

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 924

H. P. 687

House of Representatives, February 3, 1965

Referred to Committee on Election Laws. Sent up for concurrence and ordered printed.

JEROME G. PLANTE, Clerk

Presented by Mr. Ross of Bath.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Providing for the Election of Delegates to National Conventions.

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

Sec. 1. R. S., T. 21, c. 14, additional. Title 21 of the Revised Statutes is amended by adding a new chapter 14 to read as follows:

'CHAPTER 14

ELECTION OF DELEGATES TO NATIONAL CONVENTIONS

§ 421. Primary

On the 2nd Tuesday in March each year when a President of the United States is to be elected, a primary shall be held for the election of delegates at large, alternate delegates at large, delegates and alternate delegates to the national conventions of the various political parties to be held to nominate party candidates for President and Vice-President of the United States.

§ 422. How held

The primary election shall be held in towns in connection with the regular March meeting; and in cities at the regular polling places in the wards. In all cases it shall be conducted by the regular election officers.

§ 423. Time polls open

In towns the polls shall be open not less than 4 hours, and so much longer as shall be necessary to afford every voter present and desiring to vote an opportunity to do so, and until the voters present shall vote to close the polls. In cities the polls shall be open not less than 4 hours and may be opened not

earlier than 6 a.m. of the day of the primary, nor later than 8 p.m. as the city councils in said cities shall determine at least 30 days prior to said primary.

§ 424. Ballots

The Secretary of State shall prepare and distribute for use at such primary an official ballot for each political party.

§ 425. Declaration of candidacy

The name of a candidate shall not be printed upon any such ballot unless not more than 60 nor less than 30 days before the primary he files with the Secretary of State a declaration of candidacy, and unless he, or some person for him, shall pay to the Secretary of State a filing fee of \$10, or file with him a petition containing 100 names of legal voters requesting that his name be placed on the primary ballot; provided, that vacancies on the primary ballot of any party may be filled as provided in section 427. The number of days given shall include Sundays and shall end on the day before the primary at 6 p.m.

§ 426. Form

Declarations of candidacy shall be in form as follows:

"I declare that I reside in ward in the city (or town) of, county of and State of Maine, and am a qualified voter therein; that I am a registered member of the party; that I am a candidate for election as delegate, (or as alternate delegate or delegate at large or alternate delegate at large) to the national convention of the party next to be held for the nomination of candidates of said party for President and Vice-President of the United States. I request that my name be printed as such candidate on the official ballot of the party to be used at the primary to be held on the 2nd Tuesday of March next. I further declare that if elected as such delegate (or alternate or delegate at large or alternate delegate at large) I will attend such convention unless I shall be prevented by sickness or other occurrence over which I have no control."

If the person desires to do so he may add to such declaration either of the following 2 statements: "I am favorable to (insert the name of any person) as the candidate for said party for President, and I request that after my name upon the ballot shall be printed the words I am favorable to the nomination (naming the same person) for President." or "I pledge myself, if elected as such delegate (or alternate delegate or delegate at large or alternate delegate at large), to vote in said convention, whenever I shall vote, for the nomination of (inserting the name of any person) as the candidate for said party for President so long as he shall be a candidate before said convention, and I request that after my name upon the ballot shall be printed the words pledged to vote for the nomination of (naming the same person) for President." The words chosen by the candidate shall be printed upon the primary ballot following the name as requested. In the case of the 2nd option, the pledge shall be printed upon the primary ballot as requested if such candidate for President files his written consent thereto with the Secretary of State before the time for the filing of declarations expires, but not otherwise.

§ 427. Vacancies

If there is to be a vacancy upon the primary ballot of any party by reason of the failure of as many persons to file as candidates for delegates, alternate delegates, delegates at large, and alternate delegates at large as are to be elected, such vacancies may be filled, after the expiration of the time allowed for filing and 27 days before the primary, by the state committee of that party, without the payment of any fee, and the Secretary of State, upon receipt of proper notice, shall cause the names selected by the state committee to be printed upon the primary ballot to fill such vacancies.

§ 428. Notice of result

After completing the canvass of returns from the primary, the Secretary of State shall send by mail notice to each person whose name was printed upon the ballot of any party of the names of the delegates at large, alternate delegates at large, delegates and alternate delegates, elected by that party, and shall not be required to advertise the result of said primary.

§ 429. Recount

If any person whose name was printed as a candidate upon the ballot of any party is not elected according to the canvass first made by the Secretary of State, he may obtain a recount by applying in writing therefor to the Secretary of State within 10 days after he shall have been notified of the result of the primary, and by paying fees as follows: If he has been voted for throughout the State, \$100. If he has been voted for in a district of less area, \$50.

§ 430. Provisions applicable

The appropriate provisions of this Title shall apply to all primaries held under this chapter unless clearly inconsistent herewith.'

Sec. 2. R. S., T. 30, § 2055, amended. The first sentence of section 2055 of Title 30 of the Revised Statutes is amended to read as follows:

'Each town shall hold an annual meeting **on the 2nd Tuesday** in March, at which time the following town officials shall be elected by ballot: Moderator, clerk, selectmen, assessors, overseers of the poor, treasurer and school committee.'