

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2000

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Legislative Document

No. 2576

S.P. 1009

In Senate, February 18, 2000

**An Act to Provide Consistency for Certain Key Deadlines under the  
Election Laws.**

(AFTER DEADLINE)

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Legal and Veterans 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 MILLS of Somerset.

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

4  
6           **Whereas,** there has been widespread publicity concerning the  
newly effective Maine Clean Election Act in which several key  
events must occur on or before March 16th; and

8  
10           **Whereas,** the due date for filing primary petitions with the  
Secretary of State is March 15th, one day earlier; and

12           **Whereas,** the differing dates may lead to confusion and  
inadvertent disqualification of candidates; and

14  
16           **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  
18 necessary for the preservation of the public peace, health and  
safety; now, therefore,

20  
22           **Be it enacted by the People of the State of Maine as follows:**

24           **Sec. 1. 21-A MRSA §1122, sub-§8, ¶¶A and B,** as enacted by IB  
1995, c. 1, §17, are amended to read:

26           A. For a gubernatorial participating candidate, the  
qualifying period begins November 1st immediately preceding  
28 the election year and ends at 5:00 p.m. on March ~~16th~~ 15th  
of the election year unless the candidate is unenrolled, in  
30 which case the period ends at 5:00 p.m. on June 2nd of the  
election year.

32           B. For State Senate or State House of Representatives  
34 participating candidates, the qualifying period begins  
January 1st of the election year and ends at 5:00 p.m. on  
36 March ~~16th~~ 15th of that election year unless the candidate  
is unenrolled, in which case the period ends at 5:00 p.m. on  
38 June 2nd of the election year.

40           **Sec. 2. 21-A MRSA §1125, sub-§7, ¶¶A and B,** as enacted by IB  
1995, c. 1, §17, are amended to read:

42           A. Within 3 days after certification, for candidates  
44 certified prior to March ~~16th~~ 15th of the election year,  
revenues from the fund must be distributed as if the  
46 candidates are in an uncontested primary election.

48           B. Within 3 days after March ~~16th~~ 15th of the election  
year, for primary election certified candidates, revenues  
50 from the fund must be distributed according to whether the

2 candidate is in a contested or uncontested primary election,  
reduced by any amounts previously distributed under  
paragraph A.

4  
6 **Sec. 3. 21-A MRSA §1125, sub-§10**, as enacted by IB 1995, c. 1,  
§17, is amended to read:

8 **10. Candidate not enrolled in a party.** An unenrolled  
candidate certified by March ~~16th~~ 15th preceding the primary  
10 election is eligible for revenues from the fund in the same  
amounts and at the same time as an uncontested primary election  
12 candidate and a general election candidate as specified in  
subsections 7 and 8. For an unenrolled candidate not certified  
14 by March ~~16th~~ 15th at 5:00 p.m., the deadline for filing  
qualifying contributions is 5:00 p.m. on June 2nd preceding the  
16 general election. An unenrolled candidate certified after March  
~~16th~~ 15th at 5:00 p.m. is eligible for revenues from the fund in  
18 the same amounts as a general election candidate, as specified in  
subsections 7 and 8.

20  
22 **Sec. 4. Primary petition deadline extended.** Notwithstanding the  
Maine Revised Statutes, Title 21-A, section 335, subsection 8,  
24 for elections held in calendar year 2000 only, the Secretary of  
State shall accept and consider valid any primary petition filed  
26 before 5 p.m. March 16th that is otherwise valid but for the  
filing date.

28 **Sec. 5. Effective date.** Those sections of this Act that amend  
the Maine Revised Statutes, Title 21-A take effect January 1,  
30 2001.

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

## 36 SUMMARY

38 This bill addresses the potential confusion of certain key  
dates under the election laws by making them uniformly March  
40 15th. The bill changes the deadline for filing paperwork due  
under the Maine Clean Election Act from March 16th to March 15th  
42 beginning in calendar year 2001. The bill also allows the  
Secretary of State to accept primary petition filings until 5:00  
44 p.m. on March 16th for election year 2000 only.