

# MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

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HOUSE

NO. 424

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*House of Representatives, Feb. 28, 1917.*

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

*W. R. ROIX, Clerk.*

*Presented by Mr. Brewster of Portland.*

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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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RESOLVE Proposing an Amendment to Section Five (5)  
Article Four (4) of the Constitution Allowing Absent  
Voting.

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*Resolved, two-thirds of the legislature concurring, that section five (5) article four (4) of the constitution be amended by striking out the word "present" in the fifth line of said section, so that said section as amended shall read as follows:*

'Sect. 5. The meetings within the state for the choice of representatives shall be warned in due course of law by the

3 selectmen of the several towns seven days at least before  
4 the election, and the selectmen thereof shall preside im-  
5 partially at such meetings, receive the votes of all the quali-  
6 fied electors, sort, count and declare them in open town  
7 meeting, and in the presence of the town clerk, who shall  
8 form a list of the persons voted for, with the number of  
9 votes for each person against his name, and shall make a  
10 fair record thereof in the presence of the selectmen and in  
11 open town meeting. And the towns and plantations organ-  
12 ized by law, belonging to any class herein provided, shall  
13 hold their meetings at the same time in the respective towns  
14 and plantations; and the town and plantation meetings in  
15 such towns and plantations, shall be notified, held and regu-  
16 lated, the votes received, sorted, counted and declared in the  
17 same manner. And the assessors and clerks of plantations,  
18 shall have all the powers and be subject to all the duties,  
19 which selectmen and town clerks have, and are subject to  
20 by this constitution. And fair copies of the lists of votes  
21 shall be attested by the selectmen and town clerks of towns,  
22 and the assessors of plantations, and sealed up in open town  
23 and plantation meetings; and the town and plantation clerks  
24 respectively, shall cause the same to be delivered into the  
25 secretary's office thirty days at least before the first Wednes-  
26 day of January annually. And the governor and council  
27 shall examine the returned copies of such lists, and also all  
28 lists of votes of citizens in the military service, returned  
29 to the secretary's office, as provided in article second, sec-

30 tion four, of this constitution; and twenty days before the  
31 said first Wednesday of January, annually shall issue a  
32 summons to such persons as shall appear to be elected (a)  
33 by a plurality of all the votes returned, to attend and take  
34 their seats; but all such lists shall be laid before the house of  
35 representatives on the first Wednesday of January annually,  
36 and they shall finally determine who are elected. The elect-  
37 ors resident in any city may, at any meeting duly notified  
38 for the choice of representatives, vote for such representa-  
39 tives in their respective ward meetings, and the wardens  
40 in said wards shall preside impartially at such meetings,  
41 receive the votes of all qualified electors present, sort, count  
42 and declare them in open ward meetings, and in the pres-  
43 ence of the ward clerk, who shall form a list of the persons  
44 voted for, with the number of votes for each person against  
45 his name, shall make a fair record thereof in the presence  
46 of the warden, and in open ward meetings; and a fair copy  
47 of this list shall be attested by the warden and ward clerk,  
48 sealed up in open ward meeting, and delivered to the city  
49 clerk within twenty-four hours after the close of the polls.  
50 And the electors resident in any city may at any meetings  
51 duly notified and holden for the choice of any other civil  
52 officers for whom they have been required heretofore to  
53 vote in town meeting, vote for such officers in their respective  
54 wards, and the same proceedings shall be had by the warden  
55 and ward clerk in each ward, as in the case of votes for  
56 representatives. And the aldermen of any city shall be in

57 session within twenty-four hours after the close of the polls  
58 in such meetings, and in the presence of the city clerk shall  
59 open, examine and compare the copies from the lists of votes  
60 given in the several wards, of which the city clerk shall  
61 make a record, and return thereof shall be made into the  
62 secretary of state's office in the same manner as selectmen  
63 of towns are required to do.'

*Resolved*, That the aldermen of cities, the selectmen of  
2 towns, and the assessors of the several plantations in this  
3 state are hereby empowered and directed to notify the in-  
4 habitants of their respective cities, towns and plantations to  
5 meet in the manner prescribed by law for calling and hold-  
6 ing biennial meetings of said inhabitants for the election of  
7 senators and representatives, on the second Monday in Sep-  
8 tember following the passage of this resolve, to give in their  
9 votes upon the amendment proposed in the foregoing reso-  
10 lution, and the question shall be: "Shall the constitution be  
11 amended as proposed by a resolution of the legislature allow-  
12 ing voters absent from voting districts on the day of elec-  
13 tion, to vote?"

14 And the inhabitants of said cities, towns and plantations  
2 shall vote by ballot on said question, those in favor of the  
3 amendment expressing it by the word "Yes" upon their bal-  
4 lots and those opposed to the amendment by the word "No"  
5 upon their ballots, and the ballots shall be received, sorted,  
6 counted, and declared in open ward, town and plantation  
7 meetings, and returns made to the office of the secretary

8 of state in the same manner as votes for governor and mem-  
9 bers of the legislature, and the governor and council shall  
10 count the same, and if it shall appear that a majority of the  
11 inhabitants voting on the question are in favor of the amend-  
12 ment, it shall thereupon become a part of the constitution,  
13 and the governor shall forthwith make known the fact by  
14 his proclamation.

*Resolved,* That the secretary of state shall prepare and  
2 furnish to the several cities, towns and plantations ballots  
3 and blank returns in conformity with the foregoing resolves  
4 accompanied by a copy thereof.