

MAINE STATE LEGISLATURE

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EIGHTY-FIRST LEGISLATURE

HOUSE

NO. 498

House of Representatives, March 30, 1923.

Reported by Mr. Hale from Committee on Legal Affairs 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-THREE**

AN ACT to Amend Chapter Six of the Revised Statutes of
Nineteen Hundred and Sixteen and Amendments Thereto,
Relating to Primary and Caucus Law.

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

Section forty-eight of chapter six of the revised statutes
2 is hereby amended by omitting from the third line thereof
3 the words "nor to cities of more than thirty-five thousand
4 inhabitants" so that the same shall read as follows:

"The provisions of the eleven preceding sections shall not
2 apply to towns of less than two thousand inhabitants, nor
3 to cities wherein the calling and holding of caucuses is
4 regulated by special law until such special law is repealed."

Sect. 2. Sections fifty, fifty-one and fifty-two of chapter 2 six of the revised statutes are hereby repealed.

Sect. 3. Chapter six of the revised statutes is hereby 2 amended by adding thereto a new section as follows:
3 Caucuses and meetings of political parties in cities of over
4 thirty-five thousand held for the purpose of naming candi-
5 dates or choosing delegates to assemble in convention to
6 nominate any person to any public office, for whose election
7 the charter of any such city provides, and whose name shall
8 be placed on the final ballot, shall be held as now or here-
9 after prescribed by the statutes of the state of Maine, relat-
10 ing to political party caucuses, except as hereinafter provided.

Only those voters enrolled as qualified to vote in such
2 caucuses, as hereinafter provided, shall participate therein;
3 the caucuses of all political parties, entitled by law to
4 nominate candidates to be voted upon at the next succeeding
5 municipal election, shall be held in the several wards of said
6 city on the second Wednesday of November, in each year,
7 on which day the polls will be opened at three o'clock in the
8 afternoon and continue open until nine o'clock in the after-
9 noon, when they shall close. Said caucuses shall be con-
10 ducted by the same officers as elected at the preceding
11 municipal election to have charge of such municipal elec-
12 tions, or their successors in office. No person shall vote at
13 any such caucus unless a legally qualified voter in the ward
14 where any such caucus is held, nor unless enrolled as
15 qualified to vote in a particular political party, then entitled
16 to hold such caucus.

The city clerk of said city shall, in season for such
2 caucuses, prepare suitable ballots containing the names of
3 all persons to be nominated at such caucus and of a dis-
4 tinguishing color for each political party. Every person
5 legally qualified to vote in such caucuses shall receive, upon
6 application, at such caucuses, to the proper election officer,
7 a ballot marked and designated by such distinguishing color
8 as the ballot of that political party in which he is then en-
9 rolled and shall not be entitled to receive, nor shall such
10 election officer deliver to him, any other ballot.

Every legally qualified voter of said city shall continue to
2 be enrolled as a voter in the political party in which he is
3 now enrolled, and when so enrolled, shall not be entitled to
4 change such enrollment for the purposes of any of said
5 caucuses within six months next prior to the date of the
6 holding of such caucuses. Any voter not previously en-
7 rolled may enroll himself before the board of registration at
8 any time up to within thirty days of the date of said caucus
9 or during said caucus by subscribing and making oath to the
10 following statement before the chairman of the caucus:
11 "I, do solemnly swear that I am a qualified
12 voter in this city and ward, and have the legal right to vote
13 in the caucus of the party. I am a member
14 of that political party and intend to vote for its candidates
15 at the election next ensuing. I have not taken part or voted
16 at the caucus of any other political party in the six months
17 last past," and upon such enrollment shall be permitted to

18 vote. The warden shall endorse on every such enrollment
19 blank, whether the person subscribing and swearing to the
20 same voted at said caucus and shall return the same at the
21 close of said caucus to the board of registration and said
22 board of registration shall thereupon enroll said voter in the
23 enrollment list of the party designated by him. Said enroll-
24 ment blank and the statement thereon shall be preserved as
25 a public record and shall be prima facie evidence in any
26 court that said person took said oath and voted in said
27 caucus. The warden may appoint and swear to the faithful
28 performance of their duties such number of enrollment
29 clerks to assist him as may be required, who shall have
30 power to take the oath required of any person so enrolling
31 at said caucus. All enrollment blanks shall contain the form
32 of statement and oath hereinbefore prescribed but shall
33 otherwise be in such form as the city clerk shall prescribe.
34 The board of registration shall make up and certify, in sea-
35 son for such caucuses, true and correct lists of all the per-
36 sons legally entitled to vote in said city, after the same have
37 been corrected, in accordance with the last registration of
38 voters therein, and shall indicate on such lists of voters the
39 political party, if any, in which each of said voters is en-
40 rolled; said lists, as so prepared by said board of registra-
41 tion, shall not be altered or amended by any person what-
42 soever, except said board of registration, and then only upon
43 application to change his enrollment made by a person listed
44 thereon as a legally qualified voter which application shall

45 not be made to said board within six months prior to the
46 date of the holding of any such caucuses. Such lists, as
47 prepared, shall at the time of the holding of such caucuses, be
48 delivered to the warden in each of said wards and shall be
49 used in said wards for the purposes of holding said caucuses
50 and shall be returned intact to said board of registration,
51 after said caucuses are closed and shall be preserved by
52 said board of registration until the same are superseded by
53 new lists, prepared by said board. Said board of registra-
54 tion shall supply to the political committees of each such
55 political party such number of the copies of such lists and
56 the enrollments noted thereon, as may be reasonably re-
57 quired for the purposes of said committees.