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An Act To Clarify Election Laws Concerning Election Clerks' Qualifications

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, because this legislation concerns the elections to be held in June of 2007, it needs to take effect before the normal statutory effective date; 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 legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 21-A MRSA §503, sub-§1, as repealed and replaced by PL 1995, c. 459, §33, is amended to read:

1. Qualifications; appointment; compensation. Election clerks must be at least 18 years of age, registered to vote and ~~a resident~~ residents of the municipality, except that, if the municipal officers are unable to appoint a sufficient number of election clerks who are residents of the municipality, the municipal clerk may appoint election clerks who are not residents of the municipality but who are residents of the county and are otherwise qualified to fill the vacancies. The municipal officers of each municipality shall appoint election clerks no later than May 1st of each general election year to serve at each voting place during the time the polls are open and as counters after the polls close. A list of the election clerks appointed ~~by the municipal officers~~ under this subsection must be posted at each voting place. Election clerks are entitled to a reasonable compensation as determined by the municipal officers.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

SUMMARY

This bill relaxes the residency requirement for the appointment of election clerks, permitting a municipal clerk to appoint election clerks who are residents of the county of the municipality if insufficient numbers of municipal residents are available.