

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-seventh Legislature

OF THE

STATE OF MAINE

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STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

southern boundary of T. 17, R. 3, also T. 17, R. 4, to highway 161 thence in a southeasterly direction along highway 161 to point of beginning; the above described area containing approximately 12,000 acres.'

Effective August 20, 1955

Chapter 46

AN ACT Relating to Snow Removal from "Compact Areas."

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

R. S., c. 23, § 68, amended. The last paragraph of section 68 of chapter 23 of the revised statutes is hereby amended to read as follows:

'The maintenance provisions of sections 66, 67, 68, 79, 80, 82 and 87 shall not apply to those compact or built up sections of state highway in cities or towns whose population according to the last U. S. census exceeds 5,000 inhabitants, except as hereinafter provided for maintenance of secondary federal aid projects, and the snow removal provisions shall not apply to those compact or built up sections and "compact areas" as determined by the Commission, in which compact sections are intermittent and separated by a short interval or intervals of sections that are not compact of state highway in cities or towns whose population according to the last U. S. census exceeds 2,000 inhabitants.'

Effective August 20, 1955

Chapter 47

AN ACT to Clarify Certain Election Laws.

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

Sec. 1. R. S., c. 3, § 42, amended. Section 42 of chapter 3 of the revised statutes is hereby amended to read as follows:

'Sec. 42. Registration in towns having 1,000 to 2,000 voters. In all towns, cities not included, having not less than ~~500~~ 1,000 nor more than 2,000 registered voters, the municipal officers shall receive applications of persons claiming a right to vote, on the day, Sundays and court holidays excepted, next preceding the day of election, and on such additional days prior thereto as they may determine, and no application shall be received after the hour of 9 in the afternoon; and no names shall be added to the list of voters on the day of election, by certificate or otherwise, except such as were upon the list used at the last preceding election, and have been inadvertently omitted by the selectmen; and on that day no change shall be made in names except to correct clerical errors therein.'

Sec. 2. R. S., c. 3, § 43, amended. Section 43 of chapter 3 of the revised statutes is hereby amended to read as follows:

'Sec. 43. Registration in towns having under 1,000 voters. In every town having less than ~~500~~ 1,000 voters, the municipal officers shall be in session on

the day of election to receive and decide on such applications, at some convenient place, for so long a time immediately preceding the opening of the polls as they think necessary, and shall hear and determine any such application at any time before the polls are closed.'

Sec. 3. R. S., c. 4, § 34, amended. Section 34 of chapter 4 of the revised statutes is hereby amended to read as follows:

'Sec. 34. Acceptance of nominee to be filed.' Every candidate so nominated and notified shall, within 7 days after the receipt of notification, send or deliver to the Secretary of State the following acceptance:

"To the Secretary of State:

I, _____, of _____, hereby accept the (political party) nomination to the office of _____, made at the primary election June _____, 19____.
....."

The name of any candidate failing to file such acceptance shall not be printed upon the official ballot to be used at the state election, and failure to file such acceptance within said 7 days shall be deemed to be a refusal of the nomination.'

Sec. 4. R. S., c. 4, § 46, amended. The next to the last sentence of section 46 of chapter 4 of the revised statutes is hereby amended to read as follows:

'When such a vacancy occurs, the Governor shall, by proclamation, declare such fact and fix a date and place for the meeting of the appropriate committees.'

Sec. 5. R. S., c. 4, § 54, amended. Section 54 of chapter 4 of the revised statutes is hereby amended by inserting before the last sentence thereof, the following underlined sentence:

'Whenever state, county, city or town committees are required by law to nominate candidates for public office, a certificate as provided in section 57 shall be filed with the Secretary of State at least 5 days following such nomination.'

Sec. 6. R. S., c. 5, § 78, amended. The 1st paragraph of section 78 of chapter 5 of the revised statutes is hereby amended to read as follows:

'The votes shall be sorted, counted, declared and recorded; and the returns of the number of ballots and of the votes given for each candidate shall be made, according to the Constitution and laws, to the Secretary of State, on or before the 2nd Tuesday after such meeting; on said 2nd Tuesday, the Governor and Council shall be in session, and shall open, examine and count the returns of votes so made, and the Secretary of State shall forthwith send a messenger to every city and town from which a return has not been received at his office for the purpose of procuring the wanting return and the Governor and Council shall again meet ~~on the 3rd Tuesday~~ not later than the 1st day of December following such election, and examine and count all the votes received from the several cities, towns and plantations and the votes of citizens in the military service lawfully returned into the office of the Secretary of State; and they shall forthwith send a certificate of election to each person who has received the greatest number of all the votes returned, not exceeding the number to be chosen.'

Sec. 7. R. S., c. 5, § 81, amended. Section 81 of chapter 5 of the revised statutes is hereby amended to read as follows:

'Sec. 81. Duties of Governor; meetings of electors; vacancies. As soon as practicable after the electors are chosen, the Governor shall communicate by registered mail under the seal of the State to the ~~secretary of state of the United States~~ Administrator of General Services of the United States a certificate of the ascertainment of the electors, setting forth the names of the electors, and the number of votes given for each person voted for; and the Governor shall deliver to the electors, on or before the 1st Monday after the 2nd Wednesday of December next after their election, 6 original duplicates of the same certificate under the seal of the State. If there shall have been any contest concerning the choice of any electors, or in case of a choice under the provisions of the preceding section, the Governor, after such determination, shall communicate under the seal of the State to the ~~secretary of state of the United States~~ Administrator of General Services of the United States a certificate of such determination in form and manner as the same shall have been made. The electors shall convene in the senate chamber at Augusta on the 1st Monday after the 2nd Wednesday of December next after their election, at 2 o'clock in the afternoon; and if any elector so chosen is not present, the electors then present, by a majority of votes, shall forthwith elect a qualified person to supply such deficiency.'

Sec. 8. R. S., c. 5, § 82, sub-§ III, amended. Subsection III of section 82 of chapter 5 of the revised statutes is hereby amended to read as follows:

'III. On the day thereafter they shall forward by registered mail two of such certificates and lists to the ~~secretary of state of the United States~~ Administrator of General Services of the United States at the seat of government.'

Sec. 9. R. S., c. 6, § 6, amended. The 1st sentence of section 6 of chapter 6 of the revised statutes is hereby amended to read as follows:

'When a written request for an absent voting ballot or physical incapacity voting ballot is received by the clerk of a city, he shall forthwith mail or deliver the application and ballot to the applicant; provided, however, that if the request is made on the form prescribed by ~~subsection~~ subsections II and III of section 2, then he shall mail or deliver only the ballot.'

Effective August 20, 1955

Chapter 48

AN ACT Relating to License Fees for Barber Shops and Beauty Shops.

Emergency preamble. Whereas, the 96th Legislature enacted legislation whereby renewal licenses for beauty shops would not exceed \$5; and

Whereas, due to error in the Revised Statutes of 1954 the above provision was omitted and became part of the renewal fee for barber shops; and

Whereas, in order to correct this error in order to apply to renewal licenses for 1955, it is vitally necessary that the following legislation be enacted as an emergency; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine, and require the following