

MAINE STATE LEGISLATURE

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EIGHTIETH LEGISLATURE

HOUSE

NO. 148

House of Representatives, February 18, 1921.

Referred to the Committee on Judiciary and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Barnes of Houlton.

STATE OF MAINE

**IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND TWENTY-ONE**

AN ACT Relating to Municipal Elections in the Town of
Houlton.

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

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

Sect. 2. When said town so accepts the provisions of
2 this act it shall at the same time or meeting determine what

3 officers, if any, not now required by law to be chosen by
4 ballot shall be chosen in the manner herein provided. All
5 such matters shall be stated in the warrant calling such
6 meeting. No change shall be thereafter made in the offi-
7 cers to be chosen by ballot or in the number or terms
8 thereof except at a meeting held at least thirty days before
9 any annual town election.

Sect. 3. All warrants for town meetings for the election
2 of officers as herein provided shall specify the time of
3 opening the polls and the time when the same may be
4 closed; but the polls shall be kept open at least
5 four hours, and the method of voting shall be as in guber-
6 natorial elections.

Sect. 4. Nominations for candidates may be made at a
2 caucus, or by nomination papers signed in the aggregate
3 for each candidate by qualified voters of said town not less
4 in number than one for every fifty voters, who have reg-
5 istered for the last preceding state election in said town;
6 but the voters so signing shall in no case be less than
7 twenty-five in number. Each voter signing such nomina-
8 tion paper shall add to his signature his place of residence
9 with the street and number thereof, if any; and each
10 voter may subscribe to as many nomination papers for
11 each office as there are members to be elected thereto and
12 no more.

Sect. 5. All certificates of caucus nominations shall be
2 signed by the chairman and secretary of the caucus. Such

3 certificates and nomination papers shall, besides contain-
4 ing the name of candidates, specify as to each candidate
5 the office for which he is nominated, and his place of resi-
6 dence, with street and number thereon, if any, and may
7 include a designation of such candidacy, expressed in not
8 more than three words.

Sect. 6. Certificates of nomination shall be filed with
2 the town clerk of said town at least eight days previous
3 to the day of election, and nomination papers shall be so
4 filed at least six days previous to the day of election. The
5 certificates of nomination and nomination papers being so
6 filed, and being in conformity with the provisions of this
7 act, shall be deemed to be valid unless objection thereto is
8 duly made in writing. Such objections or questions aris-
9 ing in the case of nominations shall be considered by the
10 selectmen of said town, and the decision of a majority of
11 the selectmen shall be final. In case such objection is
12 made, notice shall forthwith be delivered to the candidates
13 affected thereby. All certificates of nomination and nom-
14 ination papers when filed shall be open under proper regu-
15 lations to public inspection, and the town clerk shall pre-
16 serve the same in his office for not less than one year.

Sect. 7. 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 in
4 accordance with the provisions of this act, shall contain the
5 names of all candidates whose nominations for any offices

6 specified in the ballot have been duly made, and shall con-
7 tain no other names. The names of candidates for each of-
8 fice shall be arranged under the designation of the office
9 in alphabetical order according to surnames. All candi-
10 dates 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 wheth-
13 er to elect three, five or seven. Without such determina-
14 tion three shall be elected. The three (or if so determined
15 five or seven) having the largest number of votes shall be
16 declared elected. There shall be left at the end of the list
17 of candidates for each different office as many blank
18 spaces as there are persons to be elected to such office, in
19 which the voter may insert the name of any person not
20 printed on the ballot for whom he desires to vote as can-
21 didate to such office. Whenever any question is submit-
22 ted to the vote of the people of the town, in accordance
23 with a statute providing for such submission, such ques-
24 tion shall be printed upon the ballot after the list of candi-
25 dates. The ballots shall be so printed as to give each
26 voter a clear opportunity to designate by a cross mark (X)
27 in a square at the right of the name and designation of
28 each candidate, his choice of candidates and his answer to
29 the questions submitted, and in the ballot may be printed
30 such words as will aid the voter to do this, as "vote for
31 one," "vote for three," "yes," "no," and the like. Before
32 distribution the ballots shall be so folded in marked creases

33 as to measure when folded not less than four and one-half
34 nor more than five inches in width and not less than six
35 nor more than thirteen and one-half inches in length. On
36 the back and outside, when folded, shall be printed “Of-
37 ficial Ballot for the Town of Houlton,” and the date of
38 election, and the signature or facsimile of the signature
39 of the town clerk.

Sect. 8. All ballots when printed shall be folded as here-
2 inbefore provided and fastened together in convenient
3 numbers in packages, books or blocks, in such manner that
4 each ballot may be detached and removed separately. A
5 record of the number of ballots printed and furnished
6 shall be kept and preserved by the town clerk.

Sect. 9. There shall be provided for every such elec-
2 tion such general ballots, of not less than seventy-five for
3 each fifty and fraction of fifty registered voters therein.

Sect. 10. The town clerk shall provide full instructions
2 for the guidance of voters at such elections, as to obtain-
3 ing ballots, as to the manner of marking them, and the
4 method of obtaining assistance, and as to obtaining new
5 ballots in place of those accidentally spoiled; and shall
6 cause the same, together with copies of sections twenty,
7 twenty-one, ninety-two and ninety-three of chapter seven
8 of the revised statutes and any amendments thereof, to be
9 printed in clear type, on separate cards, to be called cards
10 of instruction. He shall also cause to be printed on tinted
11 paper, and without the endorsements, ten or more copies

12 of the form of the ballot provided for such election, which
13 shall be called specimen ballots, and shall be furnished
14 with the other ballots provided therefor.

Sect. 11. At least four days prior to the election, the
2 town clerk shall cause to be conspicuously posted in one
3 or more public places a printed list containing the names
4 and residences of all candidates to be voted for in such
5 town, and any designation as provided in section five, sub-
6 stantially in the form of a general ballot to be so used
7 therein.

Sect. 12. The ballots, together with the specimen bal-
2 lots and cards of instruction printed by the town clerk as
3 herein provided, shall be packed by him in sealed pack-
4 ages, with marks on the outside designating the number of
5 ballots of each kind enclosed.

Sect. 13. Before the opening of the polls the selectmen
2 shall appoint the necessary number of ballot clerks, and in
3 case of vacancies after the opening of the polls the mod-
4 erator shall fill the same. The ballot clerks shall be sworn
5 and have charge of the ballots and shall furnish them to the
6 voters in the manner hereinafter provided.

Sect. 14. The town clerk shall, before the opening of the
2 polls on the day of election, deliver the ballots to the bal-
3 lot clerks, who shall receipt therefor, which receipt shall
4 be kept in the clerk's office. Before the opening of the
5 polls the town clerk shall cause the cards of instructions to
6 be posted at or in each voting shelf or compartment pro-

7 vided for the marking of the ballots, and not less than three
8 such cards and not less than five specimen ballots to be
9 posted in or about the polling room, outside the guard rails.
10 No ballots prepared under this act shall be delivered to
11 voters until the moderator and town clerk shall have been
12 chosen in the manner now provided by law. A duplicate
13 list of the qualified voters shall be prepared for the use of
14 the ballot clerks, and all provisions of law relative to the
15 preparation, furnishing, use and preservation of check lists
16 shall apply to such duplicate lists.

Sect. 15. 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
4 plurality vote. In case of failure to elect any officer or of-
5 ficers so voted for by reason of a tie vote, the meeting
6 shall be adjourned to a day certain, when such officer or of-
7 ficers shall be chosen as herein provided.