

**Maine Revised Statutes**  
**Title 21-A: ELECTIONS**

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# Title 21-A: ELECTIONS

## Chapter 1: GENERAL PROVISIONS

### Subchapter 1: DEFINITIONS, CONSTRUCTION AND APPLICATION

#### §1. DEFINITIONS

As used in this Title, unless the context otherwise indicates, the following terms have the following meanings. [1985, c. 161, §6 (NEW).]

**1. Absentee voter.** "Absentee voter" means a person who qualifies under section 751 to cast an absentee ballot.

[ 1997, c. 436, §1 (AMD) . ]

**1-A. Affidavit.** "Affidavit" with respect to an absentee ballot envelope means the portion of the envelope that includes the voter's signature, the aide certificate and the witness certificate.

[ 2003, c. 447, §1 (NEW) . ]

**2. Any election.** "Any election" means primary and general elections and referenda, whether regular or special.

[ 1985, c. 161, §6 (NEW) . ]

**2-A. Armed Forces members; members of the Armed Forces.**

[ 2003, c. 407, §1 (RP) . ]

**3. Ballot label.** "Ballot label" means that portion of the cardboard, paper or other material to be placed within the ballot frames of a voting machine containing the items required of a paper ballot.

[ 1985, c. 161, §6 (NEW) . ]

**4. Business day.** "Business day" means any day of the calendar year other than a Saturday, Sunday or legal holiday.

[ 1985, c. 161, §6 (NEW) . ]

**5. Candidate.** "Candidate" means any person who has filed a petition under either sections 335 and 336 or sections 354 and 355 and has qualified as a candidate by either procedure, or any person who has received contributions or made expenditures or has given his consent for any other person to receive contributions or make expenditures with the intent of qualifying as a candidate.

[ 1985, c. 161, §6 (NEW) . ]

**6. Caucus.** "Caucus" means a meeting of a political party or committee.

[ 1985, c. 161, §6 (NEW) . ]

**6-A. Central voter registration system.** "Central voter registration system" means a single electronic information system and database for voter registration information maintained by the Secretary of State and used by all municipal jurisdictions in the State.

[ 2005, c. 453, §1 (AMD) .]

**7. Challenged ballot.** "Challenged ballot" means a ballot cast by one whose eligibility to vote has been questioned during election day.

[ 2003, c. 447, §2 (AMD) .]

**8. Circulate.** "Circulate" means the presenting of a petition to a voter with an accompanying request that the voter sign it.

[ 1985, c. 161, §6 (NEW) .]

**9. Clerk; municipal clerk.** "Clerk" or "municipal clerk" means the clerk, deputy clerk or assistant clerk, where directed by the clerk to carry out duties under this Title, of a municipality.

[ 1985, c. 161, §6 (NEW); 1985, c. 357, §1 (AMD) .]

**10. Closed period.** "Closed period" means that time period when the registrar may accept only those voter registration applications presented in person.

[ 1985, c. 161, §6 (NEW) .]

**11. County office.** "County office" means the office of judge of probate, register of probate, county treasurer, register of deeds, sheriff, district attorney or county commissioner.

[ 1985, c. 161, §6 (NEW) .]

**11-A. Declared write-in candidate.** "Declared write-in candidate" means a write-in candidate who has filed a declaration to be a write-in candidate pursuant to section 722-A.

[ 2009, c. 253, §1 (NEW) .]

**12. Disputed ballot.** "Disputed ballot" means a ballot whose validity has been questioned during the recount process.

[ 1985, c. 161, §6 (NEW) .]

**13. Distinguishing mark.** "Distinguishing mark" means a mark on a ballot of a type or in a place not specifically permitted by this Title, which indicates the apparent intent of the voter to make the voter's ballot distinguishable in a manner that is fraudulent or inconsistent with an honest purpose. A stray mark on the ballot or mark made on or in the voting indicator or near the candidate's name or space for a write-in candidate that differs from the instructions at the top of the ballot is not a distinguishing mark unless it is of such a character or is made in such a manner that it manifests an intent to make the ballot distinguishable for a fraudulent or dishonest purpose. Marking the write-in space on a ballot with the name of a fictitious person, a deceased person or a person from outside the State who could not be a candidate for that office is not a distinguishing mark unless it is made in such a manner that manifests an intent to make the ballot distinguishable for a fraudulent or dishonest purpose.

[ 2005, c. 404, §1 (AMD) .]

**13-A. Domestic partner.** "Domestic partner" means the partner of a voter who:

- A. Has been legally domiciled with the voter for at least 12 months; [ 2007, c. 122, §1 (NEW) . ]
- B. Is not legally married to or legally separated from another individual; [ 2007, c. 122, §1 (NEW) . ]
- C. Is the sole partner of the voter and expects to remain so; and [ 2007, c. 122, §1 (NEW) . ]
- D. Is jointly responsible with the voter for each other's common welfare as evidenced by joint living arrangements, joint financial arrangements or joint ownership of real or personal property. [ 2007, c. 122, §1 (NEW) . ]

[ 2007, c. 122, §1 (NEW) . ]

**14. Election official.** "Election official" means a warden, ward clerk, deputy warden or election clerk.

[ 1997, c. 436, §2 (AMD) . ]

**15. Election year.** "Election year" means the calendar year within which a particular election is held.

[ 1985, c. 161, §6 (NEW) . ]

**16. Electoral division.** "Electoral division" means an area set off for election purposes. It may include the entire State.

[ 1985, c. 161, §6 (NEW) . ]

**17. Enroll.** "Enroll" means to enlist as a member of a political party.

[ 1985, c. 161, §6 (NEW) . ]

**18. Federal office.** "Federal office" means the office of the United States Senator or Representative to Congress.

[ 1985, c. 161, §6 (NEW) . ]

**19. General election.** "General election" means the regular election of state and county officials occurring biennially in November.

[ 1985, c. 161, §6 (NEW) . ]

**20. Immediate family.** "Immediate family" means a person's spouse, parent, grandparent, child, grandchild, sister, half-sister, brother, half-brother, stepparent, stepgrandparent, stepchild, stepgrandchild, stepsister, stepbrother, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, guardian, former guardian, domestic partner, the half-brother or half-sister of a person's spouse, or the spouse of a person's half-brother or half-sister.

[ 2009, c. 253, §2 (AMD) . ]

**21. Incoming voting list.** "Incoming voting list" means the printed list of all of the voters in a municipality that is used by election officials at a voting place to record which voters have been issued a ballot at an election. The list must include the following information for each voter and may not include any other information: name; year of birth; residence address; enrollment status; electoral district; voter status, active or inactive; voter record number; designations regarding challenged ballots, absentee ballots or whether a voter needs to show identification before voting; and any special designations indicating uniformed service voters, overseas voters or township voters. The portion of the incoming voting list relating to Address Confidentiality Program participants must be kept under seal and excluded from public inspection. The

residence address for any voter whose address has been made confidential pursuant to section 22, subsection 3, paragraph B may not be printed on the incoming voting list, and the words "address is confidential" must be printed on the list instead.

[ 2011, c. 342, §4 (AMD) . ]

**22. Major party.** "Major party" means a political party polling the greatest or the next greatest number of votes cast for Governor at the last gubernatorial election.

[ 1985, c. 161, §6 (NEW) . ]

**23. Members of the Armed Forces.**

[ 1985, c. 614, §3 (RP) . ]

**23-A. Member of the merchant marine.** "Member of the merchant marine" means a person, other than a member of a uniformed service or a person employed, enrolled or maintained on the Great Lakes or the inland waterways, who is:

A. Employed as an officer or crew member of a vessel documented under the laws of the United States, a vessel owned by the United States or a vessel of foreign-flag registry under charter to or control of the United States; or [ 2003, c. 407, §2 (NEW) . ]

B. Enrolled with the United States for employment or training for employment, or maintained by the United States for emergency relief service, as an officer or crew member of a vessel described in paragraph A. [ 2003, c. 407, §2 (NEW) . ]

[ 2003, c. 407, §2 (NEW) . ]

**24. Minor party.** "Minor party" means a political party other than a major party.

[ 1985, c. 161, §6 (NEW) . ]

**25. Municipal committee.** "Municipal committee" means a city, town or ward committee of a political party.

[ 1985, c. 161, §6 (NEW) . ]

**26. Municipal officers.** "Municipal officers" means the mayor and aldermen or councillors of a city, the selectmen or councillors of a town and the assessors of a plantation.

[ 1985, c. 161, §6 (NEW) . ]

**27. Municipality.** "Municipality" means a city, town or plantation.

[ 1985, c. 161, §6 (NEW) . ]

**27-A. Official tally tape.** "Official tally tape" means the first tape produced by an electronic tabulating machine that tallies the final vote totals at the conclusion of voting and that is attached to the zero tape produced by the machine prior to the start of voting.

[ 2001, c. 310, §2 (NEW) . ]

**27-B. Overseas voter.** "Overseas voter" means:

A. A person who resides outside the United States and who was qualified to vote in the last place in which the person was domiciled in the State before leaving the United States; or [ 2003, c. 407, §3 (NEW) . ]

B. A person who resides outside the United States and, except for such residence, would be qualified to vote in the last place in which the person was domiciled in the State before leaving the United States. [ 2003, c. 407, §3 (NEW) . ]

[ 2003, c. 407, §3 (NEW) . ]

**27-C. Office elected by ranked-choice voting.** "Office elected by ranked-choice voting" means any of the following offices: United States Senator, United States Representative to Congress, Governor, State Senator and State Representative, and includes any nominations by primary election to such offices.

[ 2015, c. 3, §1 (NEW) . ]

**28. Party.** "Party" means a political organization which has qualified to participate in a primary or general election under chapter 5.

[ 1985, c. 161, §6 (NEW) . ]

**29. Peace officer.** "Peace officer" means state police officer, local police officer, sheriff, deputy sheriff or constable.

[ 1985, c. 161, §6 (NEW) . ]

**30. Political committee.** "Political committee" means 2 or more persons associated for the purpose of promoting or defeating a candidate, party or principle.

[ 1985, c. 161, §6 (NEW) . ]

**30-A. Pollwatcher.** "Pollwatcher" means a party worker who remains in the voting place outside the guardrail enclosure for the purpose of viewing the voting process, keeping track of the voters who have voted or challenging voters whose qualifications appear to be in question.

[ 2001, c. 310, §2 (NEW) . ]

**31. Population.** "Population" means the population determined by the last Decennial Census of the United States.

[ 1985, c. 161, §6 (NEW) . ]

**32. Primary election.** "Primary election" means the regular election for the election of nominees of a party for the general election.

[ 1987, c. 423, §1 (AMD) . ]

**33. Protective counter.**

[ 2009, c. 253, §3 (RP) . ]

**33-A. Public counter.** "Public counter" means a separate counter built into a voting device that records the total number of ballots cast or tabulated on the voting device for an election.

[ 2009, c. 253, §4 (NEW) . ]

**34. Public official.** "Public official" means a person elected or appointed to serve the people.

[ 1985, c. 161, §6 (NEW) . ]

**35. Question.** "Question" means any proposition submitted to the voters.

[ 1985, c. 161, §6 (NEW) . ]

**35-A. Ranked-choice voting.** "Ranked-choice voting" means the method of casting and tabulating votes in which voters rank candidates in order of preference, tabulation proceeds in sequential rounds in which last-place candidates are defeated and the candidate with the most votes in the final round is elected.

[ 2015, c. 3, §2 (NEW) . ]

**36. Referendum.** "Referendum" means an election for the determination of a question.

[ 1985, c. 161, §6 (NEW) . ]

**37. Register.** "Register" means to enlist as a voter.

[ 1985, c. 161, §6 (NEW) . ]

**38. Registrar.** "Registrar" means the registrar or deputy registrar of voters of a municipality.

[ 1997, c. 436, §4 (AMD) . ]

**39. Regular election.** "Regular election" means an election or a referendum held at a regular time prescribed by statute.

[ 1985, c. 161, §6 (NEW) . ]

**40. Residence.** "Residence" means that place where the person has established a fixed and principal home to which the person, whenever temporarily absent, intends to return.

[ 1997, c. 436, §5 (AMD) . ]

**40-A. Signature.** "Signature" includes a signature stamp and a signature written by another registered voter on behalf of an individual in accordance with the procedure set forth in section 153-A and, for an individual who is unable to sign that individual's own name, a mark.

[ 2005, c. 196, §1 (NEW) . ]

**40-B. Residence address.** "Residence address" means the street and number or other designation indicating the physical location of a person's residence.

[ 2005, c. 453, §2 (NEW) . ]

**41. Special election.** "Special election" means an election other than a regular election.

[ 1985, c. 161, §6 (NEW) . ]

**42. State office.** "State office" means the office of Governor, State Senator, Representative to the State Legislature or presidential elector.

[ 1985, c. 161, §6 (NEW) . ]



**43. Street address.**

[ 2005, c. 453, §3 (RP) . ]

**43-A. Third person or 3rd person.** "Third person" or "3rd person," with respect to an absentee ballot, means a person, other than the clerk or an immediate family member of a voter, who delivers an absentee ballot to a voter.

[ 1999, c. 645, §1 (NEW) . ]

**44. Township.** "Township" means unorganized territory.

[ 1985, c. 161, §6 (NEW) . ]

**45. Treasurer.** "Treasurer" means a person appointed by a candidate or a political committee to accept or disburse money to promote or defeat a candidate, party or principle. A person who collects money to be transferred to the treasurer of a candidate or committee is not a treasurer.

[ 1985, c. 161, §6 (NEW) . ]

**45-A. Undeclared write-in candidate.** "Undeclared write-in candidate" means a write-in candidate who has not filed a declaration pursuant to section 722-A.

[ 2009, c. 253, §5 (NEW) . ]

**46. Uncontested office.** "Uncontested office" means an office where, as of the final date for filing primary nomination petitions, either:

A. Only members of one party have filed as candidates for nomination for that office; or [ 1985, c. 161, §6 (NEW) . ]

B. Only one unenrolled nominee has filed as a candidate for that office. [ 1985, c. 161, §6 (NEW) . ]

[ 1985, c. 161, §6 (NEW) . ]

**46-A. Uniformed service.** "Uniformed service" means the United States Army, Navy, Air Force, Marine Corps and Coast Guard, the commissioned corps of the United States Public Health Service and the commissioned corps of the National Oceanic and Atmospheric Administration.

[ 2003, c. 407, §4 (NEW) . ]

**46-B. Uniformed service voter.** "Uniformed service voter" means:

A. A member of a uniformed service on active duty who, by reason of active duty or service, is absent from the place of residence in the State where the member is otherwise qualified to vote; [ 2003, c. 407, §4 (NEW) . ]

B. A member of the merchant marine who, by reason of service in the merchant marine, is absent from the place of residence where the member is otherwise qualified to vote; or [ 2003, c. 407, §4 (NEW) . ]

C. A spouse or dependent of a member referred to in paragraph A or B who, by reason of the active duty or service of the member, is absent from the place of residence where the spouse or dependent is otherwise qualified to vote. [ 2003, c. 407, §4 (NEW) . ]

[ 2003, c. 407, §4 (NEW) . ]

**47. Voter.** "Voter" means a person registered to vote.

[ 1985, c. 161, §6 (NEW) .]

**47-A. Voter participation history.** "Voter participation history" means the indication in the central voter registration system of whether a voter has cast a ballot in a certain election, as reflected on the incoming voting list for that election.

[ 2005, c. 453, §4 (NEW) .]

**47-B. Voting booth or voting station.** "Voting booth" or "voting station" means the location within a voting place where voters may mark their ballots or record their votes screened from the observation of others. "Voting booth" or "voting station" includes the area, location, booth, table or enclosure where voting takes place and includes any voting machine, voting device or accessible voting system placed in the voting booth or voting station.

[ 2007, c. 455, §1 (NEW) .]

**48. Voting district.** "Voting district" means an area set off from another in the same municipality for voting purposes. It includes wards and precincts. In a municipality that has only one voting district, it means the entire municipality. The first breakdown of a municipality is a ward. Further breakdowns of a municipality are precincts.

[ 1997, c. 436, §6 (AMD) .]

**48-A. Voting indicator.** "Voting indicator" means the space provided for marking a vote in accordance with a particular type of ballot.

[ 2003, c. 447, §3 (NEW) .]

**49. Voting place.** "Voting place" means the building in which ballots are cast at an election.

[ 1985, c. 161, §6 (NEW) .]

**50. Warden.** "Warden" means the presiding officer at a voting place.

[ 1985, c. 161, §6 (NEW) .]

**51. Write-in candidate.** "Write-in candidate" means a person whose name does not appear on the ballot under the office designation to which a voter may wish to elect the candidate.

[ 2009, c. 253, §6 (AMD) .]

**52. Write-in indicator.** "Write-in indicator" means the space provided, in accordance with a particular type of ballot, for marking a write-in vote.

[ 1997, c. 436, §7 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 357, §§1,19 (AMD). 1985, c. 614, §§2,3 (AMD). 1987, c. 423, §1 (AMD). 1993, c. 447, §1 (AMD). 1995, c. 459, §1 (AMD). 1997, c. 436, §§1-7 (AMD). 1999, c. 426, §1 (AMD). 1999, c. 645, §1 (AMD). 2001, c. 310, §§1,2 (AMD). 2001, c. 637, §1 (AMD). 2003, c. 407, §§1-4 (AMD). 2003, c. 447, §§1-3 (AMD). 2005, c. 196, §1 (AMD). 2005, c. 364, §1 (AMD). 2005, c. 404, §1 (AMD). 2005, c. 453,

§§1-4 (AMD). 2005, c. 568, §1 (AMD). 2007, c. 122, §§1, 2 (AMD). 2007, c. 455, §1 (AMD). 2007, c. 515, §2 (AMD). 2009, c. 253, §§1-6 (AMD). 2011, c. 342, §4 (AMD). IB 2015, c. 3, §§1, 2 (AMD).

## §2. DELEGATION OF AUTHORITY

When this Title requires the performance of a duty by an official, he may delegate the duty to another under his supervision, if it is ministerial. [1985, c. 161, §6 (NEW).]

### SECTION HISTORY

1985, c. 161, §6 (NEW).

## §3. SIGNATURES AND NAMES

When this Title requires a name or signature on a document, immaterial irregularities do not invalidate the name or signature if the identity of the person named is clear to the public official charged with reviewing that document. [2009, c. 538, §2 (AMD).]

**1. Immaterial irregularities.** Immaterial irregularities include, but are not limited to, misspelling, inclusion or omission of initials and substitution of initials or nicknames for given names.

[ 1997, c. 436, §8 (AMD) .]

**2. Application.** This policy applies to circumstances including, but not limited to, the following:

A. Absentee ballot applications; [1985, c. 161, §6 (NEW).]

B. Absentee ballot affidavits; [1985, c. 161, §6 (NEW).]

C. Signatures on petitions; and [1985, c. 161, §6 (NEW).]

D. Names appearing for write-in candidates on ballots. [1985, c. 161, §6 (NEW).]

[ 2009, c. 538, §2 (AMD) .]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1997, c. 436, §8 (AMD). 2009, c. 538, §2 (AMD).

## §4. TOWN CLERK TO PERFORM WARD CLERK'S DUTIES

*(REPEALED)*

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1997, c. 436, §9 (RP).

## §5. APPLICATION TO PLANTATIONS

The provisions of this Title pertaining to towns apply equally to plantations. [1985, c. 161, §6 (NEW).]

### SECTION HISTORY

1985, c. 161, §6 (NEW).

## §6. DATE FALLING ON HOLIDAY

When the date on which an act must be performed or an event must take place falls on a Saturday, Sunday or legal holiday, the act shall be performed or the event shall take place on the next following business day. [1989, c. 166, §1 (NEW).]

### SECTION HISTORY

1989, c. 166, §1 (NEW).

## §7. USE OF WORDS

When used in this Title, the words "shall" and "must" are used in a mandatory sense to impose an obligation to act in the manner specified by the context. The word "may," when used in this Title, is used in a permissive sense to grant authority or permission, but not to create duty, to act in the manner specified by the context. When used in this Title, the term "may not" indicates a lack of authority or permission to act or refrain from acting in the manner specified by the context. [2009, c. 538, §3 (AMD).]

### SECTION HISTORY

1989, c. 166, §1 (NEW). 2009, c. 538, §3 (AMD).

## Subchapter 2: RECORDS AND DOCUMENTS

### §21. FORM AND CONTENT OF DOCUMENTS

The Secretary of State may establish the form and content of all forms, lists, documents and records required by or necessary to the efficient operation of this Title. [1985, c. 161, §6 (NEW).]

### SECTION HISTORY

1985, c. 161, §6 (NEW).

### §22. RECORDS AND DOCUMENTS ARE PUBLIC; EXCEPTION FOR BALLOTS AND VOTER ADDRESS

**1. Public records.** All lists, books, documents and records required to be prepared by or filed with a public official are public records, except as otherwise provided in this Title. Public records are open to public inspection during regular business hours under proper protective regulations made by the official charged with their custody.

[ 2005, c. 453, §5 (AMD) .]

**2. Ballots.** Ballots are not public records and may be inspected only in accordance with this Title.

[ 1997, c. 248, §1 (NEW) .]

**3. Confidential information.** Notwithstanding subsection 1 and Title 1, section 408-A, if a registered voter meets certain conditions, the voter's information must be kept confidential as provided in this subsection.

A. For a voter who is certified by the Secretary of State as a program participant in the Address Confidentiality Program pursuant to Title 5, section 90-B, all records maintained by the registrar pertaining to that voter must be kept confidential and must be excluded from public inspection. [2005, c. 568, §2 (NEW).]

B. For a voter who submits to the registrar a signed statement that the voter has a good reason to believe that the physical safety of the voter or a member of the voter's immediate family residing with the voter would be jeopardized if the voter's residence address were open to public inspection, that

voter's residence address and mailing address, if the mailing address is the same as or discloses the voter's residence address, must be kept confidential and must be excluded from public inspection. The remainder of the information in that voter's record that is designated as public information in section 196-A remains a public record and may be made available to the public according to the use and distribution requirements provided in that section. The voter's signed statement is also a public record. A voter's address that is excluded from public inspection under this paragraph may be made available free of charge to a law enforcement officer or law enforcement agency that makes a written request to use the information for a bona fide law enforcement purpose or to a person identified by a court order if directed by that order. [2009, c. 564, §1 (AMD).]

[ 2011, c. 662, §11 (AMD) .]

#### **4. Disclosure of address.**

[ 2005, c. 364, §3 (RP) .]

**5. Signature and identification number of registered voter.** Notwithstanding subsection 1 and Title 1, section 408-A, the voter's signature and identification number on the voter registration application and associated records in electronic format are designated as nonpublic records and the registrar shall exclude those items from public inspection. Voter signatures on voter registration applications and associated records in a printed hard-copy format are public records in accordance with subsection 1 and Title 1, section 408-A.

[ 2011, c. 662, §12 (AMD) .]

**6. Disclosure of voter's signature and identification number electronically.** A voter's signature and identification number in electronic format that are excluded from public inspection pursuant to subsection 5 and associated records may be made available for inspection only to the voter of record, to municipal and state election officials, to a law enforcement agency that makes a written request to use the information for a bona fide law enforcement purpose or to a person identified by a court order if directed by that order.

[ 2003, c. 584, §1 (NEW) .]

**7. Incoming voting list.** After the incoming voting list is unsealed following the election, the list must be made available for public inspection and copying in accordance with Title 1, section 408-A.

[ 2011, c. 662, §13 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1997, c. 248, §1 (RPR). 2003, c. 584, §1 (AMD). 2005, c. 364, §§2,3 (AMD). 2005, c. 453, §5 (AMD). 2005, c. 568, §2 (AMD). 2009, c. 564, §1 (AMD). 2011, c. 342, §5 (AMD). 2011, c. 662, §§11-13 (AMD).

## **§23. PRESERVATION AND DESTRUCTION OF RECORDS**

The preservation and destruction of records and other materials required by this Title are governed by the following provisions. [1985, c. 161, §6 (NEW).]

**1. Registration and enrollment applications.** The registrar shall keep registration and enrollment applications and requests and all documentation of changes in registration and enrollment as part of each active or inactive voter's permanent registration record. Records must be kept only 2 years for a voter whose registration has been cancelled or for an applicant whose registration application has been rejected.

[ 2005, c. 453, §6 (AMD) .]

**2. Convention certificates.** The Secretary of State shall keep the certificates required by section 322 in his office for 2 years.

[ 1985, c. 161, §6 (NEW) . ]

**3. Primary and nomination petitions.** The Secretary of State shall keep primary petitions, nomination petitions and consents in the office of the Secretary of State through the end of the calendar year in which the petition was filed.

[ 2013, c. 131, §2 (AMD) . ]

**3-A. Direct initiative of legislation and people's veto petitions.** The Secretary of State shall keep direct initiative of legislation and people's veto petitions in the Office of the Secretary of State for 6 months after any appeal period has passed.

[ 2009, c. 253, §7 (NEW) . ]

**3-B. Party formation documents.** The Secretary of State shall keep party formation declarations of intent and certification forms filed pursuant to section 303 in the office of the Secretary of State for 6 months after any appeal period has passed.

[ 2013, c. 131, §3 (NEW) . ]

**4. Receipts for ballots.** The Secretary of State and each clerk shall keep a record of receipts for ballots issued and received under sections 606 and 651 in their respective offices for 6 months.

[ 2013, c. 457, §1 (AMD) . ]

**5. Receipt of incoming voting list.** The registrar shall keep the receipt for certified copies of the incoming voting list required by section 624, subsection 2, in the registrar's office for one year.

[ 2005, c. 453, §7 (AMD) . ]

**6. Election tabulations.** The Secretary of State shall keep election tabulations in his office for 10 years.

[ 1985, c. 161, §6 (NEW) . ]

**7. Ballots and other election materials.** For 22 months following an election in which a candidate for a federal office is on the ballot, the clerk shall keep the ballots, tabulation materials related to those ballots and challenge certificates, if any, in the clerk's office or other secure location under the control of the clerk, unless sooner released to the Secretary of State or required by the Secretary of State to be kept longer. Once released to the Secretary of State, they must be kept by the Secretary of State until any appeal period bearing on the validity of the election has expired. Notwithstanding this subsection, ballots used for municipal elections conducted under this Title, referenda elections or special legislative elections must be kept for 2 months.

[ 2011, c. 534, §1 (AMD) . ]

**7-A. Incoming voting lists.** For 5 years following any election, the clerk shall keep the incoming voting lists in the clerk's office or other secure location under the control of the clerk.

[ 2011, c. 534, §2 (AMD) . ]

**7-B. Absentee envelopes and applications.** For 2 years following any election, the clerk shall keep the absentee ballot envelopes, including the unopened envelopes containing rejected absentee ballots, the applications for absentee ballots and the list of voters who were issued absentee ballots in the clerk's office or other secure location under the control of the clerk.

[ 2011, c. 534, §3 (NEW) .]

**8. Certificate of presidential electors.** The Secretary of State shall keep the certificate of the votes of the presidential electors, delivered to him under section 805, in his office for one year.

[ 1985, c. 161, §6 (NEW) .]

**9. Registration of treasurer.** The Commission on Governmental Ethics and Election Practices shall keep the registration of a treasurer under section 1013 in its office for 2 years.

[ 1985, c. 161, §6 (NEW) .]

**10. Records and campaign finances.** Each treasurer and each candidate shall keep the records required by section 1016 for 2 years following the election to which they pertain.

[ 1985, c. 161, §6 (NEW) .]

**11. Campaign reports.** The Commission on Governmental Ethics and Election Practices shall keep the campaign reports or report data in its office for at least 8 years.

[ 1995, c. 1, §10 (AMD) .]

**12. Certificate of appointment.** The Secretary of State shall keep a certificate of appointment to fill a vacancy under section 363 in his office for 2 years.

[ 1985, c. 161, §6 (NEW) .]

**12-A. Informational filings.** The Secretary of State shall keep a copy of the election-specific informational filings and reports received from the municipal clerks and registrars in the office of the Secretary of State for 6 months after the election to which they pertain, except that the return of votes cast report must be kept for 2 years.

[ 2013, c. 131, §5 (NEW) .]

**13. Miscellaneous.** The official charged with the custody of any record not specifically provided for in this section shall keep it in his office for 2 years.

[ 1985, c. 161, §6 (NEW) .]

**14. Destruction of records.** After the records and other materials have been kept for the required period, they may be destroyed. Posted notices, sample ballots and instruction posters may be destroyed as soon as the election to which they pertain is past. Ballots must be destroyed using a method that makes the contents unreadable.

[ 2003, c. 447, §4 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 383, §1 (AMD). IB 1995, c. 1, §10 (AMD). 1995, c. 459, §2 (AMD). 1997, c. 436, §§10,11 (AMD). 2001, c. 310, §3 (AMD). 2003, c. 447, §4 (AMD). 2003, c. 584, §2 (AMD).

2005, c. 453, §§6,7 (AMD). 2009, c. 253, §7 (AMD). 2011, c. 342, §§6, 7 (AMD). 2011, c. 534, §§1-3 (AMD). 2013, c. 131, §§2-5 (AMD). 2013, c. 457, §1 (AMD).

## §24. NEWSPAPER PUBLICATION TO BE REASONABLY NOTICEABLE

When publication in a newspaper is required by this Title, the item published must be set in such a size and location as to be reasonably noticeable. [1985, c. 161, §6 (NEW).]

### SECTION HISTORY

1985, c. 161, §6 (NEW).

## §25. DITTO MARKS

Ditto marks may be used, wherever practicable, in the preparation of lists required under this Title. [1985, c. 161, §6 (NEW).]

### SECTION HISTORY

1985, c. 161, §6 (NEW).

## Subchapter 3: GENERAL PENALTIES

## §31. CLASS E CRIMES

*(REPEALED)*

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 473, §46 (AFF). 1993, c. 473, §1 (RP).

## §32. VIOLATIONS AND PENALTIES

**1. Class E crime.** A person commits a Class E crime if that person:

A. Knowingly violates a provision of this Title for which no penalty has been provided; or [1993, c. 473, §2 (NEW); 1993, c. 473, §46 (AFF).]

B. Knowingly displays or distributes political advertisements in or on state-owned or state-leased property.

This paragraph does not apply to acts on state highways or to displays on motor vehicles not owned by the State while temporarily parked in parking areas on land maintained by the State. This paragraph does not apply to acts in or on a state-owned or state-leased building for a period beginning 48 hours before and ending 48 hours after that building is used by a political party to conduct a political activity within the building. [1993, c. 473, §2 (NEW); 1993, c. 473, §46 (AFF).]

[ 1993, c. 473, §2 (NEW); 1993, c. 473, §46 (AFF) .]

**2. Class D crime.** A person commits a Class D crime if that person:

A. Is a public official and knowingly fails or refuses to perform a duty required of that official under this Title. [1993, c. 473, §2 (NEW); 1993, c. 473, §46 (AFF).]

[ 1993, c. 473, §2 (NEW); 1993, c. 473, §46 (AFF) .]

**3. Class C crime.** A person commits a Class C crime if that person misuses a state government computer system. For purposes of this subsection, a person is guilty of misuse of a state government computer system if that person knowingly uses a computer system operated by a state department or agency, the Judicial Department or the Legislature:



A. To prepare materials with the intent to expressly advocate, to those eligible to vote, for the election or defeat of any candidate for a federal office, a constitutional office or elective municipal, county or state office, including leadership positions in the State Senate and the State House of Representatives; or [2003, c. 176, §3 (NEW).]

B. With the intent to solicit contributions reportable under chapter 13. [2003, c. 176, §3 (NEW).]

For purposes of this subsection, "computer system" has the same meaning as in Title 17-A, section 431 and "leadership positions" means the presiding officers of each House of the Legislature, party leaders, the Clerk of the House, the Assistant Clerk of the House, the Secretary of the Senate and the Assistant Secretary of the Senate.

This subsection may not be construed to prohibit a public employer from deducting dues or other funds from an employee's pay, as authorized by the employee and provided through a collective bargaining agreement, and remitting those funds to an account or fund owned by the employee's collective bargaining agent, even if the funds might be used for political or legislative purposes.

[2009, c. 144, §1 (AMD).]

#### SECTION HISTORY

1993, c. 473, §2 (NEW). 1993, c. 473, §46 (AFF). 2003, c. 176, §3 (AMD). 2009, c. 144, §1 (AMD).

### **§33. PROSECUTION OF VIOLATIONS**

The Attorney General shall designate a Deputy Attorney General or an Assistant Attorney General to investigate and prosecute alleged violations of the election laws. This section does not preclude a district attorney from investigating and prosecuting election law violations. [1993, c. 473, §2 (NEW); 1993, c. 473, §46 (AFF).]

#### SECTION HISTORY

1993, c. 473, §2 (NEW). 1993, c. 473, §46 (AFF).

## Chapter 3: VOTER REGISTRATION

### Subchapter 1: REGISTRAR OF VOTERS

#### §101. REGISTRAR

**1. Qualifications.** The registrar must be a citizen of the United States, a resident of the State and at least 18 years of age. The registrar may not be an employee of a party or candidate or be an officer of a municipal, county or state party committee. In the electoral division in which the registrar is appointed, the registrar may not:

- A. Hold or be a candidate for any federal, state or county office; [ 2015, c. 447, §1 (AMD) . ]
- B. Be a treasurer for a candidate; or [ 2009, c. 538, §4 (NEW) . ]
- C. Be a municipal officer as defined by Title 30-A, section 2001. [ 2009, c. 538, §4 (NEW) . ]

[ 2015, c. 447, §1 (AMD) . ]

**2. Appointment.** The municipal officers of each municipality shall appoint in writing a qualified registrar of voters by January 1st of each odd-numbered year. The registrar shall serve for 2 years and until a successor is appointed and sworn. The municipal clerk may be appointed to serve as registrar, but the term of the clerk has no effect on the term of the registrar. If the clerk is not appointed to serve as registrar, the clerk must be appointed by the registrar to serve as a deputy registrar and has the same authority as the registrar to make determinations of voter eligibility and to perform the duties of voter registration as provided in this Title.

[ 2005, c. 568, §3 (AMD) . ]

**3. Oath required.** Before assuming the duties of office, the registrar must be sworn and the oath recorded as provided in Title 30-A, section 2526, subsection 9.

[ 1997, c. 436, §16 (AMD) . ]

**4. Secretary of State notified.** The clerk shall notify the Secretary of State of the name of the registrar within 10 days after the registrar is appointed and sworn by revising the election official's information listing within the central voter registration system.

[ 2005, c. 453, §8 (AMD) . ]

**5. Compensation.** The municipal officers shall determine the compensation of the registrar.

[ 1985, c. 161, §6 (NEW) . ]

**6. Office hours.** The municipal officers shall establish reasonable office hours for the registrar consistent with the requirements of the municipality.

[ 1985, c. 161, §6 (NEW) . ]

**7. Office space, expenses and clerical help.** Each municipality shall provide a suitable place in which the registrar may perform his duties, and shall pay reasonable expenses for necessary office supplies purchased and clerical help engaged by the registrar.

[ 1985, c. 161, §6 (NEW) . ]

**8. Vacancy.** When there is a vacancy in the office of registrar, the municipal officers shall appoint a qualified person to fill the vacancy for the remainder of the term of office. If the municipal officers fail to appoint a registrar to fill the vacancy within 15 days after the municipal officers receive notification of the vacancy, the municipal clerk shall appoint a qualified person to fill the vacancy for the remainder of the term of office.

[ 1997, c. 436, §18 (AMD) .]

**9. Training.** The registrar must attend a training session that is approved by the Secretary of State at least once every 2 years in regard to the conduct of voter registration.

[ 2001, c. 415, §1 (NEW); 2001, c. 415, §5 (AFF) .]

**10. Ineligible to serve.** When a registrar or a member of the registrar's immediate family becomes a candidate for federal, state, local or county office in the electoral division in which the registrar is appointed, the registrar may not serve as registrar during the period beginning when the candidate files a petition to be a candidate or is nominated to be a replacement candidate until the time of election. The registrar shall instead appoint a deputy who must be compensated by the municipality for the duration of the deputy's temporary employment in that capacity.

[ 2015, c. 447, §2 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 737, §§C62,C106 (AMD). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §§C8,C10 (AMD). 1991, c. 466, §1 (AMD). 1997, c. 436, §§13-18 (AMD). 1999, c. 426, §§2,3 (AMD). 2001, c. 415, §1 (AMD). 2001, c. 415, §5 (AFF). 2005, c. 453, §8 (AMD). 2005, c. 568, §3 (AMD). 2009, c. 253, §8 (AMD). 2009, c. 538, §4 (AMD). 2015, c. 447, §§1, 2 (AMD).

## §102. DEPUTY REGISTRAR

The registrar may appoint one or more deputies, except that if the registrar does not also serve as the clerk, the registrar shall appoint the clerk to serve as a deputy registrar. [2005, c. 568, §4 (AMD).]

**1. Qualifications and compensation.** Section 101, subsections 1, 3 and 5, apply to a deputy registrar.

[ 1985, c. 161, §6 (NEW) .]

**2. Term of office.** A deputy registrar serves at the will of the registrar, except that if the clerk is a deputy registrar and the registrar leaves office, the clerk becomes the registrar pro tem until a new registrar is appointed and sworn, at which point the clerk must be appointed as a deputy to the new registrar.

[ 2005, c. 568, §5 (AMD) .]

**3. Duties.** He may perform any of the duties of office prescribed by the registrar.

[ 1985, c. 161, §6 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §3 (AMD). 2005, c. 568, §§4,5 (AMD).

## §103. REGISTRATION APPEALS BOARD

In a city or town that has a population of 5,000 or more, if a person is aggrieved by the decision of the registrar of voters to cancel that person's registration in the central voter registration system or to reject that person's voter registration application, that person may appeal in writing to the registration appeals board. [2005, c. 453, §9 (AMD).]

**1. Population of 5,000 or over.** The registration appeals board consists of 3 members who must be appointed as follows: The municipal committee of each of the major political parties shall nominate one member, who must be enrolled in the party of the municipal committee that nominates the member, and the municipal officers shall appoint the persons nominated by the municipal committees and the 3rd member must be nominated by the clerk of the municipality and appointed by the municipal officers. The clerk of the municipality may give the municipal committees of the political parties a list of qualifications necessary for a person to fulfill the duties of the registration appeals board, and the municipal committees shall take those qualifications into consideration when nominating members to the board. The 2 members of the board nominated by the municipal committees of the major political parties may be members of the municipal committee nominating them and of the county or state committees of the political party that nominates them and may be members of a state or county delegation to a political convention. When a municipal committee nominates a member to the registration appeals board, it shall also nominate an alternate board member, who serves if the member nominated by the municipal committee is or becomes unable to serve. The municipal clerk may not serve as a member or alternate member of the registration appeals board.

[ 1997, c. 436, §19 (AMD) .]

**2. Population of 4,000 to 5,000.**

[ 1999, c. 426, §4 (RP) .]

**3. Term of office.** Each member nominated by the municipal committees of the major political parties and appointed to the board shall serve for 3 years and until the member's successor is appointed and sworn. The member nominated by the clerk of the municipality and appointed to the board shall serve for 4 years and until that member's successor is appointed and sworn.

[ 1995, c. 459, §8 (AMD) .]

**4. Chairman of the board.** The member nominated by the clerk of the municipality is chairman of the board.

[ 1985, c. 161, §6 (NEW) .]

**5. Vacancy.** When there is a vacancy on the board, the alternate board member nominated by the municipal committee of the political party of the former incumbent shall serve. If an alternate is not available, the municipal officers shall appoint a qualified person nominated by the municipal committee of the party of the former incumbent to fill the vacancy. If the vacancy is in the office of the chair of the board, the municipal officers shall appoint a qualified person nominated by the clerk of the municipality to fill the vacancy. Vacancies must be filled for the remainder of the term of office.

[ 1991, c. 466, §2 (AMD) .]

**6. Appeal hearing.** Upon receipt of a complaint by a person aggrieved by the decision of the registrar, the chair of the registration appeals board shall immediately fix a time and place for the board to meet for a prompt hearing. The voter must be given written notice of the hearing at least 20 days in advance and must have the opportunity to testify and to present witnesses and other evidence at the hearing. The hearing is de novo. After hearing, the board may affirm, modify or reverse the decision of the registrar of voters. The board

shall issue the decision to the voter in writing and shall provide information on how the voter may appeal the decision. The aggrieved person may appeal the decision of the board to the Superior Court in accordance with Rule 80B of the Rules of Civil Procedure.

[ 2009, c. 253, §9 (AMD) .]

**7. Actions of the registration appeals board.** A registration appeals board may only act by unanimous or majority action.

[ 1995, c. 459, §10 (RPR) .]

**8. Removal from office.** A member of the board may be removed from office at any time during the member's term by the appointing authority if the appropriate nominating authority nominates a replacement. Any replacement member shall serve out the remainder of the replaced member's term.

[ 1995, c. 459, §11 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 614, §4 (AMD). 1991, c. 466, §§2,3 (AMD). 1991, c. 862, §§1,2 (AMD). 1995, c. 56, §§1,2 (AMD). 1995, c. 56, §3 (AFF). 1995, c. 459, §§4-11 (AMD). 1997, c. 436, §19 (AMD). 1999, c. 426, §§4,5 (AMD). 2005, c. 453, §9 (AMD). 2007, c. 455, §4 (AMD). 2009, c. 253, §9 (AMD).

## §104. DEPUTIES FOR BOARDS OF REGISTRATION

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §12 (RP).

### Subchapter 2: VOTER ELIGIBILITY

## §111. GENERAL QUALIFICATIONS

A person who meets the following requirements may vote in any election in a municipality, including a biennial municipal caucus held pursuant to section 311. [2005, c. 387, §1 (AMD) .]

**1. Citizenship.** The person must be a citizen of the United States.

[ 2005, c. 387, §1 (AMD) .]

**2. Age.** The person must be at least 18 years of age, except that, to vote in a political party's primary election or municipal caucus, the person must be at least 18 years of age as of the date of the next general election.

[ 2005, c. 387, §1 (AMD) .]

**3. Residence.** The person must have established and maintain a voting residence in that municipality.

[ 2005, c. 387, §1 (AMD) .]

**4. Registration.** The person must be registered to vote in that municipality.

[ 2005, c. 387, §1 (AMD) .]

**5. Enrollment.** The person must be enrolled in a party in that municipality to vote at that party's caucus, convention or primary election, unless otherwise permitted by the party pursuant to section 340.

[ 2005, c. 387, §1 (AMD) . ]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 188, §1 (AMD). 1987, c. 423, §2 (AMD).  
2005, c. 387, §1 (AMD).

## §111-A. VOTING AGE QUALIFICATION FOR PRIMARY ELECTIONS

A person who has not yet reached 18 years of age but will be 18 years of age at the time of a general election and meets all other qualifications in order to vote in a primary election may vote in the primary election for the selection of candidates to be on the ballot at that general election. [ 2005, c. 387, §2 (AMD) . ]

#### SECTION HISTORY

2003, c. 577, §1 (NEW). 2005, c. 387, §2 (AMD).

## §112. RESIDENCE FOR VOTING PURPOSES

Voting residence is governed by the following provisions. [1985, c. 161, §6 (NEW) . ]

**1. Residence.** The residence of a person is that place where the person has established a fixed and principal home to which the person, whenever temporarily absent, intends to return.

A. The following factors may be offered by an applicant and considered by a registrar in determining a person's residence under this section. The registrar need not find all of these factors to be present in order to conclude that an applicant qualifies to register to vote in the municipality:

- (1) A direct statement of intention by the person pursuant to section 121, subsection 1;
- (2) The location of any dwelling currently occupied by the person;
- (6) The place where any motor vehicle owned by the person is registered;
- (8) The residence address, not a post office box, shown on a current income tax return;
- (9) The residence address, not a post office box, at which the person's mail is received;
- (10) The residence address, not a post office box, shown on any current resident hunting or fishing licenses held by the person;
- (12) The residence address, not a post office box, shown on any motor vehicle operator's license held by the person;
- (14) The receipt of any public benefit conditioned upon residency, defined substantially as provided in this subsection; or
- (16) Any other objective facts tending to indicate a person's place of residence. [ 2009, c. 253, §10 (AMD) . ]

B. [1993, c. 695, §2 (RP) . ]

[ 2009, c. 253, §10 (AMD) . ]

**2. Change.** A change of residence is made only by the act of removal, joined with the intent to remain in another place. A person can have only one residence at any given time.

[ 1985, c. 161, §6 (NEW) . ]

**3. Residence retained.** A person does not lose the person's residence if the person temporarily leaves home and goes to another country, state or place in this State with the intent of returning.

[ 1993, c. 695, §3 (AMD) . ]

**4. Separate residence.** The place where a person's family resides is presumed to be the person's place of residence, but a person may acquire a separate residence if the person takes another abode with the intention of remaining there. This subsection does not apply to uniformed service voters, students and others covered by subsection 7.

[ 2003, c. 407, §5 (AMD) . ]

**5. Spouse may have separate residence.** A married person may be considered to have a residence separate from that of the person's spouse for the purposes of voting or holding office. For those purposes, residence is determined as if the person were single.

[ 1993, c. 695, §3 (AMD) . ]

**6. Voting in another state.** A person loses the person's voting residence in this State if the person registers to vote in another state or votes in another state's election, either in person or by absentee ballot. That person is not eligible to register or vote in this State until the person again qualifies under section 111.

[ 2007, c. 455, §5 (AMD) . ]

**7. Uniformed service voters, students, institutional patients, Indians.** A person does not gain or lose a residence solely because of the person's presence or absence while employed in the uniformed service or the merchant marine of the United States, while a student in any institution of learning, while kept in any institution at public expense or while residing upon any Indian or military reservations. This subsection may not be construed to prevent a student at any institution of learning from qualifying as a voter in the municipality where the student resides while attending that institution.

[ 2003, c. 407, §5 (AMD) . ]

**8. Voting residence retained.** A person who has gained a voting residence in a municipality retains it, if the person so desires, when the person becomes a patient at a federal institution or an employee of a federal agency where the person is required to reside on land ceded to the Federal Government by the State. This subsection applies to a member of the uniformed service, merchant marine or the National Guard who is required to be in a place other than that in which the person has gained a voting residence.

[ 2003, c. 407, §5 (AMD) . ]

**9. Federal property.** A person residing on federal property, except as stated in subsection 5, is eligible to register and vote in the voting district in which the federal property is located.

[ 1985, c. 161, §6 (NEW) . ]

**10. Becoming 18 on federal property.** A person who becomes 18 years of age while residing on federal property as a patient at a federal institution or an employee of a federal agency, or while in the uniformed service, is considered to have gained a voting residence in the municipality in which the person resided at the time the person became such a patient, employee or member of the uniformed service.

[ 2003, c. 407, §6 (AMD) . ]

**11. Spouse of member of uniformed service or merchant marine.** A person may have the same voting residence as that person's spouse who is a member of the uniformed service or merchant marine. A member of the uniformed service or merchant marine on active duty, whose spouse has a place of residence in this State, may establish a residence in the place of residence of the spouse by filing an affidavit with the registrar declaring an intention to reside in that place upon severance from the uniformed service or merchant marine.

[ 2003, c. 407, §6 (AMD) .]

**12. Spouse may have separate residence.**

[ 1985, c. 614, §5 (RP) .]

**13. Voting in another state.**

[ 1985, c. 614, §5 (RP) .]

**14. Persons incarcerated in correctional facilities.** The residence of a person incarcerated in a correctional facility, as defined in Title 34-A, section 1001, or in a county jail does not include the municipality where a person is incarcerated unless the person had resided in that municipality prior to incarceration.

A person incarcerated in a correctional facility may apply to register to vote in any municipality where that person has previously established a fixed and principal home to which the person intends to return.

[ 1997, c. 436, §21 (AMD) .]

**15. Nontraditional residence.** A person may have a nontraditional residence, including, but not limited to a shelter, park or underpass. A person's residency is not subject to challenge on the sole basis that the person has a nontraditional residence.

[ 1993, c. 473, §5 (NEW); 1993, c. 473, §46 (AFF) .]

SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 614, §5 (AMD). 1987, c. 93, (AMD). 1993, c. 473, §§3-5 (AMD). 1993, c. 473, §46 (AFF). 1993, c. 695, §§2-4 (AMD). 1997, c. 436, §§20,21 (AMD). 2003, c. 407, §§5,6 (AMD). 2007, c. 455, §5 (AMD). 2009, c. 253, §10 (AMD).

## §112-A. PROOF OF IDENTITY FOR VOTING PURPOSES

Any of the following forms of documentation may be offered by an applicant and considered by a registrar in verifying the identity of an applicant who is registering to vote under this chapter and whose name does not already appear in the central voter registration system as a registered voter. The registrar need not request or consider all of these forms of documentation in order to verify an applicant's identity. [ 2009, c. 253, §11 (NEW) .]

**1. Government-issued photograph identification document or credential.** A government-issued photograph identification document or credential, including, but not limited to, a current and valid United States passport, military identification, driver's license or state identification;

[ 2009, c. 253, §11 (NEW) .]



**2. Other government-issued identification document.** A government-issued identification document without a photograph, including, but not limited to, a certified birth certificate or a signed social security card;

[ 2009, c. 253, §11 (NEW) .]

**3. Other official documents.** An official document, including, but not limited to, a document confirming eligibility determinations for public benefits, a utility bill, a bank statement, a government check, a paycheck or other government document that shows the name and address of the voter; or

[ 2009, c. 253, §11 (NEW) .]

**4. Verified unique identifier for new voters.** A verified unique identifier for new voters, including the voter's Maine driver's license number, Maine identification number or the last 4 digits of the voter's social security number that are successfully verified through the central voter registration system verification.

[ 2009, c. 253, §11 (NEW) .]

#### SECTION HISTORY

2009, c. 253, §11 (NEW) .

## §113. RIGHT SURVIVES CHANGE OF RESIDENCE

A registered voter who moves to another state within 60 days before a presidential election may not be removed from the incoming voting list and the voter's registration may not be cancelled in the central voter registration system until after the election unless the registrar has received confirmation of the voter's registration in another state. The voter may vote at that presidential election in person or by absentee ballot.

[2009, c. 253, §12 (AMD).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 2005, c. 453, §10 (AMD). 2009, c. 253, §12 (AMD) .

## §114. DIVISION OF MUNICIPALITY, EFFECT

When any territory is set off from one municipality and annexed to another, the act establishing the new boundaries must indicate where and for which offices the voters in the territory may vote. If this provision is omitted from the act, the voters may vote for all offices in the municipality to which the territory is annexed.

[1985, c. 161, §6 (NEW).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW) .

## §115. RESTRICTIONS

### 1. Certain persons may not register or vote.

[ 2001, c. 516, §1 (RP) .]

**2. Voting restricted to district.** In a municipality that has voting districts, a voter may vote using only the ballot or ballots for the district in which the voter resides on election day.

[ 2003, c. 447, §5 (AMD) .]

**3. Correct name and address on incoming voting list.** A person whose name, or residence address in a municipality that has voting districts, does not appear correctly on the incoming voting list on election day may not vote at any election until it is corrected as provided in section 661.

[ 2005, c. 453, §11 (AMD) . ]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 188, §2 (AMD). 1995, c. 459, §13 (AMD). 2001, c. 516, §1 (AMD). 2003, c. 447, §5 (AMD). 2005, c. 453, §11 (AMD).

## Subchapter 3: REGISTRATION AND ENROLLMENT

### Article 1: REGISTRATION

#### §121. EXCLUSIVE POWER OF REGISTRAR

The registrar has the exclusive power, subject to section 163, to determine whether a person who applies for registration as a voter meets the qualifications prescribed by this Title. [1985, c. 161, §6 (NEW) . ]

**1. Oath may be required.** In making this determination, the registrar may require any person who testifies before him concerning his qualifications or those of another to swear to the truth of his statements.

[ 1985, c. 161, §6 (NEW) . ]

**1-A. Identification and proof.** Registration applications taken by outside agencies must be transferred to the Secretary of State within 5 days of receipt. An applicant who attempts to register within 30 days of an election must be advised that the registrar might not receive the application before the deadline for mail or 3rd-person registration set forth in section 121-A, but that the applicant may register in person no later than the deadline for in-person registration set forth in section 121-A.

Registration applications received by the Secretary of State from outside agencies 30 days or more before an election must be transferred to the appropriate registrar's office within 7 business days of receipt. Registration applications received by the Secretary of State from outside agencies less than 30 days before an election must be transferred to the appropriate registrar's office within 5 business days of receipt. Registration applications by mail or by a 3rd person must be received in the registrar's office by the close of business on the 21st day before election day in order for persons' names to appear on the incoming voting list for that election. The 20-day period before the election is the closed period for outside registrations. The registrar shall send the notice required by section 122 to all voters whose applications were received by mail or a 3rd person by the 21st day before election day no later than the 18th day before election day.

A person who registers in person shall show proof of identity and residency. If satisfactory proof of identity and residency can not be provided to the registrar or deputy, the person's name is entered into the central voter registration system and placed on the incoming voting list and the person casts a challenged ballot. If the person shows satisfactory proof of identity and residency prior to voting on election day, the person's ballot is not challenged.

[ 2011, c. 534, §4 (AMD) . ]

**2. Political party not a qualification.** The registrar shall be impartial as to the political party of the applicant in determining the applicant's voting qualifications.

[ 1989, c. 313, §1 (AMD) . ]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 313, §1 (AMD). 1993, c. 473, §6 (AMD). 1993, c. 473, §46 (AFF). 1993, c. 695, §5 (AMD). 1997, c. 436, §22 (AMD). 1999, c. 426, §6 (AMD). 2005, c. 453, §12 (AMD). 2011, c. 534, §4 (AMD).

## §121-A. DEADLINE FOR REGISTRATION

The deadline for receipt of voter registration applications submitted by mail or by a 3rd person is the close of business on the 21st day before election day. The deadline for in-person registration is the close of the polls on election day. [2011, c. 534, §5 (NEW).]

### SECTION HISTORY

2011, c. 534, §5 (NEW).

## §122. REGISTRATION PROCEDURE

A person may register to vote in person by appearing before the registrar by the registration deadline in section 121-A, proving that the person meets the qualifications of section 111, subsections 1 to 3, and completing and filing an application provided by the registrar containing the information required by section 152 or 154, if applicable. Township residents may register as provided in section 156. [2013, c. 131, §6 (AMD).]

**1. Entry into central voter registration system.** The registrar shall enter the name and other information from the voter registration application of the applicant into the central voter registration system as expeditiously as possible after receipt of a voter registration application. The registrar shall register a person by first name, middle name or initial and last name, by first name or initial, middle and last name or by first name and last name.

[ 2007, c. 455, §6 (AMD) .]

**2. Notice of disposition.** The registrar shall notify the applicant whether the application for registration is accepted or rejected by providing the applicant with a written acknowledgement notice, in the form prescribed by the Secretary of State, as expeditiously as possible after the voter's information has been entered into the central voter registration system. If a mailed notice of acceptance is returned as undeliverable within 15 days after it is sent, the registrar must reject the application and provide a new acknowledgement notice to the applicant indicating the rejection. If a mailed notice of acceptance is not returned as undeliverable within 15 days after it is sent, the voter is automatically designated as active in the central voter registration system.

[ 2005, c. 453, §14 (AMD) .]

**3. Notice of new registration.** When an applicant states in the application that the applicant last voted in another state, the registrar shall immediately send a notice of the applicant's new registration to the registrar of that jurisdiction. The notice must contain the following:

- A. The voter's name; [1985, c. 614, §6 (NEW).]
- B. The name under which registered, if changed; [1985, c. 614, §6 (NEW).]
- C. Date of birth; and [1985, c. 614, §6 (NEW).]
- D. Former residence and mailing address. [2005, c. 453, §15 (AMD).]

The Secretary of State may facilitate the delivery of such notices electronically using the central voter registration system.

[ 2005, c. 453, §15 (AMD) .]

**4. Election day registration.** The registrar shall accept registrations of applicants who appear in person on election day. The registrar shall issue to each of these applicants a certificate entitling the applicant to be placed on the incoming voting list at the voting place. Only one certificate may be issued to a person. An applicant whose address has changed since the applicant last voted must vote using the ballot or ballots for the new polling place, if applicable, on election day.

[ 2005, c. 453, §16 (AMD) . ]

**5. Alternative registration schedule for absentee voters.** If the clerk receives a properly completed absentee ballot application that is signed by a person who is not a registered voter in the municipality, a presumption of the person's qualification as a voter is established. The clerk shall send an absentee ballot to the voter at the address indicated, along with a voter registration application under section 152. The completed registration application must be returned to the clerk by the close of the polls on election day in order for the ballot to be counted and may not be sealed with the voted absentee ballot. If the application is received during the closed period and the registrar is not satisfied as to the person's qualification as a voter, the registrar shall follow the requirements of section 121, subsection 1-A to place the person's name on the incoming voting list and challenge the absentee ballot. An application by telephone under section 753-A, subsection 4 or an application by electronic means under section 753-A, subsection 6 does not establish a presumption of qualification under this section and the requestor must submit a properly completed voter registration application before the clerk may issue an absentee ballot.

[ 2013, c. 131, §7 (AMD) . ]

**6. Schedule for acceptance of registrations.** Except as provided in paragraph A, the registrar shall accept registrations on any business day or other day that the clerk's office is open. The names and other information from the voter registration applications of any persons registering must be entered into the central voter registration system and must be placed on the incoming voting list.

A. The registrar may accept only the registrations of applicants who appear in person as follows:

- (1) In a municipality with a population of 2,500 or fewer, on the last business day that the clerk's office is open before election day during the hours that the clerk's office is open;
- (2) In a municipality with a population of more than 2,500, on the last 5 business days that the clerk's office is open before election day during the hours that the clerk's office is open and for 2 hours in the evening between 5 p.m. and 9 p.m. on at least one of these days; and
- (3) The names of voters registering during these periods must be recorded as provided under subsection 7. [2005, c. 453, §18 (AMD).]

[ 2005, c. 453, §18 (AMD) . ]

**7. Record of names.** The names of voters who register by appearing in person before the registrar during the business days before election day under subsection 6 must be recorded as provided in either paragraph A or B:

A. The registrar shall, after finding an applicant qualified, issue a certificate requiring the voter's name and other required information to be written on the incoming voting list at the voting place on election day. The certificate must be attached to, or included with, the incoming voting list and sealed as provided in section 698. Only one certificate may be recorded for any voter at an election; or [ 2015, c. 447, §3 (AMD) . ]

B. The registrar shall, after finding the applicant qualified, enter the voter's name and other information from the voter registration application into the central voter registration system and add it to the incoming voting list. Before the polls are opened, the registrar shall deliver the incoming voting list to the clerk. The inclusion of a person's name on the incoming voting list will entitle the applicant to vote on election day. [ 2015, c. 447, §3 (AMD). ]

[ 2015, c. 447, §3 (AMD) . ]

**8. Change of schedule.** The hourly schedule established by this section may be changed by the municipal officers according to the needs of the municipality.

[ 1985, c. 307, §1 (NEW) . ]

**9. Regulation of registration monitors.** Anyone who wishes to monitor the names and addresses of persons who are registering at the registrar's office or the clerk's office shall inform the registrar or clerk of that intent. Anyone who wishes to monitor the names and addresses of persons who are registering at the polling place shall inform the registrar or clerk of that intent by submitting a written, signed statement containing the proposed monitor's name, address and intent. The registrar or clerk may designate a place where a person monitoring registrations may stand. The registrar or clerk shall then announce the name and address of individuals registering to vote in a loud and clear voice. A person monitoring registrations shall direct any questions the person has to the registrar or clerk. These questions must be limited to information pertinent to the qualifications of an individual to register. A person monitoring registrations may not ask questions of individuals waiting to register concerning their eligibility to vote. A polling place registration monitor may not handle or inspect registration cards, files or other materials used by the registrar or clerk except as provided in section 22. A monitor may not inhibit the work of the registrar or clerk. If the work of a registrar or clerk appears to be inhibited, the warden may request a reduction in the number of monitors present in the polling place. A registrar or clerk may require a person monitoring registrations who violates the provisions of this subsection to leave the building.

[ 2003, c. 395, §1 (AMD) . ]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 307, §1 (AMD). 1985, c. 614, §6 (AMD). 1991, c. 466, §4 (AMD). 1993, c. 695, §§6,7 (AMD). RR 1995, c. 1, §8 (COR). 1995, c. 459, §14 (AMD). 1997, c. 436, §23 (AMD). 2001, c. 310, §4 (AMD). 2003, c. 395, §1 (AMD). 2003, c. 407, §7 (AMD). 2003, c. 447, §§6,7 (AMD). 2003, c. 584, §3 (AMD). 2005, c. 453, §§13-19 (AMD). 2007, c. 455, §6 (AMD). 2007, c. 515, §3 (AMD). 2011, c. 534, §6 (AMD). 2013, c. 131, §§6, 7 (AMD). 2015, c. 447, §3 (AMD).

## §122-A. ALTERNATIVE REGISTRATION PROCEDURE FOR PARTICIPANTS IN ADDRESS CONFIDENTIALITY PROGRAM

Notwithstanding sections 122 and 152, a person who is certified by the Secretary of State as a program participant in the Address Confidentiality Program pursuant to Title 5, section 90-B may register to vote using the designated address and voter code assigned to that person pursuant to rules adopted to implement the program. To register to vote, a voter must present the registrar with that voter's authorization card assigned to the voter pursuant to rules adopted by the Secretary of State showing that voter's name, voter code, designated address and certification expiration date. The registrar may contact the Address Confidentiality Program administrator in the Secretary of State's office to determine the voter's eligibility to register in the municipality and to verify the electoral district in which the voter is voting for purposes of issuing an absentee ballot to the voter pursuant to section 753-C. All registration records for such voters must be designated as confidential

and kept sealed in the registrar's office. The name of any voter certified as a program participant in the Address Confidentiality Program may not be placed on any voter list that is available for public inspection or copying. [2005, c. 364, §4 (NEW).]

## SECTION HISTORY

2005, c. 364, §4 (NEW).

**§123. SCHEDULE; REGULAR ELECTION**

*(REPEALED)*

## SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 307, §2 (RP).

**§124. SCHEDULE; SPECIAL ELECTIONS**

*(REPEALED)*

## SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 307, §2 (RP).

**§125. NOTICE OF SCHEDULE**

The registrar shall publish the schedule established under section 122, subsection 6 or as changed by the municipal officers under subsection 8 in a newspaper having general circulation in the municipality 10 to 15 business days before election day, except that, in municipalities with a population of 2,500 or fewer, publication of the time schedule may be done by another means the registrar considers sufficient to provide adequate notice to the residents of the municipality. [2011, c. 534, §7 (AMD).]

## SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 614, §7 (AMD). 1997, c. 436, §24 (AMD). 2011, c. 534, §7 (AMD).

**§126. COMBINED REGULAR AND SPECIAL ELECTIONS**

*(REPEALED)*

## SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 614, §8 (RP).

**§127. PERSONS PRESENT AT TIME FOR CLOSING REGISTRATIONS**

The registrar shall allow all persons to register who are present at the registrar's office at closing time. [1991, c. 466, §5 (AMD).]

## SECTION HISTORY

1985, c. 161, §6 (NEW). 1991, c. 466, §5 (AMD).

**§128. REGISTRAR TO CHECK RECORDS**

Before printing the final incoming voting list prior to any election, the registrar shall update the central voter registration system as follows: [2005, c. 453, §20 (AMD).]

**1. Registrar shall review records.** The registrar shall review the records of marriage, death, change of name and change of address in the office of the clerk or the assessors or as provided by the Department of Health and Human Services, Office of Vital Records or the Department of the Secretary of State, Bureau of Motor Vehicles and shall revise the central voter registration system accordingly;

[ 2005, c. 453, §20 (AMD) . ]

**2. Clerk provides list.** The clerk shall, if requested, provide the registrar with a list, certified by the clerk to be true, of the marriages, deaths and changes that took place since the last update of the central voter registration system. The registrar shall use this list to update the central voter registration system accordingly; or

[ 2005, c. 453, §20 (AMD) . ]

**3. Marriage; notice of inquiry.** If the registrar determines that a voter has married, the registrar may not for that reason alone cancel a voter's registration in the central voter registration system. The registrar may send a notice inquiring whether, as a result of marriage, that voter's name or address has been changed. Nothing in this subsection relieves a voter of the duty to give the registrar written notice of a change of name or address in accordance with section 129.

[ 2005, c. 453, §20 (AMD) . ]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 379, (AMD). 1993, c. 695, §8 (AMD).  
1997, c. 436, §§25,26 (AMD). 2005, c. 453, §20 (AMD).

## §129. CHANGE OF NAME OR ADDRESS

When a voter's name is changed by marriage or other process of law, or when the voter moves within a municipality, the following provisions apply. [2011, c. 399, §11 (AMD).]

**1. Notice.** The voter must give written notice to the registrar of his new and former names or addresses before the close of registrations prior to election day.

[ 1985, c. 161, §6 (NEW) . ]

**2. Correction of name or address.** The registrar shall correct the voter's name or address in the central voter registration system and on the incoming voting list, and the voter must then vote under the voter's new name or in the new district on election day.

A. In a municipality that has more than one voting district, if a voter has changed the voter's address and votes absentee after the close of registration, the voter must send a written notice of the voter's new address along with the voter's absentee application notifying the registrar of the voter's new address. A certificate containing the voter's name and new address must be directed to the warden of the voter's new voting place to be attached to the incoming voting list on election day. [1999, c. 426, §7 (AMD) . ]

[ 2005, c. 453, §21 (AMD) . ]

**3. Failure to notify.** If a voter fails to notify the registrar of a change of name or change of address before election day, the voter must appear before the registrar on election day and follow the procedure outlined in section 661 if the voter wishes to vote, unless the registrar has already made the correction in following the procedure prescribed by section 128. If the voter wishes to exercise the right to vote, the voter must vote using the ballot or ballots for the new polling place, if applicable, on election day.

[ 2011, c. 534, §8 (AMD) . ]

**4. Publication of substance.**

[ 1997, c. 436, §28 (RP) .]

## SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 383, §2 (AMD). 1993, c. 695, §9 (AMD). 1995, c. 459, §15 (AMD). 1997, c. 436, §§27,28 (AMD). 1999, c. 426, §7 (AMD). 2005, c. 453, §21 (AMD). 2011, c. 399, §11 (AMD). 2011, c. 534, §8 (AMD).

**§130. APPLICATIONS FOR VOTER REGISTRATION**

A person who completes a voter registration application, as provided in section 152, may mail the application or have the application delivered to the registrar in the person's municipality of residence before the deadline for mail or 3rd-person registrations in section 121-A, to be entered into the central voter registration system and placed on the incoming voting list prior to the next election; except that applications completed under section 122, subsection 5 may be delivered during the closed period for immediate placement on the incoming voting list. [2011, c. 534, §9 (AMD).]

## SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 614, §9 (AMD). 1989, c. 694, §1 (AMD). 2005, c. 453, §22 (AMD). 2011, c. 534, §9 (AMD).

**Article 2: ENROLLMENT****§141. ENROLLMENT**

When a person registers, the registrar shall ask whether or not the person wishes to enroll in a political party. If the answer is in the affirmative, the registrar shall ask in which party the person wishes to enroll. If the answer is in the negative, the registrar shall note on the enrollment portion of the application that the person chose not to enroll in a political party. Nothing in this section may be construed to require a person to enroll in a political party. [1989, c. 313, §2 (AMD).]

**1. Influence prohibited.** The registrar may not attempt to influence an applicant in any aspect of the enrollment procedure and may not allow anyone else present to do so.

[ 2009, c. 538, §5 (AMD) .]

## SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 313, §2 (AMD). 2009, c. 538, §5 (AMD).

**§142. ENROLLMENT PROCEDURE**

A voter who had initially chosen not to enroll in a particular party may later enroll in a party by filing an application with the registrar personally, by mail or otherwise, at any time, except that on election day a voter must enroll in person. [1989, c. 313, §3 (AMD).]

**1. Content of application.** The application must contain the following information: Name of applicant, date of birth, residence address, voting district, name of party in which enrollment is requested, signature of the applicant and the date of application.

[ 2005, c. 453, §23 (AMD) .]



**2. Party designation.** On receipt of the application, the registrar shall enter the party designation of the applicant into the central voter registration system and file the application.

[ 2005, c. 453, §24 (AMD) .]

**3. Length of time in party.** Once a voter has enrolled in a party, the voter must remain in that party for 3 months before the voter can file an application for either a withdrawal or a change in enrollment.

[ 2001, c. 310, §5 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 313, §3 (AMD). 1997, c. 436, §29 (AMD). 2001, c. 310, §5 (AMD). 2005, c. 453, §§23,24 (AMD).

### §143. PERMITTED AT ANY ELECTION

A voter who is not enrolled in a party may enroll at any election by personally filing the application required by section 142 with the election clerk in charge of the ballots, after which the applicant may vote. If the applicant votes by absentee ballot, the applicant may enroll by filing the enrollment application with the absentee ballot, except that the enrollment application may not be sealed in the absentee ballot envelope. [2001, c. 310, §6 (AMD).]

**1. Application delivered to warden.** The election clerk who receives the completed application shall initial it and deliver it to the warden, who shall have it delivered to the registrar after the polls are closed.

[ 1985, c. 161, §6 (NEW) .]

**2. Party designation entered.** On receipt of the application, the registrar shall enter the party designation of the applicant into the central voter registration system and file the application.

[ 2005, c. 453, §25 (AMD) .]

**3. Applications furnished by registrar.** The registrar shall furnish a reasonable number of enrollment applications to the warden at each voting place. If there are not enough applications at the voting place, the applicant may write the information required by section 142 on a blank piece of paper.

[ 1985, c. 161, §6 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1997, c. 436, §30 (AMD). 2001, c. 310, §6 (AMD). 2005, c. 453, §25 (AMD).

### §144. CHANGE OF ENROLLMENT

A voter may change the voter's enrollment after 3 months from the date on which the voter enrolled by filing an application with the registrar personally, by mail or otherwise. When a voter files an application to change enrollment on the day of a primary election, the application is deemed received the following business day. [2017, c. 248, §1 (AMD).]

**1. Content of application.** The application must contain the following information: Name of applicant, the date of birth, residence address, name of party in which enrollment is requested, signature of the applicant and the date of application.

[ 2017, c. 248, §2 (AMD) .]

**2. Party designation removed.** On receipt of the application, the registrar shall remove the party designation of the applicant from the central voter registration system. The registrar shall indicate in the central voter registration system that the applicant is ineligible to vote at a caucus or primary election for 15 days by designating the party enrollment field with the letter "X." Fifteen days after receiving the application, the registrar shall enroll the applicant in the party requested and enter the new party designation in the party enrollment field.

This subsection does not apply in the case of a voter who changes enrollment under subsection 4.

[ 2005, c. 453, §27 (AMD) .]

**3. Restrictions during change of enrollment.** Except as provided in subsection 4, a voter may not vote at a caucus, convention or primary election for 15 days after filing an application to change enrollment. A voter may sign a primary nomination petition during the 15-day period after filing an application to change enrollment, and the voter's signature must be counted as valid, as long as the 15-day period has elapsed by the time the petition is certified pursuant to section 335, subsection 7 and the voter otherwise is qualified to sign a petition for that office. Notwithstanding subsection 4, a voter must file an application to change enrollment prior to January 1st to be eligible to file a petition as a candidate in that election year.

[ 2013, c. 457, §2 (RPR) .]

**4. Change of residence.** When a voter changes residence from one municipality to another and establishes a new voting residence there, that voter may enroll in any party and vote at a caucus, convention or primary election, regardless of that voter's previous enrollment.

[ 2013, c. 173, §2 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 330, §1 (AMD). 1995, c. 459, §16 (AMD). 1997, c. 436, §31 (AMD). 2001, c. 310, §§7,8 (AMD). 2005, c. 453, §§26,27 (AMD). 2013, c. 131, §8 (AMD). 2013, c. 173, §§1, 2 (AMD). 2013, c. 457, §2 (AMD). 2017, c. 248, §§1, 2 (AMD).

## §145. WITHDRAWAL OF ENROLLMENT

A voter may withdraw the voter's enrollment after 3 months from the date on which the voter enrolled by filing a written request with the registrar. When a voter files an application to withdraw enrollment on the day of a primary election, the application is deemed received the following business day. [2017, c. 248, §3 (AMD) .]

