

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

---

Legislative Document

No. 142

H.P. 107

House of Representatives, January 17, 1995

**An Act to Amend the Legal Requirements for Establishment of New  
Political Parties in the State.**

---

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative VOLENIK of Sedgwick.  
Cosponsored by Representatives: BUNKER of Kossuth Township, GERRY of Auburn,  
GREEN of Monmouth, JONES of Bar Harbor, KILKELLY of Wiscasset, TREAT of  
Gardiner, Senator: GOLDTHWAIT of Hancock.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 21-A MRSA §302, first ¶**, as enacted by PL 1985, c. 161,  
§6, is amended to read:

6 A party whose designation was not listed on the general  
8 election ballot in the last preceding gubernatorial,  
congressional or presidential legislative election qualifies to  
10 participate in a primary election, if it meets the requirements  
of subsections 1, 2 and 3.

12 **Sec. 2. 21-A MRSA §302, sub-§1, ¶B**, as enacted by PL 1985, c.  
14 161, §6, is repealed and the following enacted in its place:

16 B. The name of a candidate for Governor, United States  
18 Congress or the Legislature who was nominated by petition  
20 under subchapter II and who received at least 5% of the  
22 total vote cast in the State for Governor, United States  
24 Congress or the Legislature, respectively, in that  
election. To remain eligible to participate in a primary  
election, every 2 years the proposed party must have at  
least one candidate who receives at least 5% of the total  
vote cast in the State for the position sought by that  
candidate;

26 **STATEMENT OF FACT**

28 This bill changes the requirements for formation of a new  
30 political party by requiring the party's candidate to obtain at  
32 least 5% of the vote cast in the previous election. Current law  
34 requires the party's candidate for President to get at least 5%  
36 of the total vote cast in the State for President. This bill  
removes that requirement, but requires a candidate of the party  
to get at least 5% of the total vote cast in the State for either  
Governor, United States Congress or the State Legislature. The  
party must have at least one candidate who gets 5% of the vote  
38 cast for that candidate's position in the elections held every 2  
years.