CHAPTER 5

NOMINATIONS

SUBCHAPTER 1

BY POLITICAL PARTIES

ARTICLE 1

PARTY QUALIFICATION

§301. Qualified parties

1. Primary election. A party qualifies to participate in a primary election if its designation was listed on the ballot of either of the 2 preceding general elections and if:

A. The party held municipal caucuses as prescribed by Article 2 in at least one municipality in a minimum of 14 counties in the State during the election year in which the designation was listed on the ballot and any interim election year and fulfills this same requirement during the year of the primary election; [PL 2011, c. 227, §1 (AMD).]

B. The party held a state convention as prescribed by Article III during the election year in which the designation was listed on the ballot and any interim election year; and [PL 1999, c. 450, §1 (AMD).]

C. [PL 2009, c. 426, §1 (RP).]

D. [PL 1999, c. 450, §1 (RP).]

E. At least 10,000 voters enrolled in the party voted in the last general election, except that a qualified party does not have to meet this enrollment until the 2nd general election after it has qualified and thereafter. [PL 2017, c. 254, §1 (AMD).]

Each state party committee must file a statement with the Secretary of State on or before March 20th certifying that the party has held the municipal caucuses required by paragraph A. The statement must be signed by the party chair or the chair's designated agent.
[PL 2017, c. 254, §1 (AMD).]

2. General election. A party which qualifies under subsection 1 to participate in a primary election must, in that same year, hold a state convention as prescribed by Article III in order to have the party designation of its candidates printed on the ballot in the general election of that year.
[PL 1985, c. 161, §6 (NEW).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1997, c. 436, §41 (AMD). PL 1999, c. 450, §1 (AMD). PL 2009, c. 426, §§1, 2 (AMD). PL 2011, c. 227, §1 (AMD). PL 2017, c. 254, §1 (AMD).

§302. Formation of new party; organization about a candidate

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 meets the requirements of subsections 1 and 2. [PL 1999, c. 450, §2 (AMD).]

1. Declaration of intent. A voter or a group of voters not enrolled in a party qualified under section 301 must file a declaration of intent to form a party with the Secretary of State before 5 p.m. on the 180th day preceding the next primary election. The declaration of intent must be on a form designed by the Secretary of State and must include:

A. The designation of the proposed party; [PL 1985, c. 161, §6 (NEW).]

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% or more of the total vote cast in the State for Governor or for President in that election; [PL 1999, c. 450, §3 (AMD).]

C. The signed consent of that candidate; and [PL 1985, c. 161, §6 (NEW).]

D. The name, address, telephone number, if published, and signature of the voter or one of the group of voters who files the declaration of intent. [PL 1997, c. 436, §42 (AMD).]

[PL 1999, c. 450, §3 (AMD).]

2. Enrollment of voters. After filing the declaration described in subsection 1, the voter or voters proposing to form the party may then enroll voters in the proposed party under sections 141 to 145.
[PL 1985, c. 161, §6 (NEW).]

3. Municipal caucuses. A party that has qualified under subsections 1 and 2 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. 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.
[PL 1999, c. 450, §4 (AMD).]

4. Convention. A party that has qualified under subsections 1 and 2 to participate in a primary election must in that same year conduct the municipal caucuses under subsection 3 and hold a state convention as prescribed by Article III in order to have the party designation of its candidates printed on the ballot in the general election of that year. The voter or group of voters who files the declaration of intent may perform the duties of the state committee under section 321, subsection 1 for the party's initial convention.
[PL 1999, c. 450, §5 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1997, c. 436, §§42,43 (AMD). PL 1999, c. 450, §§2-5 (AMD).

§303. Formation of new party; organization by party enrollment

In addition to the procedure under section 302, 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 meets the requirements of subsections 1 and 2. [PL 2013, c. 131, §11 (AMD).]

1. Declaration of intent. Ten or more voters who are not enrolled in a party qualified under section 301 must file a declaration of intent to form a party with the Secretary of State between December 1st and December 30th of an even-numbered year. The declaration of intent must be on a form designed by the Secretary of State and must include:

A. The designation of the proposed party; and [PL 1985, c. 161, §6 (NEW).]

B. The names, addresses, telephone numbers, if published, and signatures of the voters who file the declaration of intent. [PL 1997, c. 436, §44 (AMD).]

[PL 2013, c. 131, §11 (AMD).]

2. Enrollment of voters. Within 5 business days after the declaration of intent required in subsection 1 is filed, the Secretary of State shall certify whether the application meets the requirements of subsection 1 and, if so, notify the applicants that they may enroll voters in the proposed party under

sections 141 to 145. On or before January 2nd of the next even-numbered year following the filing of the application under subsection 1, the applicants must file a certification with the Secretary of State, on a form designed by the Secretary of State, that they have at least 5,000 voters enrolled in the proposed party. The Secretary of State shall verify the proposed party's enrollment figures within 15 business days of receiving the proposed party's certification and notify the applicants whether the proposed party has met the requirements to participate in a primary election in the subsequent even-numbered year. A determination by the Secretary of State that the party has not met these requirements may be challenged pursuant to section 303-A.
[PL 2017, c. 254, §2 (AMD).]

3. Petition.
[PL 2013, c. 131, §11 (RP).]

4. Municipal caucuses. A party that has qualified under subsections 1 and 2 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 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.
[PL 2013, c. 131, §11 (AMD).]

5. Convention. A party that has qualified under subsections 1 and 2 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 3, in order to have the party designation of its candidates printed on the ballot in the general election of that year. The voters who file the declaration of intent may perform the duties of the state committee under section 321, subsection 1 for the party's initial convention.
[PL 2013, c. 131, §11 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1991, c. 466, §13 (AMD). PL 1991, c. 862, §3 (AMD). PL 1995, c. 459, §20 (AMD). PL 1997, c. 436, §44 (AMD). PL 1997, c. 581, §1 (AMD). PL 1999, c. 426, §10 (AMD). PL 1999, c. 450, §§6-9 (AMD). PL 1999, c. 790, §A22 (AMD). PL 2001, c. 310, §16 (AMD). PL 2013, c. 131, §11 (AMD). PL 2017, c. 254, §2 (AMD).

§303-A. Challenge to denial of party qualification

If the Secretary of State determines that a party has not met the requirements to qualify as a party pursuant to section 303, the proposed party may challenge that determination. The procedure for challenging the determination is as follows. [PL 2017, c. 254, §3 (NEW).]

1. Challenge. A challenge under this section must be in writing, signed by the voters who signed the declaration of intent to form a party by enrollment, and must set forth the reasons for the challenge. The challenge may include a request for copies of voter registration and enrollment or change of enrollment applications that were rejected by municipal registrars from up to 15 named municipalities. The challenge must be filed in the office of the Secretary of State before 5 p.m. on the 5th business day after the party receives the secretary's determination.
[PL 2017, c. 254, §3 (NEW).]

2. Notification. Within 5 business days of receiving a properly filed challenge under subsection 1, the Secretary of State shall notify the municipalities listed by the challenger and direct the municipal officials of those municipalities to submit copies of the rejected voter registration and enrollment or change of enrollment applications if requested under subsection 1 to the Secretary of State within 5 business days.
[PL 2017, c. 254, §3 (NEW).]

3. Public hearing. Within 15 business days after receipt of a properly filed challenge under subsection 1, and after providing due notice of the hearing to the challenger, the Secretary of State shall hold a public hearing on the challenge. The hearing must be held in accordance with the Maine Administrative Procedure Act. The challenger has the burden of providing sufficient evidence to establish that the party did enroll a minimum of 5,000 voters by the applicable deadline pursuant to section 303.
[PL 2017, c. 254, §3 (NEW).]

4. Ruling. The Secretary of State shall rule on the validity of any challenge within 5 business days after the completion of the hearing described in subsection 3.
[PL 2017, c. 254, §3 (NEW).]

5. Appeal of Secretary of State's determination. A challenger may appeal the determination of the Secretary of State under subsection 4 by commencing an action in the Superior Court. This action must be conducted in accordance with the Maine Rules of Civil Procedure, Rule 80C, except as modified by this section. This action must be commenced within 5 business days of the date of the determination of the Secretary of State. Upon timely application, a person may intervene in this action if the person claims an interest relating to the subject matter of the petitions, unless the person's interest is adequately represented by existing parties. The court shall issue a written decision containing its findings of fact and conclusions of law and setting forth the reasons for its decision within 20 days of the date of the determination of the Secretary of State.
[PL 2017, c. 254, §3 (NEW).]

6. Appeal of Superior Court decision. A challenger may appeal the decision of the Superior Court under subsection 5, on questions of law, by filing a notice of appeal within 3 days of that decision. The record on appeal must be transmitted to the Law Court within 3 days after notice of appeal is filed. After filing notice of appeal, the parties have 4 days to file briefs and appendices with the clerk of courts. As soon as the record and briefs have been filed, the court shall immediately consider the case. The court shall issue its decision within 14 days of the date of the decision of the Superior Court.
[PL 2017, c. 254, §3 (NEW).]

