

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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SEVENTY-EIGHTH LEGISLATURE

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HOUSE

NO. 277

*House of Representatives, Feb. 13, 1917.*

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

*W. R. ROIX, Clerk.*

*Presented by Mr. Ellis of Gardiner.*

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STATE OF MAINE

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

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AN ACT to amend Chapter Two Hundred Forty-four Entitled  
"An Act to provide a Charter for the City of Gardiner," of  
the Private and Special Laws of Nineteen Hundred Thirteen.

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

Chapter Two Hundred Forty-Four, "Entitled an Act to  
2 provide a charter for the City of Gardiner," of the Private  
3 and Special Laws Nineteen Hundred Thirteen is hereby  
4 amended as follows:

Section 1. Section 8 of said act is hereby amended by  
2 adding at the end of clause 1 the following: ' or unless

3 such person shall have been declared nominated by the city  
4 clerk as provided in Section 13 of this act.' So that said  
5 Section 8 (1) shall read as follows:

'Sect. 8 (1). Except as otherwise provided in Section 24  
2 of this act there shall not be printed on the official ballots  
3 to be used at any annual or special city election of the said  
4 city the name of any person as a candidate for the office of  
5 mayor or alderman unless such persons be nominated as a  
6 candidate at a preliminary election for nomination to be  
7 held as provided in this act, or unless such person shall have  
8 been declared nominated by the city clerk as provided in  
9 Section 13 of this act.'

Sect. 2. Section 9 of said Act is hereby amended by add-  
2 ing after the words "such annual or special election" at the  
3 end of the first paragraph, the words 'except as hereinafter  
4 provided,' so that the first paragraph of said section shall  
5 read as follows:

'Sect. 9. On the second Tuesday preceding every annual  
2 or special city election at which any officer mentioned in  
3 section seven is to be elected, there shall be held a pre-  
4 liminary election for nominations for the purpose of nom-  
5 inating candidates for such offices as, under the provisions  
6 of this act, are to be filled at such annual or special city  
7 election, except as hereinafter provided.'

Sect. 3. Section 13 of said Act is hereby amended by in-  
2 serting after the word "Nominations" and before the words  
3 "The city clerk" the following: 'But where not more than

4 two candidates for nomination for any office have duly  
5 filed the above mentioned statements and petitions, the city  
6 clerk in his published statement shall declare that whereas  
7 not more than two candidates for nomination have duly filed  
8 the statements and petitions as required by the City Charter,  
9 no preliminary election shall be held, and the candidates  
10 whose names appear in this statement are hereby declared  
11 to be nominated for the offices and terms for which they  
12 are candidates. If there are more than two candidates for  
13 nomination for any office, then'. So that said section shall  
14 read as follows:

'Sect. 13. On the first day, not being Sunday or a legal  
2 holiday, following the expiration of the time for filing the  
3 above described statements and petitions, the city clerk shall  
4 cause to be published in one daily newspaper published in  
5 this city, if there be any, otherwise in the nearest daily  
6 newspaper in Kennebec County, the names and residences  
7 of the candidates for nomination who have duly filed the  
8 above mentioned statements and petitions, and the offices  
9 and terms for which they are candidates for nomination,  
10 as they are to appear on the official ballots to be used at the  
11 preliminary election for nominations. But where not more  
12 than two candidates for nomination for any office have  
13 duly filed the above mentioned statements and petitions, the  
14 city clerk shall in his published statement declare that  
15 whereas not more than two candidates for nomination have  
16 duly filed the statements and petitions as required by the

17 city charter, no preliminary election shall be held, and the  
 18 candidates whose names appear in his statement are thereby  
 19 declared to be nominated for the offices and terms for which  
 20 they are candidates. If there are more than two candidates  
 21 for nomination for any office then the city clerk shall there-  
 22 upon prepare the ballots to be used at such preliminary  
 23 election for nominations and shall cause them to be printed  
 24 and the ballots so prepared shall be the official ballots, and  
 25 the only ballots used at such preliminary election for nomi-  
 26 nations. They shall be headed on the face of the ballot as  
 27 follows:

#### OFFICIAL NOMINATING BALLOT.

Candidates for nomination for (mayor, alderman of public  
 2 safety and charities, alderman of streets and highways—  
 3 using titles of any one, two, or all three as occasion re-  
 4 quires) of the city of Gardiner at a preliminary election  
 5 for nominations held on the .....day of  
 6 ..... in the year 19..., and on the back  
 7 have the following heading:

#### CITY OF GARDINER.

#### OFFICIAL NOMINATING BALLOT.

#### PRELIMINARY ELECTION.

(Month) (day) (year)

Attest: ..... City Clerk.'

Sect. 4. Section 20 of said Act is hereby amended by  
 2 inserting after the word "election" and before the word  
 3 "and" the following: ', or who have been declared nomi-

4 inated by the city clerk as hereinbefore provided.' So that  
5 said Section 20 shall read as follows:

'Sect. 20. On the tenth and two succeeding days, not be-  
2 ing Sundays or legal holidays, preceding the day fixed for  
3 an annual or special city election the city clerk shall cause  
4 to be published in one daily newspaper published in the city,  
5 if there be any, otherwise in the nearest daily newspaper  
6 published in Kennebec County, a call for such election and  
7 shall append thereto the names and residences of the candi-  
8 dates nominated at the preliminary election for nominations  
9 held for such election, or who have been declared nom-  
10 inated by the city clerk as hereinbefore provided, and the  
11 offices and terms for which they are candidates, as they are  
12 to appear on the official ballots to be used at such election.  
13 He shall also, at the same time, cause the chief of police  
14 or a police officer to post a copy of said call for election and  
15 list of candidates, printed in like form, at all the polling  
16 places in the city, and make return of his doings.'

Sect. 5. Section 24 of said Act is hereby amended by  
2 adding the following: ', or by declaration of the city clerk.'  
3 at the end of said section. So that the last sentence of said  
4 section shall read as follows:

'The name of no candidate other than that of the person  
2 whose removal is sought shall be printed on the official bal-  
3 lots to be used at such election, unless such candidate be  
4 nominated as hereinbefore provided at a preliminary election  
5 for nominations, or by declaration of the city clerk.'

Sect. 6. This act shall take effect as to the city of Gardiner upon its acceptance by a majority of the voters of the city of Gardiner voting thereon at the first special or annual election of the city of Gardiner that is held for any purpose at which this act may be legally voted upon. The vote shall be taken by ballot in answer to the question: "Shall an Act passed by the legislature in the year 1917, entitled 'An Act to amend Chapter Two Hundred Forty-Four entitled, "An Act to provide a Charter for the City of Gardiner" of the Private and Special Laws of Nineteen Hundred Thirteen, be accepted?" which shall be printed on the official ballot.

Sect. 7. This act shall take effect in ninety days after the final adjournment of the legislature, so far as is necessary for the election as authorized by Section 6.