**1. Candidates for nomination by nomination petition.** If enrolled, candidates for nomination by nomination petition must withdraw their enrollment on or before March 1st of that election year.

[ 1999, c. 426, §8 (AMD) .]

**2. Reenrollment after withdrawal.** A voter may not enroll in a different party but may enroll in the same party within 15 days after filing a written request for withdrawal from a party.

[ 2001, c. 310, §9 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1997, c. 436, §§32,33 (AMD). 1999, c. 426, §8 (AMD). 2001, c. 310, §9 (AMD). 2017, c. 248, §3 (AMD).

## Article 3: PROVISIONS COMMON TO REGISTRATION AND ENROLLMENT PROCEDURES

### §151. SAME FORM

An individual shall register to vote and indicate enrollment status at the same time and on the same form. If an individual chooses to enroll in a political party, the registrar shall indicate the party chosen on the registration form. The registrar shall indicate on the registration form if an individual chooses not to enroll in a political party. [1989, c. 313, §4 (AMD).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 313, §4 (AMD).

### §152. REGISTRATION AND ENROLLMENT PROCEDURE

**1. Application.** In addition to the procedure provided by section 122, a person may register to vote or enroll in a political party, or both, by completing an application that is designed by the Secretary of State. The application must include, but is not limited to:

A. The legal name of the voter, in one of the following combinations:

(1) First name and last name;

(2) First initial, middle name and last name; or

(3) First name, middle name or middle initial and last name; [2015, c. 447, §4 (RPR).]

B. Residence address, including street, street number, apartment number, town and zip code; [1991, c. 466, §6 (AMD).]

C. Mailing address; [1985, c. 161, §6 (NEW).]

D. Date of birth; [1985, c. 161, §6 (NEW).]

E. [1993, c. 695, §10 (RP).]

F. Most recent prior residence where registered to vote, including the municipality, county and state, and the name under which previously registered, if changed; [2015, c. 447, §5 (AMD).]

G. [1993, c. 695, §11 (RP).]

H. Notification that failure to complete the entire application may prevent registration; [1985, c. 161, §6 (NEW).]

I. [2003, c. 407, §8 (RP).]

J. Date of application; [1997, c. 436, §34 (AMD).]

K. Signature of applicant; [2003, c. 407, §8 (AMD).]

L. Choice of political party if the applicant desires to enroll in a political party or an indication that the applicant chose not to enroll in a party; [2003, c. 407, §8 (AMD).]

M. A place for the person's current, valid Maine driver's license number, if applicable; or, if the applicant has no driver's license number, the last 4 digits of the person's social security number, if applicable; or, if the applicant has neither number, a place to put "none" or "not applicable"; and [2003, c. 407, §8 (NEW).]

N. A place for the applicant to respond to the questions concerning the voter's qualifications as required by the federal Help America Vote Act of 2002, Public Law 107-252. [2003, c. 407, §8 (NEW).]

[ 2015, c. 447, §§4, 5 (AMD) .]

**2. Entry into central voter registration system.** Upon receipt of the application by the registrar of voters, the applicant's name and other information from the voter registration application must be entered into the central voter registration system as expeditiously as possible. The registrar shall provide the voter with a notice of disposition as required by section 122.

[ 2005, c. 453, §28 (AMD) .]

**3. Failure to qualify.** The registrar of voters may investigate any application under this section and reject the voter's application for failure to meet a voting qualification under this Title, after written notice to the voter to the last known address provided by the voter.

[ 2005, c. 453, §29 (AMD) .]

**4. Persons born United States citizens in foreign countries.** Any person born a United States citizen in a foreign country may register under this section in the same manner as a person who was born a United States citizen within the territory of the United States.

[ 1985, c. 161, §6 (NEW) .]

**5. Design of application.** The Secretary of State shall design the application. The Secretary of State may design an application that can be completed electronically and that substantially meets the requirements of this section.

[ 2003, c. 407, §9 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 383, §3 (AMD). 1987, c. 145, (AMD).  
1989, c. 313, §5 (AMD). 1989, c. 694, §2 (AMD). 1991, c. 466, §6 (AMD).  
1993, c. 695, §§10-12 (AMD). 1997, c. 436, §§34,35 (AMD). 2001, c. 310,  
§§10,11 (AMD). 2003, c. 407, §§8,9 (AMD). 2005, c. 453, §§28,29 (AMD).  
2007, c. 455, §7 (AMD). 2015, c. 447, §§4, 5 (AMD).

## §153. REGISTRATION AND ENROLLMENT OF DISABLED PERSON

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 614, §10 (AMD). 2005, c. 196, §2 (RP).

### §153-A. ALTERNATIVE REGISTRATION PROCEDURE FOR VOTERS WITH DISABILITIES

**1. Alternative application for voter who is unable to sign.** An applicant who is unable to sign that applicant's name because of a physical disability may use a signature stamp or authorize another person to sign on behalf of the applicant on an application to register to vote or to enroll or make any changes to the applicant's voter registration status, as provided by this Title. The individual assisting the applicant shall prepare and sign the registration application or form, along with an alternative registration signature statement, at the applicant's direction, in the presence of the applicant and one corroborating witness. The individual assisting the applicant and the corroborating witness must be registered to vote in the State, but neither may be a candidate, the applicant's employer or an agent of that employer or an officer or agent of the applicant's union. The alternative registration signature statement form must be designed by the Secretary of State and must indicate that:

A. The applicant is unable to sign the applicant's name because of a physical disability; [ 2005, c. 196, §3 (NEW) .]

B. The applicant meets all the qualifications to become a registered voter in the State or to make the requested changes to the voter's registration; and [ 2005, c. 196, §3 (NEW) . ]

C. The information supplied on the form concerning the applicant is true. [ 2005, c. 196, §3 (NEW) . ]

[ 2005, c. 196, §3 (NEW) . ]

**2. Alternative application for voter who becomes unable to sign after being registered.** A voter who becomes unable to sign that voter's name because of a physical disability after being registered to vote and who wishes to change the voter's registration or enrollment status may do so by using a signature stamp or by authorizing another registered voter to sign on the voter's behalf if the voter files with the voter registration application or form an alternative registration signature statement prepared in accordance with subsection 1.

[ 2005, c. 196, §3 (NEW) . ]

**3. Signing petitions.** Once an alternative registration signature statement is on file with the registrar, the voter may authorize any other Maine-registered voter to sign candidate petitions and any Maine Clean Election Act forms requiring a voter's signature in the presence and at the direction of the voter, except that the individual assisting the voter may not be a candidate, the circulator of the petition or form, the voter's employer or an agent of that employer or an officer or agent of the voter's union. In addition to using the voter's signature stamp or signing for the voter, the individual assisting the voter must print and sign the individual's own name and residence address on the petition or form and attest that the individual is signing on the voter's behalf. This method of signing satisfies the requirements in this Title that voters personally sign candidate petitions.

[ 2005, c. 568, §6 (AMD) . ]

**4. Registrar assistance.** An applicant or voter described in subsection 1 or 2 who does not have another registered voter available to assist the applicant or voter may request the registrar to provide that assistance. If the applicant or voter is unable to appear at the office of the registrar, the registrar shall visit the individual to provide that assistance, upon request and with reasonable notice. The municipality shall pay the registrar travel expenses at the same rate paid other municipal employees.

[ 2005, c. 196, §3 (NEW) . ]

#### SECTION HISTORY

2005, c. 196, §3 (NEW). 2005, c. 568, §6 (AMD).

## §154. REGISTRATION AND ENROLLMENT FOR CITIZENS OUTSIDE THE UNITED STATES

**1. Application.** A person qualified to register under section 111, subsections 1 and 2 and who resides outside the United States and does not maintain a fixed and principal home or other address in the State may register at the last residence address immediately before leaving the United States and enroll by filing a federal postcard application or an application designed by the Secretary of State. If a citizen of the United States who resides outside the United States and has never lived in the United States has a parent who is a qualified elector, that person is eligible to register and vote where that parent is a qualified elector. The state application must include, but is not limited to:

A. First name, middle name or initial and last name, first name or initial, middle name and last name or first name and last name; [ 2007, c. 455, §8 (AMD) . ]

B. Last residence address immediately before departing from the United States, including street, street number, apartment number, town and zip code; [ 1995, c. 459, §17 (AMD) . ]

- C. Mailing address; [1985, c. 161, §6 (NEW).]
- D. Date of birth; [1985, c. 161, §6 (NEW).]
- E. [1995, c. 459, §17 (RP).]
- F. [1995, c. 459, §17 (RP).]
- G. [1993, c. 695, §13 (RP).]
- H. Notification that failure to complete the entire application may prevent registration; [1985, c. 161, §6 (NEW).]
- I. [1997, c. 436, §36 (RP).]
- J. Signature of applicant; [1997, c. 436, §36 (AMD).]
- K. [2003, c. 407, §10 (RP).]
- L. Date of application; [2003, c. 407, §10 (AMD).]
- M. [1997, c. 436, §36 (RP).]
- N. Choice of political party if the registrant wishes to enroll in a political party or an indication that the applicant chose not to enroll in a party; [2003, c. 407, §10 (AMD).]
- O. A place for the person's current, valid Maine driver's license number, if applicable; or, if the applicant has no driver's license number, the last 4 digits of the person's social security number, if applicable; or, if the applicant has neither number, a place to put "none" or "not applicable"; and [2003, c. 407, §10 (NEW).]
- P. A place for the applicant to respond to the questions concerning the voter's qualifications as required by the federal Help America Vote Act of 2002, Public Law 107-252. [2003, c. 407, §10 (NEW).]

[ 2009, c. 253, §13 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 383, §4 (AMD). 1987, c. 188, §3 (AMD). 1989, c. 313, §6 (AMD). 1989, c. 694, §3 (AMD). 1991, c. 466, §§7,8 (AMD). 1993, c. 695, §§13,14 (AMD). 1995, c. 459, §17 (AMD). 1997, c. 436, §36 (AMD). 2003, c. 407, §10 (AMD). 2007, c. 455, §8 (AMD). 2009, c. 253, §13 (AMD).

### §155. ADVANCE REGISTRATION AND ENROLLMENT

The registrar shall conditionally accept the registration and enrollment of any person who is 17 years of age and who is otherwise qualified to be a voter. The conditional registration automatically becomes effective on the person's 18th birthday and the registrant then is eligible to vote. [2011, c. 342, §8 (AMD).]

A person who has registered under this section and who has not attained 18 years of age may vote by absentee ballot at any election if that person attains 18 years of age on or before the date of the election and is otherwise eligible to vote by absentee ballot. [1985, c. 161, §6 (NEW).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1991, c. 399, §1 (AMD). 2003, c. 407, §11 (AMD). 2005, c. 453, §30 (AMD). 2011, c. 342, §8 (AMD).

### §156. SPECIAL PROVISIONS FOR TOWNSHIP RESIDENTS

In addition to section 632, registration, enrollment and voting by the resident of a township are governed by the following provisions. [1985, c. 161, §6 (NEW).]

**1. Registration and enrollment.** A township resident who lives in a township for which the county commissioners have not established a voting place as provided in section 632 may register and enroll in any municipality within the applicant's representative district or, if the applicant lives in a portion of a township not easily accessible to a municipality within the representative district, the township resident may register and enroll in a more convenient municipality within or outside the county. The township resident may register and enroll on election day. The registrar shall designate the applicant as a township voter with the letter "T" in the central voter registration system and on the incoming voting list.

[ 2005, c. 568, §7 (AMD) .]

**2. Voting.** The township voter may vote in the town in which the voter is registered in any election for offices of or questions concerning the unorganized territory in which the voter resides. The voter may not vote at a municipal election or on a liquor option question. If the voter registers in a town outside the voter's state representative district, state senatorial district, county or county commissioner district, the voter may vote for the offices of Representative to the Legislature, State Senator or any county office by using a ballot provided under section 606-A.

[ 2011, c. 534, §10 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 363, §1 (AMD). 2001, c. 310, §12 (AMD). 2005, c. 453, §31 (AMD). 2005, c. 568, §7 (AMD). 2011, c. 534, §10 (AMD).

### **§157. ACCEPTANCE OF APPLICATIONS BY CLERK**

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 614, §11 (AMD). 1985, c. 819, §§A20,21 (AMD). 1991, c. 466, §9 (AMD). 1997, c. 436, §37 (AMD). 2005, c. 568, §8 (RP).

### **§158. MUNICIPAL CAUCUS**

During the gubernatorial election year, the registrar shall attend the biennial municipal caucus of each qualified party for at least 30 minutes preceding the commencement of the caucus at the location where the caucus is being held. During the presidential election year, the registrar shall attend the biennial municipal caucus of each qualified party for at least one hour preceding the commencement of the caucus at the location where the caucus is being held. The registrar shall accept the registrations and enrollments of all qualified voters who attempt to register and enroll, and all persons so registered and enrolled may participate in their party caucus. The registrar shall allow all persons to register or enroll who are present at the caucus at the end of the 30-minute or one-hour registration period. [2009, c. 253, §14 (AMD).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 614, §12 (AMD). 1993, c. 447, §2 (AMD). 1997, c. 436, §38 (AMD). 2001, c. 102, §1 (AMD). 2009, c. 253, §14 (AMD).

## §159. VIOLATIONS AND PENALTIES

**1. False statement or false oath.** A person who makes a false statement or who takes a false oath before an official concerning the qualifications of any person for registration or enrollment and who does not believe the statement to be true commits a Class D crime.

[ 1993, c. 473, §7 (AMD); 1993, c. 473, §46 (AFF) .]

**2. Dual registration.** A person who, having registered in one voting district or municipality within this State, or in another state, knowingly registers in another voting district or municipality within this State without revealing his prior registration to the registrar is guilty of a Class D crime.

[ 1985, c. 161, §6 (NEW) .]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 473, §7 (AMD). 1993, c. 473, §46 (AFF) .

## Subchapter 4: VOTING LIST

### §161. RESPONSIBILITIES OF REGISTRAR

#### 1. List prepared.

[ 2005, c. 453, §32 (RP) .]

#### 2. List current.

[ 2005, c. 453, §32 (RP) .]

**2-A. Maintenance of voter registration information.** The registrar in each municipality shall keep the central voter registration system current at all times for the voters in the registrar's municipality. The Secretary of State is authorized to conduct maintenance of the central voter registration system. The Secretary of State shall adopt rules for conducting voter list maintenance required by the National Voter Registration Act of 1993. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. A registrar may not cancel a voter's registration in the central voter registration system solely because the registered voter did not vote in previous elections. A voter's registration record in the central voter registration system must be cancelled by either the registrar for the voter's municipality or by the Secretary of State as follows:

A. When it is determined that a voter has registered to vote in another jurisdiction in the State, the voter registration record from the former jurisdiction must be cancelled; and [2009, c. 370, §1 (NEW) .]

B. When it is determined that the voter has registered to vote in another jurisdiction outside of the State, the voter registration record in the State must be cancelled. [2009, c. 370, §1 (NEW) .]

[ 2013, c. 131, §9 (AMD) .]

#### 3. List of deceased residents.

[ 2005, c. 453, §32 (RP) .]

**4. Proof of qualification is requested.** If the registrar is in doubt as to the qualifications of a person to vote, the registrar shall fix a reasonable time and place for a hearing and give written notice of the hearing to the voter at the last known address provided by the voter at least 20 days in advance. The voter must have the



opportunity to testify and to present witnesses and other evidence at the hearing. The voter may respond in person or in writing with proof of qualifications prior to the date of the hearing. After the hearing, the registrar shall determine whether the voter has met the voting qualifications and shall act accordingly. If the voter offers satisfactory proof of qualifications to the registrar, either prior to or at the hearing, the registrar may not cancel the voter's registration in the central voter registration system. If the voter fails to offer satisfactory proof of qualifications to the registrar, either prior to or at the hearing, the registrar may cancel the voter's registration in the central voter registration system. If the voter fails to appear at the hearing and the registrar has proof that the voter does not meet the qualifications, the registrar may cancel the voter's registration in the central voter registration system. The registrar shall notify the voter, in writing, of the action taken and advise the voter of the appropriate appeal authority as specified in this Title. If the registrar decides to cancel the voter's registration in the central voter registration system after the hearing and a municipal or state election occurs before the cancelled voter has exhausted all appeals, then the voter remains in the central voter registration system for the election and may cast a challenged ballot.

[ 2007, c. 455, §9 (AMD) . ]

**5. Record of names added and cancelled.** The registrar shall keep a record of the names added to or the registrations cancelled in the central voter registration system and the date when the action was taken.

[ 2005, c. 453, §32 (AMD) . ]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 273, §§1,3 (AMD). 1991, c. 466, §10 (AMD). 1993, c. 473, §8 (AMD). 1993, c. 473, §46 (AFF). 1993, c. 695, §15 (AMD). 1995, c. 459, §18 (AMD). 1997, c. 436, §39 (AMD). 2001, c. 310, §13 (AMD). 2005, c. 453, §32 (AMD). 2007, c. 455, §9 (AMD). 2009, c. 370, §1 (AMD). 2013, c. 131, §9 (AMD).

## §162. NOTICE OF REMOVAL FROM LIST

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 695, §16 (RP).

## §162-A. CHANGE OF ADDRESS CONFIRMATION NOTICE

The following provisions govern the change of address confirmation notice and procedures for updating a voter's status in the central voter registration system. [ 2005, c. 453, §33 (AMD) . ]

**1. Change of address confirmation notice.** Except as provided in section 122, subsection 3, a registrar, or the Secretary of State when conducting maintenance of the central voter registration system, shall send by forwardable mail a change of address confirmation notice, with a postage prepaid and preaddressed return notice, to the last known place of residence of each person the registrar or the Secretary of State has identified as having a change of address. If a registrant has moved within the municipality's jurisdiction, a registrar shall change the voter's record to reflect the new address before sending the change of address confirmation notice. If a registrant has moved outside the municipality's jurisdiction, a registrar shall also include information on voter registration procedures in the new jurisdiction.

[ 2009, c. 370, §2 (AMD) . ]

**2. Change of voter's status.** A voter's registration may be cancelled in the central voter registration system if the voter confirms that the voter has moved from the municipality's jurisdiction. If a voter fails to respond to the change of address confirmation notice, the voter must be designated on the incoming voting list and in the central voter registration system as inactive. A voter who has been designated as inactive and

fails to vote for the next 2 general elections must be cancelled in the central voter registration system. If a voter who is designated as inactive votes at any election prior to cancellation in the central voter registration system, the inactive designation of the voter must be changed to active. Address verification may be requested at the polls before allowing a voter designated as inactive to vote. Cancellation of a voter's registration record in the central voter registration system pursuant to this subsection may be performed by either the registrar for the voter's municipality or the Secretary of State.

[ 2009, c. 370, §3 (AMD) .]

### 3. Rule making.

[ 2001, c. 310, §14 (RP) .]

**3-A. Determine; approve.** The Secretary of State shall determine or approve the design and contents of the notices required by this section.

[ 2001, c. 310, §15 (NEW) .]

#### SECTION HISTORY

1993, c. 695, §17 (NEW). 2001, c. 310, §§14,15 (AMD). 2005, c. 453, §33 (AMD). 2009, c. 370, §§2, 3 (AMD).

## §163. APPEAL

In a municipality that does not have a registration appeals board, if a person is aggrieved by the decision of the registrar of voters to cancel that person's registration in the central voter registration system or to reject that person's registration application, the person may appeal in writing to the municipal officers by filing a complaint. The municipal officers shall immediately fix a time and place for a prompt hearing. The voter must be given written notice of the hearing at least 20 days in advance and must have the opportunity to testify and to present witnesses and other evidence at the hearing. The hearing is de novo. After hearing, the municipal officers may affirm, modify or reverse the decision of the registrar of voters. The municipal officers shall issue the decision to the voter in writing and shall provide information on how the voter may appeal the decision. The aggrieved person may appeal the decision of the municipal officers to the Superior Court in accordance with Rule 80B of the Rules of Civil Procedure. [2009, c. 253, §15 (AMD).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §19 (AMD). 1999, c. 426, §9 (AMD). 2005, c. 453, §34 (AMD). 2007, c. 455, §10 (AMD). 2009, c. 253, §15 (AMD).

## §164. ENROLLMENT RECORDS

The registrar shall designate each voter's enrollment status in the central voter registration system using the symbols prescribed by the Secretary of State. The registrar shall keep the voters' enrollment status current at all times, and shall keep a record of the enrollments added, changed or withdrawn and the date when the action was taken. [2005, c. 453, §35 (RPR).]

### 1. Records current.

[ 2005, c. 453, §35 (RP) .]

## 2. Record of names added and removed.

[ 2005, c. 453, §35 (RP) .]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 273, §§2,3 (AMD). 2005, c. 453, §35 (RPR).

## §165. COPIES OF LIST AVAILABLE

*(REPEALED)*

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 383, §5 (AMD). 2005, c. 453, §36 (RP).

## §166. UPDATED VOTING LISTS FURNISHED TO CANDIDATES

*(REPEALED)*

### SECTION HISTORY

1985, c. 161, §6 (NEW). 2005, c. 453, §37 (RP).

## §167. VIOLATION AND PENALTY

A person who adds, deletes, alters or cancels a voter registration record in the central voter registration system or the voter registration file, knowing that person has no legal right to do so, commits a Class C crime. [2005, c. 453, §38 (AMD).]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 473, §9 (AMD). 1993, c. 473, §46 (AFF). 2005, c. 453, §38 (AMD).

## Subchapter 5: REGISTER OF VOTERS

## §171. PREPARATION AND CONTENTS

*(REPEALED)*

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 383, §6 (AMD). 1985, c. 614, §13 (AMD). 1989, c. 313, §§7,8 (AMD). 1991, c. 466, §§11,12 (AMD). 1993, c. 695, §§18,19 (AMD). 1997, c. 436, §40 (AMD). 2003, c. 407, §12 (RP).

## §172. VOTER REGISTRATION FILE

The registrar shall prepare and keep a voter registration file containing the voter registration documents for each voter in the central voter registration system, arranged alphabetically by the last name of each voter, except that any voter certified by the Secretary of State as a program participant in the Address Confidentiality Program pursuant to Title 5, section 90-B must be listed on voter registration documents only by the voter code assigned to that voter under the program and these documents must be placed at the end of the alphabetized voter file. The file must contain an original, signed voter registration application for each voter, with associated applications containing changes of name, address or enrollment and any documentation concerning these applications or the qualifications for these voters. Information in the file pertaining to any voter certified by the Secretary of State as a program participant in the Address Confidentiality Program must be kept under seal and excluded from public inspection. When a voter's registration is cancelled from the central voter registration system, the registrar shall indicate on the voter's registration documents the date

that the voter's registration was cancelled and retain the documents for the time period specified in section 23, either in the same file, or in a separate file. The registrar must retain the voter registration documents for each rejected voter in a separate file for the time period specified in section 23. [2005, c. 568, §9 (AMD).]

## SECTION HISTORY

2003, c. 407, §13 (NEW). 2005, c. 364, §5 (AMD). 2005, c. 568, §9 (AMD).

## Subchapter 6: NATIONAL VOTER REGISTRATION ACT

**§180. STATE COORDINATOR**

The Secretary of State is the coordinator of state responsibilities under the National Voter Registration Act of 1993, referred to in this subchapter as "NVRA." [1993, c. 695, §20 (NEW).]

## SECTION HISTORY

1993, c. 695, §20 (NEW).

**§181. DESIGNATED AGENCIES**

**1. Designated voter registration agencies.** The designated voter registration agencies pursuant to NVRA include, but are not limited to:

- A. Inside agencies that include the Department of the Secretary of State, Bureau of Corporations, Elections and Commissions and Bureau of Motor Vehicles; and [1993, c. 695, §20 (NEW).]
- B. Outside agencies, or their successors, which include the following:
  - (1) All state agencies that provide public assistance, including the Department of Health and Human Services and the offices within the department that provide assistance under the Temporary Assistance for Needy Families program under Title 22, chapter 1053-B, the Women, Infants and Children Special Supplemental Food Program of the United States Child Nutrition Act of 1966, the federal Medicaid program and the statewide food supplement program under Title 22, section 3104;
  - (2) The uniformed service recruitment offices;
  - (3) The public high schools;
  - (4) The offices of municipal clerks and registrars;
  - (5) The Department of Labor, Bureau of Rehabilitation Services; and
  - (6) All state agencies that provide state-funded programs primarily engaged in providing services to persons with disabilities. [2015, c. 447, §6 (RPR).]

[2015, c. 447, §6 (AMD).]

**2. Voter registration.** The agencies designated in subsection 1 shall provide voter registration by January 1, 1995.

[1993, c. 695, §20 (NEW).]

## SECTION HISTORY

1993, c. 695, §20 (NEW). 1995, c. 418, §A39 (AMD). 2003, c. 407, §14 (AMD). 2003, c. 689, §B6 (REV). 2015, c. 447, §6 (AMD).

## §182. FORMS AND NOTICES

The design and contents of all application forms used for voter registration must be approved by the Secretary of State. [1993, c. 695, §20 (NEW).]

### SECTION HISTORY

1993, c. 695, §20 (NEW).

## Subchapter 7: CENTRAL VOTER REGISTRATION

## §191. CENTRAL VOTER REGISTRATION SYSTEM IMPLEMENTED

*(REPEALED)*

### SECTION HISTORY

2001, c. 637, §2 (NEW). 2005, c. 364, §6 (AMD). 2005, c. 453, §40 (AMD). 2005, c. 683, §§A31,32 (AMD). 2009, c. 564, §2 (RP).

## §192. CENTRAL VOTER REGISTRATION ADVISORY COMMITTEE

*(REPEALED)*

### SECTION HISTORY

2001, c. 637, §2 (NEW). 2005, c. 12, §SS21 (AMD). 2005, c. 453, §41 (AMD). 2009, c. 564, §3 (RP).

## §193. FUNDING

*(REPEALED)*

### SECTION HISTORY

2001, c. 637, §2 (NEW). 2005, c. 453, §42 (AMD). 2009, c. 564, §4 (RP).

## §194. RULES

The Secretary of State may adopt rules regarding administration of a central voter registration system to determine the pricing, accessibility and availability of information contained in the database and the appropriate use and resale of that information and to identify additional system features or voter information to be included in the system or provide for the confidentiality of certain personal information or limitations on the use and distribution of that information. [2009, c. 564, §5 (AMD).]

Rules adopted pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. [2009, c. 564, §5 (AMD).]

### SECTION HISTORY

2001, c. 637, §2 (NEW). 2005, c. 453, §43 (AMD). 2009, c. 564, §5 (AMD).

## §195. REPORT

The Secretary of State shall report annually, by January 15th, to the joint standing committee of the Legislature having jurisdiction over voter registration matters on the administration of the central voter registration system. The report may address issues of public access to the information from the central voter registration system, taking into consideration the compelling state interests to prevent voter fraud and the potential disenfranchisement of voters and to ensure that voters are not discouraged from participating in

the voting process. The report may include suggested legislation necessary to administer the central voter registration system. The committee may report out legislation regarding the central voter registration system to the Legislature. [2009, c. 564, §6 (AMD).]

## SECTION HISTORY

2001, c. 637, §2 (NEW). 2005, c. 453, §44 (AMD). 2007, c. 397, §1 (AMD). 2009, c. 564, §6 (AMD).

## §196. USE AND DISTRIBUTION OF CENTRAL VOTER REGISTRATION INFORMATION

*(REPEALED)*

## SECTION HISTORY

2005, c. 404, §2 (NEW). 2005, c. 568, §10 (AMD). RR 2007, c. 1, §11 (COR). 2007, c. 397, §2 (AMD). 2007, c. 455, §§11, 12 (AMD). 2007, c. 695, Pt. C, §5 (AMD). 2009, c. 370, §§ 4, 5 (AMD). 2009, c. 564, §7 (RP).

## §196-A. USE AND DISTRIBUTION OF CENTRAL VOTER REGISTRATION SYSTEM INFORMATION

**1. Access to data from the central voter registration system.** For the purposes of Title 1, section 402, information contained electronically in the central voter registration system and any information or reports generated by the system are confidential and may be accessed only by municipal and state election officials for the purposes of election and voter registration administration, and by others only as provided in this section.

A. An individual voter may obtain any information contained in that voter's record within the central voter registration system either from the registrar in the voter's municipality of residence or from the Secretary of State. The individual voter information must be made available to that voter upon request and free of charge. The Secretary of State may design a report to facilitate providing information to an individual voter. [2009, c. 564, §8 (NEW).]

B. A political party, or an individual or organization engaged in so-called "get out the vote" efforts directly related to a campaign or other activities directly related to a campaign, or an individual who has been elected or appointed to and is currently serving in a municipal, county, state or federal office, may purchase a list or report of certain voter information from the central voter registration system by making a request to the Secretary of State or to a registrar if the information requested concerns voters in that municipality. The Secretary of State or the registrar shall make available the following voter record information, subject to the fees set forth in subsection 2: the voter's name, residence address, mailing address, year of birth, enrollment status, electoral districts, voter status, date of registration, date of change of the voter record if applicable, voter participation history, voter record number and any special designations indicating uniformed service voters, overseas voters or township voters. Any person obtaining, either directly or indirectly, information from the central voter registration system under this paragraph may not sell, distribute or use the data for any purpose that is not directly related to activities of a political party, "get out the vote" efforts directly related to a campaign or other activities directly related to a campaign. This paragraph does not prohibit political parties, party committees, candidate committees, political action committees or any other organizations that have purchased information from the central voter registration system from providing access to such information to their members for purposes directly related to party activities, "get out the vote" efforts or a campaign. For purposes of this paragraph, "campaign" has the same meaning as in section 1052, subsection 1. [2015, c. 447, §7 (AMD).]

C. The registrar shall make available, in electronic form and free of charge, upon the request of any person authorized under section 312 to obtain a municipal caucus list, the following voter record information for each voter in the municipality: the voter's name, residence address, mailing address, enrollment status, electoral districts, voter status, voter record number and any special designation indicating whether the voter is a uniformed service voter, overseas voter or township voter. The Secretary of State also shall make available the statewide caucus list, in electronic form and free of charge, to the state committee of each political party. [2009, c. 564, §8 (NEW).]

D. A municipal clerk or registrar shall make available to any person upon request and free of charge an electronic list of voters who requested or were furnished absentee ballots for their municipality for a specified election. The Secretary of State may make available free of charge the statewide absentee voter list in electronic form. The electronic list must include the information provided in section 753-B, subsection 6, paragraph A, except that the voter's record number must be provided instead of the voter's name and residence address. In addition, a municipal clerk or registrar shall make available upon request, subject to the fees set forth in subsection 2, paragraph A, the printed list, created and maintained pursuant to section 753-B, of voters who requested or were furnished absentee ballots. [2009, c. 564, §8 (NEW).]

E. The Secretary of State or a registrar may make available, upon the request of any other governmental or quasi-governmental entity, certain voter information for that entity's authorized use only. The following information may be provided in electronic form and free of charge: the voter's name, year of birth, residence address, mailing address, electoral districts, voter status, date of registration or date of change of the voter record if applicable, voter record number and any special designations indicating uniformed service voters, overseas voters or township voters. Data made available under this paragraph may not be used for solicitation or for purposes other than the governmental or quasi-governmental entity's authorized activities and may not be redistributed.

Authorized uses of the data by the Legislature include providing voter information to a Legislator for purposes of communicating with the Legislator's constituents and conducting legislative business. [2011, c. 534, §11 (AMD).]

F. The Secretary of State shall make available to any person upon request and free of charge the following voter record information in electronic form: either the voter's first name or last name, but not both names in the same report; year of birth; enrollment status; electoral districts to include congressional district and county only; voter status; date of registration or date of change of the voter record if applicable; date of the last statewide election in which the voter voted; and any special designations indicating uniformed service voters, overseas voters or township voters. The Secretary of State or the registrar also may make available to any person upon request and free of charge any report or statistical information that does not contain the names, dates of birth, voter record numbers or addresses of individual voters. [2009, c. 564, §8 (NEW).]

G. The Secretary of State or a registrar shall make available free of charge any information pertaining to individual voters, other than participants in the Address Confidentiality Program established in Title 5, section 90-B, that is contained in the central voter registration system to a law enforcement officer or law enforcement agency that makes a written request to use the information for a bona fide law enforcement purpose or to a person identified by a court order if directed by that order. Information pertaining to individual voters who are Address Confidentiality Program participants that is contained in the central voter registration system may be made available for inspection to a law enforcement agency that is authorized by the Secretary of State pursuant to Title 5, section 90-B to obtain Address Confidentiality Program information. Data made available under this paragraph may not be used for purposes other than law enforcement or as directed in the court order. [2009, c. 564, §8 (NEW).]

H. When responding to a request about a specific voter registered in a specific municipality, the registrar of that municipality or the Secretary of State may use information contained in the central voter registration system to provide the registration status, enrollment status and electoral districts for that voter. [2009, c. 564, §8 (NEW).]

I. The Secretary of State shall make available free of charge to the federal or state court system the voter registration information for voters, other than participants in the Address Confidentiality Program established in Title 5, section 90-B, statewide or by district as requested for the purpose of jury selection or other bona fide court purposes. [ 2013, c. 131, §10 (NEW). ]

[ 2015, c. 447, §7 (AMD) . ]

**2. Fees.** For the purpose of calculating fees pursuant to this section, a record includes the information on one individual voter. Fees paid to the Secretary of State must be deposited into a dedicated fund for the purpose of offsetting the cost of providing the information and maintaining the central voter registration system and other authorized costs relating to compliance with the federal Help America Vote Act of 2002, Public Law 107-252, 116 Stat. 1666. A municipality may keep the fees paid to the municipality. The fees for information provided pursuant to this section are as follows:

A. The fee for information provided in printed form is \$1 for the first page and 25¢ per page for all additional pages, except that the fee for additional pages of mailing labels is 75¢ per page; and [ 2009, c. 564, §8 (NEW). ]

B. The fee for information provided in electronic form is based on the number of records requested. The fee entitles the requestor to receive the initial electronic report or file and, upon request, up to 11 updates free of charge during the subsequent 12-month period, except that no more than one free update may be requested during any 30-day period. The fee schedule is as follows:

- (1) For 900,001 or more voter records, \$2,200;
- (2) For 600,001 to 900,000 voter records, \$1,650;
- (3) For 400,001 to 600,000 voter records, \$1,100;
- (4) For 250,001 to 400,000 voter records, \$825;
- (5) For 150,001 to 250,000 voter records, \$550;
- (6) For 100,001 to 150,000 voter records, \$275;
- (7) For 75,001 to 100,000 voter records, \$220;
- (8) For 50,001 to 75,000 voter records, \$182;
- (9) For 35,001 to 50,000 voter records, \$138;
- (10) For 25,001 to 35,000 voter records, \$83;
- (11) For 15,001 to 25,000 voter records, \$55;
- (12) For 7,501 to 15,000 voter records, \$33;
- (13) For 1,001 to 7,500 voter records, \$22; or
- (14) For 1 to 1,000 voter records, \$11. [ 2009, c. 564, §8 (NEW). ]

[ 2009, c. 564, §8 (NEW) . ]

**3. Response to requests.** Municipal clerks, registrars and the Secretary of State's office shall respond to all requests for information from the central voter registration system pursuant to this section within 5 business days of receipt of a written request and upon payment of any applicable fee. A municipal clerk or registrar may provide only information concerning voters registered within that municipal jurisdiction. The Secretary of State may design a form to be used for all requests for information or lists from the central voter registration system.

[ 2009, c. 564, §8 (NEW) . ]

SECTION HISTORY



2009, c. 564, §8 (NEW). 2011, c. 534, §11 (AMD). 2013, c. 131, §10 (AMD). 2013, c. 330, §1 (AMD). 2015, c. 447, §7 (AMD).

## Subchapter 8: HELP AMERICA VOTE ACT

### **§221. STATE COORDINATOR**

The Secretary of State is the coordinator of the State's responsibilities under the federal Help America Vote Act of 2002, Public Law 107-252. [2003, c. 407, §15 (NEW).]

#### SECTION HISTORY

2003, c. 407, §15 (NEW).

### **§222. RULE-MAKING AUTHORITY**

The Secretary of State is authorized to adopt rules establishing an administrative procedure for handling complaints relating to compliance with the provisions of Title III of the federal Help America Vote Act of 2002. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [2003, c. 407, §16 (NEW).]

#### SECTION HISTORY

2003, c. 407, §16 (NEW).

## Chapter 5: NOMINATIONS

### Subchapter 1: BY POLITICAL PARTIES

#### Article 1: PARTY QUALIFICATION

### §301. QUALIFIED PARTIES

**1. Primary election.** A party qualifies to participate in a primary election if its designation was listed on the ballot of either of the 2 preceding general elections and if:

- A. The party held municipal caucuses as prescribed by Article 2 in at least one municipality in a minimum of 14 counties in the State during the election year in which the designation was listed on the ballot and any interim election year and fulfills this same requirement during the year of the primary election; [2011, c. 227, §1 (AMD).]
- B. The party held a state convention as prescribed by Article III during the election year in which the designation was listed on the ballot and any interim election year; and [1999, c. 450, §1 (AMD).]
- C. [2009, c. 426, §1 (RP).]
- D. [1999, c. 450, §1 (RP).]
- E. At least 10,000 voters enrolled in the party voted in the last general election, except that a qualified party does not have to meet this enrollment until the 2nd general election after it has qualified and thereafter. [2017, c. 254, §1 (AMD).]

Each state party committee must file a statement with the Secretary of State on or before March 20th certifying that the party has held the municipal caucuses required by paragraph A. The statement must be signed by the party chair or the chair's designated agent.

[ 2017, c. 254, §1 (AMD) .]

**2. General election.** A party which qualifies under subsection 1 to participate in a primary election must, in that same year, hold a state convention as prescribed by Article III in order to have the party designation of its candidates printed on the ballot in the general election of that year.

[ 1985, c. 161, §6 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1997, c. 436, §41 (AMD). 1999, c. 450, §1 (AMD). 2009, c. 426, §§1, 2 (AMD). 2011, c. 227, §1 (AMD). 2017, c. 254, §1 (AMD).

### §302. FORMATION OF NEW PARTY; ORGANIZATION ABOUT A CANDIDATE

A party whose designation was not listed on the general election ballot in the last preceding general election qualifies to participate in a primary election, if it meets the requirements of subsections 1 and 2. [1999, c. 450, §2 (AMD).]

**1. Declaration of intent.** A voter or a group of voters not enrolled in a party qualified under section 301 must file a declaration of intent to form a party with the Secretary of State before 5 p.m. on the 180th day preceding the next primary election. The declaration of intent must be on a form designed by the Secretary of State and must include:

- A. The designation of the proposed party; [1985, c. 161, §6 (NEW) .]

B. The name of a candidate for Governor or for President in the last preceding general election who was nominated by petition under subchapter II and who received 5% or more of the total vote cast in the State for Governor or for President in that election; [1999, c. 450, §3 (AMD).]

C. The signed consent of that candidate; and [1985, c. 161, §6 (NEW).]

D. The name, address, telephone number, if published, and signature of the voter or one of the group of voters who files the declaration of intent. [1997, c. 436, §42 (AMD).]

[ 1999, c. 450, §3 (AMD) .]

**2. Enrollment of voters.** After filing the declaration described in subsection 1, the voter or voters proposing to form the party may then enroll voters in the proposed party under sections 141 to 145.

[ 1985, c. 161, §6 (NEW) .]

**3. Municipal caucuses.** A party that has qualified under subsections 1 and 2 to participate in a primary election must conduct municipal caucuses in at least one municipality in each of the 16 counties during that election year as prescribed in Article II. The chair of the municipal committee or a resident voter in the municipality must file a copy of the notice required by section 311, subsection 3 with the Secretary of State before 5 p.m. on March 20th.

[ 1999, c. 450, §4 (AMD) .]

**4. Convention.** A party that has qualified under subsections 1 and 2 to participate in a primary election must in that same year conduct the municipal caucuses under subsection 3 and hold a state convention as prescribed by Article III in order to have the party designation of its candidates printed on the ballot in the general election of that year. The voter or group of voters who files the declaration of intent may perform the duties of the state committee under section 321, subsection 1 for the party's initial convention.

[ 1999, c. 450, §5 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1997, c. 436, §§42,43 (AMD). 1999, c. 450, §§2-5 (AMD).

### **§303. FORMATION OF NEW PARTY; ORGANIZATION BY PARTY ENROLLMENT**

In addition to the procedure under section 302, a party whose designation was not listed on the general election ballot in the last preceding general election qualifies to participate in a primary election if it meets the requirements of subsections 1 and 2. [2013, c. 131, §11 (AMD).]

**1. Declaration of intent.** Ten or more voters who are not enrolled in a party qualified under section 301 must file a declaration of intent to form a party with the Secretary of State between December 1st and December 30th of an even-numbered year. The declaration of intent must be on a form designed by the Secretary of State and must include:

A. The designation of the proposed party; and [1985, c. 161, §6 (NEW).]

B. The names, addresses, telephone numbers, if published, and signatures of the voters who file the declaration of intent. [1997, c. 436, §44 (AMD).]

[ 2013, c. 131, §11 (AMD) .]

**2. Enrollment of voters.** Within 5 business days after the declaration of intent required in subsection 1 is filed, the Secretary of State shall certify whether the application meets the requirements of subsection 1 and, if so, notify the applicants that they may enroll voters in the proposed party under sections 141 to 145. On or before January 2nd of the next even-numbered year following the filing of the application under subsection 1, the applicants must file a certification with the Secretary of State, on a form designed by the Secretary of State, that they have at least 5,000 voters enrolled in the proposed party. The Secretary of State shall verify the proposed party's enrollment figures within 15 business days of receiving the proposed party's certification and notify the applicants whether the proposed party has met the requirements to participate in a primary election in the subsequent even-numbered year. A determination by the Secretary of State that the party has not met these requirements may be challenged pursuant to section 303-A.

[ 2017, c. 254, §2 (AMD) .]

### 3. Petition.

[ 2013, c. 131, §11 (RP) .]

**4. Municipal caucuses.** A party that has qualified under subsections 1 and 2 to participate in a primary election must conduct municipal caucuses in at least one municipality in each of the 16 counties during that election year as prescribed in Article 2. The chair of the municipal committee or a resident voter in the municipality must file a copy of the notice required by section 311, subsection 3 with the Secretary of State before 5 p.m. on March 20th.

[ 2013, c. 131, §11 (AMD) .]

**5. Convention.** A party that has qualified under subsections 1 and 2 to participate in a primary election must in that same year conduct the municipal caucuses under subsection 4 and hold a state convention as prescribed by Article 3, in order to have the party designation of its candidates printed on the ballot in the general election of that year. The voters who file the declaration of intent may perform the duties of the state committee under section 321, subsection 1 for the party's initial convention.

[ 2013, c. 131, §11 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1991, c. 466, §13 (AMD). 1991, c. 862, §3 (AMD). 1995, c. 459, §20 (AMD). 1997, c. 436, §44 (AMD). 1997, c. 581, §1 (AMD). 1999, c. 426, §10 (AMD). 1999, c. 450, §§6-9 (AMD). 1999, c. 790, §A22 (AMD). 2001, c. 310, §16 (AMD). 2013, c. 131, §11 (AMD). 2017, c. 254, §2 (AMD).

## §303-A. CHALLENGE TO DENIAL OF PARTY QUALIFICATION

If the Secretary of State determines that a party has not met the requirements to qualify as a party pursuant to section 303, the proposed party may challenge that determination. The procedure for challenging the determination is as follows. [2017, c. 254, §3 (NEW) .]

**1. Challenge.** A challenge under this section must be in writing, signed by the voters who signed the declaration of intent to form a party by enrollment, and must set forth the reasons for the challenge. The challenge may include a request for copies of voter registration and enrollment or change of enrollment applications that were rejected by municipal registrars from up to 15 named municipalities. The challenge must be filed in the office of the Secretary of State before 5 p.m. on the 5th business day after the party receives the secretary's determination.

[ 2017, c. 254, §3 (NEW) .]

**2. Notification.** Within 5 business days of receiving a properly filed challenge under subsection 1, the Secretary of State shall notify the municipalities listed by the challenger and direct the municipal officials of those municipalities to submit copies of the rejected voter registration and enrollment or change of enrollment applications if requested under subsection 1 to the Secretary of State within 5 business days.

[ 2017, c. 254, §3 (NEW) . ]

**3. Public hearing.** Within 15 business days after receipt of a properly filed challenge under subsection 1, and after providing due notice of the hearing to the challenger, the Secretary of State shall hold a public hearing on the challenge. The hearing must be held in accordance with the Maine Administrative Procedure Act. The challenger has the burden of providing sufficient evidence to establish that the party did enroll a minimum of 5,000 voters by the applicable deadline pursuant to section 303.

[ 2017, c. 254, §3 (NEW) . ]

**4. Ruling.** The Secretary of State shall rule on the validity of any challenge within 5 business days after the completion of the hearing described in subsection 3.

[ 2017, c. 254, §3 (NEW) . ]

**5. Appeal of Secretary of State's determination.** A challenger may appeal the determination of the Secretary of State under subsection 4 by commencing an action in the Superior Court. This action must be conducted in accordance with the Maine Rules of Civil Procedure, Rule 80C, except as modified by this section. This action must be commenced within 5 business days of the date of the determination of the Secretary of State. Upon timely application, a person may intervene in this action if the person claims an interest relating to the subject matter of the petitions, unless the person's interest is adequately represented by existing parties. The court shall issue a written decision containing its findings of fact and conclusions of law and setting forth the reasons for its decision within 20 days of the date of the determination of the Secretary of State.

[ 2017, c. 254, §3 (NEW) . ]

**6. Appeal of Superior Court decision.** A challenger may appeal the decision of the Superior Court under subsection 5, on questions of law, by filing a notice of appeal within 3 days of that decision. The record on appeal must be transmitted to the Law Court within 3 days after notice of appeal is filed. After filing notice of appeal, the parties have 4 days to file briefs and appendices with the clerk of courts. As soon as the record and briefs have been filed, the court shall immediately consider the case. The court shall issue its decision within 14 days of the date of the decision of the Superior Court.

[ 2017, c. 254, §3 (NEW) . ]

#### SECTION HISTORY

2017, c. 254, §3 (NEW).

## §304. DISQUALIFICATION OF PARTIES

A party that does not meet the requirements of section 301 is not qualified to participate in a subsequent election. [1999, c. 450, §10 (AMD).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1999, c. 450, §10 (AMD).

### §305. SECRETARY OF STATE

The Secretary of State shall determine whether or not a party has met the requirements of sections 301, 302 and 303. [1985, c. 161, §6 (NEW).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW).

### §306. ENROLLED VOTERS

A voter who is enrolled in a party which failed to meet the requirements of section 302 or 303, or which is disqualified under section 304, is considered an unenrolled voter for all purposes. [1985, c. 161, §6 (NEW).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW).

### §307. PARTY DESIGNATION

A voter or group of voters seeking to participate as a party in a primary election under section 302 or 303 must choose a party designation that does not: [1985, c. 161, §6 (NEW).]

**1. Length.** Exceed 3 words in length;

[ 1985, c. 161, §6 (NEW) .]

**2. Use state name.** Incorporate the name or an abbreviation of the name of the State;

[ 1999, c. 450, §11 (AMD) .]

**3. Use established party's designation.** Incorporate the designation or an abbreviation of the designation of a party that is qualified to participate in a primary or general election under section 301;

[ 2003, c. 447, §8 (AMD) .]

**4. Use independent designation.** Consist of the word "independent" without another descriptive word or words. The designation "independent," without another descriptive word or words, is reserved for use by candidates that are not enrolled in any qualified or proposed party; and

[ 2003, c. 447, §9 (AMD) .]

**5. Use obscene designation.** Consist of or comprise language that is obscene, contemptuous, profane or prejudicial, promotes abusive or unlawful activity or violates any other provision of the laws of this State with respect to names.

[ 2007, c. 455, §13 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1999, c. 450, §§11,12 (AMD). 2003, c. 447, §§8-10 (AMD). 2007, c. 455, §13 (AMD).

## Article 2: BIENNIAL MUNICIPAL CAUCUS

## §311. RULES GOVERNING

A biennial municipal caucus may be held by any political party for the purpose of electing delegates to a state convention and for any other business governed by the following provisions. [ 2005, c. 387, §3 (AMD) . ]

**1. Call.** The caucus may be called by the chair or a majority of the members of the municipal committee of a political party. If the municipal committee fails to call a caucus, the county committee may call the caucus. At the request of that committee municipal officers shall provide available space in a public building for a caucus. The municipality may charge a rental fee or janitorial service fee for the available space. A municipality may hold its caucus outside the municipality if several municipalities elect to meet on a consolidated basis or if the committee calling the caucus determines that a facility outside the municipality is more suitable.

[ 2017, c. 248, §4 (AMD) . ]

**2. Time.** A biennial municipal caucus of any party must be held during the general election year before March 20th.

[ 2005, c. 387, §3 (AMD) . ]

**3. Notice.** The secretary of the committee shall have a notice of the caucus published in a newspaper having general circulation in the municipality at least 3 and not more than 7 days before it is to be held, or shall post a notice in a conspicuous, public place in each voting district in the municipality at least 7 days before the caucus. The notice must contain the name of the party, the time and place of the caucus and the name of the person calling it.

A. If the notice is not published as required by this subsection, the caucus is void if challenged by any voter eligible to participate in the caucus who was prejudiced by the failure to publish notice. [ 2005, c. 387, §3 (AMD) . ]

B. The secretary of the committee shall file a copy of the notice with the clerk who shall record it. [ 2005, c. 387, §3 (AMD) . ]

[ 2005, c. 387, §3 (AMD) . ]

**4. Procedure.** The chair of the municipal committee shall open the caucus. In the chair's absence, the secretary or any resident voter enrolled in the party may open the caucus. The caucus shall elect a secretary and a chair in that order. The chair of the caucus shall then preside over the caucus and the secretary shall record the proceeding of the caucus. The caucus shall determine its own parliamentary procedure.

[ 2005, c. 387, §3 (AMD) . ]

**5. If no municipal committee.** If there is no municipal committee, any resident voter enrolled in the party may call a special caucus for the purpose of electing the committee following the notice procedure of subsection 3.

[ 2005, c. 387, §3 (AMD) . ]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1997, c. 436, §45 (AMD). 2001, c. 310, §17 (AMD). 2005, c. 387, §3 (AMD). 2017, c. 248, §4 (AMD).

## §312. MUNICIPAL CAUCUS LIST

The chair or secretary of the municipal committee or the person or persons calling a biennial municipal caucus, including any resident voter pursuant to section 311, subsection 5, may request a list of registered voters pursuant to section 196-A, subsection 1 for use by the municipal committee once each biennial election cycle beginning January 1st in an election year. [2009, c. 564, §9 (AMD).]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1999, c. 450, §13 (RPR). 2001, c. 310, §18 (AMD). 2005, c. 453, §45 (AMD). 2009, c. 564, §9 (AMD).

## §313. VOTING PROCEDURE

The following provisions apply to voting at a municipal caucus. [1985, c. 161, §6 (NEW).]

**1. Vote by list.** The caucus may order voting to be done by checking each voter's name on the municipal caucus list of registered voters from the central voter registration system pursuant to section 312.

[ 2005, c. 453, §46 (AMD) .]

**2. Secret ballot.** The caucus may order voting to be done by secret ballot which may be printed, or written on plain paper.

[ 1985, c. 161, §6 (NEW) .]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 2005, c. 453, §46 (AMD).

## §314. CHALLENGES

An enrolled voter of a municipality may challenge the right of another to vote at a municipal caucus. The person challenged may vote at the caucus after he has taken the following oath administered by the chairman of the caucus. [1985, c. 161, §6 (NEW).]

**1. Oath.** "I, (name of challenged person), swear that I am a registered and enrolled voter in this voting district, that I am a member of the party holding this caucus, and that I have not been enrolled in any other party in this municipality within the last 15 days."

[ 1993, c. 695, §21 (AMD) .]

**2. Oath recorded and copy sent to registrar.** The secretary of the caucus shall record the administration of the oath and shall send a copy of the record to the registrar.

[ 1985, c. 161, §6 (NEW) .]

**3. Registrar to compare records.** On receipt of the copy of the record, the registrar shall compare it with the voting and enrollment records. If the oath is false, the person who swore to it is guilty of a Class E crime.

[ 1985, c. 161, §6 (NEW) .]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 695, §21 (AMD).



## §315. PARTY MEMBERS TO GOVERN POLITICAL COMMITTEES

The members of a party within a municipality shall determine the method of election, the terms of office and the duties of their political committees. [1985, c. 161, §6 (NEW).]

### SECTION HISTORY

1985, c. 161, §6 (NEW).

## Article 3: CONVENTIONS

### §321. TIME AND PLACE; PROCEDURE

Each party shall hold a state convention between March 1st and August 1st biennially during each general election year. [2005, c. 387, §4 (AMD).]

**1. Time, place and representation.** The party's state committee shall determine the time, place and basis of representation for the convention. Delegates must be qualified to vote in the party's primary election unless otherwise permitted by party rules.

[ 2005, c. 387, §4 (AMD) .]

**2. Proceedings at convention.** The convention shall do the following:

A. Elect a secretary and a chair of the convention in that order; [2005, c. 387, §4 (AMD).]

B. Adopt a platform for the next general election; [1985, c. 161, §6 (NEW).]

C. Nominate the number of presidential electors to which the State is entitled; [1985, c. 161, §6 (NEW).]

D. Determine the size of the state, district and county committees and the method of their election; [2005, c. 387, §4 (AMD).]

E. Elect a district committee for each congressional district; and [1985, c. 161, §6 (NEW).]

F. Elect a county committee for each county from persons nominated at municipal caucuses held in the county, unless party rules provide for county committee members to be elected directly by their respective municipalities. If a municipality entitled to nominate a person for election to the county committee fails to do so, the convention may elect any resident of that municipality to the county committee. [2005, c. 387, §4 (AMD).]

[ 2005, c. 387, §4 (AMD) .]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 2005, c. 387, §4 (AMD).

### §322. COMMITTEE FUNCTIONS

State, congressional district and county committees of qualified political parties are governed by the following provisions. [2005, c. 387, §5 (AMD).]

**1. Committees to organize and report.** The secretary of each committee shall notify the state committee of the name and residence of its chair and secretary within 10 days after their election. The state committee shall hold an organizational meeting within 30 days after the convention.

[ 2005, c. 387, §5 (AMD) .]

**2. State committee to report organization.** The chair and the secretary of the state committee shall certify to the Secretary of State the names of the party's candidates for presidential elector within 30 days after the convention. The chair or the secretary of the state committee shall provide upon request by the Secretary of State the name, residence and contact information of the chair and secretary of any committee and of any committee member.

[ 2005, c. 568, §11 (AMD) .]

**3. Term of office and duties of committees.** The committees and their officers shall hold office as prescribed in their bylaws and shall perform the duties imposed upon them by the convention and their bylaws.

[ 1985, c. 161, §6 (NEW) .]

**4. Certain officers of state committee.** The chair, vice-chair, treasurer and finance chair of the state committee may be chosen from outside the membership of the state committee.

[ 2005, c. 387, §5 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1997, c. 436, §46 (AMD). 2005, c. 387, §5 (AMD). 2005, c. 568, §11 (AMD).

## Article 4: NOMINATION BY PRIMARY ELECTION

### §331. PRIMARY REQUIRED

**1. Nomination by primary election.** A party's nomination of a candidate must be made by primary election, as provided in this Article. When there is an office for which no candidate has qualified either by filing a petition and consent under sections 335 and 336 or as a write-in candidate in accordance with section 722-A, the Secretary of State is not required to list the office on the primary ballot. The Secretary of State is not required to print a primary ballot if there are no offices for which a candidate has qualified.

[ 2015, c. 447, §8 (AMD) .]

**2. Exceptions.** This Article does not apply to:

- A. Nominations for presidential electors; [1985, c. 161, §6 (NEW).]
- B. Nominations to fill vacancies under subchapter III; and [1985, c. 161, §6 (NEW).]
- C. Nominations by petition under subchapter II. [1985, c. 161, §6 (NEW).]

[ 1985, c. 161, §6 (NEW) .]

**3. Limitations to candidacy.** The following limitations apply to all candidates for nominations.

- A. A person may not file, whether by primary election or nomination petition, as a candidate for more than one federal, state or county office at any election, except for a candidate for membership in a county charter commission or a candidate for presidential elector under section 351, subsection 3. [1997, c. 436, §47 (AMD).]

B. A person may file as a candidate for any federal, state or county office either by primary election or nomination petition but not by both, except for a candidate for membership in a county charter commission under section 351, subsection 3. [1985, c. 161, §6 (NEW).]

[ 1997, c. 436, §47 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1997, c. 436, §47 (AMD). 2015, c. 447, §8 (AMD).

### §332. WHEN NOMINATION VACATED

When a person already nominated for any federal, state or county office accepts nomination to fill a vacancy, the first nomination is vacated by that acceptance. [1985, c. 161, §6 (NEW).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW).

### §333. QUALIFICATION FOR COUNTY OFFICE

A candidate for any county office must be a resident of and a voter in the electoral division he seeks to represent on the date established for filing primary petitions in the year he seeks election. He must maintain a voting residence in that electoral division during his term of office. [1985, c. 161, §6 (NEW).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW).

### §334. QUALIFICATION OF CANDIDATE FOR PRIMARY NOMINATION

A candidate for nomination by primary election must file a primary petition and consent under sections 335 and 336. The candidate must be enrolled, on or before March 15th, in the party named in the petition and must be eligible to file a petition as a candidate for nomination by primary election under section 144, subsection 3. The registrar in the candidate's municipality of residence must certify to that fact on a form designed by the Secretary of State. [2009, c. 253, §16 (AMD).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §21 (AMD). 2009, c. 253, §16 (AMD).

### §335. PETITION REQUIREMENTS

*(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)*

A primary petition shall be on a form provided by the Secretary of State and is governed by the following provisions. [1985, c. 161, §6 (NEW).]

**1. Content.** A primary petition must contain the name of only one candidate, his place of residence, his party, the office sought and electoral division. A primary petition may contain as many separate papers as necessary and may contain the candidate's consent required by section 336.

A. When 2 United States Senators or 2 county commissioners are to be nominated, the primary petition must contain the term of office sought by the candidate. [1985, c. 161, §6 (NEW).]

[ 1985, c. 161, §6 (NEW) .]

**2. By whom signed.** A primary petition may be signed only by voters of the electoral division which is to make the nomination and who are enrolled in the party named in the petition. Other signatures are void.

[ 1985, c. 161, §6 (NEW) . ]

**3. How signed.** The voter must personally sign his name in such a manner as to satisfy the registrar of his municipality that he is a registered voter and enrolled in the party named on the petition. Either the voter or the circulator of the petition must print the voter's name.

[ 1985, c. 161, §6 (NEW) . ]

**4. Residence.** The voter or the circulator of the petition must write or print the voter's residence address and municipality of registration. Ditto marks are permitted for residence address and municipality of registration only.

[ 2005, c. 453, §47 (AMD) . ]

**5. Number of signatures required.** Petitions must be signed by the following numbers of voters:

A. For candidate for Governor, at least 2,000 and not more than 3,000 voters; [1985, c. 161, §6 (NEW) . ]

B. For a candidate for United States Senator, at least 2,000 and not more than 3,000 voters; [1985, c. 161, §6 (NEW) . ]

B-1. [1995, c. 154, §1 (RP) . ]

B-2. (TEXT REPEALED 12/1/18) (TEXT EFFECTIVE UNTIL 12/1/18) For a candidate for the office of President of the United States, at least 2,000 and not more than 3,000 voters.

This paragraph is repealed December 1, 2018; [2015, c. 474, §1 (NEW) . ]

C. For a candidate for Representative to Congress, at least 1,000 and not more than 1,500 voters; [1985, c. 161, §6 (NEW) . ]

D. For a candidate for county office other than county commissioner, at least 150 and not more than 200 voters; [1991, c. 362, §1 (AMD) . ]

E. For a candidate for county commissioner, at least 50 and not more than 75 voters; [1991, c. 362, §1 (AMD) . ]

F. For a candidate for State Senator, at least 100 and not more than 150 voters; and [1985, c. 161, §6 (NEW) . ]

G. For a candidate for State Representative, at least 25 and not more than 40 voters. [1985, c. 161, §6 (NEW) . ]

[ 2015, c. 474, §1 (AMD) . ]

**6. When signed.** Except as provided in subchapter 7, a petition may not be signed before January 1st of the election year in which it is to be used.

[ 2015, c. 474, §2 (AMD) . ]

**7. Certification of petition.** A primary petition shall be verified and certified as follows.

A. The circulator of a primary petition shall verify by oath or affirmation before a notary public or other person authorized by law to administer oaths or affirmations that the circulator personally witnessed all of the signatures to the petition and that to the best of the circulator's knowledge and belief each signature is the signature of the person whose name it purports to be; each signature authorized under

section 153-A was made by the authorized signer in the presence and at the direction of the voter; and each person is enrolled in the party named in the petition and is a resident of the electoral division named in the petition. [2009, c. 253, §17 (AMD).]

**B.** The registrar, or clerk at the request or upon the absence of the registrar, of each municipality concerned shall certify which names on a petition appear in the central voter registration system as registered and enrolled voters in that municipality and may not certify any names that do not satisfy subsection 3. [2005, c. 453, §48 (AMD).]

[2009, c. 253, §17 (AMD).]

**8. When filed.** Except as provided in subchapter 7, a primary petition must be filed in the office of the Secretary of State before 5 p.m. on March 15th of the election year in which it is to be used.

[2015, c. 474, §3 (AMD).]

**9. Petition validity.** For a candidate to qualify for the ballot, a nomination petition must meet all of the requirements of this section. If the circulator swears an oath or affirmation in accordance with subsection 7, paragraph A that the circulator reasonably believes to be true and accurate at the time the oath or affirmation is sworn and there is no proof of fraud or a knowingly false statement by the circulator, then the voters' signatures that do not meet the requirements of subsection 7, paragraph A may not be counted, but the petition is otherwise valid.

[2009, c. 253, §18 (RPR).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 797, §1 (AMD). 1991, c. 362, §1 (AMD). 1993, c. 334, §1 (AMD). 1995, c. 154, §1 (AMD). 1995, c. 459, §§22,23 (AMD). 1997, c. 436, §48 (AMD). 2005, c. 196, §4 (AMD). 2005, c. 453, §§47,48 (AMD). 2009, c. 253, §§17, 18 (AMD). 2015, c. 474, §§1-3 (AMD).

### §336. CONSENT OF CANDIDATE TO BE FILED

The written consent of each candidate must be filed with his primary petition. [1985, c. 161, §6 (NEW).]

**1. Consent.** The consent must contain a statement signed by the candidate that the candidate will accept the nomination of the primary election. The Secretary of State shall provide a form on which the consent of the candidate is made that must include a list of the statutory and constitutional requirements of the office sought by the candidate. The statement may be printed as a part of the primary petition.

[2011, c. 239, §1 (AMD).]

**2. Single filing sufficient.** A candidate need file only one consent. This consent is valid even though it may be part of a primary petition which is void.

[1985, c. 161, §6 (NEW).]

**3. Residence and party declared.** The consent must contain a declaration of the candidate's place of residence and party designation and a statement that the candidate meets the qualifications of the office the candidate seeks, which the candidate must verify by oath or affirmation before a notary public or other

person authorized by law to administer oaths or affirmations that the declaration is true. If, pursuant to the challenge procedures in section 337, any part of the declaration is found to be false by the Secretary of State, the consent and the primary petition are void.

[ 1995, c. 459, §24 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 214, §1 (AMD). 1995, c. 459, §24 (AMD). 2011, c. 239, §1 (AMD).

## §337. REVIEW AND CHALLENGE OF PETITIONS

**1. Review.** When presented with a primary petition, the Secretary of State shall review it and, if the petition contains the required number of certified names and is properly completed, shall accept and file it.

[ 1985, c. 161, §6 (NEW) .]

**2. Challenges.** The procedure for challenging the validity of a primary petition or of names upon a petition is as follows.

A. Only a registered voter residing in the electoral division of the candidate concerned may file a challenge. The challenge must be in writing and must set forth the reasons for the challenge. The challenge must be filed in the office of the Secretary of State before 5 p.m. on the 5th business day after the final date for filing petitions under section 335, subsection 8. [1989, c. 166, §2 (AMD).]

B. Within 7 days after the final date for filing challenges and after due notice of the hearing to the candidate and to the challenger, the Secretary of State shall hold a public hearing on any challenge properly filed. The challenger has the burden of providing sufficient evidence to invalidate the petitions or any names upon the petitions. [1985, c. 161, §6 (NEW).]

C. The Secretary of State shall rule on the validity of any challenge within 5 days after the completion of the hearing described in paragraph B. [1985, c. 161, §6 (NEW).]

D. A challenger or a candidate may appeal the decision of the Secretary of State by commencing an action in the Superior Court. This action must be conducted in accordance with the Maine Rules of Civil Procedure, Rule 80C, except as modified by this section. This action must be commenced within 5 days of the date of the decision of the Secretary of State. Upon timely application, anyone may intervene in this action when the applicant claims an interest relating to the subject matter of the petitions, unless the applicant's interest is adequately represented by existing parties. The court shall issue a written decision containing its findings of fact and conclusions of law and setting forth the reasons for its decision within 20 days of the date of the decision of the Secretary of State. [2011, c. 342, §9 (AMD).]

E. Any aggrieved party may appeal the decision of the Superior Court, on questions of law, by filing a notice of appeal within 3 days of that decision. The record on appeal must be transmitted to the Law Court within 3 days after notice of appeal is filed. After filing notice of appeal, the parties have 4 days to file briefs and appendices with the clerk of courts. As soon as the record and briefs have been filed, the court shall immediately consider the case. The court shall issue its decision within 14 days of the date of the decision of the Superior Court. [1985, c. 161, §6 (NEW).]

[ 2011, c. 342, §9 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 166, §2 (AMD). 2003, c. 447, §11 (AMD). 2011, c. 342, §9 (AMD).

### §338. WRITE-IN CANDIDATES

A person whose name will not appear on the printed primary ballot because he did not file a petition and consent under sections 335 and 336, but who fulfills the other qualifications under section 334, may be nominated at the primary election as a write-in candidate in accordance with section 723, subsection 1. [1985, c. 161, §6 (NEW).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW).

### §339. TIME AND NATURE OF ELECTION

The primary election shall be held on the 2nd Tuesday of June of each general election year and is considered to be a separate election for each party which takes part in it. This includes the duties of public officials in announcing the election, providing forms and ballots, keeping records and any other matter necessary to effect the purpose of a primary election. A primary election shall be conducted the same as the general election, as nearly as practicable, for each party. [1985, c. 161, §6 (NEW).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW).

### §340. NOTICE OF PARTIES OF QUALIFIED PRIMARY VOTERS

**1. Notice to Secretary of State.** No later than February 1st of the election year, each political party eligible to participate in a primary election shall notify the Secretary of State of the enrollment qualifications, subject to the restrictions in section 144, for voters eligible to vote in that party's primary. If no notice is received by that date, only voters enrolled in a political party may vote in that party's primary.

[ 1987, c. 423, §3 (NEW) .]

**2. Notice to municipal clerks.** The Secretary of State shall inform all municipal clerks of the qualifications necessary for voters to participate in each party's primary. The clerks shall establish procedures to ensure that all qualified primary voters are offered ballots for each party in which primary election the voters are qualified to vote.

[ 1987, c. 423, §3 (NEW) .]

#### SECTION HISTORY

1987, c. 423, §3 (NEW).

## Subchapter 2: BY PETITION

### §351. NOMINATION AUTHORIZED

The nomination of a candidate, other than by a party, for any federal, state or county office must be made by petition, as provided in this subchapter. [1985, c. 161, §6 (NEW).]

**1. Limited to one office.** A person may not file, whether by primary election or nomination petition, as a candidate for more than one federal, state or county office at any election, except as provided in subsection 3.

[ 1985, c. 161, §6 (NEW) .]

**2. Limited to one method.** A person may file as a candidate for any federal, state or county office either by primary election or nomination petition, except as provided in subsection 3, but not by both methods.

[ 1985, c. 161, §6 (NEW) .]

**3. Exception.** A candidate for membership in a county charter commission must be nominated by petition, and may file as a candidate for one additional federal, state or county office at that same election. A candidate for presidential elector may also file as a candidate for one additional federal, state or county office at that same election.

[ 1997, c. 436, §49 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1997, c. 436, §49 (AMD).

## §352. QUALIFICATION FOR PRESIDENTIAL ELECTOR AND COUNTY OFFICE

A candidate for the office of presidential elector or any county office must be a resident of and a voter in the electoral division he seeks to represent on the date established for filing nomination petitions in the year he seeks election. He must maintain a voting residence in that electoral division during his term of office.

[1985, c. 161, §6 (NEW).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW).

## §353. QUALIFICATION OF CANDIDATE FOR NOMINATION BY PETITION

A person who seeks nomination by petition qualifies by filing a nomination petition and consent as provided in sections 354 and 355. If enrolled, the person must also withdraw enrollment in a party on or before March 1st to be eligible to file a petition as a candidate in that election year, as provided in section 145. The registrar in the candidate's municipality of residence must certify to that fact on a form designed by the Secretary of State. [2009, c. 253, §19 (AMD).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §25 (AMD). 1999, c. 426, §11 (AMD). 2009, c. 253, §19 (AMD).

## §354. PETITION REQUIREMENTS

A nomination petition shall be on a form provided by the Secretary of State and is governed by the following provisions. [1985, c. 161, §6 (NEW).]

**1. Content.** A nomination petition must contain the name of only one candidate, the candidate's place of residence, the office sought and electoral division. A nomination petition may contain as many separate papers as necessary and may contain the candidate's consent required by section 355. It may also contain the candidate's political designation. This designation may not exceed 3 words in length, may not incorporate the candidate's name or the designation or an abbreviation of the designation of a party that is qualified to nominate candidates by primary election and may not consist of or comprise language that is obscene, contemptuous, profane or prejudicial, promotes abusive or unlawful activity or violates any other provision of the laws of this State with respect to names. A candidate who intends to form a new party about that person's candidacy must use the proposed party's designation.

A. When 2 United States Senators or 2 county commissioners are to be nominated, the nomination petition must contain the term of office sought by the candidate. [1985, c. 161, §6 (NEW).]



B. The names of presidential electors must be placed on the petition as a slate. The names of the candidates for President and Vice President must be placed on a petition for the nomination of presidential electors. [1985, c. 161, §6 (NEW).]

[ 2007, c. 455, §14 (AMD) .]

**2. By whom signed.** A nomination petition may be signed only by voters of the electoral division which is to make the nomination, except that nomination petitions for presidential electors may be signed by any Maine voter. Other signatures are void.

[ 1985, c. 161, §6 (NEW) .]

**3. How signed.** The voter must personally sign his name in such a manner as to satisfy the registrar of his municipality that he is a registered voter. Either the voter or the circulator of the petition must print the voter's name.

[ 1985, c. 161, §6 (NEW) .]

**4. Residence.** The voter or the circulator of the petition must write or print the voter's residence address and municipality of registration. Ditto marks are permitted for residence address and municipality of registration only.

[ 2005, c. 453, §49 (AMD) .]

**5. Number of signatures required.** Nomination petitions must be signed by the following numbers of voters:

A. For a slate of candidates for the office of presidential elector, at least 4,000 and not more than 6,000 voters; [1985, c. 161, §6 (NEW).]

B. For a candidate for Governor, at least 4,000 and not more than 6,000 voters; [1985, c. 161, §6 (NEW).]

C. For a candidate for United States Senator, at least 4,000 and not more than 6,000 voters; [1985, c. 161, §6 (NEW).]

D. For a candidate for United States Representative, at least 2,000 and not more than 3,000 voters; [1985, c. 161, §6 (NEW).]

E. For a candidate for county office other than county commissioner or county charter commission member, at least 300 and not more than 400 voters; [1991, c. 362, §2 (AMD).]

E-1. For a candidate for county commissioner, at least 100 and not more than 150 voters; [1991, c. 362, §3 (NEW).]

