

# MAINE STATE LEGISLATURE

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302  
ROB'S

L.D. 78

Date: 5/10/17 Minority

(Filing No. H-155)

VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 65, L.D. 78, Bill, "An Act To Permit Unenrolled Voters To Cast Ballots in Primary Elections"

Amend the bill by striking out all of section 1 and inserting the following:

'Sec. 1. 21-A MRSA §111, sub-§5, as amended by PL 2005, c. 387, §1, is further amended to read:

5. Enrollment. The person must be enrolled in a party in that municipality to vote at that party's caucus, or convention or ~~primary election, unless otherwise permitted by the party pursuant to section 340.~~

Amend the bill in section 3 in §341 in the first paragraph in the 3rd and 4th lines (page 1, lines 9 and 10 in L.D.) by striking out the following: "Municipal clerks" and inserting the following: 'The Secretary of State'

Amend the bill in section 5 in subsection 3 in the 4th and 5th lines (page 1, lines 17 and 18 in L.D.) by striking out the following: "Municipal clerks" and inserting the following: 'The Secretary of State'

Amend the bill by adding after section 5 the following:

'Sec. 6. Appropriations and allocations. The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF  
Bureau of Administrative Services and Corporations 0692

Initiative: Provides funding for ballot and programming costs stemming from allowing unenrolled voters to vote in primary elections.

GENERAL FUND	2017-18	2018-19
All Other	\$140,600	\$0
	_____	_____

COMMITTEE AMENDMENT

LOPS

COMMITTEE AMENDMENT "A" to H.P. 65, L.D. 78

1 GENERAL FUND TOTAL \$140,600 \$0  
2

3 SUMMARY

4 This amendment, which is the minority report of the committee, provides that the  
5 Secretary of State, rather than municipal clerks, is required to establish procedures for  
6 voters who are not enrolled in a party to vote in a primary election. The bill removes the  
7 requirement that a voter must be enrolled in a party to participate in a caucus or  
8 convention. This amendment provides that a voter must be enrolled in order to take part  
9 in a party's caucus or convention. The amendment also adds an appropriations and  
10 allocations section.

11 FISCAL NOTE REQUIRED

12 (See attached)

**COMMITTEE AMENDMENT**



# 128th MAINE LEGISLATURE

LD 78

LR 393(02)

## An Act To Permit Unenrolled Voters To Cast Ballots in Primary Elections

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-155)  
 Committee: Veterans and Legal Affairs  
 Fiscal Note Required: Yes

### Fiscal Note

Potential State Mandate - Unfunded

	FY 2017-18	FY 2018-19	Projections FY 2019-20	Projections FY 2020-21
<b>Net Cost (Savings)</b>				
General Fund	\$140,600	\$0	\$45,200	\$0
<b>Appropriations/Allocations</b>				
General Fund	\$140,600	\$0	\$45,200	\$0

#### State Mandates

Required Activity	Unit Affected	Local Cost
Increases the number of voters voting in primary elections by allowing unenrolled voters to vote in one party's primary elections.	Municipality	Insignificant statewide

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either: (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate; or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.

#### Fiscal Detail and Notes

The bill includes a General Fund appropriation of \$140,600 in fiscal year 2017-18 to the Department of Secretary of State for ballot costs and programming as a result of allowing unenrolled voters to vote in a primary election.