

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 986

H.P. 722

House of Representatives, February 11, 1997

### **An Act to Allow Independent Voters to Vote in Primary Elections.**

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

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative LEMKE of Westbrook.  
Cosponsored by Representative LOVETT of Scarborough.

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

Sec. 1. 21-A MRSA §111, sub-§5, as amended by PL 1987, c. 423, §2, is repealed.

Sec. 2. 21-A MRSA §144, sub-§§2 and 3, as amended by PL 1995, c. 459, §16, are further amended to read:

2. **Party designation removed from voting list.** On receipt of the application, the registrar shall remove the party designation beside the name of the applicant on the voting list. The registrar shall make a notation on the voting list that the applicant is ineligible to vote at a caucus or primary election for 15 days. Fifteen days after receiving the application, the registrar shall enroll the applicant in the party requested.

This subsection does not apply in the case of a voter who changes enrollment under subsection 4 or who chooses a political party at a primary election as provided in section 146.

3. **Restrictions during change of enrollment.** Except as provided in subsection 4 and section 146, a voter may not vote at a caucus, convention or primary election for 15 days after filing an application to change enrollment. A voter must file an application to change enrollment prior to January 1st to be eligible to file a petition as a candidate in that election year.

Sec. 3. 21-A MRSA §146 is enacted to read:

**§146. Unenrolled voters; permitted at primary election**

A voter who is not enrolled in a party may vote by indicating to the election clerk that voter's choice of political party for that primary election. The election clerk shall record the voter's selection on the voting list and give the voter the ballot of the political party that the voter requests. If the voter was unenrolled prior to the selection of a party ballot, the voter continues to be unenrolled and is recorded as unenrolled in the current annual register of voters.

**STATEMENT OF FACT**

This bill allows an unenrolled voter to vote in a primary by allowing the voter to choose in which party's primary the voter would like to participate. The election clerk will provide the voter with the ballot for that party and indicate on the voting list in which party the voter participated.