F. For a candidate for State Senator, at least 200 and not more than 300 voters; [1985, c. 161, §6 (NEW).]

G. For a candidate for State Representative, at least 50 and not more than 80 voters; and [1985, c. 161, §6 (NEW).]

H. For a candidate for county charter commission member, at least 50 and not more than 80 voters. [1985, c. 161, §6 (NEW).]

[ 1991, c. 362, §§2, 3 (AMD) .]

**6. When signed.** A nomination petition may not be signed before January 1st of the election year in which it is to be used.

[ 1985, c. 161, §6 (NEW) .]

**7. Certification of petitions.** A nomination petition shall be verified and certified as follows.

A. The circulator of a nomination petition shall verify by oath or affirmation before a notary public or other person authorized by law to administer oaths or affirmations that the circulator personally witnessed all of the signatures to the petition and that to the best of the circulator's knowledge and belief each signature is the signature of the person whose name it purports to be; each signature authorized under section 153-A was made by the authorized signer in the presence and at the direction of the voter; and each person is a resident of the electoral division named in the petition. [ 2009, c. 253, §20 (AMD) . ]

B. Petitions must be delivered to the registrar, or clerk at the request or upon the absence of the registrar, for certification by 5 p.m. on May 25th in the election year in which the petitions are to be used, except that petitions for a slate of candidates for the office of presidential elector must be delivered for certification by 5 p.m. on July 25th in the election year in which the petitions are to be used. [ 2013, c. 131, §12 (AMD) . ]

C. The registrar, or clerk at the request or upon the absence of the registrar, of each municipality concerned shall certify which names on a petition appear in the central voter registration system as registered voters in that municipality and may not certify any names that do not satisfy subsection 3. [ 2005, c. 453, §50 (AMD) . ]

[ 2013, c. 131, §12 (AMD) . ]

**8. Filed with the Secretary of State.**

[ 1985, c. 383, §7 (RP) . ]

**8-A. Filed with the Secretary of State.** A nomination petition must be filed in the office of the Secretary of State by 5 p.m. on June 1st in the election year in which it is to be used, except that petitions for a slate of candidates for the office of presidential elector must be filed in the office of the Secretary of State by 5 p.m. on August 1st in the election year in which the petitions are to be used.

[ 2013, c. 131, §13 (AMD) . ]

**9. Petition validity.** For a candidate to qualify for the ballot, a nomination petition must meet all of the requirements of this section. If the circulator swears an oath or affirmation in accordance with subsection 7, paragraph A that the circulator reasonably believes to be true and accurate at the time the oath or affirmation is sworn and there is no proof of fraud or a knowingly false statement by the circulator, then the voters' signatures that do not meet the requirements of subsection 7, paragraph A may not be counted, but the petition is otherwise valid.

[ 2009, c. 253, §21 (RPR) . ]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 383, §§7,8 (AMD). 1985, c. 614, §§14,15 (AMD). 1991, c. 362, §§2,3 (AMD). 1995, c. 459, §§26-28 (AMD). 1997, c. 436, §50 (AMD). 1999, c. 264, §§1,2 (AMD). 2003, c. 447, §12 (AMD). 2005, c. 196, §5 (AMD). 2005, c. 453, §§49,50 (AMD). 2007, c. 455, §14 (AMD). 2009, c. 253, §§ 20, 21 (AMD). 2013, c. 131, §§12, 13 (AMD) .

### §355. CONSENT OF CANDIDATE TO BE FILED

The written consent of each candidate must be filed with his nomination petition. [ 1985, c. 161, §6 (NEW) . ]

**1. Consent.** The consent must contain a statement signed by the candidate that the candidate will accept the nomination of the general election. The Secretary of State shall provide a form on which the consent of the candidate is made that must include a list of the statutory and constitutional requirements of the office sought by the candidate. The statement may be printed as a part of the nomination petition.

[ 2011, c. 534, §12 (AMD) .]

**2. Single filing sufficient.** A candidate need file only one consent. The consent is valid even though it may be part of a nomination petition which is void.

[ 1985, c. 161, §6 (NEW) .]

**3. Qualifications declared.** The consent must contain a declaration of the candidate's place of residence and the fact that the candidate has not been enrolled in a party qualified to participate in a primary or general election after March 1st of that election year and that the candidate meets the qualifications of the office the candidate seeks. The candidate must verify by oath or affirmation before a notary public or other person authorized by law to administer oaths or affirmations that the declaration is true. If, pursuant to the challenge procedures in section 356, any part of the declaration is found to be false by the Secretary of State, the consent and the nomination petition are void.

A. Candidates for the office of county charter commission need not verify by oath or affirmation that they are not enrolled in a party. [1989, c. 166, §3 (AMD).]

[ 1999, c. 645, §2 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 214, §2 (AMD). 1989, c. 166, §3 (AMD). 1995, c. 459, §29 (AMD). 1997, c. 436, §51 (AMD). 1999, c. 426, §12 (AMD). 1999, c. 645, §2 (AMD). 2011, c. 239, §2 (AMD). 2011, c. 534, §12 (AMD).

## §356. REVIEW AND CHALLENGE OF PETITIONS

**1. Review.** When presented with a nomination petition, the Secretary of State shall review it and, if the petition contains the required number of certified names and is properly completed, shall accept and file it.

[ 1985, c. 161, §6 (NEW) .]

**2. Challenges.** The procedure for challenging the validity of a nomination petition or of names upon a petition is as follows.

A. Only a registered voter residing in the electoral division of the candidate concerned may file a challenge. The challenge must be in writing and must set forth the reasons for the challenge. The challenge must be filed in the office of the Secretary of State by 5 p.m. on the 5th business day after the final date for filing petitions under section 354, subsection 8-A. [1989, c. 166, §4 (AMD); 1989, c. 502, Pt. D, §17 (AMD).]

B. Within 7 days after the final date for filing challenges and after due notice of the hearing to the candidate and to the challenger, the Secretary of State shall hold a public hearing on any challenge properly filed. The challenger has the burden of providing evidence to invalidate the petitions or any names upon the petitions. [1985, c. 161, §6 (NEW).]

C. The Secretary of State shall rule on a challenge within 5 days after the completion of the hearing described in paragraph B. [1985, c. 161, §6 (NEW).]

D. A challenger or a candidate may appeal the decision of the Secretary of State by commencing an action in the Superior Court. This action must be conducted in accordance with the Maine Rules of Civil Procedure, Rule 80C, except as modified by this section. This action must be commenced within 5 days of the date of the decision of the Secretary of State. Upon timely application, anyone may intervene in this action when the applicant claims an interest relating to the subject matter of the petition, unless the applicant's interest is adequately represented by existing parties. The court shall issue its written decision containing its findings of fact and conclusions of law and setting forth the reasons for its decision within 20 days of the date of the decision of the Secretary of State. [2011, c. 342, §10 (AMD).]

E. Any aggrieved party may appeal the decision of the Superior Court, on questions of law, by filing a notice of appeal within 3 days of that decision. The record on appeal must be transmitted to the Law Court within 3 days after notice of appeal is filed. After filing notice of appeal, the parties have 4 days to file briefs and appendices with the clerk of courts. As soon as the record and briefs have been filed, the court shall immediately consider the case. The court shall issue its decision within 14 days of the date of the decision of the Superior Court. [1985, c. 161, §6 (NEW).]

F. Only a voter of the county establishing a charter commission may challenge the nomination petition for county charter commission member. The challenge must be in writing and must set forth the reasons for the challenge. The challenge must be filed in the office of the Secretary of State before 5 p.m. on the 55th day following the order of the county officers under Title 30-A, section 1321, subsection 1, or the receipt of a certificate of sufficiency under Title 30-A, section 1321, subsection 4. [1987, c. 737, Pt. C, §§63, 106 (AMD); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[ 2011, c. 342, §10 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 737, §§C63,C106 (AMD). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §§C8,C10 (AMD). 1989, c. 166, §4 (AMD). 1989, c. 502, §D17 (AMD). 2009, c. 253, §22 (AMD). 2011, c. 342, §10 (AMD).

## §357. CANDIDATES CERTIFIED BY THE SECRETARY OF STATE

The Secretary of State shall immediately certify by mail the nomination of each person nominated by petition. [1985, c. 161, §6 (NEW).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW).

### Subchapter 3: VACANCIES

#### Article 1: GENERAL PROVISIONS

## §361. VACANCY DEFINED

A vacancy in any federal, state or county office, in the office of an election official, or in any political committee occurs when the incumbent dies, resigns, becomes disqualified or changes his residence to an electoral division other than that from which he was elected or when the person elected fails to qualify. [1985, c. 161, §6 (NEW).]

**1. Filled for unexpired term.** A vacancy in any office shall be filled for an unexpired term, except where it is specifically provided to the contrary.

[ 1985, c. 161, §6 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW).

## **§362. GOVERNOR'S PROCLAMATION FOR POLITICAL COMMITTEE MEETINGS**

*(REPEALED)*

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1997, c. 436, §52 (AMD). 2001, c. 310, §19 (RP).

## **§362-A. SECRETARY OF STATE DECLARES VACANCY**

When required by this subchapter, the Secretary of State shall declare a vacancy and notify the appropriate political committee of the deadline for filling the vacancy. [2007, c. 515, §4 (AMD).]

### SECTION HISTORY

2001, c. 310, §20 (NEW). 2007, c. 515, §4 (AMD).

## **§363. POLITICAL COMMITTEE; CHOOSING CANDIDATES AND NOMINEES**

The meeting of a political committee as required by sections 371, 373, 374-A, 381, 382 and 393 is governed by the following provisions. [1993, c. 447, §3 (AMD).]

**1. Time and place of meeting.** The committee shall meet at the time and place chosen by the committee.

[ 1997, c. 436, §53 (AMD) .]

**2. Duties of committee.** The committee shall choose a qualified person to fill the vacancy. The secretary of the committee shall immediately deliver a certificate to the Secretary of State containing the name of the person chosen, his residence, his political party, title of the office sought, and the method by which he was chosen. The certificate must be signed by the chairman of the committee and attested to by the secretary.

A. In an electoral division consisting of more than one municipality, the municipal committee of each municipality shall meet jointly, elect a secretary and a chairman for the meeting and then fill the vacancy. [1985, c. 161, §6 (NEW).]

[ 1985, c. 161, §6 (NEW) .]

**3. Acceptance filed.** A person chosen under this section must file a written acceptance containing a statement that the person meets the qualifications of the office sought and declaring the person's residence and party enrollment with the Secretary of State. The Secretary of State shall provide a form for the candidate's acceptance that must include a list of the statutory and constitutional requirements of the office sought by the candidate. The form also must include a place for the registrar of the candidate's municipality of residence to certify the candidate's registration and enrollment status.

[ 2015, c. 447, §9 (AMD) .]

**4. Changes in ballot.** The Secretary of State shall make the necessary changes in the ballot.

[ 1985, c. 161, §6 (NEW) .]

**5. Caucus.** Following the proclamation of the Governor pursuant to section 382, a municipality that has not held a biennial caucus has 15 days to hold a caucus to nominate or elect a person to fill a vacancy under section 382.

[ 2011, c. 409, §1 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 447, §3 (AMD). 1995, c. 459, §30 (AMD). 1997, c. 436, §53 (AMD). 2011, c. 239, §3 (AMD). 2011, c. 409, §1 (AMD). 2015, c. 447, §9 (AMD).

### §364. CANDIDACY BY NOMINATION PETITION

The nomination of a candidate, other than by party, to fill a vacancy must be made by nomination petition. The nomination process is in the same manner as provided by subchapter II, except that all petitions must be filed by 5 p.m. on the deadline for filling the vacancy set by the Secretary of State pursuant to section 362-A. [2001, c. 310, §21 (AMD).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1997, c. 436, §54 (AMD). 2001, c. 310, §21 (AMD).

### §365. JURISDICTION

The political committee that has jurisdiction over the choice of a candidate for nomination or a nominee to fill a vacancy under sections 371, 373, 374-A, 381 and 382 is as follows. [2003, c. 510, Pt. A, §13 (AMD).]

**1. Municipal committee.** Choices for Representative to the Legislature must be made by a municipal committee when a representative district consists of one municipality, by a joint meeting of municipal committees when a representative district consists of 2 or more municipalities or by members of a municipal committee or committees residing within a representative district when the representative district includes a part of a municipality or parts of different municipalities.

[ 1985, c. 161, §6 (NEW) .]

**2. County committee.** A county committee makes choices for all county offices and committee members residing within senatorial districts make choices for State Senator.

[ 1985, c. 161, §6 (NEW) .]

**3. District committee.** A district committee makes choices for Representative to Congress.

[ 1985, c. 161, §6 (NEW) .]

**4. State committee.** A state committee makes choices for Governor, United States Senator and presidential elector.

[ 1985, c. 161, §6 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 2003, c. 510, §A13 (AMD).

## §366. SPECIAL ELECTIONS

The proclamation of a special election must specify the time and place it must be held as well as any necessary filing, posting, publishing and reporting dates. A special election must be publicized and conducted like its regular counterpart, as nearly as practicable. [1985, c. 161, §6 (NEW).]

### SECTION HISTORY

1985, c. 161, §6 (NEW).

## §367. CANDIDATE WITHDRAWAL

A candidate who wishes to withdraw from an elective race shall notify the Secretary of State in writing of the candidate's intent to withdraw. This notice must be signed by the candidate. If the reason for the withdrawal is catastrophic illness, condition or injury, the procedures set forth in section 374-A, subsection 1, paragraph B must be complied with if the candidate is to be replaced. [2015, c. 447, §10 (AMD).]

### SECTION HISTORY

1991, c. 466, §14 (NEW). 1995, c. 459, §31 (AMD). 2015, c. 447, §10 (AMD).

## Article 2: CANDIDATES AND NOMINEES

### §371. CANDIDATES FOR NOMINATION; VACANCY

If a candidate for nomination dies, withdraws at least 70 days before the primary or becomes disqualified after having filed the candidate's primary petition, so that a party has fewer candidates than there are offices to be filled, the vacancy may be filled by a political committee pursuant to section 363. The Secretary of State shall declare the vacancy pursuant to section 362-A. Less than 70 days before the primary election, a candidate may withdraw from the primary by providing a written notice to the Secretary of State that the candidate is withdrawing and will not serve if elected. The candidate's name will not be removed from the ballot, but upon receipt of the notice of late withdrawal, the Secretary of State shall instruct the local election officials in the candidate's electoral district to distribute notices with absentee ballots requested after that date and to post a notice at each voting place in the district informing voters that the candidate has withdrawn and that a vote for that candidate will not be counted. Notice of the late withdrawal must also be posted on the Secretary of State's publicly accessible website. [2015, c. 447, §11 (AMD).]

#### 1. Primary petition if time.

[ 1999, c. 426, §14 (RP) .]

#### 2. Chosen by committee if not time.

[ 1999, c. 426, §14 (RP) .]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1999, c. 426, §§13,14 (AMD). 2001, c. 310, §22 (AMD). 2007, c. 455, §15 (AMD). 2011, c. 342, §11 (AMD). 2015, c. 447, §11 (AMD).

**§372. NOMINEES; 60 DAYS OR MORE BEFORE ELECTION**

If a person nominated for United States Senator, Representative to Congress or Governor at a primary election dies, withdraws or becomes disqualified at least 60 days before the general election, the Governor shall issue a proclamation declaring the vacancy and ordering a special primary election under section 366. [1985, c. 161, §6 (NEW).]

## SECTION HISTORY

1985, c. 161, §6 (NEW).

**§373. NOMINEES; LESS THAN 60 DAYS BEFORE ELECTION**

If a person nominated for United States Senator, Representative to Congress or Governor at a primary election or by a political committee dies, withdraws or becomes disqualified less than 60 days before the general election, the Secretary of State shall declare the vacancy under section 362-A. [2001, c. 310, §23 (AMD).]

## SECTION HISTORY

1985, c. 161, §6 (NEW). 2001, c. 310, §23 (AMD).

**§374. CERTAIN NOMINEES AT ANY TIME**

*(REPEALED)*

## SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 341, §1 (RP).

**§374-A. WITHDRAWAL OF CANDIDATES FOR CERTAIN STATE OFFICES**

**1. Withdrawal and replacement of nominees.** The Secretary of State shall declare the vacancy as provided in section 362-A and a political committee may make a replacement nomination following a candidate's withdrawal only if a person nominated for an office, other than United States Senator, Representative to Congress or Governor, at a primary election or by a political committee:

A. Withdraws on or before 5 p.m. of the 2nd Monday in July preceding the general election in accordance with section 367; [2011, c. 342, §12 (AMD).]

B. Withdraws because of a catastrophic illness, condition or injury that has permanently and continuously incapacitated the candidate and would prevent performance of the duties of the office sought, as long as the candidate or a member of the candidate's immediate family files with the Secretary of State a certificate accompanying the withdrawal request that describes the illness, condition or injury and is signed by a licensed physician; or [2015, c. 447, §12 (AMD).]

C. Dies prior to the general election. [1989, c. 341, §2 (NEW).]

[ 2015, c. 447, §12 (AMD) .]

**2. Deadline for replacement of nominee.** A political committee may make a replacement nomination:

A. No later than 5 p.m. of the 4th Monday in July preceding the general election for a candidate who has withdrawn in accordance with subsection 1, paragraph A; or [1993, c. 447, §5 (AMD).]

B. As soon as practicable for a candidate who withdraws or is withdrawn in accordance with subsection 1, paragraph B or C. [1989, c. 341, §2 (NEW).]

[ 1993, c. 447, §5 (AMD) .]



**3. Deadline for withdrawal.** A candidate for an office on the general election ballot must withdraw at least 70 days before the general election in order for the candidate's name to be removed from the ballot. Less than 70 days before the general election, a candidate may withdraw from the election by providing a written notice to the Secretary of State that the candidate is withdrawing and will not serve if elected. The candidate's name will not be removed from the ballot, but upon receipt of the notice of late withdrawal, the Secretary of State shall instruct the local election officials in the candidate's electoral district to distribute notices with absentee ballots requested after that date and to post a notice at each voting place in the district informing voters that the candidate has withdrawn and that a vote for that candidate will not be counted. Notice of the late withdrawal must also be posted on the Secretary of State's publicly accessible website.

[ 2015, c. 447, §13 (AMD) .]

#### SECTION HISTORY

1989, c. 341, §2 (NEW). 1993, c. 447, §§4,5 (AMD). 2001, c. 310, §24 (AMD). 2007, c. 455, §16 (AMD). 2011, c. 342, §§12, 13 (AMD). 2015, c. 447, §§12, 13 (AMD).

### §375. PRESIDENTIAL AND VICE-PRESIDENTIAL CANDIDATES CHOSEN BY PETITION

**1. Candidate for President; death; withdrawal; disqualification.** If a candidate for President who has been nominated by petition under section 354, subsection 1, paragraph B, dies, withdraws or becomes disqualified, the nomination of the presidential, vice-presidential and presidential electoral candidates is terminated.

[ 1985, c. 161, §6 (NEW) .]

**2. Candidate for Vice President; death; withdrawal; disqualification.** If a candidate for Vice President who has been nominated by petition under section 354, subsection 1, paragraph B, dies, withdraws at least 70 days before the election or becomes disqualified, the vacancy may be filled by a new vice-presidential candidate, if the following conditions are met:

A. Written resignation is filed with the Secretary of State by the previous vice-presidential candidate, if the mental and physical condition of the candidate allows; [1985, c. 161, §6 (NEW).]

B. Written consent is filed with the Secretary of State by the new vice-presidential candidate; [1985, c. 161, §6 (NEW).]

C. Written acceptance of the new vice-presidential candidate is filed with the Secretary of State by the presidential candidate; and [1985, c. 161, §6 (NEW).]

D. Written acceptance of the new vice-presidential candidate is filed with the Secretary of State by each of the presidential electors. [1985, c. 161, §6 (NEW).]

[ 2015, c. 447, §14 (AMD) .]

**3. Candidate for presidential elector; death; withdrawal; disqualification.** If a presidential elector, who has been nominated by petition under section 354, subsection 1, paragraph B, dies, withdraws or becomes disqualified, the vacancy may be filled by a new presidential elector, if the following conditions are met:

A. Written resignation is filed with the Secretary of State by the previous presidential elector, if the mental and physical condition of the elector allows; [1985, c. 161, §6 (NEW).]

B. Written consent is filed with the Secretary of State by the new presidential elector; and [1985, c. 161, §6 (NEW).]

C. Written acceptance of the new presidential elector is filed with the Secretary of State by the presidential candidate. [1985, c. 161, §6 (NEW).]

This subsection does not apply to a vacancy as described in section 804.

[ 1985, c. 161, §6 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1999, c. 426, §15 (AMD). 2015, c. 447, §14 (AMD).

## §376. PRODUCTION OF NEW BALLOTS

**1. Federal or gubernatorial office.** If a candidate or nominee for a federal or gubernatorial office withdraws less than 70 days before any election, the Secretary of State is not required to produce new ballots.

[ 2015, c. 447, §15 (AMD) .]

**2. Certain state offices.** The Secretary of State is required to produce new ballots only if a candidate for an office, other than United States Senator, Representative to Congress or Governor, withdraws in accordance with section 374-A, subsection 1, paragraph A, B or C, a replacement candidate is nominated and a notification is filed with the Secretary of State by the appropriate committee of the political party making the nomination no later than 60 days before the election.

[ 1997, c. 436, §55 (AMD) .]

**3. List of candidates.** Immediately after the last day for withdrawal, the Secretary of State shall list all names to be placed on the ballot for the general election.

[ 1989, c. 341, §3 (RPR) .]

#### **4. Last day for withdrawal.**

[ 1989, c. 341, §3 (RP) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 341, §3 (RPR). 1991, c. 466, §15 (AMD). 1997, c. 436, §55 (AMD). 2015, c. 447, §15 (AMD).

## Article 3: LOCAL AND STATE OFFICIALS

### §381. STATE SENATORS

When there is a vacancy in the office of State Senator, the Governor shall issue a proclamation declaring the vacancy and ordering a special election under section 366. [1985, c. 161, §6 (NEW).]

**1. Nominees chosen.** The Governor shall order the appropriate political committees to meet and shall set the deadline for choosing nominees. The political committees shall follow the procedure outlined in section 363.

[ 1997, c. 436, §56 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1997, c. 436, §56 (AMD).

## §382. REPRESENTATIVE TO LEGISLATURE

When there is a vacancy in the office of Representative to the Legislature, the municipal officers of any municipality affected by the vacancy may inform the Governor if there is a need to fill the vacancy before the next general election, and the Governor shall issue a proclamation declaring the vacancy and ordering a special election under section 366. [1985, c. 161, §6 (NEW).]

**1. Nominees chosen.** The Governor shall order the appropriate political committees to meet and shall set the deadline for choosing nominees, which may not be less than 15 days following the Governor's proclamation declaring a vacancy. The committees shall follow the procedure outlined in section 363.

[ 2011, c. 409, §2 (AMD) .]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1997, c. 436, §57 (AMD). 2011, c. 409, §2 (AMD).

## §383. POLITICAL COMMITTEES

A political committee shall fill a vacancy in its membership. [1985, c. 161, §6 (NEW).]

**1. Secretary of State notified.**

[ 2007, c. 455, §17 (RP) .]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 2007, c. 455, §17 (AMD).

## §384. ELECTION OFFICIALS

The municipal officers may appoint a qualified person to fill a vacancy in the office of any election official. [1993, c. 447, §6 (AMD).]

**1. Limitation.**

[ 1999, c. 426, §16 (RP) .]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 447, §6 (AMD). 1999, c. 426, §16 (AMD).

## Article 4: FEDERAL OFFICIALS

### §391. UNITED STATES SENATORS

A vacancy in the office of United States Senator is governed by the following provisions. [1985, c. 161, §6 (NEW).]

**1. Interim appointment.** Within a reasonable time after the vacancy occurs, the Governor shall appoint a qualified person to fill the vacancy until his successor is elected and qualified.

[ 1985, c. 161, §6 (NEW) .]

**2. Vacancy 60 days before primary.** If the vacancy occurs 60 days or more before a regular primary election, nominees must be chosen at the primary and a successor elected for the remainder of the term at the general election.

[ 1985, c. 161, §6 (NEW) .]

**3. Vacancy less than 60 days before primary.** If the vacancy occurs less than 60 days before a regular primary election, nominees must be chosen at the next regular primary following the one in question, and a successor elected for the remainder of the term at the general election.

[ 1985, c. 161, §6 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW).

## §392. REPRESENTATIVES TO CONGRESS

When there is a vacancy in the office of Representative to Congress, the Governor shall issue a proclamation declaring the vacancy and ordering a special primary election followed by a special election to fill the vacancy as provided in section 366. [1985, c. 161, §6 (NEW).]

**1. Congress in session.** If Congress is in session, the elections must be held as soon as reasonably possible. If Congress is not in session, the elections must be held before the next regular or called session.

[ 1985, c. 161, §6 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW).

## §393. PRESIDENTIAL ELECTORS

Except as provided in section 804, when there is a vacancy in the office of presidential elector, the Secretary of State shall declare the vacancy under section 362-A and notify the appropriate state committee of the deadline for choosing a qualified person to fill the vacancy. The procedure outlined in section 363 must be followed. [2001, c. 310, §25 (AMD).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1997, c. 436, §58 (AMD). 2001, c. 310, §25 (AMD).

### Subchapter 4: PRESIDENTIAL PRIMARY ELECTIONS

## §401. DETERMINATION AND DATE OF PRIMARY

*(REPEALED)*

#### SECTION HISTORY

1987, c. 797, §2 (NEW). MRSA T. 21-A , §408 (RP).

## §402. PARTY CERTIFICATION

*(REPEALED)*

#### SECTION HISTORY

1987, c. 797, §2 (NEW). 1991, c. 466, §16 (AMD). MRSA T. 21-A , §408 (RP).

**§403. PETITIONS***(REPEALED)*

## SECTION HISTORY

1987, c. 797, §2 (NEW). MRSA T. 21-A, §408 (RP).

**§404. BALLOT PREPARATION***(REPEALED)*

## SECTION HISTORY

1987, c. 797, §2 (NEW). MRSA T. 21-A, §408 (RP).

**§405. CANDIDATE ELIGIBILITY***(REPEALED)*

## SECTION HISTORY

1987, c. 797, §2 (NEW). MRSA T. 21-A, §408 (RP).

**§406. SELECTION OF DELEGATES***(REPEALED)*

## SECTION HISTORY

1987, c. 797, §2 (NEW). 1993, c. 447, §7 (AMD). MRSA T. 21-A, §408 (RP).

**§407. COST***(REPEALED)*

## SECTION HISTORY

1987, c. 797, §2 (NEW). 1991, c. 466, §17 (AMD). MRSA T. 21-A, §408 (RP).

**§408. REPEAL***(REPEALED)*

## SECTION HISTORY

1993, c. 334, §2 (NEW). MRSA T. 21-A, §408 (RP).

## Subchapter 5: PRESIDENTIAL PREFERENCE PRIMARY ELECTIONS

**§411. DETERMINATION AND DATE OF PRIMARY***(REPEALED)*

## SECTION HISTORY

1993, c. 334, §3 (NEW). 1995, c. 154, §§2-4 (AMD). 1997, c. 436, §§59,60 (AMD). 2001, c. 516, §2 (AMD). 2003, c. 470, §1 (RP).

**§411-A. PARTY CERTIFICATION***(REPEALED)*

## SECTION HISTORY

1995, c. 154, §5 (NEW). 1997, c. 436, §§61,62 (AMD). 2001, c. 516, §3 (AMD). 2003, c. 470, §1 (RP).

**§412. PETITIONS OR FILING FEES**

*(REPEALED)*

## SECTION HISTORY

1993, c. 334, §3 (NEW). 1995, c. 154, §6 (AMD). 1997, c. 436, §63 (AMD). 2003, c. 470, §1 (RP).

**§413. BALLOT PREPARATION**

*(REPEALED)*

## SECTION HISTORY

1993, c. 334, §3 (NEW). 2001, c. 310, §26 (AMD). 2003, c. 470, §1 (RP).

**§414. CANDIDATE ELIGIBILITY**

*(REPEALED)*

## SECTION HISTORY

1993, c. 334, §3 (NEW). 1993, c. 695, §22 (AMD). 1993, c. 695, §§23,37 (AFF). 1995, c. 154, §7 (AMD). 2003, c. 470, §1 (RP).

**§415. SELECTION OF DELEGATES**

*(REPEALED)*

## SECTION HISTORY

1993, c. 334, §3 (NEW). 1995, c. 154, §8 (RPR). 1997, c. 436, §64 (AMD). 2001, c. 516, §4 (AMD). 2003, c. 470, §1 (RP).

**§416. EFFECTIVE DATE**

*(REPEALED)*

## SECTION HISTORY

1993, c. 334, §3 (NEW). 2003, c. 470, §1 (RP).

Subchapter 6: CANDIDATES FOR THE UNITED STATES  
CONGRESS: THE UNITED STATES HOUSE OF  
REPRESENTATIVES AND THE UNITED STATES SENATE

**§421. LIMITATIONS ON CANDIDATES FOR CONGRESS: THE UNITED STATES HOUSE OF REPRESENTATIVES AND THE UNITED STATES SENATE**

*(REPEALED)*

## SECTION HISTORY

IB 1993, c. 2, §1 (NEW). IB 1993, c. 2, §2 (AFF). 2001, c. 516, §5 (RP).

Subchapter 7: PRESIDENTIAL PRIMARY ELECTIONS

## §431. DETERMINATION AND DATE OF PRIMARY; VOTER ELIGIBILITY

*(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)*

***(WHOLE SECTION TEXT REPEALED 12/1/18 by T. 21-A, §434; PL 2015, c. 474, §4 (NEW))***

***(WHOLE SECTION TEXT EFFECTIVE UNTIL 12/1/18)***

**1. Determination of primary.** No later than November 1st of the year prior to a presidential election year, the Secretary of State shall set the date of the presidential primary election, which must be held on a Tuesday in March of the year in which a presidential election is held. Whenever the state committee of a party certifies that there is a contest among candidates for nomination as the presidential candidate, the Secretary of State shall consult with the state committee of each party to determine the date of the presidential primary.

[ 2015, c. 474, §4 (NEW) . ]

**2. Eligible voter.** Notwithstanding section 340, subsection 1, only a voter who is enrolled in a party may vote in the party's presidential primary election.

[ 2015, c. 474, §4 (NEW) . ]

### SECTION HISTORY

2015, c. 474, §4 (NEW).

## §432. PETITIONS

*(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)*

***(WHOLE SECTION TEXT REPEALED 12/1/18 by T. 21-A, §434; PL 2015, c. 474, §4 (NEW))***

***(WHOLE SECTION TEXT EFFECTIVE UNTIL 12/1/18)***

On or before November 1st of the year prior to a presidential election year, the Secretary of State shall prepare and make available petitions for circulation by a person desiring to be a contestant in the Maine presidential primary election of any party. This petition must be completed and filed no later than 5:00 p.m. on December 21st of the year prior to a presidential election year in the manner provided in sections 335 and 336. [2015, c. 474, §4 (NEW).]

### SECTION HISTORY

2015, c. 474, §4 (NEW).

## §433. BALLOT PREPARATION

*(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)*

***(WHOLE SECTION TEXT REPEALED 12/1/18 by T. 21-A, §434; PL 2015, c. 474, §4 (NEW))***

***(WHOLE SECTION TEXT EFFECTIVE UNTIL 12/1/18)***

The Secretary of State shall prepare ballots for a presidential primary election. A ballot must include the name of a person who files with the Secretary of State a petition in accordance with section 432. The Secretary of State shall determine if a petition meets the requirements of sections 335, 336 and 432, subject to challenge and appeal under section 337. [2015, c. 474, §4 (NEW).]

### SECTION HISTORY

2015, c. 474, §4 (NEW).

## §434. REPEAL

*(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)*

***(WHOLE SECTION TEXT REPEALED 12/1/18)***

***(WHOLE SECTION TEXT EFFECTIVE UNTIL 12/1/18)***

This subchapter is repealed December 1, 2018. [2015, c. 474, §4 (NEW).]

SECTION HISTORY

2015, c. 474, §4 (NEW).



## Chapter 7: ELECTION OFFICIALS

### §501. WARDENS AND WARD CLERKS

**1. In a city.** In a city, the selection, term of office, compensation and partial duties of wardens and ward clerks are determined by the city charter. Additional duties are prescribed by this Title.

[ 1987, c. 188, §4 (AMD) . ]

**2. In a town.** In a town, with the approval of the municipal officers, the clerk of the municipality shall appoint a warden and may appoint one or more deputy wardens to assist in the duties on election day. If the clerk appoints another person as warden, the clerk may serve as deputy warden. It does not constitute an incompatibility of office for the clerk to serve as warden or deputy warden. The warden and deputy warden are entitled to a reasonable compensation as determined by the municipal officers.

[ 1995, c. 459, §32 (AMD) . ]

**3. Provisions applicable to both towns and cities.** A warden, ward clerk or any deputy warden may not be an officer of a municipal committee of a political party. Ward clerks or deputy wardens shall perform the duties of the warden when necessary and may not replace election clerks prescribed by this Title. The warden, ward clerk and deputy wardens must be registered voters of the municipality, except when a nonresident clerk is acting as either warden, ward clerk or deputy warden. When there is a vacancy in the office of warden, ward clerk or deputy warden, a person who is a resident of the county may serve as a replacement on a per election basis until the end of the vacated term. Before assuming the duties of office, the warden is sworn by the municipal clerk, and the ward clerk or deputy warden is sworn by the municipal clerk or by the warden.

[ 2009, c. 538, §6 (AMD) . ]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 188, §4 (AMD). 1995, c. 459, §32 (AMD). 1997, c. 436, §65 (AMD). 2001, c. 310, §27 (AMD). 2009, c. 538, §6 (AMD).

### §502. DUTIES AND VACANCIES -- WARDEN AND WARD CLERK

In the event of a vacancy in the office of warden or in the absence or incapacity of the warden, the ward clerk may perform the duties of the warden. A vacancy in the office of ward clerk may be filled by an election clerk appointed by the warden. When a ward clerk is elected in a partisan election, an election clerk appointed by the warden must be enrolled in the same political party as the ward clerk and shall serve as ward clerk pro tem. [1997, c. 436, §66 (AMD).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 447, §8 (AMD). 1997, c. 436, §66 (AMD).

### §503. ELECTION CLERKS

Election clerks are governed by the following provisions. [1995, c. 459, §33 (RPR) . ]

**1. Qualifications; appointment; compensation.** Election clerks must be at least 18 years of age, registered to vote and residents of the municipality, except that, if the municipal officers, after providing timely notice to state and local chairs of political parties of the lack of available election clerks, are unable

to appoint a sufficient number of election clerks who are residents of the municipality, the municipal clerk may appoint election clerks who are not residents of the municipality but who are residents of the county and are otherwise qualified to fill the vacancies. The municipal officers of each municipality shall appoint election clerks no later than May 1st of each general election year to serve at each voting place during the time the polls are open and as counters after the polls close. A list of the election clerks appointed under this subsection must be posted at each voting place. Election clerks are entitled to a reasonable compensation as determined by the municipal officers.

[ 2007, c. 422, §1 (AMD) .]

**1-A. Student election clerks.**

[ 1995, c. 459, §33 (RP) .]

**2. Representation of parties.** The municipal officers shall consider the following for appointment as election clerks.

A. The municipal officers shall consider persons nominated by the municipal, county or state committees of the major parties to serve as election clerks. The municipal officers shall appoint at least one election clerk from each of the major parties to serve at each voting place during the time the polls are open. The municipal officers shall also appoint a sufficient number of election clerks to serve as counters after the polls close. The election clerks must be selected so that the number of election clerks from one major party does not exceed the number of election clerks from another major party by more than one. [2007, c. 422, §2 (AMD).]

B. The municipal officers shall appoint at least one election clerk nominated by the municipal committee of a qualified minor party represented on the last general election ballot for each voting place at the committee's request. [1995, c. 459, §33 (RPR) .]

C. Notwithstanding subsection 1, the municipal officers may also consider persons who are 17 years of age to serve as student election clerks for a specific election. A student election clerk may perform all the functions of an election clerk as prescribed by this Title. [2003, c. 584, §4 (AMD) .]

All nominations for election clerks must be submitted to the municipal officers no later than April 1st of each general election year. If a municipal committee of a major party fails to submit a list of nominees to serve as election clerks, the municipal officers may appoint registered voters enrolled in that party to serve as election clerks.

If the municipal officers are unable to appoint a sufficient number of election clerks as set forth in paragraphs A, B and C, they may appoint any other registered voter, as long as the balance between major political parties is maintained.

[ 2013, c. 131, §14 (AMD) .]

**3. Number appointed to serve each voting place.** The municipal officers shall appoint at least 2 election clerks as provided by subsection 2, paragraph A to serve at each voting place during the time the polls are open. If required to do so by subsection 2, paragraph B, they shall also appoint one election clerk to serve at each voting place during the time the polls are open. Additional election clerks may be appointed as needed. In the event of a vacancy in the election clerks appointed under this subsection, the municipal officers shall appoint alternate election clerks who may be called into service.

[ 1995, c. 459, §33 (RPR) .]

**4. Number appointed to serve as counters.** The municipal officers shall appoint election clerks in the same manner as in subsection 3 to serve as counters after the polls close.

[ 1995, c. 459, §33 (RPR) .]

**5. Vacancies.** If a sufficient number of election clerks is not available to serve on election day, the municipal clerk or the warden may appoint the necessary number of election clerks to fill the vacancies. When filling a vacancy, the municipal clerk or the warden shall first draw from the list of alternates appointed under subsection 3 and make every attempt to appoint a person with the same enrollment status as the person who vacated the position.

[ 1995, c. 459, §33 (RPR) .]

**6. Oath of office.** Before assuming the duties of office, election clerks are sworn by the municipal clerk or the warden and the oath is recorded.

[ 1995, c. 459, §33 (RPR) .]

**7. Term of office.** An election clerk holds office for 2 years from the date of appointment and until a successor is appointed and qualified, except that an election clerk who is appointed to represent a qualified minor party represented on the last general election ballot holds office only for 2 years from the date of appointment.

[ 1995, c. 459, §33 (RPR) .]

**8. Duties.** Election clerks shall attend the voting places for which they are appointed at each election during the time the polls are open or during the counting of the ballots after the polls close, as required by the terms of their appointment. They are under the direction of the warden and shall assist the warden as requested.

[ 1995, c. 459, §33 (RPR) .]

**9. Application of city charter.** This section does not affect a city charter that provides for the election of 2 persons to assist the warden in receiving, sorting and counting ballots. The persons elected under the authority of the charter are considered to be election clerks and each must represent a different major party.

[ 1995, c. 459, §33 (NEW) .]

## **10. Training.**

[ 2001, c. 415, §5 (AFF); 2001, c. 415, §2 (RP) .]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 314, (AMD). 1991, c. 399, §2 (AMD). 1991, c. 466, §18 (AMD). 1993, c. 473, §10 (AMD). 1993, c. 473, §46 (AFF). 1995, c. 459, §33 (RPR). 1999, c. 450, §14 (AMD). 2001, c. 310, §28 (AMD). 2001, c. 415, §2 (AMD). 2001, c. 415, §5 (AFF). 2003, c. 584, §4 (AMD). 2007, c. 422, §§1, 2 (AMD). 2013, c. 131, §14 (AMD).

## **§504. PERSONS INELIGIBLE TO SERVE**

The following may not serve as election officials: [1985, c. 161, §6 (NEW) .]

**1. Certain employees.** An employee of a party or candidate;

[ 1985, c. 161, §6 (NEW) .]

**2. Direct pecuniary interest.** A person having a direct pecuniary interest in the result of a referendum question; or

[ 1985, c. 161, §6 (NEW) .]

**3. Candidate and certain relatives.** A candidate or member of his immediate family, in the electoral division from which the candidate seeks election.

A. This subsection does not apply to a candidate for warden or ward clerk or the immediate family of the candidate for warden or ward clerk. [1993, c. 447, §9 (AMD) .]

B. This subsection does not apply to municipalities with a population of less than 500. [1985, c. 161, §6 (NEW) .]

[ 1993, c. 447, §9 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 447, §9 (AMD).

## §505. MUNICIPAL CLERK

The clerk of the municipality is the supervisor of all elections and is entitled to a reasonable compensation as determined by the municipal officers and has the following duties: [1995, c. 459, §34 (NEW) .]

**1. Absentee voting.** Administer the absentee voting procedures;

[ 1995, c. 459, §34 (NEW) .]

**2. Instruction.** Instruct election officials on election laws and procedures prior to election day;

[ 1995, c. 459, §34 (NEW) .]

**3. Election officials.** Coordinate and schedule election officials to work at the polls on election day;

[ 1995, c. 459, §34 (NEW) .]

**4. Poll watchers and others.** Make arrangements in advance of election day for poll watchers, petition circulators and others who request to be present at the polls;

[ 1995, c. 459, §34 (NEW) .]

**5. Election materials and equipment.** Prepare and deliver to and from the polls all election equipment and materials, including the ballots;

[ 1995, c. 459, §34 (NEW) .]

**6. Advise warden.** Advise the warden on election laws and procedures on election day;

[ 1995, c. 459, §34 (NEW) .]

**7. Report to the Secretary of State.** Report the return of votes cast and other voter registration or election information to the Secretary of State upon request or as otherwise required by this Title. The clerk shall notify the Secretary of State of the name of the clerk and any deputy or assistant clerks within 10 days after the official is elected or appointed and sworn by revising the election official's information listing within the central voter registration system;

[ 2005, c. 568, §12 (AMD) .]

**7-A. Training.** Attend a training session that is approved by the Secretary of State at least once every 2 years in regard to the conduct of elections. The Secretary of State shall offer training sessions regionally at least once every 2 years at no fee. The Secretary of State shall encourage municipalities to provide training biennially to all election officials; and

[ 2001, c. 415, §4 (NEW); 2001, c. 415, §5 (AFF) .]

**8. Other duties.** Perform any other duties required for conducting an election.

[ 1995, c. 459, §34 (NEW) .]

#### SECTION HISTORY

1995, c. 459, §34 (NEW). 2001, c. 415, §§3,4 (AMD). 2001, c. 415, §5 (AFF). 2005, c. 568, §12 (AMD).

## Chapter 8: LIMITATION OF TERMS

### §551. SHORT TITLE

This chapter may be known and cited as the "Term Limitation Act of 1993." [1993, c. 1, §1 (NEW); 1993, c. 1, §2 (AFF).]

#### SECTION HISTORY

IB 1993, c. 1, §1 (NEW). IB 1993, c. 1, §2 (AFF).

### §552. DEFINITIONS

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [1993, c. 1, §1 (NEW); 1993, c. 1, §2 (AFF).]

**1. Responsible electoral official.** "Responsible electoral official" means a public official who is responsible for accepting a nomination or nomination petition for an elected office and also means a public official who is responsible for placing the name of a person nominated for public office on a ballot, ballot label, calendar or other similar instrument.

[ 1993, c. 1, §1 (NEW); 1993, c. 1, §2 (AFF) .]

**2. Term.** "Term" means a full term or any portion of a term served by an elected official in an office subject to the provisions of this chapter.

[ 1993, c. 1, §1 (NEW); 1993, c. 1, §2 (AFF) .]

#### SECTION HISTORY

IB 1993, c. 1, §1 (NEW). IB 1993, c. 1, §2 (AFF).

### §553. LIMITATIONS ON TERMS

Notwithstanding any other provision of law, consecutive terms in office are limited as follows. [1993, c. 1, §1 (NEW); 1993, c. 1, §2 (AFF).]

**1. State Senate.** A person may not serve more than 4 consecutive terms as a state Senator.

[ 1993, c. 1, §1 (NEW); 1993, c. 1, §2 (AFF) .]

**2. State Representative.** A person may not serve more than 4 consecutive terms as a member of the state House of Representatives.

[ 1993, c. 1, §1 (NEW); 1993, c. 1, §2 (AFF) .]

**3. Secretary of State.** A person may not serve more than 4 consecutive terms as Secretary of State.

[ 1993, c. 1, §1 (NEW); 1993, c. 1, §2 (AFF) .]

**4. Treasurer of State.** A person may not serve more than 4 consecutive terms as Treasurer of State.

[ 1993, c. 1, §1 (NEW); 1993, c. 1, §2 (AFF) .]

**5. Attorney General.** A person may not serve more than 4 consecutive terms as Attorney General.

[ 1993, c. 1, §1 (NEW); 1993, c. 1, §2 (AFF) .]

**6. State Auditor.** A person may not serve more than 2 consecutive terms as State Auditor.

[ 1993, c. 1, §1 (NEW); 1993, c. 1, §2 (AFF) .]

This section applies to terms of office that begin on or after December 3, 1996. [1993, c. 1, §1 (NEW); 1993, c. 1, §2 (AFF).]

SECTION HISTORY

IB 1993, c. 1, §1 (NEW). IB 1993, c. 1, §2 (AFF).

## **§554. EXCLUSION FROM NOMINATION, ELECTION AND SERVICE**

Notwithstanding any other provision of law, a person who is prohibited from service in an office as set forth in section 553 may not be nominated for or elected to that office. A responsible electoral official may not accept or certify such a person's nomination or nomination petition for an office subject to this chapter. A responsible electoral official may not print or cause to be printed such a person's name on a ballot, ballot label, calendar or other similar instrument for election to an office subject to this chapter. This section applies to nominations occurring and ballots printed after January 1, 1996. [1993, c. 1, §1 (NEW); 1993, c. 1, §2 (AFF).]

SECTION HISTORY

IB 1993, c. 1, §1 (NEW). IB 1993, c. 1, §2 (AFF).

## Chapter 9: CONDUCT OF ELECTIONS

### Subchapter 1: PREELECTION PROCEDURE

#### Article 1: SECRETARY OF STATE'S RESPONSIBILITIES

##### §601. BALLOT PREPARATION

The Secretary of State shall prepare the election ballots according to the following provisions. [ 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.

[ 1993, c. 473, §11 (AMD); 1993, c. 473, §46 (AFF) . ]

**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 choice on the ballot. [2013, c. 131, §15 (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. [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-A, 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. [2007, c. 455, §18 (NEW). ]

C. When 2 United States Senators are to be nominated, the term of office sought by each candidate must be specified on the ballot. [2001, c. 310, §29 (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. [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. [1985, c. 161, §6 (NEW). ]

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



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. [2007, c. 455, §18 (AMD).]

H. The name of each nominee 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. [2007, c. 455, §18 (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. [2001, c. 310, §29 (NEW).]

J. For offices elected 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. [2015, c. 3, §3 (NEW).]

[ 2015, c. 3, §3 (AMD) . ]

**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.

[ 2007, c. 455, §19 (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.

[ 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.

[ 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.

[ 2001, c. 310, §29 (NEW) . ]

#### SECTION HISTORY

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

## §601-A. PRESIDENTIAL PREFERENCE PRIMARY BALLOT

*(REPEALED)*

### SECTION HISTORY

1987, c. 797, §3 (NEW). 1993, c. 334, §4 (AMD). 1993, c. 473, §14 (AMD). 1993, c. 473, §46 (AFF). 1995, c. 154, §9 (AMD). 1997, c. 436, §§69-71 (AMD). 1999, c. 426, §18 (AMD). 2001, c. 310, §30 (RP).

## §602. GENERAL ELECTION BALLOT

*(REPEALED)*

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 255, §§1,2 (AMD). 1993, c. 473, §§15,16 (AMD). 1993, c. 473, §46 (AFF). 1993, c. 695, §§24,25 (AMD). 1995, c. 459, §§35,36 (AMD). 1997, c. 436, §§72-76 (AMD). 2001, c. 310, §31 (RP).

## §603. SAMPLE BALLOTS

Sample ballots are governed by the following provisions. [1997, c. 436, §77 (AMD).]

**1. Secretary of State to prepare.** The Secretary of State shall prepare the sample ballots.

A. The words "SAMPLE BALLOT" in bold type, the title and date of the election, and the name of the voting district must be printed at the top of the ballot. The facsimile of the state seal may not be printed on it. It must be printed flat. Otherwise, it must be printed substantially the same as a regular ballot.

[2007, c. 455, §20 (AMD).]

B. The ballot must be printed on paper of a distinctive color. [1985, c. 161, §6 (NEW).]

[ 2007, c. 455, §20 (AMD) .]

**2. When furnished.** The Secretary of State shall send a reasonable number of sample ballots to the clerk for posting as provided in section 625 and for voter information.

[ 2007, c. 455, §21 (AMD) .]

**3. Available for publication.** Within a reasonable time before the election, the Secretary of State shall make sample ballots available for publication in all newspapers having general circulation in the area to which the ballots pertain. A single sample ballot so published may carry the name of each candidate for State Senator and Representative to the Legislature in the area covered by the circulation of the newspaper. The name of the voting district need not be printed on the published sample ballot.

[ 1997, c. 436, §77 (AMD) .]

**4. Candidate or nominee to fill vacancy.**

[ 1995, c. 459, §38 (RP) .]

**4-A. Clerk to review sample ballots.** Upon receipt, the clerk shall review the sample ballots for accuracy and must immediately notify the Secretary of State of any errors.

[ 1997, c. 436, §77 (AMD) . ]

**4-B. Duplication of sample ballots.** Sample ballots may be duplicated as needed at the clerk's own discretion.

[ 1997, c. 436, §77 (AMD) . ]

**5. Sample ballot instructions printed in French language.** The Secretary of State shall prepare ballot instructions in the French language, to be printed on a separate sheet of paper that may conveniently be attached to sample ballots. The Secretary of State shall furnish these ballot instruction sheets upon request by the clerk of a municipality.

[ 1997, c. 436, §77 (AMD) . ]

**6. Violation; unofficial specimen ballot.**

[ 1985, c. 383, §9 (RP) . ]

SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 383, §9 (AMD). 1995, c. 459, §§37-39 (AMD). 1997, c. 436, §77 (AMD). 2007, c. 455, §§20, 21 (AMD).

## §604. EMERGENCY BALLOT PROCEDURE

In an emergency as described in subsection 2, the Secretary of State may prepare new ballots, amend those already printed or procure ballots from another municipality or voting district. He may authorize any clerk to do the same. [1985, c. 161, §6 (NEW).]

**1. Ballots amended.** Ballots already printed may be amended by having corrective stickers added, or by some other means, as directed by the Secretary of State.

[ 1997, c. 436, §78 (AMD) . ]

**2. Emergency described.** An emergency may exist as follows:

A. If there is a shortage of ballots; [1985, c. 161, §6 (NEW).]

B. If the ballots are not delivered in time for the election; [1985, c. 161, §6 (NEW).]

C. If the ballots are missing, defaced or destroyed; or [1985, c. 161, §6 (NEW).]

D. If replacement of a vacancy or the correction of an error in the ballot requires its amendment. [1985, c. 161, §6 (NEW).]

[ 1985, c. 161, §6 (NEW) . ]

**3. Candidate or nominee to fill vacancy.** When a candidate for nomination or a nominee is chosen to fill a vacancy, the Secretary of State and the clerk of each interested municipality shall perform the duties required by this section as promptly as possible.

[ 1995, c. 459, §40 (NEW) . ]

SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §40 (AMD). 1997, c. 436, §78 (AMD).

## §604-A. FLEXIBILITY FOR COMBINING ELECTION BALLOTS

Notwithstanding any other provision of this Title, the Secretary of State may make suitable arrangement for the printing of candidate, referendum and municipal election ballots on a single ballot or ballot card used in conjunction with electronic voting systems or for the printing of candidate and referendum ballots on a single ballot for paper ballot voting systems. The Secretary of State may only allow such a combination if the Secretary of State finds that it is in the interest of the election process and that it will not contribute to voter confusion or unreasonable administrative difficulties. [1997, c. 436, §79 (AMD).]

### SECTION HISTORY

1987, c. 188, §5 (NEW). 1997, c. 436, §79 (AMD).

## §605. INSTRUCTIONS

*(REPEALED)*

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 473, §17 (AMD). 1993, c. 473, §46 (AFF). 2001, c. 310, §32 (AMD). 2001, c. 516, §6 (AMD). 2007, c. 455, §22 (AMD). 2011, c. 342, §14 (RP).

## §605-A. INSTRUCTIONS

**1. For election officials.** The Secretary of State shall provide the clerk, registrar and election officials of each municipality with printed instructions and information to assist them in performing the requirements of this Title.

[ 2011, c. 342, §15 (NEW) .]

**2. For voters.** The Secretary of State shall prepare instructional materials and posters and provide them to each municipality to assist voters in registering to vote and in voting.

A. The voting instruction poster must include information on how to mark the ballot, including how to mark a write-in vote; how to replace the ballot if the voter makes a mistake; and how to receive assistance in marking the ballot. It may include other voting information. [2011, c. 342, §15 (NEW) .]

B. The voting rights poster or notice must contain information advising prospective registrants and voters of their voting rights. [2011, c. 342, §15 (NEW) .]

C. The election penalty poster or notice must contain information regarding penalties for voting law violations. [2011, c. 342, §15 (NEW) .]

D. The Treasurer's Statement must be prepared according to Title 5, section 152 to accompany ballots containing any statewide bond issues. The Secretary of State shall supply written instructions to each municipality, which may be provided to an absentee voter to indicate where the voter may view the Treasurer's Statement on the Secretary of State's publicly accessible website. [2011, c. 534, §13 (AMD) .]

E. For each referendum ballot, a citizen's guide to the referendum election must be prepared and include the full text of each measure; the Attorney General's explanatory statement prepared under Title 1, section 353; the Treasurer's Statement prepared under Title 5, section 152; the Office of Fiscal and Program Review's estimate of the fiscal impact prepared under Title 1, section 353; and any public

comment submitted pursuant to Title 1, section 354. The Secretary of State must post a citizen's guide to the referendum election on the Secretary of State's publicly accessible website and provide a printed copy to each municipality and to each public library in the State. [ 2011, c. 342, §15 (NEW) . ]

Each municipality must post the voter instructional materials as described in section 651.

[ 2011, c. 534, §13 (AMD) . ]

#### SECTION HISTORY

2011, c. 342, §15 (NEW). 2011, c. 534, §13 (AMD).

## §606. OFFICIAL BALLOTS

The Secretary of State shall furnish each municipality with official ballots to be used for absentee voting and for voting on election day. [ 2013, c. 131, §17 (AMD) . ]

**1. Number of ballots furnished.** The Secretary of State shall review the number of votes cast at the last election of that type as well as current registration and enrollment statistics in each voting district when determining the number of ballots to be furnished to each municipality. If the clerk believes that extra ballots will be needed, the clerk must request them from the Secretary of State a reasonable time before the election and provide a written justification for the request. The Secretary of State may send the requested number to the clerk and may furnish as many additional ballots as the Secretary of State believes necessary.

[ 2011, c. 342, §16 (RPR) . ]

**2. How packaged.** The ballots must be bundled and sealed in units as determined by the Secretary of State. Each package to be shipped must be labeled on the outside with the name of the municipality for which it is intended and indicate that it contains state ballots. If the municipality has more than one voting place or voting district, then each package of ballots for election day must be labeled on the outside to indicate the voting place or voting district for which it is intended.

[ 2011, c. 342, §16 (RPR) . ]

**3. Receipt issued; inspection of ballots by the clerk.** Upon receipt of one or more packages of official ballots for an election, the clerk shall use the following process to inspect and verify the contents of the packages.

A. Upon receipt of absentee ballots or blank absentee ballots, the clerk shall open each sealed package and verify that the ballots do not have any errors and that the correct amount of ballots has been received. The clerk shall immediately complete and return the receipt form provided by the Secretary of State, confirming receipt and noting any discrepancies in the type or amount of ballots received. The clerk shall then proceed to issue absentee ballots or blank absentee ballots in response to pending requests. [ 2011, c. 342, §16 (NEW) . ]

B. Upon receipt of regular ballots to be used on election day, the clerk shall open, in the presence of one or more witnesses, each sealed package and verify that the ballots do not have any errors and that the correct amount of ballots has been received. The clerk shall immediately complete and return the receipt form provided by the Secretary of State, confirming receipt and noting any discrepancies in the type or amount of ballots received. The clerk may remove ballots to be used for testing electronic tabulating systems or other voting devices and mark them as provided by section 854. The clerk shall complete the clerk's portion of the warden's receipt of ballots and shall then reseal each package of regular ballots and secure each package until election day when it is delivered to the warden at the voting place. [ 2011, c. 342, §16 (NEW) . ]

[ 2011, c. 342, §16 (RPR) . ]

**4. Records kept.** The Secretary of State shall keep a record of the time when and the manner in which the ballots were furnished to each municipality.

[ 2011, c. 342, §16 (RPR) .]

**5. Reproducing official ballots.** It is unlawful for a person to copy or reproduce an unmarked official ballot without the express authorization of the Secretary of State.

[ 2011, c. 342, §16 (RPR) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 558, §§1,2 (AMD). 1991, c. 347, §§1,2 (AMD). 1991, c. 780, §U24 (AMD). 1991, c. 862, §4 (AMD). 1993, c. 447, §§10-13 (AMD). 1993, c. 695, §§26-28 (AMD). 1995, c. 459, §§41-44 (AMD). 1997, c. 436, §80 (AMD). 2001, c. 516, §7 (AMD). 2001, c. 667, §B11 (AMD). 2001, c. 667, §B12 (AFF). 2005, c. 568, §13 (AMD). 2007, c. 455, §23 (AMD). 2011, c. 342, §16 (RPR). 2013, c. 131, §17 (AMD).

### §606-A. SPECIAL PROVISIONS FOR OUT-OF-DISTRICT VOTERS

A voter who registers and votes under section 156 in a municipality outside the voter's state representative district, state senatorial district, county or county commissioner district may vote for the offices of Representative to the Legislature, State Senator or any county office by using a ballot obtained under this section. [2011, c. 534, §14 (AMD).]

**1. Clerk to notify.** The clerk of a municipality in which voters have registered or enrolled under section 156 since the last statewide election shall notify the Secretary of State of those registrations and enrollments at least 60 days before the next statewide election. For registrations and enrollments that occur less than 60 days before a statewide election, the clerk shall notify the Secretary of State immediately.

[ 2011, c. 534, §14 (AMD) .]

**2. Secretary of State to furnish ballots.** The Secretary of State shall review the number of votes cast at the last election of that type by persons registered and enrolled under section 156 when determining the number of ballots to be furnished to each municipality. These ballots must contain the names of the nominees or candidates for offices in the electoral divisions in which the voters registered under section 156 reside. After receiving notification from the clerk of township voter registrations or enrollments that occur less than 60 days before a statewide election, the Secretary of State shall furnish additional ballots to the municipality as needed. If there is not sufficient time to provide the municipality with the correct ballot style for a township voter, the Secretary of State shall instruct the clerk to provide a ballot to the voter in the manner prescribed by section 604.

[ 2011, c. 534, §14 (AMD) .]

**3. Voter to use proper ballot.** The election clerk in charge of the ballots at each voting place shall ensure that each voter registered in that municipality under section 156 who resides in a different electoral division obtains and uses the proper ballot provided under this section or a ballot provided in the manner prescribed by section 604.

[ 2011, c. 534, §14 (AMD) .]

**4. How furnished.** Ballots provided under this section must be furnished to voting places in accordance with section 606.

[ 2011, c. 534, §14 (AMD) .]

**5. County referendum.** If a township resident registers under section 156 in a municipality outside the resident's county in the case of a county referendum, the commissioners of the resident's county shall perform the duties of the Secretary of State under this section and section 752, subsection 1, paragraph B. The clerk of a municipality in which these voters have registered or enrolled under section 156 shall notify the county commissioners of those registrations and enrollments before any election for the determination of a county referendum question in the same manner as the notification to the Secretary of State under subsection 1.

[ 2011, c. 534, §14 (AMD) .]

#### SECTION HISTORY

1985, c. 363, §2 (NEW). 1995, c. 459, §45 (AMD). 2011, c. 534, §14 (AMD).

## §607. OFFICIAL BALLOT BOX

An official ballot box is governed by the following provisions. [1985, c. 161, §6 (NEW).]

**1. Furnished by Secretary of State.** The Secretary of State shall furnish an official ballot box for each voting district.

[ 1985, c. 161, §6 (NEW) .]

**2. Described.** The boxes must be of uniform design. Each box must be equipped with a suitable lock and key. In the top of the box there must be an opening large enough to allow a single, folded ballot to be inserted, and no larger, with a slide device by which the opening may be covered or uncovered. The box must be large enough to receive the ballots deposited in it at any election.

[ 1985, c. 161, §6 (NEW) .]

**3. Municipality may provide.** A municipality may provide ballot boxes at its own expense. Each box may contain a mechanical device for counting and endorsing the ballots deposited in it but it may not be equipped to record any distinguishing mark or number on a ballot. Each box must meet the requirements of this section. Once approved by the Secretary of State, each box becomes an official ballot box.

[ 1985, c. 161, §6 (NEW) .]

**4. Official ballot box required.** Only an official ballot box may be used to receive official ballots cast at any election.

[ 1985, c. 161, §6 (NEW) .]

**5. Separate ballot box for constitutional amendments and referenda.** A municipality having 5,000 or more inhabitants, except where the municipality uses voting machines or electronic voting systems, shall, and a municipality with fewer inhabitants may, by vote of its municipal officers, use separate ballot boxes at elections for the deposit of votes on constitutional amendments and referenda. The municipal officers must notify the Secretary of State of this action before the date of the election at which the separate ballot boxes are to be used. These ballot boxes are subject to all the provisions relating to official ballot boxes under this section.

[ 1997, c. 436, §81 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1997, c. 436, §81 (AMD).

**§608. FIELD EXAMINER**

The Secretary of State may appoint a field examiner who shall instruct and assist municipal election officials in their administration of this Title. [1985, c. 161, §6 (NEW).]

## SECTION HISTORY

1985, c. 161, §6 (NEW).

**§609. BALLOT SECURITY MATERIALS**

The Secretary of State shall furnish each municipality with tamper-proof ballot security containers and locks, which must be used for securing used ballots and other election materials for statewide elections conducted under this Title. If a state-supplied container or lock becomes defective, lost or destroyed, the clerk must apply in writing to the Secretary of State for a replacement. The Secretary of State shall supply or approve a replacement at the expense of the municipality. If a municipality wishes to use a tamper-proof ballot security container to seal municipal election ballots and materials, that municipality must obtain the container and lock at its own expense. For each election, the Secretary of State also must furnish uniquely numbered seals to be used to secure the containers. [2011, c. 342, §17 (NEW).]

## SECTION HISTORY

2011, c. 342, §17 (NEW).

**Article 2: LOCAL OFFICIALS' RESPONSIBILITIES****§621. ANNOUNCING AN ELECTION**

*(REPEALED)*

## SECTION HISTORY

1985, c. 161, §6 (NEW). 1991, c. 837, §A46 (AMD). 1991, c. 862, §5 (AMD). 1995, c. 459, §46 (AMD). 1997, c. 436, §82 (RP).

**§621-A. ANNOUNCING AN ELECTION**

The Secretary of State shall send a notice of election to the municipal clerk, who shall announce the election as follows. [1997, c. 436, §83 (NEW).]

**1. Notice posted.** The clerk shall post or have posted a notice of election, attested by the clerk, in a conspicuous public place in each voting district in the municipality at least 7 days immediately before election day and at each voting place on election day.

[ 2003, c. 584, §7 (AMD) .]

**2. Notice recorded.** The clerk shall record a copy of the notice along with the times and places of posting.

[ 1997, c. 436, §83 (NEW) .]

## SECTION HISTORY

1997, c. 436, §83 (NEW). 2003, c. 584, §7 (AMD).

**§622. WARRANT**

*(REPEALED)*

## SECTION HISTORY



1985, c. 161, §6 (NEW). 1985, c. 614, §16 (AMD). 1985, c. 819, §§A22,23 (AMD). 1995, c. 459, §47 (AMD). 1997, c. 436, §84 (RP).

## §622-A. NOTICE OF ELECTION

The notice of election must contain the following items: a heading that states "Notice of Election" in bold type, the day, date and title of the election, the voting district designation, if any, the name and location of the voting place, the opening and closing times of the polls and a list of the offices and referendum questions for that election. The clerk may add times for processing absentee ballots pursuant to section 759, subsection 7. [1997, c. 436, §85 (NEW).]

### SECTION HISTORY

1997, c. 436, §85 (NEW).

## §623. OFFICER'S RETURN ON WARRANT

*(REPEALED)*

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §48 (AMD). 1997, c. 436, §86 (RP).

## §624. INCOMING VOTING LISTS; VOTER LISTS

**1. Posting of.** The registrar shall post a certified copy of a current voter list for each voting district at the usual voting place in that district before the polls are opened on election day. The voter list produced for purposes of this subsection must include the following information for each voter and may not include any other information: name; residence address; enrollment status; electoral district; voter status, active or inactive; voter record number; and any special designations indicating uniformed service voters, overseas voters or township voters. The portion of the voter list produced for purposes of this subsection relating to Address Confidentiality Program participants must be kept under seal and excluded from public inspection. The residence address for any voter whose address has been made confidential pursuant to section 22, subsection 3, paragraph B may not be printed on the voter list, and the words "address is confidential" must be printed on the list instead. The Secretary of State shall designate the form of the voter list produced for purposes of this subsection.

[ 2007, c. 515, §5 (AMD) .]

**2. Delivery of.** The registrar shall deliver the necessary number of certified copies of the posted voter list described in subsection 1 and the incoming voting list to the clerk by 5 p.m. on the last business day before election day. The clerk shall give the registrar a receipt for the copies.

[ 2007, c. 515, §5 (AMD) .]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 2005, c. 453, §51 (AMD). 2007, c. 515, §5 (AMD).

## §625. POSTING OF SAMPLE BALLOTS

At least 7 days before an election, the clerk shall post a sample ballot, furnished to the clerk under section 603, in a conspicuous, public place in each voting district. [2009, c. 538, §7 (AMD).]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1997, c. 436, §87 (AMD). 2009, c. 341, §2 (AMD). 2009, c. 538, §7 (AMD).

## §626. POLLING TIMES

The following provisions apply to polling times at any election. [1985, c. 161, §6 (NEW).]

**1. Opening time flexible.** The polls must be opened no earlier than 6 a.m. and no later than 8 a.m. on election day, except that in municipalities with a population of less than 500, the polls must be opened no later than 10:00 a.m. The municipal officers of each municipality shall determine the time of opening the polls within these limits.

[ 2015, c. 447, §16 (AMD) .]

**2. Closing time fixed.** The polls must be closed at 8 p.m. on election day, except in municipalities of population less than 100 which may close the polls after all registered voters have voted.

A. The warden shall give all voters present at the voting place at closing time the opportunity to vote. Any person who arrives at the voting place after the time for closing the polls has passed may not vote. [1985, c. 161, §6 (NEW).]

[ 1985, c. 161, §6 (NEW); 1985, c. 277, (AMD) .]

**3. Polling times in election notice.** The municipal clerk shall state the times of opening and closing the polls in the notice of the election.

[ 1997, c. 436, §89 (AMD) .]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 277, (AMD). 1985, c. 580, (AMD). 1997, c. 436, §§88,89 (AMD). 2011, c. 342, §18 (AMD). 2015, c. 447, §16 (AMD).

## §626-A. VOTING PLACE REPORT

The municipal clerk shall file a voting place report at least 60 days before each election conducted under this Title, on a form designed by the Secretary of State, with information about each voting place, including, but not limited to, the location of each voting place, the poll opening time and the number of voting booths that will be used. [2015, c. 447, §17 (NEW).]

### SECTION HISTORY

2015, c. 447, §17 (NEW).

## §627. ARRANGEMENT OF VOTING PLACE

The arrangement of a voting place is governed by the following provisions. [1985, c. 161, §6 (NEW).]

**1. General layout.** The voting place must be arranged so that the ballot box is within view of persons present. Each voting booth must be arranged so that those outside the guardrail enclosure can see who enters and leaves it.

[ 1985, c. 161, §6 (NEW) .]

**2. Guardrail.** A guardrail must be constructed so that only those inside its enclosure can approach within 6 feet of the ballot box and the voting booths.

[ 1985, c. 161, §6 (NEW) .]

**3. Flag displayed.** An American flag must be displayed in each voting place at any election.

[ 1985, c. 161, §6 (NEW) .]

**4. Minimum size of polling place; complaint to Secretary of State.** Municipalities must provide a polling place large enough to allow at least one worker from each political party to remain outside the guardrail enclosure as a pollwatcher. If the municipality uses an incoming voting list for a polling place that is divided into separate segments by voting district or by the alphabetic listing of voters' names, then the municipality must allow at least one worker from each political party to remain outside the guardrail enclosure as a pollwatcher at each separate segment of the voting list. Additional party workers and others are allowed if there is sufficient space at the polling place. If the space at the polling place is so limited that the presence of the additional party workers and others would interfere with the election process, the warden shall prohibit their presence. If the chair of any party's state committee submits a written complaint to the Secretary of State at least 60 days before an election, the Secretary of State shall authorize an inspection of the polling place considered to be too small to allow party workers access. If the Secretary of State finds a polling place to be too small to allow party workers access, the Secretary of State shall instruct the municipal officers to change the location of the polling place to one of a suitable size. The municipal officers shall advertise the change of the polling place at least 3 times in the daily or weekly newspaper, or both, that covers the area.

[ 2007, c. 455, §24 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §49 (AMD). 2001, c. 310, §33 (AMD). 2007, c. 455, §24 (AMD).

## §628. CARE AND CUSTODY OF BALLOT BOX

The care and custody of an official ballot box are governed by the following provisions. [1985, c. 161, §6 (NEW).]

**1. Custody during election.** The ballot box is in the custody of the warden of each voting place during an election. He is responsible for requiring that it is attended constantly. He shall return it to the clerk at the close of the election.

[ 1985, c. 161, §6 (NEW) .]

**2. Custody at other times.** At other times, the ballot box is in the custody of the clerk. He shall keep it in good repair and shall provide safe storage for it at the expense of the municipality, subject to the supervision of the Secretary of State.

[ 1985, c. 161, §6 (NEW) .]

**3. Defective, lost or destroyed.** If a ballot box becomes defective, lost or destroyed, the clerk must notify the Secretary of State in writing and the Secretary of State shall approve a replacement at the expense of the municipality.

[ 1999, c. 426, §19 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §50 (AMD). 1999, c. 426, §19 (AMD).

## §629. VOTING BOOTHS

Voting booths are governed by the following provisions. [1985, c. 161, §6 (NEW).]

**1. Provided by municipality.** The municipal officers of each municipality shall provide a sufficient number of voting booths for each election. Those municipalities using voting machines must comply with section 811, subsection 4.

A. In a general election, the municipal officers in each municipality must provide at least one voting booth for each 200, or fraction exceeding 1/2 of that number, of the qualified voters in each voting place. For purposes of this paragraph, "qualified voters" does not include voters who have been designated as inactive as a result of voter list maintenance procedures. [2003, c. 407, §17 (AMD).]

A-1. In every election, the municipal officers shall provide at least one voting booth in each voting place that is accessible for persons with disabilities. The accessible voting booth may be used to meet the minimum requirements under paragraph A, except that it may not be the only voting booth used at the polling place. [2007, c. 455, §25 (AMD).]

B. In other than a general election, the municipal officers may provide fewer voting booths than required by paragraph A when circumstances indicate that fewer booths will be adequate to provide for an orderly flow of voters on election day. [1985, c. 161, §6 (NEW).]

C. In any election, the municipal officers may provide more than the number of voting booths required by paragraph A. [1985, c. 161, §6 (NEW).]

D. A reasonable time before a general election, the Secretary of State shall notify the clerk of each municipality of the requirements of this subsection. The clerk shall calculate the number of voting booths required at each voting place based on the number of voters registered at that time. Within 10 days after receiving the notice, the clerk shall certify in writing to the Secretary of State the number of voters registered at each voting place and the number of voting booths the municipality will provide at each voting place for the election. [1985, c. 161, §6 (NEW).]

D-1. [2011, c. 342, §19 (RP).]

E. The Secretary of State may arrange for inspections to ensure that municipalities comply with this subsection. [1985, c. 161, §6 (NEW).]

