

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND THIRD LEGISLATURE

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**Legislative Document**

**No. 49**

H. P. 28

House of Representatives, January 11, 1967

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

BERTHA W. JOHNSON, Clerk

Presented by Mr. Hinds of South Portland.

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## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SEVEN

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### **AN ACT Providing for a Second Primary Election for Governor, United States Senator and United States Representative.**

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

**R. S., T. 21, § 452, additional.** Title 21 of the Revised Statutes is amended by adding a new section 452, to read as follows:

#### **§ 452. Second primary election**

A second primary election shall be held on the 2nd Tuesday of September of each year in which a general election is held for the nomination of candidates of political parties for United States Senator, Governor and United States Representative where nominations are not made in the first primary election.

The names of the candidates placing first and second in the first primary election shall be placed on the ballot in the second primary election in the contests wherein no candidate received a majority of the votes cast in the first primary election, subject to the exceptions stated in subsections 1 and 2:

1. Tie for first place. In the contests wherein there is a tie for first place in the first primary election, only the names of the candidates so tying shall be placed on the ballot in the 2nd primary election.

2. Tie for 2nd place. In the contests wherein there is a tie for 2nd place in the first primary election and the candidate placing first did not receive a majority of the votes cast, then only the names of the candidates placing first and tying for 2nd shall be placed on the ballot in the 2nd primary election.

The candidate who shall receive the highest number of votes cast for the office in the 2nd primary election shall be declared nominated. In case 2 or more persons shall receive an equal and highest number of votes for the same office in the 2nd primary, such persons shall draw lots to determine who shall receive the nomination.