

MAINE STATE LEGISLATURE

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

Legislative Document

No. 947

S. P. 483

In Senate, February 23, 1949.

Referred to Committee on Judiciary, sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Haskell of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to Ballots.

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

Sec. 1. R. S., c. 5, § 5, amended. The 3rd sentence of section 5 of chapter 5 of the revised statutes is hereby amended to read as follows:

‘Above each group shall be placed the name of the political party by which the candidates comprising such group were placed in nomination, or the political designation as described in the certificate of nomination, or nomination papers, under a square; **within such square there shall be printed a circle not less than $\frac{3}{4}$ of an inch in diameter, and such circle shall be surrounded by the following words printed in plain letters: For a straight ticket make a cross (X) or a check mark (✓) within this circle.**’

Sec. 2. R. S., c. 5, § 35, amended. The 1st sentence of section 35 of chapter 5 of the revised statutes, as amended by section 4 of chapter 82 of the public laws of 1947, is hereby further amended to read as follows:

‘On receipt of his ballot the voter shall forthwith, and without leaving the enclosed space, retire alone to one of the voting shelves or compartments and shall prepare his ballot by marking in the appropriate place a cross (X) or a check mark (✓) as follows: He may place such mark within

the **circle contained within the** square above the name of a party group or ticket, in which case he shall be deemed to have voted for all the persons named in the group under such party or designation.'

Sec. 3. R. S., c. 5, § 40, amended. The last sentence of section 40 of chapter 5 of the revised statutes, as amended by section 5 of chapter 82 of the public laws of 1947, is hereby further amended to read as follows:

'No marks, other than those authorized by law, shall be placed upon the ballot by the voter; but no ballot, after having been received by the election officers, shall be rejected as defective because of marks, other than those authorized by law, having been placed upon it by the voter, unless such marks are deemed to have been made with fraudulent intent; and no ballot shall be rejected as defective because of any irregularity in the form of the cross or the check mark in the **circle contained within the** square at the head of the party column unless such irregularity is deemed to have been intentional and made with a fraudulent purpose.'