



128th MAINE LEGISLATURE

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Legislative Document

No. 568

H.P. 408

House of Representatives, February 16, 2017

**An Act To Require Candidates To Be Listed as Unenrolled If Not
Registered with a Recognized Party**

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative TURNER of Burlington.
Cosponsored by Senator MASON of Androscoggin and
Representatives: ESPLING of New Gloucester, FREDETTE of Newport, HUBBELL of Bar
Harbor, POULIOT of Augusta, SEAVEY of Kennebunkport, STANLEY of Medway, WARD
of Dedham, Senator: HILL of York.

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

2 **Sec. 1. 21-A MRSA §307, sub-§4**, as amended by PL 2003, c. 447, §9, is further
3 amended to read:

4 **4. Use independent designation.** Consist of the word "independent" without
5 another descriptive word or words. ~~The designation "independent," without another~~
6 ~~descriptive word or words, is reserved for use by candidates that are not enrolled in any~~
7 ~~qualified or proposed party; and~~

8 **Sec. 2. 21-A MRSA §354, sub-§1**, as amended by PL 2007, c. 455, §14, is
9 further amended to read:

10 **1. Content.** A nomination petition must contain the name of only one candidate, the
11 candidate's place of residence, the office sought and electoral division. A nomination
12 petition may contain as many separate papers as necessary and may contain the
13 candidate's consent required by section 355. ~~It may also contain the candidate's political~~
14 ~~designation. This designation may not exceed 3 words in length, may not incorporate the~~
15 ~~candidate's name or the designation or an abbreviation of the designation of a party that is~~
16 ~~qualified to nominate candidates by primary election and may not consist of or comprise~~
17 ~~language that is obscene, contemptuous, profane or prejudicial, promotes abusive or~~
18 ~~unlawful activity or violates any other provision of the laws of this State with respect to~~
19 ~~names. The nomination petition must list the political designation of the candidate as~~
20 "unenrolled." A candidate who intends to form a new party about that person's candidacy
21 ~~must use the proposed party's designation~~ follow the procedure in subchapter 1, article 1.

22 A. When 2 United States Senators or 2 county commissioners are to be nominated,
23 the nomination petition must contain the term of office sought by the candidate.

24 B. The names of presidential electors must be placed on the petition as a slate. The
25 names of the candidates for President and Vice President must be placed on a petition
26 for the nomination of presidential electors.

27 **SUMMARY**

28 This bill requires that the political designation for an unenrolled candidate who is
29 nominated by petition be "unenrolled" and disallows the term "independent" for an
30 unenrolled candidate. This bill also prohibits a candidate who intends to form a new party
31 to be placed on the ballot by petition, but requires the candidate to follow the procedures
32 in the election laws for forming new parties.