SECTION HISTORY

PL 2017, c. 254, §3 (NEW).

§304. Disqualification of parties

A party that does not meet the requirements of section 301 is not qualified to participate in a subsequent election. [PL 1999, c. 450, §10 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1999, c. 450, §10 (AMD).

§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. [PL 1985, c. 161, §6 (NEW).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW).

§306. Enrolled voters

A voter who is enrolled in a party which failed to meet the requirements of section 302 or 303, or which is disqualified under section 304, is considered an unenrolled voter for all purposes. [PL 1985, c. 161, §6 (NEW).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW).

§307. Party designation

A voter or group of voters seeking to participate as a party in a primary election under section 302 or 303 must choose a party designation that does not: [PL 1985, c. 161, §6 (NEW).]

1. Length. Exceed 3 words in length;
[PL 1985, c. 161, §6 (NEW).]

2. Use state name. Incorporate the name or an abbreviation of the name of the State;
[PL 1999, c. 450, §11 (AMD).]

3. Use established party's designation. Incorporate the designation or an abbreviation of the designation of a party that is qualified to participate in a primary or general election under section 301;
[PL 2003, c. 447, §8 (AMD).]

4. Use independent designation. Consist of the word "independent" without another descriptive word or words. The designation "independent," without another descriptive word or words, is reserved for use by candidates that are not enrolled in any qualified or proposed party; and
[PL 2003, c. 447, §9 (AMD).]

5. Use obscene designation. Consist of or comprise language that is obscene, contemptuous, profane or prejudicial, promotes abusive or unlawful activity or violates any other provision of the laws of this State with respect to names.
[PL 2007, c. 455, §13 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1999, c. 450, §§11,12 (AMD). PL 2003, c. 447, §§8-10 (AMD). PL 2007, c. 455, §13 (AMD).

ARTICLE 2

BIENNIAL MUNICIPAL CAUCUS

§311. Rules governing

A biennial municipal caucus may be held by any political party for the purpose of electing delegates to a state convention and for any other business governed by the following provisions. [PL 2005, c. 387, §3 (AMD).]

1. Call. The caucus may be called by the chair or a majority of the members of the municipal committee of a political party. If the municipal committee fails to call a caucus, the county committee may call the caucus. At the request of that committee municipal officers shall provide available space in a public building for a caucus. The municipality may charge a rental fee or janitorial service fee for the available space. A municipality may hold its caucus outside the municipality if several municipalities elect to meet on a consolidated basis or if the committee calling the caucus determines that a facility outside the municipality is more suitable.
[PL 2017, c. 248, §4 (AMD).]

2. Time. A biennial municipal caucus of any party must be held during the general election year before March 20th.
[PL 2005, c. 387, §3 (AMD).]

3. Notice. The secretary of the committee shall have a notice of the caucus published in a newspaper having general circulation in the municipality at least 3 and not more than 7 days before it is to be held, or shall post a notice in a conspicuous, public place in each voting district in the

municipality at least 7 days before the caucus. The notice must contain the name of the party, the time and place of the caucus and the name of the person calling it.

A. If the notice is not published as required by this subsection, the caucus is void if challenged by any voter eligible to participate in the caucus who was prejudiced by the failure to publish notice. [PL 2005, c. 387, §3 (AMD).]

B. The secretary of the committee shall file a copy of the notice with the clerk who shall record it. [PL 2005, c. 387, §3 (AMD).]

[PL 2005, c. 387, §3 (AMD).]

4. Procedure. The chair of the municipal committee shall open the caucus. In the chair's absence, the secretary or any resident voter enrolled in the party may open the caucus. The caucus shall elect a secretary and a chair in that order. The chair of the caucus shall then preside over the caucus and the secretary shall record the proceeding of the caucus. The caucus shall determine its own parliamentary procedure.

[PL 2005, c. 387, §3 (AMD).]

5. If no municipal committee. If there is no municipal committee, any resident voter enrolled in the party may call a special caucus for the purpose of electing the committee following the notice procedure of subsection 3.

[PL 2005, c. 387, §3 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1997, c. 436, §45 (AMD). PL 2001, c. 310, §17 (AMD). PL 2005, c. 387, §3 (AMD). PL 2017, c. 248, §4 (AMD).

§312. Municipal caucus list

The chair or secretary of the municipal committee or the person or persons calling a biennial municipal caucus, including any resident voter pursuant to section 311, subsection 5, may request a list of registered voters pursuant to section 196-A, subsection 1 for use by the municipal committee once each biennial election cycle beginning January 1st in an election year. [PL 2009, c. 564, §9 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1999, c. 450, §13 (RPR). PL 2001, c. 310, §18 (AMD). PL 2005, c. 453, §45 (AMD). PL 2009, c. 564, §9 (AMD).

§313. Voting procedure

The following provisions apply to voting at a municipal caucus. [PL 1985, c. 161, §6 (NEW).]

1. Vote by list. The caucus may order voting to be done by checking each voter's name on the municipal caucus list of registered voters from the central voter registration system pursuant to section 312.

[PL 2005, c. 453, §46 (AMD).]

2. Secret ballot. The caucus may order voting to be done by secret ballot which may be printed, or written on plain paper.

[PL 1985, c. 161, §6 (NEW).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 2005, c. 453, §46 (AMD).

§314. Challenges

An enrolled voter of a municipality may challenge the right of another to vote at a municipal caucus. The person challenged may vote at the caucus after that person has taken the following oath administered by the chair of the caucus. [RR 2019, c. 2, Pt. B, §39 (COR).]

1. Oath. "I, (name of challenged person), swear that I am a registered and enrolled voter in this voting district, that I am a member of the party holding this caucus, and that I have not been enrolled in any other party in this municipality within the last 15 days."
[PL 1993, c. 695, §21 (AMD).]

2. Oath recorded and copy sent to registrar. The secretary of the caucus shall record the administration of the oath and shall send a copy of the record to the registrar.
[PL 1985, c. 161, §6 (NEW).]

3. Registrar to compare records. On receipt of the copy of the record, the registrar shall compare it with the voting and enrollment records. If the oath is false, the person who swore to it is guilty of a Class E crime.
[PL 1985, c. 161, §6 (NEW).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1993, c. 695, §21 (AMD). RR 2019, c. 2, Pt. B, §39 (COR).

§315. Party members to govern political committees

The members of a party within a municipality shall determine the method of election, the terms of office and the duties of their political committees. [PL 1985, c. 161, §6 (NEW).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW).

ARTICLE 3

CONVENTIONS

§321. Time and place; procedure

Each party shall hold a state convention between March 1st and August 1st biennially during each general election year. [PL 2005, c. 387, §4 (AMD).]

1. Time, place and representation. The party's state committee shall determine the time, place and basis of representation for the convention. Delegates must be qualified to vote in the party's primary election unless otherwise permitted by party rules.
[PL 2005, c. 387, §4 (AMD).]

2. Proceedings at convention. The convention shall do the following:

A. Elect a secretary and a chair of the convention in that order; [PL 2005, c. 387, §4 (AMD).]

B. Adopt a platform for the next general election; [PL 1985, c. 161, §6 (NEW).]

C. Nominate the number of presidential electors to which the State is entitled; [PL 1985, c. 161, §6 (NEW).]

D. Determine the size of the state, district and county committees and the method of their election; [PL 2005, c. 387, §4 (AMD).]

E. Elect a district committee for each congressional district; and [PL 1985, c. 161, §6 (NEW).]

F. Elect a county committee for each county from persons nominated at municipal caucuses held in the county, unless party rules provide for county committee members to be elected directly by their respective municipalities. If a municipality entitled to nominate a person for election to the county committee fails to do so, the convention may elect any resident of that municipality to the county committee. [PL 2005, c. 387, §4 (AMD).]

[PL 2005, c. 387, §4 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 2005, c. 387, §4 (AMD).

§322. Committee functions

State, congressional district and county committees of qualified political parties are governed by the following provisions. [PL 2005, c. 387, §5 (AMD).]

1. Committees to organize and report. The secretary of each committee shall notify the state committee of the name and residence of its chair and secretary within 10 days after their election. The state committee shall hold an organizational meeting within 30 days after the convention.
[PL 2005, c. 387, §5 (AMD).]

2. State committee to report organization. The chair and the secretary of the state committee shall certify to the Secretary of State the names of the party's candidates for presidential elector within 30 days after the convention. The chair or the secretary of the state committee shall provide upon request by the Secretary of State the name, residence and contact information of the chair and secretary of any committee and of any committee member.
[PL 2005, c. 568, §11 (AMD).]

3. Term of office and duties of committees. The committees and their officers shall hold office as prescribed in their bylaws and shall perform the duties imposed upon them by the convention and their bylaws.
[PL 1985, c. 161, §6 (NEW).]

