

MAINE STATE LEGISLATURE

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

Legislative Document

No. 718

H. P. 1626

House of Representatives, February 14, 1939.

Referred to Committee on Judiciary and sent up for concurrence. 500 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Poulin of Rumford.

S T A T E O F M A I N E

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-NINE

AN ACT Relating to Boards of Registration in Towns of More Than Three Thousand Inhabitants.

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

Sec. 1. Boards of registration. In each town having by the census of the United States then last taken more than 3000 inhabitants, a board of registration appointed as provided in the following section shall have exclusive power and authority to make up, correct and revise the list of voters in each of such towns.

Sec. 2. Number; appointment; neglect. Such board shall consist of 3 members who shall be legal voters of the town where such board is established; they shall not hold any state, county or town office or be candidates therefor at any election, primary election, or caucus, so long as they shall continue members of the board. One member shall be appointed and commissioned by the governor with the consent of the council, for the term of 4 years. The other 2 members of the board shall be chosen, one from the political party polling the highest number of votes for governor at the next preceding state election, and one from the political party polling the next highest number of votes for governor at said election; they shall hold office for the term of 3 years each; each shall be nominated by the town

committee of his own political party, and, upon due notice thereof, in writing, the municipal officers shall forthwith appoint such nominees members of said board. If either or both of said committees refuse or neglect to seasonably nominate a member of such board and to notify the municipal officers, such municipal officers shall thereupon select and appoint a member of said board from the political party so neglecting and refusing to nominate and said municipal officers shall so appoint in all cases of vacancy, whether caused by death, resignation, declination, neglect, or refusal to act after being so appointed, or by election or appointment to any state, county or town office, or however such vacancy may be caused; but in cases of necessity arising from the exigency of public business, the other 2 members may proceed therewith as provided by this act until such vacancy is filled in the manner aforesaid. If any member be absent or disqualified by sickness, or otherwise, such municipal officers upon notice thereof, shall fill forthwith his place by the appointment of some qualified elector of such town of the same political party as the absent member represents to act in his absence.

Sec. 3. Chairman; power and duties. The person appointed and commissioned by the governor shall preside at all meetings of the board, but shall not vote therein except in case of a tie. He shall give notice of the time and place of the sessions of the board, and sign all orders and processes issued by the same. If he is necessarily absent or disqualified by sickness or otherwise during any session of said board, the municipal officers of said town shall upon notice thereof immediately appoint a qualified elector of the town, who shall be of the same political party as said chairman, to act in his absence.

Sec. 4. Determination of qualifications of voters. Said board shall have the exclusive power and authority to hear evidence and determine the qualification of voters in the town in which it is established. The presiding officer, at the request of any member, shall cause any party or witness appearing before the board to be sworn; any member of the board may administer oaths; and the board shall have power to compel the attendance of witnesses; to punish for contempt; and to issue all processes necessary to the performance of the duties of the board.

Sec. 5. Assessors to prepare lists of voters and deliver to the board. In every such town the assessors thereof by one or more of their number on or before the 1st day of August in each year in which an election of governor, senators and representatives is held, shall prepare a list of the

persons whom they judge to be constitutionally qualified to vote therein at such election, and deliver it to said board.

Sec. 6. Meetings of the board to be public. All meetings of the board of registration shall be open and public and shall close at 9 o'clock in the afternoon. A record shall be kept of all names added to or stricken from the voting lists and of all other proceedings of said board. No name shall be added to or stricken from said voting lists except during the open sessions of said board.

Sec. 7. Proceedings in case of challenge of voter. When the right of any person to have his name placed upon such list is challenged by any qualified elector, or when the right of any person to have his name remain upon such list is so challenged, before said board shall add to or strike from said list the name of any such person, the board or any member thereof shall issue a notice and summons to said person so challenged and allow him a reasonable opportunity to be heard. Such notice and summons shall be served upon such person by an officer qualified to serve civil process, by giving him in hand or by leaving at his last and usual place of abode an attested copy of said notice and summons, at least six hours before the closing of the final session of the board devoted to the revision and correction of the voting list. Said person and said board may also summon and examine other witnesses before said board concerning his right to vote, and if it appears to said board that such person is not or will not be qualified to vote at such election, they shall cause his name to be erased from said list and the list of voters and not add it thereto. And the list of voters in cities made under this chapter shall state the street, and so far as practicable, the number of the street where each voter resides. The residence of a voter as stated upon the list of voters used at the last preceding election shall be deemed his last and usual place of abode, unless he shall have given notice in writing, over his own signature, or in person to the city clerk of a change of his residence, which notice, if given after the first day of April, shall entitle him to have his residence so corrected on the voting list to be used at the next subsequent election, but shall not entitle him to have his registration otherwise changed, nor to vote in ward or precinct other than that in which he resided on said first day of April. Said clerk shall keep a record of all notices of change of residence, which record shall at all times be open to public inspection.

Sec. 8. Custodians of the lists. The clerk of the town shall be the custodian of the records of said board and of the revised and corrected list of voters prepared by said boards for use at any election and shall season-

ably transmit to the municipal officers a true and attested copy of such lists for their use on election day; and said clerks shall keep said lists one year and furnish certified copies thereof on application of any person and payment therefor within 10 days thereafter.

Sec. 9. Compensation of board members. The president of the board shall receive \$5 for each day that the board is in session for the revision and correction of the voting lists and for completing the records thereof; the other 2 members of said board shall receive \$4 a day for such time. They shall also receive such compensation as may be fixed by the municipal officers for such time as they are necessarily employed in making up and preparing such lists of voters, and their necessary expenses. Towns where such boards are established shall provide a suitable place for holding the meetings of the board and for the keeping of the necessary records and supplies incident to the performance of their duties.

Sec. 10. Notice of meetings. Notices of the time and place of the sessions of the board to revise and correct said voting lists shall be given by the president thereof, and posted by the clerk of the town at the same time and place as are the certified copies of the lists of voters; and the voting lists as revised and corrected by said board shall be used at each election.

Sec. 11. Sessions to correct lists for the annual elections. Said board shall be in session at some convenient place on the 2 secular days next preceding the annual election of municipal officers from an hour not later than 2 o'clock in the afternoon and continue to 9 o'clock in the afternoon.

Sec. 12. Inconsistent acts repealed. All acts and parts of acts which are inconsistent with the provisions of this act, so far as they relate to the towns which are within the provisions of this act are hereby repealed or modified to conform herewith.