apportionment of the
21 Maine Senate, the Maine House of Representatives and
22 Maine's 2 congressional districts unconstitutional.
23 The Legislature further finds that the apportionment
24 of the Maine Senate, the Maine House of Representa-
25 tives and Maine congressional districts contained in
26 the final report of the Maine Apportionment Commis-
27 sion, presented to the Legislature pursuant to the
28 provisions of this section, the Constitution of
29 Maine, Article IV, Part 1, Sections 2 and 3 and Arti-
30 cle IV, Part 2, Section 2, satisfies the constitution
31 requirement of a fair and reasonable apportionment
32 when viewed by the standards of population equality,
33 contiguity of districts, compactness of districts and
34 combination of communities of interest. The Legisla-
35 ture also finds that the delicate balancing of
36 diverse political interests required in apportionment
37 matters has been achieved by the Maine Apportionment
38 Commission, and that substantial alteration of the
39 plans proposed by the commission will detract, both
40 now and in the future, from the important objective
41 of apportioning the legislative and congressional
42 districts by the politically balanced process of the

1 Maine Apportionment Commission and by the Legislature
2 itself.

3 2. Nonseverability and constitutionality. It is
4 the intent of the Legislature that the apportionment
5 of the Maine Senate, the Maine House of Representa-
6 tives and Maine congressional districts, as proposed
7 by the Maine Apportionment Commission, shall become
8 law as an entirety substantially as proposed by the
9 commission. In the event that the apportionment of
10 one or more of the bodies apportioned in this section
11 shall be rendered invalid or unlawful by a court of
12 law, it is the intent of the Legislature that the ap-
13 portionment of all of the bodies apportioned in this
14 section shall become invalid, null and void. In the
15 event that this Act or any portion thereof is found
16 by any court to be unconstitutional, it is the intent
17 of the Legislature to remedy any unconstitutional
18 provision itself.

19 3. Implementation. The Secretary of State shall
20 implement the election districts adopted in this sec-
21 tion pursuant to this Title and the Constitution of
22 Maine. Implementation shall include informing munic-
23 ipal clerks of the voting district or districts in
24 which each municipality lies and providing copies of
25 both maps and narrative descriptions of relevant
26 election districts to those officials. The Secretary
27 of State may resolve ambiguities concerning the loca-
28 tion of election district lines consistent with the
29 intent of these provisions.

30 4. Interpretation. Where a road, street or wa-
31 terway is used as a boundary of an election district,
32 the boundary line shall lie at the center of the
33 street or road and at the thread of the waterway, un-
34 less otherwise noted. Where a description refers to
35 a bridge or railroad line, the district boundary lies
36 at the center of the bridge or railroad tracks.
37 Where a description refers to a railroad spur, it re-
38 fers to the principal spur in the area. Where a de-
39 scription uses the word "ocean," the district bounda-
40 ry line lies coincident with the legal boundary of
41 the particular community along or within the Atlantic
42 Ocean. Where an election district includes a partic-
43 ular unorganized territory, it shall include that un-
44 organized territory described in the United States

1 Census for 1980, whether the territory is organized
2 or unorganized at the effective date of these provi-
3 sions. Unless otherwise noted, mention of a municipi-
4 ality includes all of the municipality.

5 5. House of Representatives district. The House
6 of Representatives shall consist of 151 Representa-
7 tives, with one Representative elected from each of
8 the following districts:

9 District Number 1, in the County of York, con-
10 sisting of that portion of the Town of Kittery
11 enclosed by a line described as follows: Begin-
12 ning at the Eliot-Kittery boundary and its inter-
13 section with Dennett Road; thence east on the
14 Dennett Road to Eliot Road; thence east on the
15 Eliot Road to its intersection with the Route 1
16 bypass, Blue Star Memorial Highway; thence south-
17 west along the Route 1 bypass to the Maine-New
18 Hampshire border; thence south along the
19 Maine-New Hampshire border to a point due south
20 of Spruce Creek; thence north along Spruce Creek
21 to Crockett's Brook; thence east along Crockett's
22 Brook to the extension of Bartlett Road in a
23 southwest direction, the line to correspond to
24 the boundary of Enumeration District 413, 1980
25 Census, State of Maine; thence northeast along
26 the extension of Bartlett Road; thence north on
27 Bartlett Road to Charles Hill Road; thence east
28 on Charles Hill Road .08 miles to an unnamed
29 creek; thence south and east along the unnamed
30 creek, the line to correspond to the eastern
31 boundary of Enumeration District 406 and the
32 northern boundary of Enumeration District 405,
33 1980 Census, State of Maine to Route 103; thence
34 north on Route 103 to the York-Kittery boundary;
35 thence northwest to the Kittery-Eliot boundary;
36 thence south along the Kittery-Eliot boundary to
37 the starting point.

38 District Number 2, in the County of York, con-
39 sisting of that portion of the Town of Kittery
40 east and south of a line described as follows:
41 Beginning at the Maine-New Hampshire border at a
42 point due south of Spruce Creek; thence north on
43 a direct line to Spruce Creek; thence north along
44 Spruce Creek to Crockett's Brook; thence east

1 along Crockett's Brook to the extension of
2 Bartlett Road in a southwest direction, the line
3 to correspond to the boundary of Enumeration Dis-
4 trict 413, 1980, Census, State of Maine; thence
5 northeast along the extension of Bartlett Road;
6 thence north on Bartlett Road to Charles Hill
7 Road; thence east on Charles Hill Road .08 miles
8 to unnamed creek; thence south and east along the
9 unnamed creek, the line to correspond to the
10 eastern boundary of Enumeration District 406 and
11 the northern boundary of Enumeration District
12 405, 1980 Census, State of Maine to Route 103;
13 thence north on Route 103 to the York-Kittery
14 boundary to include Gerrish Island and Cutts Is-
15 land; and that portion of the Town of York de-
16 scribed as follows: Being that portion of the
17 Town of York to the east of the Maine Turnpike.

18 District Number 3, in the County of York, con-
19 sisting of the municipality of Eliot and that
20 portion of the municipality of York described as
21 follows: Being that portion of the municipality
22 of York west of the Maine Turnpike; and that por-
23 tion of the Town of Kittery south of a line de-
24 scribed as follows: Beginning at the
25 Eliot-Kittery boundary and its intersection with
26 the Dennett Road; thence east on Dennett Road to
27 Eliot Road; thence east on the Eliot Road to its
28 intersection with the Route 1 bypass, Blue Star
29 Memorial Highway; thence south on Route 1 to the
30 Maine-New Hampshire border.

31 District Number 4, in the County of York, con-
32 sisting of the municipalities of North Berwick,
33 South Berwick and that portion of the Town of
34 Wells enclosed by a line described as follows:
35 Beginning at the York-Wells boundary and its in-
36 tersection with the Ogunquit River; thence east
37 along the Ogunquit River to the Maine Turnpike;
38 thence north on the Maine Turnpike to Route 9-B;
39 thence west on Route 9-B to Route 9; thence west
40 on Route 9 to the North Berwick-Wells boundary;
41 thence southeast on the North Berwick-Wells
42 boundary, South Berwick-Wells boundary and
43 York-Wells boundary to the beginning point.

1 District Number 5, in the County of York, con-
2 sisting of the municipalities of Berwick and Leb-
3 anon.

4 District Number 6, in the County of York, con-
5 sisting of the municipality of Ogunquit and that
6 portion of the Town of Wells enclosed by a line
7 described as follows: Beginning at the coast of
8 the Atlantic Ocean and its intersection with the
9 Wells-Kennebunk boundary; thence west along the
10 Wells-Kennebunk boundary to Route 9-A; thence
11 south along Route 9-A to Route 109; thence west
12 on Route 109 to the Wells-Sanford boundary;
13 thence south along the Wells-Sanford line to the
14 Wells-North Berwick line; thence east along the
15 Wells-North Berwick line to Route 9; thence east
16 along Route 9 to Route 9-B; thence east along
17 Route 9-B to the Maine Turnpike; thence south
18 along the Maine Turnpike to the Wells-Ogunquit
19 boundary; thence east along the Wells-Ogunquit
20 boundary to the Atlantic Ocean; thence north
21 along the coast of the Atlantic Ocean to the
22 starting point.

23 District Number 7, in the County of York, con-
24 sisting of the municipality of Kennebunk and that
25 portion of the Town of Wells enclosed by a line
26 described as follows: Beginning at the
27 Wells-Kennebunk boundary and its intersection
28 with Route 9-A; thence south on Route 9-A to
29 Route 109; thence west on Route 109 to the
30 Wells-Sanford boundary; thence north on the
31 Wells-Sanford boundary to the Wells-Kennebunk
32 boundary; thence east on the Wells-Kennebunk
33 boundary to the starting point.

34 District Number 8, in the County of York, con-
35 sisting of the municipalities of Arundel,
36 Kennebunkport and Lyman.

37 District Number 9, in the County of York, con-
38 sisting of the municipalities of Acton, Alfred
39 and Shapleigh, and the portion of the Town of
40 Sanford west of a line described as follows: Be-
41 ginning at the Sanford-Lebanon boundary at its
42 intersection with Route 11; thence northeast on
43 Route 11 to Route 11-A; thence north on Route

1 11-A, which becomes Oak Street; thence north on
2 Oak Street to Bridge Street; thence north on
3 Bridge Street to Pleasant Street; thence east and
4 south on Pleasant Street to Shaws Ridge Road;
5 thence southeast on Shaws Ridge Road to its in-
6 tersection with a transmission line approximately
7 .22 miles southeast of the intersection of River
8 Street and Shaws Ridge Road; thence northeast
9 along the transmission line on a direct line,
10 across Ridley Road, to the Alfred-Sanford bounda-
11 ry, the line to correspond to the boundary of
12 Enumeration District 764, 1980 Census, State of
13 Maine.

14 District Number 10, in the County of York, con-
15 sisting of that portion of the Town of Sanford
16 enclosed by a line described as follows: Begin-
17 ning at the intersection of Winter and Main
18 Streets; thence south on Main Street to its in-
19 tersection with the southernmost entrance of
20 Gerrish Drive; thence north from the intersection
21 on a direct line to the Mousam River; thence west
22 on the Mousam River to School Street; thence east
23 on School Street to Rushton Street; thence north
24 on Rushton Street to High Street; thence on a
25 line due northeast from the intersection of
26 Rushton and High Streets .25 miles to an electri-
27 cal transmission line; thence north and west
28 along the transmission line, crossing Grammar
29 Street and Cottage Street, to Shaw Road; thence
30 north on Shaw Road to Shaws Ridge Road; thence
31 northwest on Shaws Ridge Road to Pleasant Street;
32 thence northwest on Pleasant Street to Bridge
33 Street; thence southwest on Bridge Street to Oak
34 Street; thence southwest on Oak Street to the in-
35 tersection of Oak and Whipple Streets; thence
36 south and east from Oak Street to Main Street, on
37 a line which passes through a point south of the
38 intersection of Howard and Roles Street, the line
39 to correspond to the line between Enumeration
40 Districts 765 and 769, 1980 Census, State of
41 Maine; thence south on Main Street to the start-
42 ing point.

43 District Number 11, in the County of York, con-
44 sisting of that portion of the Town of Sanford
45 enclosed by a line described as follows: Begin-

1 ning at the Sanford-Lebanon boundary at its in-
2 tersection with Route 11; thence northeast on
3 Route 11 to Route 11-A; thence north on Route
4 11-A, which becomes Oak Street; thence north on
5 Oak Street to the intersection of Oak and Whipple
6 Streets; thence south and east from Oak Street to
7 Main Street, on a line which passes through a
8 point south of the intersection of Howard and
9 Roles Streets, the line to correspond to the line
10 between Enumeration Districts 765 and 769, 1980
11 Census, State of Maine; thence south on Main
12 Street to its intersection with the southernmost
13 entrance of Gerrish Drive; thence north from the
14 intersection on a direct line to the Mousam Riv-
15 er; thence west on the Mousam River to School
16 Street; thence east on School Street to Rushton
17 Street; thence north on Rushton Street to High
18 Street; thence on a line due northeast from the
19 intersection of Rushton and High Streets .25
20 miles to an electrical transmission line; thence
21 north and west along the transmission line,
22 crossing Grammar Street and Cottage Street to
23 Shaw Road; thence north on Shaw Road to Shaws
24 Ridge Road; thence northwest on Shaws Ridge Road
25 to its intersection with an electrical transmis-
26 sion line approximately .22 miles southeast of
27 the intersection of River Street and Shaws Ridge
28 Road; thence northeast along the transmission
29 line, on a direct line, across Ridley Road to the
30 Alfred-Sanford boundary, the line to correspond
31 to the boundary of Enumeration District 764, 1980
32 Census, State of Maine; thence east along the
33 Sanford-Alfred boundary to the Sanford-Kennebunk
34 boundary; thence south along the
35 Sanford-Kennebunk boundary to the Sanford-Wells
36 boundary; thence south along the Sanford-Wells
37 boundary to the Sanford-North Berwick boundary;
38 thence west along the Sanford-North Berwick
39 boundary to the Sanford-Lebanon boundary; thence
40 west along the boundary to the starting point.

41 District Number 12, in the County of York, con-
42 sisting of that portion of the City of Biddeford
43 east of a line described as follows: Beginning
44 at the Arundel-Biddeford boundary and its inter-
45 section with a line drawn due south from Granite
46 Street Extension; thence north along the line to

1 Granite Street; thence north along Granite Street
2 to Hill Street; thence north along Hill Street to
3 Main Street; thence north along Main Street to
4 the Biddeford-Saco boundary.

5 District Number 13, in the County of York, con-
6 sisting of that portion of the City of Biddeford
7 enclosed by a line described as follows: Begin-
8 ning at the Arundel-Biddeford boundary and its
9 intersection with a line drawn due south from
10 Granite Street Extension; thence north along the
11 line to Granite Street; thence north along Gran-
12 ite Street to Hill Street; thence north along
13 Hill Street to Main Street; thence west on Main
14 Street to South Street; thence south on South
15 Street to Crescent Street; thence south on Cres-
16 cent Street to Elm Street; thence south on Elm
17 Street to the Alfred Road; thence west on Alfred
18 Road to the Boston and Maine Railroad; thence
19 south on the Boston and Maine Railroad to the
20 Biddeford-Arundel boundary; thence east along the
21 Biddeford-Arundel boundary to the starting point.

22 District Number 14, in the County of York, con-
23 sisting of the municipality of Dayton and that
24 portion of the City of Biddeford west of a line
25 described as follows: Beginning at the
26 Biddeford-Saco boundary and its intersection with
27 Main Street; thence west on Main Street to South
28 Street; thence south on South Street to Crescent
29 Street; thence south on Crescent Street to Elm
30 Street; thence south on Elm Street to the Alfred
31 Road; thence west on the Alfred Road to the
32 Boston and Maine Railroad; thence south on the
33 Boston and Maine Railroad on the
34 Biddeford-Arundel boundary; and that portion of
35 the Town of Hollis southeast of a line described
36 as follows: Beginning at the northernmost inter-
37 section of the Hollis-Buxton boundary and the
38 Saco River; thence south along the Saco River to
39 the Route 112 bridge between Hollis and West
40 Buxton; thence west on Route 112 to Route 35;
41 thence south on Route 35 to Tylers Corners;
42 thence west on the Saco Road to the Haley Road;
43 thence southwest on the Haley Road to the inter-
44 section of Route 117; thence west on the Pleasant
45 Hill Road from its intersection with Route 117 to

1 its intersection with the Waterboro-Hollis bound-
2 ary.

3 District Number 15, in the County of York, con-
4 sisting of the municipalities of Cornish,
5 Limerick, Limington and Waterboro.

6 District Number 16, in the County of York, con-
7 sisting of the municipality of Buxton and that
8 portion of the Town of Hollis northwest of a line
9 described as follows: Beginning at the
10 northernmost intersection of the Hollis-Buxton
11 boundary and the Saco River; thence south along
12 the Saco River, town line, to the Route 112
13 bridge between Hollis and West Buxton; thence
14 west on Route 112 to Route 35; thence south on
15 Route 35 to Tylers Corners; thence west on the
16 Saco Road to the Haley Road; thence southwest on
17 the Haley Road to the intersection of Route 117;
18 from the intersection of Route 117 thence west on
19 the Pleasant Hill Road to its intersection with
20 the Waterboro-Hollis boundary.

21 District Number 17, in the County of York, con-
22 sisting of the municipality of Old Orchard Beach
23 and that portion of the City of Saco east and
24 north of a line described as follows: Beginning
25 at the intersection of Goosefare Brook and Old
26 Orchard Road at the Saco-Old Orchard Beach bound-
27 ary; thence south on Old Orchard Road to the in-
28 tersection with Ferry Road; thence east on Ferry
29 Road to the intersection with Ferry Lane; thence
30 south on Ferry Lane to the Saco River.

31 District Number 18, in the County of York, con-
32 sisting of that portion of the City of Saco en-
33 closed by a line described as follows: Beginning
34 at the intersection of Jenkins Road and the
35 Buxton Road, thence north on the Jenkins Road to
36 the Flagpond Road; thence west on Flagpond Road
37 to Hearn Road; thence north on Hearn Road to the
38 Scarborough-Saco boundary; thence east along the
39 Scarborough-Saco boundary to the Saco-Old Orchard
40 Beach boundary; thence south along the Saco-Old
41 Orchard Beach boundary to Old Orchard Road;
42 thence south on Old Orchard Road to Ferry Road;
43 thence east on Ferry Road to Ferry Lane; thence

1 south on Ferry Lane to the Saco River; thence
2 west along the Saco River to the Boston and Maine
3 Railroad track; thence north on the Boston and
4 Maine Railroad track to its intersection with
5 Lincoln Street; thence east on Lincoln Street to
6 Cote Street; thence north on Cote Street to Brad-
7 ley Street; thence west along Bradley Street to
8 the Boston and Maine Railroad; thence north along
9 the Boston and Maine Railroad to North Street;
10 thence west on North Street to Jenkins Road.