[ 2011, c. 342, §19 (AMD) .]

**2. Voting machines.** In municipalities which have voting machines, the municipal officers must also provide sufficient voting booths and paper ballots to ensure adequate voting facilities.

[ 1985, c. 161, §6 (NEW) .]

**3. Described.** Each booth must have within it a pencil or marker without an eraser and a shelf on which a voter may mark a ballot conveniently. An instruction poster provided under section 605-A, subsection 2 must be securely placed above the shelf to assist the voter. Each booth must have back and side panels large enough to screen the voter from the observation of others.

[ 2011, c. 342, §20 (AMD) .]

**4. Booth for the visually impaired.** The clerk shall equip at least one of the voting booths at the voting place with an enlarged instruction poster, a magnifying device and an adjustable lamp for improved lighting. The clerk may also equip the voting booth with an enlarged sample ballot at the clerk's own discretion.

The voting station provided by the State along with the accessible voting device may be used to meet the requirements of this subsection. The voting station may not be used at the polling place for purposes other than voting.

[ 2007, c. 455, §26 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 315, (AMD). 1993, c. 255, §3 (AMD). 1993, c. 447, §14 (AMD). 1993, c. 695, §29 (AMD). RR 1995, c. 1, §9 (COR). 1995, c. 459, §§51,52 (AMD). 1997, c. 436, §90 (AMD). 2003, c. 407, §§17,18 (AMD). 2007, c. 455, §§25, 26 (AMD). 2009, c. 341, §3 (AMD). 2009, c. 538, §8 (AMD). 2011, c. 342, §§19, 20 (AMD).

## §630. ACCESSIBLE VOTING PLACES FOR THE PHYSICALLY HANDICAPPED

**1. Definitions.** As used in this section, unless the context indicates otherwise, the following terms have the following meanings:

A. "Accessible voting place" means a voting place in a building in which the part of the building set aside for voting meets the requirements for accessible routes described in Title 5, chapter 337, subchapter 5. [2011, c. 613, §24 (AMD); 2011, c. 613, §29 (AFF).]

B. [1999, c. 252, §1 (RP).]

[ 2011, c. 613, §24 (AMD); 2011, c. 613, §29 (AFF) .]

**2. Voting places.** By April 1, 2000, all publicly owned buildings that are used as voting places must be accessible as defined in subsection 1. By July 1, 2001, each municipality shall ensure that all privately owned facilities used by the municipality as voting places are accessible as defined in subsection 1.

A. [1995, c. 459, §53 (RP).]

B. [1999, c. 252, §1 (RP).]

[ 1999, c. 252, §1 (AMD) .]

### 3. Alternative paper ballots.

[ 1999, c. 252, §1 (RP) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 383, §10 (AMD). 1989, c. 502, §A63 (AMD). 1995, c. 459, §53 (AMD). 1997, c. 436, §91 (AMD). 1999, c. 252, §1 (AMD). 2011, c. 613, §24 (AMD). 2011, c. 613, §29 (AFF).

## §631. VOTING DISTRICTS

A municipality may be divided into voting districts as follows. [1985, c. 161, §6 (NEW).]

**1. Procedure.** The municipal officers may divide a town or ward into convenient voting districts after public notice and hearing held at least 90 days before an election. After the hearing, the municipal officers shall prepare a certificate defining the limits of each district. The municipal officers shall file the certificate with the clerk who shall record it. The clerk shall immediately file an attested copy of the certificate with the Secretary of State. The clerk shall post an attested copy of the certificate in a conspicuous, public place in the town or ward, and shall publish it in at least one newspaper having general circulation in the municipality at

least 30 days before election day. Voting districts, once established, may be consolidated into a lesser number of districts by following the same procedure. Voting districts may be established or consolidated under this section for all or only certain classes of elections.

[ 2007, c. 455, §27 (AMD) .]

**2. Division terminates office.** The division of a town or ward terminates the office of election officials previously elected or appointed from it.

[ 1985, c. 161, §6 (NEW) .]

**3. Appointment of wardens and ward clerks.** At least 10 days before the election, the municipal officers shall appoint a warden, a ward clerk in a city and at least 2 election clerks for each voting place created by the division. Election clerks must be nominated as provided in section 503.

[ 1985, c. 161, §6 (NEW) .]

**4. Officials sworn.** Before assuming the duties of office, the officials appointed under this section must be sworn by the clerk who shall record the fact of their having been sworn.

[ 1985, c. 161, §6 (NEW) .]

**5. Term and duties.** The appointed election officials shall perform the same duties at elections as those regularly chosen and shall hold office for the same term.

[ 1985, c. 161, §6 (NEW) .]

**6. Voting districts.** Voting districts are defined as wards that may be further divided into precincts.

[ 1995, c. 459, §54 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §54 (AMD). 1999, c. 426, §20 (AMD). 2007, c. 455, §27 (AMD).

## §631-A. VOTING PLACES

**1. Establishing suitable voting places.** If the municipal officers determine that there is no building within a voting district that is suitable for a voting place, as described in section 627, the municipal officers may, subject to the approval of the Secretary of State, establish a voting place outside the voting district in a suitable building that is as close as possible to the voting district and as convenient as possible to the voters of the voting district.

[ 2007, c. 455, §28 (NEW) .]

**2. Consolidating voting places.** The municipal officers may, after public notice and hearing held at least 90 days before an election, and subject to the approval of the Secretary of State, consolidate voting places so that more than one voting district votes in the same voting place. When voting places are consolidated under this process, the voters from the different voting districts may vote in the same or separate guardrail enclosures in the building.

[ 2007, c. 455, §28 (NEW) .]

**3. Change of voting place.** If the municipal officers wish to change the location of a voting place, they must apply to the Secretary of State at least 60 days before the next statewide election, unless an emergency exists. The Secretary of State shall design the application form. The Secretary of State must approve the application before the voting place may be changed.

[ 2011, c. 342, §21 (NEW) .]

#### SECTION HISTORY

2007, c. 455, §28 (NEW). 2011, c. 342, §21 (AMD).

## §632. SEPARATE VOTING PLACES; REIMBURSEMENT OF ELECTION EXPENSE

**1. Voting places in unorganized townships.** The procedure for establishing a voting place in unorganized townships is as follows.

A. The commissioners of each county may provide or contract with a municipality to provide a voting place in any unorganized township in their county, for all state and national elections, including primary elections, where all residents of unorganized places entitled to vote in municipalities near the township, under section 156, may cast their ballots under conditions provided in this section. [1985, c. 161, §6 (NEW) .]

B. The registrar of the contracting municipality shall designate the voters as township voters, pursuant to section 156, in the central voter registration system and shall include their names on the incoming voting list for the contracting municipality. [2005, c. 453, §52 (AMD) .]

C. The conduct of elections at that voting place shall be the same as in municipalities and all provisions of the Revised Statutes with respect to voting districts are applicable to that voting place. The powers and duties of the municipal officers in such case are conferred upon the commissioners or the municipal officers of the contracting municipality. [1985, c. 161, §6 (NEW) .]

D. Upon receipt of a petition signed by at least 10 persons qualified to vote under section 156, the commissioners shall provide or contract with a municipality to provide a voting place in the unorganized township provided in the petition. [1985, c. 161, §6 (NEW) .]

[ 2005, c. 453, §52 (AMD) .]

**2. Reimbursement of election expense.** The county commissioners shall reimburse the municipality for those expenses incurred in the conduct of elections held under this section.

[ 1985, c. 161, §6 (NEW) .]

**3. Notice to Secretary of State.** The county commissioners shall notify the Secretary of State of all unorganized territories for which voting places are contracted or provided. They shall also notify the Secretary of State of those unorganized territories for which provision of voting places has been discontinued. Notification must be made at least 120 days before the election in which it will be effective.

[ 1985, c. 161, §6 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 2005, c. 453, §52 (AMD).

**§633. ELECTION EXPENSES**

Except for the added expenses incurred by a municipality under section 632, each municipality shall pay for the expense it incurs in calling, holding and reporting the results of an election. The State shall pay for other election expenses incurred as a result of the performance by state officials of their duties under this Title. [1985, c. 161, §6 (NEW).]

## SECTION HISTORY

1985, c. 161, §6 (NEW).

## Subchapter 1-A: CONGRESSIONAL TERM LIMITS ACT OF 1996

**§641. SHORT TITLE**

*(REPEALED)*

## SECTION HISTORY

IB 1995, c. 2, §1 (NEW). 2001, c. 516, §8 (RP).

**§642. DEFINITIONS**

*(REPEALED)*

## SECTION HISTORY

IB 1995, c. 2, §1 (NEW). 2001, c. 516, §8 (RP).

**§643. BALLOT FOR INCUMBENT LEGISLATOR**

*(REPEALED)*

## SECTION HISTORY

IB 1995, c. 2, §1 (NEW). 2001, c. 516, §8 (RP).

**§644. BALLOT FOR INCUMBENT GOVERNOR**

*(REPEALED)*

## SECTION HISTORY

IB 1995, c. 2, §1 (NEW). 2001, c. 516, §8 (RP).

**§645. BALLOT FOR INCUMBENT MEMBERS OF CONGRESS**

*(REPEALED)*

## SECTION HISTORY

IB 1995, c. 2, §1 (NEW). 2001, c. 516, §8 (RP).

**§646. PLEDGE TO SUPPORT TERM LIMITS**

*(REPEALED)*

## SECTION HISTORY

IB 1995, c. 2, §1 (NEW). 2001, c. 516, §8 (RP).

## Subchapter 2: ELECTION PROCEDURE

## Article 1: MATERIALS



## §651. FURNISHING AND DISTRIBUTION

The following procedure shall be observed on election day. [1985, c. 161, §6 (NEW).]

**1. Election materials sent to voting place.** Before the polls are opened, the clerk shall deliver or have delivered the election materials marked for each voting place to the warden at that voting place. The warden shall give the clerk a receipt noting the number of ballots received after the election officials have opened the boxes of ballots and verified the contents.

A. Notwithstanding section 606, subsection 3, in a municipality that has an island voting district, the clerk may deliver the ballots and other election materials to that district on the day before the election and leave them in the protective custody of the warden or ward clerk. [2001, c. 516, §9 (AMD).]

[2001, c. 516, §9 (AMD).]

**2. Election materials distributed and posted.** At any time after the materials are received and before the polls are open, the clerk may open the packages or boxes of election materials, break the seals on the packages not marked "ballots," and use the materials for instructional purposes. On election day, the clerk or the election officials must post the voter instructional materials described in section 605-A, if applicable to the election, as follows:

A. In each voting booth: one voting instruction poster prepared under section 605-A and a copy of the Treasurer of State's statement prepared pursuant to Title 5, section 152; and [2017, c. 45, §1 (AMD).]

B. Outside the guardrail enclosure at each voting place:

- (1) At least one voting instruction poster prepared under section 605-A;
- (2) One set of sample ballots for each ballot style being used in that voting place;
- (3) A list of any declared write-in candidates for that voting district, with the office sought, next to the sample ballots;
- (4) One voting rights poster or notice prepared under section 605-A;
- (5) One election penalty poster or notice prepared under section 605-A;
- (6) One Treasurer's Statement prepared under Title 5, section 152;
- (7) One copy, or more as determined necessary by the clerk, of the citizen's guide to the referendum election prepared under section 605-A. The clerk shall post, in a conspicuous and public area, a notification indicating that the citizen's guide provides helpful information regarding referendum questions on the ballot and where the guide is located in the voting place for voters to read; and
- (8) One copy of the Office of Fiscal and Program Review's estimate of the fiscal impact prepared under Title 1, section 353. [2017, c. 246, §1 (AMD).]

[2017, c. 45, §1 (AMD); 2017, c. 246, §1 (AMD).]

### 2-A. Testing electronic voting systems.

[1995, c. 459, §55 (RP).]

**2-B. Opening of ballot packages.** No more than one hour before the opening of the polls, the warden shall break the seals on the packages containing the ballots and distribute the ballots to the election clerks in charge of them. The breaking of the seals on the packages containing the ballots is a public proceeding and any member of the public may be present.

[2003, c. 584, §8 (AMD).]

**3. Ballot box examined.** Before opening the ballots, the warden shall open the official ballot box, examine it and show publicly that it is empty. Immediately after examination, the warden shall lock the box and deliver the key to the ward clerk who shall keep it until the polls are closed. After the box has been locked, it may not be moved until the polls are closed.

[ 1997, c. 436, §94 (AMD) .]

**4. Voting starts.** As soon as the duties required by subsections 1 to 3 have been performed, the warden shall permit voting to start.

[ 1985, c. 161, §6 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 272, (AMD). 1991, c. 347, §§3,4 (AMD). 1995, c. 459, §55 (AMD). 1997, c. 436, §§92-94 (AMD). 2001, c. 310, §34 (AMD). 2001, c. 516, §9 (AMD). 2003, c. 584, §8 (AMD). 2009, c. 253, §25 (AMD). 2011, c. 342, §22 (AMD). 2017, c. 45, §1 (AMD). 2017, c. 246, §1 (AMD).

## §652. CERTIFIED INCOMING VOTING LIST AND OFFICIAL BALLOT BOX

The certified copies of the incoming voting list provided by the registrar and official ballot boxes must be used exclusively at each voting place. If it becomes impossible to use the official ballot box, the warden shall direct the method by which voting is to proceed. The warden shall record the reason why the ballot box was not used and shall place an attested copy of this record in the package with the ballots cast. [ 2005, c. 453, §53 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §56 (AMD). 2005, c. 453, §53 (AMD).

## Article 2: POWERS AND DUTIES OF OFFICIALS

### §661. REGISTRAR

The registrar shall hold office hours as long as the polls are open on any election day for the following purposes. [1985, c. 161, §6 (NEW).]

**1. Error in incoming voting list.** The registrar shall correct any error in the incoming voting list or central voter registration system that might otherwise deprive a voter of the voter's franchise.

A. A voter who is prevented from voting because the voter's name or address does not appear correctly on the incoming voting list may request the registrar to correct it. [2005, c. 453, §54 (AMD) .]

B. If the name or address of the voter was omitted by error from or placed incorrectly on the incoming voting list, the registrar shall issue a certificate to the voter containing the voter's correct name and address and directed to the warden of the appropriate voting place. The registrar shall correct the name and address on the incoming voting list and in the central voter registration system. [2005, c. 453, §54 (AMD) .]

C. On receipt of the certificate, the warden shall allow the person named in it to vote, check the voter's name on the certificate as having voted and attach the certificate securely to the incoming voting list. [2005, c. 453, §54 (AMD) .]

[ 2005, c. 453, §54 (AMD) .]

**2. Change of name or address.** The registrar shall change a name or address on the incoming voting list.

A. A voter whose name or address has changed as provided in section 129 may request the registrar to change it on the incoming voting list and in the central voter registration system. [2005, c. 453, §54 (AMD).]

B. The registrar shall issue a certificate to the voter, who may vote as provided in subsection 1. [2005, c. 453, §54 (AMD).]

[ 2005, c. 453, §54 (AMD) .]

**3. Registration and enrollment.** The registrar shall accept registrations under section 122 and shall accept the enrollment of any voter under section 143.

[ 2005, c. 453, §54 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 614, §17 (AMD). 2005, c. 453, §54 (AMD).

## §662. WARDEN

A warden has the following powers and duties. [1985, c. 161, §6 (NEW).]

**1. Enforcement of election law.** He shall enforce the law governing voting and counting procedures at the voting place over which he has jurisdiction on election day.

[ 1985, c. 161, §6 (NEW) .]

**2. Order at voting place.** He shall keep order at all times in and around the voting place. He shall direct that any person who creates a disturbance or otherwise violates the law at the voting place be removed from it and, if necessary, confined until the polls are closed.

A. On request of the warden, a peace officer shall remove, confine or arrest a person who creates a disturbance or otherwise violates the law at a voting place. [1985, c. 161, §6 (NEW).]

[ 1985, c. 161, §6 (NEW) .]

**3. Control of election clerk.** The election clerks at the voting place are under the supervision and control of the warden. He may assign their duties for convenience and efficiency and may delegate his ministerial duties to them.

[ 1985, c. 161, §6 (NEW) .]

**4. Collection of signatures.** The warden may select and designate a specific location at the voting place, accessible and observable by the voters, where the collection of signatures may take place. Persons collecting signatures at the polls may make arrangements with the clerk prior to election day and with the warden on election day. The warden may limit the number of persons collecting signatures to one for each specific question, candidate or issue. Persons collecting signatures may not solicit a voter's signature until the voter has completed voting. The warden may direct the removal, under subsection 2, paragraph A, of any person collecting signatures who does not comply with the requirements of this subsection.

[ 1995, c. 459, §57 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 225, (AMD). 1995, c. 459, §57 (AMD).

## §663. AUTHORITY OF SECRETARY OF STATE DURING EMERGENCIES

The Secretary of State may act administratively to facilitate voting by civilian registered voters of this State who live in an area within the United States that is affected by a natural disaster or other occurrence for which the governor of that state has declared a state of emergency covering that area, or for registered voters of this State who are emergency workers, utility workers or others responding to and offering assistance to the area in which a state of emergency has been declared. These administrative actions may include, but are not limited to, central issuance and receipt of absentee ballots for federal and state elections using the systems and procedures developed for uniformed service voters and overseas voters. [2013, c. 131, §18 (NEW) .]

### SECTION HISTORY

2013, c. 131, §18 (NEW) .

## Article 3: VOTING AND CHALLENGES

### §671. VOTING PROCEDURE

The voting procedure is as follows. [1985, c. 161, §6 (NEW) .]

**1. Name announced.** A voter who wishes to vote must state the voter's name and, upon request, residence address to an election clerk who shall announce the name in a loud, clear voice.

[ 2005, c. 453, §55 (AMD) .]

**2. Name checked and ballot issued.** The election clerk in charge of the incoming voting list shall place a check mark or a horizontal line, in red ink, on the list beside the voter's name, and if there is more than one party or district ballot style used at that voting place, the election clerk must state in a loud, clear voice the party or district ballot style that the voter must be given. The election clerk in charge of the ballots shall give the voter one ballot of each kind to which the voter is entitled, and if there is more than one party or district ballot style used at that voting place, the election clerk must repeat the party or district ballot style being given to the voter. The voter must be given a ballot when the voter's name is checked on the incoming voting list and may not be referred to another location to obtain the ballot. A voter who will vote using the accessible voting system may not be given an official ballot, but may be given a sample ballot to use as a voting aid.

[ 2015, c. 447, §18 (RPR) .]

**3. Ballot issued.**

[ 2015, c. 447, §19 (RP) .]

**4. Retires to voting booth.** After receiving the ballot or ballots, the voter shall retire to a voting booth and mark the ballot or ballots without delay and leave the voting booth. No ballot, marked or unmarked, may be left in the voting booth by the voter. If the voter is using the accessible voting system, an election official shall escort the voter to the voting station, instruct the voter on the proper use of the accessible voting system, provide the voter with access to all ballots to which the voter is entitled and permit the voter to cast the voter's ballot using the accessible voting system.

[ 2015, c. 447, §20 (AMD) .]

**5. Ballot deposited.** When the voter leaves the voting booth, the voter shall proceed to the ballot box. The clerk shall require the voter to deposit in the ballot box all ballots, marked or unmarked, issued to the voter under subsection 2, and the voter shall then leave the area enclosed by the guardrail. The voter may not leave the guardrail enclosure until the voter has deposited all ballots that were issued to the voter. The voter may permit a family member or an assistant under section 672 to deposit the ballots for the voter.

A. [2001, c. 310, §35 (RP).]

[ 2015, c. 447, §21 (AMD) .]

**6. Reentry prohibited.** A voter who has once left the area enclosed by the guardrail may not reenter.

[ 1985, c. 161, §6 (NEW) .]

**7. Ballot box opening covered.** The election clerk in charge of the ballot box shall keep the opening covered except when receiving a ballot.

[ 1985, c. 161, §6 (NEW) .]

**8. Secrecy preserved.** The warden at each voting place may not remain or allow any other person to remain where the warden or that person can see how a voter votes, except that a proper official may remain when the official's assistance has been requested by a voter.

[ 1999, c. 645, §3 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §58 (AMD). 1997, c. 436, §95 (AMD). 1999, c. 645, §3 (AMD). 2001, c. 310, §35 (AMD). 2003, c. 584, §9 (AMD). 2005, c. 453, §55 (AMD). 2007, c. 455, §29 (AMD). 2009, c. 253, §26 (AMD). 2015, c. 447, §§18-21 (AMD).

## §672. ASSISTANCE

A voter who is unable to read or mark the ballot because of physical disability, illiteracy or religious faith may request another person, other than the voter's employer or agent of that employer or officer or agent of the voter's union, to assist the voter in reading the ballot or marking the ballot according to the voter's wishes. When assisting a voter, the aide may not tell the voter how to make the voter's choices or otherwise influence the voter in violation of section 682. [2007, c. 455, §30 (AMD) .]

**1. Assistance by election officials.** The voter may request one or more election officials to assist.

[ 1985, c. 614, §18 (NEW) .]

**2. Assistance by persons not voters.** The assistant need not be a voter or of voting age.

[ 1985, c. 614, §18 (NEW) .]

**3. Assistance in reading the ballot.**

[ 2007, c. 455, §30 (RP) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 614, §18 (RPR). 1993, c. 255, §4 (AMD). 2007, c. 455, §30 (AMD).

## §673. CHALLENGES

A voter of a municipality or an election official may challenge the right of another to vote at an election in that municipality. [2007, c. 455, §31 (AMD) .]

**1. How made.** The challenge must be made to the warden. The challenger must state in the form of a signed affidavit setting forth, under oath administered by the warden, the challenger's name, address, party affiliation, status as a registered voter in the municipality, the name of the voter challenged, the reason the particular individual being challenged may be ineligible to vote, the specific source of the information or personal knowledge upon which the challenge of the particular individual is based and a statement that the challenger understands that making a false statement on the affidavit is punishable under penalties of perjury.

A. A voter or an election official may challenge another voter only upon personal knowledge or a reasonably supported belief that the challenged voter is unqualified. Only the following reasons for challenges may be accepted by the warden. The challenged person:

- (2) Is not enrolled in the proper party, if voting in a primary election;
- (3) Is not qualified to be a registered voter because the challenged person:
  - (a) Does not meet the age requirements as specified in section 111, subsection 2 and section 111-A;
  - (b) Is not a citizen of the United States; or
  - (c) Is not a resident of the municipality or appropriate electoral district within the municipality;
- (4) Registered to vote during the closed period or on election day and did not provide satisfactory proof of identity and residency to the registrar pursuant to section 121, subsection 1-A, except that only an election official may challenge for this reason;
- (5) Did not properly apply for an absentee ballot;
- (6) Did not properly complete the affidavit on the absentee return envelope;
- (7) Did not cast the ballot or complete the affidavit before the appropriate witness;
- (8) Communicated with someone as prohibited by section 754-A, subsection 1, paragraph B or subsection 3, paragraph B or D;
- (9) Did not have the ballot returned to the clerk by the time prescribed;
- (10) Voted using the name of another;
- (11) Committed any other specified violation of this Title; or
- (12) Voted using the wrong ballot for the appropriate electoral district or political party, if applicable. [2011, c. 2, §21 (COR).]

B. A challenge made must be made at the time the voter being challenged is checking in with the election clerk in charge of the incoming voting list in accordance with section 671 but before that voter enters the voting booth, except that the registrar or clerk may complete a challenge affidavit under oath to the warden before or during election day. [2003, c. 395, §2 (NEW).]

C. A challenge must be made against an absentee ballot after the name of the absentee voter is announced by the warden or clerk in accordance with section 759 and before the ballot is placed into the ballot box or voting machine. [2003, c. 395, §2 (NEW).]

D. The merits of a challenge may not be decided at the time the challenge is made, but only after the election consistent with the provisions of section 696. [2003, c. 395, §2 (NEW).]

[ 2011, c. 2, §21 (COR) .]

**2. Voting list marked.** As soon as the challenge has been made, the election clerk in charge of the incoming voting list shall write "Challenged" beside the voter's name on the list, and give a ballot to the warden.

[ 1985, c. 161, §6 (NEW) .]

**3. Ballot marked.** The warden shall write a number on the outside of the ballot. The warden shall also complete a certificate on which appears the word "Challenged," the name of the voter challenged and the reason for the challenge. The challenger and the warden shall sign the certificate. After the challenger has signed the certificate, the warden shall place the number that was written on the ballot in a conspicuous place on the certificate. Only the warden and the challenged voter may know the ballot number. The warden shall place the challenge certificate and the signed affidavit under subsection 1 in a sealed envelope marked "Challenge Certificate #(certificate number)" and shall retain the envelope until it is sealed with the ballot materials pursuant to section 698.

[ 2003, c. 395, §3 (AMD) .]

**3-A. List of challenged ballots.** The warden shall maintain a list of all challenges made. The list must include the name of the voter challenged, the name of the challenger and the reason for the challenge. The list may not include the unique number assigned to the ballot of the challenged voter. The list must be made available for public inspection after the polls close.

[ 1997, c. 436, §98 (NEW) .]

**4. Proceed to vote.** The challenged voter shall then proceed to vote in the usual way using the marked ballot.

[ 1985, c. 161, §6 (NEW) .]

**5. Regulation of challengers and challenges.** A person challenging the right of another person to vote may not create a disturbance or obstruction and may not interfere with or delay the challenged voter's exercise of the right to vote once the challenge affidavit has been completed. A challenger other than a registrar, clerk or other election official may not handle or inspect registration cards or files or other materials used by the registrar or clerk except as provided in section 22.

[ 2003, c. 395, §4 (NEW) .]

**5. (REALLOCATED TO TITLE 21-A, §673, sub-§6) Challenged ballots relating to court order.**

[ 2003, c. 1, §12 (RAL); 2003, c. 407, §19 (NEW) .]

**6. (REALLOCATED FROM TITLE 21-A, §673, sub-§5) Challenged ballots relating to court order.**

In an election for federal office, if a federal or state court has issued an order extending the time established for closing the polls, any ballots cast during the period of that extension must be challenged according to this section, segregated and counted separately from all regular and challenged ballots cast during the normal polling hours.

[ 2003, c. 1, §12 (RAL) .]

**7. Hearing held.** After the election at which a voter has been challenged, the registrar shall hold a hearing to confirm the qualifications of the challenged voter pursuant to section 161, subsection 4. The qualifications of the voter must be resolved within a reasonable time after the election and the voter's name either retained or cancelled from the central voter registration system.

[ 2007, c. 455, §33 (NEW) .]

SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 357, §§2,3,19 (AMD). 1991, c. 466, §19 (AMD). 1995, c. 459, §§59,60 (AMD). 1997, c. 436, §§96-98 (AMD). RR 2003, c. 1, §12 (COR). 2003, c. 395, §§2-4 (AMD). 2003, c. 407, §19 (AMD). 2003, c. 447, §13 (AMD). 2003, c. 688, §B6 (AMD). 2007, c. 455, §§31-33 (AMD). RR 2011, c. 2, §21 (COR). 2011, c. 534, §15 (AMD).

## §674. VIOLATIONS AND PENALTIES

**1. Class E crime.** A person commits a Class E crime if that person:

- A. Knowingly removes a ballot from a voting place on election day except as authorized by this Title; [1993, c. 473, §46 (AFF); 1993, c. 473, §18 (RPR).]
- B. Interferes with a voter attempting to cast a vote; [2003, c. 447, §14 (AMD).]
- B-1. Interferes with a voter in marking that voter's ballot; [2003, c. 447, §15 (NEW).]
- B-2. Attempts to influence a voter in marking that voter's ballot; [2003, c. 447, §15 (NEW).]
- C. Assists or offers to assist another person at the voting place in marking that other person's ballot, unless the person has been requested to do so by the warden or ward clerk; or [1993, c. 473, §46 (AFF); 1993, c. 473, §18 (RPR).]
- D. [2011, c. 342, §23 (RP).]
- E. [1993, c. 473, §46 (AFF); 1993, c. 473, §18 (RP).]
- F. [1993, c. 473, §46 (AFF); 1993, c. 473, §18 (RP).]
- G. Having been entrusted with another voter's marked ballot, intentionally or knowingly discloses the content of that ballot to another person. [2011, c. 342, §24 (NEW).]

[ 2011, c. 342, §§23, 24 (AMD) .]

**2. Class D crime.** A person commits a Class D crime if that person:

- A. Assists another person in voting, knowing that the other person is not eligible to vote. [2003, c. 447, §16 (AMD).]
- B. [2003, c. 474, §17 (RP).]
- C. [1993, c. 473, §46 (AFF); 1993, c. 473, §18 (RP).]
- D. [1993, c. 473, §46 (AFF); 1993, c. 473, §18 (RP).]

[ 2003, c. 447, §§16, 17 (AMD) .]

**3. Class C crime.** A person commits a Class C crime if that person:

- A. Knowingly causes a delay in the registration or enrollment of another or knowingly causes a delay in the delivery of an absentee ballot or absentee ballot application with the intent to prevent a person from voting or to render that person's vote ineffective; [1993, c. 473, §18 (NEW); 1993, c. 473, §46 (AFF).]
- B. Votes knowing that the person is not eligible to do so; [2003, c. 447, §18 (AMD).]
- B-1. Attempts to vote knowing that the person is not eligible to do so; [2003, c. 447, §19 (NEW).]
- B-2. Having once voted, whether within or outside this State, again votes at the same election; [2003, c. 447, §19 (NEW).]
- B-3. Having once voted, whether within or outside this State, attempts to vote at the same election; [2003, c. 447, §19 (NEW).]



C. Votes by using the name of another; or [2003, c. 447, §20 (AMD).]

D. Attempts to vote by using the name of another. [2003, c. 447, §21 (NEW).]

[2003, c. 447, §§18-21 (AMD) .]

**4. Class B crime.** A person commits a Class B crime if that person:

A. Tamper with ballots or voting lists or opens or breaks a seal of a sealed box or packages of ballots or voting lists with the intent of changing the outcome of any election, except as permitted by this Title. [1993, c. 473, §18 (NEW); 1993, c. 473, §46 (AFF).]

[1993, c. 473, §18 (NEW); 1993, c. 473, §46 (AFF) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 473, §46 (AFF). 1993, c. 473, §18 (RPR). 2003, c. 447, §§14-21 (AMD). 2011, c. 342, §§23, 24 (AMD).

## Article 4: RESTRICTIONS

### §681. POSITIONS AT POLLING PLACE

The guardrail area is governed by the following provisions. [1985, c. 161, §6 (NEW).]

**1. Within the guardrail enclosure.** The clerk, election officials and not more than 2 voters in excess of the number of voting booths may be within the guardrail enclosure. The warden may permit peace officers to be within the enclosure to enforce the law. All other persons must remain outside of the enclosure.

[1985, c. 161, §6 (NEW) .]

**2. Limited time within guardrail enclosure.** After entering the guardrail enclosure, the voter shall proceed to vote as soon as a voting booth is available and may not linger within the voting booth or guardrail enclosure once the voter has completed voting and deposited all ballots into the ballot box.

[2001, c. 310, §36 (RPR) .]

**3. Voting booth.** Except as provided in paragraphs A and B, no one may enter a voting booth with a voter.

A. If the voter requests assistance under section 672, an election official designated by the warden or an aide requested by the voter may enter the voting booth with the voter. [2007, c. 455, §34 (AMD) .]

B. If a voter is accompanied by a person of 17 years of age or younger, the person may enter the voting booth with the voter. [1999, c. 426, §21 (AMD) .]

[2007, c. 455, §34 (AMD) .]

**4. Outside the guardrail enclosure.** If sufficient space exists, party workers and others, in addition to the pollwatchers allowed pursuant to section 627, may remain in the voting place outside the guardrail enclosure as long as they do not attempt to influence voters or interfere with their free passage. If a person attempts to influence voters or interfere with their free passage, the warden shall have the person removed from the voting place. A person video recording in the voting place must remain outside the guardrail and may not conduct video recording closer than 15 feet from a voter being recorded, including when a voter

is where a person is collecting voters' signatures. A person who video records a voter in violation of this subsection may be removed from the voting place by the municipal clerk at the recommendation of the warden as provided in section 662, subsection 2.

[ 2015, c. 422, §1 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 33, §1 (AMD). 1999, c. 426, §21 (AMD). 2001, c. 310, §36 (AMD). 2007, c. 455, §§34, 35 (AMD). 2015, c. 422, §1 (AMD).

## §682. POLITICAL ACTIVITIES

Certain activities are prohibited on election day. [2003, c. 447, §22 (RPR).]

**1. Instruction limited.** Within the voting place, a person may not instruct another in the method of marking the ballot, except as provided in section 672.

[ 2003, c. 447, §22 (RPR) .]

**2. Influence prohibited.** On public property within 250 feet of the entrance to the voting place as well as within the voting place itself, a person may not:

A. Influence another person's decision regarding a candidate or question that is on the ballot for the election that day; or [2005, c. 568, §14 (AMD).]

B. Attempt to influence another person's decision regarding a candidate or question that is on the ballot for the election that day. [2005, c. 568, §14 (AMD).]

C. [2003, c. 447, §22 (RP).]

These limitations do not prohibit a candidate from attending the voting place and orally communicating with voters as long as the candidate does not attempt to influence their vote. A candidate may not state the name of the office sought or request a person's vote.

[ 2005, c. 568, §14 (AMD) .]

**2-A. Application.** This subsection governs the application of subsection 2.

A. Subsection 2 does not apply to pollwatchers, who may remain in the voting place outside the guardrail enclosure as long as they do not attempt to influence voters or interfere with their free passage. [2003, c. 447, §22 (NEW).]

B. Subsection 2 does not prohibit media representatives from conducting an exit poll, as long as they do not solicit voters until after the voters have voted and do not orally communicate with voters in a way that influences a voter's vote. [2003, c. 447, §22 (NEW).]

C. If a person attempts to influence voters or interfere with their free passage, the warden shall have that person removed from the voting place. [2003, c. 447, §22 (NEW).]

[ 2003, c. 447, §22 (NEW) .]

**3. Advertising prohibited.** A person may not display advertising material; operate an advertising medium, including a sound amplification device; or display or distribute campaign literature, posters, palm cards, buttons, badges or stickers containing a candidate's name or otherwise intending to influence the opinion of any voter regarding a candidate or question that is on the ballot for the election that day on any public property located within 250 feet of the entrance to either the voting place or the building in which the registrar's office is located. The term "sound amplification device" includes, but is not limited to, sound trucks, loudspeakers and blowhorns.

A. This subsection does not apply to advertising material on automobiles traveling to and from the voting place for the purposes of voting. It does not prohibit a person who is at the polls solely for the purpose of voting from wearing a campaign button when the longest dimension of the button does not exceed 3 inches. [2009, c. 253, §27 (AMD).]

B. Nonpolitical charitable activities and other nonpolitical advertising may be allowed at the discretion of the clerk if arrangements are made prior to election day. If arrangements are not made in advance of the election day, the warden may, at the warden's discretion, either allow or prohibit nonpolitical charitable activities and other nonpolitical advertising. [2003, c. 447, §22 (RPR).]

C. [2003, c. 447, §22 (RP).]

[ 2015, c. 447, §22 (AMD) .]

**4. Devices for audible communication.** Party workers or others may not use cellular phones, voice pagers or similar devices to make audible voice communication within the voting place that is in violation of subsection 2.

[ 2003, c. 447, §22 (NEW) .]

**5. Violation.** A person who knowingly engages in activities prohibited by this section commits a Class E crime.

[ 2003, c. 447, §22 (NEW) .]

**6. Public property limited.** For purposes of this section, "public property" does not include a public right-of-way across privately owned property if it is an easement right-of-way.

[ 2009, c. 253, §28 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 383, §11 (AMD). 1991, c. 466, §20 (AMD). 1993, c. 473, §§19,20 (AMD). 1993, c. 473, §46 (AFF). 1995, c. 459, §§61,62 (AMD). 2001, c. 310, §37 (AMD). 2003, c. 447, §22 (RPR). 2005, c. 568, §§14,15 (AMD). 2009, c. 253, §§ 27, 28 (AMD). 2015, c. 447, §22 (AMD).

## Article 5: MARKING, COUNTING AND HANDLING OF BALLOTS

### §691. MARKING BALLOTS; PRIMARY ELECTION

A voter shall mark the ballot at a primary election as instructed in the directions on the ballot. [1993, c. 473, §21 (AMD); 1993, c. 473, §46 (AFF).]

**1. Individual candidate method.** The voter must mark the ballot as instructed in the directions on the ballot to indicate the name of each candidate for nomination for whom the voter wishes to vote.

[ 1993, c. 473, §21 (AMD); 1993, c. 473, §46 (AFF) .]

**2. Write-in vote.** If the voter wishes to vote for a write-in candidate, the voter must write the name of the candidate in the blank space provided at the end of the list of candidates for nomination to the office in question. The voter must then mark the ballot as instructed in the directions on the ballot to indicate a vote for the write-in candidate. A sticker may not be used to vote for a write-in candidate.

[ 2009, c. 253, §29 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 473, §21 (AMD). 1993, c. 473, §46 (AFF). 2007, c. 455, §36 (AMD). 2009, c. 253, §29 (AMD).

## §692. GENERAL ELECTION

A voter shall mark the ballot at a general election as instructed in the directions on the ballot. [1993, c. 473, §22 (AMD); 1993, c. 473, §46 (AFF).]

**1. Individual candidate method.** The voter must mark the ballot as instructed in the directions on the ballot to indicate a vote for the name of each nominee for whom the voter wishes to vote, regardless of political designation, but must follow directions as to the number of nominees to be elected to each office.

[ 1993, c. 473, §22 (AMD); 1993, c. 473, §46 (AFF) .]

**2. Write-in vote.** If the voter wishes to vote for a write-in candidate, the voter must write the name of the candidate in the blank space provided at the end of the list of nominees for the office in question. The voter must then mark the ballot as instructed in the directions on the ballot. A sticker may not be used to vote for a write-in candidate.

[ 2009, c. 253, §30 (AMD) .]

**3. Referendum question.** In voting on a referendum question, the voter shall mark the ballot as instructed in the directions on the ballot.

[ 1993, c. 473, §22 (AMD); 1993, c. 473, §46 (AFF) .]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 473, §22 (AMD). 1993, c. 473, §46 (AFF). 2009, c. 253, §30 (AMD).

## §693. SPOILED BALLOTS

If a voter spoils a ballot, the voter may obtain a replacement, not more than twice, by returning the spoiled ballot to the election clerk in charge of issuing ballots. The warden, ward clerk or deputy warden shall write "Spoiled by voter" on the spoiled ballot and sign it. If a replacement ballot is issued to the voter, the warden, ward clerk or deputy warden shall also mark "Replacement ballot issued" on the spoiled ballot. The election official shall then segregate the spoiled ballot with any other spoiled ballots in an envelope labeled "Spoiled ballots" and shall package and return the envelope of segregated ballots in accordance with section 698. The Secretary of State shall provide the clerk of each municipality with either a label and instructions on proper handling of spoiled ballots or a special envelope printed with this label and instructions. [2003, c. 298, §1 (AMD).]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §63 (AMD). 1997, c. 436, §99 (AMD). 2003, c. 298, §1 (AMD).

## §694. VOTING LIST SIGNED

*(REPEALED)*

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 447, §15 (AMD). 2001, c. 310, §38 (RP).

## §695. COUNTING OF BALLOTS

The election clerks shall count the ballots under the supervision of the warden as soon as the polls are closed, except that if, in the opinion of the municipal clerk the public interests will best be served, referendum ballots may be counted on the day immediately following the election, as long as the count is completed within 24 hours after the polls are closed. If referendum ballots are counted under this exception, the municipal clerk is responsible for the security and safekeeping of the ballots until the count has been completed. [2001, c. 516, §10 (AMD).]

**1. Counted in public.** The ballots must be counted publicly so that those present may observe the proceedings.

[ 1985, c. 161, §6 (NEW) .]

**2. Separated into lots.** In counting the ballots, the election clerks shall form into counting teams of 2 election clerks, each of whom has a different party affiliation. The counting teams shall separate the ballots into distinct lots. Each of these lots must consist of 50 ballots, except for one lot, which may have less than 50 ballots. Each counting team shall use one of the approved counting methods prescribed by the Secretary of State to produce 2 tally sheets for each lot that are in complete agreement as to the count for each candidate and question choice. They shall place with each lot one of the tally sheets for that lot that is signed by the election clerks who made the count. They shall wrap the tally sheet around the outside of the applicable lot of ballots. The 2nd tally sheet for each lot must be provided to the warden for use in completing a total tally of each office and question and for completing the election return.

[ 2009, c. 253, §31 (AMD) .]

**3. Results declared.** As soon as the ballots are counted, the warden shall declare the results publicly at the voting place.

[ 1985, c. 161, §6 (NEW) .]

**4. Instructions.** The Secretary of State may issue to each warden instructions on opening the ballot boxes, separating various types of ballots and giving priority in counting various types of ballots.

[ 1985, c. 161, §6 (NEW) .]

**5. Uniformity.** The Secretary of State shall design and print uniform tabulation sheets to be used by the workers at the polls. The Secretary of State shall write, print and distribute to wardens instructions on the use of that material and require the use of a uniform system of counting and tabulation.

[ 1985, c. 161, §6 (NEW) .]

### **6. Stickers.**

[ 2013, c. 131, §19 (RP) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 383, §12 (AMD). 2001, c. 516, §10 (AMD). 2007, c. 455, §37 (AMD). 2009, c. 253, §31 (AMD). 2013, c. 131, §19 (AMD).

## §696. CHALLENGED, DEFECTIVE OR VOID BALLOTS

The counting of ballots is governed by the following provisions. [1985, c. 161, §6 (NEW).]

**1. Challenged ballot.** A challenged ballot must be counted the same as a regular ballot. The validity of a challenged ballot need not be determined unless it affects the results of an election.

If the challenged ballot affects the result of an election, the envelope containing the challenge certificate and the signed affidavit under section 673, subsection 1 must be submitted to the Supreme Judicial Court and its validity must be determined, except when final determination of the election of a candidate is governed by the United States Constitution.

[ 2003, c. 395, §5 (AMD) . ]

**2. Invalid vote.** A vote for an office, candidate or question held to be invalid by the warden, ward clerk or deputy warden may not be counted for that office, candidate or question as follows.

A. If a voter marks more names for an office than there are vacancies to be filled or more choices for a question than are permitted, the voter's vote for that office or question may not be counted. [ 2009, c. 253, §32 (AMD) . ]

B. If a voter marks the voter's ballot in such a manner that it is impossible to determine the voter's choice, the voter's vote for the office or question concerned may not be counted. [ 1997, c. 436, §101 (AMD) . ]

C. If a voter marks a write-in indicator for an office, but does not write the name of a declared write-in candidate in the blank space provided to the right of the write-in indicator, that vote for that office may not be counted, unless a determination of choice under subsection 4 is possible. [ 2009, c. 253, §32 (AMD) . ]

D. If a voter writes in the name of a declared write-in candidate in the write-in space pursuant to section 691, but does not mark the write-in indicator, that vote for that office may not be counted. [ 2009, c. 253, §32 (AMD) . ]

E. If a voter writes in a write-in space the name of a person who has not filed a declaration of write-in candidacy as provided by section 722-A, the vote for that office may not be counted. [ 2017, c. 141, §1 (AMD) . ]

F. The warden, ward clerk or deputy warden shall write "Invalid vote" on the ballot and the reason the vote is invalid beside the office, candidate or question for which it is invalid and shall sign it and replace the ballot with the other ballots, to be counted for other offices or questions. [ 2001, c. 310, §39 (AMD) . ]

[ 2017, c. 141, §1 (AMD) . ]

**3. Defective ballots.** A ballot held to be defective by the warden, ward clerk or deputy warden may not be counted.

A. A ballot that is not prepared in accordance with the requirements of this Title is defective. [ 2001, c. 310, §40 (AMD) . ]

B. The warden, ward clerk or deputy warden shall write "Defective ballot" and the reason that the ballot is defective on the ballot and shall sign it. The election official shall then segregate the defective ballot with any other defective ballots in an envelope labeled "Defective ballots" and shall package and return the envelope of segregated ballots in accordance with section 698. The Secretary of State shall provide the clerk of each municipality with either a label and instructions on proper handling of defective ballots or a special envelope printed with this label and instructions. [ 2003, c. 298, §2 (AMD) . ]

C. A ballot is not defective if the Secretary of State has given prior approval for its use at the election. [ 2005, c. 404, §4 (NEW) . ]

[ 2005, c. 404, §4 (AMD) . ]

**4. Determination of choice possible.** If a voter marks the voter's ballot in a manner that differs from the instructions at the top of the ballot but in such a manner that it is possible to determine the voter's choice, then the vote for the office or question concerned must be counted.

A. [2001, c. 310, §41 (RP).]

[ 2005, c. 404, §5 (AMD) .]

**5. Void ballots.** A ballot held to be void by the warden, ward clerk or deputy warden may not be counted.

A. A ballot on which a voter has made a distinguishing mark is void. [2005, c. 404, §6 (AMD) .]

B. The warden, ward clerk or deputy warden shall write "Void ballot" and the reason that the ballot is void on the ballot and shall sign it. The election official shall then segregate the void ballot with any other void ballots in an envelope labeled "Void ballots" and shall package and return the envelope of segregated ballots in accordance with section 698. The Secretary of State shall provide the clerk of each municipality with either a label and instructions on proper handling of void ballots or a special envelope printed with this label and instructions. [2003, c. 298, §3 (AMD) .]

[ 2005, c. 404, §6 (AMD) .]

**6. Rules.** The Secretary of State is authorized to adopt rules pursuant to Title 5, chapter 375, subchapter 2-A for determining voter intent based on relevant case law and provisions of this Title. These rules must be used by election officials in tabulating the results of state and local elections and in all recounts conducted pursuant to this Title. A copy of the rules must be included with the instructional materials provided to the clerk, registrar and election officials in each municipality pursuant to section 605-A, subsection 1 and must be used by the Secretary of State in the training of election officials pursuant to section 505. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[ 2011, c. 342, §25 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 357, §§4,19 (AMD). 1993, c. 473, §23 (AMD). 1993, c. 473, §46 (AFF). 1995, c. 459, §64 (AMD). 1997, c. 436, §§100-102 (AMD). 2001, c. 310, §§39-42 (AMD). 2003, c. 298, §§2,3 (AMD). 2003, c. 395, §5 (AMD). 2005, c. 404, §§3-7 (AMD). 2005, c. 568, §16 (AMD). 2007, c. 455, §38 (AMD). 2009, c. 253, §§32, 33 (AMD). 2011, c. 342, §25 (AMD). 2017, c. 141, §1 (AMD).

### §697. USE OF RED PENS BY ELECTION OFFICIALS

An election official must use pens or pencils containing only red ink or red lead during the conduct of official election business on election day. [2001, c. 310, §43 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 447, §15 (AMD). 1995, c. 459, §65 (AMD). 2001, c. 310, §43 (AMD).

### §698. PACKAGING AND RETURN OF BALLOTS AND LISTS

As soon as the election return has been prepared, the election officials shall perform the following duties. [1985, c. 161, §6 (NEW) .]

**1. Paper ballots wrapped.** The election clerks shall wrap the tabulation of the count for each lot of ballots around that lot and secure it. Referendum ballots must be wrapped separately with their own tabulations unless the referendum ballot is combined with the candidate ballot. The tabulations must be signed by the 2 election clerks who counted that ballot lot.

A. [1997, c. 436, §103 (RP).]

[ 2013, c. 131, §20 (AMD) .]

**2. Ballots replaced in containers.**

[ 1993, c. 473, §46 (AFF); 1993, c. 473, §24 (RP) .]

**2-A. Used ballots secured.** The election officials shall use the tamper-proof ballot security containers described in section 609 to seal the used state ballots, wrapped with their tabulations if hand counted or loose if machine tabulated; spoiled ballots; defective ballots; void ballots; envelopes containing challenge certificates; and the official tally tape from the electronic tabulating system. The containers must be further secured as follows.

A. Each tamper-proof ballot security container must be locked with a state-supplied lock and sealed with a uniquely numbered seal before leaving the voting place. The lock and seal numbers must correlate with a certificate identifying the person sealing the container and the time of the sealing. [ 2011, c. 342, §26 (RPR) .]

B. Ballots and election materials for municipal elections conducted at the same time as a state election must be sealed separately from state ballots and other state election materials and may not be sealed in the state-supplied tamper-proof ballot security containers. If municipalities wish to use tamper-proof ballot security containers to seal municipal election materials, they must obtain the containers and locks at their own expense. [ 2011, c. 342, §26 (NEW) .]

The sealed tamper-proof ballot security containers of used ballots must remain sealed for at least 2 months after the election, unless the Secretary of State authorizes the clerk to open the containers prior to that date. After 2 months, the clerk shall open the containers in the presence of one or more witnesses and transfer the ballots to other containers for the remainder of the retention period described in section 23. The new containers must be securely sealed.

[ 2013, c. 131, §21 (AMD) .]

**2-B. Unused ballots placed in containers.** At the close of the polls, all unused, unsealed absentee and regular ballots must be canceled by a physical mark unless all ballots are used in the course of the election. All sealed ballots must remain sealed. All unused ballots, including both the unsealed and the sealed ballots, must be placed in the containers in which the regular ballots were delivered. The containers containing the unused ballots must be clearly marked to indicate that the containers contain unused ballots. These ballots must be stored separately from the used ballots.

[ 2001, c. 310, §46 (AMD) .]

**3. Incoming voting lists packed separately.** The warden and one election clerk from each of the major parties shall sign the incoming voting list certification as soon as the names of all persons who have voted, including persons who have voted by absentee ballot, have been checked off. The election clerks shall place the incoming voting list in a separate package outside the containers of used and unused ballots and seal the package with the signed incoming voting list certification. The incoming voting list includes any certificates entitling voters to be placed on the incoming voting list pursuant to section 122, subsection 7. The municipal clerk shall keep these incoming voting lists sealed for 5 business days after the election or until the time for any recount conducted under section 737-A, contested election or appeal has passed, whichever is longer. At



the end of the 5th business day after the election, if the municipal clerk verifies that a recount has not been requested, the municipal clerk shall unseal the incoming voting list and keep it in the clerk's office as a public record for the time required pursuant to section 23.

[ 2015, c. 447, §23 (AMD) . ]

**3-A. Absentee envelopes sealed in separate containers.** The election officials shall seal the used absentee envelopes from which the voted ballots have been removed and counted, with the applicable applications attached, and shall also seal the unopened envelopes containing rejected absentee ballots in one or more tamper-proof ballot security containers or other containers separate from the containers with the used or unused ballots. The municipal clerk shall keep these containers of used absentee envelopes and unopened envelopes sealed for 5 business days after the election or until the time for any recount conducted under section 737-A, contested election or appeal has passed, whichever is longer. At the end of the 5th business day after the election, if the municipal clerk verifies that a recount has not been requested, the municipal clerk shall unseal the containers of used absentee envelopes and unopened envelopes and keep them in the clerk's office as a public record for the time required for retention of ballots under section 23.

[ 2013, c. 131, §22 (AMD) . ]

**4. Ballots and lists returned.** The warden shall deliver the ballots and lists to the clerk immediately upon conclusion of the ballot count. In a municipality that has an island voting district, the warden must deliver the ballots and lists within 24 hours after the polls have closed.

[ 1999, c. 426, §22 (AMD) . ]

**5. Two or more voting districts.** In municipalities having 2 or more voting districts where absentee ballots are counted at a place other than the voting district, all absentee ballots, applications and envelopes may be packed together in the same container, which shall then be sealed publicly.

A. The portions of subsections 2-A and 2-B that deal with absentee ballots do not apply to municipalities with 2 or more voting districts where absentee ballots are counted separately. [ 2003, c. 584, §10 (AMD) . ]

[ 2003, c. 584, §10 (AMD) . ]

**6. Ballot security.** The municipal clerk shall take appropriate measures to ensure the safety and security of all ballots before, during and after the election. Ballots and voting equipment must be secured in an area that is accessible only by the clerk or the clerk's designee.

[ 2003, c. 447, §24 (AMD) . ]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 357, §§5,19 (AMD). 1985, c. 614, §19 (AMD). 1987, c. 188, §6 (AMD). 1993, c. 473, §§24-26 (AMD). 1993, c. 473, §46 (AFF). 1995, c. 459, §66 (AMD). 1997, c. 436, §103 (AMD). 1999, c. 426, §22 (AMD). 2001, c. 310, §§44-47 (AMD). 2001, c. 516, §11 (AMD). 2003, c. 447, §§23,24 (AMD). 2003, c. 584, §10 (AMD). 2005, c. 453, §56 (AMD). 2005, c. 568, §17 (AMD). 2007, c. 515, §6 (AMD). 2011, c. 342, §§26, 27 (AMD). 2013, c. 131, §§20-22 (AMD). 2015, c. 447, §23 (AMD).

## §699. SEALING OF BALLOT CONTAINER

When a container is required to be sealed, it shall be done so that the seal on the container must be broken before its contents can be examined. [1985, c. 161, §6 (NEW).]

### SECTION HISTORY

1985, c. 161, §6 (NEW).

## §700. POSTING UNOFFICIAL RESULTS

As soon as practicable after the election return is prepared under section 711, if a secure place is available at the voting place or municipal office where the public may view a paper copy of the unofficial election results even when the voting place or municipal office is closed, an election official shall post a paper copy of the unofficial results of the election. [2015, c. 146, §1 (NEW).]

### SECTION HISTORY

2015, c. 146, §1 (NEW).

## Article 6: RETURNS

### §711. PREPARATION OF RETURNS

As soon as the results of the election have been declared, the election return must be prepared. The warden at each ward or precinct shall fill out the election return form provided by the Secretary of State, showing the number of votes cast for each candidate or question and recording the total number of state ballots cast in that ward or precinct. The warden and one other election official shall sign the return and immediately deliver it to the municipal clerk. The form provided by the Secretary of State must include the names of all candidates, including declared write-in candidates as determined by section 722-A. [2009, c. 253, §34 (AMD).]

**1. Single district municipality.** In a municipality with a single voting district, the municipal clerk shall make an attested copy of the municipality return and immediately send it to the Secretary of State.

[ 2001, c. 310, §48 (RPR) .]

**2. Multidistrict municipality.** In a municipality with multiple voting districts, the municipal clerk shall total the voting district returns and complete the total municipality return form provided by the Secretary of State. The clerk shall make an attested copy of each of the voting district returns and the total municipality return and immediately send them to the Secretary of State.

[ 2001, c. 310, §48 (RPR) .]

**2-A. Clerk to correct obvious errors.** In making the attested copies of either the voting district returns or the municipality return, the clerk shall correct any errors in either the tabulating or recording of the count that are obvious based on the tally sheets or copies of the tally tapes available to the clerk. The clerk may not change the totals recorded on the precinct return prepared by the warden but shall make the correction to the attested copy with a notation of the basis for the correction.

[ 2001, c. 310, §48 (NEW) .]

**3. Clerk to record.** The clerk shall record the attested copies of the election return with the Secretary of State within 3 business days after election day.

[ 2007, c. 455, §39 (AMD) .]

**4. Authority to open tamper-proof ballot security containers.** After giving notice to the state chair of each political party, the Secretary of State may authorize the municipal clerk, in the presence of one or more witnesses from each of the major parties, to open the sealed tamper-proof ballot security containers as described in section 609 holding used ballots to retrieve the incoming voting list or a copy of any election return forms that were improperly sealed in the containers. If there is a recount requested for a local election that was held at the same time as a state election, the Secretary of State may authorize these election officials to open the sealed tamper-proof ballot security containers to remove any local ballots that were sealed in the containers of state ballots, except that any requested state recount must be held prior to such authorization. The Secretary of State also may authorize these election officials to review and make copies of tabulation sheets that would assist in properly reporting or correcting the results recorded on election night, as well as to review machine-tabulated ballots that were hand counted because they were not read by the tabulator or because they contained write-in votes, and to correct errors in the hand tabulation. The clerk must reseal the containers and secure them for the remainder of the time required for retention of ballots under section 23.

[ 2011, c. 534, §16 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 226, (AMD). 1991, c. 466, §21 (AMD). 2001, c. 310, §48 (RPR). 2001, c. 516, §12 (AMD). 2007, c. 455, §39 (AMD). 2009, c. 253, §34 (AMD). 2011, c. 342, §28 (AMD). 2011, c. 534, §16 (AMD).

### §712. RETURN NOT DELIVERED

If an election return is not delivered to the Secretary of State by 5 p.m. on the 3rd business day after an election, the Secretary of State may send a courier to the municipality concerned, and the clerk shall give that courier a certified copy of the return. The municipality shall reimburse the Secretary of State for the costs of the courier service. [2015, c. 447, §24 (AMD).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 473, §27 (AMD). 1993, c. 473, §46 (AFF). 2015, c. 447, §24 (AMD).

## Subchapter 3: POST ELECTION PROCEDURE

### Article 1: TABULATION AND RESULTS

### §721. REPORTS OF REGISTRATION AND ENROLLMENT

Within 15 business days after any statewide election, the registrar shall update all information in the central voter registration system for all voters in the municipality to reflect any voter registration activity after the incoming voting list was printed for that election and up until the close of the polls on election day. The registrar shall also enter any designations of challenged ballots in the applicable voter records in the central voter registration system. The registrar shall notify the Secretary of State as soon as these tasks are complete. [2015, c. 447, §25 (AMD).]

After the registrar has completed the update of the central voter registration system, as required by this section, and no later than 45 business days after the election, unless a recount has been requested pursuant to section 737-A, the clerk shall update the central voter registration system by entering voter participation history for that election. The clerk shall notify the Secretary of State as soon as this task is completed. [2015, c. 447, §25 (AMD).]

In a municipality in which a recount has been requested pursuant to section 737-A, the clerk shall update the central voter registration system by entering voter participation history for that election within 20 business days after receiving the incoming voting list that has been returned by the Secretary of State after the recount. The clerk shall notify the Secretary of State as soon as this task is completed. [2015, c. 447, §25 (AMD).]

## SECTION HISTORY

1985, c. 161, §6 (NEW). 1991, c. 466, §22 (AMD). 1993, c. 447, §16 (AMD). 2005, c. 453, §57 (AMD). 2009, c. 253, §35 (AMD). 2015, c. 447, §25 (AMD).

## §722. SECRETARY OF STATE TO TABULATE AND PRINT RESULTS

Within 20 days after an election, the Secretary of State shall tabulate the election returns and submit the tabulation to the Governor. [1985, c. 161, §6 (NEW).]

**1. How tabulated.** The Secretary of State shall tabulate all votes that appear by an election return to have been cast for each question or candidate whose name appeared on the ballot. For offices elected by ranked-choice voting, the Secretary of State shall tabulate the votes according to the ranked-choice voting method described in section 723-A. The Secretary of State shall tabulate the votes that appear by an election return to have been cast for a declared write-in candidate based on a recount requested and conducted pursuant to section 737-A, subsection 2-A.

[2017, c. 141, §2 (AMD).]

**1-A. Form of tabulation.** The tabulation must include the total votes for each question choice or candidate whose name appeared on the ballot. The tabulation also must include the total votes for any write-in candidates who qualified to have their votes tabulated under subsection 1 as follows.

A. For a write-in candidate who receives 5% or more of the votes cast for that office, the Secretary of State shall report the votes under the candidate's name. [2009, c. 253, §36 (NEW).]

B. For a write-in candidate who receives less than 5% of the votes cast for that office, the Secretary of State shall report the votes under the designation "others." [2009, c. 253, §36 (NEW).]

[2009, c. 253, §36 (NEW).]

**2. Correction of return.** If it appears that an election return does not agree with the record of the vote at any voting place, the Secretary of State shall correct the tabulation by obtaining a certified copy of the record from the clerk.

[1985, c. 161, §6 (NEW).]

**3. Tabulation printed.** The Secretary of State shall have copies of the tabulation printed and made available to the public.

[1985, c. 161, §6 (NEW).]

## SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 695, §30 (AMD). 1997, c. 436, §104 (AMD). 1999, c. 426, §23 (AMD). 2001, c. 516, §13 (AMD). 2009, c. 253, §36 (AMD). IB 2015, c. 3, §4 (AMD). 2017, c. 141, §2 (AMD).

## §722-A. DETERMINATION OF DECLARED WRITE-IN CANDIDATE

To be considered a declared write-in candidate, a person must file a declaration of write-in candidacy with the Secretary of State, on a form approved by the Secretary of State, on or before 5 p.m. on the 60th day prior to the election. The candidate must meet all the other qualifications for that office. [2015, c. 447, §26 (AMD).]

### SECTION HISTORY

1999, c. 426, §24 (NEW). 2007, c. 455, §40 (AMD). 2009, c. 253, §37 (AMD). 2015, c. 447, §26 (AMD).

## §723. DETERMINATION OF ELECTION

The determination of an election or referendum question is governed by the following provisions. [1985, c. 161, §6 (NEW).]

**1. Primary election.** In a primary election, the person who receives a plurality of the votes cast for nomination to any office, as long as there is at least one vote cast for that office, is nominated for that office, except for write-in candidates under paragraph A.

A. A write-in candidate who complies with section 722-A and who fulfills the other qualifications under section 334 may be nominated at the primary election if that person receives a number of valid write-in votes equal to at least twice the minimum number of signatures required under section 335, subsection 5 on a primary petition for a candidate for that office. [2017, c. 248, §5 (AMD).]

B. The Secretary of State shall immediately certify by mail the nomination of each person nominated by the primary election. [1985, c. 161, §6 (NEW).]

[ 2017, c. 248, §5 (AMD) .]

**2. Other elections.** In any other election, the person who receives a plurality of the votes cast for election to any office, as long as there is at least one vote cast for that office, is elected to that office, except that a write-in candidate must also comply with section 722-A.

[ 2017, c. 248, §6 (AMD) .]

**3. More than one vacancy.** In any election, if there is more than one vacancy in an office, as many persons are nominated or elected as there are vacancies to be filled in decreasing order of the plurality of votes received by them.

[ 1985, c. 161, §6 (NEW) .]

**4. Referendum question.** A referendum question is determined by majority vote.

[ 1985, c. 161, §6 (NEW) .]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 146, (AMD). 1991, c. 244, (AMD). 1999, c. 426, §§25,26 (AMD). 2001, c. 310, §49 (AMD). 2001, c. 516, §§14,15 (AMD). 2009, c. 253, §§38, 39 (AMD). 2017, c. 248, §§5, 6 (AMD).

## §723-A. DETERMINATION OF WINNER IN ELECTION FOR AN OFFICE ELECTED BY RANKED-CHOICE VOTING

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

- A. "Batch elimination" means the simultaneous defeat of multiple candidates for whom it is mathematically impossible to be elected. [2015, c. 3, §5 (NEW).]
- B. "Continuing ballot" means a ballot that is not an exhausted ballot. [2015, c. 3, §5 (NEW).]
- C. "Continuing candidate" means a candidate who has not been defeated. [2015, c. 3, §5 (NEW).]
- D. "Exhausted ballot" means a ballot that does not rank any continuing candidate, contains an overvote at the highest continuing ranking or contains 2 or more sequential skipped rankings before its highest continuing ranking. [2015, c. 3, §5 (NEW).]
- E. "Highest continuing ranking" means the highest ranking on a voter's ballot for a continuing candidate. [2015, c. 3, §5 (NEW).]
- F. "Last-place candidate" means the candidate with the fewest votes in a round of the ranked-choice voting tabulation. [2015, c. 3, §5 (NEW).]
- G. "Mathematically impossible to be elected," with respect to a candidate, means either:
  - (1) The candidate cannot be elected because the candidate's vote total in a round of the ranked-choice voting tabulation plus all votes that could possibly be transferred to the candidate in future rounds from candidates with fewer votes or an equal number of votes would not be enough to surpass the candidate with the next-higher vote total in the round; or
  - (2) The candidate has a lower vote total than a candidate described in subparagraph (1). [2015, c. 3, §5 (NEW).]
- H. "Overvote" means a circumstance in which a voter has ranked more than one candidate at the same ranking. [2015, c. 3, §5 (NEW).]
- I. "Ranking" means the number assigned on a ballot by a voter to a candidate to express the voter's preference for that candidate. Ranking number one is the highest ranking, ranking number 2 is the next-highest ranking and so on. [2015, c. 3, §5 (NEW).]
- J. "Round" means an instance of the sequence of voting tabulation steps established in subsection 2. [2015, c. 3, §5 (NEW).]
- K. "Skipped ranking" means a circumstance in which a voter has left a ranking blank and ranks a candidate at a subsequent ranking. [2015, c. 3, §5 (NEW).]

[ 2015, c. 3, §5 (NEW) .]

**2. Procedures.** Except as provided in subsections 3 and 4, the following procedures are used to determine the winner in an election for an office elected by ranked-choice voting. Tabulation must proceed in rounds. In each round, the number of votes for each continuing candidate must be counted. Each continuing ballot counts as one vote for its highest-ranked continuing candidate for that round. Exhausted ballots are not counted for any continuing candidate. The round then ends with one of the following 2 potential outcomes.

- A. If there are 2 or fewer continuing candidates, the candidate with the most votes is declared the winner of the election. [2015, c. 3, §5 (NEW).]
- B. If there are more than 2 continuing candidates, the last-place candidate is defeated and a new round begins. [2015, c. 3, §5 (NEW).]

[ 2015, c. 3, §5 (NEW) .]

**3. Ties.** A tie under this section between candidates for the most votes in the final round or a tie between last-place candidates in any round must be decided by lot, and the candidate chosen by lot is defeated. The result of the tie resolution must be recorded and reused in the event of a recount. Election officials may resolve prospective ties between candidates before the election.

[ 2015, c. 3, §5 (NEW) .]

**4. Modification of ranked-choice voting ballot and tabulation.** Modification of a ranked-choice voting ballot and tabulation is permitted in accordance with the following.

A. The number of allowable rankings may be limited to no fewer than 6. [ 2015, c. 3, §5 (NEW) .]

B. Two or more candidates may be defeated simultaneously by batch elimination in any round of tabulation. [ 2015, c. 3, §5 (NEW) .]

[ 2015, c. 3, §5 (NEW) .]

**5. Effect on rights of political parties.** For all statutory and constitutional provisions in the State pertaining to the rights of political parties, the number of votes cast for a party's candidate for an office elected by ranked-choice voting is the number of votes credited to that candidate after the initial counting in the first round described in subsection 2.

[ 2015, c. 3, §5 (NEW) .]

**6. Application.** This section applies to elections held on or after January 1, 2018.

[ 2015, c. 3, §5 (NEW) .]

#### SECTION HISTORY

IB 2015, c. 3, §5 (NEW).

## §724. ELECTION CERTIFICATE ISSUED

Within a reasonable time after an election, the Governor shall issue an election certificate, in accordance with Title 5, section 84, or a notice of apparent election to each person elected to office, according to the tabulation under section 722. The Governor may not issue a certificate while the election is contested before the court. If the court finds that a candidate has been apparently elected, the court shall immediately notify the Governor of that apparent election. The Governor shall issue a notice of apparent election to the person apparently elected, according to the findings of the court. [1993, c. 473, §28 (AMD); 1993, c. 473, §46 (AFF).]

### 1. Ineligible person.

[ 2009, c. 253, §40 (RP) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 473, §28 (AMD). 1993, c. 473, §46 (AFF). 2009, c. 253, §40 (AMD).

## §724-A. WRITTEN NOTICE TO LEGISLATURE

At the time the Governor publicly proclaims the result of the vote on any measure referred to the people for approval under the Constitution of Maine, Article IV, Part Third, Section 17 or 18, he shall also provide written notice of the result of that vote to the President of the Senate, the Speaker of the House and the Revisor of Statutes. [1987, c. 188, §7 (NEW).]

### SECTION HISTORY

1987, c. 188, §7 (NEW).

## §725. COMMENCEMENT OF TERM OF OFFICE

County officials elected at the general election take office on January 1st directly following election day. The terms of other officials commence on the day provided in the Constitution of the State of Maine or the Constitution of the United States. [1985, c. 161, §6 (NEW).]

### SECTION HISTORY

1985, c. 161, §6 (NEW).

## Article 2: TIE VOTES

### §731. TIE DEFINED

There is a tie vote when 2 or more persons receive an equal number of votes, which number would entitle each one to nomination or election, except for the tie. There is a tie vote in a referendum, when a question receives an equal number of affirmative and negative votes. [1985, c. 161, §6 (NEW).]

### SECTION HISTORY

1985, c. 161, §6 (NEW).

### §732. PROCEDURE

When there is a tie vote, the following provisions apply. [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 his office at a certain time. At that time, the Secretary of State shall select the nominee publicly by lot.

[ 1985, c. 161, §6 (NEW) .]

**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. [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. [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. [1985, c. 161, §6 (NEW).]

[ 1985, c. 161, §6 (NEW) .]



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

[ 1985, c. 161, §6 (NEW) .]

SECTION HISTORY

1985, c. 161, §6 (NEW).

## Article 3: INSPECTION AND RECOUNT

### **§736. CANDIDATE'S INSPECTION OF BALLOTS AND INCOMING VOTING LIST**

*(REPEALED)*

SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 188, §8 (AMD). 1987, c. 258, §§1,2 (AMD). 1993, c. 473, §46 (AFF). 1993, c. 473, §29 (RP).

### **§737. RECOUNT**

*(REPEALED)*

SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 383, §13 (AMD). 1987, c. 188, §9 (AMD). 1987, c. 258, §3 (AMD). 1991, c. 466, §23 (AMD). 1993, c. 473, §46 (AFF). 1993, c. 473, §30 (RP).

### **§737-A. RECOUNT**

Once a recount is requested for an election for the office of State Senator or State Representative or for a county office that does not encompass more than one county, the Secretary of State shall notify the State Police, who shall take physical control of all ballots and related materials involved in the recount as soon as possible. When a recount is requested for a statewide office, congressional office or statewide referendum or for a county office that encompasses more than one county, the Secretary of State may direct the State Police to retrieve ballots from certain voting jurisdictions so that the recount may be conducted in stages until the requesting candidate or the lead applicant for a referendum recount concedes or until all the ballots are recounted. [2017, c. 141, §3 (AMD).]

The State Police shall store and maintain exclusive control over the ballots and other materials pending and during the recount except when the counting is being conducted by the Secretary of State. [1993, c. 473, §31 (NEW); 1993, c. 473, §46 (AFF).]

A candidate who is the apparent loser and who desires a recount must file with the Secretary of State a written request for a recount within 5 business days after the election. The recount is held under the supervision of the Secretary of State, who shall allow the candidate's representatives or counsel to recount the ballots. The candidate may not act as a counter of ballots. [2007, c. 515, §9 (AMD).]

If, after the official tabulation is submitted to the Governor, the apparent winner is determined the losing candidate, that candidate may request a recount within 3 business days after the date the Governor receives the tabulation. [2015, c. 447, §28 (AMD).]

**1. Deposit for legislative or single county office recount.** This subsection applies to a recount for an election for the office of State Senator or State Representative or for a county office that does not encompass more than one county. All deposits required by this section must be made with the Secretary of State when a recount is requested by a losing candidate or an undeclared write-in candidate. Once the State Police have taken custody of the ballots and other election materials from the municipalities, the deposit made by the

candidate requesting the recount is forfeited to the State if the resulting count fails to change the outcome of the election. If the recount reverses the election, the deposit must be returned to the candidate requesting the recount. The amount of the deposit is calculated as follows.

- A. If the percentage difference shown by the official tabulation between the leading candidate and the requesting candidate is 1.5% or less of the total votes cast for that office, a deposit is not required. [2015, c. 447, §29 (AMD).]
- B. If the percentage difference shown by the official tabulation between the leading candidate and the requesting candidate is more than 1.5% and less than or equal to 4% of the total votes cast for that office, the deposit is \$500. [2015, c. 447, §29 (AMD).]
- C. If the percentage difference shown by the official tabulation between the leading candidate and the requesting candidate is more than 4% and less than or equal to 6% of the total votes cast for that office, the deposit is \$1,000. [2003, c. 447, §25 (AMD).]
- D. If the percentage difference shown by the official tabulation between the leading candidate and the requesting candidate is more than 6% and less than or equal to 8% of the total votes cast for that office, the deposit is \$2,500. [2003, c. 447, §25 (NEW).]
- E. If the percentage difference shown by the official tabulation between the leading candidate and the requesting candidate is more than 8% and less than or equal to 10% of the total votes cast for that office, the deposit is \$5,000. [2003, c. 447, §25 (NEW).]
- F. If the percentage difference shown by the official tabulation between the leading candidate and the requesting candidate is more than 10% of the total votes cast for that office, the deposit is \$10,000. [2003, c. 447, §25 (NEW).]

