

110TH CONGRESS
1ST SESSION

S. 1905

To provide for a rotating schedule for regional selection of delegates to a national Presidential nominating convention, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 31, 2007

Ms. KLOBUCHAR (for herself, Mr. ALEXANDER, 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 selection of delegates to a national Presidential nominating convention, 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 “Regional Presidential
5 Primary and Caucus Act of 2007”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) CAUCUS.—The term “caucus” means any
9 convention, meeting, or series of meetings held for

1 the selection of delegates to a national Presidential
2 nominating convention of a political party.

3 (2) ELECTION YEAR.—The term “election year”
4 means a year during which a Presidential election is
5 to be held.

6 (3) NATIONAL COMMITTEE.—The term “na-
7 tional committee” means the organization which, by
8 virtue of the bylaws of a political party, is respon-
9 sible for the day-to-day operation of such political
10 party at the national level, as determined by the
11 Federal Election Commission.

12 (4) POLITICAL PARTY.—The term “political
13 party” means an association, committee, or organi-
14 zation which—

15 (A) nominates a candidate for election to
16 any Federal office whose name appears on the
17 election ballot as the candidate of such associa-
18 tion, committee, or organization; and

19 (B) won electoral votes in the preceding
20 Presidential election.

21 (5) PRIMARY.—The term “primary” means a
22 primary election held for the selection of delegates to
23 a national Presidential nominating convention of a
24 political party, but does not include a caucus, con-
25 vention, or other indirect means of selection.

1 **SEC. 3. SCHEDULE.**

2 (a) SCHEDULE.—

3 (1) FIRST ELECTION CYCLE.—

4 (A) LOTTERY.—The Election Assistance
 5 Commission shall establish procedures for the
 6 conduct of a lottery by not later than March 1,
 7 2010, to select which of the 4 regions described
 8 in subsection (b) will hold the first primary in
 9 accordance with the schedule under subpara-
 10 graph (B). Based on such selection, the pri-
 11 maries shall be conducted in the following
 12 order:

13 (i) In the case where Region I is se-
 14 lected to hold the first primary—

15 (I) Region II shall hold the sec-
 16 ond primary;

17 (II) Region III shall hold the
 18 third primary; and

19 (III) Region IV shall hold the
 20 fourth primary.

21 (ii) In the case where Region II is se-
 22 lected to hold the first primary—

23 (I) Region III shall hold the sec-
 24 ond primary;

25 (II) Region IV shall hold the
 26 third primary; and

1 (III) Region I shall hold the
 2 fourth primary.

3 (iii) In the case where Region III is
 4 selected to hold the first primary—

5 (I) Region IV shall hold the sec-
 6 ond primary;

7 (II) Region I shall hold the third
 8 primary; and

9 (III) Region II shall hold the
 10 fourth primary.

11 (iv) In the case where Region IV is se-
 12 lected to hold the first primary—

13 (I) Region I shall hold the second
 14 primary;

15 (II) Region II shall hold the
 16 third primary; and

17 (III) Region III shall hold the
 18 fourth primary.

19 (B) SCHEDULE.—Subject to paragraph
 20 (3), in 2012, each State that elects to hold a
 21 primary shall hold a primary in accordance with
 22 this Act, according to the following schedule:

23 (i) FIRST PRIMARY.—Each such State
 24 in the region selected to hold the first pri-
 25 mary under subparagraph (A) shall hold a

primary during the period beginning on the first Tuesday in March and ending on the sixth day following such Tuesday.

(ii) SECOND PRIMARY.—Each such State in the region required to hold the second primary under subparagraph (A) shall hold a primary during the period beginning on the first Tuesday in April and ending on the sixth day following such Tuesday.

(iii) THIRD PRIMARY.—Each such State in the region required to hold the third primary under subparagraph (A) shall hold a primary during the period beginning on the first Tuesday in May and ending on the sixth day following such Tuesday.

(iv) FOURTH PRIMARY.—Each such State in the region required to hold the fourth primary under subparagraph (A) shall hold a primary during the period beginning on the first Tuesday in June and ending on the sixth day following such Tuesday.