4. Certain officers of state committee. The chair, vice-chair, treasurer and finance chair of the state committee may be chosen from outside the membership of the state committee.
[PL 2005, c. 387, §5 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1997, c. 436, §46 (AMD). PL 2005, c. 387, §5 (AMD). PL 2005, c. 568, §11 (AMD).

ARTICLE 4

NOMINATION BY PRIMARY ELECTION

§331. Primary required

1. Nomination by primary election. A party's nomination of a candidate must be made by primary election, as provided in this Article. When there is an office for which no candidate has qualified either by filing a petition and consent under sections 335 and 336 or as a write-in candidate in accordance with section 722-A, the Secretary of State is not required to list the office on the primary ballot. The Secretary of State is not required to print a primary ballot if there are no offices for which a candidate has qualified.
[PL 2015, c. 447, §8 (AMD).]

2. Exceptions. This Article does not apply to:

A. Nominations for presidential electors; [PL 1985, c. 161, §6 (NEW).]

B. Nominations to fill vacancies under subchapter III; and [PL 1985, c. 161, §6 (NEW).]

C. Nominations by petition under subchapter II. [PL 1985, c. 161, §6 (NEW).]
[PL 1985, c. 161, §6 (NEW).]

3. Limitations to candidacy. The following limitations apply to all candidates for nominations.

A. A person may not file, whether by primary election or nomination petition, as a candidate for more than one federal, state or county office at any election, except for a candidate for membership in a county charter commission or a candidate for presidential elector under section 351, subsection 3. [PL 1997, c. 436, §47 (AMD).]

B. A person may file as a candidate for any federal, state or county office either by primary election or nomination petition but not by both, except for a candidate for membership in a county charter commission under section 351, subsection 3. [PL 1985, c. 161, §6 (NEW).]

[PL 1997, c. 436, §47 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1997, c. 436, §47 (AMD). PL 2015, c. 447, §8 (AMD).

§332. When nomination vacated

When a person already nominated for any federal, state or county office accepts nomination to fill a vacancy, the first nomination is vacated by that acceptance. [PL 1985, c. 161, §6 (NEW).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW).

§333. Qualification for county office

A candidate for any county office must be a resident of and a voter in the electoral division the candidate seeks to represent on the date established for filing primary petitions in the year the candidate seeks election. The elected official must maintain a voting residence in that electoral division during that elected official's term of office. [RR 2019, c. 2, Pt. B, §40 (COR).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). RR 2019, c. 2, Pt. B, §40 (COR).

§334. Qualification of candidate for primary nomination

A candidate for nomination by primary election must file a primary petition and consent under sections 335 and 336. The candidate must be enrolled, on or before March 15th, in the party named in the petition and must be eligible to file a petition as a candidate for nomination by primary election under section 144, subsection 3. The registrar in the candidate's municipality of residence must certify to that fact on a form designed by the Secretary of State. [PL 2009, c. 253, §16 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1995, c. 459, §21 (AMD). PL 2009, c. 253, §16 (AMD).

§335. Petition requirements

A primary petition shall be on a form provided by the Secretary of State and is governed by the following provisions. [PL 1985, c. 161, §6 (NEW).]

1. Content. A primary petition must contain the name of only one candidate and that candidate's place of residence, party, office sought and electoral division. A primary petition may contain as many separate papers as necessary and may contain the candidate's consent required by section 336.

A. When 2 United States Senators are to be nominated, the primary petition must contain the term of office sought by the candidate. [PL 2019, c. 371, §10 (AMD).]

[RR 2019, c. 2, Pt. B, §41 (COR).]

2. By whom signed. A primary petition may be signed only by voters of the electoral division which is to make the nomination and who are enrolled in the party named in the petition. Other signatures are void.
[PL 1985, c. 161, §6 (NEW).]

3. How signed. The voter must personally sign that voter's name in such a manner as to satisfy the registrar of that voter's municipality that the voter is a registered voter and enrolled in the party named on the petition. Either the voter or the circulator of the petition must print the voter's name.
[RR 2019, c. 2, Pt. B, §42 (COR).]

4. Residence. The voter or the circulator of the petition must write or print the voter's residence address and municipality of registration. Ditto marks are permitted for residence address and municipality of registration only.
[PL 2005, c. 453, §47 (AMD).]

5. Number of signatures required. Petitions must be signed by the following numbers of voters:

A. For candidate for Governor, at least 2,000 and not more than 3,000 voters; [PL 1985, c. 161, §6 (NEW).]

B. For a candidate for United States Senator, at least 2,000 and not more than 3,000 voters; [PL 1985, c. 161, §6 (NEW).]

B-1. [PL 1995, c. 154, §1 (RP).]

B-2. [PL 2015, c. 474, §1 (NEW); MRSA T. 21-A §335, sub-§5, ¶B-2 (RP).]

B-3. For a candidate for the office of President of the United States, at least 2,000 and not more than 3,000 voters. [PL 2019, c. 445, §1 (NEW).]

C. For a candidate for Representative to Congress, at least 1,000 and not more than 1,500 voters; [PL 1985, c. 161, §6 (NEW).]

D. For a candidate for county office other than county commissioner, at least 150 and not more than 200 voters; [PL 1991, c. 362, §1 (AMD).]

E. For a candidate for county commissioner, at least 50 and not more than 75 voters; [PL 1991, c. 362, §1 (AMD).]

F. For a candidate for State Senator, at least 100 and not more than 150 voters; and [PL 1985, c. 161, §6 (NEW).]

G. For a candidate for State Representative, at least 25 and not more than 40 voters. [PL 1985, c. 161, §6 (NEW).]
[PL 2019, c. 445, §1 (AMD).]

6. When signed. Except as provided in subchapter 8, a petition may not be signed before January 1st of the election year in which it is to be used.
[PL 2019, c. 445, §2 (AMD).]

7. Certification of petition. A primary petition shall be verified and certified as follows.

A. The circulator of a primary petition shall verify by oath or affirmation before a notary public or other person authorized by law to administer oaths or affirmations that the circulator personally witnessed all of the signatures to the petition and that to the best of the circulator's knowledge and belief each signature is the signature of the person whose name it purports to be; each signature authorized under section 153-A was made by the authorized signer in the presence and at the direction of the voter; and each person is enrolled in the party named in the petition and is a resident of the electoral division named in the petition. [PL 2009, c. 253, §17 (AMD).]

B. The registrar, or clerk at the request or upon the absence of the registrar, of each municipality concerned shall certify which names on a petition appear in the central voter registration system as registered and enrolled voters in that municipality and may not certify any names that do not satisfy subsection 3. [PL 2005, c. 453, §48 (AMD).]

[PL 2009, c. 253, §17 (AMD).]

8. When filed. Except as provided in subchapter 8, a primary petition must be filed in the office of the Secretary of State before 5 p.m. on March 15th of the election year in which it is to be used.

[PL 2019, c. 445, §3 (AMD).]

9. Petition validity. For a candidate to qualify for the ballot, a nomination petition must meet all of the requirements of this section. If the circulator swears an oath or affirmation in accordance with subsection 7, paragraph A that the circulator reasonably believes to be true and accurate at the time the oath or affirmation is sworn and there is no proof of fraud or a knowingly false statement by the circulator, then the voters' signatures that do not meet the requirements of subsection 7, paragraph A may not be counted, but the petition is otherwise valid.

[PL 2009, c. 253, §18 (RPR).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1987, c. 797, §1 (AMD). PL 1991, c. 362, §1 (AMD). PL 1993, c. 334, §1 (AMD). PL 1995, c. 154, §1 (AMD). PL 1995, c. 459, §§22,23 (AMD). PL 1997, c. 436, §48 (AMD). PL 2005, c. 196, §4 (AMD). PL 2005, c. 453, §§47,48 (AMD). PL 2009, c. 253, §§17, 18 (AMD). PL 2015, c. 474, §§1-3 (AMD). PL 2019, c. 371, §10 (AMD). PL 2019, c. 445, §§1-3 (AMD). RR 2019, c. 2, Pt. B, §§41, 42 (COR).

§336. Consent of candidate to be filed

The written consent of each candidate must be filed with that candidate's primary petition. [RR 2019, c. 2, Pt. B, §43 (COR).]

1. Consent. The consent must contain a statement signed by the candidate that the candidate will accept the nomination of the primary election. The Secretary of State shall provide a form on which the consent of the candidate is made that must include a list of the statutory and constitutional requirements of the office sought by the candidate. The statement may be printed as a part of the primary petition.

[PL 2011, c. 239, §1 (AMD).]

2. Single filing sufficient. A candidate need file only one consent. This consent is valid even though it may be part of a primary petition which is void.

[PL 1985, c. 161, §6 (NEW).]

3. Residence and party declared. The consent must contain a declaration of the candidate's place of residence and party designation and a statement that the candidate meets the qualifications of the office the candidate seeks, which the candidate must verify by oath or affirmation before a notary public or other person authorized by law to administer oaths or affirmations that the declaration is true. If, pursuant to the challenge procedures in section 337, any part of the declaration is found to be false by the Secretary of State, the consent and the primary petition are void.

