

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

S.P. 393 - L.D. 922

**An Act to Clarify Required Disclosure of Personally Identifying Information
for Certain Nominating Petitions**

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

Sec. 1. 21-A MRSA §335, sub-§1, as corrected by RR 2019, c. 2, Pt. B, §41, is amended to read:

1. Content. A primary petition must contain the name of only one candidate and that candidate's ~~place~~ municipality of residence, party, office sought and electoral division. A primary petition may contain as many separate papers as necessary and may contain the candidate's consent required by section 336.

A. When 2 United States Senators are to be nominated, the primary petition must contain the term of office sought by the candidate.

Sec. 2. 21-A MRSA §336, sub-§3, as amended by PL 1995, c. 459, §24, is further amended to read:

3. Residence and party declared. The consent must contain a declaration of the candidate's place of residence and party designation and a statement that the candidate meets the qualifications of the office the candidate seeks, which the candidate must verify 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 primary petition are void. Upon written request by the candidate to the Secretary of State, the Secretary of State may treat the candidate's street name and number as confidential as long as the street name and number are not material to the candidate's qualifications to serve.

Sec. 3. 21-A MRSA §354, sub-§1, as amended by PL 2019, c. 371, §11, is further amended to read:

1. Content. A nomination petition must contain the name of only one candidate, the candidate's ~~place~~ municipality of residence, the office sought and electoral division. A nomination petition may contain as many separate papers as necessary and may contain the candidate's consent required by section 355. It may also contain the candidate's political

designation. This designation may not exceed 3 words in length, may not incorporate the candidate's name or the designation or an abbreviation of the designation of a party that is qualified to nominate candidates by primary election and may not consist of or comprise language that is obscene, contemptuous, profane or prejudicial, promotes abusive or unlawful activity or violates any other provision of the laws of this State with respect to names. A candidate who intends to form a new party about that person's candidacy must use the proposed party's designation.

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

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

Sec. 4. 21-A MRSA §355, sub-§3, as amended by PL 2019, c. 371, §12, is further amended to read:

3. Qualifications declared. The consent must contain a declaration of the candidate's place of residence and the fact that the candidate has not been enrolled in a party qualified to participate in a primary or general election after March 1st of that election year and that the candidate meets the qualifications of the office the candidate seeks. The candidate must verify 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 356, any part of the declaration is found to be false by the Secretary of State, the consent and the nomination petition are void. The candidate must remain unenrolled from March 1st until the general election in order to remain qualified as an unenrolled candidate for the office sought in the nomination petition in that election year. Upon written request by the candidate to the Secretary of State, the Secretary of State may treat the candidate's street name and number as confidential as long as the street name and number are not material to the candidate's qualifications to serve.

A. Candidates for the office of county charter commission need not verify by oath or affirmation that they are not enrolled in a party.