

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

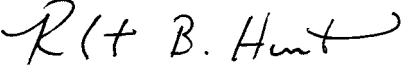
No. 1846

H.P. 1178

House of Representatives, April 27, 2023

**An Act to Amend a Circulator's Oath for Petitions and Nomination
Papers by Including the Number of Signatures Collected**

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


ROBERT B. HUNT
Clerk

Presented by Representative BOYER of Poland.
Cosponsored by Senator BRAKEY of Androscoggin.

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

2 **Sec. 1. 21-A MRSA §335, sub-§7, ¶A,** as amended by PL 2009, c. 253, §17, is
3 further amended to read:

4 A. The circulator of a primary petition shall verify by oath or affirmation before a
5 notary public or other person authorized by law to administer oaths or affirmations the
6 total number of signatures on the petition and that the circulator personally witnessed
7 all of the signatures to the petition and that to the best of the circulator's knowledge and
8 belief each signature is the signature of the person whose name it purports to be; each
9 signature authorized under section 153-A was made by the authorized signer in the
10 presence and at the direction of the voter; and each person is enrolled in the party named
11 in the petition and is a resident of the electoral division named in the petition.

12 **Sec. 2. 21-A MRSA §354, sub-§7, ¶A,** as amended by PL 2009, c. 253, §20, is
13 further amended to read:

14 A. The circulator of a nomination petition shall verify by oath or affirmation before a
15 notary public or other person authorized by law to administer oaths or affirmations the
16 total number of signatures on the petition and that the circulator personally witnessed
17 all of the signatures to the petition and that to the best of the circulator's knowledge and
18 belief each signature is the signature of the person whose name it purports to be; each
19 signature authorized under section 153-A was made by the authorized signer in the
20 presence and at the direction of the voter; and each person is a resident of the electoral
21 division named in the petition.

22 **Sec. 3. 21-A MRSA §902, 2nd ¶,** as amended by PL 2017, c. 277, §4, is further
23 amended to read:

24 The petitions must be signed in the same manner as are nonparty nomination petitions
25 under section 354, subsections 3 and 4. The circulator of a petition must sign the petition
26 and verify by oath or affirmation before a notary public or other person authorized by law
27 to administer oaths or affirmations the total number of signatures on the petition and that
28 the circulator personally witnessed all of the signatures to the petition and that to the best
29 of the circulator's knowledge and belief each signature is the signature of the person whose
30 name it purports to be and that each signature authorized under section 153-A was made
31 by the authorized signer in the presence and at the direction of the voter. After
32 administering the oath to the circulator, the notary public or other authorized person must
33 sign the notarial certificate on the petition while in the presence of the circulator. After the
34 petition is signed and verified in this manner, the petition must be submitted to the registrar
35 for certification in accordance with the Constitution of Maine, Article IV, Part Third,
36 Section 20. If the petitions submitted to the registrar are not signed and verified in
37 accordance with this paragraph, the registrar may not certify the petitions and is required
38 only to return the petitions. The clerk or registrar shall keep a log of petitions submitted to
39 the municipal office for verification. The log must contain the title of the petition, the name
40 of the person submitting the petition, the date of submission, the number of petition forms
41 submitted and the date and manner by which the petitions were returned. The notary public
42 or other authorized person who administered the oath to the circulator must keep a log of
43 petitions for which that person administered the circulator's oath, listing the title of the
44 petition, the name of the circulator taking the oath, the date of the oath and the number of
45 petition forms signed and verified by the circulator that day.

SUMMARY

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This bill amends the laws governing a circulator's oath for a primary petition, nomination petition, people's veto referendum petition or direct initiative of legislation petition to include the total number of signatures on the petition.