

# MAINE STATE LEGISLATURE

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# EIGHTY-FIFTH LEGISLATURE

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**Legislative Document**

**No. 708**

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H. P. 1139                      House of Representatives, Feb. 19, 1931.

Received by unanimous consent, referred to Committee on Legal Affairs and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Gray of South Portland.

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## STATE OF MAINE

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

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AN ACT Additional to Chapter Two Hundred Forty-two of the Private and Special Laws of 1895 Entitled "An Act to Incorporate the City of South Portland."

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Be is enacted by the Senate and House of Representatives in Legislature Assembled, as follows:

Section 1. The nomination of all candidates for elective offices shall be by petitions. The petitions of a candidate to be voted for by the voters of the city at large shall be signed in the aggregate by not less than fifty nor more than one hundred qualified voters of the city. The petition of any candidate for a ward office shall be signed by not less than twenty-five nor more than fifty of the qualified voters of the respective wards. No voter shall sign petitions for more than one candidate for each office to be filled at the election, and should any voter sign more than one such petition his signature shall be counted only upon the first petition filed and shall be held void upon all other petitions. Each voter signing a nomination paper shall make his signature in person. All petitions shall state the party designation of the candidate named in said petition.

Sec. 2. The signatures to nomination papers need not all be affixed to one nomination petition, but to each separate petition

there shall be attached an affidavit of the circulator thereof, stating the number of signers of each petition and that each signature appended thereto was made in his presence and is the genuine signature of the person whose name it purports to be. With each signature shall be stated the place of residence of the signer, giving the street and number of the street, or their description sufficient to identify the same. The form of the nomination petition shall be substantially as follows:

To the City Clerk of the City of South Portland:

We, the undersigned, voters of the City of South Portland, hereby nominate ....., whose residence is ....., for the office of ..... to be voted for at the primary election of the ..... party to be held in the City of South Portland on the ..... day of ....., 19...., and we individually certify that we are qualified to vote for a candidate for the above office, and that we have not signed more nomination petitions of candidates for this office than there are candidates to be elected thereto.

NAME. STREET and NUMBER  
.....  
....., being duly sworn, deposes and says: That he is the circulator of the foregoing nominating petition containing ..... signatures, and that the signatures appended thereto were made in his presence and are the signatures of the persons whose names they purport to be.

(Signed) .....

Subscribed and sworn to before me this ..... day of ....., 19....

Justice of the Peace or  
Notary Public.

If any petition is deemed insufficient by the city clerk he shall forthwith notify by mail the person or persons nominated in said petition, who may thereupon amend the same, but no such petition may be amended in matters of substance after the time for filing such petition has expired.

Sec. 3. The nomination petitions for any one candidate shall be assembled and united into one petition and filed with the city clerk at least fourteen days, exclusive of Sundays, previous to the day set for the primary election. No nomi-

nation shall be valid unless the candidate shall file with the city clerk in writing at least fourteen days, exclusive of Sundays, previous to the day set for the primary election his consent, accepting the nomination, agreeing not to withdraw, and if elected, to qualify. The city clerk shall thereupon forthwith certify thereon what number of the signatures are names of voters qualified to sign said nomination papers.

Sec. 4. Specimen ballots and official ballots for use in said primary election shall be prepared by the city clerk and furnished by the city. They shall contain under proper party designation the names of the various candidates with their residence and the office for which they are a candidate. Official ballots for use at said primary election shall be on different colored paper for the various political parties.

Sec. 5. All nominating petitions when filed shall be kept open under proper regulations to public inspection and shall be preserved by the city clerk for not less than one year.

Sec. 6. Said primary election shall be held annually on the third Monday in February. The candidate receiving a plurality of votes cast at said primary election for the office for which he is a candidate shall be the nominee of the party on whose ticket he has been nominated and shall be placed on the official ballot at the regular city election on the second Monday of March next following.

Sec. 7. Vacancies occurring after said primary election by reason of death, resignation or otherwise may be filled by the city committee representing the political party in which said vacancy occurs, or by the majority, but not less than twenty-five, of the signers of the original petition in which the said candidate's name appeared whose place is to be filled.