[PL 1995, c. 459, §24 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1987, c. 214, §1 (AMD). PL 1995, c. 459, §24 (AMD). PL 2011, c. 239, §1 (AMD). RR 2019, c. 2, Pt. B, §43 (COR).

§337. Review and challenge of petitions

1. Review. When presented with a primary petition, the Secretary of State shall review it and, if the petition contains the required number of certified names and is properly completed, shall accept and file it.
[PL 1985, c. 161, §6 (NEW).]

2. Challenges. The procedure for challenging the validity of a primary petition or of names upon a petition is as follows.

A. Only a registered voter residing in the electoral division of the candidate concerned may file a challenge. The challenge must be in writing and must set forth the reasons for the challenge. The challenge must be filed in the office of the Secretary of State before 5 p.m. on the 5th business day after the final date for filing petitions under section 335, subsection 8. [PL 1989, c. 166, §2 (AMD).]

B. Within 7 days after the final date for filing challenges and after due notice of the hearing to the candidate and to the challenger, the Secretary of State shall hold a public hearing on any challenge properly filed. The challenger has the burden of providing sufficient evidence to invalidate the petitions or any names upon the petitions. [PL 1985, c. 161, §6 (NEW).]

C. The Secretary of State shall rule on the validity of any challenge within 5 days after the completion of the hearing described in paragraph B. [PL 1985, c. 161, §6 (NEW).]

D. A challenger or a candidate may appeal the decision of the Secretary of State by commencing an action in the Superior Court. This action must be conducted in accordance with the Maine Rules of Civil Procedure, Rule 80C, except as modified by this section. This action must be commenced within 5 days of the date of the decision of the Secretary of State. Upon timely application, anyone may intervene in this action when the applicant claims an interest relating to the subject matter of the petitions, unless the applicant's interest is adequately represented by existing parties. The court shall issue a written decision containing its findings of fact and conclusions of law and setting forth the reasons for its decision within 20 days of the date of the decision of the Secretary of State. [PL 2011, c. 342, §9 (AMD).]

E. Any aggrieved party may appeal the decision of the Superior Court, on questions of law, by filing a notice of appeal within 3 days of that decision. The record on appeal must be transmitted to the Law Court within 3 days after notice of appeal is filed. After filing notice of appeal, the parties have 4 days to file briefs and appendices with the clerk of courts. As soon as the record and briefs have been filed, the court shall immediately consider the case. The court shall issue its decision within 14 days of the date of the decision of the Superior Court. [PL 1985, c. 161, §6 (NEW).]

[PL 2011, c. 342, §9 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1989, c. 166, §2 (AMD). PL 2003, c. 447, §11 (AMD). PL 2011, c. 342, §9 (AMD).

§338. Write-in candidates

A person whose name will not appear on the printed primary ballot because that person did not file a petition and consent under sections 335 and 336, but who fulfills the other qualifications under section 334, may be nominated at the primary election as a write-in candidate in accordance with section 723, subsection 1. [RR 2019, c. 2, Pt. B, §44 (COR).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). RR 2019, c. 2, Pt. B, §44 (COR).

§339. Time and nature of election

The primary election shall be held on the 2nd Tuesday of June of each general election year and is considered to be a separate election for each party which takes part in it. This includes the duties of public officials in announcing the election, providing forms and ballots, keeping records and any other matter necessary to effect the purpose of a primary election. A primary election shall be conducted the same as the general election, as nearly as practicable, for each party. [PL 1985, c. 161, §6 (NEW).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW).

§340. Notice of parties of qualified primary voters

1. Notice to Secretary of State. No later than February 1st of the election year, each political party eligible to participate in a primary election shall notify the Secretary of State of the enrollment qualifications, subject to the restrictions in section 144, for voters eligible to vote in that party's primary. If no notice is received by that date, only voters enrolled in a political party may vote in that party's primary.
[PL 1987, c. 423, §3 (NEW).]

2. Notice to municipal clerks. The Secretary of State shall inform all municipal clerks of the qualifications necessary for voters to participate in each party's primary. The clerks shall establish procedures to ensure that all qualified primary voters are offered ballots for each party in which primary election the voters are qualified to vote.
[PL 1987, c. 423, §3 (NEW).]

SECTION HISTORY

PL 1987, c. 423, §3 (NEW).

SUBCHAPTER 2

BY PETITION

§351. Nomination authorized

The nomination of a candidate, other than by a party, for any federal, state or county office must be made by petition, as provided in this subchapter. [PL 1985, c. 161, §6 (NEW).]

1. Limited to one office. A person may not file, whether by primary election or nomination petition, as a candidate for more than one federal, state or county office at any election, except as provided in subsection 3.
[PL 1985, c. 161, §6 (NEW).]

2. Limited to one method. A person may file as a candidate for any federal, state or county office either by primary election or nomination petition, except as provided in subsection 3, but not by both methods.
[PL 1985, c. 161, §6 (NEW).]

3. Exception. A candidate for membership in a county charter commission must be nominated by petition, and may file as a candidate for one additional federal, state or county office at that same election. A candidate for presidential elector may also file as a candidate for one additional federal, state or county office at that same election.
[PL 1997, c. 436, §49 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1997, c. 436, §49 (AMD).

§352. Qualification for presidential elector and county office

A candidate for the office of presidential elector or any county office must be a resident of and a voter in the electoral division the candidate seeks to represent on the date established for filing nomination petitions in the year the candidate seeks election. The elected official must maintain a voting residence in that electoral division during the elected official's term of office. [RR 2019, c. 2, Pt. B, §45 (COR).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). RR 2019, c. 2, Pt. B, §45 (COR).

§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 1st to be eligible to file a petition as a candidate in that election year, as provided in section 145. The registrar in the candidate's municipality of residence must certify to that fact on a form designed by the Secretary of State. [PL 2009, c. 253, §19 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1995, c. 459, §25 (AMD). PL 1999, c. 426, §11 (AMD). PL 2009, c. 253, §19 (AMD).

§354. Petition requirements

A nomination petition shall be on a form provided by the Secretary of State and is governed by the following provisions. [PL 1985, c. 161, §6 (NEW).]

1. Content. A nomination petition must contain the name of only one candidate, the candidate's place of residence, the office sought and electoral division. A nomination petition may contain as many separate papers as necessary and may contain the candidate's consent required by section 355. It may also contain the candidate's political designation. This designation may not exceed 3 words in length, may not incorporate the candidate's name or the designation or an abbreviation of the designation of a party that is qualified to nominate candidates by primary election and may not consist of or comprise language that is obscene, contemptuous, profane or prejudicial, promotes abusive or unlawful activity or violates any other provision of the laws of this State with respect to names. A candidate who intends to form a new party about that person's candidacy must use the proposed party's designation.

A. When 2 United States Senators are to be nominated, the nomination petition must contain the term of office sought by the candidate. [PL 2019, c. 371, §11 (AMD).]

B. The names of presidential electors must be placed on the petition as a slate. The names of the candidates for President and Vice President must be placed on a petition for the nomination of presidential electors. [PL 1985, c. 161, §6 (NEW).]

[PL 2019, c. 371, §11 (AMD).]

2. By whom signed. A nomination petition may be signed only by voters of the electoral division which is to make the nomination, except that nomination petitions for presidential electors may be signed by any Maine voter. Other signatures are void.

[PL 1985, c. 161, §6 (NEW).]

3. How signed. The voter must personally sign that voter's name in such a manner as to satisfy the registrar of that voter's municipality that the voter is a registered voter. Either the voter or the circulator of the petition must print the voter's name.

[RR 2019, c. 2, Pt. B, §46 (COR).]

4. Residence. The voter or the circulator of the petition must write or print the voter's residence address and municipality of registration. Ditto marks are permitted for residence address and municipality of registration only.

[PL 2005, c. 453, §49 (AMD).]

5. Number of signatures required. Nomination petitions must be signed by the following numbers of voters:

A. For a slate of candidates for the office of presidential elector, at least 4,000 and not more than 6,000 voters; [PL 1985, c. 161, §6 (NEW).]

B. For a candidate for Governor, at least 4,000 and not more than 6,000 voters; [PL 1985, c. 161, §6 (NEW).]

C. For a candidate for United States Senator, at least 4,000 and not more than 6,000 voters; [PL 1985, c. 161, §6 (NEW).]

D. For a candidate for United States Representative, at least 2,000 and not more than 3,000 voters; [PL 1985, c. 161, §6 (NEW).]

E. For a candidate for county office other than county commissioner or county charter commission member, at least 300 and not more than 400 voters; [PL 1991, c. 362, §2 (AMD).]

E-1. For a candidate for county commissioner, at least 100 and not more than 150 voters; [PL 1991, c. 362, §3 (NEW).]