[ 2017, c. 141, §4 (AMD) .]

**1-A. Deposit for statewide or multicounty office recount.** This subsection applies to a recount for an office not described by subsection 1. A losing candidate who requests a recount must pay the deposit required by this subsection when the recount is requested. The amount of the deposit is calculated as follows.

- A. If the difference shown by the official tabulation between the leading candidate and the requesting candidate is 1% or less of the total votes cast for that office or not more than 1,000 votes, whichever is less, a deposit is not required. A candidate who is not required to pay a deposit pursuant to this subsection may not be charged for the recount regardless of whether the procedure changes the result of the election. [2017, c. 141, §5 (NEW).]
- B. If the difference shown by the official tabulation between the leading candidate and the requesting candidate is more than 1% of the total votes cast for that office or more than 1,000 votes, whichever is less, the deposit is \$5,000 or 10% of the reasonable estimate of the cost to the State of performing the first stage of the recount, whichever is greater. After completion of the recount, if the recount has not changed the result of the election, the Secretary of State shall calculate the actual cost of the procedure, which must be paid by the requesting candidate. If the deposit is greater than the actual cost, the overpayment must be refunded to the candidate. If the actual cost is greater than the deposit, the candidate shall pay the remainder of the actual cost to the State. Once the State Police have taken custody of the ballots and other election materials for the first stage of the recount, the deposit made by the candidate requesting the recount is forfeited to the State even if the candidate withdraws from the recount before the recount begins. If a recount reverses the election, the deposit must be returned to the candidate requesting the recount. [2017, c. 141, §5 (NEW).]

[ 2017, c. 141, §5 (NEW) .]

**2. Recount request.** If a ballot contains the names of state and local candidates or questions, the Secretary of State shall determine which requests for recount must be honored first when more than one request is presented. If a recount is requested for more than one office or referendum question that is included on the same ballot for one or more jurisdictions, the Secretary of State may determine a process for counting the ballots for both offices or questions simultaneously.

[ 2017, c. 141, §6 (AMD) . ]

**2-A. Recount for write-in candidates.** For the purposes of this section, a declared write-in candidate who has complied with the requirements of section 722-A is treated the same as any candidate whose name is printed on the ballot.

[ 2017, c. 141, §7 (AMD) . ]

**3. Notice of recount.** The Secretary of State shall send written notice of a recount to the candidates for the office in question, stating the time and place of the recount.

[ 1993, c. 473, §31 (NEW); 1993, c. 473, §46 (AFF) . ]

**4. Time of recount and designated recount candidates.** The recount must be held as soon as reasonably possible at a time and place that affords the designated recount candidates a reasonable opportunity to be present. For purposes of this section, "the designated recount candidates" means the leading candidate and each candidate who has requested a recount and paid the applicable fee in accordance with this section. The recount involves a new count of the results for the designated recount candidates only. Once a candidate has requested a recount, the other candidates for that elective office must be notified of the request as soon as possible. Candidates for that elective office whose vote totals fall between the totals of the leading candidate and the requesting candidate must be provided with an opportunity to be included in the recount as a designated recount candidate by making a written request to join the recount and paying the applicable fee, either within 5 business days after the election or, if the recount request is made on the last day of that period, by the close of business on the next business day. Candidates for that elective office other than the designated recount candidates may be present to observe the recount but are not included in the recount, and their vote totals remain as indicated in the official results reported by the municipalities.

[ 2003, c. 447, §26 (AMD) . ]

**5. Persons prohibited from working at recount.** Confidential state employees, employees of the Legislature, candidates and elected state officials may not participate in ballot recounts in any capacity. This subsection does not prohibit employees within the Department of the Secretary of State, election officials and staff of the Department of the Attorney General and the Judicial Department from performing their duties with respect to a recount.

[ 1993, c. 473, §31 (NEW); 1993, c. 473, §46 (AFF) . ]

**6. List of recount personnel.** The Secretary of State shall maintain a list of recount personnel for 2 years after the recount.

[ 1993, c. 473, §31 (NEW); 1993, c. 473, §46 (AFF) . ]

**7. Disputed ballots segregated.** At the recount, the Secretary of State shall segregate disputed ballots. Disputed ballots that are not resolved must be photocopied by a representative of the Secretary of State. The photocopy of the ballot is not a public record and must be kept separate from the original ballots.

When a recount is requested by a write-in candidate who did not receive the minimum number of votes required, if the write-in candidate is the only candidate at the recount and it appears from the recount that a sufficient number of votes for that candidate has been received at the election, then all ballots from that election are considered "disputed."

[ 1993, c. 473, §31 (NEW); 1993, c. 473, §46 (AFF) .]

**8. Mistake in ballot count.** If it is found that a mistake was made in counting the ballots on election day, or if the recount results show that an undeclared write-in candidate received votes for a particular office, the Secretary of State shall submit a corrected tabulation to the Governor.

[ 2009, c. 253, §44 (AMD) .]

**9. Package resealed and marked.** After a recount, if the election remains in dispute, the Secretary of State shall copy the incoming voting list, before proceeding to reseat the packages of ballots and incoming voting lists, noting the fact and date of the recount on the packages. The Secretary of State shall immediately send or deliver the copy of the incoming voting list to the clerk for the purpose of updating voter participation history in the central voter registration system. The clerk shall immediately send a receipt to the Secretary of State noting the date and time of delivery of the copy. All challenged and disputed ballots must be packaged separately. The challenged and disputed ballots must be kept until released to the court or to the Senate or the House of Representatives, if applicable, in case of an appeal.

[ 2009, c. 253, §45 (AMD) .]

**10. Appeals.** For all elections, except for the Senate and the House of Representatives, if there are enough challenged or disputed ballots to affect the result of an election, the Secretary of State shall forward the ballots and related records for that election to the clerk of the Supreme Judicial Court. The Supreme Judicial Court shall determine the result of the election pursuant to procedures adopted by court rule. The decision of the Supreme Judicial Court is final and must be certified to the Governor by the Chief Justice.

For all elections to the Senate and the House of Representatives, each House shall establish procedures for recount appeals.

[ 1993, c. 473, §31 (NEW); 1993, c. 473, §46 (AFF) .]

**11. Withdrawal from recount.** A candidate who requests and receives a recount may withdraw from the recount at any time while the recount shows that candidate to be the loser. If, during the recount, the candidate requesting the recount overtakes and passes the candidate who initially appeared to win the election, the candidate requesting the recount may not withdraw the request and the recount must be completed.

[ 1993, c. 473, §31 (NEW); 1993, c. 473, §46 (AFF) .]

**12. Authority to adopt rules.** The Secretary of State is authorized to adopt rules governing the conduct and procedures for a recount. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[ 2009, c. 253, §46 (NEW) .]

#### SECTION HISTORY

1993, c. 473, §31 (NEW). 1993, c. 473, §46 (AFF). 1995, c. 459, §§67,68 (AMD). 1999, c. 426, §§27,28 (AMD). 2003, c. 447, §§25-27 (AMD). 2005, c. 453, §58 (AMD). 2007, c. 515, §§7-9 (AMD). 2009, c. 253, §§41-46 (AMD). 2015, c. 447, §§27-29 (AMD). 2017, c. 141, §§3-7 (AMD).

## §738. STATEWIDE REFERENDUM BALLOTS

Except as provided by this section, the method of conducting a recount of a statewide referendum is governed by section 737-A. Appeal of challenged or disputed ballots is to the Supreme Judicial Court. [2017, c. 141, §8 (NEW).]

**1. Recount request.** To request a recount of a statewide referendum, a petition signed by 200 or more registered voters must be submitted to the Secretary of State within 8 business days after the election. The Secretary of State shall provide a petition form for this purpose to any registered voter in the State who requests it within 2 days of receiving the request.

[ 2017, c. 141, §8 (NEW) . ]

**2. Deposit for recount.** A representative of the recount petitioners shall pay the deposit required by this section when the petition is submitted to the Secretary of State. The amount of the deposit is calculated as follows.

A. If the difference shown by the official tabulation between the yes and the no votes is 1% or less of the total votes cast for that question or not more than 1,000 votes, whichever is less, a deposit is not required. Petitioners who are not required to pay a deposit pursuant to this subsection may not be charged for the recount regardless of whether the procedure changes the result of the election. [2017, c. 141, §8 (NEW) . ]

B. If the difference shown by the official tabulation between the yes and the no votes is more than 1% of the total votes cast for that question or more than 1,000 votes, whichever is less, the deposit is \$5,000 or 10% of the reasonable estimate of the cost to the State of performing the first stage of the recount, whichever is greater. After the completion of the recount, if the recount has not changed the result of the election, the Secretary of State shall calculate the cost of the procedure, which must be paid by the petitioners. If the deposit is greater than the actual cost, the overpayment must be refunded to the petitioners. If the actual cost is greater than the deposit, the petitioners shall pay to the State the remainder of the actual cost. Once the State Police have taken custody of the ballots and other election materials for the first stage of the recount, the deposit made by the petitioners is forfeited to the State even if the petitioners withdraw from the recount before the recount begins. If a recount reverses the result of the election, the deposit must be returned to the petitioners. [2017, c. 141, §8 (NEW) . ]

[ 2017, c. 141, §8 (NEW) . ]

**3. Order of recounts.** If a ballot contains state and local candidates or questions and a recount is requested, the Secretary of State shall determine which requests for recount must be honored first when more than one request is presented. If recounts are requested for more than one office or referendum question that is included on the same state ballot for one or more jurisdictions, the Secretary of State may determine a process for counting the ballots for both offices or questions simultaneously.

[ 2017, c. 141, §8 (NEW) . ]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 188, §10 (AMD). 1993, c. 473, §32 (AMD). 1993, c. 473, §46 (AFF). 1995, c. 506, §1 (AMD). 1995, c. 506, §3 (AFF). 2017, c. 141, §8 (RPR).

## **§739. BALLOTS AND INCOMING VOTING LISTS AVAILABLE FOR INSPECTION**

On request, a municipal clerk or the Secretary of State, or both, shall produce any ballots or incoming voting lists in their custody before the Governor, either branch of the Legislature, any legislative committee or a court of competent jurisdiction. If there is an unresolved disputed ballot for an election to the State House of Representatives or the State Senate arising from a recount conducted pursuant to section 737-A, the Secretary of State shall make a copy of that ballot available for inspection by the public. A copy of a ballot that is made available for public inspection pursuant to this section must be made available in a manner that preserves the voter's anonymity. Copies of disputed ballots made available for public inspection under this section must be retained by the Secretary of State for a period of 2 years after the outcome of the election is finally determined. [2011, c. 258, §1 (AMD).]

After the time for completion of recounts following any election has elapsed, and on request of any person, the clerk of any municipality or the Secretary of State, or both, shall produce any incoming voting lists in the clerk's or Secretary of State's custody. [2011, c. 258, §1 (AMD).]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 473, §33 (AMD). 1993, c. 473, §46 (AFF). 2011, c. 258, §1 (AMD).

## Article 4: DETERMINATION OF DISPUTED ELECTIONS

### **§741. JURISDICTION**

*(REPEALED)*

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 473, §46 (AFF). 1993, c. 473, §34 (RP).

### **§742. APPEAL TO COMMISSION**

*(REPEALED)*

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 473, §46 (AFF). 1993, c. 473, §34 (RP).

### **§743. INVESTIGATIONS**

*(REPEALED)*

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 473, §46 (AFF). 1993, c. 473, §34 (RP).

### **§744. PROCEDURE**

*(REPEALED)*

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 473, §46 (AFF). 1993, c. 473, §34 (RP).

### **§745. QUESTIONS OF LAW**

*(REPEALED)*

## SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 473, §46 (AFF). 1993, c. 473, §34 (RP).

**§746. JUDICIAL DETERMINATION OF DISPUTED COUNTY OFFICE**

*(REPEALED)*

## SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 473, §46 (AFF). 1993, c. 473, §34 (RP).

## Subchapter 4: ABSENTEE VOTING

## Article 1: REGULAR ABSENTEE VOTING

**§751. PROPER AT ANY ELECTION**

Absentee ballots may be cast at any election by any voter who requests an absentee ballot as provided under this subchapter. The voter need not specify a reason to receive an absentee ballot. [1999, c. 645, §4 (RPR).]

**1. Absence.**

[ 1999, c. 645, §4 (RP) .]

**2. Incapacity.**

[ 1999, c. 645, §4 (RP) .]

**3. Religious belief.**

[ 1999, c. 645, §4 (RP) .]

**4. Confinement.**

[ 1999, c. 645, §4 (RP) .]

**5. Distance from polls.**

[ 1999, c. 645, §4 (RP) .]

**6. At registrar's office.**

[ 1985, c. 357, §6 (RP) .]

**6-A. Working when polls are open.**

[ 1999, c. 645, §4 (RP) .]

**7. Residence in certain facilities.**

[ 1999, c. 645, §4 (RP) .]

**8. Citizens outside the United States.**

[ 1999, c. 645, §4 (RP) .]

**9. Marginal literacy.**

[ 1999, c. 645, §4 (RP) .]

## SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 357, §§6,7,19 (AMD). 1987, c. 188, §§11-13 (AMD). 1991, c. 466, §§24,25 (AMD). 1995, c. 459, §69 (AMD). 1995, c. 670, §A1 (AMD). 1995, c. 670, §D5 (AFF). 1997, c. 436, §105 (AMD). 1999, c. 426, §29 (AMD). 1999, c. 645, §4 (RPR).

**§752. MATERIALS FURNISHED**

At least 3 months before any election, the Secretary of State shall furnish each municipality with a reasonable number of dated absentee ballot applications. A reasonable time, not less than 30 days unless an emergency exists, before any election, the Secretary of State shall furnish each municipality with a reasonable number of absentee ballots and return envelopes. [1985, c. 357, §8 (AMD).]

**1. Absentee ballots to be identical.** Absentee ballots must be identical to the regular ballots used at an election, except as provided in paragraph A for uniformed service voters or overseas voters.

A. At least 3 months before the election to which they pertain, the Secretary of State shall furnish each municipality with a reasonable number of blank write-in absentee ballots for use by uniformed service voters or overseas voters who have met the qualifications in section 751. These ballots must be similar to regular ballots, except that no candidate names may be printed. The Secretary of State shall prepare a ballot listing all offices to be selected with a space after each office to write in the voter's preference. The Secretary of State shall design the form of the ballot, including any instructions to the voters in marking the ballot. [2003, c. 407, §20 (AMD).]

B. The Secretary of State shall provide a reasonable number of absentee ballots for township residents who are registered or enrolled in a municipality outside their electoral divisions under section 156. These ballots must contain the names of the nominees or candidates for offices in the electoral divisions in which the voters reside. [1991, c. 466, §26 (AMD).]

[ 2003, c. 407, §20 (AMD) .]

**2. Content of application.** The Secretary of State shall design or approve the form of the application to be used to request an absentee ballot.

[ 2001, c. 310, §50 (RPR) .]

**3. Form of envelope.** The Secretary of State shall design or approve the form of the absentee ballot envelope.

[ 2001, c. 310, §51 (RPR) .]



**4. Delivery of materials; insufficient quantity.** The Secretary of State shall send the voting materials to the clerk of each municipality. If the clerk believes that a larger number should be furnished, the clerk must notify the Secretary of State who shall determine whether the additional materials are needed and, if so, shall furnish them as promptly as possible.

[ 2003, c. 407, §21 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 357, §§8,9,19 (AMD). 1985, c. 363, §3 (AMD). 1987, c. 188, §14 (AMD). 1989, c. 166, §5 (AMD). 1991, c. 466, §§26-28 (AMD). 1995, c. 459, §§70,71 (AMD). 1997, c. 436, §106 (AMD). 2001, c. 310, §§50,51 (AMD). 2003, c. 407, §§20,21 (AMD).

### §752-A. FEDERAL ABSENTEE BALLOT

The federal write-in absentee ballot may be used in primary, general and special elections for state and federal offices by uniformed service voters or overseas voters who are qualified pursuant to section 751.

[2003, c. 407, §22 (AMD).]

#### SECTION HISTORY

2001, c. 516, §16 (NEW). 2003, c. 407, §22 (AMD).

### §753. PROCEDURE FOR OBTAINING

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 357, §§10,19 (AMD). 1985, c. 614, §20 (AMD). 1987, c. 62, §§1,2 (AMD). 1987, c. 188, §15 (AMD). 1991, c. 466, §29 (AMD). 1991, c. 862, §6 (AMD). 1993, c. 473, §§35,36 (AMD). 1993, c. 473, §46 (AFF). 1993, c. 695, §31 (AMD). 1995, c. 459, §§72-74 (AMD). 1995, c. 670, §A2 (AMD). 1995, c. 670, §D5 (AFF). 1997, c. 120, §1 (AMD). 1997, c. 436, §§107-111 (AMD). 1999, c. 426, §30 (AMD). 1999, c. 645, §5 (RP).

### §753-A. PROCEDURE FOR REQUESTING AN ABSENTEE BALLOT

**1. Applications available.** On request, the clerk shall furnish a reasonable number of absentee ballot applications to any person, except that an application may not be furnished more than 3 months before the election for which the application will be used. This subsection does not apply to a uniformed service voter or an overseas voter who requests an absentee ballot under this subchapter.

[ 2003, c. 407, §23 (AMD) .]

**2. Application for state and municipal ballots at same time.** If a municipal election is to be held on the same date as a statewide election, absentee ballots for the municipal and statewide election may be issued in response to the same application unless the municipal ballots are not ready to be issued at the time the statewide ballot is available. The clerk may not delay the issuance of a statewide absentee ballot in order to include a municipal ballot pursuant to this subsection.

[ 1999, c. 645, §6 (NEW) .]

**3. Request in writing.** A voter may complete an application or make a written request for the voter's own ballot by mail, in person or by facsimile. The voter may designate an immediate family member or a 3rd person to deliver the ballot on the voter's behalf. An immediate family member of a voter may also make an application or written request for an absentee ballot for the voter.

A. An application or a written request for an absentee ballot must be accepted by the clerk if it contains the following information:

- (1) The voter's name;
- (2) The voter's residence address or other address sufficient to identify the voter;
- (3) The signature of the voter or the voter's immediate family member who is making the application or written request. If an immediate family member is either making the application or written request or is designated in the application or written request to deliver or return the ballot to the voter, then the family relationship to the voter must also be provided; and
- (4) If applicable, a different address to which the applicant requests the ballot be sent or delivered. [ 2003, c. 447, §28 (NEW) . ]

B. If the voter needs assistance pursuant to subsection 5, then in addition to the information required in paragraph A, the following information must be provided in order for the application or written request to be accepted by the clerk:

- (1) The printed name and signature of the person who helped the voter; and
- (2) A statement that the aide helped the voter by either reading or signing the application, or both. [ 2003, c. 447, §28 (NEW) . ]

C. If the voter wishes to have the ballot delivered or returned by a 3rd person, then in addition to the information required in paragraph A, the following information must be provided in order for the application or written request to be accepted by the clerk:

- (1) The name of the 3rd person whom the voter has designated. A 3rd person may only be designated in an application or written request that is signed by the voter. [ 2003, c. 447, §28 (NEW) . ]

[ 2003, c. 447, §28 (AMD) . ]

**4. Application by telephone.** A voter may make a telephone application for the voter's own ballot. In this case, the voter may not designate an immediate family member or a 3rd person to deliver the ballot on the voter's behalf. The clerk shall ask the voter for the information required and complete the application, with the exception of the voter's signature, and shall write "telephone request" on the application. The clerk shall also obtain the voter's birth date and write it on the application. The clerk shall verify that it is the voter who is requesting the ballot by confirming the voter's residence address and birth date with the information in the voter's record. A telephone application must be accepted by the clerk if it contains the voter's name, the voter's date of birth, the voter's residence address or other address sufficient to identify the voter and, if applicable, a different address to which the applicant requests the ballot be sent or delivered.

[ 2003, c. 447, §29 (AMD) . ]

**5. Assistance to certain voters.** A voter who is unable to read, sign or complete an application because of physical disability, illiteracy or religious faith may request another person, other than the voter's employer or agent of that employer or an officer or agent of the voter's union, to assist the voter in reading, signing or completing the application. If an aide assists a voter by reading or signing the application, the aide shall complete and sign the certificate on the application stating that the aide has assisted the voter.

[ 1999, c. 645, §6 (NEW) . ]

**6. Application by electronic means.** A municipal clerk shall accept absentee ballot applications by the electronic means authorized by the Secretary of State. The Secretary of State shall design or approve the form of the absentee ballot application to be submitted by electronic means.

A voter may make an application for the voter's own ballot by electronic means using the form designed or approved by the Secretary of State. The voter may not designate an immediate family member or a 3rd person to deliver the ballot on the voter's behalf. The clerk shall verify that it is the voter who is requesting the ballot by confirming the voter's residence address and birth date with the information in the voter's record. The clerk shall print the electronically submitted application and write "electronic request" on the application.

[ 2009, c. 563, §1 (AMD) . ]

#### SECTION HISTORY

1999, c. 645, §6 (NEW). 2003, c. 407, §23 (AMD). 2003, c. 447, §§28,29 (AMD). 2007, c. 515, §10 (AMD). 2009, c. 253, §47 (AMD). 2009, c. 563, §1 (AMD).

## §753-B. PROCEDURE FOR ISSUING ABSENTEE BALLOT

**1. Application or written request received.** Upon receipt of an application or written request for an absentee ballot that is accepted pursuant to section 753-A, the clerk shall immediately issue an absentee ballot and return envelope by mail or in person to the applicant or to the immediate family member or to a 3rd person designated in a written application or request made by the voter, except as provided in subsection 2. The clerk shall type or write in ink the name and the residence address of the voter in the designated section of the return envelope.

[ 2011, c. 399, §22 (AMD) . ]

**2. Restrictions on issuing ballot.** The clerk may not issue an absentee ballot:

A. To any 3rd person who is a candidate or a member of a candidate's immediate family; [ 2011, c. 399, §23 (NEW) . ]

B. To an immediate family member or to a 3rd person if the absentee ballot was requested by telephone or by electronic means; [ 2011, c. 534, §17 (AMD) . ]

C. To a 3rd person who already has been issued 5 absentee ballots for voters in the municipality, until the 3rd person has returned one of those ballots; or [ 2011, c. 399, §23 (NEW) . ]

D. To any voter, immediate family member or 3rd person whose request was received in the municipal office after the 3rd business day before election day, unless the voter signs an application, designed by the Secretary of State, stating one of the following reasons for requesting an absentee ballot after the deadline:

- (1) Unexpected absence from the municipality during the entire time the polls are open on election day;
- (2) Physical disability;
- (3) Inability to travel to the polls if the voter is a resident of a coastal island ward or precinct; or
- (4) An incapacity or illness that has resulted in the voter's being unable to leave home or a treatment facility. [ 2011, c. 534, §18 (AMD) . ]

[ 2011, c. 534, §§17, 18 (AMD) . ]

**3. Return of ballot by 3rd person.** A 3rd person shall, unless good cause is shown, return an absentee ballot to the clerk's office within 2 business days of the date that ballot was provided to the 3rd person or by the close of the polls on election day, whichever is earlier. The clerk shall inform the 3rd person of the deadline for the return of the ballot.

[ 2001, c. 310, §52 (AMD) . ]

**4. Duplicate ballot.** The clerk may issue a duplicate state absentee ballot to an applicant if the initially issued ballot has not already been marked and returned to the clerk, the applicant requests one by an acceptable method outlined in this subchapter and:

A. The applicant states good cause, including, but not limited to, loss of, spoiling of or damage to the first absentee ballot. Good cause does not include an applicant's decision to change the applicant's vote after the applicant has returned the ballot to the clerk; or [ 2011, c. 40, §1 (AMD) . ]

B. An absentee ballot for the applicant that was furnished to a designated 3rd person was not returned to the clerk's office within the time limit provided in subsection 3. If a ballot for an applicant is not returned to the clerk within that time limit, the clerk shall mail or hand deliver a ballot to that applicant and may not issue another ballot to the applicant except for good cause as provided in this subsection. This paragraph does not affect the deadline for delivery of absentee ballots under section 755. [ 2003, c. 447, §31 (AMD) . ]

The clerk may issue a 2nd state absentee ballot to a voter from whom the clerk has received a return envelope apparently containing a state absentee ballot when the State has provided the clerk with replacement ballots to reflect the removal of a candidate's name or the addition of a new candidate's name or the correction of an error or when the absentee ballot envelope has a defect in the affidavit that would cause the ballot to be rejected. When a 2nd state absentee ballot is issued to a voter under this section, the clerk must write the words "second ballot issued" on the return envelope.

[ 2011, c. 534, §19 (AMD) . ]

**5. Alternate method of balloting by residents of certain licensed facilities.** The municipal clerk shall designate one time during the 30-day period prior to an election during which the municipal clerk shall be present in each licensed nursing home subject to the provisions of Title 22, chapter 405; licensed level IV residential care facility subject to the provisions of Title 22, chapter 1664; and licensed assisted living program with more than 6 beds subject to the provisions of Title 22, chapter 1664, in the municipality for the purpose of conducting absentee voting by residents of these facilities. The clerk shall designate which areas in these facilities constitute the voting place, the voting booth and the guardrail enclosure. Sections 681 and 682 apply to voting in these facilities within the areas designated by the clerk. As used in this subsection, "level IV residential care facility" means a residential care facility as defined by Title 22, section 7852, subsection 14 that has a licensed capacity of more than 6 residents.

[ 2017, c. 248, §7 (AMD) . ]

**6. Clerk to keep list of absentee voters.** The clerk shall create and maintain, in the central voter registration system, an alphabetical list, by district, of the persons who requested or were furnished absentee ballots, including the persons who voted in the presence of the clerk under subsection 8 and the persons whose ballots were issued to a 3rd person under subsection 1. The clerk shall maintain a copy of the lists required under this subsection for a period of 2 years as a public record.

A. The list of absentee voters must include each voter's name, residence address, voting district and party affiliation; the date and manner by which the ballot was requested, issued and received; and a notation of whether the application and the ballot were accepted or rejected. The clerk must also indicate on the list when the absentee voter is a uniformed service voter, overseas voter or township voter. By the time that all absentee ballots have been processed on election day, the clerk must update the central voter registration system or annotate the printed list of absentee voters to reflect all ballots that were received by the close of the polls on election day, including a notation of whether the ballots were accepted or

rejected and the reasons for such rejections. This list, reflecting all absentee ballots received by the close of the polls, must be made available for public inspection. Any absentee voter certified as a participant in the Address Confidentiality Program pursuant to Title 5, section 90-B must be listed by the voter code assigned to that individual under the program instead of by the voter's name and reflect the Address Confidentiality Program address assigned to the voter. The list of absentee voters must be sorted so that the program participants appear at the end of the list and must be printed on a separate page of the list. The portion of the list of absentee voters relating to Address Confidentiality Program participants must be kept under seal and excluded from public inspection. [2013, c. 457, §3 (AMD).]

B. The clerk creates the list of absentee voters as required in paragraph A by marking the records of registered voters in the central voter registration system. The clerk must sign and date each official printed copy of the list of absentee voters that is created for public inspection, certifying that the list is a true and accurate list of absentee voters for the applicable election. No additional certification is required by the registrar of voters. [2005, c. 568, §18 (RPR).]

C. The clerk shall also keep a list of the 3rd persons designated in applications or written requests to whom absentee ballots are sent or delivered under subsection 1 and of the number of absentee ballots sent or delivered to them. This list of 3rd person ballot carriers must include telephone numbers for contacting the 3rd persons. [2001, c. 310, §54 (NEW).]

D. [2005, c. 364, §7 (RP).]

E. Within 5 business days after each election, the clerk shall update the central voter registration system to include the changes required by paragraph A. The clerk also must update the central voter registration system to reflect any absentee ballots received after the polls have closed on election day by changing the rejection reason. When all updates have been made in the central voter registration system, the clerk shall certify this to the Secretary of State and make a final list of absentee ballots available for public inspection. [2007, c. 515, §11 (AMD).]

[ 2013, c. 457, §3 (AMD) .]

**7. Registration verified.** If the applicant is registered and enrolled when necessary, the ballot must be sent to the applicant. If the applicant has registered and enrolled when necessary under section 155 and will attain 18 years of age on or before the date of the election, the registrar or clerk shall so certify on the application. If not, the registrar or clerk shall write "not registered" or "not enrolled" on the face of the application and sign the registrar's or clerk's name. Whenever an application for an absentee ballot is denied, the municipal clerk shall immediately notify the applicant in writing of the reason for the denial.

[ 1999, c. 645, §6 (NEW) .]

**8. Absentee voting in presence of clerk.** A person who wishes to vote by absentee ballot may, without completing an application, vote by absentee ballot in the presence of the clerk, except as provided in subsection 2. The method of voting is otherwise as prescribed in this article. After the person has voted, the clerk shall sign the affidavit on the return envelope as a witness, indicate on the envelope that the voter voted in the presence of a clerk and ensure that the affidavit on the return envelope is properly completed by the voter. For the 45 days preceding an election, during the hours when the clerk's office is open and may be conducting absentee voting, the display or distribution of any advertising material intended to influence a voter's decision regarding a candidate or question on the ballot for that election is prohibited within the clerk's office and on public property within 250 feet of the entrance to the building in which the clerk's office is located.

This subsection does not apply to the display or distribution of any campaign advertising material on private property that is within 250 feet of the entrance to the building in which the clerk's office is located. For purposes of this section, "private property" includes privately owned property subject to a public right-of-way that is an easement right-of-way.

This subsection does not apply to campaign advertising material on automobiles traveling to and from the municipal office or parked on municipal property while the occupants are visiting the municipal office to conduct municipal business. It does not prohibit a person who is at the municipal office for the purpose of conducting municipal business or for absentee voting from wearing a campaign button when the longest dimension of the button does not exceed 3 inches.

[ 2011, c. 399, §24 (AMD) . ]

**9. Restrictions on absentee voting in presence of clerk.** Except as allowed by subsection 5, a municipal clerk may not remove absentee ballots from the municipal office for the purpose of conducting absentee voting in the presence of the clerk except upon receipt of an application or written request from the voter. The clerk may not be assisted in delivering or providing an absentee ballot by any person who is a candidate or a member of a candidate's immediate family. Assistance includes, but is not limited to, providing transportation to a clerk who is delivering absentee ballots to a voter who is not marking the absentee ballot in the municipal clerk's office.

[ 2011, c. 342, §29 (NEW) . ]

#### SECTION HISTORY

1999, c. 645, §6 (NEW). RR 2001, c. 2, §A28 (COR). 2001, c. 310, §§52-54 (AMD). 2003, c. 407, §§24,25 (AMD). 2003, c. 447, §§30,31 (AMD). 2005, c. 364, §7 (AMD). 2005, c. 568, §§18,19 (AMD). 2007, c. 455, §41 (AMD). 2007, c. 515, §11 (AMD). 2009, c. 253, §48 (AMD). 2009, c. 563, §2 (AMD). 2011, c. 40, §1 (AMD). 2011, c. 342, §29 (AMD). 2011, c. 399, §§22-24 (AMD). 2011, c. 534, §§17-20 (AMD). 2013, c. 457, §3 (AMD). 2017, c. 248, §7 (AMD).

### §753-C. ABSENTEE BALLOTS FOR PROGRAM PARTICIPANTS IN ADDRESS CONFIDENTIALITY PROGRAM

Any registered voter who is certified by the Secretary of State as a program participant in the Address Confidentiality Program pursuant to Title 5, section 90-B is entitled to receive an absentee ballot for every election during the period of the voter's participation in the program. The clerk shall mail the absentee ballot to the voter at the voter's designated address as soon as possible after the regular ballots are available in the municipality. The voter shall mark the absentee ballot in accordance with the procedures set forth in section 754-A and shall return the ballot to the registrar in the manner provided in section 754-A, except that the voter may sign the voter's voter code under the Address Confidentiality Program on the absentee ballot envelope instead of the voter's name. [2005, c. 364, §8 (NEW) . ]

#### SECTION HISTORY

2005, c. 364, §8 (NEW) .

### §754. METHOD OF VOTING

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 357, §§11,19 (RP).

### §754-A. METHOD OF VOTING

Except as provided in section 753-B, subsection 8 and section 753-C, the method of voting by absentee ballot is as follows. [2005, c. 364, §9 (AMD) . ]

**1. Ballot delivered to voter or immediate family member.** When a voter or an immediate family member of a voter obtains a ballot from the clerk in person or by mail and returns that ballot to the clerk in person or by mail and receives no assistance in marking the ballot, the following procedures apply.

A. The voter shall mark that ballot according to section 691 or 692 so that it is impossible for anyone present at the time to see how the voter voted. [1997, c. 436, §112 (AMD).]

B. While the voter is marking the ballot, there may be no communication between the voter and any other individual as to the person or question for which the voter is to vote. [1985, c. 357, §§12, 19 (NEW).]

C. After the voter has completed marking the ballot, the voter shall then seal the ballot in its return envelope and complete the affidavit on the envelope. A notary or witness certification is not required unless the voter is assisted pursuant to subsection 3. [2009, c. 253, §49 (AMD).]

D. The voter or an immediate family member of the voter shall then mail or deliver in person the sealed envelope containing the voted ballot to the clerk of the municipality of which the voter is a resident. The voter shall send a completed voter registration or absentee ballot application, if necessary, in a separate envelope. [1999, c. 645, §7 (AMD).]

E. If an immediate family member of the voter returns an absentee ballot that was requested by the voter or another immediate family member of the voter, in writing or in person, the clerk shall accept the ballot. The clerk shall have the immediate family member who returned the ballot sign the application or written request and shall indicate that the ballot was returned by that person. [1999, c. 645, §7 (NEW).]

[ 2009, c. 253, §49 (AMD) .]

**2. Ballot delivered by 3rd person or returned by 3rd person.** When a ballot is delivered to the voter by a person other than the clerk or an immediate family member of the voter or is returned to the clerk by a person other than the voter, the clerk or an immediate family member of the voter and the voter receives no assistance in marking the ballot, the following procedures apply.

A. The voter must mark the ballot in the presence of the following witness or witnesses: One notary public, clerk of a municipality or clerk of courts or 2 other individuals. The voter, before marking the ballot, must show it to the witness or witnesses who must examine it to be certain it is unmarked. [1999, c. 645, §7 (AMD).]

B. While the voter is marking the ballot, there may be no communication between the voter and any other individual as to the person or question for which the voter is to vote. [1985, c. 357, §§12, 19 (NEW).]

C. The voter must mark the ballot according to section 691 or 692 so that it is impossible for anyone present at the time to see how the voter voted. The voter must then seal the ballot in its return envelope and complete the affidavit on the envelope in the presence of the witness or witnesses, who shall sign the witness certification. [1999, c. 645, §7 (AMD).]

D. The voter must then complete the address on the envelope and mail or deliver it personally or by the 3rd person who was designated in the application to the clerk of the municipality of which the voter is a resident. The voter must send a completed voter registration or absentee ballot application, if necessary, in a separate envelope. [1999, c. 645, §7 (AMD).]

[ 1999, c. 645, §7 (AMD) .]

**3. Assistance in reading or marking ballot.** A voter who is unable to read or mark the ballot because of the voter's physical disability, illiteracy or religious faith must vote according to the procedures in this subsection instead of the procedures in subsection 1 or 2.

A. A voter who needs assistance may request another person, other than the voter's employer or agent of that employer or officer or agent of the voter's union, to assist the voter in reading or marking the ballot. [1985, c. 357, §§12, 19 (NEW).]

B. The voter or the aide must mark the ballot in the presence of one of the following witnesses: Notary public, clerk of a municipality, clerk of courts or another individual. [1987, c. 736, §42 (AMD).]

C. The voter or the aide, before marking the ballot, must show it to the witness who must examine it to be certain it is unmarked. [1985, c. 357, §§12, 19 (NEW).]

D. While the voter or the aide is marking the ballot, there may be no communication between the voter and any individual, other than the aide who must mark the ballot as the voter indicates, as to the person or question for which the voter is to vote. [1985, c. 357, §§12, 19 (NEW).]

E. The voter or the aide must mark the ballot according to section 691 or 692 so that it is impossible for anyone else present to see how the voter voted, then seal the ballot in its return envelope. The voter, or the aide at the voter's request, shall complete and sign the affidavit in the presence of the witness, who shall sign the witness certification. The aide must complete and sign the certification for aides on the outside of the envelope. [1985, c. 357, §§12, 19 (NEW).]

F. The voter or the aide must then complete the address on the envelope and mail or deliver it personally or by the 3rd person who was designated in the application to the clerk of the municipality of which the voter is a resident. The voter must send a completed voter registration or absentee ballot application, if necessary, in a separate envelope. [1999, c. 645, §7 (AMD).]

[ 1999, c. 645, §7 (AMD) .]

#### SECTION HISTORY

1985, c. 357, §§12,19 (NEW). 1987, c. 736, §§41,42 (AMD). 1997, c. 436, §112 (AMD). 1999, c. 645, §7 (AMD). 2005, c. 364, §9 (AMD). 2009, c. 253, §49 (AMD).

### §755. DEADLINE

In order to be valid, an absentee ballot must be delivered to the municipal clerk at any time before the polls are closed. [1991, c. 622, Pt. X, §9 (AMD).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 624, (AMD). 1991, c. 622, §X9 (AMD).

### §756. PROCEDURE ON RECEIPT

When the clerk receives a return envelope apparently containing an absentee ballot, the clerk shall observe the following procedures. [2009, c. 538, §9 (AMD).]

**1. Time of receipt noted.** The clerk shall note the date and time of delivery on each return envelope. On request, the clerk shall give the person who delivers the ballot a receipt, stating the exact time of delivery.

[ 2009, c. 538, §9 (AMD) .]

**2. Clerk to examine signatures and affidavit.** The clerk shall compare the signature of the voter on the application, where required, with that on the corresponding return envelope. The clerk shall examine the affidavit on the return envelope. If the signatures appear to have been made by the same person and if the affidavit is properly completed, the clerk shall write "OK" and the clerk's initials on the return envelope. Otherwise, the clerk shall note any discrepancy on the return envelope.



A. If the signatures do not appear to have been made by the same person, but this discrepancy is apparently the result of the voter's having properly obtained assistance under either section 753-A, subsection 5, or section 754-A, subsection 3, or both, then the clerk shall note the discrepancy on the return envelope, but shall also write "OK" and the clerk's initials on the return envelope. [1999, c. 645, §8 (AMD).]

[ 2009, c. 538, §9 (AMD) .]

**3. Application attached.** The clerk shall attach each application, where required, to the corresponding envelope. The clerk may not open any return envelope.

[ 2009, c. 538, §9 (AMD) .]

#### **4. Lists prepared.**

[ 2001, c. 310, §55 (RP) .]

**5. Envelopes and lists delivered.** On election day, the clerk shall deliver or have delivered the return envelopes prescribed by section 752, subsection 3, with the applications, when required, attached and a copy of the list required by section 753-B, subsection 6, to the warden of the voting district in which the voter is registered, except in those municipalities where the clerk or the clerk's designee processes the absentee ballots centrally. In those municipalities where the absentee ballots are processed centrally, the clerk shall deliver or have delivered the materials described in this subsection to the person authorized by the clerk to process absentee ballots at the designated central location. After processing the absentee ballots, the warden or the clerk shall attach the copy of the list of absentee voters to the incoming voting list and seal it as provided in section 698.

[ 2003, c. 447, §32 (AMD) .]

**6. Procedure when duplicate envelopes received from same voter.** If more than one return envelope is received from the same voter who was authorized to receive a 2nd state absentee ballot pursuant to section 753-B, then the clerk or warden shall process and count the ballot from the envelope marked "second ballot issued" or bearing the latest date and time and shall reject and keep sealed the first absentee envelope. If more than one return envelope is received from the same voter who was not authorized to receive a 2nd state absentee ballot pursuant to section 753-B, then the clerk or warden shall process and count the ballot from the envelope bearing the earliest date and time. If only one return envelope is received from a voter who was authorized to receive a 2nd state absentee ballot pursuant to section 753-B, then the clerk or warden shall process and count that ballot for all offices or questions for which the voter was entitled to vote.

[ 2003, c. 447, §33 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 357, §§13,14,19 (AMD). 1999, c. 645, §8 (AMD). 2001, c. 310, §§55,56 (AMD). 2003, c. 447, §§32,33 (AMD). 2009, c. 538, §9 (AMD).

## **§757. CHALLENGES**

An absentee ballot may be challenged the same as a regular ballot under section 673. [1985, c. 161, §6 (NEW).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW).

## §758. PERSONAL VOTE REQUIRED WHEN POSSIBLE

(REPEALED)

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 357, §§15,19 (AMD). 1991, c. 466, §30 (RP).

## §759. COUNTING PROCEDURE

The following counting procedure must be observed at each voting place. [1995, c. 459, §75 (AMD).]

**1. Warden to review notes of clerk.** Unless a request to inspect applications and envelopes is made pursuant to subsection 8, the warden shall review the notes of the clerk on each return envelope according to the schedule posted under subsection 7.

[ 1995, c. 459, §76 (AMD) .]

**2. Accepted if correct.** If the warden finds that the affidavit is properly completed, that the clerk has verified that the signature on the envelope matches the signature on the application where applicable, that the person is registered and enrolled where necessary, the warden shall then examine the incoming voting list to determine whether the voter voted in person at the election. The warden shall then announce the name of each absentee voter who has not voted at the election and remove each ballot from its envelope without destroying the envelope or unfolding the ballot. After having an election clerk from a political party different from that of the warden mark the letters "AV" beside the name of each absentee voter on the incoming voting lists and place a check mark or horizontal line in red ink on the list beside the voter's name, the warden shall accept the ballot.

[ 2007, c. 455, §42 (AMD) .]

**3. Rejected if incorrect.** The warden may not open the envelope and shall write "Rejected" on it, the reason why and the warden's initials if the warden finds that:

A. The signatures do not appear to have been made by the same person and the discrepancy is not the result of the voter's having obtained assistance under section 753-A, subsection 5 or section 754-A, subsection 3, in cases where an application is required; [1999, c. 645, §9 (AMD).]

B. The affidavit is not properly completed; [1985, c. 161, §6 (NEW).]

C. The person is not registered or enrolled where necessary; [1985, c. 161, §6 (NEW).]

D. The voter has voted in person; or [1985, c. 161, §6 (NEW).]

E. The ballot was received by the clerk after the deadline. [1985, c. 161, §6 (NEW).]

[ 2009, c. 538, §10 (AMD) .]

**4. Warden to check absentee ballot for correct party or district.** At a primary election when the warden removes a ballot from its envelope, the warden shall check its color to be sure it is the ballot of the party in which the voter is enrolled. If it is not, the warden shall immediately replace it in its envelope, reseal the envelope and write "Rejected" on it, the reason why and the warden's initials. At a primary or general election, in a municipality that has more than one voting district, when the warden removes a ballot from its envelope, the warden shall check its color to be sure it is the ballot of the district in which the voter is registered. If it is not, the warden shall challenge the ballot according to section 673.

[ 2007, c. 455, §43 (AMD) .]

**5. Rejected ballots separate.** The warden shall place the return envelopes containing rejected ballots in an envelope marked "Rejected ballots." Rejected ballots may not be counted.

[ 1995, c. 459, §78 (AMD) . ]

**6. Ballots counted.** As soon as the absentee ballots are processed, they are counted the same as regular ballots.

[ 1995, c. 459, §78 (AMD) . ]

**7. Processing before close of polls.** A notice signed by the municipal clerk must be posted at least 7 days before election day in the same manner as posting the notice of election, under section 621-A, stating each specific time that the clerk intends to begin processing absentee ballots on election day. The warden shall follow the procedures required by subsections 1 to 6 to process absentee ballots before the close of the polls. The clerk shall notify the chairs of each political party of the municipality, in writing, that this procedure is to occur. This notice must be considered sufficient as long as it is mailed to the last address of each municipal chair that is known to the clerk.

[ 1997, c. 436, §113 (AMD) . ]

**8. Inspection of absentee envelopes before processing.** If a member of the public notifies the clerk before 5 p.m. on the day before election day that the person wishes to inspect absentee ballot applications and envelopes before they are processed, the warden or clerk shall allow the requestor to inspect the applications and envelopes of ballots before they are processed or for 30 minutes after the time specified in the notice for processing on election day. The warden may immediately proceed to process the ballots after the person has completed the review.

If the municipality processes absentee ballots only after the polls close on election day, then a member of the public who wishes to inspect absentee materials must notify the warden by 5 p.m. on election day that the person wishes to inspect absentee ballot applications and envelopes after the polls close. The warden shall allow the requestor to inspect the applications and envelopes for 30 minutes after the polls close. The warden may immediately proceed to process the ballots after the person has completed the review.

[ 2009, c. 538, §11 (AMD) . ]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 357, §§16,17,19 (AMD). 1991, c. 466, §§31,32 (AMD). 1991, c. 862, §7 (AMD). 1993, c. 447, §17 (AMD). 1993, c. 583, §§1,2 (AMD). 1995, c. 459, §§75-80 (AMD). 1997, c. 436, §§113,114 (AMD). 1999, c. 645, §§9,10 (AMD). 2007, c. 455, §§42, 43 (AMD). 2009, c. 538, §10, 11 (AMD).

### **§760. PROCEDURES WHEN COUNTING TO BE BY THE CLERK (REPEALED)**

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 313, (AMD). 1995, c. 459, §81 (RP).

### **§760-A. PROCEDURES WHEN CLERK PROCESSES ABSENTEE BALLOTS CENTRALLY**

The clerk shall use the following procedure when processing the absentee ballots at a central location.  
[1995, c. 459, §82 (NEW).]

**1. Envelopes retained.** The clerk shall retain possession of return absentee envelopes with the applications attached, where required, and the list required by section 753-B, subsection 6.

[ 2001, c. 310, §57 (AMD) . ]

**2. Ballot boxes provided.** The municipality shall provide an official ballot box to be used by the clerk in all state elections.

[ 1995, c. 459, §82 (NEW) . ]

**3. Incoming voting list to be marked.** The clerk shall have the incoming voting list marked to denote absentee voters prior to processing the absentee ballots.

A. The municipal clerk shall use one of the following procedures to mark the incoming voting list for absentee ballots received prior to election day, except that a clerk who is in a contested election for the office of clerk must follow the procedures specified in subparagraph (2) when marking the incoming voting list for absentee ballots received prior to election day.

(1) On the day immediately preceding, the municipal clerk shall mark the incoming voting list with an "AV" beside the name of each voter who has voted by absentee ballot as of that date. The municipal clerk shall keep the marked list and shall send a copy of the marked list to the polls with the incoming voting list; or

(2) On election day, at or prior to the times the municipal clerk has designated under section 759, subsection 7 for processing absentee ballots, the municipal clerk shall make a separate list, by voting place, of all absentee ballots received to date. The clerk shall deliver each list, in duplicate, to the warden at the appropriate voting place. The warden and an election clerk shall compare the list of absentee voters with the incoming voting list and shall mark the incoming voting list with an "AV" beside the name of each voter who has voted by absentee ballot.

The warden and the election clerk shall then certify on each copy of the absentee voting list that they marked the incoming voting list as described in this paragraph. The warden shall then retain one copy of the absentee voter list with the incoming voting list and deliver the 2nd copy to the municipal clerk. The municipal clerk shall follow this process on election day as often as needed to mark the incoming voting lists to account for all absentee ballots. [1995, c. 459, §82 (NEW) . ]

B. In a municipality that has an island voting district, the municipal clerk may communicate the information required to process the absentee ballots by telephone to the island warden and notify the island warden of the names of the absentee voters so that the incoming voting list may be marked in accordance with this subchapter. [2005, c. 453, §59 (AMD) . ]

[ 2005, c. 453, §59 (AMD) . ]

**4. Counting procedure.** After the incoming voting list has been marked according to the procedures in subsection 3, the municipal clerk shall then proceed to process the absentee ballots using the procedures set forth in sections 759 and 762 at the next time scheduled under section 759, subsection 7. The ballots must be processed publicly so that all those present may observe the proceedings.

[ 2007, c. 455, §44 (AMD) . ]

#### SECTION HISTORY

1995, c. 459, §82 (NEW). 2001, c. 310, §57 (AMD). 2005, c. 453, §59 (AMD). 2007, c. 455, §44 (AMD).

## §760-B. PROCEDURES WHEN CLERK PROCESSES ABSENTEE BALLOTS PRIOR TO ELECTION DAY

Any municipality or jurisdiction that conducts its own elections may opt to process absentee ballots beginning on the 3rd day immediately prior to election day, except that processing on a Sunday is not permitted. The clerk shall use the following procedure when processing the absentee ballots during this time. [ 2015, c. 406, §1 (AMD) . ]

**1. Time for processing.** In a municipality that has opted to process absentee ballots on one or more of the days prior to election day authorized by this section, the municipal clerk or the clerk's designees may process absentee ballots at the times designated by the clerk, between the hours of 9:00 a.m. and 9:00 p.m., except that if an inspection is requested pursuant to subsection 3, processing may not begin until after the inspection period has concluded.

[ 2015, c. 406, §1 (AMD) . ]

**2. Notice of early processing.** The clerk must give notice of the municipality's intent to process absentee ballots prior to election day using the notice of election under section 621-A, stating the days and times that the clerk intends to begin processing absentee ballots and the inspection period provided in subsection 3. At least 60 days before election day, the clerk shall provide a copy of the notice of election to the Secretary of State and the chairs of each political party of the municipality indicating that early processing of absentee ballots will occur. The notice to the political parties must be considered sufficient as long as it is mailed to the last address of each municipal chair that is known to the clerk. The notice to the Secretary of State may be delivered by mail or facsimile or as a scanned attachment to an e-mail address established by the Secretary of State. If the notice is not received by the Secretary of State by 5:00 p.m. on the 60th day before election day, the municipality may not process absentee ballots prior to election day.

[ 2015, c. 406, §1 (AMD) . ]

**3. Inspection of absentee envelopes before processing.** A member of the public may make a written request of the clerk to inspect absentee ballot applications and envelopes before they are processed if the request is made by 9:00 a.m. on each day that the clerk will process absentee ballots as specified on the notice of election prior to election day. The clerk shall make the absentee ballot applications and envelopes received by that time available for public inspection for one hour before the starting time specified in the notice of election for processing the absentee ballots. The clerk may immediately proceed to process the ballots after the one-hour inspection time has elapsed.

[ 2015, c. 406, §1 (AMD) . ]

**4. Processing and other procedures.** The clerk shall use the procedure described in this section when processing the absentee ballots during the designated times. Procedures for handling full ballot boxes, pollwatching and challenging ballots are conducted in the same manner as election day or as close as practicable.

[ 2009, c. 538, §13 (AMD) . ]

**5. Counting and results prohibited before the polls close.** The absentee ballots may not be counted, voter intent may not be determined and election results may not be obtained or released until after the polls have closed on election day and all election day ballots have been cast and all absentee ballots have been processed. A municipality that uses a high-speed ballot tabulator and receives results at the completion of the ballot scanning may not view the results until after the polls close on election day.

[ 2015, c. 406, §1 (AMD) . ]

**6. Security of processed ballots and tabulating equipment.** At the conclusion of absentee ballot processing on any day prior to election day, the clerk shall ensure that the early processed absentee ballots are locked and sealed in the ballot box, automatic tabulating equipment ballot box or tamper-proof containers provided by the Secretary of State and secured in a vault or other locked secure location, until the voting resumes on election day or until the ballots are counted after the polls close. The Secretary of State shall publish uniform guidelines for securing ballots and other materials under this subsection.

[ 2015, c. 406, §1 (AMD) .]

#### SECTION HISTORY

2007, c. 455, §45 (NEW). 2009, c. 253, §§50, 51 (AMD). 2009, c. 538, §§12, 13 (AMD). 2013, c. 131, §23 (AMD). 2013, c. 457, §4 (AMD). 2015, c. 406, §1 (AMD).

## §761. DECEASED VOTER; BALLOT REJECTED

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 2007, c. 455, §46 (RP).

## §762. IRREGULARITIES DISREGARDED

An absentee ballot may not be rejected for any immaterial irregularity in completing the application or affidavit on the return envelope. The following information must be on the envelope for the ballot to be accepted: [1985, c. 161, §6 (NEW).]

**1. Name and address.** The voter's name and residence address typed or written in ink by the clerk in the designated section of the return envelope;

[ 2007, c. 455, §47 (AMD) .]

**2. Signature.** The voter's signature; and

[ 1991, c. 466, §33 (AMD) .]

**3. Reason.**

[ 1991, c. 466, §34 (RP) .]

**4. Witness signatures.** The witness or other certifying official's signature, when required.

[ 1995, c. 459, §83 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1991, c. 466, §§33,34 (AMD). 1995, c. 459, §83 (AMD). 2007, c. 455, §47 (AMD).

## §763. RETURN OF ELECTION MATERIALS

As soon as the ballots have been counted, the applications, where required, absentee ballots, return envelopes, lists required by sections 753-B and 756 and other election materials must be repacked, in accordance with section 698, and returned to the clerk. The clerk shall keep them in the clerk's office for the time required by section 23. [1999, c. 645, §11 (AMD).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 614, §21 (RPR). 1999, c. 645, §11 (AMD).

## **§764. APPLICATIONS AND ENVELOPES AS PUBLIC RECORDS**

Absentee ballot applications and absentee ballot return envelopes are public records until the close of voting on election day, or until the ballots have been processed on election day, if the municipality processes absentee ballots before 8:00 p.m. After that time, except as provided in section 759, subsection 8, the applications and envelopes are not public records and may be inspected only in accordance with this Title. [1997, c. 436, §115 (AMD).]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1991, c. 466, §35 (AMD). 1997, c. 436, §115 (AMD).

## **Article 2: VOTING BY MEMBERS OF THE ARMED FORCES**

### **§776. APPLICABILITY OF PROVISIONS**

This article applies to uniformed service voters or overseas voters who are covered by the federal Uniformed and Overseas Citizens Absentee Voting Act, 42 United States Code, Section 1973ff (2001). The Secretary of State is responsible for carrying out the State's duties under that Act. [2003, c. 407, §26 (AMD).]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 2003, c. 407, §26 (AMD).

### **§777. METHODS OF REGISTRATION AND ENROLLMENT**

*(REPEALED)*

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 695, §32 (AMD). 2003, c. 407, §27 (RP).

### **§777-A. REGISTRATION AND ENROLLMENT**

Notwithstanding the registration deadline in section 121-A, uniformed service voters or overseas voters may register or enroll at any time prior to 5 p.m. on election day by completing a federal or state voter registration application form and filing it with the registrar or the Secretary of State in person, by mail or by electronic means authorized by the Secretary of State. [2015, c. 447, §30 (AMD).]

### SECTION HISTORY

2003, c. 407, §28 (NEW). 2009, c. 563, §3 (AMD). 2011, c. 534, §21 (AMD). 2015, c. 447, §30 (AMD).

### **§778. DUTY OF REGISTRAR**

On receipt of an application under section 777-A, the registrar or the Secretary of State in consultation with the registrar shall register the applicant, unless it appears that the applicant is not qualified. If the applicant is not qualified, the registrar or the Secretary of State shall notify the applicant of the reason for rejection of the application. [2009, c. 563, §4 (AMD).]

**1. Member specially designated.** The registrar or the Secretary of State shall designate a uniformed service voter in the central voter registration system with the letter "S".

[ 2009, c. 563, §4 (AMD) .]

**2. Overseas voter specially designated.** The registrar or the Secretary of State shall designate an overseas voter in the central voter registration system with the letter "O".

[ 2009, c. 563, §4 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 2003, c. 407, §29 (AMD). 2005, c. 453, §§60,61 (AMD). 2009, c. 563, §4 (AMD).

### **§779. NAME MAY BE ADDED AT ANY TIME**

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 2003, c. 407, §30 (RP).

### **§780. ABSENTEE BALLOTS; APPLICATION**

A uniformed service voter or an overseas voter may request an absentee ballot as provided in section 753-A or by submitting a federal application or form requesting an absentee ballot as provided in section 783. With respect to any election for federal office, a clerk or the Secretary of State may not refuse to accept or process any otherwise valid voter registration application or absentee ballot application submitted by a uniformed service voter or an overseas voter on the grounds that the voter submitted the application more than 3 months before the election for which the application will be used. An application or request for an absentee ballot for a uniformed service voter or overseas voter that is accepted pursuant to section 753-A or section 783 remains valid for 18 months from the date of receipt of the application and entitles the voter to receive absentee ballots for all federal and state elections during that period. [2013, c. 131, §24 (AMD).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 2003, c. 407, §31 (RPR). 2009, c. 563, §5 (AMD). 2013, c. 131, §24 (AMD).

### **§780-A. USE OF BLANK WRITE-IN ABSENTEE BALLOT**

Prior to the time when regular absentee ballots are available, if an applicant requests a blank write-in absentee ballot or indicates that it takes more than 6 weeks to receive and return mail to the applicant's location, the Secretary of State shall send a blank write-in absentee ballot to the voter or shall transmit the regular absentee ballot by an authorized electronic means if the voter has designated that the voter wishes to receive that ballot by that means. [2009, c. 563, §6 (AMD).]

#### SECTION HISTORY

2003, c. 407, §32 (NEW). 2009, c. 563, §6 (AMD).

### **§781. ABSENTEE BALLOTS; PROCEDURE ON RECEIPT**

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 2003, c. 407, §33 (RP).



## §781-A. ABSENTEE BALLOT APPLICATION; PROCEDURE ON RECEIPT

Notwithstanding the absentee ballot application deadline in section 753-B, subsection 2, paragraph D, upon receipt of an application or written request for an absentee ballot prior to 5 p.m. on election day from a uniformed service voter or overseas voter that is accepted pursuant to section 753-A or section 783, the clerk or the Secretary of State shall immediately issue an absentee ballot and return envelope by the authorized means designated by the voter in the application. If the ballot is to be transmitted to the voter by mail, the clerk or the Secretary of State shall type or write in ink the name and the residence address of the voter in the designated section of the return envelope. The Secretary of State shall provide a return envelope that moves free of postage under federal law. [2015, c. 447, §31 (AMD).]

### SECTION HISTORY

2003, c. 407, §34 (NEW). 2009, c. 563, §7 (AMD). 2011, c. 534, §22 (AMD). 2015, c. 447, §31 (AMD).

## §782. ABSENTEE BALLOTS; PROCEDURE ON RETURN

On receipt of a return envelope apparently containing an absentee ballot, the clerk or the Secretary of State shall follow the procedures for regular absentee voting under this subchapter. [2009, c. 563, §8 (AMD).]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 2003, c. 407, §35 (AMD). 2009, c. 563, §8 (AMD).

## §783. AUTHORITY OF SECRETARY OF STATE

The Secretary of State may act administratively to facilitate voting by uniformed service voters and overseas voters and may use federal or other facilities available for this purpose. These administrative actions may include, but are not limited to: [2009, c. 563, §9 (AMD).]

**1. Central issuance of absentee ballots.** Issuing absentee ballots to uniformed service voters and overseas voters from a central location in order to ensure expedited delivery of absentee ballots;

[ 2009, c. 563, §9 (NEW) .]

**2. Central receipt of absentee ballots.** Receiving absentee ballots from uniformed service voters and overseas voters at a central location in order to ensure that the ballots are received by the statutory deadline;

[ 2009, c. 563, §9 (NEW) .]

**3. Central counting of absentee ballots.** Counting absentee ballots from uniformed service voters and overseas voters at a central location and including the count of these votes in the statewide tabulation of the vote;

[ 2009, c. 563, §9 (NEW) .]

**4. Electronic transmission of absentee ballots.** Authorizing the electronic transmission of absentee ballots to uniformed service voters or overseas voters; and

[ 2009, c. 563, §9 (NEW) .]

**5. Electronic receipt of absentee ballots.** Authorizing the electronic receipt of voted absentee ballots from uniformed service voters or overseas voters by a method authorized by the Secretary of State.

[ 2015, c. 350, §1 (AMD) .]

The Secretary of State shall adopt rules to administer the central issuance and processing of absentee ballots, including rules that provide for the examination, counting and storage of ballots in the same manner as regular absentee ballots. Rules adopted in accordance with this section are routine technical rules as described by Title 5, chapter 375, subchapter 2-A. [2009, c. 563, §9 (NEW).]

## SECTION HISTORY

1985, c. 161, §6 (NEW). 2003, c. 407, §35 (AMD). 2009, c. 563, §9 (AMD). 2015, c. 350, §1 (AMD).

## Article 3: VIOLATIONS AND PENALTIES

## §791. VIOLATIONS AND PENALTIES

**1. Class E crime.** The commission of any act described as follows in this subsection is a Class E crime:

A. [1991, c. 466, §36 (RP).]

B. A municipal clerk who, when a person has voted by absentee ballot in the clerk's presence under section 753-B, subsection 8, signs the clerk's name to an affidavit on the absentee ballot return envelope when the affidavit is not properly completed; or [1999, c. 645, §12 (AMD).]

C. A 3rd person, designated in an application or request for an absentee ballot, who receives an absentee ballot from the clerk in accordance with that application or request, and who, without good cause, fails to return that absentee ballot to the clerk's office within the time limit provided in section 755. [1985, c. 161, §6 (NEW).]

[ 1999, c. 645, §12 (AMD) .]

**2. Class D crime.** A person commits a Class D crime if that person:

A. Delivers, receives, accepts, notarizes or witnesses an absentee ballot for any compensation. This paragraph does not apply to a governmental employee handling ballots in the course of that employee's official duties or a person who handles absentee ballots before the unvoted ballots are delivered to the municipality or after the voted ballots are returned to the clerk. [1993, c. 473, §46 (AFF); 1993, c. 473, §37 (RPR).]

B. [1993, c. 473, §46 (AFF); 1993, c. 473, §37 (RP).]

C. [1993, c. 473, §46 (AFF); 1993, c. 473, §37 (RP).]

[ 1993, c. 473, §46 (AFF); 1993, c. 473, §37 (RPR) .]

**3. Class C crime.** A person commits a Class C crime if that person:

A. Forges the name of another on an absentee ballot, the return envelope or the application for an absentee ballot; or [1993, c. 473, §38 (NEW); 1993, c. 473, §46 (AFF).]

B. Is a candidate who, notwithstanding this subchapter, delivers, receives, accepts, notarizes, assists or witnesses an absentee ballot, other than the candidate's own absentee ballot, furnished by the clerk of a municipality in this State. This paragraph does not apply to an elected municipal clerk who is a candidate for reelection to the office of municipal clerk, where there is no other candidate for that office. In a contested election for the office of clerk, a clerk may not be exempted from the provisions of this paragraph but shall instead appoint a deputy or an assistant to whom the municipality shall pay all associated costs for the duration of the deputy's or assistant's temporary employment in that capacity. [2009, c. 253, §52 (AMD).]

[ 2009, c. 253, §52 (AMD) .]

## SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 357, §§18,19 (AMD). 1987, c. 364, (AMD). 1987, c. 572, (AMD). 1991, c. 466, §36 (AMD). 1993, c. 473, §§37,38 (AMD). 1993, c. 473, §46 (AFF). 1999, c. 645, §12 (AMD). 2009, c. 253, §52 (AMD).

## Subchapter 5: PRESIDENTIAL ELECTORS

### §801. ELECTION

In a presidential election year, the presidential electors shall be chosen at the general election. [1985, c. 161, §6 (NEW).]

**1. Vote for presidential candidate construed.** A vote for the candidate for President is a vote for the presidential electors nominated by the candidate's political party or by petition.

[ 2001, c. 516, §17 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 2001, c. 516, §17 (AMD).

### §802. REPRESENTATION

One presidential elector shall be chosen from each congressional district and 2 at large. [1985, c. 161, §6 (NEW).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW).

### §803. DUTIES OF GOVERNOR

As soon as possible after the presidential electors are chosen, the Governor shall send a certificate of the determination of the electors to the Archivist of the United States under the state seal. The certificate shall state the names of the electors and the number of votes which each received. The Governor shall deliver 6 certificates under the state seal to the electors on or before the first Monday after the 2nd Wednesday of December, following their election. [1989, c. 166, §6 (AMD).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 166, §6 (AMD).

### §804. MEETING IN CONVENTION

The presidential electors shall convene in the House Chamber in Augusta at 2 p.m. on the first Monday after the 2nd Wednesday of December following their election. If any electors are not present, the electors present shall fill the vacancy by majority vote. [1993, c. 447, §18 (AMD).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 447, §18 (AMD).

### §805. CONVENTION DUTIES

The duties of the presidential electors in convention are as follows. [1985, c. 161, §6 (NEW).]

**1. Separate ballots.** When convened as required by section 804, the presidential electors shall each cast separate ballots for President and Vice President, at least one of whom must not be a resident of this State.

[ 1985, c. 161, §6 (NEW) .]

**2. Presidential electors.** The presidential electors at large shall cast their ballots for the presidential and vice-presidential candidates who received the largest number of votes in the State. The presidential electors of each congressional district shall cast their ballots for the presidential and vice-presidential candidates who received the largest number of votes in each respective congressional district.

[ 1985, c. 161, §6 (NEW) .]

**3. Certificate prepared and sent.** The presidential electors shall make and subscribe to 6 certificates containing the number of votes cast separately for President and Vice President. They shall attach one of the lists of electors furnished them by the Governor to each certificate. They shall seal each certificate and attached list in an envelope stating that a certificate of the votes of this State for President and Vice President is contained inside.

[ 1985, c. 161, §6 (NEW) .]

**4. Envelope sent immediately.**

[ 1989, c. 166, §7 (RP) .]

**4-A. Certificates sent immediately.** The presidential electors shall send immediately by registered mail one certificate to the President of the Senate of the United States and 2 certificates to the Archivist of the United States in Washington, D.C. The presidential electors shall deliver 2 certificates to the Secretary of State, who shall hold one of them subject to the order of the President of the Senate of the United States and shall retain the other for public inspection for one year. The presidential electors shall deliver one certificate to the Chief Judge of the United States District Court for the District of Maine.

[ 1989, c. 166, §8 (NEW) .]

**5. Envelope sent next day.**

[ 1989, c. 166, §9 (RP) .]

SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 166, §§7-9 (AMD).

## §806. COMPENSATION OF ELECTORS AND EMPLOYEES

The presidential electors shall be paid \$10 a day for each day actually and necessarily employed in the performance of their duties and necessary expenses, including travel expenses, at the same rate as that paid to members of the Legislature. The presidential electors may hire necessary clerical employees who shall be paid a reasonable compensation established by the electors. [1985, c. 161, §6 (NEW).]

SECTION HISTORY

1985, c. 161, §6 (NEW).

## Subchapter 6: VOTING DEVICES

### §808. DEFINITIONS

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings. [1991, c. 347, §5 (NEW).]

**1. Automatic tabulating equipment.** "Automatic tabulating equipment" means any apparatus that automatically examines and counts votes recorded on paper ballots and tabulates the results.

[ 2001, c. 310, §58 (AMD) . ]

**1-A. Accessible voting system.** "Accessible voting system" means a voting system that is accessible for individuals with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation, including privacy and independence, as for other voters.

[ 2007, c. 455, §48 (NEW) . ]

**2. Ballot or paper ballot.** "Ballot" or "paper ballot" means the printed paper ballot on which votes may be recorded in the layout and format required to conform to the electronic voting system in use.

[ 1991, c. 347, §5 (NEW) . ]

**3. Ballot card.**

[ 2001, c. 310, §59 (RP) . ]

**4. Ballot labels.** "Ballot labels" means the pages, cards or other material containing the names of offices and candidates and the referendum questions to be voted on that are placed on the voting device to conform with the voting system in use.

[ 1991, c. 347, §5 (NEW) . ]

**5. Counting center.** "Counting center" means one or more locations selected by the municipal officers for the automatic counting of ballots.

[ 1991, c. 347, §5 (NEW) . ]

**5-A. Direct recording electronic voting machine.** "Direct recording electronic voting machine" means a system that records votes by means of a ballot display provided with mechanical, electro-optical or electro-audio components that can be activated by the voter, that processes data by means of a computer program and that records voting data in memory components. A direct recording electronic voting machine produces a tabulation of the voting data stored in a removable memory component and on a printed copy.

[ 2003, c. 651, §1 (NEW) . ]

**6. Electronic tabulating system.** "Electronic tabulating system" means a mark-sense voting system where the paper ballots are subsequently counted and tabulated by an electronic tabulating device at one or more counting centers. "Electronic tabulating system" includes all the software and firmware required to program and control the equipment in the respective system.

[ 2001, c. 310, §60 (AMD) . ]

**7. Marking device.** "Marking device" means any special marking implements or fluorescent or opaque inks that are required for marking paper ballots, depending on the type of system in use.

[ 2001, c. 310, §61 (AMD) . ]

**8. Mark-sense voting system.** "Mark-sense voting system" means a system in which votes are recorded on paper ballots by making marks in special voting response locations using a marking device. The votes on the paper ballots are subsequently counted and tabulated by an electronic tabulating device at one or more counting centers.

[ 1995, c. 459, §84 (AMD) .]

**8-A. Mechanical lever voting machine.** "Mechanical lever voting machine" means a machine that directly records a voter's choices via mechanical lever-actuated controls into a counting mechanism that tallies the votes without using a physical ballot.

[ 2003, c. 651, §2 (NEW) .]

**8-B. Punch card voting machine.** "Punch card voting machine" means a machine that transmits a voter's choices onto either a prescored or unscored ballot via mechanically punched holes that are then read and tallied by the machine.

[ 2003, c. 651, §2 (NEW) .]

### **9. Punch card voting system.**

[ 2001, c. 310, §62 (RP) .]

**10. Voting device.** "Voting device" means the voting machine or electronic tabulating system apparatus that the voters use to record their votes on paper ballots or on a tabulating card.

[ 1995, c. 459, §84 (AMD) .]

**11. Voting machine.** "Voting machine" means an apparatus on which voters cast their votes that records each vote by means of mechanical or electronic counters and furnishes a total of the number of votes cast for each candidate and for and against each referendum measure.

[ 2001, c. 310, §63 (AMD) .]

**12. Voting system.** "Voting system" means the total combination of mechanical, electromechanical or electronic equipment, including the software, firmware and documentation required to program, control and support the equipment, that is used to define or produce ballots, to cast and count votes, to report or display election results and to maintain and produce any audit trail information.

[ 2007, c. 455, §49 (NEW) .]

#### SECTION HISTORY

1991, c. 347, §5 (NEW). 1995, c. 459, §84 (AMD). 2001, c. 310, §§58-63 (AMD). 2003, c. 651, §§1,2 (AMD). 2007, c. 455, §§48, 49 (AMD).

## **§809. APPROVAL OF VOTING DEVICES**

**1. Rules.** The Secretary of State and the Attorney General together may adopt rules governing approval of voting machines under section 813 and electronic tabulating systems under section 844. The Secretary of State may adopt rules requiring independent testing of voting machines and electronic tabulating systems in use or proposed for use in the State and indicating which voting machines and electronic tabulating systems are approved for use by municipalities.

[ 1995, c. 459, §85 (AMD) .]

**2. Use of approved voting machines and systems.** Voting machines and systems approved and recommended pursuant to rules adopted under subsection 1 may be used by any municipality in a state election. Voting machines and electronic tabulating systems that have not been approved for use may not be used by any municipality.

[ 1995, c. 459, §85 (AMD) . ]

**3. Publication of list.**

[ 1995, c. 459, §86 (RP) . ]

**3-A. Proscribed voting machines.** The following types of voting machines may not be used in the conduct of state elections:

A. Mechanical lever voting machines; and [ 2003, c. 651, §3 (NEW) . ]

B. Punch card voting machines. [ 2003, c. 651, §3 (NEW) . ]

[ 2003, c. 651, §3 (NEW) . ]

**4. Application.** This section applies only to those voting devices in use by the municipality after October 1, 1987.

[ 1991, c. 347, §5 (NEW) . ]

SECTION HISTORY

1991, c. 347, §5 (NEW). 1995, c. 459, §§85,86 (AMD). 2003, c. 651, §3 (AMD).

