



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 95

H.P. 81

House of Representatives, January 15, 2019

An Act To Clarify Residency Requirements for Legislative Candidates

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 HIGGINS of Dover-Foxcroft.
Cosponsored by Senator DAVIS of Piscataquis and
Representatives: EVANGELOS of Friendship, FOSTER of Dexter, STEARNS of Guilford.

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

2 **Sec. 1. 21-A MRSA §333-A** is enacted to read:

3 **§333-A. Qualification for state legislative office**

4 **1. Primary residence in district when nominated.** A person may not be a
5 candidate for nomination at a primary election as a State Senator or State Representative
6 unless, at the time of the person's nomination for placement on the primary election
7 ballot, the primary residence of that person is located in the district the person seeks to
8 represent.

9 **2. Primary residence in district prior to election.** A person may not be a
10 candidate for election as a State Senator or State Representative unless, for the 3 months
11 immediately preceding the date of the general election or special election, the primary
12 residence of that person is located in the district the person seeks to represent.

13 **3. Primary residence during term of office.** A person elected as a State Senator or
14 State Representative must maintain a primary residence in the district the person
15 represents throughout the person's term of office.

16 **Sec. 2. 21-A MRSA §338**, as enacted by PL 1985, c. 161, §6, is amended to read:

17 **§338. Write-in candidates**

18 A person whose name will not appear on the printed primary ballot because ~~he~~ the
19 person did not file a petition and consent under sections 335 and 336, but who fulfills the
20 other qualifications under section 334, may be nominated at the primary election as a
21 write-in candidate in accordance with section 723, subsection 1. A person may not be
22 nominated at the primary election as a write-in candidate for State Senator or State
23 Representative unless the primary residence of that person is located in the district the
24 person seeks to represent.

25 **Sec. 3. 21-A MRSA §352-A** is enacted to read:

26 **§352-A. Qualification for state legislative office**

27 **1. Primary residence in district when nominated.** A person may not be a
28 candidate for election as a State Senator or State Representative unless, at the time of the
29 person's nomination for placement on the general or special election ballot, the primary
30 residence of that person is located in the district the person seeks to represent.

31 **2. Primary residence in district prior to election.** A person may not be a
32 candidate for election as a State Senator or State Representative unless, for the 3 months
33 immediately preceding the date of the general election or special election, the primary
34 residence of that person is located in the district the person seeks to represent.

35 **3. Primary residence during term of office.** A person elected as a State Senator or
36 State Representative must maintain a primary residence in the district the person
37 represents throughout the person's term of office.

