

MAINE STATE LEGISLATURE

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EIGHTY-SECOND LEGISLATURE

S. P. No. 354

S. D. No. 134

In Senate, Feb. 27, 1925.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Hussey of Aroostook.

STATE OF MAINE

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

AN ACT to Amend Section Thirteen of Chapter Seven of the Revised Statutes of 1916 as Amended by Chapter 238 of the Public Laws of 1917, and by Chapter 266 of the Public Laws of 1919, Relating to the Appointment of Election Clerks at Polling Places.

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

Chapter two hundred and sixty-six of the public laws of 2 nineteen hundred and nineteen is hereby repealed, and section 3 thirteen of chapter seven of the revised statutes as 4 amended by chapter two hundred thirty-eight of the public 5 laws of nineteen hundred and seventeen, is hereby amended, 6 by adding the following words: 'Provided, however, that the

7 municipal officers of cities, towns and plantations, may,
8 when necessity requires, appoint additional election clerks
9 for each polling place in cities, towns and plantations and
10 for each island ward of the city of Portland and for the
11 island district of the town of Cumberland, who shall be
12 sworn and shall assist the election officers in the several
13 voting precincts of the state. Said additional clerks shall
14 be recommended and appointed in the same manner, hold
15 office for the same time and receive the same compensation
16 as is provided for regular election clerks under this section,
17 so that said section, as amended, shall read as follows:

‘Sect. 13. Clerks shall be appointed for each polling place;
2 number, and duties. The municipal officers of cities, towns
3 and plantations voting in accordance with the provisions
4 of this chapter, shall biennially in the month of May appoint
5 clerks for each polling place; and such municipal officers
6 shall appoint as such clerks such persons as shall be recom-
7 mended for such appointment by the several political party
8 committees of the several cities, towns or plantations, rep-
9 resenting the two political parties, which at the gubernatorial
10 election next preceding such appointment, cast the greatest
11 number of votes. For each polling place in cities and towns
12 four clerks, and for each polling place in plantations, and
13 for each island ward of the city of Portland and for the
14 island district of the town of Cumberland two clerks shall
15 be appointed. Said clerks shall equally represent each of
16 the political parties which cast the largest number of votes

17 in the state election next preceding their appointment. Each
18 of said clerks shall be sworn to the faithful performance
19 of his duties, and shall hold office for two years from the
20 date of his appointment, and until a successor is appointed,
21 and qualified, or he vacates the office. Vacancies occurring
22 in the office of election or ballot clerks shall be forthwith
23 filled by the municipal officers in towns and plantations and
24 by the mayors of cities in manner hereinbefore provided.
25 Such election clerks shall attend at the times and places
26 designated for meetings in their respective wards, towns or
27 plantations for the election of any national, state, county,
28 city or ward officers, and for the determination of any ques-
29 tion submitted to the qualified voters of any city by lawful
30 authority, shall be present at and assist in the counting by
31 the presiding election officer or officers of all votes cast in
32 such meetings, and shall receive such reasonable compensa-
33 tion for each day's actual service as the municipal officers
34 of their respective cities, towns and plantations may deter-
35 mine. And on the recommendation of the political party
36 committee of any other party represented on the official
37 ballot, said municipal officers shall appoint one such elec-
38 tion clerk in each polling place, for such political party,
39 who shall be qualified for the performance of his duties,
40 in like manner as the clerks of the two before mentioned
41 parties, shall hold office for a like term, or for such part
42 thereof as the party for which he is appointed maintains
43 its right to be represented upon the official ballot, and who

44 during said term shall have like rights and duties with the
45 before mentioned clerks to be present at and assist in the
46 counting of votes, and shall serve with or without compensa-
47 tion as the municipal officers in any case may deem advis-
48 able, vacancies occurring in case of said clerks to be filled
49 as in case of other clerks herein mentioned. No person shall
50 be eligible to the position of election clerk in any ward,
51 town or plantation where he is a candidate to be voted for.
52 Two of the clerks in each polling place, one from each polit-
53 ical party, shall be detailed by the municipal officers to act
54 as ballot clerks. The two ballot clerks thus detailed and
55 appointed in each polling place shall have the charge of the
56 ballots therein and shall furnish them to the voters in the
57 manner hereinafter set forth. A duplicate list of the quali-
58 fied voters in each ward, town or plantation shall be pre-
59 pared for the use of the ballot clerks, and all the provisions
60 of law relative to the preparation, furnishing and preserva-
61 tion of check lists shall apply to such duplicate lists. Pro-
62 visions in the charter of any city for the election of two
63 persons to assist the warden in receiving, sorting and count-
64 ing the ballots, are not affected by the provisions hereof ;
65 but persons so elected shall be deemed election clerks for
66 that purpose ; they shall equally represent the two political
67 parties which at the state election next preceding cast the
68 greatest number of votes. Provided, however, that the mu-
69 nicipal officers of cities, towns and plantations, may, when
70 necessity requires, appoint additional election clerks for each

71 polling place in cities, towns and plantations and for each
72 island ward of the city of Portland and for the island dis-
73 trict of the town of Cumberland, who shall be sworn and
74 shall assist the election officers in the several voting pre-
75 cincts of the state. Said additional clerks shall be recom-
76 mended and appointed in the same manner, hold office for
77 the same time and receive the same compensation as is pro-
78 vided for regular election clerks under this section.'