



117th MAINE LEGISLATURE

SECOND REGULAR SESSION-1996

Legislative Document

S.P. 772

No. 1889

In Senate, April 1, 1996

Resolve, to Validate the Reform Party Petition.

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27. Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

May Th.

MAY M. ROSS Secretary of the Senate

Presented by Senator LAWRENCE of York.

Emergency preamble. Whereas, Acts and resolves of the 2 Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the number of certified signatures required to be
6 filed in order to form a new party pursuant to the provisions of the Maine Revised Statutes, Title 21-A, section 303, subsection
8 3, is 25,565; and

10 Whereas, on January 4, 1996, the Secretary of State acknowledged 25,050 properly certified signatures submitted by
 12 individuals intending to form the Reform Party; and

 Whereas, the registrars in the municipalities of Bangor, Brunswick, Portland, Old Town, Saco, Westbrook and Windham have
 stipulated that there are at least 520 additional signatures that should have been certified on December 14, 1995; and

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Whereas, this legislation is immediately necessary to allow the Reform Party to participate in the June 1996 primary election, and in all other electoral activities available to political parties during 1996 as long as the Reform Party complies with the applicable laws; and

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Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
safety; now, therefore, be it

Sec. 1. Requirements fulfilled. Resolved: That the Reform Party is deemed to have fulfilled the requirements of the Maine Revised Statutes, Title 21-A, section 303, subsection 3; and be it further 34

Sec. 2. Extension for conducting municipal caucuses. Resolved: That the deadline for the Reform Party for conducting the municipal caucuses required pursuant to the Maine Revised Statutes, Title 21-A, section 303, subsection 4, is extended to April 27, 1996; and be it further

Sec. 3. Extension for filing notice. Resolved: That the deadline for the Reform Party for filing a copy of the notice required pursuant to the Maine Revised Statutes, Title 21-A, section 303, subsection 4, is extended to May 10, 1996; and be it further

46 Sec. 4. Extension for filing primary petition. Resolved: That the deadline for the Reform Party for filing a primary petition 48 required pursuant to the Maine Revised Statutes, Title 21-A, section 335, subsection 8, is extended to April 27, 1996; and be 50 it further 2 Sec. 5. Extension for notification of Secretary of State. Resolved: That the deadline for the Reform Party for notifying the 4 Secretary of State of the enrollment qualifications for voters eligible to vote in the Reform Party's primary, required pursuant 6 to the Maine Revised Statutes, Title 21-A, section 340, subsection 1, is extended to April 27, 1996; and be it further 8

Sec. 6. Extension for candidate enrollment. Resolved: That the deadline for the enrollment of a candidate for the Reform Party in the party named in the primary petition for which the candidate seeks nomination by primary election, required pursuant to the Maine Revised Statutes, Title 21-A, section 334, is extended to April 27, 1996; and be it further

16 Sec. 7. Enrollment in party. Resolved: That a voter who filed an application to change enrollment to the Reform Party prior to 18 January 1, 1996, and who subsequently did not withdraw that enrollment or enroll in another party is deemed to have fulfilled 20 the requirement of the Maine Revised Statutes, Title 21-A, section 144, subsection 3, for purposes of filing a petition as a 22 candidate in this election year.

24 **Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.

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FISCAL NOTE

30 The Department of the Secretary of State will incur additional costs of approximately \$35,000 for an additional ballot for the Reform Party for the June 1996 primary election. The ability of the department to absorb these additional costs 34 can not be determined at this time.

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SUMMARY

This resolve allows the Secretary of State to acknowledge the Reform Party as having met the signature requirements for the 40 process of qualifying as a political party under Maine law. The Reform Party petitions as submitted on the legal deadline did not 42 contain a sufficient number of certified signatures to be validated by the Secretary of State. Maine law prohibits the 44 Secretary of State from accepting additional certified signatures for consideration after the deadline. Seven municipal clerks who 46 reviewed petitions submitted by the Reform Party now state that there are additional signatures that should have been certified 48 by the deadline. This resolve also extends the deadline for the 50 Reform Party to fulfill specified requirements required by law.

L.D.1889