

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 674

S.P. 238

In Senate, February 14, 2003

**An Act To Require Winners of State and Congressional Elections to
Receive a Simple Majority of the Total Vote**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator DAMON of Hancock.

Cosponsored by Representative CLARK of Millinocket and

Senators: GAGNON of Kennebec, LEMONT of York, Representative: PATRICK of Rumford.

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

4 **Sec. 1. 21-A MRSA §1, sub-§40-A** is enacted to read:

6 **40-A. Run-off election.** "Run-off election" means a special
8 election for an office conducted when no candidate for that
10 office received more than 50% of the votes cast for that office
in the general election. In a run-off election, the voters
choose between the 2 candidates that received the most votes in
the original election.

12 **Sec. 2. 21-A MRSA §723, sub-§2,** as amended by PL 2001, c. 516,
14 §15, is repealed and the following enacted in its place:

16 **2. Other elections.** In an election other than a primary
18 election, the person who receives more than 50% of the votes cast
20 for election to any office is elected to that office, except that
22 write-in candidates must also comply with section 722-A. If the
24 Secretary of State determines that no one received more than 50%
of the votes cast for election to an office, a run-off election
between the 2 candidates receiving the most votes cast in that
election must be conducted within 30 days of the original
election. The procedure for a run-off election must be in
accordance with this chapter.

26
28 **SUMMARY**

30 This bill requires that if no one receives more than 50% of
32 the votes in a race in a general election, a run-off election
between the 2 candidates receiving the most votes in the original
election must be conducted.