

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 61

H. P. 49

Office of the Clerk of the House

Filed January 2, 1975 under Joint Rule 6 by Mr. Quinn of Gorham. To be printed and delivered to the House of Representatives of the 107th Legislature.

EDWIN H. PERT, Clerk

Presented by Mr. Quinn of Gorham.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Establishing Open Primaries.

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

Sec. 1. 21 MRSA, § 1, sub-§ 26, is repealed and the following enacted in place thereof:

26. Primary election. "Primary election" means the regular election by voters for the election of nominees of a particular party for the general election.

Sec. 2. 21 MRSA, § 134, sub-§ 2, first sentence, as last amended by PL 1971, c. 3, § 1, is further amended to read:

On receipt of the application, the registrar shall remove the party designation beside the name of the applicant on the voting list and shall make a notation on the voting list that the applicant is ineligible to vote at a caucus ~~or primary election~~ for a period of 3 months.

Sec. 3. 21 MRSA, § 134, sub-§ 3, as amended by PL 1971, c. 3, § 2, is further amended to read:

3. Restrictions during change of enrollment. A voter may not vote at a caucus ~~or primary election~~ within 3 months after filing an application to change his enrollment, except as provided in subsection 4.

Sec. 4. 21 MRSA, § 134, sub-§ 4, is amended to read:

4. Change of residence. When a voter changes his residence from one municipality to another and establishes a new voting residence there, he may

enroll in any party and vote at a caucus or convention ~~or primary election~~, regardless of his previous enrollment.

Sec. 5. 21 MRSA, § 241, sub-§ 5, as enacted by PL 1973, c. 414, § 7, is amended to read:

5. Enrollment. In order to vote at a caucus or convention ~~or primary election~~, he must be enrolled in a party in the municipality.

Sec. 6. 21 MRSA, § 241-A, is enacted to read:

§ 241-A. Open primaries

Any registered voter may vote at the primary election for the nominees of any one party, regardless of his party enrollment.

Sec. 7. 21 MRSA, § 672, 2nd ¶ from end, is amended to read:

A person who is not registered as a voter may not vote in any election. ~~A voter who is not enrolled in a political party may not vote in a primary election~~ Any registered voter may vote in the primary election for the nominees of any one party.

STATEMENT OF FACT

This Act will permit any registered voter to vote in the primary election for the nominees of any one party without the necessity of being enrolled in that party.