

# MAINE STATE LEGISLATURE

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NINETY - EIGHTH LEGISLATURE

Legislative Document

No. 787

H. P. 560

House of Representatives, February 14, 1957.

Referred to the Committee on Welfare. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Latno of Old Town.

## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-SEVEN

### AN ACT Relating to Indian Voting.

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

**Sec. 1. R. S., c. 5, § 65-A, repealed and replaced.** Section 65-A of chapter 5 of the Revised Statutes, as enacted by chapter 190 of the public laws of 1955, is hereby repealed and the following enacted in place thereof:

#### **'Indian Island Voting District and Office of Registration Commissioner of Indian Voting.**

**Sec. 65-A. Voting place, procedure, registration commissioner.** A voting district comprising all of the Penobscot tribal reservation situate on Indian Island, so called, within the limits of the city of Old Town in the county of Penobscot is hereby created. Such voting area shall be known as Indian Island Voting District. The Secretary of State shall prepare and provide sufficient ballots containing such designation for use at all state, county and national elections, including primary elections. The Commissioner of Health and Welfare shall provide a suitable building for use as a voting place for all elections and equip it with a voting compartment and guard rail in accordance with the provisions of section 15.

The Governor, with the advice and consent of the Council, shall appoint some suitable person to the office of Registration Commissioner of Indian Island voters hereinafter referred to as Registration Commissioner. He shall serve for a term of 2 years and shall receive a salary of \$20 for each day or part thereof while engaged in the actual performance of his duties. The Registration Commissioner shall determine the constitutional qualifications of residents of the Indian Island Voting District who desire to vote in accordance with this

section. If he finds the applicant qualifies as an Indian in accordance with the provisions of section 211 of chapter 25 and if he has been a resident of Indian Island for 3 months and if he meets the educational and other requirements of section 1 of Article II of the Maine Constitution, he shall permit him to register as a voter and enroll as a member of any political party.

The Registration Commissioner shall be in session at the voting place or in some other convenient location on Indian Island on the Monday preceding each election from 2 o'clock to 5 o'clock and from 7 o'clock to 9 o'clock in the afternoon for the purpose of registering and enrolling Indian voters. Such registration and enrollment may also take place on the day of election.

The Registration Commissioner shall act as warden and ward clerk and shall have the powers of a moderator in the conduct of the election. Two election clerks who, if available and qualified, shall be Indian residents of Indian Island representing the 2 political parties polling the highest and next highest vote for Governor at the preceding gubernatorial election and shall be selected from candidates nominated by the chairman of the respective Penobscot county political committees. The compensation of the election clerks shall be \$10 per diem.

Notice of all elections to be held in the Indian Island Voting District shall be given by a warrant signed by the Registration Commissioner and posted by him in at least 2 conspicuous public places on Indian Island. Such warrant shall be posted at least 7 days before any election and a copy thereof with his doings thereon shall be filed by the Registration Commissioner in the office of the Secretary of State before the day of the election for which such warrant is issued. The registration and enrollment of voters and the conduct of the elections shall be in accordance with the provisions of chapters 3 to 9, inclusive, insofar as they do not conflict with the provisions of this section and section 65-B.

After the votes have been sorted, counted and preserved according to law, the return of said votes shall be filled out and signed by the election clerks and attested by the Registration Commissioner and mailed or delivered promptly by him into the office of the Secretary of State.

After each election, the Registration Commissioner shall prepare a payroll listing moneys due him and the election clerks and submit same to the Commissioner of Health and Welfare and the same shall be paid from funds appropriated by the State for support of the Indian tribes.

In case the Registration Commissioner resigns, dies or is unable to serve, the Governor shall appoint a successor to fill the unexpired term in the same manner as the original appointment unless the time is insufficient, in which case the Governor shall make an emergency appointment of some suitable person to act as Registration Commissioner until the vacancy can be filled.'

**Sec. 2. R. S., c. 5, § 65-B, additional.** Chapter 5 of the Revised Statutes is hereby amended by adding thereto a new section to be numbered 65-B, to read as follows:

**'Sec. 65-B. Peter Dana Point Voting District and Pleasant Point Voting District created.** The municipal officers of the town of Princeton are directed to establish a voting place at Peter Dana Point in Indian Township in the county

of Washington to be designated "Peter Dana Point Voting District," at which voting place all Indians residing on the tribal reservation at Peter Dana Point and otherwise qualified in accordance with section 1 of Article II of the Maine Constitution shall vote in all state, county and national elections, including primary elections. A warden, who shall be a resident of the town of Princeton, shall be appointed by the municipal officers of said town to act as the presiding officer at said Peter Dana Point Voting District. Two election clerks, who shall be residents of the town of Princeton, shall be appointed by the selectmen in the same manner as provided in section 14. The selectmen of the town of Princeton may register and enroll Indian residents of the Peter Dana Point Voting District prior to the day of any election. The warden may register and enroll said Indians on the day of election.

The municipal officers of the town of Perry are directed to establish a voting place at Pleasant Point in the town of Perry and county of Washington to be designated, "Pleasant Point Voting District," at which voting place all Indians residing on the tribal reservation at Pleasant Point and otherwise qualified in accordance with section 1 of Article II of the Maine Constitution shall vote in all state, county and national elections, including primary elections. A warden, who shall be a resident of the town of Perry, shall be appointed by the municipal officers of said town to act as the presiding officer at said Pleasant Point Voting District. Two election clerks, who shall be residents of the town of Perry shall be appointed by the selectmen in the same manner as provided in section 14. The selectmen of the town of Perry may register and enroll Indian residents of the Pleasant Point Voting District prior to the day of any election. The warden may register and enroll said Indians on the day of election.

The Secretary of State shall furnish ballots and blank returns for said voting districts in accordance with the provisions of chapters 4 and 5. The ballots shall be sorted and counted and the return of the vote made to the town clerks in accordance with the provisions of section 39.

Election officials appointed to serve at the voting places hereby created shall be paid by the towns of Princeton and Perry. They shall be paid at the same rate of compensation received by officials performing similar duties at the regularly established voting places in such municipalities. The towns of Princeton and Perry shall be reimbursed by the State from funds appropriated for support of the Indian tribes.

The fact that any Indian receives relief funds directly or indirectly from the State or any municipality shall not operate to give such Indian the status of a pauper so that he shall be denied on that account the right to vote.'