F. For a candidate for State Senator, at least 200 and not more than 300 voters; [PL 1985, c. 161, §6 (NEW).]

G. For a candidate for State Representative, at least 50 and not more than 80 voters; and [PL 1985, c. 161, §6 (NEW).]

H. For a candidate for county charter commission member, at least 50 and not more than 80 voters. [PL 1985, c. 161, §6 (NEW).]

[PL 1991, c. 362, §§2, 3 (AMD).]

6. When signed. A nomination petition may not be signed before January 1st of the election year in which it is to be used.

[PL 1985, c. 161, §6 (NEW).]

7. Certification of petitions. A nomination petition shall be verified and certified as follows.

A. The circulator of a nomination petition shall verify by oath or affirmation before a notary public or other person authorized by law to administer oaths or affirmations that the circulator personally witnessed all of the signatures to the petition and that to the best of the circulator's knowledge and belief each signature is the signature of the person whose name it purports to be; each signature authorized under section 153-A was made by the authorized signer in the presence and at the direction of the voter; and each person is a resident of the electoral division named in the petition. [PL 2009, c. 253, §20 (AMD).]

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 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 July 25th in the election year in which the petitions are to be used. [PL 2013, c. 131, §12 (AMD).]

C. The registrar, or clerk at the request or upon the absence of the registrar, of each municipality concerned shall certify which names on a petition appear in the central voter registration system as registered voters in that municipality and may not certify any names that do not satisfy subsection 3. [PL 2005, c. 453, §50 (AMD).]

[PL 2013, c. 131, §12 (AMD).]

8. Filed with the Secretary of State.

[PL 1985, c. 383, §7 (RP).]

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 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 1st in the election year in which the petitions are to be used.
[PL 2013, c. 131, §13 (AMD).]

9. Petition validity. For a candidate to qualify for the ballot, a nomination petition must meet all of the requirements of this section. If the circulator swears an oath or affirmation in accordance with subsection 7, paragraph A that the circulator reasonably believes to be true and accurate at the time the oath or affirmation is sworn and there is no proof of fraud or a knowingly false statement by the circulator, then the voters' signatures that do not meet the requirements of subsection 7, paragraph A may not be counted, but the petition is otherwise valid.
[PL 2009, c. 253, §21 (RPR).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1985, c. 383, §§7,8 (AMD). PL 1985, c. 614, §§14,15 (AMD). PL 1991, c. 362, §§2,3 (AMD). PL 1995, c. 459, §§26-28 (AMD). PL 1997, c. 436, §50 (AMD). PL 1999, c. 264, §§1,2 (AMD). PL 2003, c. 447, §12 (AMD). PL 2005, c. 196, §5 (AMD). PL 2005, c. 453, §§49,50 (AMD). PL 2007, c. 455, §14 (AMD). PL 2009, c. 253, §§ 20, 21 (AMD). PL 2013, c. 131, §§12, 13 (AMD). PL 2019, c. 371, §11 (AMD). RR 2019, c. 2, Pt. B, §46 (COR).

§355. Consent of candidate to be filed

The written consent of each candidate must be filed with that candidate's nomination petition. [RR 2019, c. 2, Pt. B, §47 (COR).]

1. Consent. The consent must contain a statement signed by the candidate that the candidate will accept the nomination of the general election. The Secretary of State shall provide a form on which the consent of the candidate is made that must include a list of the statutory and constitutional requirements of the office sought by the candidate. The statement may be printed as a part of the nomination petition.
[PL 2011, c. 534, §12 (AMD).]

2. Single filing sufficient. A candidate need file only one consent. The consent is valid even though it may be part of a nomination petition which is void.
[PL 1985, c. 161, §6 (NEW).]

3. Qualifications declared. The consent must contain a declaration of the candidate's place of residence and the fact that the candidate has not been enrolled in a party qualified to participate in a primary or general election after March 1st of that election year and that the candidate meets the qualifications of the office the candidate seeks. The candidate must verify by oath or affirmation before a notary public or other person authorized by law to administer oaths or affirmations that the declaration is true. If, pursuant to the 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. The candidate must remain unenrolled from March 1st until the general election in order to remain qualified as an unenrolled candidate for the office sought in the nomination petition in that election year.

A. Candidates for the office of county charter commission need not verify by oath or affirmation that they are not enrolled in a party. [PL 1989, c. 166, §3 (AMD).]

[PL 2019, c. 371, §12 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1987, c. 214, §2 (AMD). PL 1989, c. 166, §3 (AMD). PL 1995, c. 459, §29 (AMD). PL 1997, c. 436, §51 (AMD). PL 1999, c. 426, §12 (AMD). PL 1999, c.

645, §2 (AMD). PL 2011, c. 239, §2 (AMD). PL 2011, c. 534, §12 (AMD). PL 2019, c. 371, §12 (AMD). RR 2019, c. 2, Pt. B, §47 (COR).

§356. Review and challenge of petitions

1. Review. When presented with a nomination petition, the Secretary of State shall review it and, if the petition contains the required number of certified names and is properly completed, shall accept and file it.
[PL 1985, c. 161, §6 (NEW).]

2. Challenges. The procedure for challenging the validity of a nomination petition or of names upon a petition is as follows.

A. Only a registered voter residing in the electoral division of the candidate concerned may file a challenge. The challenge must be in writing and must set forth the reasons for the challenge. The challenge must be filed in the office of the Secretary of State by 5 p.m. on the 5th business day after the final date for filing petitions under section 354, subsection 8-A. [PL 1989, c. 166, §4 (AMD); PL 1989, c. 502, Pt. D, §17 (AMD).]

B. Within 7 days after the final date for filing challenges and after due notice of the hearing to the candidate and to the challenger, the Secretary of State shall hold a public hearing on any challenge properly filed. The challenger has the burden of providing evidence to invalidate the petitions or any names upon the petitions. [PL 1985, c. 161, §6 (NEW).]

C. The Secretary of State shall rule on a challenge within 5 days after the completion of the hearing described in paragraph B. [PL 1985, c. 161, §6 (NEW).]

D. A challenger or a candidate may appeal the decision of the Secretary of State by commencing an action in the Superior Court. This action must be conducted in accordance with the Maine Rules of Civil Procedure, Rule 80C, except as modified by this section. This action must be commenced within 5 days of the date of the decision of the Secretary of State. Upon timely application, anyone may intervene in this action when the applicant claims an interest relating to the subject matter of the petition, unless the applicant's interest is adequately represented by existing parties. The court shall issue its written decision containing its findings of fact and conclusions of law and setting forth the reasons for its decision within 20 days of the date of the decision of the Secretary of State. [PL 2011, c. 342, §10 (AMD).]

E. Any aggrieved party may appeal the decision of the Superior Court, on questions of law, by filing a notice of appeal within 3 days of that decision. The record on appeal must be transmitted to the Law Court within 3 days after notice of appeal is filed. After filing notice of appeal, the parties have 4 days to file briefs and appendices with the clerk of courts. As soon as the record and briefs have been filed, the court shall immediately consider the case. The court shall issue its decision within 14 days of the date of the decision of the Superior Court. [PL 1985, c. 161, §6 (NEW).]

F. Only a voter of the county establishing a charter commission may challenge the nomination petition for county charter commission member. The challenge must be in writing and must set forth the reasons for the challenge. The challenge must be filed in the office of the Secretary of State before 5 p.m. on the 55th day following the order of the county officers under Title 30-A, section 1321, subsection 1, or the receipt of a certificate of sufficiency under Title 30-A, section 1321, subsection 4. [PL 1987, c. 737, Pt. C, §§63, 106 (AMD); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[PL 2011, c. 342, §10 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1987, c. 737, §§C63,C106 (AMD). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,C10 (AMD). PL 1989, c. 166, §4 (AMD). PL 1989, c. 502, §D17 (AMD). PL 2009, c. 253, §22 (AMD). PL 2011, c. 342, §10 (AMD).

§357. Candidates certified by the Secretary of State

The Secretary of State shall immediately certify by mail the nomination of each person nominated by petition. [PL 1985, c. 161, §6 (NEW).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW).

SUBCHAPTER 3

VACANCIES

ARTICLE 1

GENERAL PROVISIONS

§361. Vacancy defined

A vacancy in any federal, state or county office, in the office of an election official or in any political committee occurs when the incumbent dies, resigns, becomes disqualified or changes the incumbent's residence to an electoral division other than that from which the incumbent was elected or when the person elected fails to qualify. [RR 2019, c. 2, Pt. B, §48 (COR).]

1. Filled for unexpired term. A vacancy in any office shall be filled for an unexpired term, except where it is specifically provided to the contrary.
[PL 1985, c. 161, §6 (NEW).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). RR 2019, c. 2, Pt. B, §48 (COR).

§362. Governor's proclamation for political committee meetings

(REPEALED)

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1997, c. 436, §52 (AMD). PL 2001, c. 310, §19 (RP).