11 District Number 19, consisting of that portion of
12 the City of Saco, in the County of York, west of
13 the following line: Beginning at the intersec-
14 tion of the Boston and Maine Railroad and the
15 Saco River at the Saco-Biddeford boundary; thence
16 north on the Boston and Maine Railroad track to
17 its intersection with Lincoln Street; thence east
18 on Lincoln Street to the intersection with Cote
19 Street; thence north on Cote Street to its inter-
20 section with Bradley Street; thence west on Brad-
21 ley Street to the intersection of the Boston and
22 Maine Railroad; thence north on the Boston and
23 Maine Railroad to North Street; thence west on
24 North Street to Jenkins Road; thence north on the
25 Jenkins Road to the Flagpond Road; thence west on
26 the Flagpond Road to Hearn Road; thence north on
27 Hearn Road to the Scarborough-Saco boundary; and
28 that portion of the Town of Scarborough, in the
29 County of Cumberland, west of a line described as
30 follows: Beginning at the Scarborough-Saco
31 boundary at its intersection with the Maine Turn-
32 pike; thence north on the Maine Turnpike to the
33 intersection of Two Rod Road; thence east on Two
34 Rod Road to the intersection of Scottow Hill
35 Road; thence east on Scottow Hill Road to its in-
36 tersection with U.S. Route 1; thence north on
37 U.S. Route 1 to the Scarborough-South Portland
38 boundary.

39 District Number 20, in the County of Cumberland,
40 consisting of that portion of the municipality of
41 Scarborough east of a line described as follows:
42 Beginning at the Scarborough-Saco boundary and
43 its intersection with the Maine Turnpike; thence
44 north on the Maine Turnpike to the intersection
45 of Two Rod Road; thence east on Two Rod Road to

1 the intersection of Scottow Hill Road; thence
2 east on Scottow Hill Road to its intersection
3 with U.S. Route 1; thence north on U.S. Route 1
4 to the Scarborough-South Portland boundary.

5 District Number 21, in the County of Cumberland
6 consisting of the municipality of Cape Elizabeth.

7 District Number 22, in the County of Cumberland,
8 consisting of that portion of the City of South
9 Portland to the east of a line described as fol-
10 lows: Beginning at the Fore River and its inter-
11 section with a line run due north from Pine
12 Street; thence proceeding on a line due south to
13 Pine Street; thence south on Pine Street to
14 Pleasant Street; thence east on Pleasant Street
15 to Sawyer Street; thence south on Sawyer Street
16 to Cottage Road; thence west on Cottage Road to
17 Hillside Avenue; thence southwest on Hillside Av-
18 enue to Pitt Street; thence west on Pitt Street
19 to Providence Avenue; thence south on Providence
20 Avenue to Mount Vernon Street, Lawrence Lano
21 Street; thence west on Mount Vernon Street,
22 across Trout Brook, so-called, to the continua-
23 tion of Mount Vernon Street; thence due west to
24 Ocean Street; thence north on Ocean Street to
25 Highland Avenue; thence southwest on Highland Av-
26 enue to Stillman Street; thence south on Stillman
27 Street to the South Portland-Cape Elizabeth
28 boundary.

29 District Number 23, in the County of Cumberland
30 consisting of that portion of the City of South
31 Portland enclosed by a line described as follows:
32 Beginning at the South Portland-Scarborough
33 boundary and its intersection with Main Street;
34 thence north on Main Street, U.S. Route 1, to
35 Broadway; thence east on Broadway to Elm Street;
36 thence north on Elm Street on a direct line to
37 the Fore River; thence east along the Fore River
38 to a point due north of Pine Street's
39 northernmost end; thence south on a line due
40 south to Pine Street; thence south on Pine Street
41 to Pleasant Street; thence east on Pleasant
42 Street to Sawyer Street; thence south on Sawyer
43 Street to Cottage Road; thence west on Cottage
44 Road to Hillside Avenue; thence southwest on

1 Hillside Avenue to Pitt Street; thence west on
2 Pitt Street to Providence Avenue; thence south on
3 Providence Avenue to Mount Vernon Street, Law-
4 rence Lano Street; thence west on Mount Vernon
5 Street, across Trout Brook, so-called, to the
6 continuation of Mount Vernon Street; thence due
7 west to Ocean Street; thence north on Ocean
8 Street to Highland Avenue; thence southwest on
9 Highland Avenue to Stillman Street; thence south
10 on Stillman Street to the South Portland-Cape
11 Elizabeth boundary; thence west along the South
12 Portland-Cape Elizabeth boundary to the South
13 Portland-Scarborough boundary; thence west along
14 the South Portland-Scarborough boundary to the
15 starting point.

16 District Number 24, in the County of Cumberland,
17 consisting of that portion of the City of South
18 Portland north and west of a line described as
19 follows: Beginning at the South Portland -
20 Scarborough boundary at its intersection with
21 Main Street; thence north on Main Street, U.S.
22 Route 1, to Broadway; thence east on Broadway to
23 Elm Street; thence north on Elm Street on a di-
24 rect line to the Fore River.

25 District Number 25, in the County of Cumberland,
26 consisting of that portion of Portland described
27 as follows: All islands within the City of Port-
28 land; in addition, an area north and east of a
29 line described as follows: Beginning at Tukey's
30 Bridge; thence south along Route 295 to Washing-
31 ton Avenue; thence south on Washington Avenue to
32 Anderson Street; thence south and east on Ander-
33 son Street to Cumberland Avenue; thence southwest
34 on Cumberland Avenue to Smith Street; thence east
35 on Smith Street to Congress Street; thence north
36 on Congress Street to Mountfort Street; thence
37 north and east on Mountfort Street to Fore
38 Street; thence north on Fore Street to Atlantic
39 Street; thence southeast on a line from Atlantic
40 Street to Casco Bay.

41 District Number 26, in the County of Cumberland
42 consisting of that portion of the City of Port-
43 land enclosed by a line described as follows:
44 Beginning at Casco Bay and its intersection with

1 a line drawn southeast from Atlantic Street;
2 thence; northwest on a line to Atlantic Street;
3 thence south on Fore Street to Mountfort Street;
4 thence north and west on Mountfort Street to Con-
5 gress Street; thence south on Congress Street to
6 Smith Street; thence west on Smith Street to Cum-
7 berland Avenue; thence south on Cumberland Avenue
8 to Oak Street; thence southeast on Oak Street to
9 Congress Street; thence south on Congress Street
10 to State Street; thence east on State Street to
11 Pine Street; thence south on Pine Street to
12 Brackett Street; thence west on Brackett Street
13 to Carleton Street; thence south on Carleton
14 Street to Pine Street; thence east on Pine Street
15 to Thomas Street; thence south on Thomas Street
16 to Spring Street; thence east on Spring Street to
17 Emery Street; thence south on Emery Street and
18 along the line of its extension to the Maine Cen-
19 tral Railroad tracks; thence west on the Maine
20 Central Railroad tracks to Danforth Street;
21 thence south on Danforth Street to the Fore Riv-
22 er; thence east along the Fore River to the
23 starting point.

24 District Number 27, in the County of Cumberland
25 consisting of that portion of the City of Port-
26 land enclosed by a line described as follows:
27 Beginning at Tukey's Bridge; thence south on
28 Route 295 to Washington Avenue; thence south on
29 Washington Avenue to Anderson Street; thence
30 south and east on Anderson Street to Cumberland
31 Avenue; thence south on Cumberland Avenue to Oak
32 Street; thence east on Oak Street to Congress
33 Street; thence south on Congress Street to State
34 Street; thence east on State Street to Pine
35 Street; west on Pine Street to Brackett Street;
36 thence west on Brackett Street to Charles Street;
37 thence northwest on Charles Street to Crescent
38 Street; thence east on Crescent Street to Ells-
39 worth Street; thence northeast on Ellsworth
40 Street to Congress Street; thence west on Con-
41 gress Street to Gilman Street; thence north on
42 Gilman Street to Park Avenue; thence west on Park
43 Avenue to St. John Street; thence north on St.
44 John Street to Granite Street; thence east on
45 Granite Street to Deering Avenue; thence north on
46 Deering Avenue to Bedford Street; thence east on

1 Bedford Street which becomes Baxter Boulevard;
2 thence east on Baxter Boulevard to the intersec-
3 tion of Preble Street; thence across Preble
4 Street on a straight line to Back Cove; thence
5 east along the shore of Back Cove to Tukey's
6 Bridge.

7 District Number 28, in the County of Cumberland
8 consisting of that portion of the City of Port-
9 land enclosed by a line described as follows:
10 Beginning at the Fore River at its intersection
11 with Danforth Street; thence north on Danforth
12 Street to the Maine Central Railroad track;
13 thence east on the Maine Central Railroad tracks
14 to its intersection with a line representing the
15 southerly extension of Emery Street; thence
16 north along the southerly extension of Emery
17 Street to Emery Street; thence north on Emery
18 Street to Spring Street; thence west on Spring
19 Street to Thomas Street; thence north on Thomas
20 Street to Pine Street; thence west on Pine Street
21 to Carleton Street; thence north on Carleton
22 Street to Brackett Street; thence west on
23 Brackett Street to Charles Street; thence north-
24 west on Charles Street to Crescent Street; thence
25 east on Crescent Street to Ellsworth Street;
26 thence northeast on Ellsworth Street to Congress
27 Street; thence west on Congress Street to Gilman
28 Street; thence north on Gilman Street to Park Av-
29 enue; thence west on Park Avenue to St. John's
30 Street and the Maine Central Railroad bridge;
31 thence south on Maine Central Railroad to the in-
32 tersection of the Boston and Maine Railroad;
33 thence north on the Boston and Maine Railroad to
34 Brighton Avenue; thence west on Brighton Avenue
35 to Whitney Avenue; thence south on Whitney Avenue
36 to Congress Street; thence west on Congress
37 Street to Stevens Avenue; thence north on Stevens
38 Avenue to Capisic Street; thence west on Capisic
39 Street to Bancroft Street; thence north on Ban-
40 croft Street to Brighton Avenue; thence west on
41 Brighton Avenue to Dorset Street; thence north on
42 Dorset Street to Riggs Street; thence west on
43 Riggs Street to Warwick Street; thence north on
44 Warwick Street to Sunset Lane; thence northwest
45 on Sunset Lane to Pinecrest Road; thence north on
46 Pinecrest Road to Birchwood Road; thence west on

1 Birchwood Road, excluding both sides of Birchwood
2 Road to Holm Avenue; thence south along Holm Ave-
3 nue to Robin Street; thence east along Robin
4 Street to Taft Avenue; thence south on Taft Ave-
5 nue to Godfrey Street; thence east on Godfrey
6 Street to Purchase Street; thence south on Pur-
7 chase Street to Popham Street; thence west on
8 Popham Street to Cabot Street; thence south on
9 Cabot Street to Brighton Avenue; thence west on
10 Brighton Avenue to the Portland-Westbrook bounda-
11 ry; thence south on the Portland-Westbrook bounda-
12 ry to the Portland-South Portland boundary, the
13 Fore River; thence east on the Fore River to
14 Danforth Street.

15 District Number 29, in the County of Cumberland,
16 consisting of that portion of the City of Port-
17 land enclosed by a line described as follows:
18 Beginning at the intersection of the Boston and
19 Maine and Maine Central Railroads; thence north-
20 east along the Maine Central Railroad to St. John
21 Street; thence north along St. John Street to
22 Granite Street; thence east along Granite Street
23 to Deering Avenue; thence north on Deering Avenue
24 to Bedford Street; thence east on Bedford Street
25 which becomes Baxter Boulevard; thence east on
26 Baxter Boulevard to the intersection of Preble
27 Street; thence across Preble Street on a straight
28 line to Back Cove; thence north along the shore
29 of Back Cove to a line drawn due south from the
30 westernmost street entrance to Edward Payson Park
31 from Baxter Boulevard; thence northeast along the
32 northernmost road transversing the park to Ocean
33 Avenue; thence northeast along Ocean Avenue to
34 Murray Street; thence northwest along Murray
35 Street to Fall Brook; thence north along Fall
36 Brook to Fallbrook Street; thence north and west
37 along Fallbrook Street to Washington Avenue;
38 thence northwest along Washington Avenue to Canco
39 Road; thence south along Canco Road to Walton
40 Street; thence west on Walton Street to Stevens
41 Avenue; thence south on Stevens Avenue to Hartley
42 Street; thence east on Hartley Street to James
43 Street; thence south on James Street to Pleasant
44 Avenue; thence east on Pleasant Avenue to
45 Glenwood Avenue; thence south on Glenwood Avenue
46 to Concord Street; thence east on Concord Street

1 to Berkeley Street; thence south on Berkeley
2 Street to Woodford Street; thence east on
3 Woodford Street to Highland Street; thence south
4 on Highland Street to Brighton Avenue; thence
5 east on Brighton Avenue to the Boston and Maine
6 Railroad; thence south on the Boston and Maine
7 Railroad to the intersection with the Maine Central
8 Railroad.

9 District Number 30, in the County of Cumberland,
10 consisting of that portion of the City of Port-
11 land enclosed by a line described as follows:
12 Beginning at the intersection of Brighton Avenue
13 and Whitney Avenue; thence south on Whitney Ave-
14 nue to Congress Street; thence west on Congress
15 Street to Stevens Avenue; thence north on Stevens
16 Avenue to Capisic Street; thence west on Capisic
17 Street to Bancroft Street; thence north on Ban-
18 croft Street to Brighton Avenue; thence west on
19 Brighton Avenue to Dorset Street; thence north on
20 Dorset Street to Riggs Street; thence west on
21 Riggs Street to Warwick Street; thence north on
22 Warwick Street to Sunset Lane; thence northwest
23 on Sunset Lane to Pinecrest Road; thence north on
24 Pinecrest Road to its nearest point to the Boston
25 and Maine Railroad, a line following the boundary
26 line between 153 and 159 Pinecrest; thence on a
27 straight line to the Boston and Maine Railroad;
28 thence east on the Boston and Maine Railroad to
29 its intersection with Forest Avenue; thence south
30 on Forest Avenue to Stevens Avenue; thence south
31 along Stevens Avenue to Hartley Street; thence
32 east along Hartley Street to James Street; thence
33 south along James Street to Pleasant Avenue;
34 thence east on Pleasant Avenue to Glenwood Ave-
35 nue; thence south along Glenwood Avenue to
36 Concord Street; thence east along Concord Street
37 to Berkeley Street; thence south along Berkeley
38 Street to Woodford Street; thence east along
39 Woodford Street to Highland Street; thence south
40 along Highland Street to Brighton Avenue; thence
41 east on Brighton Avenue to its intersection with
42 Whitney Avenue.

43 District Number 31, in the County of Cumberland
44 consisting of that portion of the City of Port-
45 land north and east of a line described as fol-

1 north along Pinecrest Road to its nearest point
2 to the Boston and Maine Railroad, a line follow-
3 ing the boundary line between 153 and 159
4 Pinecrest; thence on a straight line to the
5 Boston and Maine Railroad; thence east along the
6 Boston and Maine Railroad to its intersection
7 with Stevens Avenue.

8 District Number 33, in the County of Cumberland,
9 consisting of that portion of the City of
10 Westbrook to the south and east of a line de-
11 scribed as follows: Beginning at the
12 Scarborough-Westbrook boundary and its intersec-
13 tion with Saco Street; thence north on Saco
14 Street to Bernadette Street; thence west on
15 Bernadette Street to Alphonse Avenue; thence
16 north on Alphonse Avenue to Huntress Avenue;
17 thence north on Huntress Avenue to Arlington Ave-
18 nue; thence west and north on Arlington Avenue to
19 Longfellow Street; thence east on Longfellow
20 Street to the westernmost unnamed road which con-
21 nects Longfellow Street and the New Gorham Road;
22 thence north on the unnamed road to the New
23 Gorham Road; thence east on the New Gorham Road
24 to the point where it becomes Main Street; thence
25 east on Main Street to Saco Street; thence south
26 on Saco Street to West Valentine Street; thence
27 east on West Valentine Street to West Pleasant
28 Street; thence north on West Pleasant Street to
29 Quimby Avenue; thence east on Quimby Avenue to
30 the point where it becomes Cross Street; thence
31 east on Cross Street to Brackett Street; thence
32 north on Brackett Street to Wayside Drive; thence
33 east on Wayside Drive to Stroudwater Street;
34 thence north on Stroudwater Street to Main
35 Street; thence west on Main Street to Foster
36 Street; thence on Foster Street to the
37 Presumpscot River; thence north and east along
38 the Presumpscot River to
39 that point where the municipalities of Portland-
40 Falmouth-Westbrook come together; and that por-
41 tion of the City of Portland enclosed by a line
42 described as follows: Beginning at the
43 Westbrook-Portland boundary and its intersection
44 with the Boston and Maine Railroad; thence east
45 on the Boston and Maine Railroad to the point
46 nearest the intersection of Holm Avenue and

1 Birchwood Drive; thence south on Holm Avenue to
2 Robin Street; thence east on Robin Street to Taft
3 Avenue; thence south on Taft Avenue to Godfrey
4 Street; thence east on Godfrey Street to Purchase
5 Street; thence west and south on Purchase Street
6 to Popham Street; thence west on Popham Street to
7 Cabot Street; thence south on Cabot Street to
8 Brighton Avenue; thence west on Brighton Avenue
9 to the Portland-Westbrook boundary.