## **§809-A. CERTAIN ELECTRONIC CONNECTIONS AND INTERNET VOTING PROHIBITED**

**1. Electronic connections prohibited.** Connections of any voting devices, as defined by section 808, via the Internet to centralized vote collection equipment may not be employed by election officials of the State. Networking of voting machines, Internet-enabled or otherwise, is prohibited.

[ 2003, c. 651, §4 (NEW) . ]

**1-A. Prohibition not applicable.** For the purpose of providing a voting system equipped for individuals with disabilities as required by section 812-A, subsection 1 and the federal Help America Vote Act of 2002, Public Law 107-252, the prohibition in subsection 1 does not apply to the connection of individual voting devices to a central server when the central server is operated or managed by the Secretary of State.

[ 2015, c. 350, §2 (AMD) . ]

**2. Electronic returns.** A vote total that is transmitted electronically is not considered an official return. The official return of votes cast must be prepared in accordance with section 711. Nothing in this section may be construed to prevent the electronic filing of unofficial returns.

[ 2003, c. 651, §4 (NEW) . ]

**3. Internet voting.** Use of the Internet for the casting of votes online is prohibited. This subsection does not apply to a ballot-marking system or software that is used for voters with disabilities, uniformed service voters or overseas voters to mark a ballot online and securely transmit the marked ballot to a central server operated or managed by the Secretary of State, as long as the system does not tabulate the votes marked on those ballots.

[ 2015, c. 350, §3 (AMD) .]

#### SECTION HISTORY

2003, c. 651, §4 (NEW). 2005, c. 683, §11 (AMD). 2007, c. 455, §50 (AMD). 2015, c. 350, §§2, 3 (AMD).

## Article 1: VOTING MACHINES

### §810. APPROVAL OF VOTING DEVICES

#### SECTION HISTORY

1987, c. 96, §1 (NEW). 1991, c. 347, §6 (RP).

### §811. OBTAINING AND USING

A municipality may obtain and use voting machines according to the following provisions. [1985, c. 161, §6 (NEW).]

**1. Purchased or rented.** The municipality may either purchase or rent voting machines.

[ 1985, c. 161, §6 (NEW) .]

**2. Use authorized.** The voting machines shall be used at each type of election authorized by the legislative body of the municipality. Once authorization has been given for use of the machines at any type of election, that authorization continues until specifically revoked by the legislative body.

[ 1985, c. 161, §6 (NEW) .]

**3. Use in one or more districts.** A municipality which has more than one voting district may use voting machines in one or more of the districts as determined by its legislative body.

[ 1985, c. 161, §6 (NEW) .]

**4. Provided by municipality.** In those municipal voting districts using voting machines, the municipal officers of each municipality must provide at least one voting machine for each 450, or fraction exceeding 1/2 of that number, of the voters qualified to vote at each voting place.

[ 1985, c. 161, §6 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW).

### §812. REQUIREMENTS FOR MACHINES

A voting machine used in the conduct of state elections must meet the following requirements. [2003, c. 651, §5 (AMD).]



**1. Secrecy.** It must be constructed so that each voter may vote in secrecy.

[ 1985, c. 161, §6 (NEW) . ]

**2. Voting limited.** It must permit a voter to vote once and only once for each candidate and each question for whom or on which he is entitled to vote. It must prevent a voter from voting for more persons for an office than there are offices to be filled.

[ 1985, c. 161, §6 (NEW) . ]

**3. Write-in vote.** It must permit a voter to vote for a write-in candidate.

[ 1985, c. 161, §6 (NEW) . ]

**4. Form and content of ballot label.** The titles of offices may be arranged horizontally with the names of candidates for an office arranged vertically under the title of the office, or the titles of offices may be arranged vertically with the names of candidates for an office arranged horizontally opposite the title of the office, or the titles of offices and the names of candidates for an office may be arranged in any horizontal and vertical combination as may be determined advisable by the Secretary of State.

The names of candidates must be printed in the order provided by law and, in general elections, the party designation of each candidate, which may be abbreviated, must be printed following the candidate's name. If there are more candidates for an office than can be printed in one column or on one ballot page, the ballot label must be clearly marked that the list of candidates is continued on the following column or page and, so far as possible, the same number of names must be printed on each column or page. Arrows may be used to indicate the place to vote for each candidate and on each measure.

[ 1995, c. 459, §87 (AMD) . ]

**4-A. Ballot labels for separate elections.**

[ 2003, c. 651, §6 (RP) . ]

**5. Voting restricted at primary.** It must prevent a voter from voting for the nomination of candidates of more than one party at a primary election.

[ 1985, c. 161, §6 (NEW) . ]

**6. Unauthorized voting prohibited.** It must prevent a voter from voting for any office or upon any question for whom or on which he is not entitled to vote.

[ 1985, c. 161, §6 (NEW) . ]

**7. Change of vote permitted.** It must permit a voter to change or retract a vote he has attempted to cast for any person, or on any question, before his vote has been completed and registered.

[ 1985, c. 161, §6 (NEW) . ]

**8. Device for printing or photographing candidate or question counters.** It may be provided with a device or devices for printing and photographing candidate and question counters which will provide a record before the polls open and after the polls close.

[ 1985, c. 161, §6 (NEW) . ]

**9. Official approval required.** It must be of an identical type approved by the Secretary of State and the Attorney General.

[ 1985, c. 161, §6 (NEW) .]

**10. Paper audit trail.** Except for an accessible voting system that must be provided by 2006 in compliance with the federal Help America Vote Act of 2002 as provided in section 812-A, subsection 1, it must produce or employ permanent paper records of the votes cast that are able to be verified by individual voters before their votes are cast and that provide a manual audit capacity for the machine. In the case of direct recording electronic voting machines, those records must also identify the individual machines that produced them without revealing the identities of the voters who cast the ballots. In all cases, these records must be reviewed in the event of a recount and considered in conjunction with the machine-produced tally.

[ 2007, c. 455, §51 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §§87,88 (AMD). 2003, c. 651, §§5-7 (AMD). 2005, c. 445, §1 (AMD). 2007, c. 455, §51 (AMD).

## §812-A. ACCESSIBLE VOTING SYSTEM

**1. Accessible voting system at each polling place.** The Secretary of State, in compliance with the voting accessibility requirements of the federal Help America Vote Act of 2002, shall provide one direct recording electronic voting machine, or other accessible voting system equipped for individuals with disabilities, for use at each polling place used in the conduct of state elections. Such machines must produce permanent paper records that provide a manual audit capacity for the machines and must also provide voters with audio functions that enable the voters to verify their ballots aurally before the votes are cast, and all such machines must meet the requirements of section 812, subsection 10 unless the Secretary of State is unable to procure machines that the Secretary of State determines are adequate to meet the requirements of this section and section 812 in time to comply with the Help America Vote Act of 2002.

Additional accessible voting machines may be used in the conduct of state elections, but those machines must meet the requirements set forth in section 812.

[ 2007, c. 455, §52 (AMD) .]

### 2. Moratorium.

[ 2003, c. 651, §8 (NEW); T. 21-A, §812-A, sub-§2 (RP) .]

**3. Accessible feature for casting write-in vote.** As an accommodation for persons with disabilities, the audio ballot for the accessible voting system under subsection 1 may be programmed to provide an aural presentation of the names of any declared write-in candidates at the end of the list of candidates whose names were listed on the printed ballot so that the voter may cast a vote for a declared write-in candidate in the same manner as voting for a listed candidate. If there is no declared write-in candidate for an office, the audio ballot may provide aural instructions to that effect.

[ 2009, c. 253, §53 (NEW) .]

#### SECTION HISTORY

2003, c. 651, §8 (NEW). 2005, c. 445, §2 (AMD). 2007, c. 455, §52 (AMD). 2009, c. 253, §53 (AMD).

### §813. RULES ON USE

The Secretary of State may make reasonable rules governing the use of voting machines in accordance with the Maine Administrative Procedure Act. [1991, c. 347, §7 (AMD).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1991, c. 347, §7 (AMD).

### §814. CUSTODY

The municipal clerk has custody of a voting machine used by the municipality. [1985, c. 161, §6 (NEW).]

**1. Storage and maintenance.** He is responsible for the proper storage and maintenance of each machine.

A. He shall have each machine locked, sealed and stored in a safe, dry building. [1985, c. 161, §6 (NEW).]

B. He shall have each machine kept in proper operating condition. [1985, c. 161, §6 (NEW).]

[ 1985, c. 161, §6 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW).

### §815. EXPENSE OF STORAGE AND MAINTENANCE

The municipality shall pay reasonable expenses for the storage and maintenance of the machines as authorized by the clerk. [1985, c. 161, §6 (NEW).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW).

### §816. OPERATING INSTRUCTIONS

The clerk must hold a meeting before an election whenever it is necessary to instruct election officials in the operation of voting machines. [1985, c. 161, §6 (NEW).]

**1. Permission to use machines refused.** The clerk may not permit a voting machine to be used at any voting place, unless he is satisfied that the election officials at that voting place know how to operate the machine properly and how to instruct a voter in operating it.

[ 1985, c. 161, §6 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW).

### §817. BALLOT LABELS

The Secretary of State shall furnish the ballot labels for all except municipal elections. [1985, c. 161, §6 (NEW).]

**1. Content of label.** The ballot label must contain the names of the candidates or nominees of each political party arranged as nearly as practicable in accordance with the requirements for paper ballots, except that the voting square shall be in the position required by the construction of the machine and subject to section 812, subsection 4.

[ 1985, c. 161, §6 (NEW) .]

**2. Referendum question.** A referendum question must be arranged so that the voter may vote for or against it.

[ 1985, c. 161, §6 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW).

### §817-A. TEST OF VOTING MACHINES

The clerk shall test the voting machines using a sample of the ballot cards furnished by the Secretary of State in the same manner as set forth in section 854 regarding the testing of electronic tabulating equipment.

[1995, c. 459, §89 (NEW).]

#### SECTION HISTORY

1995, c. 459, §89 (NEW).

### §818. ARRANGEMENT OF VOTING PLACE

The municipal officers shall arrange each voting place in compliance with section 627, except that voting booths need not be furnished. [1985, c. 161, §6 (NEW).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW).

### §819. SECRECY PRESERVED

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1999, c. 645, §13 (RP).

### §820. WARDEN TO POST SPECIMEN BALLOTS OR LABELS

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1997, c. 436, §116 (RP).

### §821. DELIVERY

The municipal clerk shall perform the following duties concerning the delivery of voting machines.

[1985, c. 161, §6 (NEW).]

**1. Delivery.** The municipal clerk shall have the voting machines delivered to each voting place at least 12 hours before the polls are opened on election day. At the time of delivery, the ballot labels must be in place on each machine.

[ 1995, c. 459, §90 (AMD) .]

**2. Arrangements of machines.** The clerk shall arrange each voting machine so that each ballot label, when not in use, and the exterior of the machine are completely visible to the election officials.

[ 1985, c. 161, §6 (NEW) .]

**3. Machines locked.** After the voting machines have been placed in the proper position at the voting place, the clerk shall make certain that each machine is ready for use when the polls open and he shall then lock each machine.

[ 1985, c. 161, §6 (NEW) .]

**4. Keys to voting machines.** At least 1/2 hour before the polls are opened on election day, the clerk shall deliver the keys to each machine in a sealed envelope to the warden at the voting place.

[ 1985, c. 161, §6 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §90 (AMD).

## §822. PREPARATION FOR VOTING

When it is time for the polls to open, the warden shall open the envelope containing the keys to the voting machines in the presence of an election clerk from a political party other than that of the warden. The warden shall ensure that the correct ballot labels were delivered by comparing them with the sample ballot. [1997, c. 436, §117 (AMD).]

**1. Counters exposed.** If the number on the seal agrees with the number on the envelope, the warden shall open the doors concealing the counters, inspect the machine and sign a certificate provided by the Secretary of State showing that all counters are set at "000," that the number of the public counter agrees with the number on the envelope and that all parts of the machine and the ballot labels are in proper condition for voting.

A. If the machine is provided with a device or devices for printing or photographing candidate and question counters, it is not necessary to open the door concealing the counters. The warden and the election clerk shall proceed to operate the mechanism provided to produce one "before election inspection record" showing whether the candidate and question counters register "000" and sign the certificate as prescribed by the Secretary of State. [1985, c. 161, §6 (NEW).]

[ 2009, c. 253, §54 (AMD) .]

**2. Machine satisfactory.** If the machine is in satisfactory condition for voting, the warden shall immediately permit its use, after closing the doors concealing the counters.

[ 1985, c. 161, §6 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §91 (AMD). 1997, c. 436, §117 (AMD). 2009, c. 253, §54 (AMD).

## §823. DIRECTIONS FOR VOTING

A voter must follow the same procedure before voting as if paper ballots were being used. He is entitled to the same assistance in voting by machine as by paper ballot. [1985, c. 161, §6 (NEW).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW).

## §824. CHALLENGE OF RIGHT TO VOTE

A voter who is challenged in a voting precinct where voting machines are used may not use the voting machine for casting his vote, but must use an official paper ballot. [1985, c. 161, §6 (NEW).]

### SECTION HISTORY

1985, c. 161, §6 (NEW).

## §825. ACTIVATION OF MACHINES

The voting machines shall be activated by the warden or an election clerk designated by him. [1985, c. 161, §6 (NEW).]

**1. Primary election.** In a primary election, the warden or, in his absence, a designated election clerk must activate each voting machine so that a voter can vote only for the candidates of the political party in which he is enrolled.

[ 1985, c. 161, §6 (NEW) .]

### SECTION HISTORY

1985, c. 161, §6 (NEW).

## §826. PROCEDURE FOR TABULATING VOTES

The following regulations outline the procedure for tabulating votes at an election in which voting machines are used. [1985, c. 161, §6 (NEW).]

**1. Counters exposed.** As soon as the polls are closed, the warden shall unlock each machine to prevent further voting. He shall then open the counters on each voting machine so that anyone present can see the totals. If the machine is provided with a device for printing or photographing candidate and question counters, it is not necessary to open the door concealing the counters. The warden and an election clerk from a political party other than that of the warden shall proceed to operate the mechanism provided to produce a record of the votes cast on the candidate and question counters. This record may be considered an official statement or certificate of returns for that machine and may be endorsed, delivered and filed as required by the Secretary of State.

[ 1985, c. 161, §6 (NEW) .]

**2. Totals announced.** The warden shall announce the total for each candidate in the order shown on the ballot label, for each referendum question and for each declared write-in candidate. As each total is read, it must be recorded by an election clerk from a political party other than that of the warden.

[ 2009, c. 253, §55 (AMD) .]

**3. Totals checked.** When all the totals for a voting machine have been read and recorded, the election clerk shall check the totals recorded by him with those appearing on the machine. If the totals do not agree, the election clerk shall record the number of the machine at the top of the column of totals recorded from it.

[ 1985, c. 161, §6 (NEW) .]

**4. Machine locked.** After allowing any person to compare the record with the totals shown on the machine, the warden shall close and lock it with the totals remaining on it and proceed to tabulate the next machine in the same manner.

[ 1985, c. 161, §6 (NEW) .]

**5. Paper ballots counted.** After the totals for all voting machines have been recorded and checked, all absentee and other official paper ballots shall be counted.

[ 1985, c. 161, §6 (NEW) .]

**6. Total announced.** As soon as the paper ballots have been counted, the total vote for each candidate and on each referendum question shall be tabulated and the result announced by the warden.

[ 1985, c. 161, §6 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 2009, c. 253, §55 (AMD).

## §827. PROCEDURE AFTER ELECTION

The following procedure shall be observed after an election at which voting machines are used.  
[1985, c. 161, §6 (NEW).]

**1. Keys sealed in envelope.** In the presence of an election clerk from a political party other than that of the warden, the warden shall enclose the keys to each voting machine in separate envelopes furnished by the municipal clerk. The warden shall write the number of each machine, the location of the voting place in which it was used, the number on the seal and the numbers registered on the public counter on the outside of each envelope.

[ 2009, c. 253, §56 (AMD) .]

**2. Envelopes signed.** After sealing each envelope securely, the warden and the election clerk shall sign their names on it and the warden shall have it immediately returned to the municipal clerk.

[ 1985, c. 161, §6 (NEW) .]

**3. Counter totals preserved.** The totals shown on the counters of a voting machine must be retained for 22 months after the election at which the machine is used.

A. If the occurrence of another election requires the removal of the counter totals within 22 months after an election, the municipal clerk must have them photographed in his presence and in the presence of the warden and an election clerk of a party other than that of the warden. The warden must make a statement showing the number and counter totals of each machine as it is photographed. He must sign the statement, have it attested and deliver it to the municipal clerk who shall record it. As soon as the photographs are printed legibly, the municipal clerk shall remove the totals and retain the photographs for the balance of the 22-month period. If the machines were equipped with a device or devices which had produced a printed or photographed record of the vote shown on the candidate and question counters, the municipal clerk shall remove the totals and retain the printed or photographed record for the balance of the 22-month period.

Notwithstanding the requirements of this paragraph, counter totals for municipal elections conducted under this Title, referenda elections or special legislative elections shall be kept for 2 months. [1985, c. 614, §22 (AMD).]

[ 1985, c. 614, §22 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 614, §22 (AMD). 2009, c. 253, §56 (AMD).

**§828. SECURITY FOR KEYS**

The municipal clerk shall keep the keys to each voting machine in a vault or safe that is kept securely locked when the keys are not being removed from or replaced in it. The municipal clerk may not allow any unauthorized person to have possession of the keys to any voting machine. [2009, c. 538, §14 (AMD).]

**1. Keys returned.** A person who is authorized to have possession of the keys to a voting machine must return them to the clerk when the person no longer needs them for the authorized purpose.

[ 2009, c. 538, §14 (AMD) .]

## SECTION HISTORY

1985, c. 161, §6 (NEW). 2009, c. 538, §14 (AMD).

**§829. VIOLATION AND PENALTY**

**1. Altering voting machine.** A person may not alter, adjust, operate, move, unlock or unseal a voting machine or any part of a voting machine with the intent of changing the outcome of any election.

[ 2003, c. 447, §34 (NEW) .]

**2. Attempting to alter voting machine.** A person may not attempt to alter, adjust, operate, move, unlock or unseal a voting machine or any part of a voting machine with the intent of changing the outcome of an election.

[ 2003, c. 447, §34 (NEW) .]

**3. Penalty.** A person who violates this section commits a Class B crime.

[ 2003, c. 447, §34 (NEW) .]

## SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 473, §39 (AMD). 1993, c. 473, §46 (AFF). 2003, c. 447, §34 (RPR).

**§830. APPLICATION OF PROVISIONS TO VOTING BY MACHINE**

The provisions of this Title which are not inconsistent with this Article apply to all elections where voting machines are used. [1985, c. 161, §6 (NEW).]

## SECTION HISTORY

1985, c. 161, §6 (NEW).

**Article 2: ELECTRONIC TABULATING SYSTEMS****§841. DEFINITIONS**

*(REPEALED)*

## SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 96, §2 (AMD). 1991, c. 347, §8 (RP).



## §842. OBTAINING AND USING

A municipality may obtain and use electronic tabulating systems according to the following provisions. [1995, c. 459, §93 (AMD).]

**1. Purchased or rented.** The municipality may either purchase or rent voting devices.

[ 1985, c. 161, §6 (NEW) .]

**2. Use authorized.** The voting devices may be used at each type of election authorized by the legislative body of the municipality. Once authorization has been given for use of the devices at any type of election, that authorization continues until specifically revoked by the legislative body.

[ 1985, c. 161, §6 (NEW) .]

**3. Use in one or more districts.** A municipality which has more than one voting district may use voting devices in one or more of the districts as determined by its legislative body.

[ 1985, c. 161, §6 (NEW) .]

**4. Provided by municipality.**

[ 1995, c. 459, §94 (RP) .]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §§93,94 (AMD).

## §843. REQUIREMENTS FOR DEVICES

An electronic tabulating system purchased or rented by a municipality must meet the following requirements. [1995, c. 459, §95 (AMD).]

**1. Secrecy.** It must be used so that each voter may vote in secrecy.

[ 1985, c. 161, §6 (NEW) .]

**2. Voting limited.** It must permit each voter to vote at any election for all persons and offices for whom and for which the voter is entitled to vote; to vote for as many persons for an office as the voter is entitled to vote for; to vote for or against any question upon which the voter is entitled to vote; and the electronic tabulating equipment must reject choices recorded on the voter's ballot, if the number of choices exceeds the number for which the voter is entitled to vote for the office or on the measure.

[ 1995, c. 459, §96 (AMD) .]

**3. Write-in vote.** It must permit a voter to vote for a write-in candidate.

[ 1985, c. 161, §6 (NEW) .]

**4. Voting restricted at primary.** It must prevent a voter from voting for the nomination of candidates of more than one party at a primary election.

[ 1985, c. 161, §6 (NEW) .]

**5. Unauthorized voting prohibited.** It must prevent a voter from voting for any office or upon any question for whom or on which he is not entitled to vote.

[ 1985, c. 161, §6 (NEW) .]

**6. Change of vote permitted.** It must permit a voter to change or retract a vote the voter has attempted to cast, in accordance with section 693, before the voter's ballot has been deposited in the electronic tabulating device.

[ 1995, c. 459, §96 (AMD) .]

**7. Official approval required.** It must be of an identical type approved by the Secretary of State and the Attorney General.

[ 1985, c. 161, §6 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §§95,96 (AMD).

### §844. REGULATIONS OF SECRETARY OF STATE

The Secretary of State may make reasonable rules governing the use of electronic tabulating systems in accordance with the Maine Administrative Procedure Act. [1995, c. 459, §97 (AMD).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1991, c. 347, §9 (AMD). 1995, c. 459, §97 (AMD).

### §845. CUSTODY

The municipal clerk has custody of voting devices used by the municipality. [1985, c. 161, §6 (NEW) .]

**1. Storage and maintenance.** The municipal clerk is responsible for the proper storage and maintenance of each device.

A. The municipal clerk shall store each device in a safe, dry building. [1995, c. 459, §98 (AMD) .]

B. The municipal clerk shall keep each device in proper operating condition. [1995, c. 459, §98 (AMD) .]

[ 1995, c. 459, §98 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §98 (AMD).

### §846. EXPENSE OF STORAGE AND MAINTENANCE

The municipality shall pay reasonable expenses for the storage and maintenance of the devices as authorized by the clerk. [1985, c. 161, §6 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW).

## §847. OPERATING INSTRUCTIONS

The clerk must hold a meeting before an election whenever it is necessary to instruct election officials in the operation of voting devices. [1985, c. 161, §6 (NEW).]

**1. Permission to use devices refused.** The clerk may not permit a voting device to be used at any voting place unless he is satisfied that the election officials at that voting place know how to operate the device properly and how to instruct a voter in operating it.

[ 1985, c. 161, §6 (NEW) .]

### SECTION HISTORY

1985, c. 161, §6 (NEW).

## §848. BALLOT FORMAT FOR ELECTRONIC TABULATING SYSTEMS

The Secretary of State shall furnish all ballot materials for all elections conducted under this Title. Ballots furnished for use with electronic tabulating systems must be arranged as nearly as practicable in accordance with the requirements for candidate ballots under section 601 and for referendum ballots under section 906. 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. [2001, c. 310, §64 (RPR).]

### 1. Ballot format.

[ 2001, c. 310, §64 (RP) .]

### 2. Content of label.

[ 1995, c. 459, §101 (RP) .]

### 3. Ballot labels for separate elections.

[ 1995, c. 459, §101 (RP) .]

### 4. Referendum question.

[ 2001, c. 310, §64 (RP) .]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §§99-101 (AMD). 2001, c. 84, §1 (AMD). 2001, c. 310, §64 (RPR).

## §849. ARRANGEMENT OF VOTING PLACE

The municipal officers shall arrange each voting place in compliance with section 627. [1985, c. 161, §6 (NEW).]

### SECTION HISTORY

1985, c. 161, §6 (NEW).

## §850. SECRECY PRESERVED

The warden at each voting place may not remain or allow any other person to remain where the warden or person can see how anyone votes, except that a proper official may remain when the official's assistance has been requested by a voter. [2009, c. 538, §15 (AMD).]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 2009, c. 538, §15 (AMD).

## §851. PREPARATION FOR ELECTIONS

The municipal clerk shall perform the following duties in preparing for an election. [1985, c. 161, §6 (NEW).]

**1. Ballots and supplies.** The municipal clerk shall have the electronic tabulating devices prepared for the election and shall deliver the tabulating devices, voting booths, tamper-proof ballot boxes, ballots, secrecy ballot envelopes, marking devices and other records and supplies as required to conform with the tabulating system in use and applicable laws.

[ 1995, c. 459, §102 (AMD) .]

**2. Ballot cards.**

[ 1995, c. 459, §103 (RP) .]

**3. Write-in ballots.**

[ 1995, c. 459, §103 (RP) .]

**4. Voting booths.**

[ 1995, c. 459, §103 (RP) .]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §§102,103 (AMD).

## §852. PROCEDURE AT THE POLLING PLACE

The following governs the procedure for the conduct of elections in which an electronic tabulating system is used. [1995, c. 459, §104 (AMD).]

**1. Preparation for voting.** Before the polls are opened, the election officials shall arrive at the polling place and place the voting devices in position for voting. The officials shall ensure that the devices are in proper working order and that the correct ballots were delivered. They shall open and check the ballots, supplies, records and forms and post the sample ballots and instructions to voters.

[ 1997, c. 436, §118 (AMD) .]

**2. Instruction of voters.** If requested, election officials shall instruct a voter on how to operate the electronic tabulating system before the voter enters the voting booth. If the voter needs additional instruction after entering the voting booth, election officials may, if necessary, enter the booth and give the voter additional instructions in accordance with section 672.

[ 1995, c. 459, §104 (AMD) .]

**3. Depositing ballots in electronic voting device.** After the voter has marked the ballot, the voter may place the ballot inside the secrecy envelope provided to maintain the voter's confidentiality and deposit the ballot in the electronic tabulating device. A voter may request the assistance of an election official if the voter has difficulty placing the ballot into the electronic tabulating device.

[ 1995, c. 459, §104 (AMD) .]

**4. Spoiled ballots.** If a voter spoils a ballot, the procedures set forth in section 693 must be followed.

[ 1995, c. 459, §104 (AMD) .]

**5. Closing of polls.** As soon as the polls have closed and the last qualified voter has voted, the warden shall proceed to supervise the counting of the ballots under the observation of the public. The warden shall run the official tally tape from each electronic tabulating device and shall record the total votes from the tape on the tally sheet provided by the Secretary of State. The official tally tape must be signed by the warden and one election clerk from each of the major parties and must be packed in a tamper-proof ballot box with the other election materials pursuant to section 698, subsection 2-A. The warden shall run an additional copy of the tally tape to provide to the clerk with the tally sheets and the return of votes cast and may run additional copies of the tally tape to post for public review. All unused ballots must be packaged and sealed pursuant to section 698, subsection 2-B for return to the municipal clerk. The ballot box for the electronic voting device must be opened at the polling place. The regular counted ballots are placed in the tamper-proof ballot boxes and all unread or red-lined ballots requiring hand counting or ballots containing write-in votes that must be recorded on a write-in tally sheet are counted by the election clerks. The election clerks count in teams of 2, consisting of one election clerk from each of the major parties. If it appears that any ballot is damaged so that it can not be properly counted by the electronic tabulating device, the ballot must be counted manually. Once all of the hand counting has been completed, the election clerks shall complete the tally sheets. The tabulations must be signed by the warden and the 2 election clerks who counted the ballots. The election officials shall complete and sign the other election forms as provided in this Title, and shall return the ballots and other materials to the clerk packed pursuant to section 698, subsections 2-A and 2-B and the incoming voting list packed pursuant to section 698, subsection 3.

[ 2001, c. 516, §18 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §104 (AMD). 1997, c. 436, §118 (AMD). 2001, c. 310, §65 (AMD). 2001, c. 516, §18 (AMD).

### **§853. DELIVERY OF BALLOTS OR BALLOT CARDS TO THE COUNTING CENTER**

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §105 (RP).

### **§854. TEST OF ELECTRONIC TABULATING EQUIPMENT**

The clerk shall have the electronic tabulating equipment tested prior to the polls opening to ascertain that it accurately counts the votes cast for all offices and on all measures. The test must be conducted by processing a preaudited group of ballots marked to record a predetermined number of valid votes for each candidate and on each measure. In the presence of one or more witnesses, the clerk shall clearly mark each ballot used for testing with the word "TEST" across the front side of the ballot in black or blue indelible ink. The test must include one or more ballots that have votes for each office in excess of the number allowed by law in order to test the ability of the electronic tabulating equipment to reject those votes. In this test, valid votes must be assigned to each candidate for an office and for and against each measure. If any error

is detected, the cause for the error must be ascertained and corrected and an errorless count must be made and certified by the clerk before the polls open on election day. The test ballots, the hand tally and the tapes generated as a result of the tests must be packed and sealed in a container labeled "Test Ballots." The container must remain sealed for at least 2 months after the election, unless needed for recount purposes. The tests provided for in this section must be open to the public. [2011, c. 342, §30 (AMD).]

**SECTION HISTORY**

1985, c. 161, §6 (NEW). 1995, c. 459, §106 (AMD). 2011, c. 342, §30 (AMD).

**§855. PROCEEDINGS AT THE COUNTING CENTER**

*(REPEALED)*

**SECTION HISTORY**

1985, c. 161, §6 (NEW). 1995, c. 459, §107 (RP).

**§855-A. PROCEEDINGS AFTER THE CLOSE OF THE POLLS**

*(REPEALED)*

**SECTION HISTORY**

1995, c. 459, §108 (NEW). 2001, c. 310, §66 (RP).

**§856. OFFICIAL RETURNS**

Copies of the election results must be open to the public as soon as the count is completed. The warden shall prepare the official return pursuant to section 711. The official return of each voting district is derived from the totals from the official tally tape, the totals from the hand-tallies of all red-lined or unread ballots and the tally sheets used to record all valid write-in votes. Once the clerk has made the attested copies of the precinct returns, if applicable, and the total municipality return and filed these attested copies with the Secretary of State, the return becomes the official return for that municipality. [2001, c. 310, §67 (RPR).]

**SECTION HISTORY**

1985, c. 161, §6 (NEW). 1995, c. 459, §109 (AMD). 2001, c. 310, §67 (RPR).

**§857. MANUAL COUNTING AUTHORIZED**

If for any reason it becomes impracticable to count all or a part of the ballots with electronic tabulating equipment, the clerk shall have them counted manually following the provisions governing the counting of paper ballots. [1995, c. 459, §109 (AMD).]

**SECTION HISTORY**

1985, c. 161, §6 (NEW). 1995, c. 459, §109 (AMD).

**§858. ABSENTEE VOTES**

*(REPEALED)*

**SECTION HISTORY**

1985, c. 161, §6 (NEW). 1993, c. 447, §19 (RP).

## §858-A. COUNTING PROCEDURE FOR ABSENTEE BALLOTS

The procedure for processing absentee ballots for use with electronic voting systems is the same as for processing absentee ballots as provided in section 759. [1995, c. 459, §110 (NEW).]

### 1. Warden to review notes of clerk.

[ 1995, c. 459, §110 (RP) .]

### 2. Accepted if correct.

[ 1995, c. 459, §110 (RP) .]

### 3. Rejected if incorrect.

[ 1995, c. 459, §110 (RP) .]

### 4. Primary election provisions.

[ 1995, c. 459, §110 (RP) .]

### 5. Rejected ballots separate.

[ 1995, c. 459, §110 (RP) .]

### 6. Ballots counted.

[ 1995, c. 459, §110 (RP) .]

### 7. Processing before close of polls.

[ 1995, c. 459, §110 (RP) .]

### 8. Inspection after polls close.

[ 1995, c. 459, §110 (RP) .]

#### SECTION HISTORY

1993, c. 447, §20 (NEW). 1995, c. 459, §110 (RPR).

## §859. RECOUNTS

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 459, §111 (RP).

## §860. VIOLATION AND PENALTY

**1. Tampering with voting device.** Before, during or after an election, a person may not intentionally or knowingly:

A. Tamper with or injure a voting device, ballot or other record or equipment used in the election or interfere with the correct operation of such a device or equipment or the secrecy of voting; or [ 2003, c. 447, §35 (NEW).]

B. Attempt to interfere with the correct operation of a voting device or equipment or the secrecy of voting. [2003, c. 447, §35 (NEW).]

[ 2003, c. 447, §35 (NEW) .]

**2. Penalty.** A person who violates subsection 1 commits a Class B crime.

[ 2003, c. 447, §35 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 473, §40 (AMD). 1993, c. 473, §46 (AFF). 1995, c. 459, §112 (AMD). 2003, c. 447, §35 (RPR).

## **§861. APPLICATION OF PROVISIONS TO VOTING BY ELECTRONIC VOTING SYSTEM**

The provisions of this Title which are not inconsistent with this Article apply to all elections where an electronic voting system is used. [1985, c. 161, §6 (NEW).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW).

## **§862. PUNCH CARD VOTING SYSTEMS**

*(REPEALED)*

#### SECTION HISTORY

1995, c. 459, §113 (NEW). 1999, c. 645, §14 (RP).



## Chapter 11: BALLOT QUESTIONS

### §901. PETITIONS

To initiate proceedings for a people's veto referendum or the direct initiative of legislation, provided in the Constitution of Maine, Article IV, Part Third, Sections 17 and 18, a voter shall submit a written application to the Department of the Secretary of State on a form designed by the Secretary of State. The application must contain the names, addresses and signatures of 5 voters, in addition to the applicant, who are designated to receive any notices in proceedings under this chapter. For a direct initiative, the application must contain the full text of the proposed law and a summary that explains the purpose and intent of the direct initiative. The voter submitting the application shall sign the application in the presence of the Secretary of State, the Secretary of State's designee or a notary public. [2009, c. 253, §57 (AMD).]

On receipt, the Secretary of State or the Secretary of State's designee shall review the application and determine the form of the petition to be submitted to the voters. The date the approved form of the petition is provided to the voter submitting the application is the date of issuance for the purposes of this chapter. [1993, c. 695, §34 (AMD).]

**1. Limitation on petitions.** An application for a people's veto referendum petition must be filed in the Department of the Secretary of State within 10 business days after adjournment of the legislative session at which the Act in question was passed. A direct initiative of legislation must meet the filing deadlines specified in the Constitution of Maine, Article IV, Part Third, Section 18.

[ 1997, c. 581, §2 (AMD) . ]

**2. Furnished within 10 days.**

[ 1993, c. 352, §1 (RP) . ]

**3. Forms printed by voters.**

[ 1993, c. 352, §1 (RP) . ]

**3-A. Review for proper form.** The Secretary of State shall review the proposed law for a direct initiative of legislation within 15 business days after receipt of the application and either reject the application or provide a first revised draft of the initiative legislation to the applicant within that time. The Secretary of State may reject the application if the Secretary of State determines that the proposed law:

A. Does not conform to the form prescribed by the Secretary of State; or [ 1993, c. 352, §1 (NEW) . ]

B. Does not conform to the essential aspects of the drafting conventions established for the Maine Revised Statutes. The drafting conventions include but are not limited to:

- (1) Correct allocation to the statutes and correct integration with existing statutes;
- (2) Bill titles and statute section headnotes that objectively reflect the content of the bill, section or sections to which they apply;
- (3) Conformity to the statutory numbering system; and
- (4) Ensuring that bills enacting statutes do not contain provisions that describe intent or make testimonial statements without creating a legal requirement or duty. [ 1993, c. 352, §1 (NEW) . ]

By consent of the applicant the proposed law may be modified to conform with the requirements of this section. The Secretary of State may request assistance from the Revisor of Statutes in reviewing the proposed law.

The applicant shall submit each subsequent draft of the legislation to the Secretary of State for review following the same process. The Secretary of State shall review each subsequent draft from the applicant and provide a revised draft or written response suggesting how the proposed law may be modified to conform to the requirements of this section within 10 business days. The applicant must give written consent to the final language of the proposed law to the Secretary of State before the petition form is designed by the Secretary of State.

[ 2009, c. 253, §58 (AMD) . ]

**3-B. Approved petitions printed by voters.** A voter must print the petitions in the form approved by the Secretary of State.

[ 1993, c. 352, §1 (NEW) . ]

**4. Ballot question.** The ballot question for an initiative or a people's veto referendum must be drafted by the Secretary of State in accordance with section 906 and rules adopted in accordance with the Maine Administrative Procedure Act. The Secretary of State shall provide the ballot question to the applicant for a people's veto referendum within 10 business days after receipt of a properly completed application. If an initiative is filed with the Secretary of State and certified pursuant to the Constitution of Maine, Article IV, Part Third, Section 18 as having a sufficient number of signatures and is not enacted without change by the Legislature at the session at which it is presented, then the Secretary of State shall propose a ballot question to be submitted for public comment as provided in section 905-A.

[ 2007, c. 234, §2 (AMD) . ]

**5. Summary of proposal.** For a direct initiative, the Secretary of State shall request the Revisor of Statutes to recommend a concise summary that objectively describes the content of the proposed law. The Secretary of State shall approve or amend the summary, and the summary and the fiscal impact statement required by Title 1, section 353 must be printed on the petition form immediately following the statements required by section 901-A.

[ 2009, c. 341, §4 (AMD) . ]

**6. Rejection.** If the Secretary of State rejects an application under this section, the Secretary of State shall provide a written statement of the reasons for the decision.

[ 1993, c. 352, §1 (NEW) . ]

**7. Court review.** A voter named in the application under this section may appeal any decision made by the Secretary of State under this section using the procedures for court review provided for in section 905, subsections 2 and 3.

[ 1993, c. 352, §1 (NEW) . ]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1991, c. 862, §8 (AMD). 1993, c. 352, §1 (AMD). 1993, c. 695, §§33,34 (AMD). 1997, c. 581, §§2-4 (AMD). 2007, c. 234, §§1-3 (AMD). 2009, c. 253, §§57, 58 (AMD). 2009, c. 341, §4 (AMD).

## §901-A. PETITION REQUIREMENTS FOR DIRECT INITIATIVES OF LEGISLATION

The following provisions apply to direct initiatives of legislation under the Constitution of Maine, Article IV, Part Third, Section 18. [2005, c. 356, §1 (NEW) . ]

**1. Opportunity to read direct initiative summary.** A person circulating a petition must provide the voter the opportunity to read the proposed direct initiative summary and fiscal impact statement required by section 901 prior to that voter signing the petition. The summary presented to the voter must be as it appears on a publicly accessible website established by the Secretary of State.

[ 2009, c. 341, §5 (AMD) .]

**2. Required statements; placement of information.** On each page of a petition that contains space intended for voter signatures, the Secretary of State shall include a space at the top right or left corner of each such page to be submitted to the voters, which must be filled in with the name of the circulator collecting signatures on that petition and a unique identifying number, and include the fiscal impact of the initiative as described in Title 1, section 353 directly below the following statement at the top of the petition in a type size of no less than 16 points:

"Freedom of Citizen Information: Before a registered voter signs any initiative petition, signature gatherers must offer the voter the opportunity to read the proposed initiative summary and fiscal impact statement prepared by the Secretary of State."

[ 2009, c. 611, §1 (AMD) .]

#### SECTION HISTORY

2005, c. 356, §1 (NEW). 2007, c. 234, §4 (AMD). 2009, c. 341, §5 (AMD).  
2009, c. 611, §1 (AMD).

## §902. VERIFICATION AND CERTIFICATION

The verification and certification of the petition as required by the Constitution of Maine, Article IV, Part Third, Section 20 must be worded so that a single verification or certification may cover one or more pages fastened together as a single petition. [2017, c. 277, §4 (AMD).]

The petitions must be signed in the same manner as are nonparty nomination petitions under section 354, subsections 3 and 4. The circulator of a petition must sign the petition and verify by oath or affirmation before a notary public or other person authorized by law to administer oaths or affirmations that the circulator personally witnessed all of the signatures to the petition and that to the best of the circulator's knowledge and belief each signature is the signature of the person whose name it purports to be and that each signature authorized under section 153-A was made by the authorized signer in the presence and at the direction of the voter. After administering the oath to the circulator, the notary public or other authorized person must sign the notarial certificate on the petition while in the presence of the circulator. After the petition is signed and verified in this manner, the petition must be submitted to the registrar for certification in accordance with the Constitution of Maine, Article IV, Part Third, Section 20. If the petitions submitted to the registrar are not signed and verified in accordance with this paragraph, the registrar may not certify the petitions and is required only to return the petitions. The clerk or registrar shall keep a log of petitions submitted to the municipal office for verification. The log must contain the title of the petition, the name of the person submitting the petition, the date of submission, the number of petition forms submitted and the date and manner by which the petitions were returned. The notary public or other authorized person who administered the oath to the circulator must keep a log of petitions for which that person administered the circulator's oath, listing the title of the petition, the name of the circulator taking the oath, the date of the oath and the number of petition forms signed and verified by the circulator that day. [2017, c. 277, §4 (AMD).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1997, c. 581, §5 (AMD). 2009, c. 611, §2 (AMD).  
2011, c. 342, §31 (AMD). 2017, c. 277, §4 (AMD).

## §902-A. COPIES OF PETITIONS REQUIRED

If the registrar or clerk suspects that a petition was submitted in violation of any provision of this chapter, the registrar or clerk shall immediately notify the Secretary of State and provide a copy of the petition to the Secretary of State. [2009, c. 611, §3 (NEW).]

### SECTION HISTORY

2009, c. 611, §3 (NEW).

## §903. INSTRUCTIONS TO BE PRINTED ON

The Secretary of State shall prepare complete instructions to inform the clerk and the signer or circulator of a petition of the statutory and constitutional requirements. The instructions must specify the conditions which have been held to invalidate either individual signatures or complete petitions. The instructions must be printed in bold type or capital letters on the petition. [1985, c. 161, §6 (NEW).]

### SECTION HISTORY

1985, c. 161, §6 (NEW).

## §903-A. CIRCULATION

Petitions issued under this chapter may be circulated by any Maine resident who is a registered voter acting as a circulator of a petition. A circulator of a petition solicits signatures for the petition by presenting the petition to the voter, asking the voter to sign the petition and personally witnessing the voter affixing the voter's signature to the petition. The circulator of the petition must comply with the provisions of section 902. [2015, c. 99, §1 (AMD).]

### **1. Filing.**

[ 2007, c. 234, §5 (RP) .]

### **2. Invalid petition.**

[ 2007, c. 234, §5 (RP) .]

**3. Information to circulators.** An applicant for a direct initiative or a people's veto referendum pursuant to section 901 shall provide to each person who will be circulating petitions a copy of the laws and rules governing the circulation of petitions for a direct initiative or people's veto as provided by the Secretary of State. The Secretary of State shall provide a copy of the laws and rules governing the circulation of petitions for a direct initiative or people's veto when an approved petition form is provided to an applicant for a direct initiative or people's veto referendum. The copy of the laws and rules provided by the Secretary of State may also include comments that may aid in the comprehension of those laws and rules.

[ 2005, c. 575, §1 (NEW) .]

### SECTION HISTORY

1989, c. 92, §1 (NEW). 1993, c. 695, §35 (AMD). 1993, c. 695, §38 (AFF). 1997, c. 637, §1 (AMD). 2005, c. 575, §1 (AMD). 2007, c. 234, §5 (AMD). 2015, c. 99, §1 (AMD).

## §903-C. DIRECT INITIATIVE AND PEOPLE'S VETO PETITION ORGANIZATION REQUIRED TO BE REGISTERED

A petition organization shall register with the Secretary of State in accordance with this section. For the purposes of this section, "petition organization" means a business entity that receives compensation for organizing, supervising or managing the circulation of petitions for a direct initiative of legislation or a people's veto referendum. [2009, c. 611, §4 (NEW).]

**1. Registration.** Prior to organizing, supervising or managing the circulation of petitions for a direct initiative of legislation or a people's veto referendum, a petition organization, in addition to meeting any other requirement to transact business in this State, shall register with the Secretary of State on a form prescribed by the Secretary of State. The registration form must include the following:

A. The ballot question or title of each direct initiative of legislation or people's veto referendum for which the petition organization will receive compensation; [2009, c. 611, §4 (NEW).]

B. Contact information for the petition organization, including the name of the petition organization, street address or post office box, telephone number and e-mail address; [2015, c. 99, §2 (AMD).]

C. The name and signature of a designated agent for the petition organization; and [2015, c. 99, §2 (AMD).]

D. A list containing the names of all individuals hired by the petition organization to assist in circulating petitions or in organizing, supervising or managing the circulation. The list must be updated and resubmitted to the Secretary of State when the petitions are filed pursuant to the Constitution of Maine, Article IV, Part Third, Section 17 or 18. [2015, c. 99, §2 (NEW).]

The information contained in the registration form must be made available for public inspection and must be posted on the publicly accessible website of the Secretary of State.

[ 2015, c. 99, §2 (AMD) .]

### SECTION HISTORY

2009, c. 611, §4 (NEW). 2015, c. 99, §2 (AMD).

## §903-D. NOTARIES PUBLIC

**1. Notaries public.** A notary public or other person authorized by law to administer oaths or affirmations is prohibited from notarizing or certifying a petition under section 902:

A. If employed or compensated by a petition organization for any purpose other than notarial acts; [2017, c. 277, §5 (NEW).]

B. If providing services or offering assistance to a ballot question committee established to influence the ballot measure for which the petitions are being circulated or employed by or receiving compensation from such a ballot question committee for any purpose other than notarial acts; or [2017, c. 277, §5 (NEW).]

C. If a treasurer, principal officer, primary fundraiser or primary decision maker to a ballot question committee established to influence the ballot measure for which petitions are being circulated. [2017, c. 277, §5 (NEW).]

[ 2017, c. 277, §5 (NEW) .]

### SECTION HISTORY

2017, c. 277, §5 (NEW).

## §904. VIOLATIONS AND PENALTIES

A person commits a Class E crime if that person: [ 2007, c. 455, §53 (RPR) . ]

**1. False swearing; signature.** Circulates an initiative or referendum petition and swears that a signature is that of a person whose name it purports to be when the circulator knows that the signature is not that of the person;

[ 2007, c. 455, §53 (RPR) . ]

**2. False acknowledgement of oath.** Is authorized by law to administer oaths and willfully and falsely acknowledges the oath of a circulator of an initiative or referendum petition when that oath was not made in the presence of that person;

[ 2007, c. 455, §53 (RPR) . ]

**3. False signature.** Knowingly signs an initiative or referendum petition with a name other than the person's own name;

[ 2007, c. 455, §53 (RPR) . ]

**4. Duplicate signature.** Knowingly signs the person's name more than once on initiative or referendum petitions for the same measure; or

[ 2007, c. 455, §53 (RPR) . ]

**5. False swearing; signature made in circulator's presence.** Circulates an initiative or referendum petition and willfully swears that a signature to the petition was made in the circulator's presence when it was not.

[ 2007, c. 455, §53 (NEW) . ]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 2007, c. 455, §53 (RPR).

## §904-A. PAYMENT PER SIGNATURE; PROHIBITION (REPEALED)

### SECTION HISTORY

1993, c. 599, §1 (NEW). 1997, c. 61, §1 (AMD). 2001, c. 516, §19 (RP).

## §904-B. PAYMENT FOR SIGNATURE; PROHIBITION

A circulator of an initiative or a referendum petition or a person who causes the circulation of an initiative or referendum petition may not pay or offer to pay any compensation to a person for the person's signature on the initiative or referendum petition. [1993, c. 599, §2 (NEW) . ]

### SECTION HISTORY

1993, c. 599, §2 (NEW) .

## §905. REVIEW OF INITIATIVE AND REFERENDUM PETITIONS

**1. Secretary of State.** The Secretary of State shall review all petitions filed in the Department of the Secretary of State for a people's veto referendum under the Constitution of Maine, Article IV, Part Third, Section 17, or for a direct initiative under the Constitution of Maine, Article IV, Part Third, Section 18.

The Secretary of State shall determine the validity of the petition and issue a written decision stating the reasons for the decision within 30 days from the date of filing of a written petition in the Department of the Secretary of State under the Constitution of Maine, Article IV, Part Third, Section 17 or 18.

The Secretary of State may invalidate a petition if the Secretary of State is unable to verify the notarization of that petition.

[ 2017, c. 277, §6 (AMD) . ]

**2. Superior Court.** Any voter named in the application under section 901, or any person who has validly signed the petitions, if these petitions are determined to be invalid, or any other voter, if these petitions are determined to be valid, may appeal the decision of the Secretary of State by commencing an action in the Superior Court. This action must be conducted in accordance with the Maine Rules of Civil Procedure, Rule 80C, except as modified by this section. In reviewing the decision of the Secretary of State, the court shall determine whether the description of the subject matter is understandable to a reasonable voter reading the question for the first time and will not mislead a reasonable voter who understands the proposed legislation into voting contrary to that voter's wishes. This action must be commenced within 10 days of the date of the decision of the Secretary of State. Upon timely application, anyone may intervene in this action when the applicant claims an interest relating to the subject matter of the petitions, unless the applicant's interest is adequately represented by existing parties. The court shall issue its written decision containing its findings of fact and stating the reasons for its decision within 40 days of the date of the decision of the Secretary of State.

[ 2009, c. 611, §6 (AMD) . ]

**3. Supreme Judicial Court.** Any aggrieved party may appeal the decision of the Superior Court, on questions of law, by filing a notice of appeal within 3 days of that decision. The appellant must file the required number of copies of the record with the clerk within 3 days after filing notice of appeal. After a notice of appeal is filed, the parties have 10 days to file briefs with the clerk of courts. As soon as the record and briefs have been filed, the court shall immediately consider the case. The standard of review shall be the same as for the Superior Court. The court shall issue its decision within 30 days of the date of the decision of the Superior Court.

[ 1987, c. 119, §1 (AMD) . ]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 119, §1 (AMD). 1993, c. 352, §2 (AMD). 2009, c. 611, §5, 6 (AMD). 2017, c. 277, §6 (AMD).

## §905-A. PUBLIC COMMENT ON INITIATIVE QUESTIONS

No later than 10 business days after the Legislature adjourns sine die, the Secretary of State shall give public notice of a proposed ballot question for any initiative that will be submitted to the voters at the next statewide election or special election by posting all proposed ballot questions on the Secretary of State's publicly accessible website. The Secretary of State may also publish notice for one day in newspapers having general circulation in the State. After giving public notice of a proposed ballot question in accordance with this section, the Secretary of State shall provide a 30-day public comment period for the purpose of receiving comments on the content and form of proposed questions to be placed on the ballot for any pending initiatives. No later than 10 days after receiving public comments in accordance with this section and after review of those comments, the Secretary of State shall write the ballot question for any pending initiative.

[ 2007, c. 234, §6 (NEW) . ]

#### SECTION HISTORY

2007, c. 234, §6 (NEW).

## §906. FORM OF BALLOT

The Secretary of State shall prepare the ballots for referendum questions according to the following provisions, subject to the authority contained in section 604-A. [1987, c. 188, §16 (AMD).]

### 1. Referendum questions on separate ballot.

[ 1997, c. 581, §6 (RP) .]

**1-A. Referendum questions on same ballot.** Referendum questions may be printed on the same ballot used for the election of state candidates or municipal elections, as determined by the Secretary of State in accordance with section 604-A. There must be a place on the ballot for the voter to designate the voter's choice. A referendum question must be arranged so that the voter may vote for or against it.

[ 2001, c. 310, §68 (AMD) .]

### 2. Bond issues; total interest.

[ 2009, c. 253, §59 (RP) .]

### 3. Distinctively colored.

[ 2013, c. 457, §5 (RP) .]

**4. Size.** The Secretary of State shall determine the size of the ballots.

[ 1985, c. 161, §6 (NEW) .]

### 5. Contents concealed.

[ 1997, c. 581, §9 (RP) .]

**6. Wording of ballots for people's veto and direct initiative referenda.** Ballots for a statewide vote on a people's veto referendum or a direct initiative must set out the question or questions to be voted on as set forth in this subsection.

A. The Secretary of State shall advise petitioners that the proper suggested format for an initiative question is a separate question for each issue. In determining whether there is more than one issue, each requiring a separate question, considerations include whether:

- (1) A voter would reasonably have different opinions on the different issues;
- (2) Having more than one question would help voters to better understand the subject matter; and
- (3) The questions are severable and can be enacted or rejected separately without negating the intent of the petitioners. [1993, c. 352, §3 (RPR).]

B. The Secretary of State shall write the question in a simple, clear, concise and direct manner that describes the subject matter of the people's veto or direct initiative. [1993, c. 352, §3 (RPR) .]

C. The question must be phrased so that an affirmative vote is in favor of the people's veto or direct initiative. [1993, c. 352, §3 (RPR) .]

D. If the Legislature adopts a competing measure, the ballot must clearly designate the competing question and legislation as a competing measure and allow voters to indicate whether they support the direct initiative, support the competing measure or reject both. [1993, c. 352, §3 (RPR) .]



E. If there is more than one direct initiative referendum on the same general subject, the Secretary of State shall write the questions in a manner that describes the differences between the initiatives. [1993, c. 352, §3 (RPR).]

[ 1993, c. 352, §3 (RPR) .]

**6-A. Wording of referendum questions enacted by the Legislature.** The proper format for a statutory referendum enacted by the Legislature is a separate question for each issue. In determining whether there is more than one issue, each requiring a separate question, considerations include whether:

A. A voter would reasonably have different opinions on the different issues; [1993, c. 352, §4 (NEW) .]

B. Having more than one question would help voters to better understand the subject matter; and [1993, c. 352, §4 (NEW) .]

C. The Legislature determines the questions are severable and can be enacted or rejected separately without negating the intent of the Legislature. [1993, c. 352, §4 (NEW) .]

[ 1993, c. 352, §4 (NEW) .]

**7. Order of questions on the ballot.** The Secretary of State shall arrange questions on the ballot in the following order: carry-over measures from a previous election; people's veto questions; initiated measures; bond issues; constitutional amendments; and other legislatively proposed referenda. Within each group, questions must be arranged in a random order determined by a selection process conducted in public. All ballot questions must be numbered sequentially.

[ 1997, c. 581, §10 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 119, §2 (AMD). 1987, c. 188, §16 (AMD). 1993, c. 352, §§3,4 (AMD). 1993, c. 473, §41 (AMD). 1993, c. 473, §46 (AFF). 1995, c. 459, §114 (AMD). 1997, c. 581, §§6-10 (AMD). 2001, c. 310, §68 (AMD). 2009, c. 253, §59 (AMD). 2013, c. 457, §5 (AMD).

## Chapter 13: CAMPAIGN REPORTS AND FINANCES

### Subchapter 1: GENERAL PROVISIONS

#### §1001. DEFINITIONS

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [1985, c. 161, §6 (NEW).]

**1. Commission.** "Commission" means the Commission on Governmental Ethics and Election Practices established under Title 1, section 1002.

[ 1985, c. 161, §6 (NEW) .]

**2. Election.** "Election" means any primary, general or special election for state, county or municipal offices as defined in Title 30-A, section 2502, subsection 1.

[ 1995, c. 483, §1 (AMD) .]

**3. Person.** "Person" means an individual, committee, firm, partnership, corporation, association or organization.

[ 2007, c. 443, Pt. A, §1 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 483, §1 (AMD). 2007, c. 443, Pt. A, §1 (AMD).

#### §1002. MEETINGS OF COMMISSION

**1. Meeting schedule.** The commission shall meet in Augusta for the purposes of this chapter at least once per month in any year in which primary and general elections are held. In the 28 days preceding an election, the commission shall meet in Augusta within 2 business days of the filing of any complaint with the commission, unless the complainant and respondent agree otherwise. Regardless of whether the complainant or respondent agree, the commission may defer until after the election considering complaints determined by the chair to involve allegations of minor violations of this chapter or chapter 14, such as disclaimer statements omitted from campaign signs or transactions of less than \$100 omitted from campaign finance reports.

[ 2011, c. 389, §2 (AMD) .]

**2. Telephone meetings.** The commission may hold meetings over the telephone if necessary, as long as the commission provides notice to all affected parties in accordance with the rules of the commission and the commission's office remains open for attendance by complainants, witnesses, the press and other members of the public. Notwithstanding Title 1, chapter 13, telephone meetings of the commission are permitted:

A. During the 28 days prior to an election when the commission is required to meet within 2 business days of the filing of any complaint with the commission; or [2011, c. 389, §2 (AMD) .]

B. To address procedural or logistical issues before a monthly meeting, such as the scheduling of meetings, deadlines for parties' submission of written materials, setting of meeting agenda, requests to postpone or reschedule agenda items, issuing subpoenas for documents or witnesses and recusal of commission members. [2007, c. 571, §5 (NEW) .]

[ 2011, c. 389, §2 (AMD) .]

**3. Other meetings.** The commission shall meet at other times on the call of the Secretary of State, the President of the Senate, the Speaker of the House or the chair or a majority of the members of the commission, as long as all members are notified of the time, place and purpose of the meeting at least 24 hours in advance.

[ 2007, c. 571, §5 (NEW) .]

**4. Office hours before election.** The commission office must be open with adequate staff resources available to respond to inquiries and receive complaints from 8 a.m. until at least 5:30 p.m. on the Saturday, Sunday and Monday immediately preceding an election.

[ 2011, c. 389, §2 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 2001, c. 430, §7 (AMD). 2001, c. 470, §4 (AMD). 2001, c. 667, §A43 (RPR). 2007, c. 571, §5 (RPR). 2011, c. 389, §2 (AMD).

### §1003. INVESTIGATIONS BY COMMISSION

**1. Investigations.** The commission may undertake audits and investigations to determine whether a person has violated this chapter, chapter 14 or the rules of the commission. For this purpose, the commission may subpoena witnesses and records whether located within or without the State and take evidence under oath. A person or entity that fails to obey the lawful subpoena of the commission or to testify before it under oath must be punished by the Superior Court for contempt upon application by the Attorney General on behalf of the commission. The Attorney General may apply on behalf of the commission to the Superior Court or to a court of another state to enforce compliance with a subpoena issued to a nonresident person. Service of any subpoena issued by the commission may be accomplished by:

A. Delivering a duly executed copy of the notice to the person to be served or to a partner or to any officer or agent authorized by appointment or by law to receive service of process on behalf of that person; [2013, c. 162, §1 (NEW).]

B. Delivering a duly executed copy of the notice to the principal place of business in this State of the person to be served; or [2013, c. 162, §1 (NEW).]

C. Mailing by registered or certified mail a duly executed copy of the notice, addressed to the person to be served, to the person's principal place of business. [2013, c. 162, §1 (NEW).]

[ 2013, c. 162, §1 (AMD) .]

**2. Investigations requested.** A person may apply in writing to the commission requesting an investigation as described in subsection 1. The commission shall review the application and shall make the investigation if the reasons stated for the request show sufficient grounds for believing that a violation may have occurred.

[ 2011, c. 389, §4 (AMD) .]

#### **2-A. Confidentiality.**

[ 2001, c. 535, §1 (RP) .]

**3. State Auditor.** The State Auditor shall assist the commission in making investigations and in other phases of the commission's duties under this chapter, as requested by the commission, and has all necessary powers to carry out these responsibilities.

[ 1999, c. 426, §31 (AMD) . ]

**3-A. Confidential records.** Investigative working papers of the commission are confidential, except that the commission may disclose them to the subject of the audit or investigation, other entities as necessary for the conduct of an audit or investigation and law enforcement and other agencies for purposes of reporting, investigating or prosecuting a criminal or civil violation. For purposes of this subsection, "investigative working papers" means documents, records and other printed or electronic information in the following limited categories that are acquired, prepared or maintained by the commission during the conduct of an audit, investigation or other enforcement matter:

A. Financial information not normally available to the public; [2007, c. 571, §6 (NEW) . ]

B. Information that, if disclosed, would reveal sensitive political or campaign information belonging to a party committee, political action committee, ballot question committee, candidate or candidate's political committee, or other person who is the subject of an audit, investigation or other enforcement matter, even if the information is in the possession of a vendor or 3rd party; [2013, c. 470, §1 (AMD) . ]

C. Information or records subject to a privilege against discovery or use as evidence; and [2007, c. 571, §6 (NEW) . ]

D. Intra-agency or interagency communications related to an audit or investigation, including any record of an interview, meeting or examination. [2013, c. 470, §1 (AMD) . ]

The commission may disclose investigative working papers or discuss them at a public meeting, except for the information or records subject to a privilege against discovery or use as evidence, if the information or record is materially relevant to a finding of fact, violation or other decision by the commission concerning an audit, investigation or other enforcement matter.

[ 2013, c. 470, §1 (AMD) . ]

**4. Attorney General.** Upon the request of the commission, the Attorney General shall aid in any investigation, provide advice, examine any witnesses before the commission or otherwise assist the commission in the performance of its duties. The commission shall refer any apparent violations of this chapter to the Attorney General for prosecution.

[ 2001, c. 470, §5 (AMD) . ]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 504, §§1,31 (AMD). 1991, c. 839, §1 (AMD). 1991, c. 839, §34 (AFF). 1999, c. 426, §31 (AMD). 2001, c. 237, §1 (AMD). 2001, c. 470, §5 (AMD). 2001, c. 535, §1 (AMD). 2005, c. 301, §5 (AMD). 2007, c. 571, §6 (AMD). 2009, c. 524, §4 (AMD). 2011, c. 389, §§3, 4 (AMD). 2013, c. 162, §1 (AMD). 2013, c. 470, §1 (AMD).

## §1004. VIOLATIONS

The violation of any of the following subsections is a Class E crime. [1985, c. 161, §6 (NEW) . ]

**1. Contributions and expenditures.** A person, candidate, treasurer, political committee or political action committee may not knowingly make or accept any contribution or make any expenditure in violation of this chapter.

[ 1991, c. 839, §2 (AMD); 1991, c. 839, §34 (AFF) .]

**2. False statements.** A person, candidate, treasurer or political action committee may not make a false statement in a report required by this chapter.

[ 2003, c. 447, §36 (AMD) .]

**3. Contributions in another's name.** A person may not knowingly:

A. Make a contribution in the name of another person; [ 2003, c. 447, §37 (NEW) .]

B. Permit the person's name to be used to accomplish a contribution in violation of paragraph A; or [ 2003, c. 447, §37 (NEW) .]

C. Accept a contribution made by one person in the name of another person. [ 2003, c. 447, §37 (NEW) .]

[ 2003, c. 447, §37 (RPR) .]

**4. Registration; political action committees.** A political action committee or ballot question committee required to be registered under section 1052-A or 1056-B may not operate in this State unless it is so registered.

[ 2013, c. 334, §1 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 504, §§2,31 (AMD). 1991, c. 839, §2 (AMD). 1991, c. 839, §34 (AFF). 2003, c. 447, §§36-38 (AMD). 2013, c. 334, §1 (AMD).

## §1004-A. PENALTIES

The commission may assess the following penalties in addition to the other monetary sanctions authorized in this chapter. [ 2003, c. 628, Pt. A, §1 (NEW) .]

**1. Late campaign finance report.** A person that files a late campaign finance report containing no contributions or expenditures may be assessed a penalty of no more than \$100.

[ 2003, c. 628, Pt. A, §1 (NEW) .]

**2. Contribution in excess of limitations.** A person that accepts or makes a contribution that exceeds the limitations set out in section 1015, subsections 1 and 2 may be assessed a penalty of no more than the amount by which the contribution exceeded the limitation.

[ 2003, c. 628, Pt. A, §1 (NEW) .]

**3. Contribution in name of another person.** A person that makes a contribution in the name of another person, or that knowingly accepts a contribution made by one person in the name of another person, may be assessed a penalty not to exceed \$5,000.

[ 2003, c. 628, Pt. A, §1 (NEW) .]

**4. Substantial misreporting.** A person that files a campaign finance report that substantially misreports contributions, expenditures or other campaign activity may be assessed a penalty not to exceed \$5,000.

[ 2003, c. 628, Pt. A, §1 (NEW) . ]

**5. Material false statements.** A person that makes a material false statement or that makes a statement that includes a material misrepresentation in a document that is required to be submitted to the commission, or that is submitted in response to a request by the commission, may be assessed a penalty not to exceed \$5,000.

[ 2005, c. 301, §6 (AMD) . ]

When the commission has reason to believe that a violation has occurred, the commission shall provide written notice to the candidate, party committee, political action committee, committee treasurer or other respondent and shall afford them an opportunity to appear before the commission before assessing any penalty. In determining any penalty under subsections 3, 4 and 5, the commission shall consider, among other things, the level of intent to mislead, the penalty necessary to deter similar misconduct in the future and the harm suffered by the public from the incorrect disclosure. A final determination by the commission may be appealed to the Superior Court in accordance with Title 5, chapter 375, subchapter 7 and the Maine Rules of Civil Procedure Rule 80C. [2009, c. 302, §1 (AMD) . ]

Penalties assessed pursuant to this section that have not been paid in full within 30 days after issuance of a notice of the final determination may be enforced in accordance with section 1004-B. [2009, c. 302, §2 (NEW) . ]

#### SECTION HISTORY

2003, c. 628, §A1 (NEW). 2005, c. 301, §6 (AMD). 2007, c. 443, Pt. A, §2 (AMD). 2009, c. 302, §§1, 2 (AMD).

### **§1004-B. ENFORCEMENT OF PENALTIES ASSESSED BY THE COMMISSION**

The commission staff shall collect the full amount of any penalty and the return of Maine Clean Election Act funds required by the commission to be returned for a violation of the statutes or rules administered by the commission and has all necessary powers to carry out these duties. Failure to pay the full amount of any penalty assessed by the commission or return of Maine Clean Election Act funds is a civil violation by the candidate, treasurer, party committee, political action committee or other person. Thirty days after issuing the notice of penalty or order for the return of funds, the commission shall report to the Attorney General the name of any person who has failed to pay the full amount of any penalty or to return Maine Clean Election Act funds unless the commission has provided an extended deadline for payment. The Attorney General shall enforce the violation in a civil action to collect the full outstanding amount of the penalty or order for the return of Maine Clean Election Act funds. This action must be brought in the Superior Court for Kennebec County or the District Court, 7th District, Division of Southern Kennebec. [2009, c. 302, §3 (NEW) . ]

#### SECTION HISTORY

2009, c. 302, §3 (NEW) .

## §1004-C. ENHANCED PENALTIES FOR VIOLATIONS WITH AGGRAVATING CIRCUMSTANCES

Notwithstanding any maximum penalty otherwise set forth in this chapter, when assessing a penalty or monetary sanction, the commission may double the authorized penalty or monetary sanction for a violation occurring less than 28 days prior to an election day and may triple the authorized penalty or monetary sanction for a violation occurring less than 14 days prior to an election day. [2015, c. 1, §2 (NEW).]

### SECTION HISTORY

IB 2015, c. 1, §2 (NEW).

## §1005. RESTRICTIONS ON COMMERCIAL USE OF CONTRIBUTOR INFORMATION

Information concerning contributors contained in campaign finance reports filed by candidates, political action committees and party committees and reports filed under section 1056-B may not be used for any commercial purpose, including, but not limited to, the sales and marketing of products and services, or for solicitations of any kind not directly related to activities of a political party, so-called "get out the vote" efforts or activities directly related to a campaign as defined in section 1052. Any person obtaining contributor information from the reports is prohibited from selling or distributing it to others to use for commercial purposes and also is prohibited from making publicly available the mailing addresses of contributors. This section does not prohibit a political party, party committee, candidate committee, political action committee or any other organization that has obtained contributor information from the commission from providing access to such information to its members for purposes directly related to party activities, so-called "get out the vote" efforts or a campaign as defined in section 1052. A person who violates this section is subject to a fine of up to \$5,000. A person who knowingly violates this section commits a Class E crime. [2007, c. 571, §7 (NEW).]

### SECTION HISTORY

2007, c. 571, §7 (NEW).

## Subchapter 2: REPORTS ON CAMPAIGNS FOR OFFICE

### §1011. APPLICATION

This subchapter applies to candidates for all state and county offices and to campaigns for their nomination and election. Candidates for municipal office as described in Title 30-A, section 2502, subsection 1 are also governed by this subchapter. The commission does not have jurisdiction over financial activities to influence the nomination or election of candidates for federal office. [2013, c. 334, §2 (AMD).]

#### 1. Role of the municipal clerk; commission.

[2009, c. 366, §12 (AFF); 2009, c. 366, §1 (RP).]

#### 2. Exemptions.

[2009, c. 366, §12 (AFF); 2009, c. 366, §1 (RP).]

**3. Role of the municipal clerk; commission.** For candidates for municipal office, the municipal clerk is responsible for any duty assigned to the commission in this subchapter related to the registration of candidates, receipt of reports and distribution of information or forms, unless otherwise provided. Notwithstanding any other deadline set forth in this chapter, candidates shall file their reports by the close of business on the day of the filing deadline established for the office of the municipal clerk. The commission retains the sole authority to prescribe the content of all reporting forms. The commission does

not have responsibility to oversee the filing of registrations or campaign finance reports relating to municipal campaigns, except that the commission has the discretion to conduct investigations and assess penalties under subsection 3-A.

[ 2013, c. 334, §2 (AMD) .]

**3-A. Enforcement by the commission.** If a clerk of a town or city that is governed by this chapter pursuant to Title 30-A, section 2502 becomes aware of a potential violation of this chapter that the clerk considers to be substantial, the clerk may refer the matter to the commission for enforcement. Substantial violations include, but are not limited to, accepting contributions in excess of the limitations of section 1015 and failing to file a report that substantially complies with the disclosure requirements of section 1017. The commission has the discretion to conduct an investigation if the information referred by the municipal clerk shows sufficient grounds for believing that a violation may have occurred. After conducting the investigation, if the commission determines that a violation of this chapter has occurred, the commission may assess penalties provided in this chapter.

[ 2013, c. 334, §2 (NEW) .]

**4. Exemptions.** Exemptions for municipal candidates from the reporting requirements of this subchapter are governed by this subsection.

A. At the time a municipal candidate registers under section 1013-A, the candidate may notify the municipal clerk in writing that the candidate will not accept contributions, make expenditures or incur financial obligations associated with that person's candidacy. A candidate who provides this written notice is not required to appoint a treasurer or to meet the filing requirements of this section as long as the candidate complies with the commitment. [2011, c. 389, §5 (NEW); 2011, c. 389, §62 (AFF).]

B. The notice provided to the municipal clerk in paragraph A may be revoked. A written revocation must be presented to the municipal clerk before the candidate may accept contributions, make expenditures or incur obligations associated with that person's candidacy. A candidate who has filed a notice with the municipal clerk under paragraph A and accepts contributions, makes expenditures or incurs obligations associated with that person's candidacy prior to filing a revocation may be assessed a penalty of \$10 for each business day that the revocation is late, up to a maximum of \$500. This penalty may be imposed in addition to the penalties assessed under other sections of this Title. [2011, c. 389, §5 (NEW); 2011, c. 389, §62 (AFF).]

[ 2011, c. 389, §5 (NEW); 2011, c. 389, §62 (AFF) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1995, c. 483, §2 (AMD). 2001, c. 430, §8 (AMD). 2007, c. 571, §8 (AMD). 2009, c. 190, Pt. A, §1 (AMD). 2009, c. 366, §1 (AMD). 2009, c. 366, §12 (AFF). 2009, c. 652, Pt. A, §19 (AMD). 2011, c. 389, §5 (AMD). 2011, c. 389, §62 (AFF). 2013, c. 334, §2 (AMD).

## §1012. DEFINITIONS

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings. [1985, c. 161, §6 (NEW).]

