

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

HOUSE

NO. 104

House of Representatives, Feb. 2, 1917.

Referred to Committee on Legal Affairs and five hundred copies ordered printed. Sent up for concurrence.

W. R. ROIX, Clerk.

Presented by Mr. Phillips of Southwest Harbor.

STATE OF MAINE

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

AN ACT Relating to Municipal Elections in the Town of
Mount Desert.

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

Section 1. The town of Mount Desert, Hancock county,
2 Maine, may at any legal meeting of the voters called by a
3 warrant containing an article for the purpose, accept the
4 provisions of this act, and when so accepted, all elections
5 for town officers now required by law to be chosen by ballot
6 shall thereafter be in accordance with the provisions herein
7 provided, except the moderator and town clerk, who shall
8 be chosen as now provided by law.

Sect. 2. When said town so accepts the provisions of this
2 act, it shall at the same time or meeting determine what offi-
3 cers, if any, not now required by law to be chosen by ballot,
4 shall be chosen in the manner herein provided. All such
5 matters shall be stated in the warrant calling such meeting.
6 No change shall be thereafter made in the officers to be
7 chosen by ballot or in the number or terms thereof, except
8 at a meeting held at least thirty days before any annual
9 town election.

Sect. 3. All warrants for town meetings for the election
2 of officers as herein provided shall specify the time of open-
3 ing the polls and the time when the same may be closed, but
4 the polls shall be kept open at least three hours.

Sect. 4. Nominations for candidates shall be made by
2 nomination papers signed in the aggregate for each candi-
3 date by qualified voters of said town not less in number
4 than one for every twenty-five voters who have registered
5 for the last preceding state election in said town; but the
6 voters so signing shall in no case be less than twenty in
7 number, and each voter may subscribe to as many nomi-
8 nation papers for each office as there are members to be
9 elected thereto, and no more. Nomination papers shall, be-
10 sides containing the names of candidates, specify as to each
11 candidate the office for which he is nominated, and may
12 include a designation of such candidacy expressed in not
13 more than three words.

Sect. 5. Nomination papers shall be filed with the town

2 clerk of said town at least six days previous to the day of
3 election, and nomination papers being so filed and being in
4 conformity with the provisions of this act shall be deemed
5 to be valid unless objection thereto is duly made in writing.
6 Such objections or questions arising in the case of nomi-
7 nations shall be considered by the board of registrars of
8 voters, and the decision of a majority of the board shall be
9 final. In case such objection is made, notice shall forth-
10 with be delivered to the candidate affected thereby. All
11 nomination papers when filed shall be open under proper
12 regulations to public inspection, and the town clerk shall
13 preserve the same in his office for not less than one year.

Sect. 6. All ballots for use in such elections shall be pre-
2 pared by the town clerk. Every general ballot, or ballot
3 intended for the use of all voters, which shall be printed
4 in accordance with the provisions of this act, shall contain
5 the names of all candidates whose nominations for any
6 offices specified in the ballot have been duly made, and shall
7 contain no other names. The names of candidates for each
8 office shall be arranged under the designation of the office
9 in alphabetical order according to the surnames. All can-
10 didates for selectmen shall be listed alphabetically without
11 any designation as first, second, etc. Previous to balloting
12 for selectmen, the voters may determine by majority whether
13 to elect three, five or seven. Without such determination,
14 three shall be elected. The three (or if so determined, five
15 or seven) having the largest number of votes shall be de-