10 District Number 34, in the County of Cumberland,
11 consisting of that portion of the City of
12 Westbrook north of a line described as follows:
13 Beginning at the Presumpscot River at a point
14 where the municipalities of Westbrook-Windham-
15 Gorham meet; thence southeast along the
16 Presumpscot River to the bridge connecting Main
17 Street and Bridge Street; thence south across the
18 bridge to Main Street; thence west on Main Street
19 to Saco Street; thence south on Saco Street to
20 West Valentine Street; thence east on West Valen-
21 tine Street to West Pleasant Street; thence north
22 on West Pleasant Street to Quimby Avenue to the
23 point where it becomes Cross Street; thence east
24 on Cross Street to Brackett Street; thence north
25 on Brackett Street to Wayside Drive; thence east
26 on Wayside Drive to Stroudwater Street; thence
27 north on Stroudwater Street to Main Street;
28 thence west on Main Street to Foster Street;
29 thence north on Foster Street to the Presumpscot
30 River; thence north and west along the
31 Presumpscot River to that point where the munici-
32 palities of Portland-Falmouth-Westbrook come to-
33 gether.

34 District Number 35, in the County of Cumberland,
35 consisting of portions of the municipalities of
36 Gorham, Windham and Westbrook, described in this
37 district: Being that portion of the Town of
38 Gorham south and east of a line described as fol-
39 lows: Beginning at the Buxton-Gorham town line at
40 its intersection with Route 202/4; thence north-
41 east on Route 202/4 to the Gorham High School ac-
42 cess road; thence east on the access road to
43 School Drive; thence south on School Drive to
44 Morrill Avenue; thence east on Morrill Avenue to
45 South Street; thence south on South Street to

1 Robie Avenue; thence east on Robie Avenue to
2 Robie Street; thence north on Robie Street to
3 Railroad Avenue; thence east on Railroad Avenue
4 to Mechanic Street; thence north on Mechanic
5 Street to the New Portland Road; thence east on
6 the New Portland Road to Libby Avenue; thence
7 north on Libby Avenue to State Highway 25; thence
8 east on State Highway 25 to the Mosher Road;
9 thence north on the Mosher Road to the Little
10 River; thence east and north to the Presumpscot
11 River; and also containing that portion of the
12 City of Westbrook enclosed by a line described as
13 follows: Beginning at the Scarborough-Westbrook
14 boundary at its intersection with Saco Street;
15 thence north on Saco Street to Bernadette Street;
16 thence west on Bernadette Street to Alphonse Ave-
17 nue; thence north on Alphonse Avenue to Huntress
18 Avenue; thence north on Huntress Avenue to Ar-
19 lington Avenue; thence west and north on Arling-
20 ton Avenue to Longfellow Street; thence east on
21 Longfellow Street to an unnamed road which con-
22 nects Longfellow Street and the New Gorham Road
23 at a point between Canal and Fairlawn Streets;
24 thence north on the unnamed road to the New
25 Gorham Road; thence east on the New Gorham Road
26 to the point where it becomes Main Street; thence
27 east on Main Street to the bridge connecting Main
28 Street and Bridge Street; thence north on the
29 bridge to the Presumpscot River; thence northwest
30 along the Presumpscot River to the
31 Gorham-Westbrook boundary; thence south on the
32 Gorham-Westbrook boundary to the
33 Gorham-Scarborough-Westbrook boundary; thence
34 east on the Scarborough-Westbrook boundary to the
35 beginning point; and that portion of Windham to
36 the south and east of a line described as fol-
37 lows: Beginning at the Windham-Falmouth boundary
38 at its intersection with Falmouth Road; thence
39 northwest on Falmouth Road to Albion Road; thence
40 southwest along Albion Road to Pope Road; thence
41 southeast on Pope Road to Chute Street; thence
42 south on Chute Street to Webb Road; thence north-
43 west on Webb Road to Black Brook; thence south on
44 Black Brook to River Road; thence northwest along
45 River Road to Route 202; thence north along Route
46 202 to Wood Road; thence southwest along Wood
47 Road to River Road; thence northwest along River

1 Road to Newhall Road; thence southwest along
2 Newhall/Gumbo Road to the Gorham-Windham bounda-
3 ry.

4 District Number 36, in the County of Cumberland,
5 consisting of that portion of the Town of Gorham
6 west and north of a line described as follows:
7 Beginning at the Buxton-Gorham town line at its
8 intersection with Route 202/4; thence northeast
9 on Route 202/4 to the Gorham High School access
10 road; thence east on the access road to School
11 Drive; thence south on School Drive to Morrill
12 Avenue; thence east on Morrill Avenue to South
13 Street; thence south on South Street to Robie Av-
14 enue; thence east along Robie Avenue to Robie
15 Street; thence north on Robie Street to Railroad
16 Avenue; thence east on Railroad Avenue to Mechan-
17 ic Street; thence north on Mechanic Street to the
18 New Portland Road; thence east on the New Port-
19 land Road to Libby Avenue; thence north on Libby
20 Avenue to State Highway 25; thence east on State
21 Highway 25 to the Mosher Road; thence north on
22 the Mosher Road to the Little River; thence east
23 and north to the Presumpscot River.

24 District Number 37, in the County of Cumberland,
25 consisting of that portion of the municipality of
26 Windham enclosed by a line described as follows:
27 Beginning at the intersection of Windham Center
28 Road and Albion Road; thence northwest along the
29 Windham Center Road to the Pleasant River; thence
30 northwest along the Pleasant River to the
31 Falmouth Road; thence northwest on the Falmouth
32 Road to the Varney's Mill Road; thence north on
33 the Varney's Mill Road to Route 115; thence north
34 on Route 115 to the Gray-Windham boundary; thence
35 northwest on the Gray-Windham boundary to the
36 Raymond-Windham boundary; thence southwest on the
37 Raymond-Windham boundary to the Standish-Windham
38 boundary; thence south on the Standish-Windham
39 boundary to the Presumpscot River; thence south
40 on the Presumpscot River to Gumbo Road; thence
41 northeast on Gumbo/Newhall Road to River Road;
42 thence southeast on River Road to Wood Road;
43 thence northeast on Wood Road to Route 202;
44 thence south on Route 202 to River Road; thence
45 southeast on River Road to Black Brook; thence

1 north on Black Brook to Webb Road; thence south-
2 east on Webb Road to Chute Street; thence north
3 on Chute Street to Pope Road; thence northwest on
4 Pope Road to Albion Road; thence northeast on
5 Albion Road to the Windham Center Road.

6 District Number 38, in the County of Cumberland,
7 consisting of portions of the municipalities of
8 Cumberland, Windham and Yarmouth: Being that por-
9 tion of the Town of Windham north and east of a
10 line described as follows: Beginning at the
11 Windham-Falmouth boundary; thence northwest on
12 Falmouth Road to Albion Road; thence south on
13 Albion Road to Windham Center Road; thence north-
14 west on the Windham Center Road to the Pleasant
15 River; thence northwest on the Falmouth Road to
16 the Varney's Mill Road; thence north on Varney's
17 Mill Road to Route 115; thence north on Route 115
18 to the Gray-Windham boundary; and that portion of
19 the Town of Yarmouth enclosed by a line described
20 as follows: Beginning at the Yarmouth-Cumberland
21 line at its intersection with Hillside Street;
22 thence northeast on Hillside Street to Route 115,
23 Main Street; thence southeast on Route 115, Main
24 Street, to Interstate 95; thence north on Inter-
25 state 95 to the intersection of U.S. Route 1;
26 thence southwest on Route 1 to the Royal River;
27 thence west along the Royal River to Maine Cen-
28 tral Railroad; thence southwest along the Main
29 Central Railroad to Route 115; thence west on
30 Route 115 to the North Yarmouth-Yarmouth bounda-
31 ry; thence southwest along the North
32 Yarmouth-Yarmouth boundary to the
33 Yarmouth-Cumberland boundary; thence south and
34 east along the Yarmouth-Cumberland boundary to
35 Hillside Street; and that part of Cumberland de-
36 scribed as follows: North and east of a line de-
37 scribed as follows: Beginning at the easternmost
38 boundary of the Town of Cumberland and the Town
39 of Falmouth; thence northwest along the
40 Cumberland-Falmouth boundary to Route 88; thence
41 north along Route 88 to Heritage Lane; thence
42 west on Heritage Lane to Carriage Road; thence
43 north on Carriage Road; thence east on Carriage
44 Road to Route 88; thence north on Route 88 to
45 King's Highway; thence west on King's Highway to
46 Tuttle Road; thence west on Tuttle Road to Inter-

1 state 95; thence south on Interstate 95 to the
2 Falmouth-Cumberland boundary; thence west along
3 the Falmouth-Cumberland boundary to its
4 westernmost point; and including Chebeague Is-
5 land.

6 District Number 39, in the County of Cumberland,
7 consisting of the municipality of Falmouth and
8 that portion of the City of Portland to the north
9 and east of a line described as follows: Begin-
10 ning at the Falmouth-Portland boundary at its in-
11 tersection with Allen Avenue; thence south on
12 Allen Avenue to Summit Street; thence northwest
13 along Summit Street to Jackson Street; thence
14 west along Jackson Street to Auburn Street;
15 thence north along Auburn Street to Hillside
16 Road; thence east along Hillside Road to Summit
17 Street; thence northwest along Summit Street to
18 Abbey Lane; thence north on Abbey Lane to Crest-
19 view Drive; thence north on Crestview Drive to
20 Bonny Street; thence north on Bonny Street to
21 Carter Street; thence north on Carter Street to
22 Panoramic View; thence northwest on Panoramic
23 View to Longview Drive; thence southwest on
24 Longview Drive to Auburn Street; thence north on
25 Auburn Street to the Portland-Falmouth boundary;
26 and that portion of the municipality of Cumber-
27 land enclosed by a line described as follows: Be-
28 ginning at the intersection of State Highway 88
29 and the Cumberland-Falmouth boundary; thence
30 north along Route 88 to Heritage Lane; thence
31 west on Heritage Lane to Carriage Road; thence
32 north on Carriage Road; thence east on Carriage
33 Road to Route 88; thence north on Route 88 to
34 King's Highway; thence west on King's Highway to
35 Tuttle Road; thence west on Tuttle Road to Inter-
36 state 95; thence south on Interstate 95 to the
37 Falmouth-Cumberland boundary.

38 District Number 40, in the County of Cumberland,
39 consisting of the municipality of North Yarmouth
40 and that portion of the Town of Yarmouth enclosed
41 by a line described as follows: Beginning at the
42 Yarmouth-Cumberland line at its intersection with
43 Hillside Street; thence northeast on Hillside
44 Street to Route 115, Main Street; thence south-
45 east on Route 115, Main Street, to Interstate 95;

1 thence north on Interstate 95 to the intersection
2 of U.S. Route 1; thence southwest on Route 1 to
3 the Royal River; thence west along the Royal Riv-
4 er to the Maine Central Railroad; thence south-
5 west along the Maine Central Railroad to Route
6 115; thence west on Route 115 to the North
7 Yarmouth-Yarmouth boundary; thence north along
8 the North Yarmouth-Yarmouth boundary to the
9 Pownal-Yarmouth boundary; thence southeast along
10 the Pownal-Yarmouth boundary to the Yarmouth
11 - Freeport boundary; thence east along the
12 Yarmouth-Freeport boundary to the Yarmouth - Cum-
13 berland boundary; thence south and west along the
14 Yarmouth-Cumberland boundary to Hillside Street.

15 District Number 41, in Cumberland County, con-
16 sisting of the municipalities of Freeport and
17 Pownal.

18 District Number 42, in the County of Cumberland,
19 consisting of that portion of the municipality of
20 Brunswick south and east of a line described as
21 follows: Beginning at the Freeport-Brunswick
22 boundary at its intersection with Church Road;
23 thence north on Church Road to Pleasant Street;
24 thence east on Pleasant Street to Stanwood
25 Street; thence south on Stanwood Street to McKeen
26 Street; thence west on McKeen Street to Baribeau
27 Drive; thence south on Baribeau Drive to McMillan
28 Drive; thence east on McMillan Drive to Richards
29 Drive; thence east on Richards Drive to Maine
30 Street; thence north on Maine Street to
31 Longfellow Avenue; thence east on Longfellow Ave-
32 nue to Coffin Street; thence south on Coffin
33 Street to Grove Street; thence east on Grove
34 Street to Harpswell Road; thence south on
35 Harpswell Road to Hambleton Avenue; thence east
36 on Hambleton Avenue to the boundary of the
37 Brunswick Naval Air Station; thence north on the
38 western boundary of the Brunswick Naval Air Sta-
39 tion to Bath Road; thence east on the Bath Road
40 to the Brunswick-West Bath boundary.

41 District Number 43, in the County of Cumberland,
42 consisting of that portion of the Town of
43 Brunswick north and east of a line described as
44 follows: Beginning at the Topsham-Brunswick

1 bridge; thence south on Maine Street to Mill
2 Street; thence west on Mill Street to Union
3 Street; thence south on Union Street to Pleasant
4 Street; thence east on Pleasant Street to Maine
5 Street; thence south on Maine Street to Noble
6 Street; thence west on Noble Street to Union
7 Street; thence south on Union Street to Weymouth
8 Street; thence west on Weymouth Street to Spring
9 Street; thence north on Spring Street to
10 Hennessey Avenue; thence west on Hennessey Avenue
11 to Stanwood Street; thence south on Stanwood
12 Street to McKeen Street; thence west on McKeen
13 Street to Baribeau Drive; thence south on
14 Baribeau Drive to MacMillan Drive; thence east on
15 MacMillan Drive to Richards Drive; thence east on
16 Richards Drive to Maine Street; thence north on
17 Maine Street to Longfellow Avenue; thence east on
18 Longfellow Avenue to Coffin Street; thence south
19 on Coffin Street to Grove Street; thence east on
20 Grove Street to Harpswell Road; thence south on
21 Harpswell Road to Hambleton Avenue; thence east
22 on Hambleton Avenue to the boundary of the
23 Brunswick Naval Air Station; thence north on the
24 western boundary of the Brunswick Naval Air Sta-
25 tion to Bath Road; thence east on the Bath Road
26 to the Brunswick-West Bath boundary.

27 District Number 44, in the County of Cumberland,
28 consisting of the municipalities of Gray and New
29 Gloucester.

30 District Number 45, consisting of the municipali-
31 ties of Casco, Naples and Raymond in Cumberland
32 County, and the municipality of Otisfield in
33 Oxford County.

34 District Number 46, consisting of the municipali-
35 ties of Bridgton, Harrison and Sebago in Cumber-
36 land County, and the municipalities of Hiram and
37 Sweden in Oxford County.

38 District Number 47, consisting of the municipali-
39 ties of Baldwin and Standish in Cumberland Coun-
40 ty.

41 District Number 48, consisting of the municipali-
42 ties of Newfield and Parsonsfield in York County,

1 and the municipalities of Brownfield, Denmark,
2 Fryeburg, Porter, Stoneham and Stow in Oxford
3 County.

4 District Number 49, consisting of the municipali-
5 ties of Bethel, Byron, Gilead, Hanover, Lincoln
6 Plantation, Lovell, Magalloway Plantation, Newry,
7 Upton, Waterford, the unorganized territories of
8 South Oxford County and North Oxford County in
9 Oxford County the municipalities of Avon,
10 Rangeley, Rangeley Plantation, Sandy River
11 Plantation and Weld, and the unorganized territo-
12 ries of West Central Franklin County in Franklin
13 County.

14 District Number 50, consisting of the municipali-
15 ties of Greenwood, Norway and Oxford in Oxford
16 County.

17 District Number 51, consisting of the municipali-
18 ties of Buckfield, Hebron, Paris and West Paris
19 in Oxford County.

20 District Number 52, in Oxford County, consisting
21 of the municipalities of Hartford, Mexico, Milton
22 Township, Roxbury, Sumner, Woodstock and that
23 portion of the municipality of Rumford south and
24 west of a line described as follows: Beginning at
25 the Rumford-Mexico Bridge over the Androscoggin
26 River thence southwest along Railroad Street to
27 the intersection with Route 108; thence westward
28 along Route 108 to the junction of the Boise Cas-
29 cade private road; thence in a southern direction
30 along the Boise Cascade private road to the junc-
31 tion of the South Rumford Road near the High
32 Bridge; thence westward along the South Rumford
33 Road to the Androscoggin River at the High
34 Bridge; thence south along the Androscoggin River
35 to the nearest point of the river to the inter-
36 section of Route 2 and the East Andover Road;
37 thence on a straight line through the intersec-
38 tion to the East Andover Road; thence northwest
39 on the East Andover Road to the Andover-Rumford
40 boundary.

41 District Number 53, in Oxford County, consisting
42 of the municipality of Andover and that portion

1 of the municipality of Rumford north and east of
2 a line described as follows: Beginning at the
3 Rumford-Mexico Bridge over the Androscoggin River
4 thence southwest along Railroad Street to the in-
5 tersection with Route 108; thence westward along
6 Route 108 to the junction of the Boise Cascade
7 private road; thence in a southern direction
8 along the Boise Cascade private road to the junc-
9 tion of the South Rumford Road near the High
10 Bridge; thence westward along the South Rumford
11 Road to the Androscoggin River at the High
12 Bridge; thence south along the Androscoggin River
13 to the nearest point of the river to the inter-
14 section of Route 2 and the East Andover Road;
15 thence on a straight line through the intersec-
16 tion; thence northwest on the East Andover Road
17 to the Andover-Rumford boundary.

