

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
114TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 401, L.D. 545, Bill, "An Act to Clarify Election Law Procedures"

Amend the bill by striking out all of section 3 and inserting in its place the following:

'Sec. 3. 21-A MRSA §355, sub-§3, as enacted by PL 1987, c. 214, §2, is amended to read:

3. Residence 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 for 3 months prior to the filing date for the nomination petition. ~~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 any part of the declaration is found to be false by the Secretary of State ~~prior to the date of~~ before the general election, the consent and the nomination petition are void, pursuant to challenge procedures in section 356.

A. Candidates for the office of county charter commission need not verify by oath or affirmation that they are not enrolled in a party.'

Further amend the bill in section 5 in paragraph A in the next to the last line (page 2, line 25 in L.D.) by striking out the underlined words "OR BY INDICATING THE PARTY OF CHOICE"

STATEMENT OF FACT

This amendment deletes language which would allow overseas voters to vote for candidates for state offices by writing in a political party name rather than a person's name on an overseas absentee ballot.

The amendment also clarifies the bill's provision regarding nonparty candidates. The new language specifies that candidates

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1 seeking office as nonparty candidates must not have been enrolled  
2 in a party for 3 months prior to the filing deadline for  
3 nomination petitions. The amendment creates an exception to this  
4 rule for county charter commission candidates since that is a  
5 nonpartisan office.

Reported by the Committee on Legal Affairs  
Reproduced and distributed under the direction of the Clerk of the  
House  
4/28/89 (Filing No. H-122)