

MAINE STATE LEGISLATURE

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EIGHTIETH LEGISLATURE

HOUSE

NO. 192

House of Representatives, February 28, 1921.

Referred to Committee on Judiciary and 1000 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Holley of North Anson.

STATE OF MAINE

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

AN ACT Authorizing Towns to Elect Certain Municipal
Officers by Secret Ballot.

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

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

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

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

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

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

Sect. 5. All certificates of caucus nominations shall be signed by the chairman and secretary of the caucus. Such certificates and nomination papers shall, besides containing the names of candidates, specify as to each candidate the office for which he is nominated, and his place of resi-

6 dence, with street and number thereon, if any, and may in-
7 clude a designation of such candidacy, expressed in not more
8 than three words.

Sect. 6. Certificates of nomination shall be filed with the
2 town clerk of said town at least eight days previous to the
3 day of election, and nomination papers shall be so filed at
4 least six days previous to the day of election. The certifi-
5 cates of nomination and nomination papers being so filed,
6 and being in conformity with the provisions of this act,
7 shall be deemed to be valid unless objection thereto is duly
8 made in writing. Such objections or questions arising in
9 the case of nominations shall be considered by the select-
10 men of said town, and the decision of a majority of the
11 selectmen shall be final. In case such objection is made,
12 notice shall forthwith be delivered to the candidates affected
13 thereby. All certificates of nomination and nomination pa-
14 pers when filed shall be open under proper regulations to
15 public inspection, and the town clerk shall preserve the same
16 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
4 in accordance with the provisions of this act, shall contain
5 the names of all candidates whose nominations for any of-
6 fices 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 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 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 of
17 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
22 vote of the people of the town, in accordance with a statute
23 providing for such submission, such question shall be printed
24 upon the ballot after the list of candidates. The ballots
25 shall be so printed as to give 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
30 the voter to do this, as "vote for one," "vote for three,"
31 "yes," "no," and the like. Before distribution the ballots
32 shall be so folded in marked creases as to measure when
33 folded not less than four and one-half nor more than five
34 inches in width and not less than six nor more than thirteen
35 and one-half inches in length. On the back and outside,
36 when folded, shall be printed "Official Ballot for the Town
37 of," and the date of election, and the signa-
38 ture or facsimile of the signature of the town clerk.

Sect. 8. 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. 9. 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. 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 meth-
4 od of obtaining assistance, and as to obtaining new ballots
5 in place of those accidentally spoiled; and shall cause the
6 same, together with copies of sections twenty, twenty-one,
7 ninety-two and ninety-three of chapter seven of the revised
8 statutes and any amendments thereof, to be printed in clear
9 type, on separate cards, to be called cards of instruction.
10 He shall also cause to be printed on tinted paper, and with-
11 out the endorsements, ten or more copies of the form of
12 the ballot provided for such election, which shall be called
13 specimen ballots, and shall be furnished with the other bal-
14 lots provided therefor.

Sect. 11. At least four days prior to the election, the
2 town clerk shall cause to be conspicuously posted in one or
3 more public places a printed list containing the names and
4 residences of all candidates to be voted for in such town,

5 and any designation as provided in section five, substantial-
6 ly in the form of a general ballot to be so used therein.

Sect. 12. 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.

Section 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 modera-
4 tor shall fill the same. The ballot clerks shall be sworn and
5 have charge of the ballots and shall furnish them to the vot-
6 ers 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 be
4 kept in the clerk's office. Before the opening of the polls
5 the town clerk shall cause the cards of instructions 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
13 the qualified voters shall be prepared for the use of the
14 ballot clerks, and all provisions of law relative to the prep-

15 aration, furnishing, use and preservation of check lists shall
16 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 plural-
4 ity 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.