

MAINE STATE LEGISLATURE

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EIGHTY-THIRD LEGISLATURE

House Document

No. 203

H. P. 731 House of Representatives, Feb. 17, 1927.

Referred to Committee on Legal Affairs and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Belleau of Lewiston.

STATE OF MAINE

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

AN ACT Abolishing Caucuses in the City of Lewiston and
Substituting Therefor Primary Elections.

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

Section 1. *Nominations shall be made by primary elections.* All nominations of candidates for mayor, alderman, members of the superintending school committee, warden, ward clerk, or other officer, now elected, or who may be hereafter elected, by the qualified voters of the city of Lewiston, shall hereafter be made at and by primary elections to be held in accordance with the provisions of this act. Every political party entitled by law to representation upon the official ballot at state elections, shall nominate all its candidates for city officials to be voted for at the municipal

11 election, under the provisions of this act and not in any other
12 manner.

Sect. 2. *Nominations for places on ballot.* Nominations
2 for places on the ballots to be used at primary elections shall
3 be made for each of the political parties entitled as afore-
4 said to representation thereon by nomination papers signed
5 in the aggregate for each candidate of each political party
6 by qualified voters within the electoral district wherein said
7 candidate is to be voted for, in number not less than two per
8 cent nor more than four per cent of the entire vote cast for
9 mayor in the last preceding municipal election, if the office
10 for which such candidate is to be voted for is to be filled by
11 the voters of the city at large, otherwise not less than two
12 per cent or more than four per cent of such mayoralty vote
13 within the electoral district wherein such proposed candi-
14 date is to be voted for. Such nomination papers shall be
15 printed at the expense of the city of Lewiston, under the
16 direction of the city clerk and shall be distributed by him
17 to proposed candidates. The issuing, signing, and circulat-
18 ing of nomination papers shall be regulated by section five
19 of chapter six of the revised statutes of nineteen hundred
20 and sixteen, and acts amendatory thereof and additional
21 thereto, in so far as the same are applicable.

Sect. 2. No such nomination papers shall be signed before
2 the first day of December of the year prior to that in which
3 the municipal election is to be held, and all such nomina-
4 tion papers shall be filed with the city clerk on or before

5 the first Monday of January of the year in which such
6 election is to be held. Such nomination papers so filed, and
7 being in apparent conformity with the provisions thereof,
8 shall be deemed to be valid; and if not in apparent conform-
9 ity, may be seasonably amended. In case any person who
10 has been duly proposed as a candidate shall die before the
11 day of the primary election, or shall withdraw in writing,
12 so that the nominations shall be less than the number of the
13 candidates required to be voted for by law, the vacancy
14 may be supplied in the manner herein provided for original
15 nominations, or, if the time is insufficient therefor, there the
16 vacancy may be supplied by the city committee of the ap-
17 propriate political party. All nomination papers when filed
18 shall forthwith be open to public inspection, and the city
19 clerk shall preserve the same in his office not less than one
20 year.

Sect. 3. Primary elections to nominate candidates for the
2 municipal election held on the first Monday of March shall
3 be held on the first Monday of February of each year.

Sect. 4. Every ballot shall contain the names and ward
2 residences of all candidates whose nominations have been
3 duly proposed and not withdrawn and the office for which
4 they have been severally proposed. The order of offices
5 shall be the same as in the general election. The names
6 of the candidates shall be arranged under the designation
7 of the office in alphabetical order according to surnames.
8 The form of the ballot, the arrangement for voting by cross

9 (X) and the printed directions to voters, shall be as pro-
10 vided in section eight of chapter six of the revised statutes
11 of nineteen hundred and sixteen. All ballots, printed no-
12 tices, sample ballots, and card of instruction shall be fur-
13 nished by the city clerk, at the expense of the city. He shall
14 provide and furnish for each voting place not less than one
15 hundred of each party primary nominating ballots for every
16 fifty votes and fraction of fifty votes cast by that party in
17 said voting place at the next preceding municipal election.
18 All expenses of calling and holding of primary elections
19 shall be borne by the city.

Sect. 5. Not less than seven days before the first Monday
2 of February the mayor and aldermen shall notify and warn
3 all legally qualified voters to attend at the regular voting
4 places on the first Monday of February for the purpose of
5 voting for persons to be nominated by their respective po-
6 litical parties as candidates to be voted for on the first Mon-
7 day of March next following. The warrant shall be in the
8 form now provided by law for calling the said March elec-
9 tion, and shall be posted in like manner.

Sect. 6. The polls shall be opened and closed on the same
2 hours as now provided by law for the opening and closing
3 of the state primary elections. The primary elections shall
4 be conducted in the manner provided by sections twelve,
5 thirteen, fourteen, and fifteen of chapter six of the revised
6 statutes of nineteen hundred and sixteen and acts amenda-
7 tory thereof and additional thereto, insofar as the same are

8 applicable; but no returns of such primary election shall
9 be made to the secretary of state. The tabulation of votes
10 shall be made by the mayor and city council within seven
11 days after the first Monday of February and shall forth-
12 with have the city clerk forward to each candidate a copy
13 of the tabulations of his precinct or district. The person
14 having the highest number of votes for nomination to any
15 office shall be deemed to have been nominated by his politi-
16 cal party for that office. A tie shall be decided by the city
17 clerk by lot in the presence of the candidates whose votes
18 are tied. The city clerk shall keep a record of all nomina-
19 tions, and shall forthwith notify by registered mail each per-
20 son so nominated. Every candidate, so nominated and no-
21 tified as aforesaid, shall within seven days after the re-
22 ceipt of such notification, file with the city clerk his written
23 acceptance of the nomination on a form to be provided by
24 the city clerk. Each candidate so nominated shall with
25 such acceptance file with the city clerk a return of his ex-
26 penditures made by himself or by others in his behalf with
27 his knowledge or consent to obtain such nomination, in form
28 substantially as is now, or may hereafter be required by law
29 for state primary elections.

Sect. 7. Sections one to twenty-eight of the revised stat-
2 utes of nineteen hundred and sixteen, and acts amendatory
3 thereof and additional thereto, insofar as they are applicable
4 to municipal primary election are hereby referred to and
5 made a part thereof.