

MAINE STATE LEGISLATURE

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RES

L.D. 1349

DATE: 5-14-03

(Filing No. H-379)

LEGAL AND VETERANS AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 991, L.D. 1349, Bill, "An Act Concerning Recognition of Qualified Political Parties"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 21-A MRSA §301, sub-§1, ¶C, as amended by PL 1999, c. 450, §1, is repealed and the following enacted in its place:

C. The party had an enrollment of members equal to or greater than 15,000 registered voters measured at the time of the last preceding gubernatorial or presidential election.

Sec. 2. 21-A MRSA §302, as amended by PL 1999, c. 450, §§2 to 5, is repealed.

Sec. 3. 21-A MRSA §303, as amended by PL 2001, c. 310, §16, is further amended to read:

§303. Formation of new party; organization by enrollment

In addition to the procedure under section 302, a A party whose designation was not listed on the general election ballot in the last preceding general election qualifies to participate in a primary election, if it the party meets the requirements of subsections 1, and 2 and 3.

2 1. **Declaration of intent.** Ten or more voters who are not
4 enrolled in a party qualified under section 301 must file a
6 declaration of intent to form a party with the Secretary of
the Secretary of State and must include:

8 A. The designation of the proposed party; and

10 B. The names, addresses, telephone numbers, if published,
12 and signatures of the voters who file the declaration of
intent.

14 2. **Enrollment of voters.** After filing the declaration of
16 intent required in subsection 1, ~~the voter or~~ voters proposing to
~~form the party~~ may then enroll voters in the proposed party under
18 sections 141 to 145. As of the 180th day preceding a primary
election, the party must have enrolled 15,000 voters according to
20 the most recent tabulation of registered voters by the Secretary
of State.

22 ~~3. --Petition.--After the filing of the declaration described~~
~~in subsection 1, the Secretary of State or the Secretary of~~
24 ~~State's designee shall review the declaration and determine the~~
~~form of the petitions to be submitted to the voters.--The voter~~
26 ~~or voters proposing to form the party shall print the petitions~~
~~in the form approved by the Secretary of State and may then~~
28 ~~circulate the petitions.--These petitions must be signed,~~
~~verified and certified in the same manner as primary petitions~~
30 ~~under section 335, subsections 3, 4 and 7, except that voters not~~
~~enrolled in any party may also sign the petitions.--Each page of~~
32 ~~the petition must have a caption, in conspicuous type, that~~
~~contains the designation of the proposed party followed by the~~
34 ~~words "Petition to participate in the primary election."--The~~
~~petitions must be filed in the office of the Secretary of State~~
36 ~~before 5 p.m. on the 180th day preceding a primary election and~~
~~must contain the signatures and legal addresses of voters equal~~
38 ~~in number to at least 5% of the total vote cast in the State for~~
~~Governor at the last preceding gubernatorial election.--Petitions~~
40 ~~must be submitted to the appropriate municipal registrar for~~
~~certification by 5 p.m. on the 10th day before the petition must~~
42 ~~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~~
44 ~~day that is not a Saturday, Sunday or a legal holiday.--The~~
~~registrar must complete the certification of the petitions and~~
46 ~~must return them to the circulators or their agents within 5 days~~
~~of the date on which the petitions were submitted, Saturdays,~~
48 ~~Sundays and legal holidays excepted.~~

4. **Municipal caucuses.** A party that has qualified under subsections 1, and 2 ~~and 3~~ to participate in a primary election must conduct municipal caucuses in at least one municipality in each of the 16 counties during that election year as prescribed in Article ~~II~~ 2. The chair of the municipal committee or a resident voter in the municipality must file a copy of the notice required by section 311, subsection 3 with the Secretary of State before 5 p.m. on March 20th.

5. **Convention.** A party that has qualified under subsections 1, and 2 ~~and 3~~ to participate in a primary election must in that same year conduct the municipal caucuses under subsection 4 and hold a state convention as prescribed by Article ~~III~~ 3, in order to have the party designation of its candidates printed on the ballot in the general election of that year. The ~~voter-of~~ group of voters ~~who~~ that files the declaration of intent may perform the duties of the state committee under section 321, subsection 1 for the party's initial convention.

Sec. 4. 21-A MRSA §305, as enacted by PL 1985, c. 161, §6, is amended to read:

§305. Secretary of State

The Secretary of State shall determine whether or not a party has met the requirements of sections 301, ~~302~~ and 303.

Sec. 5. 21-A MRSA §306, as enacted by PL 1985, c. 161, §6, is amended to read:

§306. Enrolled voters

A voter who is enrolled in a party ~~which~~ that failed to meet the requirements of section ~~302--of~~ 303, or ~~which~~ that is disqualified under section 304, is considered an unenrolled voter for all purposes.

Sec. 6. 21-A MRSA §307, first ¶, as enacted by PL 1985, c. 161, §6, is amended to read:

A ~~voter-of~~ group of voters seeking to participate as a party in a primary election under section ~~302--of~~ 303 must choose a party designation that does not:

SUMMARY

This amendment replaces the bill. The amendment replaces the current system of requirements for gaining and maintaining recognition as a qualified political party with a system based on

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2 enrollment of 15,000 voters. The specific elements of the amendment are as follows.

4 1. The amendment requires a recognized political party to maintain an enrollment of 15,000 voters in order to maintain its
6 qualified status.

8 2. The amendment requires a political party to enroll 15,000 voters to obtain qualified status.
10

12 3. The amendment removes the statutory provisions that currently allow a party to obtain qualified status by organizing around a candidate who received 5% of the vote for Governor or
14 President.

16 4. The amendment removes the statutory provisions that currently allow a party to obtain qualified status by filing a
18 petition with the signatures and legal addresses of voters equal in number to at least 5% of the total vote cast in the State for
20 Governor at the last preceding gubernatorial election.

FISCAL NOTE
(See attached)

COMMITTEE AMENDMENT



**121st Maine Legislature
Office of Fiscal and Program Review**

LD 1349

An Act Concerning Recognition of Qualified Political Parties

LR 1544(02)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Legal and Veterans Affairs

Fiscal Note Required: Yes

Fiscal Note

Potential future biennium savings - General Fund

Fiscal Detail and Notes

The elimination of the petition process for obtaining qualified status for a political party will avoid some administrative costs that would be incurred by the Office of the Secretary of State and municipalities, if a political party chooses that method to obtain qualified status. The amount and the timing of the savings can not be determined as these avoided costs are unbudgeted.