

# MAINE STATE LEGISLATURE

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NINTH REVISION

REVISED STATUTES

OF THE

STATE OF MAINE

1954

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FIRST ANNOTATED REVISION

Effective December 31, 1954

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IN FIVE VOLUMES

VOLUME 1



THE MICHIE COMPANY

CHARLOTTESVILLE, VIRGINIA

### Chapter 7.

#### Voting by Armed Forces.

**Sec. 1. Definitions.**—The term “members of the armed forces” wherever used in this chapter shall be considered to mean persons serving in the army, navy, air force, marine corps, coast guard, merchant marine of the United States, or civilians officially attached to or serving with or subject to the control of the armed forces, and shall include any spouse of such member of the armed forces.

The term “board of registration” as used in this chapter shall be held to include the board, by whatever name designated, which is authorized to register voters in any given municipality. (1953, c. 110, § 1.)

**Sec. 2. Registration of members of the armed forces.** — Boards of registration shall at any session place upon the voting lists the names of any citizens who are members of the armed forces whom they judge to be constitutionally qualified as electors.

The boards of registration are empowered to meet in session on any secular day up to and including the day of election for the purpose of correcting and adding names to voting lists.

The letter “(S)” shall be marked before the name of any person so registered. (1953, c. 110, § 1.)

**Sec. 3. Enrollment of voters; application.** — Upon written request therefor signed by a registered voter who is a member of the armed forces, the board of registration shall enroll such voter as a member of the political party of his choice. A statement of political party preference over the signature of such voter on the return envelope containing a primary ballot shall be deemed an application for enrollment.

Any request, in writing, from a member of the armed forces, or from a former guardian, a spouse or an adult blood relative of such member shall be considered as a sufficient compliance with the existing statutes requiring the filing of an application for an absentee primary or general election ballot. (1953, c. 110, § 1.)

**Sec. 4. Ballot to be mailed to soldiers, etc.; how to vote; no oath required; certificate of board; ballot placed in ballot box.**—In the case of a person registered as provided by this chapter or by the regular election laws of this state, if a request for a ballot as provided in section 3 is received by the clerk of the city or town of his residence, a ballot, together with instructions for voting, shall be mailed to such person. It shall be the duty of the secretary of state to provide ballots on paper of appropriate size and weight and a special envelope which will move free of postage as provided by federal law. Such person shall, if he desires to vote in the election for which such ballot is issued, mark his ballot as provided in the general election laws of the state, privately, so that no one may see how he has voted. The provisions for an oath are expressly waived. He shall then fold his ballot, place it in the return envelope, seal the envelope, sign his name and write his voting residence in a place provided for the purpose in the upper left hand corner, have his name certified as that of the voter which certification shall be in a place provided on the same envelope below the signature of the voter, by any commissioned officer, non-commissioned officer not below the rank of sergeant, or petty officer, in the armed forces, or by any member of the Merchant Marine of the United States designated to administer and attest oaths, and shall then mail the envelope to the city or town clerk of the place of his residence. The form of this certification shall be as follows:

“Above signature certified as genuine”

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Name and rank or rating of officer.

The board of registration shall thereupon certify by writing to be attached to said envelope, that the person whose name appears as sender of the envelope is a duly registered, and in the case of the primary, an enrolled voter of said city or town. The city or town clerk shall, upon election day, before the hour for closing the polls, deliver all envelopes received by him to the election officials in the several voting precincts in which the voters named therein have the right to vote, together with a list signed by him of the voters' names and addresses, as shown upon said envelopes, and the envelopes shall be opened and the ballot placed in the ballot box, as provided in section 11 of chapter 6.

No mere informality in the manner of carrying out any provision of law affecting voting by members of the armed forces at any election shall invalidate such election or constitute sufficient cause for the rejection of the returns thereof, and such provisions shall be construed liberally to effectuate their purposes. (1953, c. 110, § 1.)

**Sec. 5. Ballots; delivery and receipt.**—All ballots cast under the provisions of this chapter, whether delivered in person or by mail, shall be received by the plantation, town or city clerk before the closing of the polls on the day of election. Any city or town clerk on receiving such a ballot shall, if requested, give to the person delivering such ballot a receipt setting forth the precise date, hour and minute of delivery. (1953, c. 110, § 1.)

**Sec. 6. Suspending clause.**—All acts or parts of acts inconsistent with the provisions of this chapter in so far as they might affect this chapter shall be suspended so long as this chapter remains in force. (1953, c. 110, § 1.)

**Sec. 7. Secretary of state; authority.**—The secretary of state may take such steps, and do such things, of an administrative nature as in his opinion are necessary to make effective any provision of law facilitating voting by absent voting ballots by members of the armed forces and to utilize fully any federal or other facilities afforded in connection with such voting. (1953, c. 110, § 1.)

**Sec. 8. Penalties.**—Any person who shall unreasonably or willfully cause delay in the registration of any person who is a member of the armed forces or in sending a ballot to any such person or the certification of any such person as a voter or the casting of any such ballot shall be guilty of a misdemeanor and shall on conviction be punished by a fine of not more than \$500 or by imprisonment for not more than 11 months. (1953, c. 110, § 1.)