§362-A. Secretary of State declares vacancy

When required by this subchapter, the Secretary of State shall declare a vacancy and notify the appropriate political committee of the deadline for filling the vacancy. [PL 2007, c. 515, §4 (AMD).]

SECTION HISTORY

PL 2001, c. 310, §20 (NEW). PL 2007, c. 515, §4 (AMD).

§363. Political committee; choosing candidates and nominees

The meeting of a political committee as required by sections 371, 374-A, 381, 382 and 393 is governed by the following provisions. [PL 2019, c. 636, §2 (AMD).]

1. Time and place of meeting. The committee shall meet at the time and place chosen by the committee.
[PL 1997, c. 436, §53 (AMD).]

2. Duties of committee. The committee shall choose a qualified person to fill the vacancy. The secretary of the committee shall immediately deliver a certificate to the Secretary of State containing the name of the person chosen, that person's residence and political party, the title of the office sought and the method by which that person was chosen. The certificate must be signed by the chair of the committee and attested to by the secretary.

A. In an electoral division consisting of more than one municipality, the municipal committee of each municipality shall meet jointly, elect a secretary and a chair for the meeting and then fill the vacancy. [RR 2019, c. 2, Pt. B, §49 (COR).]

[RR 2019, c. 2, Pt. B, §49 (COR).]

3. Acceptance filed. A person chosen under this section must file a written acceptance containing a statement that the person meets the qualifications of the office sought and declaring the person's residence and party enrollment with the Secretary of State. The Secretary of State shall provide a form for the candidate's acceptance that must include a list of the statutory and constitutional requirements of the office sought by the candidate. The form also must include a place for the registrar of the candidate's municipality of residence to certify the candidate's registration and enrollment status.
[PL 2015, c. 447, §9 (AMD).]

4. Changes in ballot. The Secretary of State shall produce new ballots or amend or supplement ballots already printed in accordance with section 376 or 604.
[PL 2019, c. 636, §3 (AMD).]

5. Caucus. Following the proclamation of the Governor pursuant to section 382, a municipality that has not held a biennial caucus has 15 days to hold a caucus to nominate or elect a person to fill a vacancy under section 382.
[PL 2011, c. 409, §1 (NEW).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1993, c. 447, §3 (AMD). PL 1995, c. 459, §30 (AMD). PL 1997, c. 436, §53 (AMD). PL 2011, c. 239, §3 (AMD). PL 2011, c. 409, §1 (AMD). PL 2015, c. 447, §9 (AMD). PL 2019, c. 636, §§2, 3 (AMD). RR 2019, c. 2, Pt. B, §49 (COR).

§364. Candidacy by nomination petition

The nomination of a candidate, other than by party, to fill a vacancy must be made by nomination petition. The nomination process is in the same manner as provided by subchapter II, except that all petitions must be filed by 5 p.m. on the deadline for filling the vacancy set by the Secretary of State pursuant to section 362-A. [PL 2001, c. 310, §21 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1997, c. 436, §54 (AMD). PL 2001, c. 310, §21 (AMD).

§365. Jurisdiction

The political committee that has jurisdiction over the choice of a candidate for nomination or a nominee to fill a vacancy under sections 371, 374-A, 381 and 382 is as follows. [PL 2019, c. 636, §4 (AMD).]

1. Municipal committee. Choices for Representative to the Legislature must be made by a municipal committee when a representative district consists of one municipality, by a joint meeting of municipal committees when a representative district consists of 2 or more municipalities or by members of a municipal committee or committees residing within a representative district when the representative district includes a part of a municipality or parts of different municipalities.
[PL 1985, c. 161, §6 (NEW).]

2. County committee. A county committee makes choices for all county offices, except that committee members residing within county commissioner districts make choices for county commissioner, and committee members residing within senatorial districts make choices for State Senator.
[PL 2019, c. 371, §13 (AMD).]

3. District committee. A district committee makes choices for Representative to Congress.
[PL 1985, c. 161, §6 (NEW).]

4. State committee. A state committee makes choices for Governor, United States Senator and presidential elector.
[PL 1985, c. 161, §6 (NEW).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 2003, c. 510, §A13 (AMD). PL 2019, c. 371, §13 (AMD). PL 2019, c. 636, §4 (AMD).

§366. Special elections

The proclamation of a special election must specify the time and place it must be held as well as any necessary filing, posting, publishing and reporting dates. A special election must be publicized and conducted like its regular counterpart, as nearly as practicable. [PL 1985, c. 161, §6 (NEW).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW).

§367. Candidate withdrawal

A candidate who wishes to withdraw from an elective race shall notify the Secretary of State in writing of the candidate's intent to withdraw. This notice must be signed by the candidate. [PL 2019, c. 636, §5 (AMD).]

SECTION HISTORY

PL 1991, c. 466, §14 (NEW). PL 1995, c. 459, §31 (AMD). PL 2015, c. 447, §10 (AMD). PL 2019, c. 636, §5 (AMD).

ARTICLE 2

CANDIDATES AND NOMINEES

§371. Primary election candidates; vacancy

1. Primary petition if time.
[PL 1999, c. 426, §14 (RP).]

2. Chosen by committee if not time.
[PL 1999, c. 426, §14 (RP).]

3. Vacancy and replacement of candidates in uncontested races. If a candidate for nomination dies or becomes disqualified prior to the primary election or withdraws 70 days or more before the primary election, the Secretary of State shall declare the vacancy pursuant to section 362-A if no other candidate from the same political party will appear on the primary election ballot for that office. A political committee may fill the vacancy pursuant to section 363. The Secretary of State shall remove the former candidate's name from the primary election ballot and shall produce new primary election ballots or amend or supplement the primary election ballots already printed in accordance with section 376 or 604.

[PL 2019, c. 636, §6 (NEW).]

4. Removal of candidate's name from ballot in contested races. The Secretary of State shall remove the name of a candidate for nomination from the primary election ballot but is not required to declare a vacancy if, 70 days or more before the primary election, the candidate dies, becomes disqualified or withdraws and another candidate from the same political party will appear on the ballot for that office.
[PL 2019, c. 636, §6 (NEW).]

5. Death or disqualification of candidates less than 70 days before primary election in contested races. The Secretary of State is not required to remove the name of a candidate from the primary election ballot or declare a vacancy if a candidate dies or becomes disqualified less than 70 days before the primary election and another candidate from the same political party will appear on the ballot for that office. Upon receipt of information that the candidate has died or become disqualified, the Secretary of State shall immediately prepare and distribute to the local election officials in the candidate's electoral district a notice informing voters that the candidate has died or become disqualified and that a vote for that candidate will not be counted. The notice must be distributed with all absentee ballots requested after the notice is received by the local election officials and, on election day, must be posted outside the guardrail enclosure in accordance with section 651, subsection 2 and in each voting booth. Notice that the candidate has died or become disqualified must also be posted on the Secretary of State's publicly accessible website.
[PL 2019, c. 636, §6 (NEW).]

6. Withdrawal of candidates less than 70 days before primary election in contested and uncontested races. When a candidate for nomination withdraws less than 70 days before the primary election, the candidate's name may not be removed from the primary election ballot and a vacancy may not be declared. Upon receipt of the notice of withdrawal, the Secretary of State shall immediately prepare and distribute to the local election officials in the candidate's electoral district a notice informing voters that the candidate has withdrawn and that a vote for that candidate will not be counted. The notice must be distributed with all absentee ballots requested after the notice is received by the local election officials and, on election day, must be posted outside the guardrail enclosure in accordance with section 651, subsection 2 and in each voting booth. Notice of the late withdrawal must also be posted on the Secretary of State's publicly accessible website.
[PL 2019, c. 636, §6 (NEW).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1999, c. 426, §§13,14 (AMD). PL 2001, c. 310, §22 (AMD). PL 2007, c. 455, §15 (AMD). PL 2011, c. 342, §11 (AMD). PL 2015, c. 447, §11 (AMD). PL 2019, c. 636, §6 (RPR).

§372. Nominees; 60 days or more before election

(REPEALED)

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 2019, c. 636, §7 (RP).

§373. Nominees; less than 60 days before election

(REPEALED)

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 2001, c. 310, §23 (AMD). PL 2019, c. 636, §8 (RP).

§374. Certain nominees at any time

(REPEALED)

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1989, c. 341, §1 (RP).

§374-A. General election candidates; vacancy

1. Vacancy and replacement of nominees. The Secretary of State shall declare the vacancy as provided in section 362-A and a political committee may make a replacement nomination for the general election only if a person nominated for an office at a primary election or by a political committee:

A. Withdraws on or before 5 p.m. of the 2nd Monday in July preceding the general election in accordance with section 367; [PL 2011, c. 342, §12 (AMD).]

B. Withdraws because of a catastrophic illness, condition or injury that has permanently and continuously incapacitated the candidate and would prevent performance of the duties of the office sought, as long as the candidate or a member of the candidate's immediate family files with the Secretary of State a certificate accompanying the withdrawal request that describes the illness, condition or injury and is signed by a licensed physician; or [PL 2015, c. 447, §12 (AMD).]

