

# 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)

(Governor's Bill)  
(EMERGENCY)  
SECOND REGULAR SESSION

---

---

ONE HUNDRED AND NINTH LEGISLATURE

---

---

**Legislative Document**

**No. 1750**

H. P. 1641

House of Representatives, January 2, 1980

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

EDWIN H. PERT, Clerk of the House

Presented by Mr. Nadeau of Lewiston.

---

---

STATE OF MAINE

---

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

---

**AN ACT to Revise the Administration of the Election Laws.**

---

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, a discrepancy has been created in the election laws when the deadline for filing a nomination petition was changed from the date of the primary to April 1st; and

Whereas, that change also necessitates changing the date for submitting petitions to the register of voters to a period before those petitions are to be filed with the Secretary of State; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 21 MRSA § 102-A, sub-§ 4, as repealed and replaced by PL 1973, c. 131, § 1, is repealed.**

**Sec. 2.** 21 MRSA § 102-A, sub-§ 5, as enacted by PL 1973, c. 131, § 2, is amended to read:

**5. Enrollment.** An individual may register and enroll in a political party at the same time **and on the same application form.**

**Sec. 3.** 21 MRSA § 131 is repealed and the following enacted in its place:

**§ 131. Mention of enrollment**

**All the time a person registers, the registrar shall ask him whether he wishes to enroll in a party. If the answer is in the affirmative, the registrar shall instruct him in completing the enrollment portion of the application.**

**Sec. 4.** 21 MRSA § 494, sub-§ 8, as enacted by PL 1977, c. 425, § 2, is amended to read:

**8. Submission to registrar.** The petition shall be submitted to the registrar of each municipality concerned for certification according to subsection 7, paragraph B, by or before 5 p.m. on the 5th day before ~~the date of the primary election~~ **the deadline for filing the petition with the Secretary of State.**

**Sec. 5.** 21 MRSA § 892, sub-§ 2 first sentence, is amended to read:

Within the voting place, a person shall not influence or attempt to influence another as to his choice of candidates **or his vote on questions.**

**Sec. 6.** 21 MRSA § 1033, as amended by PL 1973, c. 585, § 12, is repealed and the following enacted in its place:

**§ 1033. Voting machine maintenance**

**A municipality may not negotiate the purchase of any voting machine unless the purchase agreement contains a written promise by the vendor to keep the voting machine in good working order at the expense of the vendor for 5 years from the date of delivery of the machine.**

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

**STATEMENT OF FACT**

The purposes of sections 1, 2 and 3 are to allow registration and enrollment of voters to be accomplished by one application form.

The purpose of section 4 is to correct a discrepancy created when the deadline for filing a nomination petition was changed from the date of the primary to April 1st.

That change necessitates also changing the date for submitting petitions to the registrar of voters to some period before those petitions are to be filed with the Secretary of State.

The purpose of section 5 is to clarify that attempts to influence voters in their decisions on all issues on the ballot is prohibited within the voting place.

Vendors are currently unable to purchase bonds from insurance companies to assure the maintenance of voting machines for 5 years as was required by section 1033 until now. This bill requires the vendor to make a promise to perform such maintenance as part of the purchase agreement rather than post a bond.