

MAINE STATE LEGISLATURE

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NEW DRAFT.

Sixty-Fourth Legislature.

SENATE.

No. 60.

STATE OF MAINE.

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

AN ACT to provide a Board of Registration of voters in cities, and amend Chapter 4 of Revised Statutes in reference thereunto.

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

SECT. 1. That a board of registration is hereby established in each city of the State, which shall have the exclusive power and authority to hear evidence and to determine the qualifications of voters therein, and the exclusive power to correct and revise the lists of voters, and the check lists during the six secular days next preceding any national, State or municipal election, and shall perform all the duties and have exclusively all the powers now exercised by the municipal officers of such cities in revising and correcting the lists of voters therein under

11 Chapter 4 of the Revised Statutes, or any other statute
12 relating thereto. Except that the municipal officers of
13 such cities shall prepare the lists of voters in
14 the first instance and deposit the same with the city
15 clerk, and post copies thereof in the wards of the city as
16 now provided by law.

SECT. 2. Said board shall consist of three members,
2 residents and legal voters of the city where such board is
3 established, one of whom shall be learned in the law,
4 and shall be appointed and commissioned by the gover-
5 nor, by and with the consent of his council, for a term of
6 four years, and shall not be eligible to any elective muni-
7 cipal office during his term of office.

SECT. 3. The other two members of such board shall
2 be chosen one from the political party polling the highest
3 number of votes in the State at the preceding State elec-
4 tion, and the other from the political party having the
5 next highest number of votes in the State at said election ;
6 and they shall each hold said office for the term of two
7 years. Each shall be nominated by a caucus of his own
8 political party, duly notified and called for that purpose
9 by a majority ballot therein ; and upon due notice thereof
10 in writing, the several mayors shall forthwith appoint
11 such persons so nominated, members of said boards
12 for their respective cities.

SECT. 4. The person appointed and commissioned by
2 the Governor shall preside at all the meetings of the
3 board, but shall not vote therein except in case of a tie.
4 He shall give due notice of the times and place of session
5 of said board, and sign all orders and processes issued
6 by the same. If he is necessarily absent or disqualified

7 by sickness or otherwise, during any session of the board,
8 the mayor of the city shall preside for the time being.

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

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

SECT. 7. The presiding officers shall cause all parties
2 and witnesses appearing before the board to be sworn, and
3 shall have power to compel attendance of witnesses, to
4 punish for contempt and to issue all processes necessary to
5 the performance of the duties of the board.

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

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

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

5 less than ten thousand inhabitants, and for not less than
6 six hours on each of said days in all cities having ten thou-
7 sand or more inhabitants.

SECT. 11. The voting lists, revised and corrected by
2 said board, shall be used in every election hereafter held in
3 any city and in the several wards thereof, and the wardens
4 shall be governed by the same in every election where a
5 check list is used.

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

SECT. 13. All duties and powers in reference to pre-
2 paring in the first instance and posting the lists of voters
3 and notices thereof not herein conferred upon the board of
4 registration are to be performed by the municipal officers
5 of the several cities, as now provided by law.

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

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

SECT. 16. All precepts issued by the board and all wit-
2 ness fees shall be paid by the parties in interest, at the

3 established rate of fees before municipal courts. Each city
4 shall provide a suitable place for holding the sessions of
5 the board and shall appoint a constable to be in attendance
6 to preserve order and execute its precepts, and shall pay
7 him for said services.

SECT. 17. Each political party having the right to
2 nominate a member of said board under this act in every
3 city, shall within seven days after the approval hereof,
4 notify the mayor of their city, of the name of the person
5 nominated in the several caucuses. Thereupon said
6 mayor shall forthwith appoint the same. If either or both
7 parties neglect or refuse so to nominate and so notify for
8 seven days aforesaid, within twenty-four hours thereafter,
9 said mayor shall select and appoint a suitable person
10 member of said board from the party so neglecting and
11 refusing. And like proceedings shall be had whenever a
12 vacancy occurs and a like seven days have elapsed.

SECT. 18. Section fifteen, chapter four of Revised
2 Statutes is hereby amended so as to read as follows:

'The aldermen and assessors of cities shall prepare lists
4 of voters in the first instance and post the same in the
5 wards thereof, for the elections of governors, represen-
6 tatives to Congress, and electors of president and vice
7 president, and for annual city elections, in the same
8 manner as selectmen and assessors are required to pre-
9 pare them for towns. But the board of registration shall
10 revise and correct the voting lists during the last six
11 secular days next preceding any election and the wardens
12 shall be governed by said revised and corrected lists.
13 And no names shall be added to the lists of voters on the
14 day of election.'

SECT. 19 Section forty-seven, chapter four of Revised Statutes is hereby repealed.

SECT. 20. Section forty-eight of chapter four Revised Statutes is hereby amended to read as follows :

Notices of the times and places of sessions of the board of registration shall be given by the president thereof and posted at the same time and place as is the warrant for calling ward meetings. In all the elections in cities the polls shall be open until four o'clock in the afternoon and shall then be closed.

SECT. 21. All other acts and parts of acts inconsistent with this act are hereby repealed.

SECT. 22. This act shall take effect when approved.

STATE OF MAINE.

IN SENATE, February 4, 1889.

Reported by MR. HAINES, from Committee on Legal Affairs; and
laid on table to be printed under joint rules.

C. W. TILDEN, *Secretary*.