

**§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).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Special Session of the 130th Maine Legislature and is current through October 31, 2021. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.