

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 940

H. P. 737

House of Representatives, February 15, 1973

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

E. LOUISE LINCOLN, Clerk

Presented by Mrs. Boudreau of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Providing for a Second Primary Election.

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

Sec. 1. 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

If no candidate in a primary election receives a majority of all the votes cast in such primary election for any one office or offices for the nomination to which there were more than 2 candidates, then there shall be held a 2nd primary election on the 5th Monday next thereafter following said primary election. The 2 candidates receiving the highest number of votes in the first primary for nomination to an office shall be the only candidates in the 2nd primary. This provision does not apply to candidates in multi-member districts.

Sec. 2. R. S., T. 21, § 1092, amended. The first paragraph of section 1092 of Title 21 of the Revised Statutes is amended to read as follows:

Within 20 days after ~~an~~ any election, except a primary election, the Secretary of State shall tabulate the election returns and submit the tabulation to the Governor and Council.

Within 7 days after a primary election, the Secretary of State shall tabulate the election returns and submit the tabulation to the Governor and Council.

Sec. 3. R. S., T. 21, § 1093, sub-§§ 1 - 3, amended. Subsections 1, 2 and 3 of section 1093 of Title 21 of the Revised Statutes are amended to read as follows:

1. **Primary election.** In a primary election, the person who receives a ~~plurality majority, with the exception of candidates who run in multi-member districts, who shall need only a plurality,~~ of the votes cast for nomination to any office is nominated for that office, if the number equals or exceeds the number of signatures needed to place his name on the primary ballot by petition.

2. **Other elections.** In any other election, the person who receives a ~~plurality majority, with the exception of candidates who run in multi-member districts, who shall need only a plurality,~~ of the votes cast for election to any office is elected to that office.

3. **More than one vacancy.** In any election, if there is more than one vacancy in an office, as many persons are nominated or elected as there are vacancies to be filled in decreasing order of the ~~plurality majority, with the exception of candidates who run in multi-member districts, who shall need only a plurality,~~ of votes received by them.

Sec. 4. Appropriation. There is appropriated to the Department of Secretary of State from the General Fund the sum of \$10,000 to carry out the purposes of this Act. Any unexpended balances shall not lapse but shall remain a continuing carrying account until June 30, 1975.

STATEMENT OF FACT

The purpose of this bill is reflected in the title.