

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 1118**

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H. P. 1856

House of Representatives, April 5, 1941.

Reported by Report "A" from Committee on Legal Affairs and laid on table to be printed under joint rules.

HARVEY R. PEASE, Clerk.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-ONE

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**AN ACT Relating to Caucuses in the City of Waterville.**

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

**Sec. 1. Petitions for party nominations.** All candidates for nomination by any political party as a candidate for elective offices in the city of Waterville for any of the following offices: mayor, councilman, alderman, member of the board of education, member of the police commission, warden, ward clerk, or constable, shall present to the city clerk of the city of Waterville at least 15 days before the 2nd Monday in February, a petition requesting their names to be so placed on the ballot. Candidates for the following offices shall present a petition of at least the following number of names: mayor or member of the police commission, 100; alderman or member of the board of education, 40; councilman, ward clerk, warden or constable, 25.

**Sec. 2. General law relating to political caucuses made applicable to city of Waterville; exceptions; date held; enrolment, etc.** Caucuses and meetings of the political parties in the city of Waterville held for the purpose of naming candidates to nominate any person to any public office, for whose election the charter of such city provides, and whose name shall be placed on the final ballot shall be held as prescribed by the statutes relating to political party caucuses, except as hereinafter provided.

Only those voters enrolled as qualified to vote in such caucuses as hereinafter provided, shall participate therein; the caucuses of all political parties, entitled by law to nominate candidates to be voted upon at the next succeeding municipal election, shall be held in the several wards of the said city on the 2nd Monday in February in each year, on which day the polls will be opened and closed at such time as shall be set by the municipal officers.

Said caucuses shall be conducted by the same officers as elected at the preceding municipal election to have charge of such municipal elections, or their successors in office. No person shall vote at any such caucus unless a legally qualified voter in the ward where any such caucus is held, nor unless enrolled as qualified to vote in a particular political party, then entitled to hold such caucus.

The city clerk of said city shall, in season for such caucuses, prepare suitable ballots containing the names of all persons to be nominated at such caucus and of a distinguishing color for each political party. Every person legally qualified to vote in such caucuses shall receive, upon application, at such caucuses, to the proper election officer, a ballot marked and designated by such distinguishing color as the ballot of that political party in which he is then enrolled and shall not be entitled to receive, nor shall such election officer deliver to him, any other ballot.

Every legally qualified voter of said city shall continue to be enrolled as a voter in the political party in which he is now enrolled, and when so enrolled, shall not be entitled to change such enrolment for the purpose of any of said caucuses within 6 months next prior to the date of the holding of such caucus. Any voter not previously enrolled may enroll himself before the board of registration at any time up to within 30 days of the date of said caucus or during said caucus by subscribing and making oath to the following statement before the chairman of the caucus: "I, ..... do solemnly swear that I am a qualified voter in this city and ward, and have the legal right to vote in the caucus of the ..... party. I am a member of that political party and intend to vote for its candidates at the election next ensuing. I have not taken part or voted at the caucus of any other political party in the 6 months last past," and upon such enrolment shall be permitted to vote. The warden shall endorse on every such enrolment blank, whether the person subscribing and swearing to the same voted at said caucus and shall return the same at the close of said caucus to the board of registration, and said board of registration shall thereupon enroll said voter in the enrolment list of the party designated by him. Said enrolment blank and the statement thereon shall be preserved as a public record and shall be prima facie evidence in any court that said person took

said oath and voted in said caucus. The warden may appoint and swear to the faithful performance of their duties such number of enrolment clerks to assist him as may be required, who shall have power to take the oath required of any person so enrolling at said caucus. All enrolment blanks shall contain the form of statement and oath hereinbefore described but shall otherwise be in such form as the city clerk shall prescribe. The board of registration shall make up and certify, in season for such caucuses, true and correct lists of all the persons legally entitled to vote in said city, after the same have been corrected, in accordance with the last registration of voters therein, and shall indicate on such lists of voters the political party, if any, in which each of said voters is enrolled; said lists, as so prepared by said board of registration, shall not be altered or amended by any person whatsoever, except said board of registration, and then only upon application to change his enrolment made by a person listed thereon as a legally qualified voter, which application shall not be made to said board within 6 months prior to the date of the holding of any such caucuses. Such lists, as prepared, shall at the time of the holding of such caucuses, be delivered to the warden in each of said wards and shall be used in said wards for the purposes of holding said caucuses and shall be returned intact to said board of registration, after said caucuses are closed, and shall be preserved by said board of registration until the same are superseded by new lists, prepared by said board. Said board of registration shall supply to the political committees of each such political party such number of the copies of such lists, and the enrolments noted thereon, as may be reasonably required for the purposes of said committees.

**Sec. 2-A. City committee.** The city committee of each political party shall be composed of the chairmen and vice-chairmen of the several political ward committees chosen by such party. The city committee of any political party shall have the power to fill any vacancies occurring for any reason, from members of its party resident in the ward in which the vacancy arises.

**Sec. 3. Penalty for disturbing primary political meetings.** Whoever, by rude or indecent behavior, or in any way wilfully or unlawfully disturbs or interrupts any public primary political meeting or caucus lawfully assembled in any hall or other place of meeting, for the purpose of nominating candidates for any public office, or creates a disturbance in any hall, walk, or corridor adjacent or leading to the room where such caucus is held in the city of Waterville, shall be punished by a fine of not less than \$5 nor more than \$10, or by imprisonment for not more than 30 days.

**Sec. 4. Voting compartments to be provided for.** The municipal officers of the city of Waterville shall cause the polling places therein to be suitably provided with a sufficient number of voting shelves and compartments, at or in which voters participating in caucuses may conveniently mark their ballots so that in the marking thereof they shall be screened from the observation of others. The provisions of law regulating the conduct of primary elections shall apply to the conduct of the caucuses herein provided for.

**Sec. 5. Expenses, how paid.** All the expenses of such caucuses shall be paid by the city of Waterville.

**Sec. 6. Amending clause.** All acts or parts of acts inconsistent with the provisions of this act are hereby repealed or amended to conform with the provisions hereof.

**Sec. 7. Referendum.** This act shall take effect for the purpose of permitting its acceptance or rejection by the legally qualified voters of the city of Waterville at any general election held therein or at any special election called for that purpose under the provisions of law relating to calling of special elections in said city, which special election is hereby authorized. If a majority of the qualified voters vote in favor of the acceptance of this act, this act shall become finally operative. The city clerk shall forthwith file with the secretary of state a certificate of the action of the city thereon.