18 District Number 54, consisting of the municipali-
19 ty of Dixfield in Oxford County and the municipi-
20 palities of Carthage, Temple and Wilton, and the
21 unorganized territory consisting of Perkins Town-
22 ship and Washington Township in South Franklin
23 County, in Franklin County.

24 District Number 55, consisting of the municipali-
25 ties of Carrabassett Valley, Coplin Plantation,
26 Dallas Plantation, Eustis, Industry, Kingfield,
27 Madrid, New Vineyard, Phillips and Strong, and
28 the unorganized territories of East Franklin
29 County, North Franklin County, and Wyman Town-
30 ship, in Franklin County, the municipalities of
31 Embden and New Portland, and the unorganized ter-
32 ritories of Central Somerset County, known as
33 Lexington and Concord Townships in Somerset Coun-
34 ty.

35 District Number 56, consisting of the municipali-
36 ties of Farmington and New Sharon in Franklin
37 County.

38 District Number 57, consisting of the municipali-
39 ties of Canton and Peru, in Oxford County, and
40 the municipality of Jay in Franklin County.

41 District Number 58, consisting of the municipali-
42 ty of Livermore Falls in Androscoggin County, the

1 municipality of Chesterville in Franklin County,
2 and the municipalities of Belgrade, Rome and Vi-
3 enna in Kennebec County.

4 District Number 59, in Androscoggin County, con-
5 sisting of the municipalities of Leeds, Livermore
6 and Turner, and that portion of the City of Au-
7 burn north and west of a line described as fol-
8 lows: Beginning at the Minot-Auburn boundary at
9 its intersection with Young's Corner Road; thence
10 east along Young's Corner Road to Hotel Road;
11 thence north along Hotel Road to Spring Road;
12 thence north along Spring Road to Point of Pines
13 Road; thence east and north on Point of Pines
14 Road to its intersection with Lake Auburn; thence
15 north along the shore of Lake Auburn to its in-
16 tersection with the water flowage from the Basin;
17 thence north along the Basin Flowage to Lake
18 Shore Drive; thence south and east along Lake
19 Shore Drive to Route 4; thence north along Route
20 4 to the Auburn-Turner boundary.

21 District Number 60, consisting of the municipali-
22 ties of Mechanic Falls, Minot and Poland, in
23 Androscoggin County.

24 District Number 61, in Androscoggin County, con-
25 sisting of that portion of the City of Auburn en-
26 closed by a line described as follows: Beginning
27 at the Androscoggin River on a direct line to
28 Mary Carroll Street; thence southeast on Seventh
29 Street to Foster Avenue; thence southwest on Fos-
30 ter Avenue to Loring Avenue; thence northwest on
31 Loring Avenue to South Main Street; thence north
32 on South Main Street to Ninth Street; thence west
33 on Ninth Street to its end at Mill Street; thence
34 on a direct line to the Little Androscoggin Riv-
35 er; thence north along the Little Androscoggin
36 River to a point opposite the end of Adams
37 Street; thence west on a straight line to Adams
38 Street; thence west on Adams Street to the
39 southbound lane of Route 202; thence north along
40 the lane to its northernmost intersection with
41 Minot Avenue; thence north along Minot Avenue to
42 the Union Street By-pass; thence north along the
43 Union Street By-pass to Turner Street; thence
44 northwest on Turner Street to Reed Street; thence

1 north on Reed Street to Whitney Street; thence
2 northwest along Whitney Street to French's Lane;
3 thence north on French's Lane to Turner Street;
4 thence north along Turner Street to Mayfield
5 Road; thence southwest along Mayfield Road to
6 Summer Street; thence northwest along Summer
7 Street to Young's Corner Road; thence west along
8 Young's Corner Road to Hotel Road; thence north
9 along Hotel Road to Spring Road; thence north
10 along Spring Road to Point of Pines Road; thence
11 east and north on Point of Pines Road to its in-
12 tersection with Lake Auburn; thence north along
13 the shore of Lake Auburn to its intersection with
14 the water flowage from "The Basin;" thence north
15 along "The Basin" flowage to Lake Shore Drive;
16 thence south and east along Lake Shore Drive to
17 Route 4; thence north along Route 4 to the
18 Auburn-Turner boundary; thence east along the
19 Auburn-Turner boundary to the Auburn-Lewiston
20 boundary; thence south along the Auburn-Lewiston
21 boundary, Androscoggin River, to the starting
22 point.

23 District Number 62, in Androscoggin County, con-
24 sisting of the portion of the City of Auburn en-
25 closed by a line described as follows: Beginning
26 at the Auburn-Minot boundary at its intersection
27 with Young's Corner Road; thence east along
28 Young's Corner Road to its intersection with Sum-
29 mer Street; thence southeast on Summer Street to
30 Mayfield Road; thence northeast on Mayfield Road
31 to Turner Street; thence south on Turner Street
32 to French's Lane; thence southeast on French's
33 Lane to Whitney Street; thence south on Whitney
34 Street to Reed Street; thence south on Reed
35 Street to Turner Street; thence southeast on
36 Turner Street to the Union Street By-pass; thence
37 south on the Union Street By-pass to Hampshire
38 Street; thence northwest on Hampshire Street to
39 Willow Street; thence southwest on Willow Street
40 to Pine Street; thence west on Pine Street to
41 Goff Street; thence south on Goff Street to Grant
42 Street; thence west on Grant Street to James
43 Street; thence south on James Street to Court
44 Street; thence southwest on Court Street to Stev-
45 ens Mills Road; thence south on Stevens Mills
46 Road to Minot Avenue; thence west on Minot Avenue

1 to Manley Road; thence south on Manley Road to
2 Old Hotel Road; thence southwest on Old Hotel
3 Road to the Little Androscoggin River; thence
4 northwest along the Little Androscoggin River to
5 the point where the boundaries of Auburn and
6 Poland converge; thence west along the
7 Auburn-Poland boundary to the Auburn-Minot bound-
8 ary; thence north along the Auburn-Minot boundary
9 to the beginning point.

10 District Number 63, in Androscoggin County, con-
11 sisting of that portion of the City of Auburn,
12 enclosed by a line described as follows: Begin-
13 ning at the Androscoggin River, on a direct line
14 to Mary Carroll Street; thence southwest on Mary
15 Carroll Street to Seventh Street; thence south-
16 east on Seventh Street to Foster Avenue; thence
17 southeast on Foster Avenue to Loring Avenue;
18 thence northwest on Loring Avenue to South Main
19 Street; thence north on South Main Street to
20 Ninth Street; thence west on Ninth Street to its
21 end at Mill Street; thence on a direct line to
22 the Little Androscoggin River; thence north along
23 the Little Androscoggin River to a point opposite
24 the end of Adams Street; thence west on a
25 straight line to Adams Street; thence west on Ad-
26 ams Street to the south bound lane of Route 202;
27 thence north along the lane to its northernmost
28 intersection with Minot Avenue; thence north
29 along Minot Avenue to the Union Street By-pass;
30 thence north along the Union Street By-pass to
31 Hampshire Street; thence northwest on Hampshire
32 Street to Willow Street; thence southwest on Wil-
33 low Street to Pine Street; thence west on Pine
34 Street to Goff Street; thence south on Goff
35 Street to Grant Street; thence west on Grant
36 Street to James Street; thence south on James
37 Street to Court Street; thence southwest on Court
38 Street to Stevens Mills Road; thence south on
39 Stevens Mills Road to Minot Avenue; thence west
40 on Minot Avenue to Manley Road; thence south on
41 Manley Road to Old Hotel Road; thence southwest
42 on Old Hotel Road to the Little Androscoggin Riv-
43 er; thence west along the Little Androscoggin
44 River to the Auburn-Poland boundary; thence
45 southwest along the Poland-Auburn boundary to the
46 Auburn-New Gloucester boundary; thence southeast

1 along the Auburn-New Gloucester boundary to the
2 Trapp Road; thence north on Trapp Road to Pownal
3 Road; thence north on Pownal Road to the Harmon's
4 Corner Road; thence east on Harmon's Corner Road
5 to the South Witham Road; thence south on the
6 South Witham Road to the Soper's Mill Road;
7 thence north on the Soper's Mill Road to Soper's
8 Mill Brook; thence east on the Soper's Mill Brook
9 to State Highway 136; thence south on State High-
10 way 136 to the Durham-Auburn line; thence along
11 the Auburn-Durham boundary to the Androscoggin
12 River; thence north along the Androscoggin River
13 to the starting point.

14 District Number 64, in Androscoggin County, con-
15 sisting of the municipalities of Greene and
16 Wales, and that portion of the City of Lewiston
17 north and west of a line described as follows:
18 Beginning at the Lewiston-Greene boundary; thence
19 south on College Street to Russell Street; thence
20 west on Russell Street to the eastbound lane of
21 the Vietnam Veterans Memorial Bridge; thence west
22 on the bridge to the Androscoggin River.

23 District Number 65, in Androscoggin County, con-
24 sisting of that portion of the City of Lewiston
25 enclosed by a line described as follows: Begin-
26 ning at the Lewiston-Greene boundary; thence
27 south on College Street to Holland Street; thence
28 east on Holland Street to Nichols Street; thence
29 south on Nichols Street to Sabattus Street;
30 thence north and east on Sabattus Street to North
31 Temple Street; thence north on North Temple
32 Street to Old Greene Road; thence north on the
33 Old Greene Road to the Lewiston-Greene boundary;
34 thence west on the boundary to the beginning
35 point.

36 District Number 66, in Androscoggin County, con-
37 sisting of that portion of the City of Lewiston
38 enclosed by a line described as follows: Begin-
39 ning at the Vietnam Veterans Memorial Bridge;
40 thence east on the eastbound lane of the bridge
41 to Russell Street; thence east on Russell Street
42 to College Street; thence south on College Street
43 to Holland Street; thence east on Holland Street
44 to Nichols Street; thence south on Nichols Street

1 to Sabattus Street; thence north and east on
2 Sabattus Street to Bradley Street; thence south-
3 east on Bradley Street to Pine Street; thence
4 southwest on Pine Street to Shawmut Street;
5 thence southeast on Shawmut Street to Walnut
6 Street; thence southwest on Walnut Street on a
7 line through Kennedy Park to Chestnut Street;
8 thence southwest on Chestnut Street to Lisbon
9 Street; thence southeast on Lisbon Street to Ce-
10 dar Street; thence south on Cedar Street to South
11 Bridge; thence south on South Bridge to the
12 Androscoggin River; thence north on the river to
13 the Vietnam Veterans Memorial Bridge.

14 District Number 67, in Androscoggin County, con-
15 sisting of that portion of the City of Lewiston
16 enclosed by a line described as follows: Begin-
17 ning at the South Bridge across the Androscoggin
18 River; thence northeast along Cedar Street to
19 Lisbon Street; thence northwest on Lisbon Street
20 to Chestnut Street; thence northeast on Chestnut
21 Street to Kennedy Park; thence due northeast
22 through Kennedy Park on a line to Walnut Street;
23 thence northeast on Walnut Street to Shawmut
24 Street; thence northwest on Shawmut Street to
25 Pine Street; thence north on Pine Street to Brad-
26 ley Street; thence northwest on Bradley Street to
27 Sabattus Street; thence northeast on Sabattus
28 Street to East Avenue; thence south on East Ave-
29 nue to Warren Avenue; thence east on Warren Ave-
30 nue to Farwell Street; thence south on Farwell
31 Street to Webster Avenue; thence west on Webster
32 Avenue to East Avenue; thence south on East Ave-
33 nue to Lisbon Street; thence west on Lisbon
34 Street to a point where an inlet of the
35 Androscoggin River approaches Lisbon Street, east
36 of Locust Street; thence south along the inlet
37 across Lincoln Street to the Androscoggin River,
38 the line from Lisbon Street to correspond to the
39 division lines between Tracts 204 and 205, City
40 of Lewiston, 1980 Maine Census; thence north
41 along the Androscoggin River to the starting
42 point.

43 District Number 68, in Androscoggin County, con-
44 sisting of that portion of the City of Lewiston
45 enclosed by a line described as follows: Begin-

1 ning at the Lewiston-Greene boundary; thence
2 south along Old Greene Road to North Temple
3 Street; thence south along North Temple Street to
4 Sabattus Street; thence southwest along Sabattus
5 Street to East Avenue; thence south along East
6 Avenue to Warren Avenue; thence east on Warren
7 Avenue to Farwell Street; thence south on Farwell
8 Street to Webster Street; thence west on Webster
9 Street to East Avenue; thence south on East Ave-
10 nue to Pleasant Street; thence east on Pleasant
11 Street to Scribner Boulevard; thence north on
12 Scribner Boulevard to Webster Street; thence east
13 on Webster Street to Pond Road; thence north on
14 Pond Road to Sabattus Street; thence north and
15 east on Sabattus Street to the Lewiston-Sabattus
16 boundary; thence north along the boundary to the
17 Lewiston-Greene boundary; thence west along the
18 Lewiston-Greene boundary to the starting point.

19 District Number 69, in Androscoggin County, con-
20 sisting of that portion of the City of Lewiston
21 south and east of a line described as follows:
22 Beginning at the Sabattus-Lewiston boundary;
23 thence southwest along Sabattus Road to Pond
24 Road; thence south along Pond Road to Webster
25 Street; thence south on Webster Street to
26 Scribner Boulevard; thence south on Scribner
27 Boulevard to Pleasant Street; thence west on
28 Pleasant Street to East Avenue; thence south on
29 East Avenue to Lisbon Street; thence west on Lis-
30 bon Street to a point where an inlet of the
31 Androscoggin River approaches Lisbon Street east
32 of Locust Street; thence south along the inlet
33 across Lincoln Street to the Androscoggin River,
34 the line from Lisbon Street to correspond to the
35 division lines between Tracts 204 and 205, City
36 of Lewiston, 1980 Maine Census.

37 District Number 70, consisting of the municipali-
38 ty of Durham, in Androscoggin County, and that
39 portion of Brunswick in Cumberland County, to the
40 west and north of a line described as follows:
41 Beginning at the Topsham-Brunswick bridge; thence
42 south on Maine Street to Mill Street; thence west
43 on Mill Street to Union Street; thence south on
44 Union Street to Pleasant Street; thence east on
45 Pleasant Street to Maine Street; thence south on

1 Maine Street to Noble Street; thence west on
2 Noble Street to Union Street; thence south on Un-
3 ion Street to Weymouth Street; thence west on
4 Weymouth Street to Spring Street; thence north on
5 Spring Street to Hennessey Avenue; thence west on
6 Hennessey Avenue to Stanwood Street; thence north
7 on Stanwood Street to Pleasant Street; thence
8 west on Pleasant Street to Church Road; thence
9 south on Church Road to the Freeport-Brunswick
10 boundary; and that portion of the City of Auburn,
11 in Androscoggin County, enclosed by a line de-
12 scribed as follows: Beginning at the Auburn-New
13 Gloucester boundary at its intersection with the
14 Trapp Road; thence north on Trapp Road to the
15 Pownal Road; thence north on the Pownal Road to
16 the Harmon's Corner Road; thence east on the
17 Harmon's Corner Road to the South Witham Road;
18 thence south on the South Witham Road to the
19 Soper's Mill Road; thence north on the Soper's
20 Mill Road to Soper's Mill Brook; thence east on
21 Soper's Mill Brook to State Highway 136; thence
22 south on State Highway 136 to the Durham-Auburn
23 boundary; thence south along the Durham-Auburn
24 boundary to the Auburn-Durham-New Gloucester
25 boundary; thence north along the Auburn-New
26 Gloucester boundary to the starting point; and
27 that portion of the Town of Lisbon, in
28 Androscoggin County, enclosed by a line described
29 as follows: Beginning at the Topsham-Lisbon
30 boundary and its intersection at Lisbon Street;
31 thence west on Lisbon Street to Summer Street;
32 thence north on Summer Street to Tarr Street;
33 thence east on Tarr Street to Jack Lane; thence
34 north on Jack Lane to Libby Street; thence west
35 on Libby Street to Summer Street; thence north on
36 Summer Street to Edgecomb Street; thence west on
37 Edgecomb Street to Main Street; thence south on
38 Main Street to Hewey Street; thence east on Hewey
39 Street to Crossman Street; thence south on
40 Crossman Street to North Street; thence west on
41 North Street to Free Street; thence south on Free
42 Street to Earle Street; thence west on Earle
43 Street to Main Street; thence north on Main
44 Street to North Street; thence west on North
45 Street to Vining Street; thence north on Vining
46 Street to North Street; thence west on North
47 Street to Pleasant Street; thence south on Pleas-

1 ant Street to Lisbon Street; thence east and
2 south on Lisbon Street to Main Street; thence
3 south on Main Street to the intersection of Route
4 9; thence south on Route 9 to the Lisbon-Durham
5 boundary; thence east along the Lisbon-Durham
6 boundary to the Lisbon-Topsham boundary.

7 District Number 71, in Androscoggin County, con-
8 sisting of that portion of the municipality of
9 Lisbon north and west of a line described as fol-
10 lows: Beginning at the Topsham-Lisbon boundary
11 at its intersection with Lisbon Street; thence
12 west on Lisbon Street to Summer Street; thence
13 north on Summer Street to Tarr Street; thence
14 east on Tarr Street to Jack Lane; thence north on
15 Jack Lane to Libby Street; thence west on Libby
16 Street to Summer Street; thence north on Summer
17 Street to Edgecomb Street; thence west on
18 Edgecomb Street to Main Street; thence south on
19 Main Street to Hewey Street; thence east on Hewey
20 Street to Crossman Street; thence south on
21 Crossman Street to North Street; thence west on
22 North Street to Free Street; thence south on Free
23 Street to Earle Street; thence west on Earle
24 Street to Main Street; thence north on Main
25 Street to North Street; thence west on North
26 Street to Vining Street; thence north on Vining
27 Street to North Street; thence west on North
28 Street to Pleasant Street; thence south on Pleas-
29 ant Street to Lisbon Street; thence east and
30 south on Lisbon Street to Main Street; thence
31 south on Main Street to the intersection of Route
32 9; thence south on Route 9 to the Lisbon-Durham
33 boundary.

