

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 1034

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H.P. 790

House of Representatives, February 20, 2001

**An Act to Establish Uniform Election Filing Deadlines for Legislative and Gubernatorial Candidates.**

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

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Representative SIMPSON of Auburn.  
Cosponsored by Senator DOUGLASS of Androscoggin and  
Representatives: CANAVAN of Waterville, COLWELL of Gardiner, DUDLEY of Portland,  
GOODWIN of Pembroke, LAVERRIERE-BOUCHER of Biddeford, MAYO of Bath,  
O'NEIL of Saco, TUTTLE of Sanford.

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

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**Sec. 1. 21-A MRSA §145, sub-§1**, as amended by PL 1999, c. 426, §8, is further amended to read:

**1. Candidates for nomination by nomination petition.** If enrolled, candidates for nomination by nomination petition must withdraw their enrollment on or before ~~March~~ February 1st of that election year.

**Sec. 2. 21-A MRSA §353**, as amended by PL 1999, c. 426, §11, is further amended to read:

**§353. Qualification of candidate for nomination by petition**

A person who seeks nomination by petition qualifies by filing a nomination petition and consent as provided in sections 354 and 355. If enrolled, the person must also withdraw enrollment in a party on or before ~~March~~ February 1st to be eligible to file a petition as a candidate in that election year, as provided in section 145. The registrar, or clerk at the request or upon the absence of the registrar, in the candidate's municipality of residence must certify to that fact on the petition.

**Sec. 3. 21-A MRSA §354, sub-§7, ¶B**, as amended by PL 1999, c. 264, §1, is further amended to read:

B. Petitions must be delivered to the registrar, or clerk at the request or upon the absence of the registrar, for certification by 5 p.m. on ~~May--25th~~ March 1st in the election year in which the petitions are to be used, except that petitions for a slate of candidates for the office of presidential elector must be delivered for certification by 5 p.m. on August 8th in the election year in which the petitions are to be used.

**Sec. 4. 21-A MRSA §354, sub-§8-A**, as amended by PL 1999, c. 264, §2, is further amended to read:

**8-A. Filed with the Secretary of State.** A nomination petition must be filed in the office of the Secretary of State by 5 p.m. on ~~June-1st~~ March 15th in the election year in which it is to be used, except that petitions for a slate of candidates for the office of presidential elector must be filed in the office of the Secretary of State by 5 p.m. on August 15th in the election year in which the petitions are to be used.

2           **Sec. 5. 21-A MRSA §355, sub-§3**, as amended by PL 1999, c. 645,  
§2, is further amended to read:

4           **3. Qualifications declared.** The consent must contain a  
6 declaration of the candidate's place of residence and the fact  
that the candidate has not been enrolled in a party qualified to  
8 participate in a primary or general election after ~~March~~ February  
1st of that election year and that the candidate meets the  
10 qualifications of the office the candidate seeks. The candidate  
must verify by oath or affirmation before a notary public or  
12 other person authorized by law to administer oaths or  
affirmations that the declaration is true. If, pursuant to the  
14 challenge procedures in section 356, any part of the declaration  
is found to be false by the Secretary of State, the consent and  
the nomination petition are void.

16           A. Candidates for the office of county charter commission  
18 need not verify by oath or affirmation that they are not  
enrolled in a party.

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#### SUMMARY

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This bill makes the filing deadlines for legislative and  
gubernatorial races the same for enrolled and unenrolled  
26 candidates.

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