

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 27

H.P. 29

House of Representatives, January 3, 2007

An Act To Clarify Election Laws Concerning Election Clerks' Qualifications

(EMERGENCY)

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BARSTOW of Gorham.

1 **Emergency preamble. Whereas,** acts of the Legislature do not become effective
2 until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** because this legislation concerns the elections to be held in June of 2007,
4 it needs to take effect before the normal statutory effective date; and

5 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
6 the meaning of the Constitution of Maine and require the following legislation as
7 immediately necessary for the preservation of the public peace, health and safety; now,
8 therefore,

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

10 **Sec. 1. 21-A MRSA §503, sub-§1,** as repealed and replaced by PL 1995, c. 459,
11 §33, is amended to read:

12 **1. Qualifications; appointment; compensation.** Election clerks must be at least 18
13 years of age, registered to vote and ~~a resident~~ residents of the municipality, except that, if
14 the municipal officers are unable to appoint a sufficient number of election clerks who are
15 residents of the municipality, the municipal clerk may appoint election clerks who are not
16 residents of the municipality but who are residents of the county and are otherwise
17 qualified to fill the vacancies. The municipal officers of each municipality shall appoint
18 election clerks no later than May 1st of each general election year to serve at each voting
19 place during the time the polls are open and as counters after the polls close. A list of the
20 election clerks appointed ~~by the municipal officers under this subsection~~ must be posted
21 at each voting place. Election clerks are entitled to a reasonable compensation as
22 determined by the municipal officers.

23 **Emergency clause.** In view of the emergency cited in the preamble, this Act takes
24 effect when approved.

25 SUMMARY

26 This bill relaxes the residency requirement for the appointment of election clerks,
27 permitting a municipal clerk to appoint election clerks who are residents of the county of
28 the municipality if insufficient numbers of municipal residents are available.