



130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 231

S.P. 99

In Senate, January 27, 2021

An Act To Establish Open Primaries

Received by the Secretary of the Senate on January 25, 2021. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator MAXMIN of Lincoln.
Cosponsored by Representative PLUECKER of Warren and
Senator: POULIOT of Kennebec, Representatives: EVANGELOS of Friendship, GROHOSKI
of Ellsworth, HEPLER of Woolwich, McCREA of Fort Fairfield, RISEMAN of Harrison,
WARREN of Scarborough.

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

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

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

7 **Sec. 2. 21-A MRSA §340**, as enacted by PL 1987, c. 423, §3, is repealed.

8 **Sec. 3. 21-A MRSA §341** is enacted to read:

9 **§341. Unenrolled voter participation in primary elections allowed**

10 A registered voter not enrolled in a political party may participate, subject to the
11 restrictions of section 144, in a party's primary election without enrolling in that political
12 party. An unenrolled voter may vote in only one party's primary election. The Secretary
13 of State shall establish procedures to ensure that each voter voting in a party's primary
14 election is offered a ballot for that primary election.

15 **Sec. 4. 21-A MRSA §441, sub-§2**, as enacted by PL 2019, c. 445, §4, is repealed.

16 **Sec. 5. 21-A MRSA §441, sub-§3** is enacted to read:

17 **3. Unenrolled voter participation in presidential primary elections allowed.** A
18 registered voter not enrolled in a political party may participate, subject to the restrictions
19 of section 144, in a party's presidential primary election without enrolling in that political
20 party. An unenrolled voter may vote in only one party's presidential primary election. The
21 Secretary of State shall establish procedures to ensure that each voter voting in a party's
22 presidential primary election is offered a ballot for that primary election.

23 **SUMMARY**

24 This bill allows an unenrolled voter to vote in a primary election, including a
25 presidential primary election, without having to enroll in a political party. An unenrolled
26 voter may vote in only one party's primary election.