

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

HOUSE

NO. 232

House of Representatives, Feb. 17, 1915.

Ordered that five hundred copies be printed and that the same be referred to the Committee on Judiciary.

Committee on Reference.

Presented by Mr. Colcord.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIFTEEN

AN ACT to Amend the Charter of the Portland Water District

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

Section 1. Ballots for elections of trustees of the Portland
2 Water District shall be made with four columns for crosses
3 to the right of the candidates' names, and headed, respec-
4 tively, "First Choice," "Second Choice," "Third Choice,"
5 and "Other Choices."

Sect. 2. The face of the ballots shall be of the following
2 form:

OFFICIAL BALLOT.

Candidates for Trustee of the Portland Water District at
5 an election held on Monday, the.....of.....,
6 A. D.....:

Instructions. To vote for any person, make a cross (X) in
8 the square in the appropriate column according to your
9 choice, at the right of the name voted for. Vote your first
10 choice in the first column; vote your second choice in the
11 second column; vote your third choice in the third column;
12 vote in the fourth column for all the other candidates whom
13 you wish to support; vote only one first choice, only one sec-
14 ond choice, and only one third choice for any one trustee.
15 Do not vote more than one choice for one person, as only
16 one choice will count for any one candidate on this ballot.

For Trustee of the Portland Water District.	First Choice.	Second Choice.	Third Choice.	Other Choices.

Back of Ballot.

....., Maine, Monday,, A. D.

OFFICIAL BALLOT.

(Facsimile of Signature.)

..... City Clerk.

Sect. 3. As soon as the polls are closed, the proper officers shall immediately open the ballot boxes, take therefrom and count the ballots in public view, and enter the total number thereof on a tally sheet provided therefor by the city clerk. They shall enter the number of the first-choice, second-choice, third-choice, and other-choice votes for each candidate on said tally sheet, and make return thereof to the city clerk on a blank by him to be provided therefor.

Only one vote shall be counted for any candidate on any one ballot; all but the highest of two or more choices on one ballot for one and the same candidate shall be void.

If a ballot contains either first, second or third-choice votes in excess of the number of offices to be filled, no vote in the column showing such excess shall be counted.

Except as hereinbefore provided, all choices shall be counted as marked on the ballot.

Sect. 4. Upon receipt of all the returns, the municipal officers shall determine the successful candidates as herein after provided in this section.

The person receiving a majority, as hereinafter defined in this section, of first-choice votes cast at an election for any office shall be elected to that office, provided, that if no candidate shall receive such a majority of the first-choice votes for such office, then a canvass shall be made of the second-choice votes received by each candidate for the office; said second-choice votes shall then be added to the first-choice votes received by each candidate for the office, and the can-

12 didate receiving the largest number of said first-choice and
13 second-choice votes combined, if such votes constitute a ma-
14 jority, shall be elected thereto; and further provided, that, if
15 no candidate shall have such a majority after adding the
16 first-choice and second-choice votes, then a canvass shall be
17 made of the third-choice votes received for each candidate
18 for the office; said third-choice votes shall then be added to
19 the first-choice and second-choice votes received by each
20 candidate for the office, and the candidate receiving the
21 largest number of said first-choice, second-choice and third-
22 choice votes combined, if such votes constitute a majority,
23 shall be elected thereto; and provided further, that if no
24 candidate shall have such a majority after adding the first-
25 choice, second-choice, and third-choice votes, then a can-
26 vass shall be made of the other-choice votes received by
27 each candidate for the office; said other-choice votes shall
28 then be added to the first-choice, second-choice, and third-
29 choice votes received by each candidate for the office, and
30 the candidate having the largest number of first-choice, sec-
31 ond-choice, third-choice, and other-choice votes combined
32 shall be elected to such office.

A tie between two or more candidates shall be decided in
34 favor of the one having the highest number of first-choice
35 votes. If they are also equal in that respect, then the high-
36 est number of second-choice votes shall determine the result.
37 If they are still equal, then the highest number of third-
38 choice votes shall determine the result. If this does not

39 decide, then the tie shall be determined by lot, under the
40 direction of the city clerk.

Whenever the word "majority" is used in this section, it
42 shall mean more than one-half of the total number of valid
43 ballots cast at such election.

Sect. 5. The expenses of the Portland Water District
2 elections after this amendment takes effect shall in the first
3 instance be chargeable to and paid by the city in which
4 the election is held, and so far as arising solely or chiefly
5 and directly from such elections shall be reimbursed by
6 the Portland Water District.

Sect. 6. All provisions in the charter inconsistent with
2 the provisions of this amendment, and none other, are
3 hereby repealed.