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An Act Regarding Unenrolled Candidates under the Maine Clean Election Act

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

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

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

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

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

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

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

SUMMARY

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