

MAINE STATE LEGISLATURE

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N I N E T Y - F O U R T H L E G I S L A T U R E

Legislative Document

No. 270

S. P. 207

In Senate, February 2, 1949

Referred to the Committee on Judiciary, sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Baker of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to Certificates of Intention to Seek Nomination to
Public Office.

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

Sec. 1. R. S., c. 4, § 19, repealed and replaced. Sections 19 and 20 of chapter 4 of the revised statutes are hereby repealed and the following enacted in place thereof:

‘Sec. 19. Nominations for places on ballots; certificates of intention to be filed. Nominations for places on the ballots to be used at primary elections shall be made for each of the political parties entitled to representation thereon by filing in the office of the secretary of state certificates of intention on a form prepared by the secretary of state with the approval of the attorney general. All such certificates of intention shall, besides containing the names of the proposed candidates, specify as to each, the name of the office for which he proposes to be a candidate, the political party which he represents and his place of residence. Certificates of intention to seek the nomination for the office of representative to the legislature shall be accompanied by a fee of \$15; for the office of state senators and county officers, a fee of \$25; for the office of representative to congress, a fee of \$50; and for the office of United States senator and governor, a fee of \$100.

Sec. 20. Certificates of intention, when to be filed. No such certificate of intention shall be filed before the first day of January of the year in which such primary election is to be held and all such certificates of intention shall be filed with the secretary of state on or before the 3rd Monday in April of that year. With such certificate of intention there shall also be filed the consent in writing of the person proposed therein as a candidate, agreeing to accept the nomination, if nominated not to withdraw and if elected at the state election to qualify as such officer. In case any person who has been duly proposed as a candidate under the provisions hereof shall die before the day of the primary election, or shall withdraw in writing, so that the nominations shall be less than the number of the candidates required to be voted for by law, the governor, by proclamation, shall declare that a vacancy exists and declare the manner in which the nomination shall be made. All certificates of intention when filed shall forthwith be opened and kept open under proper regulations to public inspection, and the secretary of state shall preserve the same in his office not less than 1 year.'

Sec. 2. R. S., c. 4, § 21, amended. Section 21 of chapter 4 of the revised statutes is hereby amended to read as follows:

'Sec. 21. Nominations for United States senators. Whenever one or more United States senators are to be elected at the biennial state election held on the 2nd Monday of September, the nominee or nominees for such office or offices, of each political party, shall be chosen at the primary election held on the 3rd Monday in June preceding. Nominations therefor shall be made and filed as hereinbefore provided. Where but one United States senator is so to be elected, the ~~nomination papers~~ **certificates of intention** and official ballot shall specify simply the office of United States senator. When, however, 2 United States senators are so to be elected, the ~~nomination papers~~ **certificates of intention** and ballots shall by apt words designate the respective terms for which they are to be nominated.'

Sec. 3. R. S., c. 4, § 22, amended. The 1st 3 sentences of section 22 of chapter 4 of the revised statutes are hereby amended to read as follows:

'Every ballot which shall be printed in accordance with the provisions of this chapter shall contain the names and residences of all candidates whose nominations have been duly proposed hereunder for any office specified in the ballot, and not withdrawn in accordance herewith, and the office for which they have been severally proposed through the ~~nomination papers~~ **certificates of intention** filed as aforesaid, and shall contain no other names. The order of offices shall be the same as in the regular September election,

except that when nominations for United States senators are to be made, that office shall appear first on the ballots. The name of each person for whom as a candidate for nomination a ~~valid nomination certificate of election~~ has been filed shall be printed on the ballot in but one place.'