

MAINE STATE LEGISLATURE

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E I G H T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 132

H. P. 259

House of Representatives, Jan. 26, 1933.

Referred to Committee on Legal Affairs and 500 copies ordered printed.

Sent up for concurrence.

HARVEY R. PEASE, Clerk.

Presented by Miss Martin of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED THIRTY-
THREE

AN ACT Relating to the Counting and Sealing of Ballots.

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

R. S. c. 8, § 18, amended. Section 18 of chapter 8 of the revised statutes, as amended by chapter 34 of the public laws of 1931, is hereby amended to read as follows:

‘Sec. 18. Ballots, how counted. The ballots shall be sorted and counted in open town or ward meeting by duly constituted election officials duly sworn to do their duty by town or city clerks. and in such capacity shall be known as public officials, who shall not have been in the employ of any of the parties, or their agents, to the referendum or election for six months prior to the election, each official signing and filing a sworn statement of his count with the name of the official written or stamped on the ballots counted by said official. Any person in the employ of any political party or its agents or in the employ of any candidate for election or his agent or in the employ of any corporation interested in any referendum within 6 months next prior to the election or referendum shall not serve as such election officer. The ballots counted by each election officer shall be made up into a secure package and each such package shall have plainly written or stamped thereon the name of the official counting the ballots in such package and each election officer shall sign and file a sworn statement of his count. The counting of ballots shall be done in such

manner as to afford the electors present opportunity to observe the sorting and counting and the result shall be declared and recorded in open town or ward meeting. When the ballots have been so sorted and counted and the result so declared and recorded, all the ballots and sworn statements of said officials shall in open meeting be sealed in a package, which said package with the check-lists sealed in the same manner as the ballots shall forthwith be returned to the city, town, or plantation **clerk**. In case two or more kinds of official ballots are used at any election each kind shall be sealed in a separate package. All ballots and check-lists, and sworn statements of said officials, shall be so sealed that the packages and check-lists cannot be opened or examined without first breaking the seal; and the sealed packages of ballots cast at any state election or at any election of electors of president and vice-president of the United States shall have an indorsement of substantially the following tenor indorsed thereon or securely affixed thereon: "This package contains the ballots cast at an election for held in the _____ of _____ (or in ward _____ of the city of) _____ on the _____ day of _____ 19 ____; said ballots were sorted, counted, the result declared and recorded, and this package sealed in open meeting in accordance with section 18 of chapter 8 of the revised statutes." Such indorsement shall be signed by the town, plantation, or ward clerk and by a majority of the selectmen of towns and the assessors of plantations, or by the wardens in cities or voting precincts. The ballots and check-lists and sworn statements of said officials returned to the city clerk after any city election and all other ballots returned to him, which he is not required to forward to the secretary of state according to the provisions of section 47, shall be preserved by him as a public record for 6 months.'