**1. Clearly identified.** "Clearly identified," with respect to a candidate, means that:

A. The name of the candidate appears; [1985, c. 161, §6 (NEW).]

B. A photograph or drawing of the candidate appears; or [1985, c. 161, §6 (NEW).]



C. The identity of the candidate is apparent by unambiguous reference. [1985, c. 161, §6 (NEW) . ]

[ 1985, c. 161, §6 (NEW) . ]

**2. Contribution.** The term "contribution:"

A. Includes:

- (1) A gift, subscription, loan, advance or deposit of money or anything of value made for the purpose of influencing the nomination or election of any person to state, county or municipal office or for the purpose of liquidating any campaign deficit of a candidate, except that a loan of money to a candidate by a financial institution in this State made in accordance with applicable banking laws and regulations and in the ordinary course of business is not included;
- (2) A contract, promise or agreement, express or implied, whether or not legally enforceable, to make a contribution for such purposes;
- (3) Funds received by a candidate or a political committee that are transferred to the candidate or committee from another political committee or other source; and
- (4) The payment, by any person other than a candidate or a political committee, of compensation for the personal services of other persons that are provided to the candidate or political committee without charge for any such purpose; and [1995, c. 483, §3 (AMD) . ]

B. Does not include:

- (1) The value of services provided without compensation by individuals who volunteer a portion or all of their time on behalf of a candidate or political committee;
- (2) The use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by an individual to a candidate in rendering voluntary personal services for candidate-related activities, if the cumulative value of these activities by the individual on behalf of any candidate does not exceed \$250 with respect to any election;
- (3) The sale of any food or beverage by a vendor for use in a candidate's campaign at a charge less than the normal comparable charge, if the charge to the candidate is at least equal to the cost of the food or beverages to the vendor and if the cumulative value of the food or beverages does not exceed \$100 with respect to any election;
- (4) Any unreimbursed travel expenses incurred by an individual in the course of providing voluntary personal services to a candidate and paid for by that individual, if the cumulative amount of these expenses does not exceed \$350 with respect to any election;
- (4-A) Any unreimbursed campaign-related travel expenses incurred and paid for by the candidate or the candidate's spouse or domestic partner;
- (5) The payment by a party's state, district, county or municipal committee of the costs of preparation, display or mailing or other distribution of a party candidate listing;
- (6) Documents, in printed or electronic form, including party platforms, single copies of issue papers, information pertaining to the requirements of this Title, lists of registered voters and voter identification information, created, obtained or maintained by a political party for the general purpose of party building and provided to a candidate who is a member of that party;
- (7) Compensation paid by a state party committee to its employees for the following purposes:
  - (a) Providing no more than a total of 40 hours of assistance from its employees to a candidate in any election;
  - (b) Recruiting and overseeing volunteers for campaign activities involving 3 or more candidates; or
  - (c) Coordinating campaign events involving 3 or more candidates;

- (8) Campaign training sessions provided to 3 or more candidates;
- (8-A) Costs paid for by a party committee in connection with a campaign event at which 3 or more candidates are present;
- (8-B) Wood or other materials used for political signs that are found or contributed if not originally obtained by the candidate or contributor for campaign purposes;
- (8-C) The use or distribution of any communication, as described in section 1014, obtained by the candidate for a previous election and fully paid for during that election;
- (9) The use of offices, telephones, computers and similar equipment when that use does not result in additional cost to the provider;
- (10) Activity or communication designed to encourage individuals to register to vote or to vote if that activity or communication does not mention a clearly identified candidate; or
- (11) A purchase of apparel from a commercial vendor with a total cost of \$25 or less by an individual when the vendor has received a graphic or design from the candidate or the candidate's authorized committee. [ 2013 , c . 334 , §3 (AMD) . ]

[ 2013 , c . 334 , §3 (AMD) . ]

**3. Expenditure.** The term "expenditure:"

A. Includes:

- (1) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value made for the purpose of influencing the nomination or election of any person to state, county or municipal office, except that a loan of money to a candidate by a financial institution in this State made in accordance with applicable banking laws and regulations and in the ordinary course of business is not included;
- (2) A contract, promise or agreement, expressed or implied, whether or not legally enforceable, to make any expenditure;
- (3) The transfer of funds by a candidate or a political committee to another candidate or political committee; and
- (4) A payment or promise of payment to a person contracted with for the purpose of influencing any campaign as defined in section 1052, subsection 1; and [ 2013 , c . 334 , §4 (AMD) . ]

B. Does not include:

- (1) Any news story, commentary or editorial distributed through the facilities of any broadcasting station, cable television system, newspaper, magazine or other periodical publication, unless the facilities are owned or controlled by any political party, political committee, candidate or spouse or domestic partner of a candidate;
- (1-A) Any communication distributed through a public access television channel on a cable television system if the communication complies with the laws and rules governing the channel and all candidates in the race have an equal opportunity to promote their candidacies through the channel;
- (2) Activity or communication designed to encourage individuals to register to vote or to vote if that activity or communication does not mention a clearly identified candidate;
- (3) Any communication by any membership organization or corporation to its members or stockholders, if that membership organization or corporation is not organized primarily for the purpose of influencing the nomination or election of any person to state or county office;

- (4) The use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by an individual to a candidate in rendering voluntary personal services for candidate-related activities, if the cumulative value of these activities does not exceed \$250 with respect to any election;
- (5) Any unreimbursed travel expenses incurred by an individual in the course of providing voluntary personal services to a candidate and paid for by that individual, if the cumulative amount of these expenses does not exceed \$350 with respect to any election;
- (5-A) Any unreimbursed campaign-related travel expenses incurred and paid for by the candidate or the candidate's spouse or domestic partner;
- (6) Any communication by any person that is not made for the purpose of influencing the nomination for election, or election, of any person to state, county or municipal office;
- (7) The payment by a party's state, district, county or municipal committee of the costs of preparation, display or mailing or other distribution of a party candidate listing;
- (8) The use or distribution of any communication, as described in section 1014, obtained by the candidate for a previous election and fully paid for during that election campaign;
- (9) Documents, in printed or electronic form, including party platforms, single copies of issue papers, information pertaining to the requirements of this Title, lists of registered voters and voter identification information, created or maintained by a political party for the general purpose of party building and provided to a candidate who is a member of that party;
- (10) Compensation paid by a state party committee to its employees for the following purposes:
- (a) Providing no more than a total of 40 hours of assistance from its employees to a candidate in any election;
  - (b) Recruiting and overseeing volunteers for campaign activities involving 3 or more candidates; or
  - (c) Coordinating campaign events involving 3 or more candidates;
- (10-A) Costs paid for by a party committee in connection with a campaign event at which 3 or more candidates are present;
- (11) Campaign training sessions provided to 3 or more candidates;
- (11-A) Wood or other materials used for political signs that are found or contributed if not originally obtained by the candidate or contributor for campaign purposes;
- (12) The use of offices, telephones, computers and similar equipment when that use does not result in additional cost to the provider; or
- (13) A purchase of apparel from a commercial vendor with a total cost of \$25 or less by an individual when the vendor has received a graphic or design from the candidate or the candidate's authorized committee. [ 2013, c. 334, §4 (AMD) . ]

[ 2013, c. 334, §4 (AMD) . ]

#### **4. Exploratory committee.**

[ 1991, c. 839, §34 (AFF); 1991, c. 839, §3 (RP) . ]

#### **4-A. Influence.** "Influence" means to promote, support, oppose or defeat.

[ 2011, c. 389, §8 (NEW) . ]

**5. Party candidate listing.** "Party candidate listing" means any communication that meets the following criteria.

- A. The communication lists the names of at least 3 candidates for election to public office. [ 2005, c. 301, §9 (NEW). ]
- B. The communication is distributed through public advertising such as broadcast stations, cable television, newspapers and similar media, and through direct mail, telephone, electronic mail, publicly accessible sites on the Internet or personal delivery. [ 2005, c. 301, §9 (NEW). ]
- C. The treatment of all candidates in the communication is substantially similar, except for any requirement under federal law applicable to communications regarding federal candidates. [ 2007, c. 443, Pt. A, §5 (AMD). ]
- D. The content of the communication is limited to:
- (1) The identification of each candidate, with which pictures may be used;
  - (2) The offices sought;
  - (3) The offices currently held by the candidates;
  - (4) The party affiliation of the candidates and a brief statement, including campaign slogans, about the party's or the candidates' positions, philosophy, goals, accomplishments or biographies;
  - (5) Encouragement to vote for the candidates identified;
  - (6) Information about voting, such as voting hours and locations; and
  - (7) Campaign or party logos.

If the communication contains language outside the categories of this paragraph, it does not qualify as a party candidate listing. [ 2007, c. 443, Pt. A, §6 (AMD). ]

[ 2007, c. 443, Pt. A, §§5, 6 (AMD) . ]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 160, §1 (AMD). 1991, c. 839, §3 (AMD). 1991, c. 839, §34 (AFF). 1995, c. 483, §3 (AMD). 1999, c. 432, §§1,2 (AMD). 2003, c. 615, §1 (AMD). 2005, c. 301, §§7-9 (AMD). 2005, c. 575, §2 (AMD). 2007, c. 443, Pt. A, §§3-6 (AMD). 2011, c. 389, §§6-8 (AMD). 2013, c. 334, §§3, 4 (AMD).

## §1013. TREASURER; POLITICAL COMMITTEES

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 160, §§2,3 (AMD). 1989, c. 504, §§3,31 (RP).

### §1013-A. REGISTRATION

**1. Candidates, their treasurers and political committees.** A candidate shall register the candidate's name and the name of a treasurer with the commission at least once in each legislative biennium, as provided in this section. A candidate may have only one treasurer, who must be appointed pursuant to paragraph A or B. For purposes of this section, "legislative biennium" means the term of office a person is elected to serve in the Legislature.

A. No later than 10 days after becoming a candidate and before accepting contributions, making expenditures or incurring obligations, a candidate for state or county office or a candidate for municipal office who has not filed a written notice in accordance with section 1011, subsection 4, paragraph A shall appoint a treasurer. The candidate may serve as treasurer, except that a participating candidate, as defined in section 1122, subsection 6, or a candidate certified in accordance with section 1125

may not serve as treasurer, except that the candidate may serve as treasurer or deputy treasurer for up to 14 days after declaring an intention to qualify for campaign financing under chapter 14 until the candidate identifies another person to serve as treasurer. The candidate may have only one treasurer, who is responsible for the filing of campaign finance reports under this chapter. A candidate shall register the candidate's name and address and the name and address of the treasurer appointed under this section no later than 10 days after the appointment of the treasurer. A candidate may accept contributions personally or make or authorize expenditures personally, as long as the candidate reports all contributions and expenditures to the treasurer. The treasurer shall make a consolidated report of all income and expenditures and provide this report to the commission.

(1) A candidate may appoint a deputy treasurer to act in the absence of the treasurer. The deputy treasurer, when acting in the absence of the treasurer, has the same powers and responsibilities as the treasurer. A candidate certified in accordance with section 1125 may not serve as deputy treasurer. When a treasurer dies or resigns, the deputy treasurer may not assume the position of treasurer unless the candidate appoints the deputy treasurer to the position of treasurer. The candidate shall report the name and address of the deputy treasurer to the commission no later than 10 days after the deputy treasurer has been appointed. [2011, c. 389, §9 (AMD); 2011, c. 389, §62 (AFF).]

B. A candidate may authorize one political committee to promote the candidate's election. No later than 10 days after appointing a political committee and before accepting contributions, making expenditures or incurring obligations, a candidate for state, county or municipal office shall appoint a treasurer of the political committee. The treasurer of the political committee is responsible for filing campaign finance reports under this chapter. No later than 10 days after appointing a political committee, the candidate shall register with the commission the following information regarding the political committee:

- (1) The name of the committee;
- (2) The name and address of the committee's treasurer;
- (3) The name of the candidate who authorized the committee; and
- (4) The names and addresses of the committee's officers. [1995, c. 483, §4 (AMD).]

C. No later than 10 days after becoming a candidate, as defined in section 1, subsection 5, a candidate for the office of State House of Representatives or Senate may file in writing a statement declaring that the candidate agrees to accept voluntary limits on political expenditures or that the candidate does not agree to accept voluntary limits on political expenditures, as specified in section 1015, subsections 7 to 9. A candidate who has filed a declaration of intent to become certified as a candidate under the Maine Clean Election Act is not required to file the written statement described in this paragraph.

The statement filed by a candidate who voluntarily agrees to limit spending must state that the candidate knows the voluntary expenditure limitations as set out in section 1015, subsection 8 and that the candidate is voluntarily agreeing to limit the candidate's political expenditures and those made on behalf of the candidate by the candidate's political committee or committees, the candidate's party and the candidate's immediate family to the amount set by law. The statement must further state that the candidate does not condone and will not solicit any independent expenditures made on behalf of the candidate.

The statement filed by a candidate who does not agree to voluntarily limit political expenditures must state that the candidate does not accept the voluntary expenditure limits as set out in section 1015, subsection 8. [2015, c. 350, §4 (AMD).]

[ 2015, c. 350, §4 (AMD) .]

## **2. Authorized political committees.**

[ 1991, c. 839, §34 (AFF); 1991, c. 839, §5 (RP) .]

**3. Party committees.** The state, district and county committees of parties shall submit to the commission the names and addresses of all their officers and of their treasurers and the name and address of the principal paid employee, if any, within 30 days after the appointment, election or hiring of these persons. Municipal committees must file copies of the same information with the commission and the municipal clerk. District, county and municipal committees that provide their state party committees with the information required by this subsection to be submitted to the commission have met that requirement. No later than the 2nd Monday in April of each year in which a general election is scheduled, the state committee of a party shall submit a consolidated report, including the information required under this subsection, for the district, county and municipal committees of that party.

[ 1995, c. 483, §5 (AMD) .]

**4. Reporting by registered treasurers.** Any contribution accepted and any expenditure made or authorized by or on behalf of a candidate registered under this section or qualified under sections 335 and 336 or sections 354 and 355 must be recorded and reported as provided in sections 1016 and 1017.

[ 1991, c. 839, §6 (AMD); 1991, c. 839, §34 (AFF) .]

**5. Changes in registration information.** Every change in information required by this section to be reported to the commission shall be reported within 10 days of the date of the change.

[ 1989, c. 504, §§4, 31 (NEW) .]

#### SECTION HISTORY

1989, c. 504, §§4,31 (NEW). 1989, c. 833, §1 (AMD). 1991, c. 839, §§4-6 (AMD). 1991, c. 839, §34 (AFF). RR 1995, c. 2, §35 (COR). 1995, c. 384, §1 (AMD). 1995, c. 483, §§4,5 (AMD). 1999, c. 729, §1 (AMD). 2007, c. 443, Pt. A, §7 (AMD). 2007, c. 642, §9 (AMD). 2007, c. 642, §14 (AFF). 2009, c. 366, §2 (AMD). 2009, c. 366, §12 (AFF). 2011, c. 389, §9 (AMD). 2011, c. 389, §62 (AFF). 2015, c. 350, §4 (AMD).

### §1013-B. REMOVAL OF TREASURER; FILLING VACANCY OF TREASURER; SUBSTANTIATION OF RECORDS OF TREASURER; NOTIFICATION TO COMMISSION

A candidate may remove any treasurer that the candidate has appointed. In case of a vacancy in the position of treasurer of a candidate or treasurer of a political committee before the obligations of the treasurer have been performed, the candidate shall serve as treasurer from the date of the vacancy until the candidate appoints a successor and reports the name and address of the successor to the commission. The candidate shall file a written statement of resignation of a treasurer of a candidate or a treasurer of a political committee and until that statement has been filed, the resignation is not effective. An individual who vacates the position of treasurer by reason of removal or resignation shall certify in writing the accuracy of the treasurer's records to the succeeding treasurer. A succeeding treasurer may not be held responsible for the accuracy of the predecessor's records. [2007, c. 443, Pt. A, §8 (AMD).]

#### SECTION HISTORY

1991, c. 839, §7 (NEW). 1991, c. 839, §34 (AFF). 2007, c. 443, Pt. A, §8 (AMD).

### §1014. PUBLICATION OR DISTRIBUTION OF POLITICAL COMMUNICATIONS

**1. Authorized by candidate.** Whenever a person makes an expenditure to finance a communication expressly advocating the election or defeat of a clearly identified candidate through broadcasting stations, cable television systems, newspapers, magazines, campaign signs or other outdoor advertising facilities,

publicly accessible sites on the Internet, direct mails or other similar types of general public political advertising or through flyers, handbills, bumper stickers and other nonperiodical publications, the communication, if authorized by a candidate, a candidate's authorized political committee or their agents, must clearly and conspicuously state that the communication has been so authorized and must clearly state the name and address of the person who made or financed the expenditure for the communication. A communication financed by a candidate or the candidate's committee is not required to state the address of the candidate or committee that financed the communication. If a communication that is financed by someone other than the candidate or the candidate's authorized committee is broadcast by radio, only the city and state of the address of the person who financed the communication must be stated.

[ 2013, c. 494, §1 (AMD) . ]

**2. Not authorized by candidate.** If the communication described in subsection 1 is not authorized by a candidate, a candidate's authorized political committee or their agents, the communication must clearly and conspicuously state that the communication is not authorized by any candidate and state the name and address of the person who made or financed the expenditure for the communication, except that a communication broadcast by radio is only required to state the city and state of the address of the person that financed the communication. If the communication is in written form, the communication must contain at the bottom of the communication in print that is no smaller in size than 12-point bold print, Times New Roman font, the words "NOT PAID FOR OR AUTHORIZED BY ANY CANDIDATE."

[ 2013, c. 362, §2 (AMD) . ]

**2-A. Other communications.** Whenever a person makes an expenditure to finance a communication that names or depicts a clearly identified candidate and that is disseminated during the 21 days before a primary election or 35 days before a general election through the media described in subsection 1, the communication must state the name and address of the person who made or financed the communication and a statement that the communication was or was not authorized by the candidate, except that a communication broadcast by radio is only required to state the city and state of the address of the person that financed the communication. The disclosure is not required if the communication was not made for the purpose of influencing the candidate's nomination for election or election.

[ 2013, c. 362, §3 (AMD) . ]

**2-B. Top 3 funders; independent expenditures.** A communication that is funded by an entity making an independent expenditure as defined in section 1019-B, subsection 1 must conspicuously include the following statement:

"The top 3 funders of (name of entity that made the independent expenditure) are (names of top 3 funders)."

The information required by this subsection may appear simultaneously with any statement required by subsection 2 or 2-A. A communication that contains a visual aspect must include the statement in written text. A communication that does not contain a visual aspect must include an audible statement. This statement is required only for communications made through broadcast or cable television, broadcast radio, Internet audio programming, direct mail or newspaper or other periodical publications.

A cable television or broadcast television communication must include both an audible and a written statement. For a cable television or broadcast television communication 30 seconds or less in duration, the audible statement may be modified to include only the single top funder.

The top funders named in the required statement consist of the funders providing the highest dollar amount of funding to the entity making the independent expenditure since the day following the most recent general election day.

A. For purposes of this subsection, "funder" includes:

(1) Any entity that has made a contribution as defined in section 1052, subsection 3 to the entity making the independent expenditure since the day following the most recent general election day; and

(2) Any entity that has given a gift, subscription, loan, advance or deposit of money or anything of value, including a promise or agreement to provide money or anything of value whether or not legally enforceable, except for transactions in which a fair value is given in return, since the day following the most recent general election day. [2015, c. 1, §3 (NEW).]

B. If funders have given equal amounts, creating a tie in the ranking of the top 3 funders, the tie must be broken by naming the tying funders in chronological order of the receipt of funding until 3 funders are included in the statement. If the chronological order cannot be discerned, the entity making the independent expenditure may choose which of the tying funders to include in the statement. In no case may a communication be required to include the names of more than 3 funders. [2015, c. 1, §3 (NEW).]

C. The statement required under this subsection is not required to include the name of any funder who has provided less than \$1,000 to the entity making the independent expenditure since the day following the most recent general election day. [2015, c. 1, §3 (NEW).]

D. If only one or 2 funders must be included pursuant to this subsection, the communication must identify the number of funders as "top funder" or "top 2 funders" as appropriate. If there are no funders required to be included under this subsection, no statement is required. [2015, c. 1, §3 (NEW).]

E. When compiling the list of top funders, an entity making an independent expenditure may disregard any funds that the entity can show were used for purposes unrelated to the candidate mentioned in the communication on the basis that funds were either spent in the order received or were strictly segregated in other accounts. [2015, c. 1, §3 (NEW).]

F. In any communication consisting of an audio broadcast of 30 seconds or less or a print communication of 20 square inches or less, the requirements of this subsection are satisfied by including the name of the single highest funder only. [2015, c. 1, §3 (NEW).]

G. If the list of funders changes during the period in which a recurring communication is aired or published, the statement appearing in the communication must be updated at the time that any additional payments are made for that communication. [2015, c. 1, §3 (NEW).]

H. The commission may establish by routine technical rule, adopted in accordance with Title 5, chapter 375, subchapter 2-A, forms and procedures for ensuring compliance with this subsection. Rules adopted pursuant to this paragraph must ensure that the information required by this subsection is effectively conveyed for a sufficient duration and in a sufficient font size or screen size where applicable without undue burden on the ability of the entity to make the communication. The rules must also provide an exemption for types of communications for which the required statement would be impossible or impose an unusual hardship due to the unique format or medium of the communication. [2015, c. 1, §3 (NEW).]

[ 2015, c. 1, §3 (NEW) .]

**3. Broadcasting prohibited without disclosure.** No person operating a broadcasting station or cable television system within this State may broadcast any communication, as described in subsections 1 to 2-A, without an oral or written visual announcement of the disclosure required by this section.

[ 2011, c. 389, §11 (AMD) .]

**3-A. In-kind contributions of printed materials.** A candidate, political committee or political action committee shall report on the campaign finance report as a contribution to the candidate, political committee or political action committee any contributions of in-kind printed materials to be used in the support of a candidate or in the support or defeat of a ballot question. Any in-kind contributions of printed materials used



or distributed by a candidate, political committee or political action committee must include the name or title of that candidate, political committee or political action committee as the authorizing agent for the printing and distribution of the in-kind contribution.

[ 2009, c. 190, Pt. A, §3 (AMD) .]

**3-B. Newspapers.** A newspaper may not publish a communication described in subsections 1 to 2-A without including the disclosure required by this section. For purposes of this subsection, "newspaper" includes any printed material intended for general circulation or to be read by the general public, including a version of the newspaper displayed on a website owned or operated by the newspaper. When necessary, a newspaper may seek the advice of the commission regarding whether or not the communication requires the disclosure.

[ 2007, c. 443, Pt. A, §9 (AMD) .]

**4. Enforcement.** A violation of this section may result in a civil penalty of no more than 100% of the amount of the expenditure in violation, except that an expenditure for yard signs lacking the required information may result in a maximum civil penalty of \$200. In assessing a civil penalty, the commission shall consider, among other things, how widely the communication was disseminated, whether the violation was intentional, whether the violation occurred as the result of an error by a printer or other paid vendor and whether the communication conceals or misrepresents the identity of the person who financed it. If the person who financed the communication or who committed the violation corrects the violation within 10 days after receiving notification of the violation from the commission by adding the missing information to the communication, the commission may decide to assess no civil penalty.

[ 2015, c. 1, §4 (AMD) .]

**5. Telephone calls.** Prerecorded automated telephone calls and scripted live telephone communications that name a clearly identified candidate during the 21 days before a primary election or the 35 days before a general election must clearly state the name of the person who made or financed the expenditure for the communication, except for prerecorded automated telephone calls paid for by the candidate that use the candidate's voice in the telephone call and that are made in support of that candidate. Telephone calls made for the purposes of researching the views of voters are not required to include the disclosure.

[ 2007, c. 443, Pt. A, §9 (AMD) .]

**6. Exclusions.** The requirements of this section do not apply to:

A. Handbills or other literature produced and distributed at a cost not exceeding \$100 and prepared by one or more individuals who are not required to register or file campaign finance reports with the commission and who are acting independently of and without authorization by a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee or an agent of a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee; [2011, c. 389, §13 (NEW) .]

B. Campaign signs produced and distributed at a cost not exceeding \$100, paid for by one or more individuals who are not required to register or file campaign finance reports with the commission and who are acting independently of and without authorization by a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee or an agent of a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee; [2013, c. 494, §2 (AMD) .]

C. Internet and e-mail activities costing less than \$100, as excluded by rule of the commission, paid for by one or more individuals who are not required to register or file campaign finance reports with the commission and who are acting independently of and without authorization by a candidate, candidate's

authorized campaign committee, party committee, political action committee or ballot question committee or an agent of a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee; [2013, c. 494, §2 (AMD).]

D. Communications in which the name or address of the person who made or authorized the expenditure for the communication would be so small as to be illegible or infeasible, including communications on items such as ashtrays, badges and badge holders, balloons, campaign buttons, clothing, coasters, combs, emery boards, envelopes, erasers, glasses, key rings, letter openers, matchbooks, nail files, noisemakers, paper and plastic cups, pencils, pens, plastic tableware, 12-inch or shorter rulers, swizzle sticks, tickets to fund-raisers and similar items determined by the commission to be too small and unnecessary for the disclosures required by this section and in electronic media advertisements where compliance with this section would be impractical due to size or character limitations; and [2013, c. 494, §3 (NEW).]

E. Campaign signs that are financed by the candidate or candidate's authorized committee and that clearly identify the name of the candidate and are lettered or printed individually by hand. [2013, c. 494, §3 (NEW).]

[2013, c. 494, §§2, 3 (AMD).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 188, §17 (AMD). 1989, c. 504, §§5,6,31 (AMD). 1991, c. 466, §37 (AMD). 1991, c. 839, §§8-10 (AMD). 1995, c. 483, §6 (AMD). 2003, c. 302, §1 (AMD). 2003, c. 510, §F1 (AMD). 2003, c. 510, §F2 (AFF). 2003, c. 599, §15 (AFF). 2005, c. 301, §§10-12 (AMD). 2005, c. 308, §1 (AMD). 2005, c. 542, §1 (AMD). 2007, c. 443, Pt. A, §9 (AMD). 2009, c. 183, §1 (AMD). 2009, c. 190, Pt. A, §§2, 3 (AMD). 2009, c. 652, Pt. A, §20 (AMD). 2011, c. 360, §1 (AMD). 2011, c. 389, §§10-13 (AMD). 2013, c. 362, §§1-3 (AMD). 2013, c. 494, §§1-3 (AMD). IB 2015, c. 1, §§3, 4 (AMD).

## §1014-A. ENDORSEMENTS OF POLITICAL CANDIDATES

*(REPEALED)*

#### SECTION HISTORY

1995, c. 43, §1 (NEW). 2009, c. 190, Pt. A, §4 (RP).

## §1014-B. PUSH POLLING

**1. Push poll defined.** For purposes of this section, "push poll" means any paid telephone survey or series of telephone surveys that are similar in nature that reference a candidate or group of candidates other than in a basic preference question, and when:

A. A list or directory is used, exclusively or in part, to select respondents belonging to a particular subset or combination of subsets of the population, based on demographic or political characteristics such as race, sex, age, ethnicity, party affiliation or like characteristics; [2001, c. 416, §1 (NEW).]

B. The survey fails to make demographic inquiries on factors such as age, household income or status as a likely voter sufficient to allow for the tabulation of results based on a relevant subset of the population consistent with standard polling industry practices; [2001, c. 416, §1 (NEW).]

C. The pollster or polling organization does not collect or tabulate survey results; [2001, c. 416, §1 (NEW).]

D. The survey prefaces a question regarding support for a candidate on the basis of an untrue statement; and [2001, c. 416, §1 (NEW).]

E. The survey is primarily for the purpose of suppressing or changing the voting position of the call recipient. [2001, c. 416, §1 (NEW).]

"Push poll" does not include any survey supporting a particular candidate that fails to reference another candidate or candidates other than in a basic preference question.

[ 2001, c. 416, §1 (NEW) . ]

**2. Push polls; political telephone solicitations; requirements.** Push polling must be conducted in accordance with this subsection.

A. A person may not authorize, commission, conduct or administer a push poll by telephone or telephonic device unless, during each call, the caller identifies the person or organization sponsoring or authorizing the call by stating "This is a paid political advertisement by (name of persons or organizations)," and identifies the organization making the call, if different from the sponsor, by stating "This call is conducted by (name of organization)." [2001, c. 416, §1 (NEW).]

B. If any person identified as either sponsoring or authorizing the call is not required to file any document with election officials pursuant to this Title, a valid, current, publicly listed telephone number and address for the person or organization must be disclosed during each call. [2001, c. 416, §1 (NEW) . ]

C. If any person sponsoring or authorizing the call is affiliated with a candidate, the candidate's name and the office sought by that candidate must be disclosed during each call. [2001, c. 416, §1 (NEW) . ]

D. If the call is an independent expenditure, as defined in section 1019-B, that a candidate has not approved the call must be disclosed during each call. [2003, c. 448, §1 (AMD) . ]

It is not a violation of this subsection if the respondent voluntarily terminates the call or asks to be called back before the required disclosures are made, unless the respondent is in any way encouraged to do so by the person initiating the call.

A person may not state or imply false or fictitious names or telephone numbers when providing the disclosures required under this subsection.

All oral disclosures required by this subsection must be made in a clear and intelligible manner and must be repeated in that fashion upon request of the call respondent. Disclosures made by any telephonic device must offer respondents a procedure to have the disclosures repeated.

This subsection does not apply to a push poll or political telephone solicitation or contact if the individuals participating in the call know each other prior to the call.

A person who violates this subsection may be assessed a forfeiture of \$500 by the commission.

[ 2003, c. 448, §1 (AMD) . ]

**3. Registered agents; requirements; registration.** Persons conducting push polling shall register and comply with the requirements of this subsection.

A. A person who conducts a paid push poll or political telephone solicitation or contact, prior to conducting that poll, solicitation or contact, must have and continuously maintain for at least 180 days following the cessation of business activities in this State a designated agent for the purpose of service of process, notice or demand required or permitted by law, and shall file with the commission identification of that designated agent. Conducting business in this State includes both placing telephone calls from a location in this State and calls from other states or nations to individuals located within this State. The designated agent must be an individual resident of this State, a domestic corporation or a foreign corporation authorized to do business in this State. This paragraph does not apply to any entity already lawfully registered to conduct business in this State. [2001, c. 416, §1 (NEW).]

B. The commission shall create and maintain forms for the designation of agents required pursuant to paragraph A and require, at a minimum, the following information:

- (1) The name, address and telephone number of the designated agent; and
- (2) The name, address and telephone number of the person conducting business in this State. [2001, c. 416, §1 (NEW).]

C. The person conducting push polling shall notify the commission of any changes in the designated agent and the information required by paragraph B. [2001, c. 416, §1 (NEW).]

D. A person who violates this subsection may be assessed a forfeiture of \$500 by the commission. [2001, c. 416, §1 (NEW).]

[ 2001, c. 416, §1 (NEW) .]

**4. Permitted practices.** This section does not prohibit legitimate election practices, including but not limited to:

- A. Voter identification; [2001, c. 416, §1 (NEW).]
- B. Voter facilitation activities; or [2001, c. 416, §1 (NEW).]
- C. Generally accepted scientific polling research. [2001, c. 416, §1 (NEW).]

[ 2001, c. 416, §1 (NEW) .]

#### SECTION HISTORY

2001, c. 416, §1 (NEW). 2003, c. 448, §1 (AMD).

## §1015. LIMITATIONS ON CONTRIBUTIONS AND EXPENDITURES

**1. Individuals.** An individual may not make contributions to a candidate in support of the candidacy of one person aggregating more than \$1,500 in any election for a gubernatorial candidate, more than \$350 for a legislative candidate, more than \$350 for a candidate for municipal office and beginning January 1, 2012 more than \$750 for a candidate for municipal office or more than \$750 in any election for any other candidate. This limitation does not apply to contributions in support of a candidate by that candidate or that candidate's spouse or domestic partner. Beginning December 1, 2010, contribution limits in accordance with this subsection are adjusted every 2 years based on the Consumer Price Index as reported by the United States Department of Labor, Bureau of Labor Statistics and rounded to the nearest amount divisible by \$25. The commission shall post the current contribution limit and the amount of the next adjustment and the date that it will become effective on its publicly accessible website and include this information with any publication to be used as a guide for candidates.

[ 2011, c. 382, §1 (AMD) .]

**2. Committees; corporations; associations.** A political committee, political action committee, other committee, firm, partnership, corporation, association or organization may not make contributions to a candidate in support of the candidacy of one person aggregating more than \$1,500 in any election for a gubernatorial candidate, more than \$350 for a legislative candidate, more than \$350 for a candidate for municipal office and beginning January 1, 2012 more than \$750 for a candidate for municipal office or more than \$750 in any election for any other candidate. Beginning December 1, 2010, contribution limits in accordance with this subsection are adjusted every 2 years based on the Consumer Price Index as reported by the United States Department of Labor, Bureau of Labor Statistics and rounded to the nearest amount

divisible by \$25. The commission shall post the current contribution limit and the amount of the next adjustment and the date that it will become effective on its publicly accessible website and include this information with any publication to be used as a guide for candidates.

[ 2011, c. 382, §2 (AMD) .]

**3. Aggregate contributions.** No individual may make contributions to candidates aggregating more than \$25,000 in any calendar year. This limitation does not apply to contributions in support of a candidate by that candidate or that candidate's spouse or domestic partner.

[ 2007, c. 443, Pt. A, §12 (AMD) .]

**4. Political committees; intermediaries.** For the purpose of the limitations imposed by this section, contributions made to any political committee authorized by a candidate to accept contributions on the candidate's behalf are considered to be contributions made to that candidate. If the campaign activities of a political action committee within a calendar year primarily promote or support the nomination or election of a single candidate, contributions to the committee that were solicited by the candidate are considered to be contributions made to the candidate for purposes of the limitations in this section. For purposes of this subsection, solicitation of contributions includes but is not limited to the candidate's appearing at a fundraising event organized by or on behalf of the political action committee or suggesting that a donor make a contribution to that committee.

For the purposes of the limitations imposed by this section, all contributions made by a person, either directly or indirectly, on behalf of a particular candidate, that are in any way earmarked or otherwise directed through an intermediary or conduit to the candidate are considered to be contributions from that person to the candidate. The intermediary or conduit shall report the original source and the intended recipient of the contribution to the commission and to the intended recipient.

[ 2011, c. 389, §14 (AMD) .]

**5. Other contributions and expenditures.** Any expenditure made by any person in cooperation, consultation or concert with, or at the request or suggestion of, a candidate, a candidate's political committee or their agents is considered to be a contribution to that candidate.

The financing by any person of the dissemination, distribution or republication, in whole or in part, of any broadcast or any written or other campaign materials prepared by the candidate, the candidate's political committee or committees or their authorized agents is considered to be a contribution to that candidate.

[ 1989, c. 504, §§7, 31 (AMD) .]

**6. Prohibited expenditures.** A candidate, a treasurer, a political committee, a party or party committee, a person required to file a report under this subchapter or their authorized agents may not make any expenditures for liquor to be distributed to or consumed by voters while the polls are open on election day.

[ 1991, c. 839, §11 (AMD); 1991, c. 839, §34 (AFF) .]

**7. Voluntary limitations on political expenditures.** A candidate may voluntarily agree to limit the total expenditures made on behalf of that candidate's campaign as specified in section 1013-A, subsection 1, paragraph C and subsections 8 and 9.

[ 1995, c. 384, §2 (NEW) .]

**8. Political expenditure limitation amounts.** Total expenditures in any election for legislative office by a candidate who voluntarily agrees to limit campaign expenditures as provided in subsection 7 are as follows:

A. For State Senator, \$25,000; and [2007, c. 443, Pt. A, §14 (AMD) .]

B. For State Representative, \$5,000. [2007, c. 443, Pt. A, §14 (AMD).]

C. [2007, c. 443, Pt. A, §14 (RP).]

Expenditure limits are per election and may not be carried forward from one election to another. For calculation and reporting purposes, the reporting periods established in section 1017 apply.

[ 2007, c. 443, Pt. A, §14 (AMD) .]

**9. Publication of list.** The commission shall publish a list of the candidates for State Representative and State Senator who have agreed to voluntarily limit total expenditures for their campaigns as provided in section 1013-A, subsection 1, paragraph C.

For the purposes of subsections 7 and 8 and this subsection, "total expenditures" means the sum of all expenditures made to influence a single election that are made by a candidate or made on the candidate's behalf by the candidate's political committee or committees, the candidate's party or the candidate's immediate family.

[ 1995, c. 384, §2 (NEW) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 504, §§7,31 (AMD). 1991, c. 839, §11 (AMD). 1991, c. 839, §34 (AFF). IB 1995, c. 1, §11 (AMD). 1995, c. 384, §2 (AMD). 1999, c. 729, §§2,3 (AMD). 2007, c. 443, Pt. A, §§10-14 (AMD). 2009, c. 286, §§2, 3 (AMD). 2011, c. 382, §§1, 2 (AMD). 2011, c. 389, §14 (AMD).

## §1015-A. CORPORATE CONTRIBUTIONS

Contributions made by a for-profit or a nonprofit corporation including a parent, subsidiary, branch, division, department or local unit of a corporation, and contributions made by a political committee or political action committee whose contribution or expenditure activities are financed, maintained or controlled by a corporation are considered to be made by that corporation, political committee or political action committee. [1991, c. 839, §12 (NEW).]

**1. Single entities.** Two or more entities are treated as a single entity if the entities:

A. Share the majority of members of their boards of directors; [1991, c. 839, §12 (NEW).]

B. Share 2 or more officers; [1991, c. 839, §12 (NEW).]

C. Are owned or controlled by the same majority shareholder or shareholders; [2013, c. 334, §5 (AMD).]

C-1. Are limited liability companies that are owned or controlled by the same majority member or members; or [2013, c. 334, §6 (NEW).]

D. Are in a parent-subsidiary relationship. [1991, c. 839, §12 (NEW).]

[ 2013, c. 334, §§5, 6 (AMD) .]

**2. Sole proprietorships.** A sole proprietorship and its owner are treated as a single entity.

[ 2007, c. 443, Pt. A, §15 (NEW) .]

#### SECTION HISTORY

1991, c. 839, §12 (NEW). 2007, c. 443, Pt. A, §15 (AMD). 2013, c. 334, §§5, 6 (AMD).

## §1015-B. DONATIONS TO AN INDIVIDUAL CONSIDERING WHETHER TO BECOME A CANDIDATE

If an individual receives funds, goods or services for the purpose of deciding whether to become a candidate, the funds, goods or services may not exceed the limitations in section 1015, subsections 1 and 2. The individual shall keep an account of such funds, goods or services received and all payments and obligations incurred in deciding whether to become a candidate. If the individual becomes a candidate, the funds, goods and services received are contributions and the payments and obligations are expenditures. The candidate shall disclose the contributions and expenditures in the first report filed by the candidate or the candidate's authorized campaign committee, in accordance with the commission's procedures. [ 2013, c. 334, §7 (NEW). ]

### SECTION HISTORY

2013, c. 334, §7 (NEW).

## §1016. RECORDS

The candidate or treasurer shall keep detailed records of all contributions received and of each expenditure that the treasurer or candidate makes or authorizes, as provided in this section. The treasurer shall certify the completeness and accuracy of the information in any report of contributions and expenditures filed with the commission as required by section 1017. [ 2013, c. 334, §8 (AMD). ]

**1. Segregated funds.** All funds of a political committee and campaign funds of a candidate must be segregated from, and may not be commingled with, any personal funds of the candidate, treasurer or other officers, members or associates of the committee. Personal funds of the candidate used to support the candidacy must be recorded and reported to the treasurer as contributions to the political committee, or the candidate if the candidate has not authorized a political committee.

[ 1991, c. 839, §13 (AMD); 1991, c. 839, §34 (AFF) . ]

**2. Report of contributions and expenditures.** A person who receives a contribution or makes an expenditure for a candidate or political committee shall report the contribution or expenditure to the candidate or treasurer within 5 days of the receipt of the contribution or the making of the expenditure. A person who receives a contribution in excess of \$10 for a candidate or a political committee shall report to the candidate or treasurer the amount of the contribution, the name and address of the person making the contribution and the date on which the contribution was received.

[ 2013, c. 334, §8 (AMD) . ]

**3. Record keeping.** The candidate or treasurer shall keep a detailed and exact account of:

A. All contributions made to or for the candidate or committee, including any contributions by the candidate; [1989, c. 504, §§10, 31 (AMD). ]

B. The name and address of every person making a contribution in excess of \$10, the date and amount of that contribution and, if a person's contributions in any report filing period aggregate more than \$50, the account must include the contributor's occupation and principal place of business, if any. If the contributor is the candidate or a member of the candidate's immediate family, the account must also state the relationship. For purposes of this paragraph, "filing period" is as provided in section 1017, subsections 2 and 3-A; [1991, c. 839, §13 (AMD). ]

C. All expenditures made by or on behalf of the committee or candidate; and [1985, c. 161, §6 (NEW) . ]

D. The name and address of every person to whom any expenditure is made and the date and amount of the expenditure. [1985, c. 161, §6 (NEW).]

[ 2013, c. 334, §8 (AMD) .]

**4. Receipts preservation.** The candidate or treasurer shall obtain and keep a receipted bill, stating the particulars, for every expenditure in excess of \$50 made by or on behalf of a political committee or a candidate and for any such expenditure in a lesser amount if the aggregate amount of those expenditures to the same person in any election exceeds \$50. The candidate or treasurer shall preserve all receipted bills and accounts required to be kept by this section for 2 years following the final report required to be filed for the election to which they pertain, unless otherwise ordered by the commission or a court.

[ 2013, c. 334, §8 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 504, §§8-10,31 (AMD). 1989, c. 878, §§A47,48 (AMD). 1991, c. 839, §13 (AMD). 1991, c. 839, §34 (AFF). 2013, c. 334, §8 (AMD).

## §1016-A. DUTIES AND LIABILITY OF THE CANDIDATE AND TREASURER

**1. Keeping required records.** The candidate or treasurer shall keep records of contributions and expenditures as required by section 1016, chapter 14 and the commission's rules. If the candidate keeps the records, the candidate shall provide the treasurer or deputy treasurer with access to the records for the purpose of filing complete and accurate campaign finance reports. The candidate and treasurer are jointly responsible for ensuring that the campaign keeps all records required by law.

[ 2013, c. 334, §9 (NEW) .]

**2. Filing campaign finance reports.** The treasurer shall file complete and accurate campaign finance reports as required by section 1017. The treasurer may delegate the filing of the reports to the deputy treasurer.

[ 2013, c. 334, §9 (NEW) .]

**3. Liability for violations.** The commission may hold the candidate and treasurer jointly and severally liable for any penalties assessed for violations of the financial reporting or record-keeping requirements of this chapter, chapter 14 and the commission's rules. If the deputy treasurer files reports for the campaign, the commission may hold the deputy treasurer jointly and severally liable for any penalties related to reports filed by the deputy treasurer.

[ 2013, c. 334, §9 (NEW) .]

#### SECTION HISTORY

2013, c. 334, §9 (NEW).

## §1017. REPORTS BY CANDIDATES

### 1. Federal candidates.

[ 2007, c. 443, Pt. A, §16 (RP) .]



**2. Gubernatorial candidates.** A treasurer of a candidate for the office of Governor shall file reports with the commission as follows. Once the first required report has been filed, each subsequent report must cover the period from the end date of the prior report filed.

A. In any calendar year, other than a gubernatorial election year, in which the candidate or the candidate's political committee has received contributions in excess of \$1,000 or made or authorized expenditures in excess of \$1,000, reports must be filed no later than 11:59 p.m. on July 15th of that year and January 15th of the following calendar year. These reports must include all contributions made to and all expenditures made or authorized by or on behalf of the candidate or the candidate's treasurer as of the end of the preceding month, except those covered by a previous report. [2007, c. 443, Pt. A, §16 (AMD).]

B. Reports must be filed no later than 11:59 p.m. on the 42nd day before the date on which an election is held and must be complete as of the 49th day before that date. If a report was not filed under paragraph A, the report required under this paragraph must cover all contributions and expenditures through the 49th day before the election. [2007, c. 443, Pt. A, §16 (AMD).]

C. Reports must be filed no later than 11:59 p.m. on the 11th day before the date on which an election is held and must be complete as of the 14th day before that date. [2007, c. 443, Pt. A, §16 (AMD).]

D. Any single contribution of \$1,000 or more received or any single expenditure of \$1,000 or more made after the 14th day before the election and more than 24 hours before 11:59 p.m. on the day of the election must be reported within 24 hours of that contribution or expenditure. The candidate or treasurer is not required to include in this report expenditures for overhead expenses or compensation paid to an employee or other member of the campaign staff who has received payments at regular intervals that have been disclosed in previously filed campaign finance reports. As used in this paragraph, "overhead expenses" includes, but is not limited to, rent, utility payments, taxes, insurance premiums or similar administrative expenses. [2013, c. 334, §10 (AMD).]

E. Reports must be filed no later than 11:59 p.m. on the 42nd day after the date on which an election is held and must be complete for the filing period as of the 35th day after that date. [2007, c. 443, Pt. A, §16 (AMD).]

F. Unless further reports will be filed in relation to a later election in the same calendar year, the disposition of any surplus or deficit in excess of \$100 shown in the reports described in paragraph E must be reported as provided in this paragraph. The treasurer of a candidate or political committee with a surplus or deficit in excess of \$100 shall file reports semiannually with the commission within 15 days following the end of the 2nd and 4th quarters of the State's fiscal year, complete as of the last day of the quarter, until the surplus is disposed of or the deficit is liquidated. The first report under this paragraph is not required until the 15th day of the period beginning at least 90 days from the date of the election. The reports will be considered timely if filed electronically or in person with the commission on that date or postmarked on that date. The reports must set forth any contributions for the purpose of liquidating the deficit, in the same manner as contributions are set forth in other reports required in this section. [2007, c. 443, Pt. A, §16 (AMD).]

G. Unless otherwise specified in this subsection, reports must be complete back to the end date of the previous report filing period. The reports described in paragraph E, if filed with respect to a primary election, are considered previous reports in relation to reports concerning a general election. [2007, c. 443, Pt. A, §16 (AMD).]

H. Reports with respect to a candidate who seeks nomination by petition for the office of Governor must be filed on the same dates that reports must be filed with respect to a candidate who seeks that nomination by primary election. [1991, c. 839, §14 (AMD); 1991, c. 839, §34 (AFF).]

[2013, c. 334, §10 (AMD).]

### 3. Other candidates.

[ 1989, c. 504, §§13, 31 (RP) .]

**3-A. Other candidates.** A treasurer of a candidate for state or county office other than the office of Governor shall file reports with the commission and municipal candidates shall file reports with the municipal clerk as follows. Once the first required report has been filed, each subsequent report must cover the period from the end date of the prior report filed.

A. In any calendar year in which an election for the candidate's particular office is not scheduled, when any candidate or candidate's political committee has received contributions in excess of \$500 or made or authorized expenditures in excess of \$500, reports must be filed no later than 11:59 p.m. on July 15th of that year and January 15th of the following calendar year. These reports must include all contributions made to and all expenditures made or authorized by or on behalf of the candidate or the treasurer of the candidate as of the end of the preceding month, except those covered by a previous report. [2007, c. 443, Pt. A, §16 (AMD).]

B. Reports must be filed no later than 11:59 p.m. on the 11th day before the date on which an election is held and must be complete as of the 14th day before that date. If a report was not filed under paragraph A, the report required under this paragraph must cover all contributions and expenditures through the 14th day before the election. [2007, c. 443, Pt. A, §16 (AMD).]

C. Any single contribution of \$1,000 or more received or any single expenditure of \$1,000 or more made after the 14th day before any election and more than 24 hours before 11:59 p.m. on the day of any election must be reported within 24 hours that contribution or expenditure. The candidate or treasurer is not required to include in this report expenditures for overhead expenses or compensation paid to an employee or other member of the campaign staff who has received payments at regular intervals that have been disclosed in previously filed campaign finance reports. As used in this paragraph, "overhead expenses" includes, but is not limited to, rent, utility payments, taxes, insurance premiums or similar administrative expenses. [2013, c. 334, §11 (AMD).]

D. Reports must be filed no later than 11:59 p.m. on the 42nd day after the date on which an election is held and must be complete for the filing period as of the 35th day after that date. [2007, c. 443, Pt. A, §16 (AMD).]

D-1. Reports must be filed no later than 11:59 p.m. on the 42nd day before the date on which a general election is held and must be complete as of the 49th day before that date, except that this report is not required for candidates for municipal office. [2009, c. 190, Pt. A, §5 (AMD).]

E. Unless further reports will be filed in relation to a later election in the same calendar year, the disposition of any surplus or deficit in excess of \$100 shown in the reports described in paragraph D must be reported as provided by this paragraph. The treasurer of a candidate with a surplus or deficit in excess of \$100 shall file reports semiannually with the commission within 15 days following the end of the 2nd and 4th quarters of the State's fiscal year, complete as of the last day of the quarter, until the surplus is disposed of or the deficit is liquidated. The first report under this paragraph is not required until the 15th day of the period beginning at least 90 days from the date of the election. The reports will be considered timely if filed electronically or in person with the commission on that date or postmarked on that date. The reports must set forth any contributions for the purpose of liquidating the deficit, in the same manner as contributions are set forth in other reports required in this section. [2007, c. 443, Pt. A, §16 (AMD).]

F. Reports with respect to a candidate who seeks nomination by petition must be filed on the same dates that reports must be filed by a candidate for the same office who seeks that nomination by primary election. [1991, c. 839, §15 (AMD); 1991, c. 839, §34 (AFF).]

[ 2013, c. 334, §11 (AMD) .]

### 3-B. Accelerated reporting schedule.

[ 2011, c. 558, §1 (RP) .]

**4. New candidate or nominee.** A candidate for nomination or a nominee chosen to fill a vacancy under chapter 5, subchapter 3 is subject to section 1013-A, subsection 1, except that the candidate shall register the name of a treasurer or political committee and all other information required in section 1013-A, subsection 1, paragraphs A and B within 7 days after the candidate's appointment or at least 6 days before the election, whichever is earlier. The commission shall send notification of this registration requirement and report forms and schedules to the candidate and the candidate's treasurer immediately upon notice of the candidate's and treasurer's appointments.

[ 2007, c. 443, Pt. A, §16 (AMD) .]

**5. Content.** A report required under this section must contain the itemized accounts of contributions received during that report filing period, including the date a contribution was received, and the name, address, occupation, principal place of business, if any, and the amount of the contribution of each person who has made a contribution or contributions aggregating in excess of \$50. The report must contain the itemized expenditures made or authorized during the report filing period, the date and purpose of each expenditure and the name of each payee and creditor and any refund that a payee has made to the candidate or an agent of the candidate. If the payee is a member of the candidate's household or immediate family, the candidate must disclose the candidate's relationship to the payee in a manner prescribed by the commission. The report must contain a statement of any loan to a candidate by a financial institution in connection with that candidate's candidacy that is made during the period covered by the report, whether or not the loan is defined as a contribution under section 1012, subsection 2, paragraph A. The candidate and the treasurer are jointly and severally responsible for the timely and accurate filing of each required report.

[ 2011, c. 522, §1 (AMD) .]

**5-A. Valuation of contributions sold at auction.** Any contribution received by a candidate that is later sold at auction must be reported in the following manner.

A. If the contribution is sold at auction before the commencement of the appropriate reporting period specified in subsections 2 to 4, or during that period, the value of the contribution is deemed to be the amount of the purchase price paid at auction. [2007, c. 443, Pt. A, §16 (AMD) .]

B. If the contribution is sold after the termination of the appropriate reporting period specified in subsections 2 to 4, the value of the contribution is the difference between the value of the contribution as originally reported by the treasurer and the amount of the purchase price paid at auction. Unless further reports are filed in relation to a later election in the same calendar year, the disposition of any net surplus or deficit in excess of \$100 resulting from the difference between the auction price and the original contribution value must be reported in the same manner as provided in subsection 2, paragraph F or subsection 3-A, paragraph E, as appropriate. [2009, c. 190, Pt. A, §7 (AMD) .]

[ 2009, c. 190, Pt. A, §7 (AMD) .]

**6. Forms.** Reports required by this section not filed electronically must be on forms prescribed, prepared and sent by the commission to the treasurer of each registered candidate at least 7 days before the filing date for the report. Establishment of or amendments to the campaign report filing forms required by this section must be by rule. Persons filing reports may use additional pages if necessary, but the pages must be the same size as the pages of the form. Although the commission mails the forms for required reports to candidates who are exempt from filing electronically, failure to receive forms by mail does not excuse treasurers, committees and other persons who must file reports from otherwise obtaining the forms or from late filing penalties.

Rules of the commission establishing campaign report filing forms for candidates are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[ 2007, c. 443, Pt. A, §16 (AMD) .]

### **7. Reporting exemption.**

[ 1991, c. 839, §34 (AFF); 1991, c. 839, §20 (RP) .]

**7-A. Reporting exemption.** A candidate seeking election to a county or municipal office or a legislative candidate seeking the nomination of a party in an uncontested primary election is exempt from reporting as provided by this subsection.

A. A candidate seeking election to a county or municipal office may, at the time the candidate registers under section 1013-A, notify the commission that the candidate and the candidate's agents, if any, will not personally accept contributions, make expenditures or incur obligations associated with that candidate's candidacy. The notification must be sworn and notarized. A candidate who provides this notice to the commission is not required to appoint a treasurer and is not subject to the filing requirements of this subchapter if the statement is true. [2009, c. 138, §1 (AMD) .]

A-1. A legislative candidate seeking the nomination of a party in an uncontested primary election may, at the time the candidate registers under section 1013-A, notify the commission that the candidate and the candidate's agents, if any, will not personally accept contributions, make expenditures or incur obligations associated with that candidate's candidacy through the 35th day after the primary election. The notification must be sworn and notarized. A candidate who provides this notice to the commission is not required to appoint a treasurer or to file the campaign finance reports under subsection 3-A, paragraphs B and D with respect to the primary election. [2015, c. 350, §5 (NEW) .]

B. The notice provided to the commission under paragraph A or A-1 may be revoked. Prior to revocation, the candidate must appoint a treasurer. The candidate may not accept contributions, make expenditures or incur obligations before the appointment of a treasurer and the filing of a revocation notice are accomplished. A revocation notice must be in the form of an amended registration, which must be filed with the commission no later than 10 days after the appointment of a treasurer. The candidate and the candidate's treasurer, as of the date the revocation notice is filed with the commission, may accept contributions, make expenditures and incur obligations associated with the candidate's candidacy. Any candidate who fails to file a timely revocation notice is subject to the penalties prescribed in section 1020-A, subsection 4-A, up to a maximum of \$5,000. Lateness is calculated from the day a contribution is received, an expenditure is made or an obligation is incurred, whichever is earliest. [2015, c. 350, §5 (AMD) .]

[ 2015, c. 350, §5 (AMD) .]

**8. Disposition of surplus.** A treasurer of a candidate registered under section 1013-A or qualified under sections 335 and 336 or sections 354 and 355 must dispose of a surplus exceeding \$100 within 4 years of the election for which the contributions were received by:

A. Returning contributions to the candidate's or candidate's authorized political committee's contributors, as long as no contributor receives more than the amount contributed; [2005, c. 301, §16 (AMD) .]

B. A gift to a qualified political party within the State, including any county or municipal subdivision of such a party; [1991, c. 839, §21 (AMD); 1991, c. 839, §34 (AFF) .]

C. An unrestricted gift to the State. A candidate for municipal office may dispose of a surplus by making a restricted or unrestricted gift to the municipality; [2005, c. 542, §2 (AMD) .]

D. Carrying forward the surplus balance to a political committee established to promote the same candidate for a subsequent election; [1989, c. 504, §§17, 31 (NEW) .]

D-1. Carrying forward the surplus balance for use by the candidate for a subsequent election; [ 1989 , c. 833 , §7 (NEW) . ]

E. Transferring the surplus balance to one or more other candidates registered under section 1013-A or qualified under sections 335 and 336 or sections 354 and 355, or to political committees established to promote the election of those candidates, provided that the amount transferred does not exceed the contribution limits established by section 1015; [1991, c. 839, §21 (AMD); 1991, c. 839, §34 (AFF) . ]

F. Repaying any loans or retiring any other debts incurred to defray campaign expenses of the candidate; [1995, c. 193, §1 (AMD) . ]

G. Paying for any expense incurred in the proper performance of the office to which the candidate is elected, as long as each expenditure is itemized on expenditure reports; and [ 1995 , c. 193 , §2 (AMD) . ]

H. A gift to a charitable or educational organization that is not prohibited, for tax reasons, from receiving such a gift. [1995, c. 193, §3 (NEW) . ]

The choice must be made by the candidate for whose benefit the contributions were made.

[ 2007 , c. 443 , Pt. A , §16 (AMD) . ]

**9. Campaign termination report forms.** The commission shall provide each candidate required to report campaign contributions and expenditures with a campaign termination report form. A candidate shall file the campaign termination report with the commission as required in this subsection. The campaign termination report must be complete as of June 30th of the year following the campaign of the previous year. This form must show any deficits or surpluses to be carried over to the next campaign. Funds not carried forward to the next campaign must be disposed of as provided in subsection 8. Campaign reporting is as follows.

A. Candidates with surplus campaign funds following an election shall file termination reports no later than July 15th of the year following the campaign of the previous year. [1991, c. 839, §22 (NEW) . ]

B. Candidates with a campaign deficit following an election shall file termination reports no later than July 15th of the year following the campaign of the previous year. [1991, c. 839, §22 (NEW) . ]

C. Candidates with a deficit who will not participate in the next election for the same office shall file semiannual reports until the deficit is liquidated. [1991, c. 839, §22 (NEW) . ]

D. Candidates who collect funds subsequent to an election for purposes other than retiring campaign debt shall register with the commission pursuant to section 1013-A. [1991, c. 839, §22 (NEW) . ]

[ 2007 , c. 443 , Pt. A , §16 (AMD) . ]

**10. Electronic filing.** The treasurer of a candidate or committee that has receipts or expects to have receipts of more than \$1,500 shall file each report required by this section through an electronic filing system developed by the commission. The commission may make an exception to this electronic filing requirement if a candidate or committee submits a written request that states that the candidate or committee lacks access to the technology or the technological ability to file reports electronically. The request for an exception must be submitted by April 15th of the election year, except that a candidate registered according to subsection 4 has 10 business days from the date of registration to submit a request to the commission. The commission shall grant all reasonable requests for exceptions.

[ 2007 , c. 443 , Pt. A , §16 (AMD) . ]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 383, §14 (AMD). 1985, c. 566, §§1,2 (AMD). 1987, c. 726, §§1,2 (AMD). 1989, c. 166, §10 (AMD). 1989, c. 504, §§11-17,31 (AMD). 1989, c. 833, §§2-7,21 (AMD). 1989, c. 878, §§A49,50 (AMD). 1991, c. 839, §§14-22 (AMD). 1991, c. 839, §34 (AFF). IB 1995, c. 1, §12 (AMD). RR 1995, c. 2, §36 (COR). 1995, c. 193, §§1-3 (AMD). 1995, c. 483, §§7,8 (AMD). 1999, c. 157, §1 (AMD). 1999, c. 729, §4 (AMD). RR 2001, c. 1, §25 (COR). 2001, c. 470, §6 (AMD). 2001, c. 589, §§1,2 (AMD). 2003, c. 628, §§B1-3 (AMD). 2005, c. 301, §§13-17 (AMD). 2005, c. 542, §2 (AMD). 2007, c. 443, Pt. A, §16 (AMD). 2007, c. 567, §1 (AMD). 2007, c. 642, §10 (AMD). RR 2009, c. 2, §46 (COR). 2009, c. 138, §1 (AMD). 2009, c. 190, Pt. A, §§5-7 (AMD). 2009, c. 302, §4 (AMD). 2009, c. 366, §3 (AMD). 2009, c. 366, §12 (AFF). 2009, c. 524, §5 (AMD). 2011, c. 389, §15 (AMD). 2011, c. 389, §62 (AFF). 2011, c. 522, §1 (AMD). 2011, c. 558, §1 (AMD). 2013, c. 334, §§10, 11 (AMD). 2015, c. 350, §5 (AMD).

## §1017-A. REPORTS OF CONTRIBUTIONS AND EXPENDITURES BY PARTY COMMITTEES

**1. Contributions.** A party committee shall report all contributions in cash or in kind from a single contributor that in the aggregate total more than \$200. The party committee shall report the name, mailing address, occupation and place of business of each contributor. Contributions of \$200 or less must be reported, and these contributions may be reported as a lump sum.

[ 2009, c. 190, Pt. A, §8 (AMD) .]

**2. Expenditures to influence a campaign.** A party committee shall report all expenditures made to influence a campaign, as defined in section 1052, subsection 1. The party committee shall report:

A. The name of each candidate, political committee, political action committee or party committee; [2007, c. 443, Pt. A, §17 (AMD).]

B. The office sought by a candidate and the district that the candidate seeks to represent; and [1991, c. 839, §23 (NEW); 1991, c. 839, §33 (AFF).]

C. The date, amount and purpose of each expenditure. [2007, c. 443, Pt. A, §17 (AMD).]

[ 2011, c. 389, §16 (AMD) .]

**3. Other expenditures.** Operational expenses and other expenditures that are not made to influence a campaign, as defined in section 1052, subsection 1 must be reported separately. The party committee shall report:

A. The name and address of each payee; [2009, c. 190, Pt. A, §10 (AMD).]

B. The purpose for the expenditure; and [2007, c. 443, Pt. A, §17 (AMD).]

C. The date and amount of each expenditure. [1993, c. 715, §2 (NEW).]

[ 2011, c. 389, §17 (AMD) .]

### 4. Filing schedule.

[ 2003, c. 302, §2 (RP) .]

**4-A. Filing schedule.** A state party committee shall file its reports according to the following schedule.

A. Quarterly reports must be filed by 11:59 p.m.:

- (1) On January 15th and must be complete up to December 31st;
- (2) On April 10th and must be complete up to March 31st;
- (3) On July 15th and must be complete up to June 30th; and
- (4) On October 5th and must be complete up to September 30th. [ 2011, c. 367, §1 (AMD) . ]

**B. General and primary election reports must be filed by 11:59 p.m.:**

- (1) On the 11th day before the date on which the election is held and must be complete up to the 14th day before that date; and
- (2) On the 42nd day after the date on which the election is held and must be complete up to the 35th day after that date. [ 2007, c. 443, Pt. A, §17 (AMD) . ]

**C. Preelection and post-election reports for special elections, referenda, initiatives, bond issues or constitutional amendments must be filed by 11:59 p.m.:**

- (1) On the 11th day before the date on which the election is held and must be complete up to the 14th day before that date; and
- (2) On the 42nd day after the date on which the election is held and must be complete up to the 35th day after that date. [ 2011, c. 389, §18 (AMD) . ]

**D. A state party committee that files an election report under paragraph B or C is not required to file a quarterly report under paragraph A when the deadline for that quarterly report falls within 10 days of the filing deadline established in paragraph B or C. [ 2003, c. 302, §3 (NEW) . ]**

**E. A state party committee shall report any single contribution of \$5,000 or more received or any single expenditure of \$1,000 or more made after the 14th day before the election and more than 24 hours before 5:00 p.m. on the day of the election within 24 hours of that contribution or expenditure. The committee is not required to include in this report expenditures for overhead expenses or compensation paid to an employee or other member of the campaign staff who has received payments at regular intervals that have been disclosed in previously filed campaign finance reports. As used in this paragraph, "overhead expenses" includes, but is not limited to, rent, utility payments, taxes, insurance premiums or similar administrative expenses. [ 2013, c. 334, §12 (AMD) . ]**

[ 2013, c. 334, §12 (AMD) . ]

**4-B. Filing schedule for municipal, district and county party committees.** Municipal, district and county party committees shall file reports according to the following schedule.

**A. Reports filed during an election year must be filed with the commission by 11:59 p.m. on:**

- (1) July 15th and be complete as of June 30th;
- (2) The 11th day before the date on which the general election is held and must be complete up to the 14th day before that date; and
- (3) January 15th and be complete as of December 31st. [ 2009, c. 190, Pt. A, §12 (AMD) . ]

**B. Reports filed during a nonelection year must be filed by 11:59 p.m. on:**

- (1) July 15th and be complete as of June 30th; and
- (2) January 15th and be complete as of December 31st. [ 2007, c. 443, Pt. A, §17 (AMD) . ]

**C. A committee shall report any single contribution of \$5,000 or more received or any expenditure of \$1,000 or more made after the 14th day before any election and more than 24 hours before 11:59 p.m. on the day of the election within 24 hours of that contribution or expenditure. The committee is not required to include in this report expenditures for overhead expenses or compensation paid to an employee or**

other member of the campaign staff who has received payments at regular intervals that have been disclosed in previously filed campaign finance reports. As used in this paragraph, "overhead expenses" includes, but is not limited to, rent, utility payments, taxes, insurance premiums or similar administrative expenses. [2013, c. 334, §13 (AMD).]

[ 2013, c. 334, §13 (AMD) .]

**4-C. Electronic filing.** State party committees shall file each report required by this section through an electronic filing system developed by the commission. The commission may make an exception to this electronic filing requirement if a party committee submits a written request that states that the party committee lacks access to the technology or the technological ability to file reports electronically. The request for an exception must be submitted by March 1st of the election year. The commission shall grant all reasonable requests for exceptions.

[ 2007, c. 443, Pt. A, §17 (AMD) .]

**5. Penalties.** A party committee is subject to the penalties in section 1020-A, subsection 4-A.

[ 2003, c. 1, §13 (COR) .]

**6. Notice; forms.** A state party committee shall notify all county, district and municipal party committees of the same political party of the party committee reporting requirements. The party committees shall obtain the necessary forms from the commission to complete the filing requirements.

[ 1991, c. 839, §23 (NEW); 1991, c. 839, §33 (AFF) .]

**7. Exemption.** Any party committee receiving and expending less than \$1,500 in one calendar year is exempt from the reporting requirements of this section for that year.

[ 1991, c. 839, §23 (NEW); 1991, c. 839, §33 (AFF) .]

**8. Municipal elections.** When a party committee makes contributions or expenditures on behalf of a candidate for municipal office subject to this subchapter, it shall file a copy of the reports required by this section with the clerk in that candidate's municipality.

[ 2011, c. 389, §19 (AMD); 2011, c. 389, §62 (AFF) .]

#### SECTION HISTORY

1991, c. 839, §23 (NEW). 1991, c. 839, §33 (AFF). 1993, c. 228, §1 (AMD). 1993, c. 680, §C2 (AMD). 1993, c. 715, §§1,2 (AMD). RR 1995, c. 2, §37 (COR). 1995, c. 228, §1 (AMD). 1995, c. 483, §§9,10 (AMD). RR 2003, c. 1, §13 (COR). 2003, c. 302, §§2,3 (AMD). 2003, c. 628, §§A2,B4 (AMD). 2005, c. 301, §§18-20 (AMD). 2007, c. 443, Pt. A, §17 (AMD). 2009, c. 190, Pt. A, §§8-12 (AMD). 2009, c. 366, §4 (AMD). 2009, c. 366, §12 (AFF). 2011, c. 367, §1 (AMD). 2011, c. 389, §§16-19 (AMD). 2011, c. 389, §62 (AFF). 2013, c. 334, §§12, 13 (AMD).

### §1017-B. RECORDS

Any party committee that makes expenditures that aggregate in excess of \$50 to any one or more candidates, committees or campaigns in this State shall keep records as provided in this section. Records required to be kept under this section must be retained by the party committee until 10 days after the next election following the election to which the records pertain. [2007, c. 443, Pt. A, §18 (NEW) .]



**1. Details of records.** The treasurer of a party committee shall record a detailed account of:

A. All expenditures made to or on behalf of a candidate, campaign or committee; [2007, c. 443, Pt. A, §18 (NEW).]

B. The identity and address of each candidate, campaign or committee; [2007, c. 443, Pt. A, §18 (NEW).]

C. The office sought by a candidate and the district the candidate seeks to represent, for candidates that a party committee has made an expenditure to or on behalf of; and [2007, c. 443, Pt. A, §18 (NEW).]

D. The date of each expenditure. [2007, c. 443, Pt. A, §18 (NEW).]

[2007, c. 443, Pt. A, §18 (NEW).]

**2. Receipts.** The treasurer of a party committee shall retain a vendor invoice or receipt stating the particular goods or services purchased for every expenditure in excess of \$50.

[2007, c. 443, Pt. A, §18 (NEW).]

**3. Record of contributions.** The treasurer of a party committee shall keep a record of all contributions to the committee, by name and mailing address, of each donor and the amount and date of the contribution. This subsection does not apply to aggregate contributions from a single donor of \$50 or less in an election. When any donor's contributions to a party committee exceed \$50, the record must include the aggregate amount of all contributions from that donor.

[2007, c. 443, Pt. A, §18 (NEW).]

#### SECTION HISTORY

2007, c. 443, Pt. A, §18 (NEW).

## §1018. REPORTS BY PARTY COMMITTEES

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 504, §§18,31 (AMD). 1989, c. 833, §§8,21 (AMD). IB 1995, c. 1, §13 (AMD). 1995, c. 483, §11 (AMD). 2007, c. 443, Pt. A, §19 (AMD). 2007, c. 695, Pt. A, §24 (RP).

## §1018-B. RECOUNTS OF ELECTIONS

**1. Reporting.** Candidates who are involved in a recount of an election shall file a report 90 days after the election containing itemized accounts of cash, goods and services received for the recount and payments made by the candidate for the recount. The reports must be made on forms prepared and sent by the commission. Persons donating services to the candidate are required to provide the candidate with an estimate of the value of the services donated. Political action committees and party committees making expenditures for a candidate's recount shall identify on their regularly filed reports that the expenditures were made for the purposes of a recount.

[2005, c. 301, §21 (NEW).]

**2. Limitations.** After an election, candidates may receive donations for purposes of a recount. The donations must be within the limitations of section 1015, except that no limitation applies to donations from party committees and caucus campaign committees and from attorneys, consultants and their firms that are donating their services without reimbursement. Candidates may not spend revenues received under chapter 14 for recount expenditures.

[ 2013, c. 334, §14 (AMD) .]

#### SECTION HISTORY

2005, c. 301, §21 (NEW). 2013, c. 334, §14 (AMD).

## §1019. REPORTS OF INDEPENDENT EXPENDITURES

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 504, §§19,31 (AMD). 1989, c. 833, §§9,10,21 (AMD). IB 1995, c. 1, §14 (RPR). 1995, c. 483, §§12,13 (AMD). 2001, c. 465, §1 (AMD). 2003, c. 448, §2 (RP).

## §1019-A. REPORTS OF MEMBERSHIP COMMUNICATIONS

Any membership organization or corporation that makes a communication to its members or stockholders expressly advocating the election or defeat of a clearly identified candidate shall report any expenses related to such communications aggregating in excess of \$50 in any one candidate's election race, notwithstanding the fact that such communications are not expenditures under section 1012, subsection 3, paragraph A. Reports required by this section must be filed with the commission on forms prescribed and prepared by the commission and according to a reporting schedule that the commission shall establish by rule. [2001, c. 465, §2 (NEW).]

#### SECTION HISTORY

2001, c. 465, §2 (NEW).

## §1019-B. REPORTS OF INDEPENDENT EXPENDITURES

**1. Independent expenditures; definition.** For the purposes of this section, an "independent expenditure":

A. Is any expenditure made by a person, party committee, political committee or political action committee, other than by contribution to a candidate or a candidate's authorized political committee, for any communication that expressly advocates the election or defeat of a clearly identified candidate; and [2003, c. 448, §3 (NEW).]

B. Is presumed to be any expenditure made to design, produce or disseminate a communication that names or depicts a clearly identified candidate and is disseminated during the 28 days, including election day, before a primary election; during the 35 days, including election day, before a special election; or from Labor Day to a general election day. [2015, c. 1, §5 (AMD).]

[ 2015, c. 1, §5 (AMD) .]

**2. Rebutting presumption.** A person presumed under this section to have made an independent expenditure may rebut the presumption by filing a signed written statement with the commission within 48 hours of making the expenditure stating that the cost was not incurred with the intent to influence the nomination, election or defeat of a candidate, supported by any additional evidence the person chooses

to submit. The commission may gather any additional evidence it deems relevant and material and must determine by a preponderance of the evidence whether the cost was incurred with intent to influence the nomination, election or defeat of a candidate.

[ 2003, c. 448, §3 (NEW) .]

### **3. Report required; content; rules.**

[ 2009, c. 524, §6 (RPR); T. 21-A, §1019-B, sub-§3 (RP) .]

