

MAINE STATE LEGISLATURE

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Date: 4-25-19

MAJORITY
VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 374, L.D. 517, Bill, "An Act To Facilitate Fair Ballot Representation for All Candidates"

Amend the bill by striking out all of sections 1 to 3 and inserting the following:

'Sec. 1. 21-A MRSA §336, sub-§3, as amended by PL 1995, c. 459, §24, is repealed and the following enacted in its place:

3. Name, residence, party and qualifications declared. The consent must contain:

A. A declaration of the candidate's legal name or, if the candidate wishes to have the candidate's nickname on the ballot, the candidate's first initial and middle initial, if any, of the candidate's legal name followed by the nickname that the candidate wishes to appear on the ballot and the candidate's last name;

B. If the candidate wishes to have the candidate's nickname on the ballot, a declaration that that nickname is the name by which the candidate is known to others;

C. The candidate's place of residence;

D. The candidate's party designation; and

E. A statement that the candidate meets the qualifications of the office that the candidate seeks.

The candidate shall verify the consent 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, pursuant to the challenge procedures in section 337, any part of the declaration is found to be false by the Secretary of State, the consent and the nomination petition are void.

Sec. 2. 21-A MRSA §355, sub-§3, as amended by PL 1999, c. 645, §2, is repealed and the following enacted in its place:

3. Name, residence, party and qualifications declared. The consent must contain:

COMMITTEE AMENDMENT

R. of S.

- 1 A. A declaration of the candidate's legal name or, if the candidate wishes to have the
- 2 candidate's nickname on the ballot, the candidate's first initial and middle initial, if
- 3 any, of the candidate's legal name followed by the nickname that the candidate
- 4 wishes to appear on the ballot and the candidate's last name;
- 5 B. If the candidate wishes to have the candidate's nickname on the ballot, a
- 6 declaration that that nickname is the name by which the candidate is known to others;
- 7 C. The candidate's place of residence;
- 8 D. A statement that the candidate has not been enrolled in a party qualified to
- 9 participate in a primary or general election after March 1st of that election year; and
- 10 E. A statement that the candidate meets the qualifications of the office the candidate
- 11 seeks.

12 The candidate shall verify the consent by oath or affirmation before a notary public or
 13 other person authorized by law to administer oaths or affirmations that the declaration is
 14 true, except that candidates for the office of county commissioner need not verify by oath
 15 or affirmation that they are not enrolled in a party. If, pursuant to the challenge
 16 procedures in section 356, any part of the declaration is found to be false by the Secretary
 17 of State, the consent and the nomination petition are void.

18 **Sec. 3. 21-A MRSA §363, sub-§3**, as amended by PL 2015, c. 447, §9, is
 19 repealed and the following enacted in its place:

20 **3. Acceptance filed.** A person chosen as a candidate under this section shall file a
 21 written acceptance with the Secretary of State containing:

- 22 A. A declaration of the candidate's legal name or, if the candidate wishes to have the
- 23 candidate's nickname on the ballot, the candidate's first initial and middle initial, if
- 24 any, of the candidate's legal name followed by the nickname that the candidate
- 25 wishes to appear on the ballot and the candidate's last name;
- 26 B. If the candidate wishes to have the candidate's nickname on the ballot, a
- 27 declaration that that nickname is the name by which the candidate is known to others;
- 28 C. The candidate's place of residence;
- 29 D. The candidate's party enrollment; and
- 30 E. A statement that the candidate meets the qualifications of the office sought.

31 The Secretary of State shall provide a form for the candidate's acceptance that includes a
 32 list of the statutory and constitutional requirements of the office sought by the person.
 33 The form must include a place for the registrar of the candidate's municipality of
 34 residence to certify the candidate's registration and enrollment status.'

35 Amend the bill by striking out all of section 6 and inserting the following:

36 **'Sec. 6. 21-A MRSA §601, sub-§2, ¶H**, as amended by PL 2007, c. 455, §18, is
 37 repealed and the following enacted in its place:

- 38 H. The name of each candidate must appear on the ballot as follows:



129th MAINE LEGISLATURE

LD 517

LR 853(02)

An Act To Facilitate Fair Ballot Representation for All Candidates

Fiscal Note for Bill as Amended by Committee Amendment *ACH-164*

Committee: Veterans and Legal Affairs

Fiscal Note Required: Yes

Fiscal Note

Current biennium cost increase - General Fund

Referendum Costs

| Month/Year | Election Type | Question | Length |
|------------|---------------|----------|---------|
| Nov-21 | General | Election | Unknown |

If candidates choose to include nicknames on the ballot, a second ballot may be required to be printed. If that situation occurs, the Department of Secretary of State would require a General Fund appropriation of \$172,000 for additional ballot printing and postage costs.