

104TH CONGRESS
2D SESSION

S. 1589

To provide for a rotating schedule for regional primaries for Presidential elections, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 5, 1996

Mr. GORTON (for himself and Mr. LIEBERMAN) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To provide for a rotating schedule for regional primaries for Presidential elections, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Presidential Primary
5 Act of 1996”.

6 **SEC. 2. DEFINITION.**

7 For purposes of this Act—

8 (1) the term “election year” means a year dur-
9 ing which a Presidential election is to be held;

1 (2) the term “national committee” means the
2 organization which, by virtue of the bylaws of a po-
3 litical party, is responsible for the day-to-day oper-
4 ation of such political party at the national level, as
5 determined by the Federal Election Commission;

6 (3) the term “political party” means an associa-
7 tion, committee, or organization which—

8 (A) nominates a candidate for election to
9 any Federal office whose name appears on the
10 election ballot as the candidate of such associa-
11 tion, committee, or organization; and

12 (B) won electoral votes in the preceding
13 Presidential election;

14 (4) the term “primary” means a primary elec-
15 tion held for the selection of delegates to a national
16 Presidential nominating convention of a political
17 party, but does not include a caucus, convention, or
18 other indirect means of selection; and

19 (5) the term “State committee” means the or-
20 ganization which, by virtue of the bylaws of a politi-
21 cal party, is responsible for the day-to-day operation
22 of such political party at the State level, as deter-
23 mined by the Federal Election Commission.

24 **SEC. 3. SCHEDULE.**

25 (a) SCHEDULE.—

1 (1) FIRST ELECTION CYCLE.—In the first elec-
2 tion year after the date of enactment of this Act,
3 each State shall hold a primary in accordance with
4 this Act, according to the following schedule:

5 (A) REGION I.—Each State in Region I
6 shall hold its primary on the first Tuesday in
7 March.

8 (B) REGION II.—Each State in Region II
9 shall hold its primary on the first Tuesday in
10 April.

11 (C) REGION III.—Each State in Region III
12 shall hold its primary on the first Tuesday in
13 May.

14 (D) REGION IV.—Each State in Region IV
15 shall hold its primary on the first Tuesday in
16 June.

17 (2) SUBSEQUENT ELECTION CYCLES.—

18 (A) GENERAL RULE.—Except as provided
19 in subparagraph (B), in the second and each
20 subsequent election year after the date of enact-
21 ment of this Act, each State in each region
22 shall hold its primary on the first Tuesday of
23 the month following the month in which it held
24 its primary in the preceding election year.

1 (B) LIMITATION.—If the States in a re-
2 gion were required to hold their primaries not
3 earlier than the first Tuesday in June of the
4 preceding year, such States shall hold their pri-
5 maries on the first Tuesday in March of the
6 succeeding election year.

7 (b) REGIONS.—For purposes of subsection (a):

8 (1) REGION I.—Region I shall be comprised of
9 the following:

10 (A) Connecticut.

11 (B) Delaware.

12 (C) District of Columbia.

13 (D) Maine.

14 (E) Maryland.

15 (F) Massachusetts.

16 (G) New Hampshire.

17 (H) New Jersey.

18 (I) New York.

19 (J) Pennsylvania.

20 (K) Rhode Island.

21 (L) Vermont.

22 (M) West Virginia.

23 (2) REGION II.—Region II shall be comprised of
24 the following:

25 (A) Alabama.

- 1 (B) Arkansas.
- 2 (C) Florida.
- 3 (D) Georgia.
- 4 (E) Kentucky.
- 5 (F) Louisiana.
- 6 (G) Mississippi.
- 7 (H) North Carolina.
- 8 (I) Oklahoma.
- 9 (J) South Carolina.
- 10 (K) Tennessee.
- 11 (L) Texas.
- 12 (M) Virginia.

13 (3) REGION III.—Region III shall be comprised
14 of the following:

- 15 (A) Illinois.
- 16 (B) Indiana.
- 17 (C) Iowa.
- 18 (D) Kansas.
- 19 (E) Michigan.
- 20 (F) Minnesota.
- 21 (G) Missouri.
- 22 (H) Nebraska.
- 23 (I) North Dakota.
- 24 (J) Ohio.
- 25 (K) South Dakota.

1 (L) Wisconsin.

2 (4) REGION IV.—Region IV shall be comprised
3 of the following:

4 (A) Alaska.

5 (B) Arizona.

6 (C) California.

7 (D) Colorado.

8 (E) Hawaii.

9 (F) Idaho.

10 (G) Montana.

11 (H) Nevada.

12 (I) New Mexico.

13 (J) Oregon.

14 (K) Utah.

15 (L) Washington.

16 (M) Wyoming.

17 (5) TERRITORIES.—The national committees
18 shall jointly determine the region of each territory of
19 the United States.

20 **SEC. 4. QUALIFICATION FOR BALLOT.**

21 (a) CERTIFICATION BY FEDERAL ELECTION COMMIS-
22 SION.—The Federal Election Commission shall certify to
23 the States in the relevant region the names of all seriously
24 considered candidates of each party—

1 (1) for the first primary in the election year,
2 not later than 6 weeks before such primary; and

3 (2) in the subsequent primaries in the election
4 year, not later than 1 week after the preceding pri-
5 mary in that election year.

6 (b) STATE PRIMARY BALLOTS.—Each State shall in-
7 clude on its primary ballot—

8 (1) the names certified by the Federal Election
9 Commission; and

10 (2) any other names determined by the appro-
11 priate State committee.

12 **SEC. 5. VOTING AT NATIONAL PARTY CONVENTIONS BY**
13 **STATE DELEGATES.**

14 (a) IN GENERAL.—Each State committee shall estab-
15 lish a procedure for the apportionment of delegates to the
16 national Presidential nominating convention of each politi-
17 cal party based on 1 of the following models:

18 (1) WINNER-TAKE-ALL.—A binding, winner-
19 take-all system in which the results of the primary
20 bind each member of the State delegation or Con-
21 gressional district delegation (or combination there-
22 of) to the national convention to cast his or her vote
23 for the primary winner in the State.

24 (2) PROPORTIONATE PREFERENCE.—A binding
25 proportionate representation system in which the re-

1 sults of the State primary are used to allocate mem-
2 bers of the State delegation or Congressional district
3 delegation (or combination thereof) to the national
4 convention to Presidential candidates based on the
5 proportion of the vote for some or all of the can-
6 didates received in the primary in the State.

7 (b) SELECTION OF DELEGATES.—

8 (1) SUBMISSION OF NAMES.—Not later than
9 the date on which a candidate is certified on the bal-
10 lot for a State, such candidate shall submit to the
11 State committee, in priority order, a list of names of
12 individuals proposed by the candidate to serve as
13 delegates for such candidate.

14 (2) SELECTION.—Delegates apportioned to rep-
15 resent a candidate pursuant to the procedure estab-
16 lished under subsection (a) shall be selected accord-
17 ing to the list submitted by the candidate pursuant
18 to paragraph (1).

19 (c) VOTING AT THE NATIONAL CONVENTIONS.—
20 Each delegate to a national convention who is required
21 to vote for the winner of the State primary under the sys-
22 tem established under subsection (a) shall so vote for at
23 least 2 ballots at the national convention, unless released
24 by the winner of the State primary to which such dele-
25 gate's vote is pledged.

1 **SEC. 6. EFFECTIVE DATE.**

2 This Act shall apply to the primaries in the year 2000

3 and in each election year thereafter.

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