

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1228

H.P. 914

House of Representatives, February 28, 2001

An Act to Support the Right to Associate.

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative MICHAEL of Auburn.
Cosponsored by Representatives: MENDROS of Lewiston, PERKINS of Penobscot,
TWOMEY of Biddeford, VOLENIK of Brooklin.

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

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Sec. 1. 21-A MRSA §301, sub-§1, ¶C, as amended by PL 1999, c. 450, §1, is further amended to read:

C. Its candidate for Governor or for President polled at least 5% one percent of the total vote cast in the State for Governor or President in either of the 2 preceding general elections.

Sec. 2. 21-A MRSA §302, sub-§1, ¶B, as amended by PL 1999, c. 450, §3, is further amended to read:

B. The name of a candidate for Governor or for President in the last preceding general election who was nominated by petition under subchapter II and who received 5% one percent or more of the total vote cast in the State for Governor or for President in that election;

Sec. 3. 21-A MRSA §303, sub-§3, as amended by PL 1999, c. 450, §7, is further amended to read:

3. Petition. After the filing of the declaration described in subsection 1, the Secretary of State or the Secretary of State's designee shall review the declaration and determine the form of the petitions to be submitted to the voters. The voter or voters proposing to form the party shall print the petitions in the form approved by the Secretary of State and may then circulate the petitions. These petitions must be signed, verified and certified in the same manner as primary petitions under section 335, subsections 3, 4 and 7, except that voters not enrolled in any party may also sign the petitions. Each page of the petition must have a caption, in conspicuous type, that contains the designation of the proposed party followed by the words "Petition to participate in the primary election." The petitions must be filed in the office of the Secretary of State before 5 p.m. on the 180th day preceding a primary election and must contain the signatures and legal addresses of voters equal in number to at least 5% one percent of the total vote cast in the State for Governor at either of the last 2 preceding gubernatorial elections. Petitions must be submitted to the appropriate municipal registrar for certification by 5 p.m. on the 10th day before the petition must be filed in the office of the Secretary of State or, if the 10th day is a Saturday, Sunday or legal holiday, by 5 p.m. on the next day that is not a Saturday, Sunday or a legal holiday. The registrar must complete the certification of the petitions and must return them to the circulators or their agents within 5 days of the date on which the petitions were submitted, Saturdays, Sundays and legal holidays excepted.

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SUMMARY

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Current law states that a party is eligible to nominate a candidate in an election if, among other things, the party's candidate for Governor or President received at least 5% of the total vote cast in one of the 2 preceding general elections. Current law also states that a party may nominate a candidate if the party, among other things, files a petition signed by the number of citizens equal to 5% of the total vote cast for Governor in one of the 2 preceding gubernatorial elections. This bill lowers those thresholds from 5% to one percent.

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