

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 559, L.D. 757, Bill, "An Act Concerning Withdrawal of Candidates"

Amend the bill in section 2 in that part designated "~~§374-A~~" by striking out all of subsections 1, 2 and 3 (page 1, lines 10 to 28 in L.D.) and inserting in their place the following:

'1. Withdrawal and replacement of nominees; Governor's proclamation. The Governor shall issue a proclamation as provided in section 362 and a political committee may make a replacement nomination following a candidate's withdrawal only if a person nominated for an office, other than United States Senator, Representative to Congress or Governor, at a primary election or by a political committee:

A. Withdraws on or before 5 p.m. of the first Monday in August preceding the general election;

B. Withdraws because of a catastrophic illness that has permanently and continuously incapacitated the candidate and would prevent performance of the duties of the office sought, provided the candidate or a member of the candidate's immediate family files with the Secretary of State a certificate accompanying the withdrawal request, which describes the illness and is signed by at least 2 licensed physicians; or

C. Dies prior to the general election.

2. Designation of replacement candidate. If the Governor issues the proclamation as provided in section 362, a political committee may designate a replacement candidate no later than the 3rd Monday in August preceding the general election.'

Further amend the bill in section 3 in that part designated "~~§376.~~" in subsection 2 in the first line (page 1, line 40 in L.D.) by striking out the underlined word "not"

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Further amend the bill in section 3 in that part designated "§376." in subsection 2 in the 2nd line (page 1, line 41 in L.D.) by inserting after the underlined word "ballots" the underlined word 'only'

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STATEMENT OF FACT

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This amendment changes the bill to make it clear that candidates who die or withdraw before the general election may be replaced. The amendment also makes it clear that the Secretary of State is required to produce a new ballot only in instances where a candidate withdraws on or before 5 p.m. on the first Monday in August preceding the general election, dies or is afflicted with a serious illness.

Reported by the Committee on Legal Affairs
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5/19/89

(Filing No. H-234)