

MAINE STATE LEGISLATURE

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(NEW DRAFT)

EIGHTY-THIRD LEGISLATURE

Senate Document

No. 371

S. P. 626

In Senate, Apr. 7, 1927.

Reported by Mr. Oakes from Committee on Judiciary and laid on table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

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 Open-
5 ing and Closing of the Polls at Primary Elections," is here-
6 by further amended, by striking out after the word "vote"
7 where it appears in the primary election warrant, the words
8 "Voters entitled to enrollment may cause themselves to be
9 enrolled at the polling places during the primary election
10 on taking and subscribing the oath required by law, but

11 said voters shall not be allowed to vote at any primary elec-
12 tion within the next six months following said enrolment
13 unless a new voter, or a voter enrolling for the first time
14 in that municipality," so that said section, as amended, shall
15 read 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 reg-
5 ular voting places on the third Monday in June for the
6 purpose of voting for persons to be nominated by their re-
7 spective 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
town, of all political parties, entitled by law to nominate can-
didates for the next election, will be held at
on Monday, June next, for the purpose of nomi-
nating candidates for the following offices to be voted for at
the election to be held on the second Monday in September,
next, viz:

(Here follow the officers to be nominated.)

The polls will be open at o'clock in the fore-

noon and continue open until seven o'clock in the afternoon, when they will close.

Voters not enrolled as members of a political party entitled to nominate candidates will not be permitted to vote.

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

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

Selectmen of

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

Sect. 2. Section twelve of said chapter six, as amended,
2 is hereby further amended by striking out the word "vot-
3 ers" in the eighth line thereof, and inserting in place there-

4 of the words 'of age,' so that said section, as amended, shall
5 read 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 eight
10 months preceding said primary election, and a voter en-
11 rolling for the first time in that municipality who shall be
12 allowed to enroll and vote.'

Sec. 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 warden
4 of wards in cities shall be seasonably furnished by the
5 board of registration with duly certified copies of all en-
6 rolment lists, arranging each political party separately and
7 its names of voters therein alphabetically. If not therein
8 enrolled, any voter qualified by law and this chapter as a
9 legal voter may, at such voting place, be enrolled after sub-

10 scribing and making oath before a ballot clerk of wards in
 11 cities, or before one of the municipal officers in towns and
 12 plantations to the following statement:

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

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

17 polling places in the cities, towns and plantations aforesaid
18 each person applying to vote shall give his name, residence,
19 party affiliation and place of last enrolment, if any; if al-
20 ready enrolled six months before in the precinct, he shall
21 be given the ballot of his party, his name shall be checked
22 on the enrolment list, he shall be admitted to the voting
23 booth and vote. If not enrolled, and then enrolled as here-
24 inbefore provided, if a new voter, or a voter enrolling for
25 the first time, he shall be given the ballot of his party,
26 checked and may vote as aforesaid. No ballot shall be re-
27 ceived containing any distinguishing mark or figure other
28 than as herein permitted. Every city, town or plantation
29 board of registration, ward or election officer, or person vot-
30 ing, who shall wilfully violate any of the provisions of this
31 section, shall be punished for each offense by fine not ex-
32 ceeding five hundred dollars, or by imprisonment in the
33 county jail not exceeding six months, or by both such fine
34 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
2 himself as a member of any political party by filing with
3 or delivering to the board of registration of voters of the
4 city, town or plantation of which he is a legal voter, a decla-
5 ration in writing, signed by him, substantially as follows:

I,, being a legal voter of
2, hereby elect to be enrolled as a
3 member of the party. The following
4 statement of name, residence, place of last enrolment, if
5 any, and party of last enrolment, if 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.'