

MAINE STATE LEGISLATURE

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CHAPTER 9

NEW RESIDENTS IN PRESIDENTIAL ELECTIONS

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SUBCHAPTER I

GENERAL PROVISIONS

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§ 281. Short title

This chapter may be cited as the "Act for Voting by New Residents in Presidential Elections."

1963, c. 254.

§ 282. Uniformity of interpretation

This chapter shall be so construed as to effectuate the general purpose to make uniform the law of those states which enact it.

1963, c. 254.

§ 283. Definition of state

As used in this chapter, "state" includes the District of Columbia.

1963, c. 254.

§ 284. Application of other statutes

Except as otherwise provided in this chapter and insofar as it is applicable, the law relating to absentee ballots applies to the casting and counting of ballots and challenging of votes by

new residents, the furnishing of election supplies, ballots, canvassing of ballots and making proper returns of the results of the election.

1963, c. 254.

§ 285. Severability

If any provision of this chapter or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

1963, c. 254.

§ 286. Penalties

Any person willfully making a false statement or affidavit required by this chapter shall be punished by a fine of not less than \$100 nor more than \$1,000, or by imprisonment for a period of not less than one month nor more than 11 months, or by both. If any public official willfully refuses or neglects to perform any of the duties prescribed by this chapter or violates any of its provisions, he shall be punished by a fine of not less than \$100 nor more than \$1,000, or by imprisonment for a period of not less than one month nor more than 11 months, or by both.

1963, c. 254.

SUBCHAPTER II**ELIGIBILITY AND PROCEDURE**

Sec.

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- 317. List of applicants open for inspection.
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§ 311. Qualifications

Each citizen of the United States who immediately prior to his removal to this State was a citizen of another state and who has been a resident of this State for less than 6 months prior to a presidential election is entitled to vote for presidential and vice-presidential electors at that election, but for no other offices, if

1. **Qualifications.** He otherwise possesses the substantive qualifications to vote in this State, except the requirement of residence and registration; and

2. **Compliance.** He complies with this chapter.
1963, c. 254.

§ 312. Application for ballot

A person desiring to qualify under this chapter in order to vote for presidential and vice-presidential electors is not required to register but on or before 30 days before the election shall make an application in the form of an affidavit executed in duplicate in the presence of the municipal clerk substantially as follows:

State of Maine
ss.
County of

I,, do solemnly swear that:

1. I am a citizen of the United States.

2. Before becoming a resident of this State, I resided at Street,, of of the State of
Municipality County
.....

3. On the day of the next presidential election, I shall be at least 21 years of age and I have been a resident of this State since, 19.., now residing at Street, in
Municipality
of
County

4. I have resided in Maine less than 6 months and under the laws of this State, I believe I am entitled to vote at the presidential election to be held November, 19..

5. I hereby make application for a presidential and vice-presidential ballot. I have not voted and will not vote otherwise than by this ballot at that election.

Signed

Applicant

Subscribed and sworn to before me this day of, 19...

Signed

(Title and name of officer authorized to administer oaths.)

1963, c. 254.

§ 313. Mailing duplicate application

The municipal clerk shall immediately mail to the appropriate official of the state in which the applicant last resided the duplicate of the application.

1963, c. 254.

§ 314. Filing and indexing information from other states

The municipal clerk shall file each duplicate application or other official information received by him from another state indicating that a former resident of this State has made application to vote at a presidential election in another state and shall maintain an alphabetical index thereof, for a period of one year after the election.

1963, c. 254.

§ 315. Delivery of ballot to applicant

If satisfied that the application is proper and that the applicant is qualified to vote under this chapter, the municipal clerk then shall deliver to the applicant a ballot for presidential and vice-presidential electors not sooner than 15 days nor later than one day prior to the next presidential election.

1963, c. 254.

§ 316. Voting

The applicant, upon receiving the ballot for presidential and vice-presidential electors shall mark forthwith the ballot in the presence of the municipal clerk but in such manner that the

official cannot know how the ballot is marked. He shall then fold the ballot in the municipal clerk's presence, so as to conceal the markings, and deposit and seal it in an envelope furnished by the municipal clerk.

The voter shall enclose the envelope containing the ballot in a carrier envelope which shall be securely sealed. The carrier envelope shall have imprinted upon its back, a statement substantially as follows:

“Certification of New Resident Voter

I have qualified as a new resident voter in this State to vote for presidential and vice-presidential electors and I have not applied nor do I intend to apply for an absentee voter's ballot from the state from which I have removed and I have not voted and I will not vote otherwise than by this ballot.

Dated: (Signature of Voter)

Witness:”
Municipal clerk

The voter shall sign the certification upon the enclosure envelope as set forth above, and shall then deliver the sealed carrier envelope to the municipal clerk, who shall keep the carrier envelope in his office until delivered by him to the warden at the appropriate voting place.

1963, c. 254.

§ 317. List of applicants open for inspection

The municipal clerk shall keep open to public inspection a list of all persons who have applied under this chapter to vote as new residents with their names, addresses and application dates.

1963, c. 254.

§ 318. Delivery and deposit of ballots

The Secretary of State shall prepare and deliver the ballots for new residents to the municipal clerk in the manner prescribed by law for absentee ballots, and the ballots shall be processed in accordance therewith.

The municipal clerk shall record the new resident voter's name with a notation designating him as a new resident voting for presidential and vice-presidential electors only.

1963, c. 254.

§ 319. Challenges

The vote of any new resident may be challenged for cause. The warden at the appropriate voting place has all the powers and authority conferred upon him by law in respect to hearing and determining the legality of challenged votes.

1963, c. 254.