(2) SUBSEQUENT ELECTION CYCLES.—

(A) GENERAL RULE.—Subject to paragraph (3), except as provided in subparagraph (B), in each subsequent election year after 2012, each State in each region that elects to hold a primary shall hold a primary during the period beginning on the first Tuesday of the month following the month in which the State held a primary in the preceding election year (or, in the case where the State did not elect to hold a primary in the preceding election year, the month in which the State would have held a primary if it had elected to do so) and ending on the sixth day following such Tuesday.

(B) LIMITATION.—If the States in a region were required to hold primaries during the period beginning on the first Tuesday in June of the preceding election year and ending on the sixth day following such Tuesday, the States in such region that elect to hold a primary shall hold a primary during the period beginning on the first Tuesday in March of the succeeding election year and ending on the sixth day following such Tuesday.

(3) EXCEPTION.—The States described in paragraphs (1)(G) and (3)(C) of subsection (b) may hold

a primary on a date prior to the beginning of the period described in paragraph (1)(B)(i). In the case where such a State does not elect to hold a primary prior to the beginning of such period, if the State elects to hold a primary, the State shall hold a primary during the period in which the region the State is in (as determined under subsection (b)) is scheduled to hold a primary (as determined under paragraphs (1) and (2)).

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

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

(A) Connecticut.

(B) Delaware.

(C) District of Columbia.

(D) Maine.

(E) Maryland.

(F) Massachusetts.

(G) New Hampshire.

(H) New Jersey.

(I) New York.

(J) Pennsylvania.

(K) Rhode Island.

(L) Vermont.

(M) West Virginia.

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

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

16 (3) REGION III.—Region III shall be comprised
17 of the following:

- 18 (A) Illinois.
- 19 (B) Indiana.
- 20 (C) Iowa.
- 21 (D) Kansas.
- 22 (E) Michigan.
- 23 (F) Minnesota.
- 24 (G) Missouri.
- 25 (H) Nebraska.

1 (I) North Dakota.

2 (J) Ohio.

3 (K) South Dakota.

4 (L) Wisconsin.

5 (4) REGION IV.—Region IV shall be comprised
6 of the following:

7 (A) Alaska.

8 (B) Arizona.

9 (C) California.

10 (D) Colorado.

11 (E) Hawaii.

12 (F) Idaho.

13 (G) Montana.

14 (H) Nevada.

15 (I) New Mexico.

16 (J) Oregon.

17 (K) Utah.

18 (L) Washington.

19 (M) Wyoming.

20 (5) TERRITORIES.—The national committees
21 shall jointly determine the region of each territory of
22 the United States.

23 **SEC. 4. STATE CAUCUS TO SELECT DELEGATES.**

24 (a) IN GENERAL.—Subject to subsection (b), in the
25 case where a State elects to select delegates to a national

1 Presidential nominating convention of a political party
 2 through a caucus held by any political party which has
 3 the authority to nominate a candidate, the State shall hold
 4 a caucus during the period in which the region the State
 5 is in (as determined under section 3(b)) is scheduled to
 6 hold a primary (as determined under paragraphs (1) and
 7 (2) of section 3(a)).

8 (b) EXCEPTION.—The States described in para-
 9 graphs (1)(G) and (3)(C) of section 3(b) may hold a cau-
 10 cus on a date prior to the beginning of the period de-
 11 scribed in section 3(a)(1)(B)(i). In the case where such
 12 a State does not elect to hold a caucus prior to the begin-
 13 ning of such period, if the State elects to hold a caucus,
 14 the State shall hold a caucus during the period in which
 15 the region the State is in (as determined under section
 16 3(b)) is scheduled to hold a primary (as determined under
 17 paragraphs (1) and (2) of section 3(a)).

18 **SEC. 5. RULE OF CONSTRUCTION.**

19 Nothing in this Act—

20 (1) shall be construed as requiring a State to
 21 hold a primary or a caucus for the selection of dele-
 22 gates to a national Presidential nominating conven-
 23 tion of a political party; or

24 (2) is intended to confer to the Election Assist-
 25 ance Commission any power concerning the selection

1 of delegates other than that expressly provided
2 under section 3(a)(1)(A).

3 **SEC. 6. EFFECTIVE DATE.**

4 This Act shall apply with respect to any primary or
5 caucus held in connection with a general election held in
6 the year 2012 and in each election year thereafter.

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