

**§732. Procedure**

When there is a tie vote, the following provisions apply. [PL 1985, c. 161, §6 (NEW).]

**1. Primary election.** In a primary election, the Secretary of State shall notify each person involved in the tie to be present at the Secretary of State's office at a certain time. At that time, the Secretary of State shall select the nominee publicly by lot.

[RR 2019, c. 2, Pt. B, §58 (COR).]

**2. Other elections.** In any other election, the Governor shall issue a proclamation under section 366 declaring the tie and ordering a special election between the persons tied.

A. If there is a tie vote for presidential electors, the Governor shall convene the Legislature by proclamation. The Legislature by joint ballot of the members assembled in convention shall determine which are elected. [PL 1985, c. 161, §6 (NEW).]

B. This subsection does not apply to the election of the following offices which are governed by the Constitution of the State of Maine or the Constitution of the United States: United States Senator, Representative to Congress, Governor and members of the Legislature. [PL 1985, c. 161, §6 (NEW).]

C. If there is a tie vote for State Senator or Representative to the Legislature as finally determined by the proper House under the Constitution of Maine, Article IV, Part Third, Section 3, the Governor shall issue a proclamation under section 366 declaring the tie and ordering a special election between the persons tied. [PL 1985, c. 161, §6 (NEW).]

[PL 1985, c. 161, §6 (NEW).]

**3. Referendum.** In a referendum, other than on a liquor local option question, the negative vote prevails.

[PL 1985, c. 161, §6 (NEW).]

**SECTION HISTORY**

PL 1985, c. 161, §6 (NEW). RR 2019, c. 2, Pt. B, §58 (COR).

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