



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 196

H.P. 173

House of Representatives, January 27, 2011

An Act Regarding Unenrolled Candidates under the Maine Clean Election Act

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative COTTA of China.
Cosponsored by Senator THIBODEAU of Waldo and
Representatives: BRIGGS of Mexico, CHASE of Wells, GRAHAM of North Yarmouth,
HAMPER of Oxford, HARMON of Palermo, OLSEN of Phippsburg, SANDERSON of
Chelsea, SARTY of Denmark.

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

2 **Sec. 1. 21-A MRSA §1125, sub-§5, ¶D-4**, as enacted by PL 2007, c. 443, Pt. B,
3 §6, is amended to read:

4 D-4. Not failed to pay any civil penalty assessed by the commission under this Title,
5 except that a candidate has 3 business days from the date of the request for
6 certification to pay the outstanding penalty and remain eligible for certification; ~~and~~

7 **Sec. 2. 21-A MRSA §1125, sub-§5, ¶D-5** is enacted to read:

8 D-5. As an unenrolled candidate, received the most votes on the ballot presented to
9 voters at the primary election that asked voters to determine which unenrolled
10 candidate for each office in that electoral district should receive funds distributed
11 under this Act; and

12 **Sec. 3. Secretary of State to establish financing primary for public**
13 **financing.** The Secretary of State shall establish a method for voters in a primary
14 election to choose among unenrolled candidates for the Legislature and for the office of
15 Governor who are seeking qualification as participating candidates in the Maine Clean
16 Election Act in order to determine which unenrolled candidate should receive public
17 financing. The Secretary of State shall submit emergency legislation to the Joint
18 Standing Committee on Veterans and Legal Affairs by December 1, 2011.

19 **Sec. 4. Contingent effective date.** Those sections of this Act that amend the
20 Maine Revised Statutes, Title 21-A, section 1125, subsection 5, paragraph D-4 and enact
21 Title 21-A, section 1125, subsection 5, paragraph D-5 take effect only if legislation is
22 enacted to provide a method for voters in a primary election to choose which unenrolled
23 candidate receives Maine Clean Election Act financing.

24 **SUMMARY**

25 This bill directs the Secretary of State to develop a system that allows voters to
26 choose among unenrolled candidates for the Legislature and for the office of Governor to
27 determine which unenrolled candidate should receive public financing under the Maine
28 Clean Election Act.