

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)

FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 903

H. P. 767

House of Representatives, February 18, 1981

Referred to the Committee on Local and County Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Masterton of Cape Elizabeth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Amend the Provisions for Election as Voter Member of a County Charter Commission.

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

Sec. 1. 21 MRSA § 491, 2nd and 3rd sentences, as repealed and replaced by PL 1977, c. 425, § 2, are amended to read:

A person may file as a candidate for any federal, state or county office either by primary election or nomination petition, but not by both, **except that a candidate for membership in a county charter commission shall be nominated only by petition.** A person may not file, whether by primary election or nomination petition, as a candidate for more than one federal, state or county office at any election, **except that this sentence shall not apply to candidates for membership in a county charter commission.**

Sec. 2. 21 MRSA § 494, sub-§ 5, ¶¶ F and G, as amended by PL 1979, c. 276, are further amended to read:

F. For a candidate for the office of State Senator, at least 200 and not more than 300 voters; ~~and~~

G. For a candidate for the office of State Representative, at least 50 and not more than 80 voters; ~~and~~

Sec. 3. 21 MRSA § 494, sub-§ 5, ¶H is enacted to read:

H. for a candidate for the office of county charter commission member, at least 100 and not more than 150 voters.

Sec. 4. 21 MRSA § 494, sub-§ 9, as amended by PL 1979, c. 359, § 3, is further amended to read:

9. Filed with Secretary of State. The petition shall be filed in the office of the Secretary of State by or before 5 p.m. on April 1st of the election year in which it is to be used, **except that petitions for county charter commission members shall be filed 45 days following the order of county officers under Title 30, section 1551, subsection 1 or the receipt of a certificate of sufficiency under Title 30, section 1551, subsection 4.**

Sec. 5. 21 MRSA § 496, sub-§ 2, ¶ F is enacted to read:

F. Only a voter of the county establishing a charter commission may challenge the nomination petition for county charter commission member. The challenge shall be in writing and shall set forth the reasons for the challenge. The Challenge shall be filed in the office of the Secretary of State by or before 6 p.m. on the 55th day following the order of the county officers under Title 30, section 1551, subsection 1 or the receipt of a certificate of sufficiency under Title 30, section 1551, subsection 4.

Sec. 6. 30 MRSA § 1551, sub-§ 5, first sentence, as amended by PL 1979, c. 671, § 7, is further amended to read:

Within 30 days after the adoption of an order under subsection 1 or the receipt of a certificate or final determination of sufficiency under subsection 4, the county officers shall by order submit the question for establishment of a charter commission to the voters of the county at the next regular or special statewide election held not less than 155 days from the date of this order.

Sec. 7. 30 MRSA § 1552, sub-§ 1, ¶ A, first sentence, as enacted by PL 1977, c. 486, is repealed and the following enacted in its place:

Voter members shall be nominated as provided in Title 21, sections 491, 492, 494, 495 and 496, and shall be nominated and elected by district if the county officers are elected by district.

Sec. 8. 30 MRSA § 1552, sub-§ 1, ¶ A, as amended by PL 1979, c. 671, §§ 8, is amended by adding after the first sentence 3 new sentence to read:

The number of voter members from each district shall be apportioned equally. When equal apportionment is not possible, one or more voter members may be nominated and elected at large. They shall be nominated and elected without party designation.

STATEMENT OF FACT

This bill makes appropriate changes in election laws for nomination petitions

and election of county charter commission members. Previously, the law merely stated that the election of the provisions relating to those elections such as withdrawing from a party are not necessary for this public service. The bill also reduces the number of petition signatures necessary from 300 to 100.