

# MAINE STATE LEGISLATURE

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**EIGHTY-FIRST LEGISLATURE**

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**HOUSE**

**NO. 500**

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House of Representatives, March 30, 1923.

On motion of Mr. Bartlett of Waterville and five hundred copies ordered printed.

CLYDE R. CHAPMAN, Clerk.

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**STATE OF MAINE**

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

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**AN ACT to Provide for the Nomination of Candidates for  
Office by Political Parties.**

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

Section 1. All nominations of candidates for United  
2 States senator, governor, representative to congress, state  
3 auditor and candidates for county offices and for the state  
4 legislature shall hereafter be made in accordance with the  
5 provisions of this act. Every political party entitled by law  
6 to representation on the official ballot at a state election,  
7 or at any special election for a state or county officer or  
8 for United States senator, member of congress or member  
9 of the state legislature, shall nominate **all its candidates for**  
10 such offices in accordance with the provisions of this act

11 and not in any other manner. The term "political party"  
12 as used in this act is hereby declared to mean such political  
13 party as at the next preceding gubernatorial election polled  
14 at least one per cent of the entire vote cast in the state for  
15 governor.

Sect. 2. The first Monday of April in each year in which  
2 a state election is held shall be designated as caucus day.  
3 At least seven days prior to each caucus day the town  
4 committees of each political party shall post notices stating  
5 where and at what hour on caucus day a caucus shall be  
6 held at which delegates shall be chosen to represent the  
7 party at a state convention, a district convention, a county  
8 convention, and in towns belonging to a representative class  
9 delegates to a representative class convention shall be  
10 chosen, and such notice shall state the number of delegates  
11 which the caucus is entitled to select to attend each of said  
12 conventions. Such caucus shall also choose a town com-  
13 mittee. The word "town" in this act includes plantations  
14 and cities. In all caucuses choosing delegates to any con-  
15 vention the check list shall be used and only those who  
16 have enrolled as hereinafter provided shall be allowed to  
17 vote.

Sect. 3. Prior to the first day of May following each  
2 caucus day, each political party shall hold a state convention  
3 with such basis of representation and at such time and place  
4 and with such requisites as to call therefor and notice there-  
5 of as the state committee of each political party shall de-

6 termine. At such state convention the delegates shall by  
7 majority vote nominate candidates for governor and state  
8 auditor, and in appropriate years a candidate for United  
9 States senator; shall formulate a platform, elect a state  
10 committee, and in years when a president of the United  
11 States is to be elected, shall select delegates at large to  
12 attend the national convention of their party, and nominate  
13 two candidates for presidential electors.

Sect. 4. Prior to the first day of May following each  
2 caucus day, each political party shall hold a district con-  
3 vention of each congressional district in the state with such  
4 basis of representation and at such time and place and with  
5 such requisites as to call therefor and notice thereof as the  
6 respective district committees of each political party shall  
7 determine. At such convention, the delegates shall by  
8 majority vote nominate a candidate for congress, choose  
9 a district committee, and, in years when a president of the  
10 United States is to be elected, select district delegates to the  
11 national convention of their party, and nominate one candi-  
12 date for presidential elector.

Sect. 5. Prior to the first day of June following each  
2 caucus day, each political party shall hold a county con-  
3 vention in each of the counties of the state with such basis  
4 of representation and at such time and place and with such  
5 requisites as to call therefor and notice thereof as the re-  
6 spective county committees of each political party shall  
7 determine. At each county convention the delegates shall

8 by majority vote nominate candidates for county officers and  
9 state senator or senators for the county and select a county  
10 committee.

Sect. 6. Prior to the first day of June following each  
2 caucus day, each political party shall hold a class con-  
3 vention in each of the representative classes in the state  
4 with such basis of representation and at such time and  
5 place and with such requisites as to call therefor and notice  
6 thereof as the respective class committees of each political  
7 party shall determine. At each class convention the dele-  
8 gates shall by majority vote nominate a candidate for mem-  
9 ber of the house of representatives and select a class com-  
10 mittee. Provided, however, that if any city or town is  
11 entitled to one or more representatives in the legislature  
12 without combination with any other city or town the nomi-  
13 nation of the one or more representatives from that city  
14 or town may be made in a general caucus held for that  
15 purpose if the town committee so directs. All nominations  
16 made in accordance with this and the four preceding sec-  
17 tions shall be filed with the secretary of state forthwith,  
18 who shall furnish to the governor and council a list of said  
19 candidates and after verification of said list by the governor  
20 and council, the names of said candidates shall be placed on  
21 the official ballot in the coming election.

