



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 245

S.P. 57

In Senate, January 22, 2019

An Act To Reestablish a Presidential Primary System in Maine

Reference to the Committee on Veterans and Legal Affairs suggested 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 LUCHINI of Hancock.
Cosponsored by Representative MOONEN of Portland.

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

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

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

5 **Sec. 2. 21-A MRSA c. 5, sub-c. 8** is enacted to read:

6 **SUBCHAPTER 8**

7 **PRESIDENTIAL PRIMARY ELECTIONS**

8 **§441. Determination and date of primary; voter eligibility**

9 **1. Determination of primary.** No later than November 1st of the year prior to a
10 presidential election year, the Secretary of State shall set the date of the presidential
11 primary election, which must be held on a Tuesday in March of the year in which a
12 presidential election is held. Whenever the state committee of a party certifies that there
13 is a contest among candidates for nomination as the presidential candidate, the Secretary
14 of State shall consult with the state committee of each party to determine the date of the
15 presidential primary.

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

18 **§442. Petitions**

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

24 **§443. Ballot preparation**

25 The Secretary of State shall prepare ballots for a presidential primary election. A
26 ballot must include the name of a person who files with the Secretary of State a petition
27 in accordance with section 442. The Secretary of State shall determine if a petition meets
28 the requirements of sections 335, 336 and 442, subject to challenge and appeal under
29 section 337.

30 **SUMMARY**

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