An Act To Protect Minor Political Parties That Seek Official Party Status

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

Presented by Representative FECTEAU of Augusta.
Be it enacted by the People of the State of Maine as follows:

Sec. 1. 21-A MRSA §303, sub-§2, as amended by PL 2017, c. 254, §2, is further amended to read:

2. Enrollment of voters. Within 5 business days after the declaration of intent required in subsection 1 is filed, the Secretary of State shall certify whether the application meets the requirements of subsection 1 and, if so, notify the applicants that they may enroll voters in the proposed party under sections 141 to 145. On or before January 2nd of the next even-numbered year following the filing of the application under subsection 1, the applicants must file a certification with the Secretary of State, on a form designed by the Secretary of State, that they have at least 5,000 voters enrolled in the proposed party. The Secretary of State shall verify the proposed party's enrollment figures within 15 business days of receiving the proposed party's certification and notify the applicants whether the proposed party has met the requirements to participate in a primary election in the subsequent even-numbered year. A determination by the Secretary of State that the party has not met these requirements may be challenged pursuant to section 303-A. After the Secretary of State determines that the party has met these requirements, if the Secretary of State later determines that fewer than 2,500 voters are enrolled in the party, the Secretary of State shall provide the party at least 90 days' notice before the enrollment status of voters enrolled in the party is changed.

Sec. 2. 21-A MRSA §303-A, sub-§3, as enacted by PL 2017, c. 254, §3, is amended to read:

3. Public hearing. Within 15 business days after receipt of a properly filed challenge under subsection 1, and after providing due notice of the hearing to the challenger, the Secretary of State shall hold a public hearing on the challenge. The hearing must be held in accordance with the Maine Administrative Procedure Act. The challenger has the burden of providing sufficient evidence to establish that the party did enroll a minimum of 5,000 voters by the applicable deadline pursuant to section 303.

SUMMARY

This bill reduces the number of voters that must be enrolled in a proposed political party in order for that political party to participate in a primary election from 5,000 to 2,500. It also requires the Secretary of State to provide at least 90 days' notice to a political party the Secretary of State determines fewer than 2,500 voters have enrolled in before the enrollment status of voters enrolled in the party is changed.