An Act To Implement a Presidential Primary System in Maine

Submitted by the Secretary of State pursuant to Joint Rule 204.
Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

Presented by Senator LUCHINI of Hancock.
Cosponsored by Representative HICKMAN of Winthrop and
Senators: President JACKSON of Aroostook, KEIM of Oxford, MIRAMANT of Knox,
Representatives: ALLEY of Beals, DUNPHY of Old Town, EVANGELOS of Friendship,
HEPLER of Woolwich, KINNEY of Knox.
Be it enacted by the People of the State of Maine as follows:

Sec. 1. 21-A MRSA §335, sub-§5, ¶B-3 is enacted to read:

B-3. For a candidate for the office of President of the United States, at least 2,000 and not more than 3,000 voters.

Sec. 2. 21-A MRSA §335, sub-§6, as amended by PL 2015, c. 474, §2, is further amended to read:

6. When signed. Except as provided in subchapter 7, a petition may not be signed before January 1st of the election year in which it is to be used.

Sec. 3. 21-A MRSA §335, sub-§8, as amended by PL 2015, c. 474, §3, is further amended to read:

8. When filed. Except as provided in subchapter 7, a primary petition must be filed in the office of the Secretary of State before 5 p.m. on March 15th of the election year in which it is to be used.

Sec. 4. 21-A MRSA c. 5, sub-c. 8 is enacted to read:

SUBCHAPTER 8

PRESIDENTIAL PRIMARY ELECTIONS

§441. Determination and date of primary; voter eligibility

1. Determination of primary. No later than November 1st of the year prior to a presidential election year, the state committee of each party shall certify whether there is a contest among candidates for nomination as the presidential candidate. Upon receiving the certification from one or more parties, the Secretary of State shall announce the parties that will have a presidential primary election, which must be held on the first Tuesday after the first Monday in March of the presidential election year.

2. Eligible voter. Notwithstanding section 340, subsection 1, only a voter who is enrolled in a party may vote in the party's presidential primary election.

§442. Petitions

On or before November 1st of the year prior to a presidential election year, the Secretary of State shall prepare and make available petitions for circulation by a person desiring to be a candidate in the state presidential primary election of any party. This petition must be completed and filed no later than 5:00 p.m. on December 21st of the year prior to a presidential election year in the manner provided in sections 335 and 336.
§443. Ballot preparation

The Secretary of State shall prepare ballots for a presidential primary election. A ballot must include the name of a person who files a petition with the Secretary of State in accordance with section 432. The Secretary of State shall determine if a petition meets the requirements of sections 335, 336 and 432, subject to challenge and appeal under section 337.

SUMMARY

This bill implements a presidential primary election to be held on the first Tuesday after the first Monday in March of the presidential election year, and provides a process for the parties to participate if they certify to the Secretary of State by November 1st of the year prior to the presidential election year that they have a contest among candidates for nomination.