



Shenna Bellows
Secretary of State

Department of the Secretary of State
Bureau of Corporations, Elections and Commissions

Julie L. Flynn
Deputy Secretary of State

JOINT STANDING COMMITTEE ON VETERANS AND LEGAL AFFAIRS

Testimony of Shenna Bellows, Secretary of State
Department of the Secretary of State

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Testifying Neither for Nor Against

L.D. 769, "An Act to Reduce the Enrollment Requirement for Minor Political Parties That Seek Official Party Status "

Senator Hickman, Representative Supica and Members of the Joint Standing Committee on Veterans and Legal Affairs, my name is Shenna Bellows, and I am the Secretary of State and the chief elections officer. I am speaking today neither for nor against L.D. 769 to provide the committee with information to consider in your decision-making.

This bill would reduce the number of enrolled voters needed for a minor party to retain their qualified status from 10,000 to 5,000. Currently, there are two methods of forming a new party under Maine law governing state elections, Title 21-A, as follows:

- **Section 302 - Organization about a candidate** – sometimes called the “coattails” method:
 - A group of voters who are not enrolled in a qualified party may file a declaration of intent to form a party, listing the name of its non-party candidate for Governor or President in the last preceding general election who received 5% or more of the total votes cast in that election.
 - The intent form must be filed by the 180th day before the next primary election (which falls in early to mid-December of the odd-numbered year preceding the next primary).
 - The qualifying party may then begin to enroll voters in the party and is eligible to participate in the subsequent primary election.
- **Section 303 - Organization by party enrollment:**
 - A group of 10 or more voters who are not enrolled in a qualified party may file a declaration of intent to form a party between December 1st and December 30th of an even-numbered year.
 - The Secretary of State must certify whether the application meets the requirements of law within 5 business days after receipt and notify the applicants that they may enroll voters in the party.
 - On or before January 2nd of the next even-numbered year, the party must certify to the Secretary of State that they have enrolled at least 5,000 voters in the proposed party.
 - The Secretary of State must verify the proposed party’s enrollment figures within 15 business days of receiving the certification; this determination may be challenged.

Once a party has qualified to participate in a primary by either method, then the party keeps its qualified status by meeting the requirements of section 301: holding municipal caucuses and a convention during the election year and having at least 10,000 voters enrolled in the party, except that a qualified party does not have to meet this 10,000-vote requirement in the first general election after it qualifies. This bill would reduce the enrollment threshold to 5,000 for a party to retain its status.

The State has an important interest in regulating the party formation process, and by extension, ballot access of the party's candidates, to ensure that only those parties with a significant modicum of support from the electorate can place candidates on the general election ballot through the primary process. This reduces the proliferation of parties with little public support and frivolous candidates that cause ballot clutter and lead to voter confusion.

Accordingly, the Legislature must determine what is a reasonable threshold for a party to achieve to retain its qualified status once it has enrolled the first 5,000 voters and participated in a primary as a qualified party. Is the proposed threshold of 5,000 enough to show that the party has a significant modicum of public support, such that granting it access to the ballot will not result in overloaded ballots and frivolous candidacies?

For all these reasons, I testify neither for nor against this bill. This concludes my testimony. Thank you and I would be happy to answer any questions that the committee may have.