

# MAINE STATE LEGISLATURE

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R. of S.

L.D. 1442

(Filing No. H- 548 )

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
116TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1076, L.D. 1442, Bill, "An Act to Distribute the Power and Privilege of Serving in Elected Office"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 21-A MRSA §601, as enacted by PL 1985, c. 161, §6, is amended by adding at the end a new paragraph to read:

This section is repealed April 1, 1998.

Sec. 2. 21-A MRSA §601-B is enacted to read:

§601-B. Primary ballots

The Secretary of State shall prepare the primary election ballots according to the following provisions.

1. Arrangement. The ballot must be arranged in one column.

2. Content. The ballot must contain only what is listed in this section.

A. The following instructions must be printed in bold type at the top of the ballot: "MAKE A CROSS (X) OR A CHECK MARK (✓) IN THE SQUARE AT THE LEFT OF THE NAME OF THE CANDIDATE FOR WHOM YOU WISH TO VOTE. YOU MAY VOTE FOR A PERSON WHOSE NAME DOES NOT APPEAR ON THE BALLOT BY WRITING THE PERSON'S NAME AND MUNICIPALITY OF RESIDENCE OR PASTING A STICKER WITH THE PERSON'S NAME AND MUNICIPALITY OF RESIDENCE ON IT IN THE PROPER BLANK SPACE AND MARKING THE SQUARE AT THE LEFT. DO NOT ERASE NAMES."

COMMITTEE AMENDMENT

H. of S.

COMMITTEE AMENDMENT "A" to H.P. 1076, L.D. 1442

2 B. Except as provided in subsection 3, the ballot must  
4 contain the name, without any title, and place of residence  
6 of each candidate, arranged alphabetically with the last  
name first, under the proper office designation. The name  
of each candidate may be printed on the ballot in only one  
space.

8 C. When 2 United States Senators or 2 county commissioners  
10 are to be nominated, the term of office sought by each  
candidate must be specified on the ballot.

12 D. At the end of the list of candidates for nomination for  
14 each office, there must be left as many blank spaces as  
there are vacancies to be filled. These spaces may be used  
16 by a voter to write or paste in the name and municipality of  
residence of any person for whom the voter desires to vote,  
as provided in section 691, subsection 2.

18 E. Words of explanation such as "Vote for one" or "Vote for  
20 not more than 2" must be printed on the ballot to assist the  
voter in voting correctly.

22 F. A square must be printed at the left of and close to the  
24 name of each candidate or write-in space, so that a voter  
may designate the voter's choice clearly by a cross (X) or a  
26 check mark (✓).

28 G. On the front and back of the folded ballot must be  
30 printed "Official (name of political party) Primary Ballot  
for (name of voting place for which ballot was prepared),"  
the date of the election and a facsimile of the state seal.

32 H. The name of each nominee must appear on the ballot as  
34 follows: Last name first in block capital letters, followed  
by the first name and middle name or initial; or last name  
36 first in block capital letters, followed by the first name  
or the first initial and the middle name.

38 3. Certain names prohibited. A person's name may not  
40 appear on the ballot as a candidate for United States Senator or  
Representative to Congress if by the end of that person's current  
42 term of office the person will have served or, but for  
resignation, would have served in that office for 12 or more  
44 consecutive years.

46 4. Order of offices. The order of offices on the ballot is  
48 as follows: United States Senator, Governor, Representative to  
Congress, State Senator and Representative to the Legislature  
followed by the county offices.

50

5. Distinctively colored. The ballots must be printed separately for each political party on paper of a distinctive color: white for the party that cast the greatest number of votes for Governor at the last gubernatorial election, yellow for the 2nd highest, blue for the 3rd highest and green for the 4th highest. For municipalities that include more than one single member district of the House of Representatives, or parts of more than one single member district, the Secretary of State may prepare primary election ballots of one or more distinctive colors for each single member district or part of a single member district within the municipality.

This section takes effect April 1, 1998.

Sec. 3. 21-A MRSA §602, as enacted by PL 1985, c. 161, §6, is amended by adding at the end a new paragraph to read:

This section is repealed April 1, 1998.

Sec. 4. 21-A MRSA §602-A is enacted to read:

§602-A. General election ballots

The Secretary of State shall prepare the general election ballots according to the following provisions.

1. Arrangement. The ballot must contain the name, without any title, and municipality of residence of each nominee, arranged alphabetically with the last name first, under the proper office designation, except that the names of presidential electors do not appear on the ballot.

2. Content. The ballot must contain only what is listed in this section.

A. The names of all nominees for office must as far as possible be placed in one vertical column. When there are more than 25 names to be printed on the ballot, another column or columns may be added for the names of the additional nominees. When 2 or more columns are used, the same number of names, as far as possible, must be printed in each column. The names of candidates for any one office may not be split into more than one column regardless of number. The initial letters of the last names of the several candidates in each column must be printed directly beneath each other in a vertical line and the initial letter of the respective party designation of each nominee must be printed directly beneath each other in a vertical line.

2 B. The designation of the party that the nominee represents  
3 must be printed to the right of each nominee's name,  
4 properly separated from but still in line with the name of  
5 the nominee. The party designation may be abbreviated.