16 clared elected. There shall be left at the end of the list
17 of candidates for each different office as many blank spaces
18 as there are persons to be elected to such office, in which
19 the voter may insert the name of any person not printed
20 on the ballot for whom he desires to vote as candidate to
21 such office. Whenever any question is submitted to the vote
22 of the people of the town, in accordance with a statute pro-
23 viding for such submission, such questions shall be printed
24 upon the ballot after the list of candidates. The ballot shall
25 be so printed as to give to each voter a clear opportunity
26 to designate by a cross mark (X) in a square at the right
27 of the name and designation of each candidate, his choice
28 of candidates and his answer to the questions submitted,
29 and in the ballot may be printed such words as will aid the
30 voter to do this, as "Vote for one," "Vote for three," "Yes,"
31 "No," and the like. Before distribution, the ballots shall
32 be folded in marked creases as to measure when folded not
33 less than four and one-half nor more than five inches in
34 width, and not less than six nor more than thirteen and one-
35 half inches in length. On the back and outside, when folded,
36 shall be printed "Official Ballot for the Town of Mount
37 Desert," and the date of election and the signature or fac-
38 simile of the signature of the town clerk.

Sect. 7. All ballots when printed shall be folded as here-
2 inbefore provided and fastened together in convenient num-
3 bers in packages, books or blocks, in such manner that each
4 ballot may be detached and removed separately. A record

5 of the number of ballots printed and furnished shall be kept
6 and preserved by the town clerk.

Sect. 8. There shall be provided for every such election
2 such general ballots, of not less than seventy-five for each
3 fifty and fraction of fifty registered voters therein.

Sect. 9. The town clerk shall provide full instructions for
2 the guidance of voters at such elections, as to obtaining
3 ballots, as to the manner of marking them, and the method
4 of obtaining assistance, and as to obtaining new ballots in
5 place of those accidentally spoiled; and shall cause the same,
6 together with copies of sections twenty-seven, twenty-eight,
7 twenty-nine and thirty of chapter one hundred and two of
8 the acts of the year eighteen hundred and ninety-one and
9 any amendments thereof, to be printed in clear type, on
10 separate cards, to be called cards of instruction. He shall
11 also cause to be printed on tinted paper, and without the
12 endorsements, ten or more copies of the form of ballot pro-
13 vided for such election, which shall be called specimen bal-
14 lots, and shall be furnished with the the other ballots pro-
15 vided therefor.

Sect. 10. At least four days prior to the election, the town
2 clerk shall cause to be conspicuously posted in one or more
3 public places a printed list containing the names of all can-
4 didates to be voted for in such town, and any designation
5 as provided in section four, substantially in the form of a
6 general ballot to be so used therein.

Sect. 11. The ballots, together with the specimen ballots

2 and cards of instruction printed by the town clerk as herein
3 provided, shall be packed by him in sealed packages, with
4 marks on the outside designating the number of ballots of
5 each kind enclosed.

Sect. 12. Before the opening of the polls the selectmen
2 shall appoint three or more ballot clerks, and in case of
3 vacancies after the opening of the polls the moderator shall
4 fill the same. The ballot clerks shall be sworn and have
5 charge of the ballots and shall furnish them to the voters
6 in the manner hereinafter provided.

Sect. 13. The town clerk shall, before the opening of the
2 polls on the day of election, deliver the ballots to the ballot
3 clerks, who shall receipt therefor, which receipt shall be
4 kept in the clerk's office. Before the opening of the polls
5 the town clerk shall cause the cards of instruction to be
6 posted at or in each voting shelf or compartment provided
7 for the marking of the ballots, and not less than three such
8 cards and not less than five specimen ballots to be posted
9 in or about the polling room, outside the guard rails. No
10 ballots prepared under this act shall be delivered to voters
11 until the moderator and town clerk shall have been chosen
12 in the manner now provided by law. A duplicate list of the
13 qualified voters shall be prepared for the use of the ballot
14 clerks, and all provisions of law relative to the preparation,
15 furnishing, use and preservation of check-lists shall apply
16 to such duplicate lists.

Sect. 14. Except as herein provided, the election shall be

2 conducted as now provided by law. All officers voted for
3 in the manner as herein provided shall be elected by a plu-
4 rality vote. In case of failure to elect any officer or officers
5 so voted for by reason of a tie vote, the meeting shall be
6 adjourned to a day certain, when such officer or officers
7 shall be chosen as herein provided.