

# 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-THIRD LEGISLATURE

---

---

**Senate Document**

**No. 228**

S. P. 460

In Senate, Mar. 10, 1927.

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

ROYDEN V. BROWN, Secretary.

Presented by Senator Oakes of Cumberland.

---

---

## STATE OF MAINE

---

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

---

AN ACT Relating to Primary Elections.

---

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

Section 1. Section eleven of chapter six of the revised  
2 statutes, as amended by chapter sixty-two of the public laws  
3 of nineteen hundred twenty-five, and as further amended  
4 by the present legislature by an act "Relating to the Opening  
5 and Closing of the Polls at Primary Elections," is hereby  
6 further amended, by striking out after the word "vote"  
7 where it appears in the primary election warrant, the words,  
8 'Voters entitled to enrolment may cause themselves to be  
9 enrolled at the polling places during the primary election on  
10 taking and subscribing the oath required by law, but said  
11 voters shall not be allowed to vote at any primary election

12 within the next six months following said enrolment unless  
13 a new voter, or a voter enrolling for the first time in that  
14 municipality,' so that said section, as amended, shall read  
15 as follows:

'Sect. 11. Not less than seven days before the third Mon-  
2 day of June preceding a biennial state election, the select-  
3 men of every town, by their warrant, shall notify and warn  
4 all legally qualified and enrolled voters to attend at the  
5 regular voting places on the third Monday in June for the  
6 purpose of voting for persons to be nominated by their  
7 respective political parties as candidates to be voted for on  
8 the second Monday in September the next ensuing. Said  
9 warrant shall be in substance as follows:

State of Maine, ss.

County of

To the qualified and legally enrolled voters of the town of

You are hereby notified that the primary election in this  
2 town, of all political parties, entitled by law to nominate  
3 candidates for the next election, will be held at.....  
4 on Monday, June.....next, for the purpose of nomi-  
5 nating candidates for the following offices to be voted for at  
6 the election to be held on the second Monday in September,  
7 next, viz:

(Here follow the officers to be nominated.)

The polls will be opened at.....o'clock in the  
2 forenoon and continue open until seven o'clock in the after-  
3 noon, when they will close.

Voters not enrolled as members of a political party en-  
2 titled to nominate candidates will not be permitted to vote.

Dated at.....this.....day of  
2 June, 19 .

.....  
.....  
.....

Selectmen of.....

‘Such warrants shall be posted in the manner required by  
2 law for warrants for the state election. Like warrants  
3 shall be issued by the mayor and aldermen of cities and  
4 assessors of plantations with appropriate changes and posted  
5 in like manner. The meetings may be opened at six o’clock  
6 in the forenoon and shall be opened not later than ten  
7 o’clock in the forenoon. The polls shall be kept open until  
8 seven o’clock in the afternoon and shall then be closed.  
9 Notice of the time of opening and closing shall be given  
10 in the warrant calling the meetings. In all such warrants  
11 appropriate provisions shall be inserted calling the attention  
12 of voters to opportunities for correction of lists of voters  
13 by selectmen, municipal officers or board of registration in  
14 the manner required by law.’

Sect. 2. Section twelve of said chapter six, as amended,  
2 is hereby further amended by striking out the word “voters”  
3 in the eighth line thereof, and inserting in place thereof the  
4 words ‘of age,’ so that said section, as amended, shall read  
5 as follows:

'Sect. 12. In all such primary elections the qualifications  
2 of voters shall be determined by the voting list used at the  
3 municipal elections of said towns, cities and plantations,  
4 next preceding the primary election and a list of the afore-  
5 said voters enrolled by party designation as provided for  
6 in section thirty-eight of this chapter, and no person shall  
7 be allowed to vote in any primary election unless the name  
8 of said voter appears legally on said voting list and enroll-  
9 ment list, except those who have become of age within  
10 eight months preceding said primary election, and a voter  
11 enrolling for the first time in that municipality who shall  
12 be allowed to enroll and vote.'

