



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 813

S.P. 258

In Senate, March 2, 2017

An Act To Amend the Laws Governing the Political Party Representation of Election Clerks

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator GRATWICK of Penobscot.
Cosponsored by Representative DENNO of Cumberland and
Senators: CARPENTER of Aroostook, CHIPMAN of Cumberland, LIBBY of Androscoggin,
VITELLI of Sagadahoc, Representatives: FARNSWORTH of Portland, FULLER of Lewiston,
HANDY of Lewiston.

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

2 **Sec. 1. 21-A MRSA §503, sub-§2,** as amended by PL 2013, c. 131, §14, is
3 further amended to read:

4 **2. Representation of parties.** The municipal officers shall consider the following
5 for appointment as election clerks.

6 A. The municipal officers shall consider persons nominated by the municipal, county
7 or state committees of the major parties to serve as election clerks. The municipal
8 officers shall appoint at least one election clerk from each of the major parties to
9 serve at each voting place during the time the polls are open. The municipal officers
10 shall also appoint a sufficient number of election clerks to serve as counters after the
11 polls close. The election clerks must be selected so that of the total number of
12 election clerks ~~selected, 33% are selected~~ from one major party ~~does not exceed the~~
13 ~~number of election clerks and 33% are selected~~ from another major party ~~by more~~
14 ~~than one~~ and the remaining 34% are selected without regard to party enrollment.

15 B. The municipal officers shall appoint at least one election clerk nominated by the
16 municipal committee of a qualified minor party represented on the last general
17 election ballot for each voting place at the committee's request.

18 C. Notwithstanding subsection 1, the municipal officers may also consider persons
19 who are 17 years of age to serve as student election clerks for a specific election. A
20 student election clerk may perform all the functions of an election clerk as prescribed
21 by this Title.

22 All nominations for election clerks must be submitted to the municipal officers no later
23 than April 1st of each general election year. If a municipal committee of a major party
24 fails to submit a list of nominees to serve as election clerks, the municipal officers may
25 appoint registered voters enrolled in that party to serve as election clerks.

26 If the municipal officers are unable to appoint a sufficient number of election clerks as set
27 forth in paragraphs A, B and C, they may appoint any other registered voter, as long as
28 the ~~balance between~~ representation of major political parties is maintained as described in
29 this subsection.

30 **SUMMARY**

31 This bill requires election clerks in a municipality to be selected so that 33% of clerks
32 are from one major party and 33% from another, with 34% of clerks being selected
33 without regard to party enrollment.