

# MAINE STATE LEGISLATURE

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

Legislative Document

No. 1219

S. P. 423

In Senate, March 12, 1959

Referred to Committee on Election Laws. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Ross of Sagadahoc.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-NINE

AN ACT Relating to Alternative Methods of Nominating Candidates.

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

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 R. S., c. 4, §§ 19 and 20, repealed and replaced. Sections 19 and 20 of chapter 4 of the Revised Statutes are repealed and the following sections enacted in place thereof: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

- I. The office for which he proposes to be a candidate;
- II. The political party which he represents;
- III. 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 \$200; and for the office of United States Senator and Governor, a fee of \$500.

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 first 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 this section and section 19 shall die before the day of the primary election, or shall withdraw in writing, so that the nomination shall be less than the number of 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 one year.'

Sec. 2. R. S., c. 4, § 20-A, additional. Chapter 4 of the Revised Statutes is amended by adding a new section to be numbered 20-A, to read as follows:

'Sec. 20-A. Nominations for places on ballots by petition; signatures; certificate by town clerk. Nominations for places on the ballots to be used at primary elections by petition shall be made for each of the political parties entitled to representation thereon by nomination papers signed in the aggregate for each candidate of each political party by enrolled voters within the electoral division or district, wherein such candidate is to be voted for, in number not less than 1% nor more than 2% of the entire vote cast for Governor in the last preceding state election in the State at large, if the office for which such candidate is to be voted for is to be filled by the voters of the State at large; otherwise not less than 1% nor more than 2% of such gubernatorial vote within the electoral division or district wherein such proposed candidate is to be voted for but in no case less than 25. All such nominations papers shall besides containing the names of the proposed candidates specify as to each:

- I. The name of the office for which he is proposed as a candidate;
- II. The political party which he represents;
- III. His place of residence.

There shall not be in any nomination paper the name of more than one candidate proposed for nomination. Nomination papers shall be signed only by members of the political party named therein. Each voter signing a nomination paper shall make his signature in person and add to it his place of residence. Each voter may subscribe his name to one nomination for a candidate for each office to be filled, and no more, except in cases where the office is to be filled by more than one person, and then, only to the extent of such number. The nomination papers shall, before being filed, be respectively submitted to the clerks of the cities, towns or plantations in which the signers purport to be enrolled voters, and each clerk to whom the same is submitted shall forthwith certify thereon which of the signatures are names of enrolled voters in the city, town or plantation of which he is clerk. In cities, where the board of registration is in session every day in the year, the board shall make the required certification but the signature of any member of the board on the petition shall

be sufficient evidence of such certification. The person submitting such nomination petitions for certification shall pay to the certifying clerk or board of registration a fee of 5c for each name so certified. One of the signers to each separate paper shall make oath to the truth thereof and the certificate of such oath shall be annexed to or made upon the nomination papers.'

**Sec. 3. R. S., c. 4, § 21, amended.** Section 21 of chapter 4 of the Revised Statutes is 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~~ **Tuesday next after the first Monday in November**, 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 or nomination petitions** and official ballot shall specify simply the office of United States Senator. When ~~however~~ 2 United States Senators are so to be elected, the ~~certificates of intention or nomination papers~~ **certificates of intention or nomination petitions** and ballots shall by apt words designate the respective terms for which they are to be nominated.'

**Sec. 4. R. S., c. 4, § 22, amended.** The first 3 sentences of section 22 of chapter 4 of the Revised Statutes are 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 ~~certificates of intention or nomination papers~~ **certificates of intention or nomination petitions** filed as aforesaid, and shall contain no other names. The order of offices shall be the same as in the regular ~~September~~ **state** 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 ~~certificate of election or valid nomination~~ **certificate of election or valid nomination petitions** ~~has~~ **has** been filed shall be printed on the ballot in but one place.'