

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 78

S.P. 48

In Senate, January 17, 1995

**An Act to Change the Dates on Which Primary Elections are Held and  
Certain Nomination Papers May be Signed.**

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

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS  
Secretary of the Senate

Presented by Senator HANLEY of Oxford.  
Cosponsored by Senators: BENOIT of Franklin, CARPENTER of York, FERGUSON of  
Oxford, Representatives: BARTH of Bethel, BIRNEY of Paris, ROBICHAUD of Caribou,  
WATERHOUSE of Bridgton, WINSOR of Norway.

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

4 **Sec. 1. 21-A MRSA §334**, as enacted by PL 1985, c. 161, §6, is amended to read:

6 **§334. Qualification of candidate for primary nomination**

8 A candidate for nomination by primary election must file a  
10 primary petition and consent under sections 335 and 336. ~~He~~ The  
12 candidate must be enrolled, on or before ~~April~~ July 1st, in the  
14 party named in the petition and must be eligible to file a  
16 petition as a candidate for nomination by primary election under  
section 144, subsection 3. The registrar in the candidate's  
municipality of residence must certify to that fact upon the  
petition.

18 **Sec. 2. 21-A MRSA §335, sub-§§6 and 8**, as enacted by PL 1985,  
c. 161, §6, are amended to read:

20 **6. When signed.** A petition may not be signed before  
22 January ~~April~~ 1st of the election year in which it is to be used.

24 **8. When filed.** A primary petition must be filed in the  
26 office of the Secretary of State before 5 p.m. on ~~April~~ July 1st  
of the election year in which it is to be used.

28 **Sec. 3. 21-A MRSA §339**, as enacted by PL 1985, c. 161, §6, is  
amended to read:

30 **§339. Time and nature of election**

32 The primary election shall must be held on the ~~2nd~~ first  
34 Tuesday ~~of--June~~ after the first Monday in September of each  
36 general election year and is considered to be a separate election  
for each party ~~which~~ that takes part in it. This includes the  
38 duties of public officials in announcing the election, providing  
forms and ballots, keeping records and any other matter necessary  
40 to effect the purpose of a primary election. A primary election  
shall must be conducted in the same manner as the general  
election, as nearly as practicable, for each party.

42 **Sec. 4. 21-A MRSA §340, sub-§1**, as enacted by PL 1987, c. 423,  
44 §3, is amended to read:

46 **1. Notice to Secretary of State.** No later than ~~February~~  
48 May 1st of the election year, each political party eligible to  
participate in a primary election shall notify the Secretary of  
State of the enrollment qualifications, subject to the  
50 restrictions in section 144, for voters eligible to vote in that  
party's primary. If no notice is received by that date, only  
52 voters enrolled in a political party may vote in that party's  
primary.

2           **Sec. 5. 21-A MRSA §354, sub-§6**, as enacted by PL 1985, c. 161,  
§6, is amended to read:

4           **6. When signed.** A nomination petition may not be signed  
before ~~January~~ April 1st of the election year in which it is to  
6 be used.

8

### STATEMENT OF FACT

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12           This bill changes the date of primary elections in Maine  
from the 2nd Tuesday in June to the 1st Tuesday after the 1st  
14 Monday in September. The dates for signing and filing primary  
petitions are also changed to maintain the same amount of time  
16 between the signing and filing of the petition and the primary as  
under current law.

18           The bill also changes the date for signing nomination  
petitions for unenrolled candidates to correspond with the dates  
20 of signing petitions for enrolled candidates.