

MAINE STATE LEGISLATURE

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(NEW DRAFT)

EIGHTIETH LEGISLATURE

HOUSE

NO. 344

In House of Representatives, March 18, 1921.

Reported by Mr. Gardiner from Committee on Judiciary
and ordered printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

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:

Section 1. The town of Houlton, Aroostook county,
2 Maine, may at any legal meeting called by a warrant con-
3 taining an article for the purpose, accept the provisions of
4 this act and when so accepted, all elections for town officers
5 now required by law to be chosen by ballot, shall thereafter
6 be in accordance with the provisions herein provided, except
7 the moderator, who shall 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.
4 but the polls shall be kept open at least four hours, and the
5 method of voting shall be as in gubernatorial elections.

Sect. 4. Nominations for candidates may be made at a
2 caucus, or by nomination papers signed in the aggregate for
3 each candidate by qualified voters of said town not less in
4 number than one for every fifty 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-five
7 in number. Each voter signing such nomination paper shall
8 add to his signature his place of residence with the street
9 and number thereof, if any; and each voter may subscribe
10 to as many nomination papers for each office as there are
11 members to be elected thereto and 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 containing
4 the names of candidates, specify as to each candidate the of-
5 fice for which he is nominated.

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 affect-
13 ed thereby. All certificates of nomination and nomination
14 papers 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 in-
3 tended 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
8 office shall be arranged under the designation of the office in
9 alphabetical order according to surnames, but candidates for
10 selectmen, assessors and overseers of the poor respectively,
11 shall be named, and designated in the ballot, in as many

12 groups as the town shall by vote have determined there are
13 to be individuals on any such board. Previous to balloting
14 the voters may determine by majority whether to elect
15 three, five or seven selectmen, assessors or overseers of the
16 poor respectively. Without such determination three shall
17 be elected. The three (or if so determined five or seven)
18 having the largest number of votes shall be declared elected.
19 There shall be left at the end of the list of candidates for
20 each different office as many blank spaces as there are per-
21 sons to be elected to such office, in which the voter may in-
22 sert the name of any person not printed on the ballot for
23 whom he desires to vote as candidate to such office. When-
24 ever any question is submitted to the vote of the people of
25 the town, in accordance with a statute providing for such
26 submission, such question shall be printed upon the ballot
27 after the list of candidates. The ballots shall be so printed
28 as to give each voter a clear opportunity to designate by a
29 cross mark (X) in a square at the right of the name and
30 designation of each candidate, his choice of candidate and
31 his answer to the question submitted, and in the ballot may
32 be printed such words as will aid the voter to do this, as
33 "vote for one," "vote for three," "yes," "no," and the like.
34 Before distribution the ballots shall be so folded in marked
35 creases as to measure when folded not less than four and
36 one-half nor more than five inches in width and not less
37 than six nor more than thirteen and one-half inches in
38 length. On the back and outside, when folded, shall be

39 printed "Official Ballot for the Town of Houlton," and the
40 date of election, and the signature or facsimile of the signa-
41 ture 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 for
2 the guidance of voters at such elections, as to obtaining bal-
3 lots, as to the manner of marking them, and the method of
4 obtaining assistance, and as to obtaining new ballots in place
5 of those accidentally spoiled; and shall cause the same, to-
6 gether with copies of sections twenty, twenty-one, ninety-
7 two and ninety-three of chapter seven of the revised stat-
8 utes 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 the
12 ballot provided for such election, which shall be called speci-
13 men ballots, and shall be furnished with the other ballots
14 provided therefor.

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

Sect. 12. The ballots, together with the specimen ballots and cards of instruction printed by the town clerk as herein provided, shall be packed by him in sealed packages, with marks on the outside designating the number of ballots of each kind enclosed.

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

Sect. 14. The town clerk shall, before the opening of the polls on the day of election, deliver the ballots to the ballot clerks, who shall receipt therefor, which receipt shall be kept in the clerk's office. Before the opening of the polls the town clerk shall cause the cards of instructions to be posted at or in each voting shelf or compartment provided for the marking of the ballots, and not less than three such cards and not less than five specimen ballots to be posted in or about the polling room, outside the guard rails. No ballots prepared under this act shall be delivered to voters until

11 the moderator and town clerk shall have been chosen in the
12 manner now provided by law. A duplicate list of the quali-
13 fied voters shall be prepared for the use of the ballot clerks,
14 and all provisions of law relative to the preparation, fur-
15 nishing, use and preservation of check lists shall apply to
16 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 offi-
5 cers 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.