An Act To Reestablish a Presidential Primary System in Maine

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

Presented by Senator LUCHINI of Hancock.
Cosponsored by Representative MOONEN of Portland.
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 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 Secretary of State shall set the date of the presidential primary election, which must be held on a Tuesday in March of the year in which a presidential election is held. Whenever the state committee of a party certifies that there is a contest among candidates for nomination as the presidential candidate, the Secretary of State shall consult with the state committee of each party to determine the date of the presidential primary.

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 contestant in the Maine 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 with the Secretary of State a petition in accordance with section 442. The Secretary of State shall determine if a petition meets the requirements of sections 335, 336 and 442, subject to challenge and appeal under section 337.

SUMMARY

This bill makes permanent the temporary provisions in law for presidential primaries that were repealed on December 1, 2018.