

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Eighty-ninth and Ninetieth
Legislatures

OF THE
STATE OF MAINE

From April 21, 1939 to April 26, 1941
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninetieth Legislature

1941

way commission ~~the governor and council~~ shall set a date for public hearing on the application, which date shall be not more than 60 days after the filing of the application, shall give notice by publication in such newspapers as ~~the governor and council~~ it shall designate, and such other notice as ~~the governor and council~~ it may determine necessary in any particular case, at least 14 days prior to the date set for such hearing. Rules for procedure at such hearings may be determined from time to time by the ~~governor and council~~ commission.'

'Sec. 80. Decision to be rendered within 30 days; application may be granted upon terms; right to be exercised within 2 years; term limitation of permit. Decision on the application shall be rendered by the ~~governor and council~~ state highway commission within 30 days after the hearing is closed. The ~~governor and council~~ commission may grant the application as filed, or may refuse to grant the same, or may grant the application in part only, but if the application is granted in full or in part, the ~~governor and council~~ commission may attach thereto such terms and conditions as ~~they~~ it deems necessary to protect the public interest in the safe and convenient use of such bridge. If any authority granted by the ~~governor and council~~ commission is not exercised within 2 years from the date thereof, the same shall be deemed to have expired and may not thereafter be exercised except upon further and subsequent authority from said ~~governor and council~~ commission. Any authorization made or permit granted under the provisions of sections 77 to 80 shall be limited to a term not exceeding 50 years from the date of such authorization or grant.'

Approved February 24, 1941

Chapter 15

AN ACT Relating to Absentee Ballots.

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

Sec. 1. R. S., c. 9, § 4, amended. Section 4 of chapter 9 of the revised statutes, as amended, is hereby further amended to read as follows:

'Sec. 4. Ballots, blank forms, etc., to be sent to absent voters by city and town clerks upon application. The papers mentioned in clauses (b) or (b-1), whichever is applicable, of section 2 shall be delivered to any person who by mail or otherwise applies therefor to the clerk of the city or town where he is entitled to vote. The papers described in clauses (a), (c), (d) and (e-1) and, if physical incapacity ballot is applied for (c-1) shall be mailed without unnecessary delay, postage prepaid or otherwise delivered

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to the applicant, by the city or town clerk applied to as aforesaid, to all absentee voters or voters physically incapacitated who seasonably file the application set forth in said clauses (b) or (b-1), provided said application is duly certified by the proper officials as set forth in the next following section.'

Sec. 2. R. S., c. 9, § 6, amended. Section 6 of chapter 9 of the revised statutes, as amended, is hereby further amended to read as follows:

'**Sec. 6. How the voter who has received an absent voting ballot or physical incapacity voting ballot may vote.** A voter who has executed and filed an application for an official absent voting ballot or physical incapacity voting ballot with the clerk of the city or town in which he is a registered voter may, after his application is certified and he has obtained an official absent voting ballot or physical incapacity voting ballot as provided in the 2 sections last preceding, vote by mailing or delivering said ballot as herein-after provided ~~or by delivering said ballot in person~~, to such city or town clerk. He shall mark said ballot in the presence of any official authorized by law to administer oaths, if the marking is done within the state of Maine, and in the presence of any notary public having a seal, if the marking is done outside of the state of Maine; but, in either case, no person other than the voter and the official taking his oath shall be present during the marking and sealing of said ballot. Before marking said ballot, the voter shall exhibit it to said official, who shall satisfy himself that it is unmarked, but he shall not allow said official to see how he marked it. Said official shall hold no communication with the voter, nor he with said official, as to how he is to vote. Thereafter the voter shall enclose and seal the ballot in the envelope provided for in clause (c) of section 2. He shall then execute before said official the affidavit on said envelope as set forth in said clause (c), said official shall endorse thereon the certificate provided for in said clause (c) and affix his official seal, if any, and said voter shall enclose and seal the envelope with the ballot in the envelope provided for in clause (d) of section 2, endorse thereon his name, address and voting place, and mail the same within the time prescribed in the following section, by registered mail requesting return receipt therefor, postage prepaid, at any post-office, or may deliver same in person or by his or her accredited agent as above provided.'

Sec. 3. R. S., c. 9, § 7, amended. Section 7 of chapter 9 of the revised statutes is hereby amended to read as follows:

'**Sec. 7. When ballots shall be mailed or delivered by absent voter.** All ballots cast under the provisions of the preceding section shall be mailed on or prior to the day of election, or, if delivered ~~in person~~, shall be delivered at least 24 hours before the opening of the polls at the voter's polling

place on the day of the election. The postmark, if legible, shall be conclusive evidence of the time and place of mailing. Any clerk, if requested thereto, shall give to any person delivering such ballot ~~in person~~ a receipt therefor setting forth the precise date, hour, and minute of the delivery.'

Approved February 24, 1941

Chapter 16

AN ACT Relating to the Recording and Copying of Public Documents.

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

Sec. 1. Photostatic, photographic copy of records, etc., authorized. Whenever any officer or employee of the state or of any county, city or town is required or authorized by law, or otherwise, to record or copy any document, plat, paper or instrument in writing, he may do such recording or copying by any photostatic, photographic or other mechanical process which produces a clear, accurate, and permanent copy or reproduction of the original document, plat, paper or instrument in writing.

Sec. 2. Copies admissible in evidence. Copies and records thus produced shall have the same effect, and be admissible in evidence in the manner and under the same conditions as copies and records produced in accordance with the law in effect immediately prior to the passage of this act.

Approved February 24, 1941

Chapter 17

AN ACT Relating to Absent Voting.

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

R. S., c. 9, § 6, amended. Section 6 of chapter 9 of the revised statutes, as amended by section 5 of chapter 183 of the public laws of 1937 and section 3 of chapter 234 of the public laws of 1939, is hereby further amended to read as follows:

'Sec. 6. How the voter who has received an absent voting ballot or physical incapacity voting ballot may vote. A voter who has executed and filed an application for an official absent voting ballot or physical incapacity