6 C. The following instructions must be printed in bold type  
7 at the top of the ballot: "MAKE A CROSS (X) OR A CHECK MARK  
8 (✓) IN THE SQUARE AT THE LEFT OF THE NAME OF THE NOMINEE  
9 FOR WHOM YOU WISH TO VOTE. YOU MAY VOTE FOR A PERSON WHOSE  
10 NAME DOES NOT APPEAR ON THE BALLOT BY WRITING THE PERSON'S  
11 NAME AND MUNICIPALITY OF RESIDENCE IN THE PROPER BLANK SPACE  
12 AND MARKING THE SQUARE AT THE LEFT. DO NOT ERASE NAMES."

13 D. When 2 United States Senators or 2 county commissioners  
14 are to be elected, the term of office sought by each nominee  
15 must be specified on the ballot.

16 E. At the end of the list of nominees for each office,  
17 there must be left as many blank spaces as there are  
18 vacancies to be filled. These spaces may be used by a voter  
19 to write in the name and municipality of residence of any  
20 person for whom the voter desires to vote, as provided in  
21 section 692, subsection 2.

22 F. Words of explanation such as "Vote for one" or "Vote for  
23 not more than 2" must be printed on the ballot to assist the  
24 voter in voting correctly.

25 G. A square must be printed at the left of and close to the  
26 name of each nominee or write-in space, so that a voter may  
27 designate a choice clearly by a cross or a check mark in the  
28 square.

29 H. The name of each nominee must appear on the ballot as  
30 follows: Last name first in block capital letters, followed  
31 by the first name and middle name or initial; or last name  
32 first in block capital letters, followed by the first name  
33 or first initial and the middle name.

34 3. Certain names prohibited. A person's name may not  
35 appear on the ballot as a candidate for United States Senator or  
36 Representative to Congress if by the end of that person's current  
37 term of office the person will have served or, but for  
38 resignation, would have served in that office for 12 or more  
39 consecutive years.

40 4. Printed on outside. On the front and back of the folded  
41 ballot must be printed "Official Ballot for (name of voting  
42 district).

1  
2 district)," the date of the election and a facsimile of the state seal.

4 5. Order of offices. The order of offices on the ballot is  
5 as follows: President and Vice President, United States Senator,  
6 Governor, Representative to Congress, State Senator and  
7 Representative to the Legislature followed by the county offices.

8  
9 6. Distinctively colored. Election ballots must be printed  
10 on white paper. For municipalities that include more than one  
11 single member district of the House of Representatives, or parts  
12 of more than one single member district, the Secretary of State  
13 may prepare general election ballots of one or more distinctive  
14 colors for each single member district or part of the single  
15 member district within the municipality.

16  
17 7. Size. The Secretary of State shall determine the size  
18 of the ballots.

19 8. Contents concealed. The ballots must be folded  
20 uniformly so that the interior contents are concealed.

21  
22 This section takes effect April 1, 1998.

23  
24 **Sec. 5. Statutory referendum procedure; submission at statewide**  
25 **election; form of question; effective date.** This Act must be submitted  
26 to the legal voters of the State of Maine at a statewide election  
27 to be held on the Tuesday following the first Monday of November  
28 following passage of this Act. The municipal officers of this  
29 State shall notify the inhabitants of their respective cities,  
30 towns and plantations to meet, in the manner prescribed by law  
31 for holding a statewide election, to vote on the acceptance or  
32 rejection of this Act by voting on the following question:

33  
34 "Do you favor limiting the term of service in the United  
35 States Senate to 12 consecutive years and in the United  
36 States House of Representatives to 12 consecutive years?"

37  
38 The legal voters of each city, town and plantation shall  
39 vote by ballot on this question, and shall designate their choice  
40 by a cross or check mark placed within a corresponding square  
41 below the word "Yes" or "No." The ballots must be received,  
42 sorted, counted and declared in open ward, town and plantation  
43 meetings and returns made to the Secretary of State in the same  
44 manner as votes for members of the Legislature. The Governor  
45 shall review the returns and, if it appears that a majority of  
46 the legal votes are cast in favor of the Act, the Governor shall  
47 proclaim that fact without delay, and the Act takes effect 30  
48 days after the date of the proclamation.

2           The Secretary of State shall prepare and furnish to each  
city, town and plantation all ballots, returns and copies of this  
4 Act necessary to carry out the purpose of this referendum.

6

**FISCAL NOTE**

8

10           The estimated cost of sending this question out to  
referendum will vary according to the total number of referenda  
enacted during the First Regular Session of the 116th  
12 Legislature. The estimated cost to the Secretary of State if one  
to 6 referenda are enacted is \$95,000. Each additional  
14 referendum costs an additional \$7,000.

16

**STATEMENT OF FACT**

18

20           This amendment repeals the present law governing preparation  
of general election ballots effective April 1, 1998 and replaces  
it with new provisions. In conjunction with the bill, this  
22 amendment prohibits current members of the United States Senate  
or House of Representatives from running for reelection if by the  
24 end of those candidates' current terms they will have served in  
one of those offices for at least 12 consecutive years. The  
26 amendment requires the approval of the voters for the limits to  
take effect.

28

This amendment also adds a fiscal note.

Reported by the Minority of the Committee on State and Local  
Government  
Reproduced and distributed under the direction of the Clerk of the  
House  
6/2/93

(Filing No. H-548)