34 District Number 72, consisting of the municipali-
35 ty of Sabattus in Androscoggin County and the mu-
36 nicipalities of Bowdoin and Richmond in Sagadahoc
37 County.

38 District Number 73, in Sagadahoc County, consist-
39 ing of the municipality of Topsham and that por-
40 tion of the Town of Bowdoinham, west of a line
41 described as follows: Beginning at the
42 Topsham-Bowdoinham boundary and its intersection
43 with Route 24; thence proceeding north along
44 Route 24 to the center of Bowdoinham Village;

1 thence continuing north along Route 24 to the in-
2 tersection of Route 24 and Ridge Road; thence
3 proceeding north along the Ridge Road to the
4 Bowdoinham-Richmond boundary.

5 District Number 74, in Sagadahoc County, consist-
6 ing of the municipalities of Arrowsic, Perkins
7 Township, Woolwich and that portion of the munic-
8 ipality of Bowdoinham east of a line described as
9 follows: Beginning at the Topsham-Bowdoinham
10 boundary at its intersection with Route 24;
11 thence north along Route 24 to the center of
12 Bowdoinham Village; thence north along Route 24
13 to the intersection of Route 24 and Ridge Road;
14 thence north along the Ridge Road to the
15 Bowdoinham-Richmond boundary; and, in addition,
16 that portion of the municipality of Bath south
17 and west of a line described as follows: Begin-
18 ning at the West Bath-Bath boundary at its inter-
19 section with Center Street; thence east on Center
20 Street to Washington Street; thence south on
21 Washington Street to the Maine Central Railroad
22 tracks; thence east along the Maine Central Rail-
23 road tracks to Water Street; thence south on Wa-
24 ter Street to King Street; thence west on King
25 Street to Washington Street; thence south on
26 Washington Street to Bath Street; thence west on
27 Bath Street to High Street; thence south on High
28 Street to Pine Street; thence east on Pine Street
29 to Washington Street; thence south on Washington
30 Street where Washington Street crosses an inlet
31 of the Kennebec River at a point approximately
32 200 yards north of Hunt Street; thence east on a
33 straight line to the Kennebec River; and the mu-
34 nicipality of Dresden in Lincoln County.

35 District Number 75, in Sagadahoc County, consist-
36 ing of that portion of the municipality of Bath
37 north and east of a line described as follows:
38 Beginning at the West Bath-Bath boundary at its
39 intersection with Center Street; thence east on
40 Center Street to Washington Street; thence south
41 on Washington Street to the Maine Central Rail-
42 road tracks; thence east along the Maine Central
43 Railroad tracks to Water Street; thence south on
44 Water Street to King Street; thence west on King
45 Street to Washington Street; thence south on

1 Washington Street to Bath Street; thence west on
2 Bath Street to High Street; thence south on High
3 Street to Pine Street; thence east on Pine Street
4 to Washington Street; thence south on Washington
5 Street to a point where Washington Street crosses
6 an inlet of the Kennebec River, approximately 200
7 yards north of Hunt Street; thence east on a
8 straight line to the Kennebec River.

9 District Number 76, consisting of the municipali-
10 ty of Harpswell in Cumberland County and the mu-
11 nicipalities of Georgetown, Phippsburg and West
12 Bath in Sagadahoc County.

13 District Number 77, consisting of the municipali-
14 ties of Boothbay, Boothbay Harbor, Edgecomb,
15 South Bristol, Southport and Westport in Lincoln
16 County.

17 District Number 78, consisting of the municipali-
18 ties of Alna, Damariscotta, Newcastle, Whitefield
19 and Wiscasset in Lincoln County.

20 District Number 79, consisting of the municipali-
21 ties of Bremen, Bristol, Nobleboro and Waldoboro
22 in Lincoln County.

23 District Number 80, in Knox County, consisting of
24 the municipalities of Friendship, Thomaston, War-
25 ren and that portion of the municipality of Rock-
26 land north and west of a line described as fol-
27 lows: Beginning at the Rockland-Rockport bounda-
28 ry at its intersection with Old County Road;
29 thence southwest on the Old County Road to
30 Limerock Street; thence east on Limerock Street
31 to Highland Street; thence south on Highland
32 Street to Park Street; thence west on Park Street
33 to the Rockland-Thomaston boundary.

34 District Number 81, consisting of the municipali-
35 ties of Cushing, Matinicus Isle Plantation, North
36 Haven, Owls Head, St. George, South Thomaston and
37 Vinalhaven, and the unorganized territory of
38 Criehaven, in Knox County and Monhegan Plantation
39 in Lincoln County.

1 District Number 82, in Knox County, consisting of
2 that portion of the municipality of Rockland
3 south and east of a line described as follows:
4 Beginning at the Rockland-Rockport boundary at
5 its intersection with Old County Road; thence
6 southwest on the Old County Road to Limerock
7 Street; thence east on Limerock Street to High-
8 land Street; thence south on Highland Street to
9 Park Street; thence west on Park Street to the
10 Rockland-Thomaston line.

11 District Number 83, consisting of the municipali-
12 ties of Camden and Rockport in Knox County.

13 District Number 84, consisting of the municipali-
14 ties of Jefferson and Somerville, and the unorga-
15 nized territory of Hibberts Gore, in Lincoln
16 County, the municipalities of Appleton, Hope, Un-
17 ion and Washington in Knox County and the munici-
18 palities of Liberty and Palermo in Waldo County.

19 District Number 85, in Kennebec County, consist-
20 ing of the municipalities of Albion, Benton,
21 China and that portion of the municipality of
22 Winslow north and east of a line described as
23 follows: Beginning at the Winslow-China boundary
24 at its intersection with Route 137; thence west
25 on Route 137 to the Outlet Stream, so-called;
26 thence north along Outlet Stream to the
27 Sebasticook River; thence proceeding north on the
28 Sebasticook River to the Winslow-Benton boundary.

29 District Number 86, in Kennebec County, consist-
30 ing of that portion of the municipality of
31 Winslow south and west of a line described as
32 follows: Beginning at the Winslow-China boundary
33 at its intersection with Route 137; thence west
34 on Route 137 to the Outlet Stream, so-called;
35 thence north along Outlet Stream to the
36 Sebasticook River; thence north on the
37 Sebasticook River to the Winslow-Benton boundary.

38 District Number 87, consisting of the municipali-
39 ties of Sidney, Vassalboro and Windsor in Kenne-
40 bec County.

1 District Number 88, in Kennebec County, consist-
2 ing of that portion of the City of Augusta, north
3 and east of a line described as follows: Begin-
4 ning at the Vassalboro-Augusta border at its in-
5 tersection with the Kennebec River, thence pro-
6 ceeding south along the Kennebec River to Memori-
7 al Bridge; thence proceeding east across Memorial
8 Bridge to Sturgis Lane; thence south and east on
9 Sturgis Lane to Arsenal Street; thence south on
10 Arsenal Street to Eastern Avenue; thence east on
11 Eastern Avenue to Hospital Street; thence south
12 on Hospital Street to First Avenue; thence east
13 on First Avenue and along the line of its exten-
14 sion to Mayflower Road; thence east on Mayflower
15 Road to Porter Street; thence north on Porter
16 Street to Route 17; thence east on Route 17 to
17 Cony Road; thence north on Cony Road to Cony
18 Street Extension; thence east at the intersection
19 of Cony Road and Cony Street Extension to Riggs
20 Brook; thence north on Riggs Brook to South
21 Belfast Avenue, Route 105; thence east on Route
22 105 to the Windsor town boundary.

23 District Number 89, in Kennebec County, consist-
24 ing of that portion of the City of Augusta north
25 and west of a line described as follows: Begin-
26 ning at the Vassalboro-Augusta boundary at its
27 intersection with the Kennebec River; thence
28 south along the Kennebec River to the Father Cur-
29 ran Bridge; thence west on the Father Curran
30 Bridge to Bridge Street; thence west on Bridge
31 Street to North Chestnut Street; thence south on
32 North Chestnut Street to South Chestnut Street;
33 thence south on South Chestnut Street to Western
34 Avenue; thence west on Western Avenue to the
35 Manchester-Augusta boundary.

36 District Number 90, in Kennebec County, consist-
37 ing of that portion of the City of Augusta south
38 of a line described as follows: Beginning at the
39 Augusta-Windsor boundary at its intersection with
40 Route 105; thence west on Route 105 to Riggs
41 Brook; thence south on Riggs Brook to a line
42 drawn due west to the intersection of Cony Street
43 Extension and Cony Road; thence west along the
44 line to Cony Road; thence south on Cony Road to
45 Route 17; thence west on Route 17 to Porter

1 Street; thence south on Porter Street to
2 Mayflower Road; thence west on Mayflower Road and
3 along the line of its extension to First Avenue;
4 thence west on First Avenue to Hospital Street;
5 thence north on Hospital Street to Eastern Ave-
6 nue; thence west on Eastern Avenue to Arsenal
7 Street; thence north on Arsenal Street to Sturgis
8 Lane; thence west and north on Sturgis Lane to
9 the Memorial Bridge; thence west across the Memo-
10 rial Bridge to the Kennebec River; thence north
11 along the Kennebec River to the Father Curran
12 Bridge; thence west on the Father Curran Bridge
13 to Bridge Street; thence west on Bridge Street to
14 North Chestnut Street; thence south on North
15 Chestnut Street to South Chestnut Street; thence
16 south on South Chestnut Street to Western Avenue;
17 thence west on Western Avenue to the
18 Manchester-Augusta boundary.

19 District Number 91, consisting of the municipali-
20 ties of Chelsea, Hallowell and Pittston in Kenne-
21 bec County.

22 District Number 92, in Kennebec County, consist-
23 ing of the municipality of Gardiner and that por-
24 tion of Randolph north of a line described as
25 follows: Beginning at the Kennebec River; thence
26 east at the site of the former Gardiner-Randolph
27 bridge to the intersection of Bridge Street, Wa-
28 ter Street and Route 226, also known as Windsor
29 Street; thence east on Route 226 to the
30 Randolph-Chelsea boundary.

31 District Number 93, in Kennebec County, consist-
32 ing of the municipalities of Farmingdale,
33 Litchfield, West Gardiner and that portion of
34 Randolph south of a line described as follows:
35 Beginning at the Kennebec River; thence east at
36 the site of the former Gardiner-Randolph bridge
37 to the intersection of Bridge Street, Water
38 Street and Route 226, also known as Windsor
39 Street; thence east on Route 226 to the
40 Randolph-Chelsea boundary.

41 District Number 94, in Kennebec County, consist-
42 ing of the municipalities of Monmouth, Wayne and
43 that portion of the municipality of Winthrop west

1 and north of a line described as follows: Begin-
2 ning at the Monmouth-Winthrop boundary in
3 Annabessacook Lake; thence proceeding north on a
4 straight line to the flowage of Hoyt Brook;
5 thence west and north along Hoyt Brook to Route
6 202; thence north and east of Route 202 to Route
7 135; thence north on Route 135 to the
8 Winthrop-Readfield boundary.

9 District Number 95, in Kennebec County, consist-
10 ing of the municipalities of Fayette, Manchester,
11 Mount Vernon, Readfield and that portion of the
12 municipality of Winthrop east and south of a line
13 described as follows: Beginning at the
14 Monmouth-Winthrop boundary in Annabessacook Lake;
15 thence proceeding north on a straight line to the
16 flowage of Hoyt Brook; thence west and north
17 along Hoyt Brook to Route 202; thence north and
18 east on Route 202 to Route 135; thence north on
19 Route 135 to the Winthrop-Readfield boundary.

20 District Number 96, in Kennebec County, consist-
21 ing of the municipality of Oakland and that por-
22 tion of Waterville north and east of a line de-
23 scribed as follows: Beginning at
24 the Oakland-Waterville boundary at its intersec-
25 tion with the County Road; thence proceeding
26 south along the County Road to the North Street
27 Bridge; thence south on North Street to the
28 Eustis Parkway; thence southeast on the Eustis
29 Parkway to the intersection of Main Street;
30 thence south on Main Street to Kelsey Street;
31 thence southeast on Kelsey Street to Ticonic
32 Street; thence north on Ticonic Street to Ash
33 Street; thence south on Ash Street to College
34 Street; thence northeast on College Street to
35 Collins Street; thence southeast on Collins
36 Street to Eastern Avenue; thence east on Eastern
37 Avenue and along the line of its extension to
38 Allen Street; thence south on Allen Street to its
39 end; thence southeast on a direct line from Allen
40 Street to the Kennebec River.

41 District Number 97, in Kennebec County, consist-
42 ing of that portion of the municipality of
43 Waterville to the south and west of a line de-
44 scribed as follows: Beginning at the

1 Waterville-Winslow bridge; thence northwest
2 across the Waterville-Winslow bridge to Bridge
3 Street; thence northwest along Bridge Street to
4 Main Street; thence north on Main Street to Col-
5 lege Street; thence south on College Street to
6 Center Street; thence west on Center Street to
7 Pleasant Street; thence southwest on Pleasant
8 Street to Western Avenue; thence northwest on
9 Western Avenue to First Rangeway; thence west on
10 First Rangeway to the Kennedy Memorial Drive,
11 Oakland Road; thence northwest on Kennedy Memori-
12 al Drive to the Waterville-Oakland boundary.

13 District Number 98, in Kennebec County, consist-
14 ing of that portion of the City of Waterville en-
15 closed by a line described as follows: Beginning
16 at the Oakland-Waterville boundary at its inter-
17 section with the County Road; thence south along
18 the County Road to the North Street Bridge;
19 thence south on North Street to the Eustis Park-
20 way; thence southeast on the Eustis Parkway to
21 the intersection of Main Street; thence south on
22 Main Street to Kelsey Street; thence southeast on
23 Kelsey Street to Ticonic Street; thence north on
24 Ticonic Street to Ash Street; thence south on Ash
25 Street to College Avenue; thence northeast on
26 College Avenue to Collins Street; thence south-
27 east on Collins Street to Eastern Avenue; thence
28 east on Eastern Avenue and along the line of its
29 extension to Allen Street; thence south on Allen
30 Street to its end; thence southeast on a direct
31 line from Allen Street to the Kennebec River;
32 thence southwest along the Kennebec River to the
33 Waterville-Winslow bridge; thence northwest
34 across the bridge to Bridge Street; thence north-
35 west on Bridge Street to Main Street; thence
36 north on Main Street to College Street; thence
37 south on College Street to Center Street; thence
38 west on Center Street to Pleasant Street; thence
39 southwest on Pleasant Street to Western Avenue;
40 thence northwest on Western Avenue to First
41 Rangeway; thence west on First Rangeway to the
42 Kennedy Memorial Drive; thence northwest on Ken-
43 neddy Memorial Drive to the Waterville-Oakland
44 boundary; thence northeast along the
45 Waterville-Oakland boundary to the starting
46 point.

1 District Number 99, in Somerset County, consist-
2 ing of the municipalities of Fairfield and
3 Smithfield, and that portion of the municipality
4 of Skowhegan enclosed by a line described as fol-
5 lows: Beginning at the Fairfield-Skowhegan
6 boundary at its intersection with Middle Road;
7 thence north on Middle Road to Bigelow Street;
8 thence north and east on Bigelow Street to Route
9 201; thence east on Route 201 a distance of .8
10 (eight-tenths) mile; thence on a direct line
11 northeast across an abandoned railroad track to
12 the Kennebec River; thence southeast to a point
13 south of where Wesserunsett Stream enters the
14 Kennebec; thence north along Wesserunsett Stream
15 to Route 2; thence east on Route 2 to the East
16 River Road; thence south on East River Road to
17 the Skowhegan-Clinton boundary; thence west along
18 the boundary to the Fairfield-Skowhegan boundary;
19 thence west along the Fairfield-Skowhegan bounda-
20 ry to the starting point, the area to correspond
21 to Enumeration District 522 of the 1980 Census,
22 State of Maine.

23 District Number 100, in Somerset County, consist-
24 ing of that portion of the municipality of
25 Skowhegan north of a line described as follows:
26 Beginning at the westernmost junction of the
27 Skowhegan-Fairfield boundary; thence east along
28 the boundary to the Middle Road; thence north on
29 Middle Road to Bigelow Street; thence north and
30 east on Bigelow Street to Route 201; thence east
31 on Route 201 a distance of .8 (eight-tenths)
32 mile; thence on a direct line northeast across an
33 abandoned railroad track to the Kennebec River;
34 thence southeast to a point south of where
35 Wesserunsett Stream enters the Kennebec River;
36 thence north along Wesserunsett Stream to Route
37 2; thence east on Route 2 to the East River Road;
38 thence south on East River Road to the
39 Skowhegan-Clinton boundary; thence east on the
40 boundary to the southeasternmost boundary of
41 Skowhegan and Clinton.

42 District Number 101, consisting of the municipal-
43 ities of Canaan, Cornville, Hartland and Pitts-
44 field in Somerset County.

1 District Number 102, consisting of the municipal-
2 ities of Madison, Mercer, Norridgewock and Starks
3 in Somerset County.

