

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1212

H. P. 971

House of Representatives, March 20, 1975

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

EDWIN H. PERT, Clerk

Presented by Mr. Cooney of Sabattus.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Create a Presidential and Vice-presidential Primary Election.

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

Sec. 1. 21 MRSA § 448, as amended by PL 1973, c. 133, is further amended to read:

§ 448. Time of election

The primary election shall be held on the 2nd Tuesday of June of each general election year, except in a presidential election year when it shall be held the last Tuesday in April.

Sec. 2. 21 MRSA c. 18 is enacted to read:

CHAPTER 18

PRESIDENTIAL PRIMARY

§ 501. Purpose

The central purpose of this chapter is to provide Maine citizens with an opportunity to hear presidential and vice-presidential candidates address themselves directly to the problems of Maine and also to allow Maine citizens to express their preference in a primary election for a presidential and vice-presidential candidate. Further, even though the New England states share many of the same needs and resources, too often citizens and politicians alike address these states' problems not in practical regional terms but rather in more narrow, parochial terms. By scheduling Maine's presidential primary to correspond with that of Massachusetts, political debate based on New England regional considerations will be promoted.

§ 502. Presidential primary ballot

The Secretary of State shall cause to be placed on the official ballot for use of presidential primaries, under separate headings, and in the following order:

1. Names generally advocated or recognized in news media. The names of those candidates or potential candidates for the office of President of the United States and, if any, Vice-president of the United States whom he or she shall have determined to be generally advocated or recognized in national news media throughout the United States;

2. Names proposed by nomination papers. The names of any other candidates or potential candidates for nomination for President of the United States and Vice-president of the United States whose names are proposed therefor by nomination papers prepared and furnished by the Secretary of State and signed in aggregate by at least 500 voters;

3. Write-in space. A blank space in which the voter may, if he or she does not vote for any of the candidates whose names are printed on the ballot, insert the name of any person of his or her choice as a candidate for President or Vice-president of the United States.

The Secretary of State shall place the name of any candidate or potential candidate on the ballot no later than 67 days before the date of the primary election; and shall notify each such person forthwith, by registered mail, of the presence of his or her name on said ballot, and shall forthwith make public the names of the candidates placed on said ballot.

No names shall be added to the ballot by properly signed nomination papers, as described above, later than 45 days before the date of the primary election.

§ 503. Affidavit of rejection of candidacy

If a person does not want his or her name on the Maine primary ballot, he or she must execute and file an affidavit with the Secretary of State stating without qualification that he or she is not now and does not intend to become a candidate for the office of President of the United States at the forthcoming presidential election in Maine or any other state. If a primary candidate files such affidavit removing his or her name, and subsequently voluntarily becomes a presidential candidate in any other state's primary election, he or she shall be considered to have purged his or her affidavit in Maine and such affidavit shall have no force and effect. The Secretary of State shall then again place such candidate's name on the primary ballot if time permits.

Any candidate desiring to withdraw as a candidate and to remove his or her name from the primary ballot shall submit the affidavit of noncandidacy, as prescribed in this section, no later than 45 days before the presidential primary date.

§ 504. Primary results

The results of a primary election indicating voters' preferences for a candidate for president or vice-president shall only be advisory to Maine delegates to the national convention of a political party.

§ 505. Primary date

The presidential primary election will be held the last Tuesday in April of each presidential election year.

§ 506. Rules and procedures

Rules and procedures. Unless specifically stated in this chapter, the presidential primary shall be conducted in the same manner and according to the same rules and procedures as the primary elections for federal, state or county officers established by this Title.

STATEMENT OF FACT

The primary purposes of this Act are to provide the citizens of Maine with an opportunity to hear presidential and, if any, vice-presidential candidates address themselves to the problems of Maine and also to allow Maine citizens to express their preference in a primary election for a presidential or vice-presidential candidate.

Further, even though the New England states share many of the same needs and resources, too often citizens and politicians address these state's problems not in practical regional terms but rather in more narrow, parochial terms. By scheduling Maine's presidential primary to correspond with that of Massachusetts, political debate based on New England regional concerns will be promoted.

The Secretary of State shall determine which candidates will be placed on the ballot according to which candidates are generally advocated or recognized in the national news media.

The results of the presidential primary election will be only advisory to Maine delegates to national political conventions.

Finally, by simply changing the date of Maine's regular primary election to correspond, in a presidential election year, with the date of this presidential primary, any expense that a presidential primary might incur is almost entirely avoided.