

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 506

S.P. 197

In Senate, February 11, 1991

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator COLLINS of Aroostook
Cosponsored by Senator THERIAULT of Aroostook.

STATE OF MAINE

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

**An Act Amending the Primary Election Law Requiring a Minimum
Number of Votes.**

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

2
4 21-A MRSA §723, sub-§1, as amended by PL 1987, c. 146, is further amended to read:

6 1. Primary election. In a primary election, the person who
8 receives a plurality of the votes cast for nomination to any
10 office is nominated for that office if ~~his~~ that person's vote
12 total equals or exceeds the minimum number of signatures needed
to place ~~his~~ that person's name on the primary ballot by
petition, except for write-in candidates under paragraph A and
except as provided in paragraph C.

14 A. A person who has not qualified as a candidate for
16 nomination by primary election by filing a petition and
18 consent under sections 335 and 336, but who fulfills the
20 other qualifications under section 334, may be nominated at
the primary election if he ~~that person~~ receives a number of
valid write-in votes equal to at least twice the minimum
number of signatures required under section 335, subsection
5, on a primary petition for a candidate for that office.

22 (1) The Secretary of State shall send notice of
24 nomination to a write-in candidate by certified mail,
26 return receipt requested. For purposes of this
paragraph, the notice ~~shall be~~ is deemed given on the
28 date the write-in candidate signs the receipt, or if
the notice is undeliverable, the date the post office
last attempts to deliver it. If the candidate fails to
30 file a written acceptance with the Secretary of State
within 15 days after receiving the notice, he ~~the~~
32 candidate is disqualified and ~~his~~ the candidate's name
shall ~~may~~ not be printed on the general election ballot.

34 B. The Secretary of State shall immediately certify by mail
36 the nomination of each person nominated by the primary
election.

38 C. A person who is a candidate for state Senator or member
40 of the House of Representatives and who qualifies for
42 nomination by filing a petition and consent under sections
44 335 and 336 and fulfills the other qualifications under
section 334 is nominated for that office regardless of the
number of votes cast in the primary election if that person
is unopposed at the primary election.

46
48 STATEMENT OF FACT

50 This bill provides that a candidate for the Legislature who
52 qualifies for the primary election by petition and consent and
who is unopposed at the primary election is nominated for the

2 office of Senator or member of the House of Representatives
regardless of the number of votes cast at the primary election.