4 District Number 103, consisting of the municipal-
5 ities of Anson, Athens, Bingham, Brighton
6 Plantation, Caratunk, Dennistown Plantation,
7 Highland Plantation, Jackman, Moose River,
8 Moscow, Pleasant Ridge Plantation, Solon, The
9 Forks Plantation, West Forks Plantation and the
10 unorganized territories of East Somerset County,
11 North Somerset County and West Somerset County,
12 in the County of Somerset.

13 District Number 104, consisting of the municipal-
14 ities of Cambridge, Harmony and Ripley in
15 Somerset County, and the municipalities of Abbot,
16 Beaver Cove, Blanchard Plantation, Greenville,
17 Kingsbury Plantation, Monson, Parkman,
18 Sangerville, Shirley and Wellington in
19 Piscataquis County, and the unorganized territory
20 of Elliottsville Plantation, northwest
21 Piscataquis Unorganized Territory, consisting of
22 Big Squaw Township, Cove Point Township,
23 Hartford's Point Township and Little Squaw Town-
24 ship; and that portion of the northeast
25 Piscataquis Unorganized Territory north of a line
26 described as follows: Beginning at the intersec-
27 tion of the Golden Road and the northern boundary
28 of Beaver Cove; thence north on the Golden Road
29 to the point where Roach River flows from First
30 Roach Pond; thence east on a line passing through
31 Rowell Brook; thence east along the south shore
32 of Second Roach Pond; thence north on unnamed
33 logging road to Penobscot Pond; thence east on
34 same unnamed road along the north shore of
35 Penobscot Pond; thence south along a branch of
36 the same road to Little Penobscot Pond; thence
37 east along a flowage including the following
38 landmarks: Sing-Sing Pond, Hedgehog Pond, Rabbit
39 Pond, Leavitt Pond, Pratt Brook, Mud Pond, Mud
40 Brook and Middle Jo-Mary Lake, north shore, to
41 the Penobscot County-Piscataquis County boundary,
42 the line to correspond to the northern line of
43 Enumeration District 104, 1980 Census, State of
44 Maine.

1 District Number 105, consisting of the municipal-
2 ities of Bowerbank, Brownville, Lake View
3 Plantation, Medford, Milo and Willimantic, the
4 unorganized territory of Barnard Plantation, the
5 southeast unorganized territory of Piscataquis
6 County and that portion of the northeast
7 Piscataquis Unorganized Territory enclosed by a
8 line described as follows: Beginning at the in-
9 tersection of the Golden Road and the northern
10 boundary of Beaver Cove; thence north on the
11 Golden Road to the point where Roach River flows
12 from First Roach Pond; thence east on a line
13 passing through Rowell Brook; thence east along
14 the south shore of Second Roach Pond; thence
15 north on unnamed logging road to Penobscot Pond;
16 thence east on same unnamed road along the north
17 shore of Penobscot Pond; thence south along a
18 branch of same road to Little Penobscot Pond;
19 thence east along a flowage including the follow-
20 ing landmarks: Sing-Sing Pond, Hedgehog Pond,
21 Rabbit Pond, Leavitt Pond, Pratt Brook, Mud Pond,
22 Mud Brook to Middle Jo-Mary Lake, north shore, to
23 the Penobscot County-Piscataquis County boundary;
24 thence south along that boundary to the northern
25 boundary of Lake View Plantation; west along the
26 boundary to Brownville's northern boundary;
27 thence west along the boundary to Brownville's
28 western boundary; thence south along the boundary
29 to the northern boundary of Sebec; thence west
30 along that boundary to the eastern boundary of
31 the unorganized territory of Barnard Plantation;
32 thence north along the boundary to the northern
33 boundary of the plantation; thence west along the
34 boundary to the northern boundary of Bowerbank;
35 thence west along the boundary to the eastern
36 boundary of Elliotsville Plantation; thence north
37 along the boundary to the northern boundary of
38 the plantation; thence west along the boundary to
39 the eastern boundary of Greenville; thence north
40 along the eastern boundary of Greenville to the
41 southern boundary of Beaver Cove; thence east
42 along the plantation's southern boundary to its
43 eastern boundary; north along its eastern bounda-
44 ry to its northern boundary; thence west along
45 its northern boundary to the starting point; the
46 area enclosed by the line to correspond to the
47 area of Enumeration District 104, 1980 Census,

- 1 State of Maine; and the municipalities of Brad-
2 ford, Charleston and Hudson in Penobscot County.
- 3 District Number 106, consisting of the municipal-
4 ities of Atkinson, Dover-Foxcroft, Guilford and
5 Sebec in Piscataquis County; and the municipality
6 of Garland in Penobscot County.
- 7 District Number 107, consisting of the municipal-
8 ities of Corinna and Dexter in Penobscot County;
9 and St. Albans in Somerset County.
- 10 District Number 108, consisting of the municipal-
11 ities of Etna, Newport and Plymouth in Penobscot
12 County; the municipality of Troy in Waldo County;
13 and the municipalities of Detroit and Palmyra in
14 Somerset County.
- 15 District Number 109, consisting of the municipal-
16 ities of Burnham, Freedom, Jackson, Monroe,
17 Thorndike and Unity in Waldo County; and Clinton
18 and Unity Township in Kennebec County.
- 19 District Number 110, in Waldo County, consisting
20 of the municipalities of Belmont, Brooks,
21 Islesboro, Knox, Lincolnville, Montville,
22 Morrill, Searsmont, Swanville and Waldo.
- 23 District Number 111, in Waldo County, consisting
24 of the municipalities of Belfast and Northport.
- 25 District Number 112, in Waldo County, consisting
26 of the municipalities of Frankfort, Prospect,
27 Searsport, Stockton Springs and Winterport.
- 28 District Number 113, in Penobscot County, con-
29 sisting of the municipalities of Dixmont, Hampden
30 and Newburgh.
- 31 District Number 114, in Penobscot County, con-
32 sisting of the municipalities of Carmel, Corinth,
33 Exeter, Kenduskeag, Levant and Stetson.
- 34 District Number 115, in Penobscot County, con-
35 sisting of the municipalities of Glenburn and
36 Hermon and that portion of the City of Bangor
37 south and west of a line described as follows:

1 Beginning at the Hampden-Bangor boundary at its
2 intersection with the Maine Central Railroad;
3 thence northwest on the Maine Central Railroad
4 tracks to Interstate 95; thence northeast on In-
5 terstate 95 to Perry Road; thence east on Perry
6 Road to Webster Avenue; thence northeast on Web-
7 ster Avenue to the northern boundary of the mu-
8 nicipal golf course; thence southeast along the
9 boundary to the western boundary of Bass Park;
10 thence northeast along the Bass Park boundary to
11 its intersection with a direct line from the end
12 of Silver Road to Bass Park; thence northwest
13 along the line to Silver Road; thence northwest
14 on Silver Road to 7th Street; thence northeast on
15 7th Street to Buck Street; thence northwest on
16 Buck Street to West Broadway; thence northeast on
17 West Broadway to Hammond Street; thence west on
18 Hammond Street to Allen Street; thence northwest
19 on Allen Street to 14th Street; thence southwest
20 on 14th Street to Hammond Street; thence west on
21 Hammond Street to the eastern boundary of Bangor
22 Municipal Airport; thence following the airport
23 boundary south and then west to the Hermon-Bangor
24 boundary.

25 District Number 116, in Penobscot County, con-
26 sisting of that portion of the City of Bangor to
27 the south and east of a line described as fol-
28 lows: Beginning at the Hampden-Bangor boundary at
29 its intersection with the Maine Central Railroad;
30 thence northwest on the Maine Central Railroad
31 tracks to Interstate 95; thence northeast on In-
32 terstate 95 to Perry Road; thence east on Perry
33 Road to Webster Avenue; thence northeast on Web-
34 ster Avenue to the northern boundary of the mu-
35 nicipal golf course; thence southeast along the
36 boundary to the western boundary of Bass Park;
37 thence northeast along the Bass Park boundary to
38 its intersection with a direct line from the end
39 of Silver Road to Bass Park; thence northwest
40 along the line to Silver Road; thence northwest
41 on Silver Road to 7th Street; thence northeast on
42 7th Street to Buck Street; thence northwest on
43 Buck Street to West Broadway; thence northeast on
44 West Broadway to Hammond Street; thence west on
45 Hammond Street to 13th Street; thence northeast
46 on 13th Street to Union Street; thence northwest

1 on Union Street to 14th Street; thence north on
2 14th Street to Ohio Street; thence east and south
3 on Ohio Street to Bower Street; thence southeast
4 on Bower Street to Everett Street; thence north-
5 east on Everett Street to Nelson Street; thence
6 north on Nelson Street to Valley Avenue; thence
7 north on Nelson Street to Valley Avenue; thence
8 southeast across Kenduskeag Stream on Valley Ave-
9 nue, which becomes Harlow Street; thence south-
10 east on Harlow Street to Spring Street; thence
11 northeast on Spring Street to Center Street;
12 thence southeast on Center Street to Somerset
13 Street; thence east on Somerset Street to Park
14 Street; thence southeast on Park Street to Ex-
15 change Street; thence southeast on Exchange
16 Street to Washington Street; thence west on Wash-
17 ington Street to Kenduskeag Stream; thence south
18 on Kenduskeag Stream to the Penobscot River.

19 District Number 117, in Penobscot County, con-
20 sisting of that portion of the City of Bangor
21 north of a line described as follows: Beginning
22 at the Bangor-Glenburn boundary and its intersec-
23 tion with Hudson Road; thence southeast on Hudson
24 Road, Route 221, to Broadway, State Road 15;
25 thence east and south on Broadway to the north
26 boundary of Husson College; thence east, south-
27 west and then west along the boundary to its in-
28 tersection with Hillman Avenue and Husson Avenue;
29 thence southwest along Hillman Avenue to
30 Kenduskeag Avenue; thence southeast on Kenduskeag
31 Avenue to Interstate 95; thence southwest on In-
32 terstate 95 to Union Street; thence southeast on
33 Union Street to 14th Street; thence north on 14th
34 Street to Ohio Street; thence east and south on
35 Ohio Street to Bower Street; thence southeast on
36 Bower Street to Everett Street; thence northeast
37 on Everett Street to Nelson Street; thence north
38 on Nelson Street to Valley Avenue; thence north
39 on Nelson Street to Valley Avenue; thence south-
40 east across Kenduskeag Stream on Valley Avenue,
41 which becomes Harlow Street; thence southeast on
42 Harlow Street to Spring Street; thence northeast
43 on Spring Street to Center Street; thence south-
44 east on Center Street to Somerset Street; thence
45 east on Somerset Street to French Street; thence
46 north on French Street to Garland Street; thence

1 east on Garland Street to Essex Street; thence
2 north on Essex Street to Stillwater Avenue;
3 thence north and east on Stillwater Avenue to In-
4 terstate 95; thence east and north on Interstate
5 95 to the Bangor-Veazie boundary.

6 District Number 118, in Penobscot County, con-
7 sisting of that portion of the City of Bangor
8 south and east of a line described as follows:
9 Beginning at the Penobscot River at its intersec-
10 tion with Kenduskeag Stream; thence north along
11 the Kenduskeag Stream to Washington Street;
12 thence east on Washington Street to Exchange
13 Street; thence northwest on Exchange Street to
14 Park Street; thence northwest on Park Street to
15 Somerset Street; thence east on Somerset Street
16 to French Street; thence north on French Street
17 to Garland Street; thence east on Garland Street
18 to Essex Street; thence north on Essex Street to
19 Stillwater Avenue; thence north and east on
20 Stillwater Avenue to Interstate 95; thence east
21 and north on Interstate 95 to the Bangor-Veazie
22 boundary.

23 District Number 119, in Penobscot County, con-
24 sisting of that portion of the City of Bangor en-
25 closed by a line described as follows: Beginning
26 at the Bangor-Glenburn boundary beginning at its
27 intersection with Hudson Road; thence southeast
28 on Hudson Road, Route 221, to Broadway, State
29 Road 15; thence east and south on Broadway to the
30 north boundary of Husson College; thence east,
31 southwest and then west along the Husson College
32 boundary to its intersection with Hillman Avenue
33 and Husson Avenue; thence southwest along Hillman
34 Avenue to Kenduskeag Avenue; thence southeast on
35 Kenduskeag Avenue to Interstate 95; thence south-
36 west on Interstate 95 to Union Street; thence
37 southeast on Union Street to 13th Street; thence
38 southwest on 13th Street to Hammond Street;
39 thence west on Hammond Street to Allen Street;
40 thence northwest on Allen Street to 14th Street;
41 thence southwest on 14th Street to Hammond
42 Street; thence west on Hammond Street to the
43 eastern boundary of Bangor Municipal Airport;
44 thence following the airport boundary south and
45 then west to the Hermon-Bangor boundary; thence

1 north along the Hermon-Bangor boundary to the
2 Glenburn-Bangor boundary; thence north along the
3 boundary to the starting point.

4 District Number 120, in Penobscot County, con-
5 sisting of that portion of the City of Brewer
6 south of a line described as follows: Beginning
7 at the Brewer-Holden boundary at its intersection
8 with Eastern Avenue; thence west on Eastern Ave-
9 nue to Washington Street; thence northwest on
10 Washington Street to Broadlawn Drive; thence
11 north on Broadlawn Drive to North Main Street;
12 thence southwest on North Main Street to the in-
13 tersection with the Maine Central Railroad;
14 thence north along the Maine Central Railroad
15 tracks to the Penobscot River.

16 District Number 121, in Penobscot County, con-
17 sisting of the municipalities of Holden and
18 Orrington and that portion of the City of Brewer
19 north of a line described as follows: Beginning
20 at the Brewer-Holden boundary at its intersection
21 with Eastern Avenue; thence west on Eastern Ave-
22 nue to Washington Street; thence northwest on
23 Washington Street to Broadlawn Drive; thence on
24 Broadlawn Drive to North Main Street; thence
25 southwest on North Main Street to its intersec-
26 tion with the Maine Central Railroad; thence
27 north along the Maine Central Railroad tracks to
28 the Penobscot River.

29 District Number 122, consisting of the municipal-
30 ities of Bucksport, Dedham, Orland and Verona in
31 Hancock County.

32 District Number 123, consisting of the municipal-
33 ities of Brooklin, Brooksville, Castine, Deer
34 Isle, Penobscot, Sedgwick and Stonington in Han-
35 cock County; and the municipality of Isle au Haut
36 in Knox County.

37 District Number 124, consisting of the municipal-
38 ities of Cranberry Isles, Frenchboro, Lamoine,
39 Mount Desert, Southwest Harbor, Swan's Island,
40 Tremont and Trenton in Hancock County.

1 District Number 125, consisting of the municipal-
2 ities of Bar Harbor, Gouldsboro and Winter Harbor
3 in Hancock County; and the municipality of
4 Steuben in Washington County.

5 District Number 126, consisting of the municipal-
6 ities of Addison, Cherryfield, Harrington and
7 Milbridge in Washington County; and the muni-
8 cipalities of Franklin, Hancock, Sorrento, Sullivan
9 and the eastern unorganized portion of Hancock
10 County in Hancock County; except Township 32,
11 M.D.

12 District Number 127, in Hancock County, consist-
13 ing of the municipalities of Blue Hill, Ellsworth
14 and Surry.

15 District Number 128, consisting of the municipal-
16 ities of Amherst, Aurora, Eastbrook, Great Pond,
17 Mariaville, Osborn, Otis, Waltham, Township 32,
18 M.D. and Township 8, S.D., in Hancock County; and
19 the municipalities of Alton, Bradley, Greenfield,
20 Milford and that portion of the City of Old Town
21 west of a line described as follows, in Penobscot
22 County: Beginning at the northernmost boundary
23 of Old Town and Milford; thence proceeding south
24 and west along the boundary, following the
25 Penobscot River to the Stillwater River; thence
26 south along the Stillwater River to State Highway
27 43; thence southeast on State Highway 43 to Col-
28 lege Road; thence south on College Road to Col-
29 lege Avenue, Route 2-A; thence east and south on
30 College Avenue to the Old Town-Orono boundary.

31 District Number 129, in Penobscot County, con-
32 sisting of the municipalities of Clifton,
33 Eddington, Veazie and that portion of the Town of
34 Orono west and south of a line described as fol-
35 lows: Beginning at the Old Town-Orono boundary
36 at its intersection with Stillwater Avenue;
37 thence south on Stillwater Avenue, U.S. Highway
38 2-A, to Forest Avenue; thence east on Forest Ave-
39 nue to Main Street; thence north on Main Street
40 to the Stillwater River; thence east along the
41 Stillwater River to the Penobscot River.

1 District Number 130, in Penobscot County, con-
2 sisting of that portion of the Town of Orono east
3 and north of a line described as follows: Begin-
4 ning at the Old Town-Orono boundary at its inter-
5 section with Stillwater Avenue; thence south on
6 Stillwater Avenue, U.S. Highway 2, to Forest Ave-
7 nue; thence east on Forest Avenue to Main Street;
8 thence north on Main Street to the Stillwater
9 River; thence east along the Stillwater River to
10 the Penobscot River.

11 District Number 131, in Penobscot County, con-
12 sisting of the Penobscot Indian Island Indian
13 Reservation and that portion of the City of Old
14 Town east of a line described as follows: Begin-
15 ning at the northernmost boundary of Old Town and
16 Milford; thence south and west along the bounda-
17 ry, following the Penobscot River to the Stillwa-
18 ter River; thence south along the Stillwater Riv-
19 er to State Highway 43; thence southeast on State
20 Highway 43 to the College Road; thence south on
21 College Road to College Avenue, Route 2-A; thence
22 east and south along the College Avenue to the
23 Orono-Old Town boundary.

