

§601. Ballot preparation

The Secretary of State shall prepare the election ballots according to the following provisions. [PL 2001, c. 310, §29 (AMD).]

1. Arrangement. The ballots must be arranged in a manner that is as consistent and uniform as possible throughout the State, except that ranked-choice contests must be grouped together and may be presented on the same page of the ballot as contests other than ranked-choice contests or on a separate ballot or ballot page from contests other than ranked-choice contests. [PL 2019, c. 320, §2 (AMD).]

2. Content. The ballot must contain the items listed in this section.

A. Instructions must be printed on the ballot informing the voter how to designate the voter's choices on the ballot. Specific instructions must be presented above or next to the first contest of each type, such as ranked-choice contests, contests other than ranked-choice contests or referenda. [PL 2019, c. 320, §3 (AMD).]

B. The ballot must contain the legal name of each candidate, without any title, and municipality or township of residence of each candidate, arranged alphabetically with the last name first, under the proper office designation. Municipality of residence is not required to be printed for candidates for President and Vice President of the United States. The initial letters of the last names of the candidates must be printed directly beneath each other in a vertical line. The names of candidates for any one office may not be split into more than one column regardless of number. The name of each candidate may be printed on the ballot in only one space. For the general election ballot, the party or political designation of each candidate must be printed with each candidate's name. The party or political designation may be abbreviated. [PL 2013, c. 131, §16 (AMD).]

B-1. The candidate's name listed on the ballot must be the one approved by the Probate Court, pursuant to Title 18-C, section 1-701, or, in the absence of an applicable court order, the name consistently used by the candidate during the past 2 years in filings with governmental agencies and in the transaction of public business, including without limitation transactions relating to voter registration; motor vehicle registrations; driver licenses; a passport; professional licenses; local, state or federal permits of any kind; public benefit programs; and veterans' benefits and social security. If requested by the Secretary of State when there is a question concerning which name should be listed on the ballot, it is the obligation of the candidate to provide documentation to demonstrate consistent use of a particular name. [PL 2017, c. 402, Pt. C, §40 (AMD); PL 2019, c. 417, Pt. B, §14 (AFF).]

C. When 2 United States Senators are to be nominated or elected, the term of office sought by each candidate must be specified on the ballot. [PL 2019, c. 371, §14 (AMD).]

D. At the end of the list of candidates for each office, there must be left as many blank spaces as there are vacancies to be filled. These spaces may be used by a voter to write in the name of a person for whom the voter desires to vote, as provided in section 691, subsection 2 for a primary election or section 692, subsection 2 for a general election. [PL 2009, c. 253, §24 (AMD).]

E. Words of explanation such as, "Vote for one" or "Vote for not more than 2" must be printed on the ballot to assist the voter in voting correctly. [PL 1985, c. 161, §6 (NEW).]

F. There must be a place on the ballot for the voter to designate the voter's choice. [PL 1993, c. 473, §13 (RPR); PL 1993, c. 473, §46 (AFF).]

G. There must be a heading on the ballot that contains the title of the election, the name of the voting district or districts for which the ballot was prepared, the date of the election and a facsimile of the state seal. For each party's primary ballot, the ballot heading must contain the name of the political party participating in the primary. [PL 2007, c. 455, §18 (AMD).]

H. The name of each nominee or each candidate for nomination must appear on the ballot as follows: last name first followed by the first name and middle name or initial; last name first followed by the first name or the first initial and the middle name; or last name first followed by the first name. [PL 2019, c. 371, §15 (AMD).]

I. For ballots that are double sided, each side of the ballot must include a clearly printed message at the bottom of the ballot reminding the voter to mark both sides of the ballot. [PL 2001, c. 310, §29 (NEW).]

J. For elections determined by ranked-choice voting, the ballot must be simple and easy to understand and allow a voter to rank candidates for an office in order of preference. A voter may include no more than one write-in candidate among that voter's ranked choices for each office. [PL 2017, c. 316, §3 (AMD).]

[PL 2019, c. 320, §3 (AMD); PL 2019, c. 371, §§14, 15 (AMD); PL 2019, c. 417, Pt. B, §14 (AFF).]

REVISOR'S NOTE: The blocked paragraph of paragraph J, as created by Public Law 2017, chapter 316, section 3, was vetoed pursuant to a people's veto on June 12, 2018 in accordance with the Maine Constitution Article IV, Part Third, Section 17.

3. Order of offices. The order of offices on the ballot is as follows: President, United States Senator, Governor, Representative to Congress, State Senator and Representative to the Legislature, and the county offices in the following order: judge of probate, register of probate, county treasurer, register of deeds, sheriff, district attorney and county commissioner, except that the order may be modified to allow ranked-choice contests to be printed on the opposite side of the ballot, separate from contests other than ranked-choice contests.

[PL 2021, c. 273, §10 (AMD).]

4. Distinctively colored. When possible, election ballots must be printed on white paper. Each political party participating in a primary election must have a separate ballot. The paper for each party's primary ballot must be printed or distinguished with a different color marking as determined by the Secretary of State. For municipalities that include more than one single member district of the State Senate or the House of Representatives, or parts of more than one single member district, the Secretary of State may prepare ballots with one or more distinctive color markings for each single member district or part of a single member district within the municipality.

[PL 2001, c. 310, §29 (AMD).]

5. Size. The Secretary of State shall determine the size of the ballots. With the permission of the Secretary of State, the clerk may make a reasonable number of enlarged ballots in order to assist voters who are visually impaired. The clerk may also make a reasonable number of enlarged instruction posters and enlarged sample ballots at the clerk's own discretion. A voter who is visually impaired may request of the clerk an enlarged ballot or an enlarged sample ballot to assist the voter. The clerk shall record and report to the Secretary of State the number of enlarged ballots made for visually impaired voters.

[PL 2001, c. 310, §29 (NEW).]

6. Contents concealed. The ballots may be folded uniformly so that the interior contents are concealed, except in municipalities using electronic tabulating systems.

[PL 2001, c. 310, §29 (NEW).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1993, c. 473, §§11-13 (AMD). PL 1993, c. 473, §46 (AFF). PL 1997, c. 436, §§67,68 (AMD). PL 1999, c. 426, §17 (AMD). PL 2001, c. 310, §29 (AMD). PL 2003, c. 584, §§5,6 (AMD). PL 2007, c. 455, §§18, 19 (AMD). PL 2009, c. 253, §§23, 24 (AMD). PL 2013, c. 131, §§15, 16 (AMD). IB 2015, c. 3, §3 (AMD). PL 2017, c. 316, §3 (AMD).

PL 2017, c. 402, Pt. C, §40 (AMD). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 320, §§2, 3 (AMD). PL 2019, c. 371, §§14, 15 (AMD). PL 2019, c. 417, Pt. B, §14 (AFF). PL 2021, c. 273, §10 (AMD).

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