



130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 1061

H.P. 790

House of Representatives, March 11, 2021

**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.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative FECTEAU of Augusta.
Cosponsored by Representatives: ANDREWS of Paris, EVANGELOS of Friendship,
PLUECKER of Warren.

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

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

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

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

22 **3. Public hearing.** Within 15 business days after receipt of a properly filed challenge
23 under subsection 1, and after providing due notice of the hearing to the challenger, the
24 Secretary of State shall hold a public hearing on the challenge. The hearing must be held
25 in accordance with the Maine Administrative Procedure Act. The challenger has the burden
26 of providing sufficient evidence to establish that the party did enroll a minimum of ~~5,000~~
27 2,500 voters by the applicable deadline pursuant to section 303.

28 **SUMMARY**

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