C. Dies prior to the general election. [PL 1989, c. 341, §2 (NEW).]

[PL 2019, c. 636, §9 (AMD).]

2. Deadline for replacement of nominee. A political committee may make a replacement nomination for the general election:

A. No later than 5 p.m. of the 4th Monday in July preceding the general election for a candidate who has withdrawn in accordance with subsection 1, paragraph A; or [PL 1993, c. 447, §5 (AMD).]

B. As soon as practicable for a candidate who withdraws or is withdrawn in accordance with subsection 1, paragraph B or C. [PL 1989, c. 341, §2 (NEW).]

[PL 2019, c. 636, §9 (AMD).]

2-A. Ballot procedure for replacement candidates. If a political party makes a replacement nomination for the general election by the deadline established in subsection 2, the Secretary of State shall produce new general election ballots or amend or supplement general election ballots already printed in accordance with section 376 or 604.

[PL 2019, c. 636, §9 (NEW).]

3. Deadline for removal of candidate's name from general election ballot. The name of a candidate for an office on the general election ballot who withdraws for any reason 70 days or more before the general election must be removed from the ballot. If a candidate for an office on the general election ballot withdraws less than 70 days before the general election and meets the criteria of subsection 1, paragraph B or C, the candidate's name must be removed from the general election ballot in accordance with section 376 or the general election ballot must be amended or supplemented in accordance with section 604. If a candidate for an office on the general election ballot withdraws less than 70 days before the general election and does not meet the criteria of subsection 1, paragraph B or C, the candidate's name will not be removed from the ballot, but upon receipt of the notice of withdrawal required by section 367, the Secretary of State shall immediately prepare and distribute to the local election officials in the candidate's electoral district a notice informing voters that the candidate has withdrawn and that a vote for that candidate will not be counted. The notice must be distributed with all absentee ballots requested after the notice is received by the local election officials and, on election day, must be posted outside the guardrail enclosure in accordance with section 651, subsection 2 and in each voting booth. Notice of a candidate's withdrawal less than 70 days before the general election must also be posted on the Secretary of State's publicly accessible website.

[PL 2019, c. 636, §9 (AMD).]

SECTION HISTORY

PL 1989, c. 341, §2 (NEW). PL 1993, c. 447, §§4,5 (AMD). PL 2001, c. 310, §24 (AMD). PL 2007, c. 455, §16 (AMD). PL 2011, c. 342, §§12, 13 (AMD). PL 2015, c. 447, §§12, 13 (AMD). PL 2019, c. 636, §9 (AMD).

§374-B. Special election candidates

If a candidate for an office on a special election ballot dies or withdraws for any reason, the candidate's name will not be removed from the ballot. The Secretary of State shall immediately prepare and distribute to the local election officials in the candidate's electoral district a notice informing voters that the candidate has died or has withdrawn and that a vote for that candidate will not be counted. The notice must be distributed with all absentee ballots requested after the notice is received by the local election officials and, on election day, must be posted outside the guardrail enclosure in accordance with section 651, subsection 2 and in each voting booth. Notice that the candidate has died or has withdrawn must also be posted on the Secretary of State's publicly accessible website. [PL 2019, c. 636, §10 (NEW).]

SECTION HISTORY

PL 2019, c. 636, §10 (NEW).

§375. Presidential and vice-presidential candidates chosen by petition

1. Candidate for President; death; withdrawal; disqualification. If a candidate for President who has been nominated by petition under section 354, subsection 1, paragraph B, dies, withdraws or becomes disqualified, the nomination of the presidential, vice-presidential and presidential electoral candidates is terminated.
[PL 1985, c. 161, §6 (NEW).]

2. Candidate for Vice President; death; withdrawal; disqualification. If a candidate for Vice President who has been nominated by petition under section 354, subsection 1, paragraph B, dies, withdraws at least 70 days before the election or becomes disqualified, the vacancy may be filled by a new vice-presidential candidate, if the following conditions are met:

A. Written resignation is filed with the Secretary of State by the previous vice-presidential candidate, if the mental and physical condition of the candidate allows; [PL 1985, c. 161, §6 (NEW).]

B. Written consent is filed with the Secretary of State by the new vice-presidential candidate; [PL 1985, c. 161, §6 (NEW).]

C. Written acceptance of the new vice-presidential candidate is filed with the Secretary of State by the presidential candidate; and [PL 1985, c. 161, §6 (NEW).]

D. Written acceptance of the new vice-presidential candidate is filed with the Secretary of State by each of the presidential electors. [PL 1985, c. 161, §6 (NEW).]
[PL 2015, c. 447, §14 (AMD).]

3. Candidate for presidential elector; death; withdrawal; disqualification. If a presidential elector, who has been nominated by petition under section 354, subsection 1, paragraph B, dies, withdraws or becomes disqualified, the vacancy may be filled by a new presidential elector, if the following conditions are met:

A. Written resignation is filed with the Secretary of State by the previous presidential elector, if the mental and physical condition of the elector allows; [PL 1985, c. 161, §6 (NEW).]

B. Written consent is filed with the Secretary of State by the new presidential elector; and [PL 1985, c. 161, §6 (NEW).]

C. Written acceptance of the new presidential elector is filed with the Secretary of State by the presidential candidate. [PL 1985, c. 161, §6 (NEW).]

This subsection does not apply to a vacancy as described in section 804.
[PL 1985, c. 161, §6 (NEW).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1999, c. 426, §15 (AMD). PL 2015, c. 447, §14 (AMD).

§376. Production of new ballots

1. Federal or gubernatorial office.
[PL 2019, c. 636, §11 (RP).]

1-A. Removal of candidate's name from ballots. The Secretary of State shall remove a candidate's name from the ballot if the candidate withdraws for any reason 70 days or more before any primary or general election.
[PL 2019, c. 636, §11 (NEW).]

2. Production of new ballots listing replacement candidate. The Secretary of State shall produce new ballots listing a replacement candidate if:

A. A vacancy is declared under section 371, subsection 3 or section 374-A, subsection 1, paragraph B or C, a replacement candidate is selected in accordance with sections 363 and 365 and a notification is filed with the Secretary of State by the committee of the political party that selected the replacement candidate no later than 60 days before the election; or [PL 2019, c. 636, §11 (NEW).]

B. A vacancy is declared under section 374-A, subsection 1, paragraph A, a replacement candidate is selected in accordance with sections 363 and 365 and a notification is filed with the Secretary of State by the committee of the political party that selected the replacement candidate before the deadline established in section 374-A, subsection 2, paragraph A. [PL 2019, c. 636, §11 (NEW).]
[PL 2019, c. 636, §11 (AMD).]

2-A. Procedure when replacement candidates selected less than 60 days before the election. If a candidate for an office withdraws in accordance with section 371, subsection 3 or section 374-A, subsection 1, paragraph B or C, a replacement candidate is selected in accordance with sections 363 and 365 and a notification is filed with the Secretary of State by the appropriate committee of the political party making the nomination less than 60 days before the election, the Secretary of State must amend or supplement the ballots in accordance with section 604.
[PL 2019, c. 636, §11 (NEW).]

3. List of candidates. The Secretary of State shall maintain and periodically update a list of all names to be placed on the ballot for the primary or general election.
[PL 2019, c. 636, §11 (AMD).]

4. Last day for withdrawal.
[PL 1989, c. 341, §3 (RP).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1989, c. 341, §3 (RPR). PL 1991, c. 466, §15 (AMD). PL 1997, c. 436, §55 (AMD). PL 2015, c. 447, §15 (AMD). PL 2019, c. 636, §11 (AMD).

ARTICLE 3

LOCAL AND STATE OFFICIALS

§381. State Senators

When there is a vacancy in the office of State Senator, the Governor shall issue a proclamation declaring the vacancy and ordering a special election under section 366. [PL 1985, c. 161, §6 (NEW).]

1. Nominees chosen. The Governor shall order the appropriate political committees to meet and shall set the deadline for choosing nominees. The political committees shall follow the procedure outlined in section 363.
[PL 1997, c. 436, §56 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1997, c. 436, §56 (AMD).

§382. Representative to Legislature

When there is a vacancy in the office of Representative to the Legislature, the municipal officers of any municipality affected by the vacancy may inform the Governor if there is a need to fill the vacancy before the next general election, and the Governor shall issue a proclamation declaring the vacancy and ordering a special election under section 366. [PL 1985, c. 161, §6 (NEW).]

1. Nominees chosen. The Governor shall order the appropriate political committees to meet and shall set the deadline for choosing nominees, which may not be less than 15 days following the Governor's proclamation declaring a vacancy. The committees shall follow the procedure outlined in section 363.
[PL 2011, c. 409, §2 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1997, c. 436, §57 (AMD). PL 2011, c. 409, §2 (AMD).

