



# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 231

S.P. 99

In Senate, January 27, 2021

### An Act To Establish Open Primaries

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Received by the Secretary of the Senate on January 25, 2021. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 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 MAXMIN of Lincoln.  
Cosponsored by Representative PLUECKER of Warren and  
Senator: POULIOT of Kennebec, Representatives: EVANGELOS of Friendship, GROHOSKI  
of Ellsworth, HEPLER of Woolwich, McCREA of Fort Fairfield, RISEMAN of Harrison,  
WARREN of Scarborough.

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

2 **Sec. 1. 21-A MRSA §111, sub-§5**, as amended by PL 2005, c. 387, §1, is further  
3 amended to read:

4 **5. Enrollment.** The person must be enrolled in a party in that municipality to vote at  
5 that party's caucus, or convention or primary election, unless otherwise permitted by the  
6 party pursuant to section 340.

7 **Sec. 2. 21-A MRSA §340**, as enacted by PL 1987, c. 423, §3, is repealed.

8 **Sec. 3. 21-A MRSA §341** is enacted to read:

9 **§341. Unenrolled voter participation in primary elections allowed**

10 A registered voter not enrolled in a political party may participate, subject to the  
11 restrictions of section 144, in a party's primary election without enrolling in that political  
12 party. An unenrolled voter may vote in only one party's primary election. The Secretary  
13 of State shall establish procedures to ensure that each voter voting in a party's primary  
14 election is offered a ballot for that primary election.

15 **Sec. 4. 21-A MRSA §441, sub-§2**, as enacted by PL 2019, c. 445, §4, is repealed.

16 **Sec. 5. 21-A MRSA §441, sub-§3** is enacted to read:

17 **3. Unenrolled voter participation in presidential primary elections allowed.** A  
18 registered voter not enrolled in a political party may participate, subject to the restrictions  
19 of section 144, in a party's presidential primary election without enrolling in that political  
20 party. An unenrolled voter may vote in only one party's presidential primary election. The  
21 Secretary of State shall establish procedures to ensure that each voter voting in a party's  
22 presidential primary election is offered a ballot for that primary election.

23 **SUMMARY**

24 This bill allows an unenrolled voter to vote in a primary election, including a  
25 presidential primary election, without having to enroll in a political party. An unenrolled  
26 voter may vote in only one party's primary election.