

# MAINE STATE LEGISLATURE

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~~First Election~~  
Election: ~~Challenges to Petition~~  
Petition Challenges

June 24, 1976

Markham Gartley	Secretary of State
Donald G. Alexander, Deputy	Attorney General
Petitions of Francis J. Freeman	

By memorandum of June 16, 1976, you requested the advice of this office on processing challenges to petitions filed by Francis J. Freeman. A review of the challenge from Roland D. Martin and of the petitions themselves indicates the following:

First, the challenge cites specific signatures and alleges specific violations which can be determined by comparison with registration lists. Second, a number of challenges relate to lack of street address. Street address is required for independent candidates, 21 M.R.S.A. § 492-4. The recent Court injunction on this matter (street addresses) would not appear to apply to this case as all petitions in question were submitted after May 28 and are post-May 11, 1976, petitions dated and including the requirement that street address be added. Third, the remaining challenges suggest lack of registration.

Accordingly, in reviewing these petitions it would be appropriate to undertake the following:

1. Examine the voter registration lists to determine whether, among those names which are challenged as lacking a street address, any have a street address on the registration list. Those challenged names which do not have a street address on the petition and do have a street address on the voter registration list should be struck. Those challenged names which do not have a street address either on the petition or on the voter registration list should be allowed.
2. Challenged names listed as not registered should be checked against the voter registration lists, with the most up-to-date editions, of the appropriate community. In this case most challenged names are in Fort Kent except for two in Frenchville.

As the challenge appears to be accurate, in comparing it with the petitions, it may be best to send a copy of the challenge to registrars for Fort Kent and Frenchville respectively and ask the registrar to certify those names on the challenged lists which do have street addresses on the voter registration list and those names on the challenged list which are not actually registered. Those names which the registrars indicate are unregistered or without a street address should be stricken from the petition. If the petition then lacks sufficient names, it should be rejected.

DONALD G. ALEXANDER  
Deputy Attorney General