

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1173

H.P. 872 House of Representatives, April 9, 1987
Reference to the Committee on Legal Affairs suggested and
ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative WILLEY of Hampden.
Cosponsored by Senator DILLENBACK of Cumberland,
Representatives LEBOWITZ of Bangor and CLARK of Millinocket.

STATE OF MAINE

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

AN ACT to Amend the Notice Provisions
Concerning Write-in Candidates in
Primary Elections.

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

7 21-A MRSA §723, sub-§1, ¶A, as enacted by PL
8 1985, c. 161, §6, is amended to read:

9 A. A person who has not qualified as a candidate
10 for nomination by primary election by filing a
11 petition and consent under sections 335 and 336,
12 but who fulfills the other qualifications under
13 section 334, may be nominated at the primary
14 election if he receives a number of valid
15 write-in votes equal to at least twice the mini-
16 mum number of signatures required under section

1 335, subsection 5, on a primary petition for a
2 candidate for that office.

3 ~~(1) Within 7 days after receiving notice of~~
4 ~~his nomination, a write-in candidate must~~
5 ~~file a written acceptance with the Secretary~~
6 ~~of State. If the candidate fails to do so,~~
7 ~~he is disqualified and his name shall not be~~
8 ~~printed on the general election ballot. The~~
9 ~~Secretary of State shall send notice of nom-~~
10 ~~ination to a write-in candidate by certified~~
11 ~~mail, return receipt requested. For purposes~~
12 ~~of this paragraph, the notice shall be~~
13 ~~deemed given on the date the write-in candi-~~
14 ~~date signs the receipt, or if the notice is~~
15 ~~undeliverable, the date the post office last~~
16 ~~attempts to deliver it. If the candidate~~
17 ~~fails to file a written acceptance with the~~
18 ~~Secretary of State within 15 days after re-~~
19 ~~ceiving the notice, he is disqualified and~~
20 ~~his name shall not be printed on the general~~
21 ~~election ballot.~~

22 STATEMENT OF FACT

23 The purpose of this bill is to require a write-in
24 candidate to file a written acceptance of nomination
25 with the Secretary of State within 15 days of receipt
26 of notice. The bill requires the notice to be sent by
27 certified mail, return receipt requested, so as to
28 determine when notice occurs.

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