24 District Number 132, consisting of the municipal-
25 ities of Burlington, Carroll Plantation,
26 Edinburg, Enfield, Greenbush, Howland, Lagrange,
27 Lakeville, Lee, Lowell, Passadumkeag, Springfield
28 and the unorganized townships of Argyle, Summit,
29 Grand Falls, T 3, R 1 and T 5, R 1 in Penobscot
30 County.

31 District Number 133, consisting of the municipal-
32 ities of Drew Plantation, Kingman Township, Lin-
33 coln, Mattawamkeag, Prentiss Plantation, Webster
34 Plantation and Winn in Penobscot County; and
35 Macwahoc Plantation in Aroostook County.

36 District Number 134, consisting of the municipal-
37 ities of Chester, East Millinocket, Maxfield,
38 Medway, Mount Chase, Patten, Seboeis Plantation,
39 Stacyville, Woodville and the unorganized north
40 portion of Penobscot County; and the municipality
41 of Benedicta in Aroostook County.

42 District Number 135, consisting of the municipal-
43 ity of Millinocket in Penobscot County.

1 District Number 136, consisting of the municipal-
2 ities of Beals, Centerville, Columbia, Columbia
3 Falls, East Machias, Jonesboro, Jonesport,
4 Machias, Roque Bluffs and Whitneyville in Wash-
5 ington County.

6 District Number 137, consisting of the municipal-
7 ities of Cutler, Eastport, Lubec, Machiasport,
8 Marshfield, Pleasant Point-Passamaquoddy Indian
9 Reservation, Whiting and the unorganized east
10 central portion in Washington County.

11 District Number 138, consisting of the municipal-
12 ities of Alexander, Baileyville, Baring
13 Plantation, Calais and Meddybemps in Washington
14 County.

15 District Number 139, consisting of the municipal-
16 ities of Beddington, Charlotte, Codyville
17 Plantation, Cooper, Crawford, Danforth, Deblois,
18 Dennysville, Grand Lake Stream Plantation, Indian
19 Township, Northfield, Number 14 Plantation,
20 Pembroke, Perry, Princeton, Robbinston, Talmadge,
21 Topsfield, Vanceboro, Waite, Wesley, the unorga-
22 nized territory of Number 21 Plantation and the
23 unorganized portion of North Washington County,
24 in Washington County; and the municipalities of
25 Bancroft, Haynesville, Orient, Reed Plantation
26 and Weston in Aroostook County.

27 District Number 140, consisting of the municipal-
28 ities of Amity, Cary Plantation, Crystal, Dyer
29 Brook, Glenwood Plantation, Hammond, Hersey,
30 Hodgdon, Island Falls, Linneus, Ludlow, Merrill,
31 Moro Plantation, New Limerick, Oakfield, Sherman,
32 Smyrna and the unorganized southern portion in
33 Aroostook County.

34 District Number 141, consisting of the municipal-
35 ities of Houlton and Littleton in Aroostook Coun-
36 ty.

37 District Number 142, in Aroostook County, con-
38 sisting of the municipalities of Blaine, Bridge-
39 water, E Plantation, Monticello, Westfield and
40 those portions of the municipality of Presque
41 Isle enclosed by a line described as follows:

1 Part A, beginning at the Presque Isle-Easton
2 boundary; thence north along the boundary to the
3 Presque Isle-Fort Fairfield boundary; thence
4 north along the boundary to the Old Fort
5 Fairfield Road; thence west and south on Old Fort
6 Fairfield Road to State Street; thence west on
7 State Street to Barton Street; thence north on
8 Barton Street to Blake Street; thence west on
9 Blake Street to Charles Street; thence north on
10 Charles Street to Allen Street; thence west on
11 Allen Street to the northernmost bridge across
12 Presque Isle Stream; thence across the bridge to
13 Park Street; thence northwest on Park Street to
14 School Street; thence west on School Street to
15 State Street; thence southeast on State Street to
16 Judd Street; thence west on Judd Street to Me-
17 chanic Street; thence east on Mechanic Street to
18 Lake Street; thence south on Lake Street to Ex-
19 change Street; thence northeast on Exchange
20 Street to Edgemont Drive; thence east on Edgemont
21 Drive across a bridge over Presque Isle Stream to
22 State Street; thence east on State Street to Main
23 Street; thence south on Main Street to the Bangor
24 and Aroostook Railroad; thence south and east
25 along the Bangor and Aroostook Railroad to the
26 Presque Isle-Westfield boundary; thence east
27 along the boundary to the Presque Isle-Easton
28 boundary; and Part B, beginning at the Presque
29 Isle-Westfield boundary; thence north along the
30 Houlton Road to the Bangor and Aroostook Rail-
31 road; thence west and north along the Bangor and
32 Aroostook Railroad's principal branch to Chapman
33 Street; thence west and south on Chapman Street
34 to its intersection with the western spur of the
35 Bangor and Aroostook Railroad; thence west on the
36 spur to the Mapleton-Presque Isle boundary;
37 thence south along the boundary to the Presque
38 Isle-Westfield boundary; thence east along the
39 boundary to the beginning point of Part B.

40 District Number 143, in Aroostook County, con-
41 sisting of that portion of the municipality of
42 Mapleton south of a line described as follows:
43 Beginning at the Presque Isle-Mapleton boundary
44 and its intersection with Route 143; thence west
45 along Route 143 to the Mapleton-Castle Hill
46 boundary; and those portions of the City of

1 Presque Isle enclosed by a line described as fol-
2 lows: Beginning at the northernmost boundary of
3 Presque Isle and Fort Fairfield; thence south
4 along the boundary to the Old Fort Fairfield
5 Road; thence west and south on Old Fort Fairfield
6 Road to State Street; thence west on State Street
7 to Barton Street; thence north on Barton Street
8 to Blake Street; thence west on Blake Street to
9 Charles Street; thence north on Charles Street to
10 Allen Street; thence west on Allen Street to the
11 northernmost bridge across Presque Isle Stream;
12 thence across the bridge to Park Street; thence
13 northwest on Park Street to School Street; thence
14 west on School Street to Edgemont Drive; thence
15 southeast on Edgemont Drive to Judd Street;
16 thence west on Judd Street to Mechanic Street;
17 thence east on Mechanic Street to Lake Street;
18 thence south on Lake Street to Exchange Street;
19 thence northeast on Exchange Street to State
20 Street; thence east on State Street across a
21 bridge over Presque Isle Stream to State Street;
22 thence east on State Street to Main Street;
23 thence south on Main Street to the Bangor and
24 Aroostook Railroad, B&A RR; thence south and east
25 along the Bangor and Aroostook Railroad to the
26 Presque Isle-Westfield boundary; thence west
27 along the boundary to the Houlton Road, U.S.
28 Route 1; thence north along the Houlton Road to
29 the Bangor and Aroostook Railroad; thence west
30 and north along the Bangor and Aroostook
31 Railroad's principal branch to Chapman Street;
32 thence west and south on Chapman Street to its
33 intersection with the western spur of the Bangor
34 and Aroostook Railroad; thence west on the spur
35 to the Mapleton-Presque Isle boundary; thence
36 north along the boundary to the Presque
37 Isle-Washburn boundary; thence north along the
38 boundary to the Caribou-Presque Isle-Washburn
39 boundary; thence east along the Presque
40 Isle-Caribou boundary to the Presque Isle-Fort
41 Fairfield boundary, which is the beginning point.

42 District Number 144, consisting of the municipal-
43 ities of Mars Hill, Easton and Fort Fairfield in
44 Aroostook County.

1 District Number 145, in Aroostook County, con-
2 sisting of all of Limestone, except that portion
3 of Loring Air Force Base included in District
4 Number 148.

5 District Number 146, in Aroostook County, con-
6 sisting of that portion of the City of Caribou
7 north and east of a line described as follows:
8 Beginning at the Woodland-Caribou boundary and
9 its intersection with the Woodland Road; thence
10 proceeding east on the Woodland Road, which be-
11 comes Sweden Street; thence east and south on
12 Sweden Street to Main Street; thence south on
13 South Main Street to the Fort Fairfield Road;
14 thence east on the Fort Fairfield Road to the
15 Aroostook River; thence south along the river to
16 the Caribou-Presque Isle boundary.

17 District Number 147, in Aroostook County, con-
18 sisting of the municipalities of Woodland and
19 Washburn; that portion of the City of Caribou
20 south and west of a line described as follows:
21 Beginning at the Woodland-Caribou boundary and
22 its intersection with the Woodland Road; thence
23 east and south along the Woodland Road, which be-
24 comes Sweden Street; thence south on Sweden
25 Street to Main Street; thence south on South Main
26 Street to the Fort Fairfield Road; thence east on
27 the Fort Fairfield Road to the Aroostook River;
28 thence south along the river to the Caribou -
29 Presque Isle border; and that portion of the Town
30 of Mapleton north of a line described as follows:
31 Beginning at the Presque Isle-Mapleton boundary
32 and its intersection with Route 163; thence west
33 on Route 163 to the Castle Hill-Mapleton bounda-
34 ry.

35 District Number 148, in Aroostook County, con-
36 sisting of the municipalities of Caswell
37 Plantation, Connor, Cyr Plantation, Hamlin, New
38 Sweden, Stockholm, Van Buren and a portion of the
39 Loring Air Force Base enclosed by a line de-
40 scribed as follows: Beginning at the intersec-
41 tion of Caswell Plantation and Sawyer Road;
42 thence south on Sawyer Road to Cobb Drive; thence
43 east on Cobb Drive to Dickman Drive to include
44 all housing west of Dickman Drive and north of

1 Cobb Drive, including Foullois Drive, Wells Drive,
2 Duncan Court, Brookley Court and Andrews Court;
3 thence north to the Caswell Plantation boundary.

4 District Number 149, consisting of the municipal-
5 ities of Grand Isle, Madawaska, Perham, Wade and
6 Westmanland, and the unorganized territory of
7 Square Lake, in Aroostook County.

8 District Number 150, consisting of the municipal-
9 ities of Fort Kent, Frenchville and Saint Agatha
10 in Aroostook County.

11 District Number 151, consisting of the municipal-
12 ities of Allagash, Ashland, Castle Hill, Chapman,
13 Eagle Lake, Garfield Plantation, Masardis,
14 Nashville Plantation, New Canada, Oxbow
15 Plantation, Portage Lake, St. Francis, St. John
16 Plantation, Wallagrass Plantation and Winterville
17 Plantation, and the unorganized central and
18 northwest portions in Aroostook County.

19 6. Senate districts. The Senate shall consist
20 of 35 Senators, with one Senator elected from each of
21 the following districts:

22 Senate District Number 1, consisting of the mu-
23 nicipalities of Caswell Plantation, Connor, Cyr
24 Plantation, Fort Kent, Frenchville, Grand Isle,
25 Hamlin, Limestone, Madawaska, New Canada, New
26 Sweden, Saint Agatha, Stockholm, Van Buren,
27 Wallagrass Plantation and Woodland in Aroostook
28 County.

29 Senate District Number 2, consisting of the mu-
30 nicipalities of Allagash, Ashland, Caribou, Cas-
31 tle Hill, Chapman, Eagle Lake, Mapleton,
32 Nashville Plantation, Perham, Portage Lake,
33 Presque Isle, St. Francis, St. John Plantation,
34 Wade, Washburn, Westmanland, Winterville
35 Plantation and the unorganized territories of
36 northwest Aroostook and Square Lake in Aroostook
37 County.

38 Senate District Number 3, consisting of the mu-
39 nicipalities of Amity, Bancroft, Benedicta,
40 Blaine, Bridgewater, Cary Plantation, Crystal,

1 Dyer Brook, E Plantation, Easton, Fort Fairfield,
2 Garfield Plantation, Glenwood Plantation,
3 Hammond, Haynesville, Hersey, Hodgdon, Houlton,
4 Island Falls, Linneus, Littleton, Ludlow,
5 Macwahoc Plantation, Mars Hill, Masardis, Mer-
6 rill, Monticello, Moro Plantation, New Limerick,
7 Oakfield, Orient, Oxbow Plantation, Reed
8 Plantation, Sherman, Smyrna, Westfield, Weston
9 and the unorganized territories of central
10 Aroostook and south Aroostook in Aroostook Coun-
11 ty; and the municipalities of Drew Plantation,
12 Mattawamkeag, Prentiss Plantation and the unorga-
13 nized territory of Kingman in Penobscot County;
14 and the municipalities of Codyville Plantation,
15 Danforth, Grand Lake Stream Plantation,
16 Passamaquoddy Indian Reservation, Talmadge,
17 Topsfield, Vanceboro, Waite and the unorganized
18 territory of North Washington in Washington Coun-
19 ty.

20 Senate District Number 4, consisting of the mu-
21 nicipalities of Anson, Athens, Bingham, Brighton
22 Plantation, Caratunk, Dennistown Plantation,
23 Embden, Highland Plantation, Jackman, Madison,
24 Mercer, Moose River, Moscow, New Portland,
25 Norridgewock, Pleasant Ridge Plantation,
26 Seboomook Township, Smithfield, Solon, Starks,
27 The Forks Plantation, West Forks Plantation, Cen-
28 tral Somerset and the unorganized territories of
29 northeast Somerset and northwest Somerset in
30 Somerset County; and the municipalities of
31 Carrabassett Valley, Chesterville, Coplin
32 Plantation, Eustis, Farmington, Industry,
33 Kingfield, Madrid, New Sharon, New Vineyard,
34 Phillips, Strong and the unorganized territories
35 of East Franklin and Wyman in Franklin County;
36 and the municipality of Rome in Kennebec County.

37 Senate District Number 5, consisting of the mu-
38 nicipalities of Abbot, Atkinson, Beaver Cove,
39 Blanchard Plantation, Bowerbank, Brownville,
40 Dover-Foxcroft, Greenville, Guilford, Kingsbury
41 Plantation, Lakeview Plantation, Medford, Milo,
42 Monson, Parkman, Sangerville, Sebec, Shirley,
43 Wellington, Willimantic, the unorganized territo-
44 ries of Barnard Plantation and Elliottsville
45 Plantation and the unorganized territories of

1 northeast Piscataquis, northwest Piscataquis and
2 southeast Piscataquis in Piscataquis County; and
3 the municipalities of Chester, East Millinocket,
4 Maxfield, Medway, Millinocket, Mount Chase,
5 Patten, Seboeis Plantation, Stacyville, Woodville
6 and the unorganized territory of north Penobscot
7 in Penobscot County.

8 Senate District Number 6, consisting of the mu-
9 nicipalities of Alton, Bradford, Burlington, Car-
10 roll Plantation, Charleston, Corinth, Edinburg,
11 Enfield, Exeter, Garland, Glenburn, Greenbush,
12 Howland, Hudson, Kenduskeag, Lagrange, Lakeville
13 Plantation, Lee, Levant, Lincoln, Lowell, Old
14 Town, Passadumkeag, Penobscot Indian Reservation,
15 Springfield, Webster Plantation, Winn and the un-
16 organized territories of Argyle Township, Summit
17 Township and Grand Falls Plantation in Penobscot
18 County.

19 Senate District Number 7, consisting of the mu-
20 nicipalities of Addison, Alexander, Bailey-
21 ville, Baring Plantation, Beals, Beddington,
22 Calais, Centerville, Charlotte, Cherryfield, Co-
23 lumbia, Columbia Falls, Cooper, Crawford, Cutler,
24 Deblois, Dennysville, East Machias, Eastport,
25 Harrington, Jonesboro, Jonesport, Lubec, Machias,
26 Machiasport, Marshfield, Meddybemps, Milbridge,
27 Northfield, Pleasant Point-Passamaquoddy Indian
28 Reservation, Pembroke, Perry, Plantation 14,
29 Princeton, Robbinston, Rogue Bluffs, Steuben,
30 Wesley, Whiting, Whitneyville and the unorganized
31 territories of Plantation 21 and east central
32 Washington in Washington County.

33 Senate District Number 8, consisting of the mu-
34 nicipalities of Andover, Bethel, Byron, Canton,
35 Dixfield, Gilead, Hanover, Lincoln Plantation,
36 Magalloway Plantation, Mexico, Milton Township,
37 Newry, Roxbury, Rumford, Upton and the unorga-
38 nized territory of north Oxford in Oxford County;
39 and the municipalities of Avon, Carthage, Dallas
40 Plantation, Jay, Rangeley, Rangeley Plantation,
41 Sandy River Plantation, Temple, Weld, Wilton and
42 the unorganized territories of North Franklin and
43 South Franklin in Franklin County.

1 Senate District Number 9, consisting of the mu-
2 nicipalities of Carmel, Corinna, Dexter, Dixmont,
3 Etna, Hampden, Hermon, Newburgh, Newport, Plym-
4 outh and Stetson in Penobscot County; and the mu-
5 nicipalities of Cambridge, Canaan, Cornville, De-
6 troit, Harmony, Hartland, Palmyra, Ripley and St.
7 Albans in Somerset County.

8 Senate District Number 10, consisting of the mu-
9 nicipality of Bangor in Penobscot County.

10 Senate District Number 11, consisting of the mu-
11 nicipalities of Brewer, Bradley, Clifton,
12 Eddington, Greenfield, Holden, Milford, Orono,
13 Orrington and Veazie in Penobscot County.