§383. Political committees

A political committee shall fill a vacancy in its membership. [PL 1985, c. 161, §6 (NEW).]

1. Secretary of State notified.
[PL 2007, c. 455, §17 (RP).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 2007, c. 455, §17 (AMD).

§384. Election officials

The municipal officers may appoint a qualified person to fill a vacancy in the office of any election official. [PL 1993, c. 447, §6 (AMD).]

1. Limitation.

[PL 1999, c. 426, §16 (RP).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1993, c. 447, §6 (AMD). PL 1999, c. 426, §16 (AMD).

ARTICLE 4

FEDERAL OFFICIALS

§391. United States Senators

A vacancy in the office of United States Senator is governed by the following provisions. [PL 1985, c. 161, §6 (NEW).]

1. Interim appointment. Within a reasonable time after the vacancy occurs, the Governor shall appoint a qualified person to fill the vacancy until that person's successor is elected and qualified.
[RR 2019, c. 2, Pt. B, §50 (COR).]

2. Vacancy 60 days before primary. If the vacancy occurs 60 days or more before a regular primary election, nominees must be chosen at the primary and a successor elected for the remainder of the term at the general election.
[PL 1985, c. 161, §6 (NEW).]

3. Vacancy less than 60 days before primary. If the vacancy occurs less than 60 days before a regular primary election, nominees must be chosen at the next regular primary following the one in question, and a successor elected for the remainder of the term at the general election.
[PL 1985, c. 161, §6 (NEW).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). RR 2019, c. 2, Pt. B, §50 (COR).

§392. Representatives to Congress

When there is a vacancy in the office of Representative to Congress, the Governor shall issue a proclamation declaring the vacancy and ordering a special primary election followed by a special election to fill the vacancy as provided in section 366. [PL 1985, c. 161, §6 (NEW).]

1. Congress in session. If Congress is in session, the elections must be held as soon as reasonably possible. If Congress is not in session, the elections must be held before the next regular or called session.
[PL 1985, c. 161, §6 (NEW).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW).

§393. Presidential electors

Except as provided in section 804, when there is a vacancy in the office of presidential elector, the Secretary of State shall declare the vacancy under section 362-A and notify the appropriate state committee of the deadline for choosing a qualified person to fill the vacancy. The procedure outlined in section 363 must be followed. [PL 2001, c. 310, §25 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1997, c. 436, §58 (AMD). PL 2001, c. 310, §25 (AMD).

SUBCHAPTER 4

PRESIDENTIAL PRIMARY ELECTIONS

§401. Determination and date of primary

(REPEALED)

SECTION HISTORY

PL 1987, c. 797, §2 (NEW). MRSA T. 21-A §408 (RP).

§402. Party certification

(REPEALED)

SECTION HISTORY

PL 1987, c. 797, §2 (NEW). PL 1991, c. 466, §16 (AMD). MRSA T. 21-A §408 (RP).

§403. Petitions

(REPEALED)

SECTION HISTORY

PL 1987, c. 797, §2 (NEW). MRSA T. 21-A §408 (RP).

§404. Ballot preparation

(REPEALED)

SECTION HISTORY

PL 1987, c. 797, §2 (NEW). MRSA T. 21-A §408 (RP).

§405. Candidate eligibility

(REPEALED)

SECTION HISTORY

PL 1987, c. 797, §2 (NEW). MRSA T. 21-A §408 (RP).

§406. Selection of delegates

(REPEALED)

SECTION HISTORY

PL 1987, c. 797, §2 (NEW). PL 1993, c. 447, §7 (AMD). MRSA T. 21-A §408 (RP).

§407. Cost

(REPEALED)

SECTION HISTORY

PL 1987, c. 797, §2 (NEW). PL 1991, c. 466, §17 (AMD). MRSA T. 21-A §408 (RP).

§408. Repeal

(REPEALED)

SECTION HISTORY

PL 1993, c. 334, §2 (NEW). MRSA T. 21-A §408 (RP).

SUBCHAPTER 5

PRESIDENTIAL PREFERENCE PRIMARY ELECTIONS

§411. Determination and date of primary

(REPEALED)

SECTION HISTORY

PL 1993, c. 334, §3 (NEW). PL 1995, c. 154, §§2-4 (AMD). PL 1997, c. 436, §§59,60 (AMD). PL 2001, c. 516, §2 (AMD). PL 2003, c. 470, §1 (RP).

§411-A. Party certification

(REPEALED)

SECTION HISTORY

PL 1995, c. 154, §5 (NEW). PL 1997, c. 436, §§61,62 (AMD). PL 2001, c. 516, §3 (AMD). PL 2003, c. 470, §1 (RP).

§412. Petitions or filing fees

(REPEALED)

SECTION HISTORY

PL 1993, c. 334, §3 (NEW). PL 1995, c. 154, §6 (AMD). PL 1997, c. 436, §63 (AMD). PL 2003, c. 470, §1 (RP).

§413. Ballot preparation

(REPEALED)

SECTION HISTORY

PL 1993, c. 334, §3 (NEW). PL 2001, c. 310, §26 (AMD). PL 2003, c. 470, §1 (RP).

§414. Candidate eligibility

(REPEALED)

SECTION HISTORY

PL 1993, c. 334, §3 (NEW). PL 1993, c. 695, §22 (AMD). PL 1993, c. 695, §§23,37 (AFF). PL 1995, c. 154, §7 (AMD). PL 2003, c. 470, §1 (RP).

§415. Selection of delegates

(REPEALED)

SECTION HISTORY

PL 1993, c. 334, §3 (NEW). PL 1995, c. 154, §8 (RPR). PL 1997, c. 436, §64 (AMD). PL 2001, c. 516, §4 (AMD). PL 2003, c. 470, §1 (RP).

§416. Effective date

(REPEALED)

SECTION HISTORY

PL 1993, c. 334, §3 (NEW). PL 2003, c. 470, §1 (RP).

SUBCHAPTER 6

CANDIDATES FOR THE UNITED STATES CONGRESS: THE UNITED STATES HOUSE OF REPRESENTATIVES AND THE UNITED STATES SENATE

§421. Limitations on candidates for Congress: the United States House of Representatives and the United States Senate

(REPEALED)

SECTION HISTORY

IB 1993, c. 2, §1 (NEW). IB 1993, c. 2, §2 (AFF). PL 2001, c. 516, §5 (RP).

SUBCHAPTER 7

PRESIDENTIAL PRIMARY ELECTIONS

§431. Determination and date of primary; voter eligibility

(REPEALED)

SECTION HISTORY

PL 2015, c. 474, §4 (NEW). MRSA T. 21-A §434 (RP).

§432. Petitions

(REPEALED)

SECTION HISTORY

PL 2015, c. 474, §4 (NEW). MRSA T. 21-A §434 (RP).

§433. Ballot preparation

(REPEALED)

SECTION HISTORY

PL 2015, c. 474, §4 (NEW). MRSA T. 21-A §434 (RP).

§434. Repeal

(REPEALED)

SECTION HISTORY

PL 2015, c. 474, §4 (NEW). MRSA T. 21-A §434 (RP).

SUBCHAPTER 8

PRESIDENTIAL PRIMARY ELECTIONS

§441. Determination and date of primary; voter eligibility

1. Determination of primary. No later than November 1st of the year prior to a presidential election year, the state committee of each party shall certify whether there is a contest among candidates for nomination as the presidential candidate. Upon receiving the certification from one or more parties, the Secretary of State shall announce the parties that will have a presidential primary election, which must be held on the first Tuesday after the first Monday in March of the presidential election year.
[PL 2019, c. 445, §4 (NEW).]

2. Eligible voter. No later than December 1st of the year prior to a presidential election year, the state committee of each party shall notify the Secretary of State of the enrollment qualifications, subject to the restrictions in section 144, for voters eligible to vote in that party's presidential primary election. If no notice is received by that date, only voters enrolled in a political party may vote in that party's presidential primary election.
[PL 2019, c. 445, §4 (NEW).]

SECTION HISTORY

PL 2019, c. 445, §4 (NEW).

§442. Petitions

On or before November 1st of the year prior to a presidential election year, the Secretary of State shall prepare and make available petitions for circulation by a person desiring to be a candidate in the state presidential primary election of any party. This petition must be completed and filed no later than

5:00 p.m. on December 21st of the year prior to a presidential election year in the manner provided in sections 335 and 336. [PL 2019, c. 445, §4 (NEW).]

SECTION HISTORY

PL 2019, c. 445, §4 (NEW).

§443. Ballot preparation

The Secretary of State shall prepare ballots for a presidential primary election. A ballot must include the name of a person who files a petition with the Secretary of State in accordance with section 442. The Secretary of State shall determine if a petition meets the requirements of sections 335, 336 and 442, subject to challenge and appeal under section 337. [PL 2019, c. 445, §4 (NEW).]

SECTION HISTORY

PL 2019, c. 445, §4 (NEW).

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