

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 925

7 S.P. 339

In Senate, March 5, 1985

8 Reference to the Committee on Legal Affairs suggested and ordered
9 printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Danton of York.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Change Election Dates.
18

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

21 Sec. 1. 21 MRSA §444, as repealed and replaced
22 by PL 1977, c. 425, §1, is amended to read:

23 §444. Qualification of candidate for primary nomina-
24 tion

25 A candidate for nomination by primary election
26 must become qualified by filing a primary petition
27 and consent as provided in sections 445 and 446. He
28 must be enrolled, on or before ~~April~~ July 1st, in the
29 party named in the petition, and must be eligible to
30 file a petition as a candidate for nomination by pri-
31 mary election as provided in section 134, subsection
32 3. The registrar in the candidate's municipality of
33 residence shall certify to that fact upon the peti-
34 tion.

1 Sec. 2. 21 MRSA §445, sub-§6, as repealed and
2 replaced by PL 1977, c. 425, §1, is amended to read:

3 6. When signed. A petition may not be signed be-
4 fore ~~January~~ April 1st of the election year in which
5 it is to be used.

6 Sec. 3. 21 MRSA §445, sub-§8, as repealed and
7 replaced by PL 1977, c. 425, §1, is amended to read:

8 8. When filed. A primary petition shall be filed
9 ~~in with the office~~ Department of the Secretary of
10 State by or before 5 p.m. on ~~April~~ July 1st of the
11 election year in which it is to be used.

12 Sec. 4. 21 MRSA §448, as repealed and replaced
13 by PL 1977, c. 425, §1, is amended to read:

14 §448. Time of election

15 The primary election shall be held on the ~~2nd~~
16 first Tuesday ~~of June~~ after the 2nd Monday in
17 September of each general election year.

18 Sec. 5. 21 MRSA §449, as repealed and replaced
19 by PL 1977, c. 425, §1, is amended to read:

20 §449. Primary as separate election

21 A primary election is deemed to be a separate
22 election for each party which takes part in it. This
23 includes the duties of public officials in notifying
24 the election, providing forms and ballots, keeping
25 records and any other matter necessary to effect the
26 purpose of a primary election. A primary election
27 shall be conducted as to each party as nearly as
28 practicable the same as the general election unless
29 otherwise specified in this section.

30 Sec. 6. 21 MRSA §631, as repealed and replaced
31 by PL 1983, c. 280, §2, is amended by inserting be-
32 fore subsection 1 a new paragraph to read:

33 Notwithstanding any of the following provisions,
34 no registrar may accept registrations on the 2nd Mon-
35 day in September.

1 Sec. 7. 21 MRSA §962 is amended to read:

2 §962. Lost or not delivered

3 If an election return is not delivered to the
4 Secretary of State within 7 days after an election or
5 5 days after a primary election, he shall send a mes-
6 senger to the municipality concerned, and the clerk
7 shall give him a certified copy of the return.

8 Sec. 8. 21 MRSA §1091, as amended by PL 1971, c.
9 2, is further amended to read:

10 §1091. Reports of registration and enrollment

11 Within 10 days after a general election, the reg-
12 istrar shall send a report to the Secretary of State
13 stating the number of voters in each voting district
14 of the municipality at the close of the polls on
15 election day. Within 10 days after a primary elec-
16 tion, the registrar shall report to the Secretary of
17 State the total number of voters in each voting dis-
18 trict of the municipality and the number of voters
19 enrolled in each political party in each voting dis-
20 trict of the municipality at the close of the polls
21 on election day.

22 Sec. 9. 21 MRSA §1151, first ¶, as amended by PL
23 1969, c. 204, §1, is further amended to read:

24 On the written application of a candidate in any
25 election within 7 days after election day or within 3
26 days after a primary election, the clerk shall permit
27 him or his counsel to inspect the ballots and
28 checklists under proper protective regulations. The
29 purpose of such an inspection shall be to provide
30 factual basis for a request for recount. Such inspec-
31 tion must be of reasonable duration and may not be
32 used for harassment, assessment of ballot splitting,
33 or other purpose not related to the determination of
34 whether ballots were counted in a proper and lawful
35 manner.

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STATEMENT OF FACT

2 The purpose of this bill is to change the date of
3 the primary election from June to September.

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