14 Senate District Number 12, consisting of the mu-
15 nicipalities of Amherst, Aurora, Bar Harbor, Blue
16 Hill, Brooklin, Brooksville, Cranberry Isles,
17 Dedham, Deer Isle, Eastbrook, Ellsworth, Frank-
18 lin, Frenchboro, Gouldsboro, Great Pond, Hancock,
19 Lamoine, Mariaville, Mount Desert, Osborn, Otis,
20 Sedgwick, Sorrento, Southwest Harbor, Stonington,
21 Sullivan, Surry, Swans Island, Tremont, Trenton,
22 Waltham, Winter Harbor and the unorganized terri-
23 tories of central Hancock and east Hancock in
24 Hancock County; and the municipality of Isle Au
25 Haut in Knox County.

26 Senate District Number 13, consisting of the mu-
27 nicipalities of Albion, Benton, Clinton, Unity
28 Township and Winslow in Kennebec County; and the
29 municipalities of Fairfield, Pittsfield and
30 Skowhegan in Somerset County.

31 Senate District Number 14, consisting of the mu-
32 nicipalities of Belfast, Brooks, Burnham, Frank-
33 fort, Freedom, Islesboro, Jackson, Knox, Monroe,
34 Northport, Prospect, Searsport, Stockton Springs,
35 Swanville, Thorndike, Troy, Unity, Waldo and
36 Winterport in Waldo County; and the municipali-
37 ties of Bucksport, Castine, Orland, Penobscot and
38 Verona in Hancock County.

39 Senate District Number 15, consisting of the mu-
40 nicipalities of Brownfield, Buckfield, Denmark,
41 Fryeburg, Greenwood, Hartford, Hebron, Hiram,

1 Lovell, Norway, Otisfield, Oxford, Paris, Peru,
2 Stoneham, Stow, Sweden, Sumner, Waterford, West
3 Paris, Woodstock and the unorganized territory of
4 south Oxford in Oxford County; and the municipal-
5 ities of Bridgton and Harrison in Cumberland
6 County.

7 Senate District Number 16, consisting of the mu-
8 nicipalities of Greene, Leeds, Lisbon, Livermore,
9 Minot, Sabattus, Turner and Wales and that por-
10 tion of the City of Lewiston south of a line de-
11 scribed as follows: Beginning at the
12 Androscoggin River at the inlet which approaches
13 Lincoln Street; thence north along the inlet of
14 the Androscoggin River, across Lincoln Street, to
15 a point approaching Lisbon Street, east of Locust
16 Street, the line to correspond to the boundary
17 between House Districts 67 and 69 and to the di-
18 vision lines between Tracts 204 and 205, City of
19 Lewiston, 1980 Federal Census of Maine; thence
20 north along the line to Lisbon Street; thence
21 northwest on Lisbon Street to Willow Street;
22 thence northeast on Willow Street to Bartlett
23 Street; thence north on Bartlett Street to Walnut
24 Street; thence east on Walnut Street to Webster
25 Street; thence southeast on Webster Street to
26 Mitchell Street; thence southwest on Mitchell
27 Street to Pleasant Street; thence east on Pleas-
28 ant Street to Lisbon Street; thence southeast on
29 Lisbon Street across the Maine Turnpike to the
30 Maine Central Railroad; thence east and south
31 along the Maine Central Railroad tracks to the
32 Lewiston-Lisbon boundary in Androscoggin County.

33 Senate District Number 17, consisting of the mu-
34 nicipalities of Belgrade, Fayette, Mount Vernon,
35 Oakland, Sidney, Vienna and Waterville in Kenne-
36 bec County; and the municipality of Livermore
37 Falls in Androscoggin County.

38 Senate District Number 18, consisting of the mu-
39 nicipalities of Farmingdale, Gardiner,
40 Litchfield, Manchester, Monmouth, Pittston, Ran-
41 dolph, Readfield, Wayne, West Gardiner and
42 Winthrop in Kennebec County; and the municipality
43 of Whitefield in Lincoln County.

1 Senate District Number 19, consisting of the mu-
2 nicipalities of Augusta, Chelsea, China,
3 Hallowell and Vassalboro in Kennebec County.

4 Senate District Number 20, consisting of the mu-
5 nicipalities of Alna, Boothbay, Boothbay Harbor,
6 Bremen, Bristol, Damariscotta, Dresden, Edgecomb,
7 Hibberts Gore, Jefferson, Monhegan Plantation,
8 Newcastle, Nobleboro, Somerville, South Bristol,
9 Southport, Waldoboro, Westport and Wiscasset in
10 Lincoln County; and the municipalities of Cush-
11 ing, Friendship, Union, Warren and Washington in
12 Knox County; and the municipality of Windsor in
13 Kennebec County.

14 Senate District Number 21, consisting of the mu-
15 nicipalities of Appleton, Camden, Criehaven Town-
16 ship, Hope, Matinicus Isle Plantation, North Ha-
17 ven, Owls Head, Rockland, Rockport, St. George,
18 South Thomaston, Thomaston and Vinalhaven in Knox
19 County; and the municipalities of Belmont, Liber-
20 ty, Lincolnville, Montville, Morrill, Palermo and
21 Searsmont in Waldo County.

22 Senate District Number 22, consisting of the mu-
23 nicipalities of Auburn, Mechanic Falls and Poland
24 in Androscoggin County; and the municipality of
25 New Gloucester in Cumberland County.

26 Senate District Number 23, in Androscoggin Coun-
27 ty, consisting of a part of the City of Lewiston
28 north of a line described as follows: Beginning
29 at the Androscoggin River at an inlet which ap-
30 proaches Lincoln Street; thence north along an
31 inlet of the Androscoggin River, across Lincoln
32 Street, to a point approaching Lisbon Street,
33 east of Locust Street, the line to correspond to
34 the boundary between House Districts 67 and 69
35 and to the division lines between Tracts 204 and
36 205, City of Lewiston, 1980 Federal Census of
37 Maine; thence north along the line to Lisbon
38 Street; thence northwest on Lisbon Street to Wil-
39 low Street; thence northeast on Willow Street to
40 Bartlett Street; thence north on Bartlett Street
41 to Walnut Street; thence east on Walnut Street to
42 Webster Street; thence southeast on Webster
43 Street to Mitchell Street; thence southwest on

1 Mitchell Street to Pleasant Street; thence east
2 on Pleasant Street to Lisbon Street; thence
3 southeast on Lisbon Street (Rte. 196) across the
4 Maine Turnpike to the Maine Central Railroad;
5 thence east and south along the Maine Central
6 Railroad tracks to the Lewiston-Lisbon boundary.

7 Senate District Number 24, consisting of the mu-
8 nicipalities of Arrowsic, Bath, Bowdoin,
9 Bowdoinham, Georgetown, Phippsburg, Richmond,
10 Topsham, West Bath, Woolwich and the unorganized
11 territory of Perkins Township in Sagadahoc Coun-
12 ty; and the municipality of Harpswell in Cumber-
13 land County.

14 Senate District Number 25, consisting of the mu-
15 nicipalities of Acton, Alfred, Cornish, Hollis,
16 Limerick, Limington, Lyman, Newfield,
17 Parsonsfield, Shapleigh and Waterboro in York
18 County; and the municipalities of Baldwin, Casco,
19 Naples, Sebago and Standish in Cumberland County;
20 and the municipality of Porter in Oxford County.

21 Senate District Number 26, consisting of the mu-
22 nicipalities of Brunswick, Freeport, Pownal and
23 Yarmouth in Cumberland County; and the municipal-
24 ity of Durham in Androscoggin County.

25 Senate District Number 27, consisting of the mu-
26 nicipalities of Cumberland, including Chebeague
27 Island, Falmouth, Gray, North Yarmouth, Raymond
28 and Windham in Cumberland County.

29 Senate District Number 28, consisting of the mu-
30 nicipalities of Gorham and Westbrook in Cumber-
31 land County; and the municipality of Buxton in
32 York County.

33 Senate District Number 29, in Cumberland County,
34 consisting of that portion of the City of Port-
35 land north of a line described as follows: Be-
36 ginning at the Portland-Westbrook boundary at its
37 intersection with Brighton Avenue; thence south-
38 east on Brighton Avenue to Deering Avenue; thence
39 south on Deering Avenue to Route 295; thence east
40 on Route 295 to a point 100 feet northeast of the

1 intersection of Route 295 and Preble Street Ex-
2 ension; thence due north to Back Cove; thence
3 north and east along the shore of Back Cove to
4 Casco Bay; thence north along the shore of Casco
5 Bay to the Falmouth-Portland boundary; thence
6 along the Falmouth-Portland boundary to the
7 Westbrook-Portland boundary; thence along the
8 Westbrook-Portland boundary to the beginning, the
9 district to exclude all islands within the bound-
10 aries of the City of Portland.

11 Senate District Number 30, in Cumberland County,
12 consisting of that portion of the City of Port-
13 land south of a line described as follows: Be-
14 ginning at the Portland-Westbrook boundary at its
15 intersection with Brighton Avenue; thence south-
16 east on Brighton Avenue to Deering Avenue; thence
17 south on Deering Avenue to Route 295; thence east
18 on Route 295 to a point 100 feet northeast of the
19 intersection of Route 295 and Preble Street Ex-
20 ension; thence due north to Back Cove; thence
21 north and east along the shore of Back Cove to
22 Casco Bay; thence north along the shore of Casco
23 Bay to the Falmouth-Portland boundary; thence
24 east along the Falmouth-Portland boundary until
25 the boundaries close, the district to contain all
26 islands within boundaries of the City of Port-
27 land.

28 Senate District Number 31, consisting of the mu-
29 nicipalities of Dayton, Old Orchard Beach and
30 Saco in York County; and the municipality of
31 Scarborough in Cumberland County.

32 Senate District Number 32, consisting of the mu-
33 nicipalities of Cape Elizabeth and South Portland
34 in Cumberland County.

35 Senate District Number 33, consisting of the mu-
36 nicipalities of Berwick, Lebanon, North Berwick,
37 Sanford and South Berwick in York County.

38 Senate District Number 34, consisting of the mu-
39 nicipalities of Arundel, Biddeford, Kennebunk and
40 Kennebunkport in York County.

1 Senate District Number 35, consisting of the mu-
2 nicipalities of Eliot, Kittery, Ogunquit, Wells
3 and York in York County.

4 7. Congressional districts. The State of Maine
5 shall be divided into 2 districts for the election of
6 Representatives to Congress. The districts are com-
7 prised as follows.

8 A. The first district is comprised of York, Cum-
9 berland, Sagadahoc, Lincoln, Kennebec and Knox
10 Counties and the municipalities of Burnham, Free-
11 dom, Islesboro, Liberty, Lincolnville, Montville,
12 Morrill, Northport, Palermo, Searsmont, Troy,
13 Waldo and Unity in Waldo County.

14 B. The 2nd district is comprised of Andro-
15 scoggin, Aroostook, Franklin, Hancock, Oxford,
16 Penobscot, Piscataquis, Somerset and Washington
17 Counties and the municipalities of Belfast,
18 Belmont, Brooks, Frankfort, Jackson, Knox, Mon-
19 roe, Prospect, Searsport, Stockton Springs,
20 Swanville, Thorndike and Winterport in Waldo
21 County.

22 C. In 1983 and every 10 years thereafter, when
23 the Secretary of State has received notification
24 of the number of congressional seats to which the
25 State is entitled and the Federal Decennial Cen-
26 sus population count is final, the apportionment
27 commission established pursuant to the Constitu-
28 tion of Maine, Article IV, Part Third, Section
29 1-A, shall review the existing congressional dis-
30 tricts. If the districts do not conform to Su-
31 preme Judicial Court guidelines, the commission
32 shall reapportion the State into congressional
33 districts.

34 In making such a reapportionment, the commission
35 shall insure that each congressional district is
36 formed of compact and contiguous territory and
37 crosses political subdivisions the least number
38 of times necessary to establish as equally popu-
39 lated districts as possible. The commission
40 shall submit its plan to the Clerk of the House
41 no later than 90 calendar days after appointment
42 of the commission. The Legislature shall enact

1 the submitted plan of the commission or a plan of
2 its own in regular or special session by a vote
3 of 2/3 of the members of each house within 30
4 calendar days after the plan is submitted to the
5 Clerk of the House. This action is subject to
6 the Governor's approval, as provided in the Con-
7 stitution of Maine, Article IV, Part Third, Sec-
8 tion 2.

9 D. In the event that the Legislature fails to
10 make an apportionment within 30 calendar days,
11 the Supreme Judicial Court shall, within 60 days
12 following the period in which the Legislature is
13 required to act, but fails to do so, make the ap-
14 portionment. In making such apportionment, the
15 Supreme Judicial Court shall take into considera-
16 tion plans and briefs filed by the public with
17 the court during the first 30 days of the period
18 in which the court is required to apportion.

19 The Supreme Judicial Court shall have original
20 jurisdiction to hear any challenge to an appor-
21 tionment law enacted by the Legislature, as reg-
22 istered by any citizen or group thereof. If any
23 challenge is sustained, the Supreme Judicial
24 Court shall make the apportionment.

25 Sec. 7. 26 MRSA §821, as enacted by PL 1983, c.
26 128, §1, is amended to read:

27 §821. Person employed in position other than
28 temporary

29 Any person, except a person covered under Title
30 20, section 2001, employed in a position other than a
31 temporary position shall be granted a leave of ab-
32 sence to fulfill the duties of a Legislator, provided
33 that the employee gives written notice to his employ-
34 er of his intent to become a candidate for the Legis-
35 lature within 10 days after taking action under ~~Title~~
36 21 Title 21-A to place his name on a primary or gener-
37 al election ballot. Following his term of service
38 as a Legislator, the employee, if he is still quali-
39 fied to perform the duties of the position from which
40 he was granted leave, shall be entitled to be re-
41 stored to his previous, or a similar, position with
42 the same status, pay and seniority. This leave of

1 absence shall, within the discretion of the employer,
2 be with or without pay and shall be limited to one
3 legislative term of 2 years.

4 Sec. 8. 30 MSA §2061, sub-§5, ¶I, as repealed
5 and replaced by PL 1977, c. 696, §223, is amended to
6 read:

7 I. Instruction cards containing the substance of
8 Title 21, sections 861 to 863, 891, 892, 921,
9 923, 1579 and 1580 Title 21-A, sections 671 to
10 674, 681, 682, 691 and 693, to guide voters in
11 obtaining and marking ballots and to inform them
12 of penalties for improper conduct shall be
13 printed.

14 Sec. 9. 30 MRSA §2062, sub-§1 is amended to
15 read;

16 1. Procedure. The absentee voting procedure out-
17 lined in ~~Title 21~~ Title 21-A shall be used, except
18 the duties of the Secretary of State shall be per-
19 formed by the clerk.

20 Sec. 10. 30 MRSA §2062, sub-§2, as enacted by PL
21 1975, c. 386, §2, is amended to read:

22 2. Absentee ballot. The absentee ballot require-
23 ments of ~~Title 21, section 1252~~ Title 21-A, section
24 752, shall apply, provided that the words "Absentee
25 Ballot" may be marked conspicuously, instead of
26 printed, on both sides of the folded ballot, if at
27 least one such marking includes an attestation with
28 the written signature of the clerk and is sealed with
29 the municipal seal.

30 Sec. 11. 30 MRSA §2066, as amended by PL 1975,
31 c. 164, is further amended to read:

32 §2066. Applicability of provisions

33 Except as otherwise provided by this Title or by
34 charter, the method of voting and the conduct of a
35 municipal election are governed by ~~Title 21~~ Title
36 21-A. The qualifications for voting in a municipal
37 election conducted under this Title are governed
38 solely by ~~Title 21, section 241~~ Title 21-A, section
39 111.

1 Sec. 12. 30 MRSA §5352 is amended to read:

2 §5352. Warrant for city election; conduct of elec-
3 tion

4 Each city election shall be called by a warrant.
5 The warrant shall meet the requirements listed in
6 section 2052. An attested copy shall be posted in a
7 conspicuous, public place in each ward. The election
8 shall be conducted in each ward in the same manner as
9 a general election under ~~Title 21~~ Title 21-A, as
10 nearly as practicable.

11 Sec. 13. 30 MRSA §5356, first ¶, as amended by
12 PL 1977, c. 696, §229, is further amended to read:

13 A candidate for municipal office of a city of
14 10,000 or more population is governed by ~~Title 21,~~
15 ~~sections 1391 to 1402~~ Title 21-A, sections 1001 to
16 1004, and sections 1011 to 1020, except that notices
17 of appointment of a treasurer and campaign reports
18 must be filed with the clerk instead of the Secretary
19 of State.

20 Sec. 14. 34-A MRSA §1001, sub-§18, as enacted by
21 PL 1983, c. 459, §6, is amended to read:

22 18. Written political material. "Written politi-
23 cal material" means flyers, handbills or other
24 nonperiodical publications, which are subject to the
25 restrictions of ~~Title 21, chapter 35~~ Title 21-A,
26 chapter 13.

27 Sec. 15. 34-A MRSA §3007, sub-§4, as enacted by
28 PL 1983, c. 459, §6, is amended to read:

29 4. Violation. The posting of written political
30 material under this section is not a violation of ~~Ti-~~
31 ~~tle 21, section 1575-A~~ Title 21-A, section 31, sub-
32 section 3, or Title 21, section 1579, subsection 7
33 Title 21-A, section 674, subsection 1, paragraph C.

1

STATEMENT OF FACT

2

3

4

This bill is the result of a study order issued by the 111th Legislature to recodify the Maine Revised Statutes, Title 21. The bill:

5

6

1. Eliminates inconsistencies within the Maine Revised Statutes, Title 21;

7

2. Rewrites archaic or ambiguous language; and

8

9

3. Reorganizes the sections into a format which is easier to use.

10

0148010385