

MAINE STATE LEGISLATURE

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L.D. 1318

(Filing No. H-392)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
111TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "D" to S.P. 439, L.D. 1318,
Bill, "AN ACT Pertaining to the Political Rights of
State Employees."

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

'Sec. 1. 5 MRSA §14, as enacted by PL 1975, c.
597, is repealed.

Sec. 2. 5 MRSA c. 1, sub-c. II is enacted to
read:

SUBCHAPTER II

PARTICIPATION OF STATE EMPLOYEES

IN POLITICAL ACTIVITIES

§21. Definitions

As used in this subchapter, unless the context
indicates otherwise, the following terms have the
following meanings.

1. Election. "Election" means any primary, gen-
eral or special election for the nomination or elec-
tion of municipal, county or state officials. "Elec-
tion" may not include referenda.

2. Employee of this State. "Employee of this
State" means an employee in the classified or unclas-
sified service, as defined in sections 671 and 711,
but shall not include an employee identified under
section 711, subsection 1, paragraphs A, B, D and E.

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1 3. Nonpartisan election. "Nonpartisan election"
2 means an election other than a partisan election.

3 4. Partisan election. "Partisan election" means
4 an election in which a candidate may be nominated or
5 elected as a representative of a party, as defined in
6 Title 21, section 1, subsection 21.

7 §22. Prohibited political activity

8 An employee of this State may not:

9 1. Interfere with an election. Use his official
10 authority or influence for the purpose of interfering
11 with or affecting the result of an election;

12 2. Coerce political contributions. Directly or
13 indirectly coerce, attempt to coerce, command or
14 advise another employee of this State to pay, lend or
15 contribute anything of value to a party, committee,
16 organization, agency or person for political pur-
17 poses;

18 3. Solicitation from state property or during
19 working hours. Solicit or request a payment, loan or
20 contribution of anything of value to a party, commit-
21 tee, organization, agency or person for political
22 purposes during that employee's state working hours,
23 on the property or premises owned by the State or
24 using the facilities, equipment or services of the
25 State; or

26 4. Be a candidate in an election for state offi-
27 cial. Be a candidate in any election for the elec-
28 tion or nomination of state officials.

29 §23. Permitted political activity

30 An employee of this State may:

31 1. Candidate in nonpartisan election. Be a can-
32 didate for office in a nonpartisan election;

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1 tisan elective office and allow nonfederally funded
2 state employees to run for partisan elective office
3 as well.

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Filed by Rep. Gwadosky of Fairfield
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the House
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