

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

EIGHTY-SECOND LEGISLATURE

H. P. No. 269

H. D. No. 54

House of Representatives, Feb. 2, 1925.

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

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Bartlett of Bangor.

STATE OF MAINE

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

AN ACT to Amend Chapter Six of the Revised Statutes so as
to Make Party Enrollment in Primary Elections Universal.

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

Section 1. Section thirteen of chapter six of the revised
2 statutes as amended by chapter one hundred and sixty-five
3 of the public laws of nineteen hundred and nineteen is here-
4 by amended by striking out of the third and fourth lines of
5 said section of the revised statutes the words "in all cities
6 and in towns of two thousand inhabitants or more" and by
7 striking out of the sixth line of said section thirteen the
8 words "said cities or any of them or to said" and inserting
9 in place thereof the words 'cities or,' and by striking out all

10 of the words from the eleventh to thirtieth lines of said
11 section thirteen beginning with the words "if not therein
12 enrolled" and ending with the words "voting booth and vote,"
13 so that said section as hereby amended shall read as follows:

 'Sect. 13. No person shall vote at any primary election
2 unless a legally qualified voter at such voting place, as re-
3 quired by the preceding section, and, enrolled as qualified
4 to vote in the caucuses of his political party in the manner
5 provided by the general or special laws applicable to cities
6 or towns. The selectmen of towns and the wardens of wards
7 in cities shall be seasonably furnished by the town or city
8 clerk, or other official charged with the duty of preserving
9 the same, with duly certified copies of all enrolment lists,
10 arranging each political party separately and its names of
11 voters therein alphabetically. No ballot shall be received
12 containing any distinguishing mark or figures thereon other
13 than as herein expressly permitted. Every city, town or
14 plantation clerk, ward or election officer, or person voting,
15 who shall wilfully violate any of the provisions of this sec-
16 tion shall be punished for each offense by a fine not exceed-
17 ing five hundred dollars, or by imprisonment in the county
18 jail not exceeding six months, or by both such fine and im-
19 prisonment.'

 Sect. 2. Section thirty-seven of chapter six of the revised
2 statutes is hereby amended by inserting after the word
3 "caucus" in the second line thereof the words 'or primary
4 election,' so that said section thirty-seven as hereby amended
5 shall read as follows:

‘Sect. 37. No person shall take part or vote in any caucus
2 or primary election of any political party unless qualified
3 therefor by enrolment as hereinafter provided.’

Sect. 3. Section thirty-eight of chapter six of the revised
2 statutes is hereby amended by inserting after the word
3 “caucus” in the ninth line thereof the words ‘or primary
4 election’ and by striking out the rest of the section, after
5 the word “thereafter” in said ninth line thereof, and by
6 placing a semicolon after said word “thereafter” and by
7 adding the following words: ‘providing, however, that this
8 section shall not apply to any person who shall have been
9 newly registered as a voter within six months preceding
10 the date of the caucus or primary election,’ so that as amend-
11 ed said section thirty-eight shall read as follows:

‘Sect. 38. Any person who is a legal voter may enroll him-
2 self 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, hereby
6 elect to be enrolled as a member of the party.
7 The following statement of name, residence, place of last
8 enrolment if any, and party of last enrolment if any, is true.”
9 A new enrolment may be made at any time, but the person
10 making such new enrolment shall not vote in any political
11 caucus or primary election within six months thereafter;
12 providing, however, that this section shall not apply to any

13 person who shall have been newly registered as a voter
14 within six months preceding the date of the caucus or pri-
15 mary election.'

Sect. 4. Section thirty-nine of chapter six of the revised
2 statutes is hereby amended by striking out all of said section
3 after the words "open to public inspection" in the tenth and
4 eleventh lines thereof, so that as hereby amended said sec-
5 tion thirty-nine shall read as follows:

'Sect. 39. The clerk of the town where the enrolment 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 enrolment and date of filing,
5 in a separate book for the enrolment of members of each
6 political party, entering the names alphabetically. Suitable
7 blanks for such enrolment shall be provided by the town
8 clerks and in addition thereto they shall provide books with
9 proper headings, embodying the enrolment statements above
10 provided, which the person desiring to enroll may fill out
11 and sign, thereby enrolling himself with the same effect as
12 by filing such enrolment paper. Such books shall be public
13 records and shall at all times be open to public inspection.'

Sect. 5. Section forty-three of chapter six of the revised
2 statutes is hereby amended by striking out from the last two
3 lines thereof the words "as provided in section thirty-nine
4 and with the same effect," so that as hereby amended said
5 section forty-three shall read as follows:

'Sect. 43. No person whose right to vote is challenged

2 shall be allowed to vote until he shall have taken the follow-
3 ing oath, which shall be administered by the chairman of
4 the caucus: "You do solemnly swear that you are a quali-
5 fied voter in this town or ward, and have the legal right to
6 vote in this caucus; that you are a member of the political
7 party holding the same and intend to vote for its candidates
8 at the election next ensuing, and that you have not taken
9 part or voted at the caucus of any other political party in the
10 six months last past." The secretary of the caucus shall
11 make a record of the administration of such oath.'

Sect. 6. Section forty-eight of chapter six of the revised
2 statutes is hereby amended by striking out the words "towns
3 of less than two thousand inhabitants, nor to cities of more
4 than thirty-five thousand inhabitants, nor to," so that said
5 section forty-eight as hereby amended shall read as follows:

'Sect. 48. The provisions of the eleven preceding sections
2 shall not apply to cities wherein the calling and holding of
3 caucuses is regulated by special law until such special law
4 is repealed.'