

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 1857

H.P. 1293

House of Representatives, April 12, 2007

### **An Act To Allow Members of the Maine National Guard To Run for Office in a Partisan Public Election**

(AFTER DEADLINE)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Received by the Clerk of the House on April 11, 2007. Referred to the Committee on Legal and Veterans Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 218.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative TUTTLE of Sanford.  
Cosponsored by Senator MARRACHÉ of Kennebec and  
Representatives: Speaker CUMMINGS of Portland, GOULD of South Berwick, NASS of  
Acton, PATRICK of Rumford, PINKHAM of Lexington Township, TRINWARD of  
Waterville, WEDDELL of Frankfort, Senator: BRYANT of Oxford.

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

2 **Sec. 1. 5 MRSA §7056-A, sub-§4**, as enacted by PL 1997, c. 498, §6, is amended  
3 to read:

4 **4. Candidacy for elective office.** An officer or employee in the classified service or  
5 an employee from the executive branch in the unclassified service of this State, except for  
6 an officer or enlisted person in the Maine National Guard, may not be a candidate for  
7 elective office in a partisan public election other than for a local office. This subsection  
8 may not be construed as ~~to prohibit~~ prohibiting an officer or employee of the State from  
9 being a candidate in an election if none of the candidates is nominated or elected at that  
10 election as representing a party whose candidates for presidential elector received votes in  
11 the last preceding election during which presidential electors were selected. Law  
12 enforcement officers continue to be subject to departmental rules regarding procedures on  
13 candidacy.

14 **SUMMARY**

15 This bill exempts members of the Maine National Guard from the law prohibiting an  
16 unclassified employee of the executive branch from being a candidate for elective office  
17 in a partisan public election.