Sect. 3. Section thirteen of said chapter six of the revised  
2 statutes, as amended, is hereby further amended by striking  
3 out said section and substituting in place thereof the fol-  
4 lowing:

'Sect. 13. No person shall vote at any primary election  
2 unless a legally qualified and enrolled voter at such voting  
3 place, as required by the preceding section. The selectmen  
4 of towns, the assessors of plantations and the warden of  
5 wards in cities, shall be seasonably furnished by the town,  
6 plantation or city clerk with duly certified copies of all en-  
7 rolment lists arranging each political party separately and  
8 its names of voters therein alphabetically. If not therein  
9 enrolled, any voter qualified by law and this chapter as a  
10 legal voter may, at such voting place, be enrolled after sub-  
11 scribing and making oath before a ballot clerk of wards in

12 cities, or before one of the municipal officers in towns and  
13 plantations to the following statement:

“I....., do solemnly swear that I am  
2 a qualified voter in this town, or plantation, or ward, and  
3 hereby elect to be enrolled as a member of the.....  
4 party. I am a member of that political party and intend  
5 to vote for its candidates at the election next ensuing. I  
6 have not taken part or voted at any caucus or primary elec-  
7 tion as a member of any other political party within the  
8 six months last past.”

The person before whom said declaration is made and  
2 sworn to shall endorse thereon whether the person subscrib-  
3 ing and swearing to the same voted at said primary elec-  
4 tion, and within one week thereafter, said person shall re-  
5 turn said statement with the endorsement thereon to the  
6 clerk of the city, town or plantation, wherein said meeting  
7 is held, and said clerk shall thereupon enroll said voter in  
8 the enrolment list of the party designated by him. Said  
9 statement shall be preserved as public record and shall be  
10 prima facie evidence in any court that said person took said  
11 oath and voted at said election. A suitable number of such  
12 statements shall be furnished at each voting place by the city,  
13 town or plantation; if the number be insufficient or none be  
14 furnished, the statement aforesaid may be sworn to as afore-  
15 said and return thereof made in like manner as if the same  
16 had been subscribed. At the polling places in the cities,  
17 towns and plantations aforesaid each person applying to

18 vote shall give his name, residence, party affiliation and  
 19 place of last enrolment, if any; if already enrolled six  
 20 months before in the precinct, he shall be given the ballot  
 21 of his party, his name shall be checked on the enrolment  
 22 list, he shall be admitted to the voting booth and vote. If  
 23 not enrolled, and then enrolled as hereinbefore provided, if  
 24 a new voter, or a voter enrolling for the first time, he shall  
 25 be given the ballot of his party, checked, and may vote as  
 26 aforesaid. No ballot shall be received containing any dis-  
 27 tinguishing mark or figure other than as herein permitted.  
 28 Every city, town or plantation clerk, ward or election offi-  
 29 cer, or person voting, who shall wilfully violate any of the  
 30 provisions of this section, shall be punished for each of-  
 31 fense by fine not exceeding five hundred dollars, or by im-  
 32 prisonment in the county jail not exceeding six months, or  
 33 by both such fine and imprisonment.'

Sect. 4. Section thirty-eight of said chapter six of the  
 2 revised statutes, as amended, is hereby further amended by  
 3 striking out all of said section, and substituting in place  
 4 thereof the following:

'Sect. 38. Any person who is a legal voter may enroll him-  
 2 self as a member of any political party by filing with or  
 3 delivering to the board of registration of voters of the city,  
 4 town or plantation of which he is a legal voter, a declarat.on  
 5 in writing, signed by him, substantially as follows:

"I, ....., being a legal voter of .....,  
 2 hereby elect to be enrolled as a member of the ....."

3 party. The following statement of name, residence, place  
4 of last enrolment, if any, and party of last enrolment, if  
5 any, is true.”

The foregoing declaration may be filed with the board of  
2 registration in person, by mail or otherwise, and when re-  
3 ceived, it shall be the duty of such board to cause the en-  
4 rolment to be made. A voter may change his enrolment  
5 at any time, but the person making such change of enrol-  
6 ment shall not vote in any political caucus or primary elec-  
7 tion within six months thereafter.’

★