Sect. 7. In the event of a special caucus or convention  
2 becoming necessary in order to fill a vacancy caused by the  
3 death or resignation of any candidate or any official for

4 whose nomination provision is herein made, candidates to  
5 be voted for at such special election or convention shall be  
6 nominated in the manner herein provided except that the  
7 dates for holding such convention and election shall be  
8 designated by the governor in his proclamation calling for  
9 such special convention or election.

Sect. 8. Any person who is a legal voter may enroll  
2 himself as a member of any political party by filing with the  
3 clerk of the town of which he is a legal voter a declaration  
4 in writing, signed by him, substantially as follows: "I,  
5 \_\_\_\_\_, being a legal voter of  
6 \_\_\_\_\_, hereby elect to be enrolled as a member  
7 of the \_\_\_\_\_ party. The following statement  
8 of name, residence, place of last enrollment if any, and  
9 party of last enrollment if any, is true." A new enrollment  
10 may be made at any time, but the person making such new  
11 enrollment shall not vote in any political caucus within  
12 six months thereafter if he designates a different political  
13 party from that named by him in the preceding enrollment.

Sect. 9. The clerk of the town where the enrollment is  
2 made, as above provided, shall receive and file the same,  
3 indorsing thereon the date of filing, and shall record the  
4 name, residence, place of last enrollment and date of filing,  
5 in a separate book for the enrollment of members of each  
6 political party, entering the names alphabetically. Suitable  
7 blanks for such enrollment shall be provided by the town  
8 clerks and in addition thereto they shall provide books with

9 proper headings, embodying the enrollment statements above  
10 provided, which the person desiring to enroll may fill out  
11 and sign, thereby enrolling himself with the same effect  
12 as by filing such enrollment paper. Such books shall be  
13 public records and shall at all times be open to public in-  
14 spection. Any voter not previously enrolled may enroll as  
15 aforesaid up to the day of holding any caucus and may  
16 enroll himself during said caucus by subscribing and making  
17 oath to the following statement before the chairman of  
18 the caucus. "I, \_\_\_\_\_, do solemnly  
19 swear that I am a qualified voter in this town, or ward, and  
20 have the legal right to vote in the caucus of the  
21 party. I am a member of that political party and intend  
22 to vote for its candidates at the election next ensuing. I  
23 have not taken part or voted at the caucus of any other  
24 political party in the six months last past."

The secretary of the caucus shall indorse thereon whether  
2 the person subscribing and swearing to the same voted in  
3 said caucus, and within one week thereafter the secretary  
4 shall return said statement with the indorsement thereon  
5 to the clerk of the town wherein such caucus is held, and  
6 said clerk shall thereupon enroll said voter in the enroll-  
7 ment list of the party designated by him. Said statement  
8 shall be preserved as public records and shall be prima facie  
9 evidence in any court that said person took said oath and  
10 voted in said caucus.

Sect. 10. Caucuses and meetings of political parties held

2 for the purpose of nominating candidates or choosing dele-  
3 gates to assemble in convention to nominate any person to  
4 any public office whose name shall be placed on the final  
5 ballot, unless held under the provisions of sections one to  
6 seven inclusive are hereby declared to be unlawful, and no  
7 political party shall have its political ticket placed on the  
8 final ballot unless the nominations of its candidates are made  
9 in accordance with the provisions of said sections, provided  
10 that this shall not be construed as preventing citizens'  
11 caucuses.

Sect. 11. All acts and parts of acts inconsistent herewith  
2 are hereby repealed.

Sect. 12. This act shall be submitted for the approval or  
2 rejection of the people at the next general or special state  
3 election. It shall not take effect until so approved by the  
4 people.