

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

Legislative Document

No. 918

H. P. 1377

House of Representatives, April 17, 1944.

Received out of order under suspension of the rules. Referred to the Committees on Judiciary and Legal Affairs jointly, sent up for concurrence and 1,000 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Perkins of Boothbay Harbor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-FOUR

AN ACT to Facilitate Voting by Duly Qualified Registered and Enrolled Voters in the Armed Forces of Our Country, the Merchant Marine, and Other Services Necessary to the Successful Prosecution of Wars Against Germany and Japan.

Emergency preamble. Whereas, many duly qualified registered and enrolled voters of our state are serving with the armed forces, merchant marine, and other services necessary to the successful prosecution of the wars against Germany and Japan; and

Whereas, they will be unable to vote in the primaries or general elections to be held during the year 1944, unless this act is passed; and

Whereas, it would be very helpful to the morale of said voters if they were afforded an opportunity to vote in said primaries and elections, and

Whereas, nearly all of said voters must vote by absentee ballots; and

Whereas, it is in the opinion of this legislature essential that all voters serving with or attached to said armed forces, merchant marine, or other services necessary to the successful prosecution of said wars, shall so far as practicable have an opportunity to vote; and

Whereas, in the judgment of the legislature the facts above enumerated

create an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. Duty of clerks. It shall be the duty of the clerk of each city, town and plantation in this state within 72 hours after the receipt by him from the secretary of state of the following, to wit, official absentee voting ballots for any election as required by section 2 (a) of chapter 9 of the revised statutes; envelopes with affidavit as required by section 2 (c) of chapter 9 of the revised statutes; envelopes as required by section 2 (d) of chapter 9 of the revised statutes; explanatory matter and instructions as required by section 2 (e) of chapter 9 of the revised statutes; to deposit or cause to be deposited in the United States mail, air mail postage paid, an envelope addressed to each duly qualified registered voter, and in the case of a primary election to each duly qualified registered and enrolled voter, then serving in the armed forces of our country, in the merchant marine, and other services necessary to the successful prosecution of the wars against Germany and Japan, at the voter's then known service address, containing one of said official absentee voting ballots, and in the case of a primary election one of said official absentee voting ballots of the party in which said duly qualified registered voter is duly enrolled, 1 envelope with affidavit as required by section 2 (c) of chapter 9 of the revised statutes; 1 envelope as required by section 2 (d) of chapter 9 of the revised statutes; explanatory matter and instructions as required by section 2 (e) of chapter 9 of the revised statutes.

Sec. 2. Definition of words. The said voter may vote in accordance with the provisions of section 6 of chapter 9 of the revised statutes, and for the purpose of this act "any official authorized by law to administer oaths", as these words are used in said section, shall include any commissioned or non-commissioned officer of the armed forces, or any officer of the merchant marine.

Sec. 3. Suspending clause. All acts or parts of acts inconsistent with this act, in so far as they might affect this act, shall be suspended so long as this act remains in force. This act shall remain in force for a period ending 90 days after the adjournment of the next regular session of the legislature.

Sec. 4. Penalty. Whoever wilfully or negligently violates any provision

of this act shall be punished by imprisonment for not more than 11 months, or by a fine of not more than \$1000, or by both such imprisonment and fine.

Emergency clause. In view of the emergency cited in the preamble hereof, this act shall take effect when approved.