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An Act Regarding Write-in Candidates in Municipal and City Elections

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 30-A MRSA §2528, sub-§11 is enacted to read:

11. Write-in votes. A ballot clerk shall count and tabulate the votes cast for a write-in candidate only if the printed ballot does not include a properly nominated candidate or the number of write-in votes exceeds the number of votes for a candidate printed on the ballot.

Sec. 2. 30-A MRSA §2554, sub-§2, as amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

2. Write-in votes. In any city election, a voter may write in the name and municipality of residence of any person for whom the voter desires to vote in the blank space provided at the end of the list of candidates for office. A sticker may not be used to vote for a write-in candidate in any city election other than a primary election. A ballot clerk shall count and tabulate the votes cast for a write-in candidate only if the printed ballot does not include a properly nominated candidate or the number of write-in votes exceeds the number of votes for a candidate printed on the ballot.

SUMMARY

Current law requires municipal and city ballot clerks to count all write-in votes in a municipal or city election regardless of the number of write-in votes cast. This bill provides that a ballot clerk must count and tabulate the votes cast for a write-in candidate only if the printed ballot does not include a properly nominated candidate or the number of write-in votes exceeds the number of votes for a candidate printed on the ballot.