

# MAINE STATE LEGISLATURE

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# Sixty-Fourth Legislature.

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SENATE.

No. 4.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND EIGHTY-NINE.

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AN ACT to provide for a Board of Registration of Voters in Cities and Towns, and amend chapter 4 of Revised Statutes in reference thereto.

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*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:*

SECTION 1. That a board of registration is hereby  
2 established in each city of the State and in every  
3 town of the State having one thousand or more  
4 registered voters, which shall have the exclusive  
5 power and authority to hear evidence and to deter-  
6 mine the qualifications of voters therein, and the  
7 exclusive power to correct and revise the lists of  
8 voters, and check lists during the last six secular  
9 days next preceding any national, State or munic-

10 pal election, and shall perform all the duties and  
11 have exclusively all the powers now exercised by  
12 the selectmen of such towns, and municipal offi-  
13 cers of such cities under chapter 4, sections 5, 6,  
14 7, 12, 15, 16, 47 and 48 of the Revised Statutes,  
15 and of other provisions relating thereto. Except  
16 that said selectmen and municipal officers of such  
17 towns and cities shall prepare and post the lists of  
18 voters in the first instance as is now provided by  
19 law.

SECT. 2. Said board shall consist of three members,  
2 residents and legal voters of the city or town where  
3 such board is established, one of whom shall be  
4 learned in the law, and shall be appointed and  
5 commissioned by the governor, by and with the  
6 consent of his council, for a term of four years,  
7 and shall not be eligible to any municipal office  
8 during his term of office.

SECT. 3. The other two members of such board  
2 shall be chosen, one from the political party polling  
3 the highest number of votes in the State at the  
4 preceding State election and the other from the  
5 political party having the next highest number of  
6 votes in the State at said election; and they shall  
7 each hold said office for the term of two years.  
8 Each shall be nominated by a caucus of his own

9 political party, duly notified and called for for that  
10 purpose by a majority ballot therein; and upon  
11 due notice thereof in writing, the mayors of the  
12 several cities and the selectmen of the several  
13 towns affected by this act, shall forthwith appoint  
14 such persons so nominated, members of said board.

SECT. 4. The person appointed and commis-  
2 sioned by the governor shall preside at all meetings  
3 of the board, but shall not vote therein except in  
4 case of a tie. He shall give due notice of the  
5 times and place of session of said board, and sign  
6 all orders and processes issued by the same. If  
7 he is necessarily absent or disqualified by sickness  
8 or otherwise, during any session of the board, the  
9 mayor of the city or a selectman of the town, as  
10 the case may be, shall preside for the time being.

SECT. 5. If any other member of the board be  
2 absent or disqualified by sickness or otherwise,  
3 during the sessions of the board, the mayor or  
4 selectmen shall fill his place for the time being by  
5 special appointment from the political party the  
6 absent member represents.

SECT. 6. The members of such board shall be  
2 sworn to perform the duties of their office, faith-  
3 fully and impartially.

SECT. 7. The presiding officer shall cause all  
2 parties and witnesses appearing before the board  
3 to be sworn, and shall have power to compel attend-  
4 ance of witnesses, to punish for contempt and to  
5 issue all processes necessary to the performance of  
6 the duties of the board and the maintenance of the  
7 dignity and rights thereof.

SECT. 8. Any person who shall wilfully and  
2 knowingly testify falsely to any material fact in  
3 any proceeding before said board, shall be liable  
4 to the pains and penalties for perjury now pro-  
5 vided by law.

SECT. 9. All meetings of the board shall be  
2 open and public, and shall close in the last day of  
3 each term at five o'clock, P. M. A record shall be  
4 kept of all names added or stricken from the voting  
5 lists, and of all other proceedings of said board at  
6 each session of the term. No name shall be added  
7 to or stricken from said lists except during open  
8 sessions of the board, and the record of its pro-  
9 ceedings shall be public and open to inspection at  
10 any time when not in use.

SECT. 10. Said board shall be in session not less  
2 than five hours upon each of the six secular days  
3 next prior to any election to receive evidence touch-  
4 ing the qualifications of voters, and to correct the

5 voting lists in each city and town having less than  
6 ten thousand inhabitants, and for not less than six  
7 hours on each of said days in all cities having ten  
8 thousand or more inhabitants.

SECT. 11. The voting lists, revised and corrected  
2 by said board, shall be used in every election here-  
3 after held in such towns as are affected by this act,  
4 and in all the cities of this State and the wards  
5 thereof as the check list provided by law.

SECT. 12. The clerk of the town or city wherein  
2 this board is established, shall act as clerk of the  
3 board during its sessions, and shall furnish it with  
4 the list of voters prepared in the first instance by  
5 the municipal officers and deposited with him. He  
6 shall be the custodian of the records of said board  
7 and of the corrected and revised lists of voters  
8 prepared by it for use at any election, and it shall  
9 be his duty to keep said list one year and furnish  
10 any one a copy thereof on application and payment  
11 thereof, within forty-eight hours.

SECT. 13. All duties and powers in reference to  
2 preparing and posting the lists of voters and  
3 notices thereto, not herein confined upon the board  
4 of registration are to be performed by the municipal  
5 officers of the several cities and towns, as now pro-  
6 vided by law.

SECT. 14. The members of such board shall be  
2 subject to the same penalties for misconduct in office  
3 as are by law imposed upon municipal officers.

SECT. 15. The president of such board shall re-  
2 ceive five dollars for each day of the session, and  
3 other members three dollars per day, to be paid by  
4 the city or town where such board is established.

SECT. 16. All precepts issued by the board and  
2 all witness fees shall be paid by the parties in inter-  
3 est, at the established rate of fees before municipal  
4 courts.

Each city and town wherein this board is by law  
6 established, shall provide a suitable place for hold-  
7 ing its sessions, and shall appoint a constable to be  
8 in attendance to preserve order and execute its pre-  
9 cepts, and shall pay him for said services.

SECT. 17. Each political party having the right  
2 to nominate a member of said board under this act  
3 in every city and town where it applies, shall with-  
4 in ten days after the approval hereof, notify the  
5 mayor of their city, or the selectmen of their town,  
6 of the name of the person nominated in their sev-  
7 eral caucuses. Thereupon said mayor or select-  
8 men shall forthwith appoint the same. If either  
9 or both parties neglect or refuse so to nominate and  
10 so notify for ten days aforesaid within twenty-four

11 hours thereafter, said mayor or selectmen shall  
12 select and appoint a suitable person member of said  
13 board from the party so neglecting and refusing.  
14 And like proceedings shall be had whenever a  
15 vacancy occurs and a like ten days have elapsed.

SECT. 18. All acts and parts of acts inconsistent  
2 with this act are hereby repealed so far as they may  
3 affect the cities and towns above named.

SECT. 19. This act shall take effect when ap-  
2 proved.



STATE OF MAINE.

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IN SENATE, January 16, 1889.

Reported back from Committee on Legal Affairs, by Mr. WRIGHT and ordered printed.

C. W. TILDEN, *Secretary.*