**4. Report required; content; rules.** A person, party committee, political committee or political action committee that makes any independent expenditure in excess of \$250 during any one candidate's election shall file a report with the commission. In the case of a municipal election, the report must be filed with the municipal clerk.

A. A report required by this subsection must be filed with the commission according to a reporting schedule that the commission shall establish by rule that takes into consideration existing campaign finance reporting requirements. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [2011, c. 558, §2 (AMD) .]

B. A report required by this subsection must contain an itemized account of each expenditure in excess of \$250 in any one candidate's election, the date and purpose of each expenditure and the name of each payee or creditor. The report must state whether the expenditure is in support of or in opposition to the candidate and must include, under penalty of perjury, as provided in Title 17-A, section 451, a statement under oath or affirmation whether the expenditure is made in cooperation, consultation or concert with, or at the request or suggestion of, the candidate or an authorized committee or agent of the candidate. [2015, c. 350, §6 (AMD) .]

C. A report required by this subsection must be on a form prescribed and prepared by the commission. A person filing this report may use additional pages if necessary, but the pages must be the same size as the pages of the form. The commission may adopt procedures requiring the electronic filing of an independent expenditure report, as long as the commission receives the statement made under oath or affirmation set out in paragraph B by the filing deadline and the commission adopts an exception for persons who lack access to the required technology or the technological ability to file reports electronically. The commission may adopt procedures allowing for the signed statement to be provisionally filed by facsimile or electronic mail, as long as the report is not considered complete without the filing of the original signed statement. [2013, c. 334, §16 (AMD) .]

[ 2015, c. 1, §6 (AMD); 2015, c. 350, §6 (AMD) .]

### **5. Exclusions.** An independent expenditure does not include:

A. An expenditure made by a person in cooperation, consultation or concert with, or at the request or suggestion of, a candidate, a candidate's political committee or their agents; [2011, c. 389, §21 (NEW) .]

B. A telephone survey that meets generally accepted standards for polling research and that is not conducted for the purpose of changing the voting position of the call recipients or discouraging them from voting; [2011, c. 389, §21 (NEW) .]

C. A telephone call naming a clearly identified candidate that identifies an individual's position on a candidate, ballot question or political party for the purpose of encouraging the individual to vote, as long as the call contains no advocacy for or against any candidate; and [2011, c. 389, §21 (NEW) .]

D. A voter guide that consists primarily of candidates' responses to surveys and questionnaires and that contains no advocacy for or against any candidate. [2011, c. 389, §21 (NEW).]

[ 2011, c. 389, §21 (NEW) .]

#### SECTION HISTORY

2003, c. 448, §3 (NEW). 2007, c. 443, Pt. A, §20 (AMD). 2009, c. 366, §5 (AMD). 2009, c. 366, §12 (AFF). 2009, c. 524, §§6, 7 (AMD). 2011, c. 389, §§20, 21 (AMD). 2011, c. 389, §62 (AFF). 2011, c. 558, §2 (AMD). 2013, c. 334, §§15, 16 (AMD). IB 2015, c. 1, §§5, 6 (AMD). 2015, c. 350, §6 (AMD).

## §1020. FAILURE TO FILE ON TIME

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 504, §§20,31 (RPR). 1989, c. 833, §§11,21 (AMD). 1991, c. 839, §§24,25 (AMD). 1995, c. 228, §2 (AMD). 1995, c. 483, §14 (RP).

## §1020-A. FAILURE TO FILE ON TIME

**1. Registration.** A candidate that fails to register the name of a candidate, treasurer or political committee with the commission within the time allowed by section 1013-A, subsection 1 may be assessed a forfeiture of \$10. The commission shall determine whether a registration satisfies the requirements for timely filing under section 1013-A, subsection 1.

[ 1995, c. 483, §15 (NEW) .]

**2. Campaign finance reports.** A campaign finance report is not timely filed unless a properly signed or electronically submitted copy of the report, substantially conforming to the disclosure requirements of this subchapter, is received by the commission by 11:59 p.m. on the date it is due. Except as provided in subsection 7, the commission shall determine whether a report satisfies the requirements for timely filing. The commission may waive a penalty in whole or in part if the commission determines that the penalty is disproportionate to the size of the candidate's campaign, the level of experience of the candidate, treasurer or campaign staff or the harm suffered by the public from the late disclosure. The commission may waive the penalty in whole or in part if the commission determines the failure to file a timely report was due to mitigating circumstances. For purposes of this section, "mitigating circumstances" means:

A. A valid emergency determined by the commission, in the interest of the sound administration of justice, to warrant the waiver of the penalty in whole or in part; [1999, c. 729, §5 (AMD).]

B. An error by the commission staff; [1999, c. 729, §5 (AMD).]

C. Failure to receive notice of the filing deadline; or [1999, c. 729, §5 (AMD).]

D. Other circumstances determined by the commission that warrant mitigation of the penalty, based upon relevant evidence presented that a bona fide effort was made to file the report in accordance with the statutory requirements, including, but not limited to, unexplained delays in postal service or interruptions in Internet service. [2009, c. 190, Pt. A, §13 (AMD).]

[ 2009, c. 190, Pt. A, §13 (AMD) .]

**3. Municipal campaign finance reports.** Municipal campaign finance reports must be filed, subject to all the provisions of this subchapter, with the municipal clerk on forms prescribed by the Commission on Governmental Ethics and Election Practices. The municipal clerk shall send any notice of lateness required by subsection 6 and shall notify the commission of any late reports subject to a penalty.

[ 2011, c. 389, §22 (AMD); 2011, c. 389, §62 (AFF) .]

#### **4. Basis for penalties.**

[ 2001, c. 470, §7 (AMD); T. 21-A, §1020-A, sub-§4 (RP) .]

**4-A. Basis for penalties.** The penalty for late filing of a report required under this subchapter is a percentage of the total contributions or expenditures for the filing period, whichever is greater, multiplied by the number of calendar days late, as follows:

A. For the first violation, 2%; [2015, c. 1, §7 (AMD) .]

B. For the 2nd violation, 4%; and [2015, c. 1, §7 (AMD) .]

C. For the 3rd and subsequent violations, 6%. [2015, c. 1, §7 (AMD) .]

Any penalty of less than \$10 is waived.

Violations accumulate on reports with filing deadlines in a 2-year period that begins on January 1st of each even-numbered year. Waiver of a penalty does not nullify the finding of a violation.

A report required to be filed under this subchapter that is sent by certified or registered United States mail and postmarked at least 2 days before the deadline is not subject to penalty.

A registration or report may be provisionally filed by transmission of a facsimile copy of the duly executed report to the commission, as long as the facsimile copy is filed by the applicable deadline and an original of the same report is received by the commission within 5 calendar days thereafter.

[ 2015, c. 1, §7 (AMD) .]

#### **5. Maximum penalties.**

[ 2001, c. 470, §8 (AMD); T. 21-A, §1020-A, sub-§5 (RP) .]

**5-A. Maximum penalties.** Penalties assessed under this subchapter may not exceed:

A. Five thousand dollars for reports required under section 1017, subsection 2, paragraph B, C, D, E or H; section 1017, subsection 3-A, paragraph B, C, D, D-1 or F; and section 1017, subsection 4, except that if the financial activity reported late exceeds \$50,000, the maximum penalty is 100% of the amount reported late; [2015, c. 1, §8 (AMD) .]

A-1. Five thousand dollars for reports required under section 1019-B, subsection 4, except that if the financial activity reported late exceeds \$50,000, the maximum penalty is 100% of the amount reported late; [2015, c. 1, §8 (AMD) .]

B. Five thousand dollars for state party committee reports required under section 1017-A, subsection 4-A, paragraphs A, B, C and E, except that if the financial activity reported late exceeds \$50,000, the maximum penalty is 100% of the amount reported late; [2015, c. 1, §8 (AMD) .]

C. One thousand dollars for reports required under section 1017, subsection 2, paragraphs A and F and section 1017, subsection 3-A, paragraphs A and E; or [2011, c. 558, §4 (AMD) .]

D. Five hundred dollars for municipal, district and county committees for reports required under section 1017-A, subsection 4-B. [2011, c. 558, §4 (AMD) .]

E. [2011, c. 558, §5 (RP).]

[2015, c. 1, §8 (AMD) .]

**6. Request for a commission determination.** If the commission staff finds that a candidate or political committee has failed to file a report required under this subchapter, the commission staff shall mail a notice to the candidate or political committee within 3 business days following the filing deadline informing the candidate or political committee that a report was not received. If a candidate or a political committee files a report required under this subchapter late, a notice of preliminary penalty must be sent to the candidate or political committee whose registration or campaign finance report was not received by 11:59 p.m. on the deadline date, informing the candidate or political committee of the staff finding of violation and preliminary penalty calculated under subsection 4-A and providing the candidate or political committee with an opportunity to request a determination by the commission. Any request for a determination must be made within 14 calendar days of receipt of the commission's notice. A candidate or political committee requesting a determination may either appear in person or designate a representative to appear on the candidate's or political committee's behalf or submit a sworn statement explaining the mitigating circumstances for consideration by the commission. A final determination by the commission may be appealed to the Superior Court in accordance with Title 5, chapter 375, subchapter 7 and the Maine Rules of Civil Procedure, Rule 80C.

[2013, c. 334, §17 (AMD) .]

**7. Final notice of penalty.** If a determination has been requested by the candidate or political committee and made by the commission, notice of the commission's final determination and the penalty, if any, imposed pursuant to this subchapter must be sent to the candidate and the political committee.

If a determination is not requested, the preliminary penalty calculated by the commission staff is final. The commission staff shall mail final notice of the penalty to the candidate and treasurer. A detailed summary of all notices must be provided to the commission.

[2009, c. 302, §6 (AMD) .]

**8. Failure to file report.** The commission shall notify a candidate who has failed to file a report required by this subchapter, in writing, informing the candidate of the requirement to file a report. The notice must be sent by certified mail. If a candidate fails to file a report after 2 notices have been sent by the commission, the commission shall send a final notice by certified mail informing the candidate of the requirement to file and that the matter may be referred to the Attorney General for criminal prosecution. A candidate who fails to file a report as required by this subchapter after the commission has sent the notices required by this subsection is guilty of a Class E crime.

[2007, c. 443, Pt. A, §25 (AMD) .]

**8-A. Penalties for failure to file report.** The penalty for failure to file a report required under this subchapter may not exceed the maximum penalties as provided in subsection 5-A.

[2003, c. 628, Pt. A, §6 (NEW) .]

**9. List of late-filing candidates.** The commission shall prepare a list of the names of candidates who are late in filing a report required under section 1017, subsection 2, paragraph C or D or section 1017, subsection 3-A, paragraph B or C within 30 days of the date of the election and shall make that list available for public inspection.

[1995, c. 483, §15 (NEW) .]

**10. Enforcement.** A penalty assessed pursuant to this section that has not been paid in full within 30 days after issuance of a notice of the final determination may be enforced in accordance with section 1004-B.

[ 2009, c. 302, §7 (RPR) .]

#### SECTION HISTORY

IB 1995, c. 1, §15 (AMD). RR 1995, c. 1, §10 (COR). RR 1995, c. 2, §38 (COR). 1995, c. 483, §15 (NEW). 1995, c. 625, §B5 (AMD). 1999, c. 426, §§32,33 (AMD). 1999, c. 729, §5 (AMD). 2001, c. 470, §§7,8 (AMD). 2001, c. 470, §11 (AFF). 2001, c. 714, §PP1 (AMD). 2001, c. 714, §PP2 (AFF). RR 2003, c. 1, §14 (COR). 2003, c. 302, §4 (AMD). 2003, c. 448, §4 (AMD). 2003, c. 628, §§A3-6 (AMD). 2007, c. 443, Pt. A, §§21-25 (AMD). 2009, c. 190, Pt. A, §§13, 14 (AMD). 2009, c. 302, §§5-7 (AMD). 2009, c. 366, §6 (AMD). 2009, c. 366, §12 (AFF). 2011, c. 389, §§22-25 (AMD). 2011, c. 389, §62 (AFF). 2011, c. 558, §§3-5 (AMD). 2013, c. 334, §17 (AMD). IB 2015, c. 1, §§7, 8 (AMD).

### Subchapter 3: REPORTS ON REFERENDUM CAMPAIGNS

#### **§1031. APPLICATION**

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 614, §24 (RP).

#### **§1032. DEFINITIONS**

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 614, §24 (RP).

#### **§1033. COMMITTEE**

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 614, §24 (RP).

#### **§1034. PUBLICATION OR DISTRIBUTION OF STATEMENTS**

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 614, §24 (RP).

#### **§1035. RECORDS**

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 614, §24 (RP).

#### **§1036. REPORTS**

*(REPEALED)*

## SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 383, §15 (AMD). 1985, c. 614, §24 (RP).

**§1037. FAILURE TO FILE REPORT ON TIME**

*(REPEALED)*

## SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 614, §24 (RP).

## Subchapter 4: REPORTS BY POLITICAL ACTION COMMITTEES

**§1051. APPLICATION**

This subchapter applies to the activities of political action committees organized in and outside this State that accept contributions, incur obligations or make expenditures for the election of state, county or municipal officers, or for the support or defeat of any campaign, as defined in this subchapter. [2007, c. 477, §1 (AMD).]

## SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 280, (AMD). 1989, c. 833, §12 (AMD). 1991, c. 839, §26 (AMD). 1991, c. 839, §33 (AFF). 1995, c. 483, §16 (AMD). 2007, c. 443, Pt. A, §26 (AMD). 2007, c. 477, §1 (AMD). 2009, c. 190, Pt. A, §15 (AMD).

**§1052. DEFINITIONS**

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings. [1985, c. 161, §6 (NEW).]

**1. Campaign.** "Campaign" means any course of activities to influence the nomination or election of a candidate or to initiate or influence any of the following ballot measures:

- A. A people's veto referendum under the Constitution of Maine, Article IV, Part Third, Section 17; [2011, c. 389, §26 (AMD).]
- B. A direct initiative of legislation under the Constitution of Maine, Article IV, Part Third, Section 18; [2011, c. 389, §26 (AMD).]
- C. An amendment to the Constitution of Maine under Article X, Section 4; [1985, c. 161, §6 (NEW).]
- D. A referendum vote on a measure enacted by the Legislature and expressly conditioned upon ratification by a referendum vote under the Constitution of Maine, Article IV, Part Third, Section 19; [2011, c. 389, §26 (AMD).]
- E. The ratification of the issue of bonds by the State or any agency thereof; and [1989, c. 504, §§21, 31 (AMD).]
- F. Any county or municipal referendum. [1995, c. 483, §17 (AMD).]

[2011, c. 389, §26 (AMD).]

**2. Committee.** "Committee" means any political action committee, as defined in this subchapter, and includes any agent of a political action committee.

[2007, c. 443, Pt. A, §27 (AMD).]



**3. Contribution.** "Contribution" includes:

A. A gift, subscription, loan, advance or deposit of money or anything of value made to a political action committee, except that a loan of money by a financial institution made in accordance with applicable banking laws and regulations and in the ordinary course of business is not included; [1985, c. 161, §6 (NEW).]

B. A contract, promise or agreement, expressed or implied whether or not legally enforceable, to make a contribution to a political action committee; [1985, c. 161, §6 (NEW).]

C. Any funds received by a political action committee that are to be transferred to any candidate, committee, campaign or organization for the purpose of initiating or influencing a campaign; or [2011, c. 389, §27 (AMD).]

D. The payment, by any person or organization, of compensation for the personal services of other persons provided to a political action committee that is used by the political action committee to initiate or influence a campaign. [2011, c. 389, §28 (AMD).]

[ 2011, c. 389, §§27, 28 (AMD) .]

**4. Expenditure.** The term "expenditure:"

## A. Includes:

(1) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, made for the purpose of initiating or influencing a campaign;

(2) A contract, promise or agreement, expressed or implied, whether or not legally enforceable, to make any expenditure for the purposes set forth in this paragraph; and

(3) The transfer of funds by a political action committee to another candidate or political committee; and [2011, c. 389, §29 (AMD).]

## B. Does not include:

(1) Any news story, commentary or editorial distributed through the facilities of any broadcasting station, cable television system, newspaper, magazine or other periodical publication, unless these facilities are owned or controlled by any political party, political committee, candidate or the spouse or domestic partner of a candidate;

(2) Activity designed to encourage individuals to register to vote or to vote, if that activity or communication does not mention a clearly identified candidate;

(3) Any communication by any membership organization or corporation to its members or stockholders, if that membership organization or corporation is not organized primarily for the purpose of influencing the nomination or election of any person to state or county office;

(4) The use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by a political action committee in rendering voluntary personal services for candidate-related activities, if the cumulative value of these activities by the political action committee on behalf of any candidate does not exceed \$250 with respect to any election;

(5) Any unreimbursed travel expenses incurred and paid for by a political action committee that volunteers personal services to a candidate, if the cumulative amount of these expenses does not exceed \$100 with respect to any election; and

(6) Any communication by any political action committee member that is not made for the purpose of influencing the nomination or election of any person to state or county office. [2013, c. 334, §18 (AMD).]

[ 2013, c. 334, §18 (AMD) .]

**4-A. Influence.** "Influence" means to promote, support, oppose or defeat.

[ 2011, c. 389, §30 (NEW) . ]

**4-B. Initiate.** "Initiate" includes the collection of signatures and related activities to qualify a state or local initiative or referendum for the ballot.

[ 2011, c. 389, §31 (NEW) . ]

**5. Political action committee.** The term "political action committee:"

A. Includes:

- (1) Any separate or segregated fund established by any corporation, membership organization, cooperative or labor or other organization whose purpose is to initiate or influence a campaign;
- (4) Any person, including any corporation or association, other than an individual, that has as its major purpose initiating or influencing a campaign and that receives contributions or makes expenditures aggregating more than \$1,500 in a calendar year for that purpose; and
- (5) Any person, other than an individual, that does not have as its major purpose influencing candidate elections but that receives contributions or makes expenditures aggregating more than \$5,000 in a calendar year for the purpose of influencing the nomination or election of any candidate to political office; and [ 2015, c. 408, §1 (AMD) . ]

B. Does not include:

- (1) A candidate or a candidate's treasurer under section 1013-A, subsection 1;
- (2) A candidate's authorized political committee under section 1013-A, subsection 1, paragraph B;
- (3) A party committee under section 1013-A, subsection 3; or
- (4) An organization whose only payments of money in the prior 2 years for the purpose of influencing a campaign in this State are contributions to candidates, party committees, political action committees or ballot question committees registered with the commission or a municipality and that has not raised and accepted any contributions during the calendar year for the purpose of influencing a campaign in this State. [ 2011, c. 389, §32 (AMD) . ]

[ 2015, c. 408, §1 (AMD) . ]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 614, §23 (AMD). 1989, c. 504, §§21-23,31 (AMD). 1989, c. 833, §§13,21 (AMD). 1991, c. 839, §27 (AMD). 1991, c. 839, §33 (AFF). 1995, c. 483, §17 (AMD). 1997, c. 683, §A12 (AMD). 1999, c. 729, §6 (AMD). RR 2005, c. 2, §14 (COR). 2005, c. 301, §22 (AMD). 2005, c. 575, §§3-5 (AMD). 2007, c. 443, Pt. A, §§27, 28 (AMD). 2007, c. 477, §2 (AMD). 2009, c. 190, Pt. A, §16 (AMD). 2011, c. 389, §§26-32 (AMD). 2013, c. 334, §18 (AMD). 2015, c. 408, §1 (AMD).

## §1052-A. REGISTRATION

A political action committee shall register with the commission and amend its registration as required by this section. A registration is not timely filed unless it contains all the information required in this section. [ 2013, c. 334, §19 (NEW) . ]

**1. Deadlines to file and amend registrations.** A political action committee shall register and file amendments with the commission according to the following schedule.

A. A political action committee as defined under section 1052, subsection 5, paragraph A, subparagraph (1) or (4) that receives contributions or makes expenditures in the aggregate in excess of \$1,500 and a political action committee as defined under section 1052, subsection 5, paragraph A, subparagraph (5) that receives contributions or makes expenditures in the aggregate in excess of \$5,000 for the purpose of influencing the nomination or election of any candidate to political office shall register with the commission within 7 days of exceeding the applicable amount. [2015, c. 408, §2 (AMD).]

B. A committee shall amend the registration within 10 days of a change in the information that committees are required to disclose under this section. [2013, c. 334, §19 (NEW).]

C. A committee shall file an updated registration form between January 1st and March 1st of each year in which a general election is held. The commission may waive the updated registration requirement for a newly registered political action committee or other registered political action committee if the commission determines that the requirement would cause an administrative burden disproportionate to the public benefit of the updated information. [2013, c. 334, §19 (NEW).]

[ 2015, c. 408, §2 (AMD) .]

**2. Disclosure of treasurer and officers.** A committee must have a treasurer and a principal officer. The same individual may not serve in both positions. The committee's registration must contain the names and addresses of the following individuals:

A. The treasurer of the committee; [2013, c. 334, §19 (NEW).]

B. A principal officer of the committee; [2013, c. 334, §19 (NEW).]

C. Any other individuals who are primarily responsible for making decisions for the committee; [2013, c. 334, §19 (NEW).]

D. The individuals who are primarily responsible for raising contributions for the committee; and [2013, c. 334, §19 (NEW).]

E. The names of any other candidates or Legislators who have a significant role in fund-raising or decision-making for the committee. [2013, c. 334, §19 (NEW).]

[ 2013, c. 334, §19 (NEW) .]

**3. Other disclosure requirements.** A committee's registration must also include the following information:

A. A statement indicating the specific candidates, categories of candidates or campaigns that the committee expects to support or oppose; [2013, c. 334, §19 (NEW).]

B. If the committee is formed to influence the election of a single candidate, the name of that candidate; [2013, c. 334, §19 (NEW).]

C. The form or structure of the organization, such as a voluntary association, membership organization, corporation or any other structure by which the committee functions, and the date of origin or incorporation of the organization; [2013, c. 334, §19 (NEW).]

D. If the committee has been formed by one or more for-profit or nonprofit corporations or other organizations for the purpose of initiating or influencing a campaign, the names and addresses of the corporations or organizations; [2013, c. 334, §19 (NEW).]

E. The name of the account that the committee will use to deposit contributions and make expenditures pursuant to section 1054, and the name and address of the financial institution at which the account is established; and [2013, c. 334, §19 (NEW).]

F. Any additional information reasonably required by the commission to monitor the activities of political action committees in this State under this subchapter. [2013, c. 334, §19 (NEW).]

[ 2013, c. 334, §19 (NEW) .]

**4. Acknowledgment of responsibilities.** The treasurer, principal officer and any other individuals who are primarily responsible for making decisions for the committee shall submit a signed statement acknowledging their responsibilities on a form prescribed by the commission within 10 days of registering the committee. The signed acknowledgment statement serves as notification of the responsibilities of the committee to comply with the financial reporting, record-keeping and other requirements of this chapter and the potential personal liability of the treasurer and principal officer for civil penalties assessed against the committee. The commission shall notify the committee of any individual who has failed to submit the acknowledgment statement. Failure to return the acknowledgment statement is a violation of this subchapter for which a fine of \$100 may be assessed against the committee. This section also applies to individuals named in an updated or amended registration required by this subsection who have not previously submitted an acknowledgment statement for the committee with the commission.

[ 2013, c. 334, §19 (NEW) .]

**5. Resignation and removal.** An individual who resigns as the treasurer, principal officer or primary decision-maker of a committee shall submit a written resignation statement to the commission. An individual's resignation is not effective until the commission receives the written resignation statement from the individual. If an individual is involuntarily removed from the position of treasurer, principal officer or primary decision-maker by the committee, the committee shall notify the commission in writing that the individual has been removed from the position. The commission may prescribe forms for these purposes.

[ 2013, c. 334, §19 (NEW) .]

#### SECTION HISTORY

2013, c. 334, §19 (NEW). 2013, c. 588, Pt. A, §23 (AMD). 2015, c. 408, §2 (AMD).

## §1053. REGISTRATION

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 504, §§24,25,31 (AMD). 1989, c. 833, §14 (AMD). 1995, c. 167, §1 (AMD). 1999, c. 729, §7 (AMD). 2005, c. 301, §§23,24 (AMD). 2005, c. 575, §6 (AMD). 2007, c. 443, Pt. A, §29 (AMD). 2007, c. 477, §3 (AMD). 2009, c. 190, Pt. A, §17 (AMD). 2011, c. 389, §§33, 34 (AMD). 2013, c. 334, §20 (RP).

## §1053-A. MUNICIPAL ELECTIONS

Organizations that qualify as political action committees under section 1052, subsection 5 and that receive contributions or make expenditures to influence a municipal campaign in towns or cities with a population of 15,000 or more shall register and file reports with the municipal clerk as required by Title 30-A, section 2502. The reports must be filed in accordance with the reporting schedule in section 1059 and must contain the information listed in section 1060. A political action committee registered with the commission and that receives contributions or makes expenditures relating to a municipal election shall file a copy of the report containing such contributions or expenditures with the clerk in the subject municipality. The commission retains the sole authority to prescribe the content of all reporting forms. The commission does not have responsibility to oversee the filing of registrations or campaign finance reports relating to municipal campaigns, except that the commission shall enforce late-filing penalties under section 1020-A, subsection 3 upon the request of a municipal clerk. [2011, c. 389, §35 (AMD).]

#### SECTION HISTORY

2009, c. 190, Pt. A, §18 (NEW). 2011, c. 389, §35 (AMD).

## §1053-B. OUT-OF-STATE POLITICAL ACTION COMMITTEES

An organization that is registered as a political action committee or political committee with the Federal Election Commission or a jurisdiction outside of this State shall register and file reports with the commission in accordance with this subchapter upon receiving contributions or making expenditures to initiate or influence a campaign in the State in excess of the amounts that would require registration under section 1052-A. The committee is not required to register and file reports if the committee's only financial activity within the State is to make contributions to candidates, party committees, political action committees or ballot question committees registered with the commission or a municipality and the committee has not raised and accepted any contributions during the calendar year to influence a campaign in this State. [2013, c. 334, §21 (AMD).]

### SECTION HISTORY

2009, c. 190, Pt. A, §19 (NEW). 2011, c. 389, §36 (AMD). 2013, c. 334, §21 (AMD).

## §1054. APPOINTMENT OF TREASURER; DEPOSITORY

Any political action committee required to register under section 1052-A must appoint a treasurer before registering with the commission. A registered political action committee shall deposit all funds contributed to or received by the committee for the purpose of influencing a campaign in a single account in a financial institution and shall finance all of the committee's expenditures to influence the election through the account. If the political action committee was formed by another organization, that other organization may pay its employees for their campaign-related activities on behalf of the committee through its own treasury, rather than through the single account established by the political action committee and used for campaign expenditures. [2013, c. 334, §22 (AMD).]

### SECTION HISTORY

1985, c. 161, §6 (NEW). 2007, c. 443, Pt. A, §30 (AMD). 2013, c. 334, §22 (AMD).

### §1054-A. DUTIES AND LIABILITIES OF THE TREASURER, PRINCIPAL OFFICER AND PRIMARY DECISION MAKER

**1. Duties of the treasurer.** The treasurer of the committee shall ensure that the committee files and amends the committee's registration, files complete and accurate financial reports with the commission and maintains the committee's records as required by this chapter and the commission's rules. The treasurer is responsible for the committee's performance of these duties regardless of whether the treasurer has delegated administrative tasks related to these duties to another individual.

[ 2013, c. 334, §23 (NEW) .]

**2. Joint responsibilities of the treasurer and principal officer.** The treasurer and the principal officer are jointly responsible for the committee's compliance with the requirements of this chapter and the commission's rules. The treasurer and principal officer are responsible for accepting and responding to notices and correspondence from the commission on behalf of the committee.

[ 2013, c. 334, §23 (NEW) .]

**3. Participation in spending decisions.** An individual who is the treasurer, principal officer or primary decision maker of the committee and who has signed the acknowledgment statement required by section 1052-A, subsection 4 is deemed to have participated in the spending decisions of the committee until the commission receives the individual's resignation statement or a notice of the individual's involuntary removal from the committee.

[ 2013, c. 334, §23 (NEW) . ]

**4. Financial liability.** The commission may hold the treasurer and principal officer jointly and severally liable with the committee for any fines assessed against the committee for violations of this chapter and chapter 14. In addition, the commission may assess all or part of a fine against any other agent of the committee who is directly responsible for a violation, including individuals who have resigned or have been removed involuntarily from the committee. In deciding whether to assess a penalty against a treasurer, principal officer or any other individual, the commission may consider, among other things, whether the individual had actual knowledge of the action that constituted the violation or had authorized that action and whether the violation was intentional or caused by an error by a vendor or someone outside the control of the committee.

[ 2013, c. 334, §23 (NEW) . ]

#### SECTION HISTORY

2013, c. 334, §23 (NEW).

### §1054-B. PAYMENTS TO LEGISLATORS BY POLITICAL ACTION COMMITTEES

If a Legislator is a principal officer or treasurer of a political action committee or is one of the individuals primarily responsible for raising contributions or making decisions for the political action committee, the committee may not compensate the Legislator for services provided to the committee. The committee may not make payments to or compensate a business owned or operated by the Legislator. The committee may reimburse the Legislator for expenses incurred in the proper performance of the duties of the Legislator, for purchases made on behalf of the committee and for travel expenses associated with volunteering for the committee. Allowable reimbursement for expenses does not include payments from the committee that are determined by the commission to be for the purpose of personal financial enrichment of the Legislator. [2017, c. 98, §1 (NEW).]

#### SECTION HISTORY

2017, c. 98, §1 (NEW).

### §1055. PUBLICATION OR DISTRIBUTION OF POLITICAL COMMUNICATIONS

A political action committee that makes an expenditure to finance a communication expressly advocating the election or defeat of a candidate or that names or depicts a clearly identified candidate is subject to the requirements of section 1014. [2007, c. 443, Pt. A, §31 (AMD).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 504, §§26,31 (AMD). 1993, c. 352, §5 (AMD). 1995, c. 483, §18 (AMD). 1997, c. 436, §119 (AMD). 2001, c. 430, §9 (AMD). 2003, c. 615, §2 (AMD). 2005, c. 308, §2 (AMD). 2007, c. 443, Pt. A, §31 (AMD).

## §1055-A. POLITICAL COMMUNICATIONS TO INFLUENCE A BALLOT QUESTION

**1. Communications to influence ballot question elections.** Whenever a person makes an expenditure exceeding \$500 expressly advocating through broadcasting stations, cable television systems, newspapers, magazines, campaign signs or other outdoor advertising facilities, publicly accessible sites on the Internet, direct mails or other similar types of general public political advertising or through flyers, handbills, bumper stickers and other nonperiodical publications, for or against an initiative or referendum that is on the ballot, the communication must clearly and conspicuously state the name and address of the person who made or financed the expenditure for the communication.

[ 2013, c. 334, §24 (NEW) .]

**2. Exceptions.** The following forms of political communication do not require the name and address of the person who made or financed the expenditure for the communication because the name or address would be so small as to be illegible or infeasible: clothing, envelopes and stationery, small promotional items, tickets to fundraisers and electronic media advertisements where compliance with this section would be impracticable due to size or character limitations and similar items determined by the commission to be too small and unnecessary for the disclosures required by this section. "Small promotional items" includes but is not limited to ashtrays, badges and badge holders, balloons, campaign buttons, coasters, combs, emery boards, erasers, glasses, key rings, letter openers, matchbooks, nail files, noisemakers, paper and plastic cups, pencils, pens, plastic tableware, 12-inch or shorter rulers and swizzle sticks.

[ 2013, c. 334, §24 (NEW) .]

### SECTION HISTORY

2013, c. 334, §24 (NEW).

## §1056. EXPENDITURE LIMITATIONS

Any committee required to register under this chapter shall comply with the following expenditure limitations. [1985, c. 161, §6 (NEW).]

**1. Aggregate expenditures.** A committee may not make contributions in support of the candidacy of one person aggregating more than the contribution limits established by the commission pursuant to section 1015.

[ 2011, c. 389, §37 (AMD) .]

**2. Prohibited expenditures.** No committee may make any expenditure for liquor to be distributed to or consumed by voters while the polls are open on election day.

[ 1985, c. 161, §6 (NEW) .]

### SECTION HISTORY

1985, c. 161, §6 (NEW). IB 1995, c. 1, §16 (AMD). 2001, c. 430, §10 (AMD). 2011, c. 389, §37 (AMD).

## §1056-A. EXPENDITURES BY POLITICAL ACTION COMMITTEES

A political action committee shall report all expenditures in cash or in kind made by the committee. [1993, c. 715, §3 (NEW).]

### SECTION HISTORY

1993, c. 715, §3 (NEW).

## §1056-B. BALLOT QUESTION COMMITTEES

A person not defined as a political action committee that receives contributions or makes expenditures, other than by contribution to a political action committee or a ballot question committee, aggregating in excess of \$5,000 for the purpose of initiating or influencing a campaign as defined by section 1052, subsection 1 shall register as a ballot question committee and file reports with the commission in accordance with this section. For the purposes of this section, "campaign" does not include activities to influence the nomination or election of a candidate. For the purposes of this section, expenditures include paid staff time spent for the purpose of initiating or influencing a campaign. [ 2015 , c. 408 , §3 (AMD) . ]

**1. Filing requirements.** A report required by this section must be filed with the commission according to the reporting schedule in section 1059. After completing all financial activity, the committee shall terminate its campaign finance reporting in the same manner provided in section 1061. The committee shall file each report required by this section through an electronic filing system developed by the commission unless granted a waiver under section 1059, subsection 5.

[ 2009 , c. 190 , Pt. A , §20 (AMD) . ]

**1-A. Ballot question committee registration.** A person subject to this section who receives contributions or makes expenditures that exceed \$5,000 shall register with the commission as a ballot question committee within 7 days of receiving those contributions or making those expenditures. A ballot question committee shall have a treasurer and a principal officer. The same individual may not serve in both positions unless the person establishing the ballot question committee is an individual. The ballot question committee when registering shall identify all other individuals who are the primary decision makers and fund-raisers, the person establishing the ballot question committee and the campaign the ballot question committee intends to initiate or influence. The ballot question committee shall amend the registration within 10 days of a change in the information required in this subsection. The commission shall prescribe forms for the registration, which must include the information required by this subsection and any additional information reasonably required for the commission to monitor the activities of the ballot question committee.

[ 2015 , c. 408 , §3 (NEW) . ]

**2. Content.** A report required by this section must contain an itemized account with the date, amount and purpose of each expenditure made for the purpose of initiating or influencing a campaign; an itemized account of contributions received from a single source aggregating in excess of \$50 in any election; the date of each contribution; the date and purpose of each expenditure; the name and address of each contributor, payee or creditor; and the occupation and principal place of business, if any, for any person who has made contributions exceeding \$50 in the aggregate. The filer is required to report only those contributions made to the filer for the purpose of initiating or influencing a campaign and only those expenditures made for those purposes. The definitions of "contribution" and "expenditure" in section 1052, subsections 3 and 4, respectively, apply to persons required to file ballot question reports.

[ 2015 , c. 408 , §3 (AMD) . ]

**2-A. Contributions.** For the purposes of this section, "contribution" includes, but is not limited to:

A. Funds that the contributor specified were given in connection with a campaign; [ 2009 , c. 524 , §10 (AMD) . ]

B. Funds provided in response to a solicitation that would lead the contributor to believe that the funds would be used specifically for the purpose of initiating or influencing a campaign; [ 2011 , c. 389 , §40 (AMD) . ]

C. Funds that can reasonably be determined to have been provided by the contributor for the purpose of initiating or influencing a campaign when viewed in the context of the contribution and the recipient's activities regarding a campaign; and [ 2011 , c. 389 , §41 (AMD) . ]



D. Funds or transfers from the general treasury of an organization filing a ballot question report. [2007, c. 477, §4 (NEW).]

**3. Forms.** A report required by this section must be on a form prescribed and prepared by the commission. A person filing this report may use additional pages if necessary, but the pages must be the same size as the pages of the form.

[ 1999, c. 729, §8 (NEW) .]

**4. Records.** A person filing a report required by this section shall keep records as required by this subsection for 4 years following the election to which the records pertain.

A. The filer shall keep a detailed account of all contributions made to the filer for the purpose of initiating or influencing a campaign and all expenditures made for those purposes. [2011, c. 389, §42 (AMD).]

B. The filer shall retain a vendor invoice or receipt stating the particular goods or services purchased for every expenditure in excess of \$50. [2007, c. 477, §4 (NEW).]

**5. Liability for penalties.** The commission may hold the treasurer and principal officer of a ballot question committee and any for-profit, nonprofit or other organization that established the ballot question committee jointly and severally liable with the ballot question committee for any fines assessed against the ballot question committee for a violation of this chapter.

[ 2015, c. 408, §3 (NEW) .]

#### SECTION HISTORY

1999, c. 729, §8 (NEW). 2007, c. 477, §4 (AMD). 2009, c. 190, Pt. A, §20 (AMD). 2009, c. 366, §7 (AMD). 2009, c. 366, §12 (AFF). 2009, c. 524, §§8-13 (AMD). 2011, c. 389, §§38-42 (AMD). 2011, c. 389, §62 (AFF). 2015, c. 408, §3 (AMD).

## §1057. RECORDS

Any political action committee that is required to register under section 1052-A or 1053-B shall keep records as provided in this section for 4 years following the election to which the records pertain. [2013, c. 334, §25 (AMD).]

**1. Details of records.** The treasurer of a political action committee shall record a detailed account of:

A. All expenditures made to or in behalf of a candidate, campaign or committee; [1985, c. 161, §6 (NEW).]

B. The identity of each candidate, campaign or committee; [2015, c. 408, §4 (AMD).]

C. The office sought by a candidate and the district he seeks to represent, for candidates which a political action committee has made an expenditure to or in behalf of; and [1985, c. 161, §6 (NEW).]

D. The date of each expenditure. [1985, c. 161, §6 (NEW).]

[ 2015, c. 408, §4 (AMD) .]

**2. Receipts.** The treasurer of a political action committee shall retain a vendor invoice or receipt stating the particular goods or services purchased for every expenditure in excess of \$50 to initiate or influence a campaign.

[ 2015, c. 408, §5 (AMD) .]

**3. Record of contributions.** The treasurer of a political action committee shall keep a record of all contributions to the committee, by name and mailing address, of each donor and the amount and date of the contribution. This provision does not apply to aggregate contributions from a single donor of \$50 or less for an election or referendum campaign. When any donor's contributions to a political action committee exceed \$50, the record must include the aggregate amount of all contributions from that donor.

[ 2013, c. 334, §25 (AMD) . ]

**4. Account statements.** The treasurer of a political action committee shall keep account statements relating to the deposit of funds of the committee required by section 1054.

[ 2013, c. 334, §25 (NEW) . ]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 504, §§27,31 (AMD). 2007, c. 443, Pt. A, §§32, 33 (AMD). 2009, c. 190, Pt. A, §21 (AMD). 2013, c. 334, §25 (AMD). 2015, c. 408, §§4, 5 (AMD).

## §1058. REPORTS; QUALIFICATIONS FOR FILING

A political action committee that is required to register under section 1052-A or 1053-B shall file reports with the commission on forms prescribed by the commission according to the schedule in section 1059.

[2013, c. 334, §26 (AMD).]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 833, §15 (AMD). 1991, c. 839, §28 (AMD). 1993, c. 715, §4 (AMD). 1995, c. 483, §19 (AMD). 1997, c. 567, §1 (AMD). 2005, c. 575, §7 (AMD). 2007, c. 443, Pt. A, §34 (AMD). 2007, c. 477, §5 (AMD). 2009, c. 190, Pt. A, §22 (AMD). 2009, c. 366, §8 (AMD). 2009, c. 366, §12 (AFF). 2009, c. 652, Pt. A, §21 (RPR). 2013, c. 334, §26 (AMD).

## §1059. REPORT; FILING REQUIREMENTS

Committees required to register under section 1052-A, 1053-B or 1056-B shall file an initial campaign finance report at the time of registration and thereafter shall file reports in compliance with this section. All reports must be filed by 11:59 p.m. on the day of the filing deadline, except that reports submitted to a municipal clerk must be filed by the close of business on the day of the filing deadline. [2013, c. 334, §27 (AMD).]

### 1. Contents; quarterly reports and election year reports.

[ 2007, c. 443, Pt. A, §35 (RP) . ]

### 2. Reporting schedule. Committees shall file reports according to the following schedule.

#### A. All committees shall file quarterly reports:

- (1) On January 15th, and the report must be complete as of December 31st;
- (2) On April 10th, and the report must be complete as of March 31st;
- (3) On July 15th, and the report must be complete as of June 30th; and
- (4) On October 5th, and the report must be complete as of September 30th. [2011, c. 691, Pt. A, §19 (RPR).]

#### B. General and primary election reports must be filed:

(1) On the 11th day before the date on which the election is held and must be complete as of the 14th day before that date; and

(2) On the 42nd day after the date on which the election is held and must be complete as of the 35th day after that date. [2007, c. 443, Pt. A, §35 (AMD).]

C. Preelection and post-election reports for special elections or ballot measure campaigns must be filed:

(1) On the 11th day before the date on which the election is held and must be complete as of the 14th day before that date; and

(2) On the 42nd day after the date on which the election is held and must be complete as of the 35th day after that date. [2011, c. 389, §45 (AMD).]

D. A committee that files an election report under paragraph B or C is not required to file a quarterly report when the deadline for that quarterly report falls within 10 days of the filing deadline established in paragraph B or C. [1991, c. 839, §29 (RPR).]

E. A committee shall report any single contribution of \$5,000 or more received or single expenditure of \$1,000 or more made after the 14th day before the election and more than 24 hours before 5:00 p.m. on the day of the election within 24 hours of that contribution or expenditure. The treasurer is not required to include in this report expenditures for overhead expenses or compensation paid to an employee or other member of the campaign staff who has received payments at regular intervals that have been disclosed in previously filed campaign finance reports. As used in this paragraph, "overhead expenses" includes, but is not limited to, rent, utility payments, taxes, insurance premiums or similar administrative expenses. [2013, c. 334, §28 (AMD).]

[ 2013, c. 334, §28 (AMD) .]

### **3. Report of expenditures made after the 11th day and more than 48 hours before any election.**

[ 1989, c. 504, §§28, 31 (RP) .]

### **4. Special election reports.**

[ 1989, c. 504, §§28, 31 (RP) .]

**5. Electronic filing.** Committees shall file each report required by this section through an electronic filing system developed by the commission. The commission may make an exception to this electronic filing requirement if a committee submits a written request that states that the committee lacks access to the technology or the technological ability to file reports electronically. The request for an exception must be submitted within 30 days of the registration of the committee. The commission shall grant all reasonable requests for exceptions.

[ 2007, c. 443, Pt. A, §35 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 7, §06 (AMD). 1989, c. 504, §§28,31 (RPR). 1989, c. 833, §§16-20 (AMD). 1991, c. 839, §29 (AMD). 2003, c. 628, §B5 (AMD). 2005, c. 301, §§25,26 (AMD). 2007, c. 443, Pt. A, §35 (AMD). 2007, c. 571, §9 (AMD). 2009, c. 190, Pt. A, §§23, 24 (AMD). 2009, c. 366, §9 (AMD). 2009, c. 366, §12 (AFF). 2009, c. 652, Pt. A, §22 (AMD). 2011, c. 367, §2 (AMD). 2011, c. 389, §§43-45 (AMD). 2011, c. 389, §62 (AFF). 2011, c. 691, Pt. A, §19 (AMD). 2013, c. 334, §§27, 28 (AMD).

## §1060. CONTENT OF REPORTS

The reports must contain the following information and any additional information required by the commission to monitor the activities of political action committees: [1985, c. 161, §6 (NEW).]

**1. Identification of candidates.** The names of and offices sought by all candidates whom the committee supports, intends to support or seeks to defeat;

[ 2007, c. 443, Pt. A, §36 (AMD) .]

**2. Identification of committees; parties.** The names of all political committees or party committees supported in any way by the committee;

[ 2007, c. 443, Pt. A, §36 (AMD) .]

**3. Identification of referendum or initiated petition.** The referenda or initiated petitions that the committee supports or opposes;

[ 2007, c. 443, Pt. A, §36 (AMD) .]

**4. Itemized expenditures.** An itemization of each expenditure made to initiate or influence any campaign, including the date, payee and purpose of the expenditure; the name of each candidate, campaign, political committee, political action committee or party committee supported or opposed; and each referendum or initiated petition supported or opposed by the expenditure. If expenditures were made to a person described in section 1012, subsection 3, paragraph A, subparagraph (4), the report must contain the name of the person; the amount spent by that person on behalf of the candidate, campaign, political committee, political action committee, party committee, referendum or initiated petition, including, but not limited to, expenditures made during the signature gathering phase; the reason for the expenditure; and the date of the expenditure. The commission may specify the categories of expenditures that are to be reported to enable the commission to closely monitor the activities of political action committees;

[ 2011, c. 389, §46 (AMD) .]

**5. Aggregate expenditures.** An aggregation of expenditures and cumulative aggregation of expenditures to a candidate, campaign, political committee, political action committee, party committee, referendum or initiated petition;

[ 2007, c. 443, Pt. A, §36 (AMD) .]

**6. Identification of contributions.** Names, occupations, places of business and mailing addresses of contributors who have given more than \$50 to the political action committee in the reporting period and the amount and date of each contribution, except that an organization qualifying as a political action committee under section 1052, subsection 5, paragraph A, subparagraph (5) is required to report only those contributions made to the organization for the purpose of influencing a ballot question or the nomination or election of a candidate to political office and all transfers to or funds used to support the political action committee from the general treasury of the organization; and

[ 2011, c. 389, §47 (AMD) .]

**7. Other expenditures.** Operational expenses and other expenditures that are not made on behalf of a candidate, committee or campaign, except that an organization qualifying as a political action committee under section 1052, subsection 5, paragraph A, subparagraph (5) is required to report only those expenditures made for the purpose of influencing a campaign.

[ 2015, c. 408, §6 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1991, c. 839, §§30,31 (AMD). 1991, c. 839, §33 (AFF). 2003, c. 615, §§3,4 (AMD). 2005, c. 301, §27 (AMD). 2005, c. 575, §8 (AMD). 2007, c. 443, Pt. A, §36 (AMD). 2007, c. 477, §§6, 7 (AMD). 2009, c. 190, Pt. A, §§25, 26 (AMD). 2011, c. 389, §§46-48 (AMD). 2015, c. 408, §6 (AMD).

### §1061. DISSOLUTION OF COMMITTEES

Whenever any political action committee determines that it will no longer accept any contributions or make any expenditures, the committee shall file a termination report that includes all financial activity from the end date of the previous reporting period through the date of termination with the commission. The committee shall dispose of any surplus prior to termination. In the termination report, the committee shall report any outstanding loan, debt or obligation in the manner prescribed by the commission. [ 2013, c. 334, §29 (AMD) .]

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 695, §36 (AMD). 2007, c. 443, Pt. A, §37 (AMD). 2009, c. 190, Pt. A, §27 (AMD). 2013, c. 334, §29 (AMD).

### §1062. FAILURE TO FILE ON TIME

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 504, §§29,31 (RPR). 1991, c. 839, §32 (AMD). 1995, c. 228, §3 (AMD). 1995, c. 483, §20 (RP).

### §1062-A. FAILURE TO FILE ON TIME

**1. Registration.** A political action committee required to register under section 1052-A or 1053-B or a ballot question committee required to register under section 1056-B that fails to do so or that fails to provide the information required by the commission for registration may be assessed a fine of no more than \$2,500. In assessing a fine, the commission shall consider, among other things, whether the violation was intentional, the amount of campaign and financial activity that occurred before the committee registered, whether the committee intended to conceal its campaign or financial activity and the level of experience of the committee's volunteers and staff.

[ 2013, c. 334, §30 (AMD) .]

**2. Campaign finance reports.** A campaign finance report is not timely filed unless a properly signed or electronically submitted copy of the report, substantially conforming to the disclosure requirements of this subchapter, is received by the commission by 11:59 p.m. on the date it is due. Except as provided in subsection 6, the commission shall determine whether a required report satisfies the requirements for timely filing. The commission may waive a penalty in whole or in part if it is disproportionate to the level of experience of the person filing the report or to the harm suffered by the public from the late disclosure.

The commission may waive the penalty in whole or in part if the commission determines the failure to file a timely report was due to mitigating circumstances. For purposes of this section, "mitigating circumstances" means:

- A. A valid emergency of the committee treasurer determined by the commission, in the interest of the sound administration of justice, to warrant the waiver of the penalty in whole or in part; [1999, c. 729, §9 (AMD).]
- B. An error by the commission staff; or [1999, c. 729, §9 (AMD).]
- C. Other circumstances determined by the commission that warrant mitigation of the penalty, based upon relevant evidence presented that a bona fide effort was made to file the report in accordance with the statutory requirements, including, but not limited to, unexplained delays in postal service or interruptions in Internet service. [2007, c. 443, Pt. A, §38 (AMD).]

[2009, c. 190, Pt. A, §29 (AMD).]

**3. Basis for penalties.** The penalty for late filing of a report required under this subchapter is a percentage of the total contributions or expenditures for the filing period, whichever is greater, multiplied by the number of calendar days late, as follows:

- A. For the first violation, 2%; [2015, c. 1, §9 (AMD).]
- B. For the 2nd violation, 4%; and [2015, c. 1, §9 (AMD).]
- C. For the 3rd and subsequent violations, 6%. [2015, c. 1, §9 (AMD).]

Any penalty of less than \$10 is waived.

Violations accumulate on reports with filing deadlines in a 2-year period that begins on January 1st of each even-numbered calendar year. Waiver of a penalty does not nullify the finding of a violation.

A report required to be filed under this subchapter that is sent by certified or registered United States mail and postmarked at least 2 days before the deadline is not subject to penalty.

A required report may be provisionally filed by transmission of a facsimile copy of the duly executed report to the commission, as long as an original of the same report is received by the commission within 5 calendar days thereafter.

[2015, c. 1, §9 (AMD).]

**4. Maximum penalties.** The maximum penalty under this subchapter is \$10,000 for reports required under section 1056-B or section 1059, except that if the financial activity reported late exceeds \$50,000, the maximum penalty is 100% of the amount reported late.

[2015, c. 1, §10 (AMD).]

**5. Request for a commission determination.** If the commission staff finds that a political action committee has failed to file a report required under this subchapter, the commission staff shall mail a notice to the treasurer of the political action committee within 3 business days following the filing deadline informing the treasurer that a report was not received. If a political action committee files a report required under this subchapter late, a notice of preliminary penalty must be forwarded to the treasurer of the political action committee whose report is not received by 11:59 p.m. on the deadline date, informing the treasurer of the commission staff finding of violation and preliminary penalty calculated under subsection 3 and providing the treasurer with an opportunity to request a determination by the commission. A request for determination must be made within 14 calendar days of receipt of the commission's notice. A principal officer or treasurer requesting a determination may either appear in person or designate a representative to appear on the principal officer's or treasurer's behalf or submit a sworn statement explaining the mitigating circumstances for

consideration by the commission. A final determination by the commission may be appealed to the Superior Court in accordance with Title 5, chapter 375, subchapter 7 and the Maine Rules of Civil Procedure, Rule 80C.

[ 2013, c. 334, §31 (AMD) .]

**6. Final notice of penalty.** After a commission meeting, notice of the final determination of the commission and the penalty, if any, imposed pursuant to this subchapter must be sent to the principal officer and the treasurer of the political action committee.

If a determination is not requested, the preliminary penalty calculated by the commission staff is final. The commission staff shall mail final notice of the penalty to the principal officer and to the treasurer of the political action committee. A detailed summary of all notices must be provided to the commission.

[ 2009, c. 302, §9 (AMD) .]

**7. List of late-filing committees.** The commission shall prepare a list of the names of political action committees that are late in filing a report required under section 1059, subsection 2, paragraph B, subparagraph (1) or section 1059, subsection 2, paragraph C or D within 30 days of the date of the election and shall make that list available for public inspection.

[ 2007, c. 443, Pt. A, §41 (AMD) .]

**8. Failure to file.** A person who fails to file a report as required by this subchapter within 30 days of the filing deadline is guilty of a Class E crime, except that, if a penalty pursuant to subsection 8-A is assessed and collected by the commission, the State may not prosecute a violation under this subsection.

[ 2003, c. 628, Pt. A, §8 (AMD) .]

**8-A. Penalties for failure to file report.** The commission may assess a civil penalty for failure to file a report required by this subchapter. The maximum penalty for failure to file a report required under section 1056-B or section 1059 is \$10,000 or the amount of financial activity not reported, whichever is greater.

[ 2015, c. 1, §11 (AMD) .]

**9. Enforcement.** A penalty assessed pursuant to this section that has not been paid in full within 30 days after issuance of a notice of the final determination may be enforced in accordance with section 1004-B.

[ 2009, c. 302, §10 (RPR) .]

#### SECTION HISTORY

1995, c. 483, §21 (NEW). 1999, c. 426, §34 (AMD). 1999, c. 729, §9 (AMD). 2003, c. 628, §§A7-9 (AMD). 2007, c. 443, Pt. A, §§38-41 (AMD). 2009, c. 190, Pt. A, §§28-31 (AMD). 2009, c. 302, §§8-10 (AMD). 2011, c. 389, §49 (AMD). 2013, c. 334, §§30, 31 (AMD). IB 2015, c. 1, §§9-11 (AMD) .

## §1062-B. FAILURE TO KEEP RECORDS

A committee that fails to keep records required by this chapter may be assessed a fine of up to \$10,000 or the amount of financial activity for which no records were kept, whichever is greater. In assessing a fine, the commission shall consider, among other things, whether the violation was intentional, whether the

violation occurred as the result of an error by someone outside the control of the committee, whether the committee intended to conceal its financial activity, the amount of financial activity that was not documented and the level of experience of the committee's volunteers and staff. [2015, c. 1, §12 (AMD).]

## SECTION HISTORY

2013, c. 334, §32 (NEW). IB 2015, c. 1, §12 (AMD).

## §1063. CONSTITUTIONAL OFFICERS AND STATE AUDITOR

The Secretary of State, the Treasurer of State, the Attorney General, the State Auditor, or any individual running for these offices, may not form a political action committee or be involved in decision making for or solicit contributions to a political action committee. [1995, c. 167, §2 (NEW).]

## SECTION HISTORY

1995, c. 167, §2 (NEW).

### Subchapter 5: MAINE CODE OF FAIR CAMPAIGN PRACTICES

## §1101. MAINE CODE OF FAIR CAMPAIGN PRACTICES

**1. Distribution to candidates.** At the time a candidate for the office of Governor, the Senate or the House of Representatives registers with the commission as required under section 1013-A, the commission shall give the candidate a form containing a copy of the Maine Code of Fair Campaign Practices established in this subchapter. The commission shall, at that time, inform the candidate that subscription to the code is voluntary. For the purposes of this subchapter, "code" means the Maine Code of Fair Campaign Practices.

[ 1989, c. 802, §1 (NEW) .]

**2. The code form.** The code, printed on the form provided to candidates under subsection 1, must read as follows:

"Maine Code of Fair Campaign Practices

I shall conduct my campaign and, to the extent reasonably possible, insist that my supporters conduct themselves, in a manner consistent with the best Maine and American traditions, discussing the issues and presenting my record and policies with sincerity and candor.

I shall uphold the right of every qualified voter to free and equal participation in the election process.

I shall not participate in and I shall condemn defamation of and other attacks on any opposing candidate or party that I do not believe to be truthful, provable and relevant to my campaign.

I shall not use or authorize and I shall condemn material relating to my campaign that falsifies, misrepresents or distorts the facts, including, but not limited to, malicious or unfounded accusations creating or exploiting doubts as to the morality, patriotism or motivations of any party or candidate.

I shall not appeal to and I shall condemn appeals to prejudices based on race, creed, sex or national origin.

I shall not practice and I shall condemn practices that tend to corrupt or undermine the system of free election or that hamper or prevent the free expression of the will of the voters.

I shall promptly and publicly repudiate the support of any individual or group that resorts, on behalf of my candidacy or in opposition to that of an opponent, to methods in violation of the letter or spirit of this code.

I, the undersigned, candidate for election to public office in the State of Maine, hereby voluntarily endorse, subscribe to and solemnly pledge to conduct my campaign in accordance with the above principles and practices.



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Candidate for Public Office"

[ 1989, c. 802, §1 (NEW) .]

SECTION HISTORY

1989, c. 802, §1 (NEW).

### **§1102. PRINTING OF CODE FORMS**

The commission shall print, or cause to be printed, copies of the code for distribution to registered candidates. [1989, c. 802, §1 (NEW).]

SECTION HISTORY

1989, c. 802, §1 (NEW).

### **§1103. ACCEPTANCE OF COMPLETED FORMS**

The commission shall accept, at all times prior to the election, completed code forms that are properly subscribed to by a candidate. [1989, c. 802, §1 (NEW).]

SECTION HISTORY

1989, c. 802, §1 (NEW).

### **§1104. PUBLIC RECORDS**

The commission shall retain for public inspection all completed code forms accepted by the commission under section 1103. A code subscribed to by a candidate is a public record under Title 1, section 408-A. [2011, c. 662, §14 (AMD).]

SECTION HISTORY

1989, c. 802, §1 (NEW). 2011, c. 662, §14 (AMD).

### **§1105. SUBSCRIPTION TO CODE VOLUNTARY**

In no event may a candidate be required to subscribe to or endorse the code. [1989, c. 802, §1 (NEW).]

SECTION HISTORY

1989, c. 802, §1 (NEW).

## Chapter 14: THE MAINE CLEAN ELECTION ACT

### §1121. SHORT TITLE

This chapter may be known and cited as the "Maine Clean Election Act." [1995, c. 1, §17 (NEW) .]

#### SECTION HISTORY

IB 1995, c. 1, §17 (NEW) .

### §1122. DEFINITIONS

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [1995, c. 1, §17 (NEW) .]

**1. Certified candidate.** "Certified candidate" means a candidate running for Governor, State Senator or State Representative who chooses to participate in the Maine Clean Election Act and who is certified as a Maine Clean Election Act candidate under section 1125, subsection 5.

[ 1995, c. 1, §17 (NEW) .]

**2. Commission.** "Commission" means the Commission on Governmental Ethics and Election Practices established by Title 5, section 12004-G, subsection 33.

[ 1995, c. 1, §17 (NEW) .]

**3. Contribution.** "Contribution" has the same meaning as in section 1012, subsection 2.

[ 1995, c. 1, §17 (NEW) .]

**3-A. Election cycle.** "Election cycle" means the period beginning on the day after the general election for any state, county or municipal office and ending on the day of the next general election for that office.

[ 2015, c. 1, §13 (NEW) .]

**4. Fund.** "Fund" means the Maine Clean Election Fund established in section 1124.

[ 1995, c. 1, §17 (NEW) .]

**4-A. Immediate family.** "Immediate family" has the same meaning as in section 1, subsection 20 and includes a candidate's domestic partner and the immediate family of the candidate's domestic partner.

[ 2007, c. 443, Pt. B, §1 (NEW) .]

**5. Nonparticipating candidate.** "Nonparticipating candidate" means a candidate running for Governor, State Senator or State Representative who does not choose to participate in the Maine Clean Election Act and who is not seeking to be certified as a Maine Clean Election Act candidate under section 1125, subsection 5.

[ 1995, c. 1, §17 (NEW) .]

**6. Participating candidate.** "Participating candidate" means a candidate who is running for Governor, State Senator or State Representative who is seeking to be certified as a Maine Clean Election Act candidate under section 1125, subsection 5.

[ 1995, c. 1, §17 (NEW) .]

**7. Qualifying contribution.** "Qualifying contribution" means a donation:

A. Of \$5 or more in the form of a check or a money order payable to the fund and signed by the contributor in support of a candidate or made over the Internet in support of a candidate according to the procedure established by the commission; [2009, c. 286, §4 (AMD).]

B. Made by a registered voter within the electoral division for the office a candidate is seeking and whose voter registration has been verified according to procedures established by the commission; [2009, c. 190, Pt. B, §1 (AMD).]

C. Made during the designated qualifying period; and [2007, c. 443, Pt. B, §2 (AMD).]

D. That the contributor acknowledges was made with the contributor's personal funds and in support of the candidate and was not given in exchange for anything of value and that the candidate acknowledges was obtained with the candidate's knowledge and approval and that nothing of value was given in exchange for the contribution, on forms provided by the commission. [2007, c. 443, Pt. B, §2 (AMD).]

[ 2009, c. 286, §4 (AMD) .]

**8. Qualifying period.** "Qualifying period" means the following.

A. For a gubernatorial participating candidate, the qualifying period begins October 15th immediately preceding the election year and ends at 5:00 p.m. on April 1st of the election year. [2009, c. 363, §1 (AMD).]

B. For State Senate or State House of Representatives participating candidates, the qualifying period begins January 1st of the election year and ends at 5:00 p.m. on April 20th of that election year or the next business day following April 20th if the office of the commission is closed on April 20th. [2009, c. 286, §5 (AMD).]

[ 2009, c. 286, §5 (AMD); 2009, c. 363, §1 (AMD) .]

**9. Seed money contribution.** "Seed money contribution" means a contribution of no more than \$100 per individual made to a participating candidate, including the candidate or the candidate's spouse or domestic partner.

[ 2007, c. 571, §10 (AMD) .]

#### SECTION HISTORY

IB 1995, c. 1, §17 (NEW). 2001, c. 465, §3 (AMD). 2005, c. 301, §28 (AMD). 2007, c. 443, Pt. B, §§1-3 (AMD). 2007, c. 571, §10 (AMD). 2009, c. 190, Pt. B, §1 (AMD). 2009, c. 286, §§4, 5 (AMD). 2009, c. 363, §1 (AMD). IB 2015, c. 1, §13 (AMD).

## §1123. ALTERNATIVE CAMPAIGN FINANCING OPTION

This chapter establishes an alternative campaign financing option available to candidates running for Governor, State Senator and State Representative. This alternative campaign financing option is available to candidates for elections to be held beginning in the year 2000. The commission shall administer this Act and the fund. Candidates participating in the Maine Clean Election Act must also comply with all other applicable election and campaign laws and regulations. [1995, c. 1, §17 (NEW).]

### SECTION HISTORY

IB 1995, c. 1, §17 (NEW).

## §1124. THE MAINE CLEAN ELECTION FUND ESTABLISHED; SOURCES OF FUNDING

**1. Established.** The Maine Clean Election Fund is established to finance the election campaigns of certified Maine Clean Election Act candidates running for Governor, State Senator and State Representative and to pay administrative and enforcement costs of the commission related to this Act. The fund is a special, dedicated, nonlapsing fund and any interest generated by the fund is credited to the fund. The commission shall administer the fund.

[ 1995, c. 1, §17 (NEW) .]

**2. Sources of funding.** The following must be deposited in the fund:

A. The qualifying contributions and additional qualifying contributions required under section 1125 when those contributions are submitted to the commission; [2015, c. 1, §14 (AMD).]

B. Three million dollars of the revenues from the taxes imposed under Title 36, Parts 3 and 8 and credited to the General Fund, transferred to the fund by the State Controller on or before January 1st of each year, beginning January 1, 1999. These revenues must be offset in an equitable manner by an equivalent reduction in tax expenditures as defined in Title 36, section 199-A, subsection 2. This section may not affect the funds distributed to the Local Government Fund under Title 30-A, section 5681. [2015, c. 1, §14 (AMD).]

C. Revenue from a tax checkoff program allowing a resident of the State who files a tax return with the State Tax Assessor to designate that \$3 be paid into the fund. In the case of a joint return, each spouse may designate that \$3 be paid. The State Tax Assessor shall report annually the amounts designated for the fund to the State Controller, who shall transfer that amount to the fund; [2015, c. 1, §14 (AMD).]

D. Seed money contributions remaining unspent after a candidate has been certified as a Maine Clean Election Act candidate; [1995, c. 1, §17 (NEW).]

E. Fund revenues that were distributed to a Maine Clean Election Act candidate and that remain unspent after the candidate has lost a primary election or after all general elections; [1995, c. 1, §17 (NEW).]

F. Other unspent fund revenues distributed to any Maine Clean Election Act candidate who does not remain a candidate throughout a primary or general election cycle; [1995, c. 1, §17 (NEW).]

G. Voluntary donations made directly to the fund; and [1995, c. 1, §17 (NEW).]

H. Fines collected under section 1020-A, subsection 4-A and section 1127. [2011, c. 389, §50 (AMD).]

[ 2015, c. 1, §14 (AMD) .]

### 3. Determination of fund amount.

[ 2015, c. 1, §14 (RP) .]

**4. Report on fund amount; operating margin.** By January 1st of each year the commission shall provide to the Legislature and the Governor a report of its projection of the revenues and expenditures of the Maine Clean Election Fund for the subsequent 4-year period. The commission shall include in the report an operating margin of 20% to ensure sufficient funds in the event of higher-than-expected participation in the Maine Clean Election Act. If any such report shows that the projected revenue for the subsequent 4-year period exceeds the projected expenses for that 4-year period plus the 20% operating margin, the commission shall notify the Legislature and the Governor and request that the amount of expected funding that exceeds the expected demand on the fund plus the operating margin be transferred to the General Fund. The Department of Administrative and Financial Services, Bureau of Revenue Services shall assist the commission with revenue projections required by this subsection. If at any time the commission determines that projected revenue is not sufficient to cover the projected demand for funds in the 4-year period plus the operating margin, the commission may submit legislation to request additional funding.

[ 2015, c. 1, §14 (NEW) .]

#### SECTION HISTORY

IB 1995, c. 1, §17 (NEW). 1999, c. 4, §H1 (AMD). 2001, c. 559, §001 (AMD). 2001, c. 714, §RR1 (AMD). 2003, c. 673, §EE1 (AMD). RR 2007, c. 1, §12 (COR). 2007, c. 443, Pt. B, §§4, 5 (AMD). 2011, c. 389, §50 (AMD). IB 2015, c. 1, §14 (AMD).

## §1125. TERMS OF PARTICIPATION

**1. Declaration of intent.** A participating candidate must file a declaration of intent to seek certification as a Maine Clean Election Act candidate and to comply with the requirements of this chapter. The declaration of intent must be filed with the commission prior to or during the qualifying period, except as provided in subsection 11, according to forms and procedures developed by the commission. Qualifying contributions collected more than 5 business days before the declaration of intent has been filed will not be counted toward the eligibility requirement in subsection 3.

[ 2011, c. 389, §51 (AMD) .]

**2. Contribution limits for participating candidates.** Subsequent to becoming a candidate as defined by section 1, subsection 5 and prior to certification, a participating candidate may not accept contributions, except for seed money contributions. A participating candidate must limit the candidate's total seed money contributions to the following amounts:

The commission may, by rule, revise these amounts to ensure the effective implementation of this chapter.

A. Two hundred thousand dollars for a gubernatorial candidate; [2009, c. 363, §2 (AMD) .]

B. Three thousand dollars for a candidate for the State Senate; or [2015, c. 1, §15 (AMD) .]

C. One thousand dollars for a candidate for the State House of Representatives. [2015, c. 1, §15 (AMD) .]

[ 2015, c. 1, §15 (AMD) .]

**2-A. Seed money restrictions.** To be eligible for certification, a participating candidate may collect and spend only seed money contributions subsequent to becoming a candidate and prior to certification. A participating candidate may not solicit, accept or collect seed money contributions after certification as a Maine Clean Election Act candidate.

A. All goods and services received prior to certification must be paid for with seed money contributions, except for goods and services that are excluded from the definition of contribution in section 1012, subsection 2, paragraph B. It is a violation of this chapter for a participating candidate to use fund revenues received after certification to pay for goods and services received prior to certification. [2007, c. 443, Pt. B, §6 (NEW).]

B. Prior to certification, a participating candidate may obligate an amount greater than the seed money collected, but may only receive that portion of goods and services that has been paid for or will be paid for with seed money. A participating candidate who has accepted contributions or made expenditures that do not comply with the seed money restrictions under this chapter may petition the commission to remain eligible for certification as a Maine Clean Election Act candidate in accordance with rules of the commission, if the failure to comply was unintentional and does not constitute a significant infraction of these restrictions. [2007, c. 443, Pt. B, §6 (NEW).]

C. Upon requesting certification, a participating candidate shall file a report of all seed money contributions and expenditures. If the candidate is certified, any unspent seed money will be deducted from the amount distributed to the candidate as provided in subsection 8-F. [2015, c. 1, §16 (AMD).]

[ 2015, c. 1, §16 (AMD) .]

## **2-B. Seed money required for gubernatorial candidates; documentation.**

[ 2015, c. 1, §17 (RP) .]

**3. Qualifying contributions.** Participating candidates must obtain qualifying contributions during the qualifying period as follows:

A. For a gubernatorial candidate, at least 3,200 verified registered voters of this State must support the candidacy by providing a qualifying contribution to that candidate; [2015, c. 1, §18 (AMD).]

B. For a candidate for the State Senate, at least 175 verified registered voters from the candidate's electoral division must support the candidacy by providing a qualifying contribution to that candidate; or [2009, c. 286, §6 (AMD).]

C. For a candidate for the State House of Representatives, at least 60 verified registered voters from the candidate's electoral division must support the candidacy by providing a qualifying contribution to that candidate. [2009, c. 286, §7 (AMD).]

A payment, gift or anything of value may not be given in exchange for a qualifying contribution. A candidate may pay the fee for a money order that is a qualifying contribution in the amount of \$5 as long as the donor making the qualifying contribution pays the \$5 amount reflected on the money order. Any money order fees paid by a participating candidate must be paid for with seed money and reported in accordance with commission rules. A money order must be signed by the contributor to be a valid qualifying contribution. The commission may establish by routine technical rule, adopted in accordance with Title 5, chapter 375, subchapter 2-A, a procedure for a qualifying contribution to be made by a credit or debit transaction and by electronic funds transfer over the Internet. Records containing information provided by individuals who have made qualifying contributions over the Internet are confidential, except for the name of the individual making the contribution, the date of the contribution, the individual's residential address and the name and office sought of the candidate in whose support the contribution was made.

It is a violation of this chapter for a participating candidate or an agent of the participating candidate to misrepresent the purpose of soliciting qualifying contributions and obtaining the contributor's signed acknowledgment.

[ 2015, c. 1, §18 (AMD) .]

**3-A. Additional qualifying contributions.** Participating candidates may collect and submit to the commission additional qualifying contributions at the times specified in subsection 8-E. The commission shall credit a candidate with either one qualifying contribution or one additional qualifying contribution, but not both, from any one contributor during the same election cycle. If any candidate collects and submits to the commission qualifying contributions or additional qualifying contributions that cannot be credited pursuant to this subsection, those qualifying contributions or additional qualifying contributions may be refunded to the contributor or deposited into the Maine Clean Election Fund at the discretion of the candidate.

[ 2015, c. 1, §19 (NEW) .]

**4. Filing with commission.** A participating candidate must submit qualifying contributions, receipt and acknowledgement forms, proof of verification of voter registration and a seed money report to the commission during the qualifying period according to procedures developed by the commission, except as provided under subsection 11.

[ 2009, c. 363, §4 (AMD) .]

**5. Certification of Maine Clean Election Act candidates.** Upon receipt of a final submittal of qualifying contributions by a participating candidate, the executive director of the commission shall determine whether the candidate has:

A. Signed and filed a declaration of intent to participate in this Act; [1995, c. 1, §17 (NEW) .]

B. Submitted the appropriate number of valid qualifying contributions; [1995, c. 1, §17 (NEW) .]

C. Qualified as a candidate by petition or other means no later than 5 business days after the end of the qualifying period; [2011, c. 389, §52 (AMD) .]

C-1. [2015, c. 1, §20 (RP) .]

D. Not accepted contributions, except for seed money contributions, and otherwise complied with seed money restrictions; [2003, c. 270, §1 (AMD) .]

D-1. Not run for the same office as a nonparticipating candidate in a primary election in the same election year; [2007, c. 443, Pt. B, §6 (AMD) .]

D-2. Not been found to have made a material false statement in a report or other document submitted to the commission; [2007, c. 443, Pt. B, §6 (NEW) .]

D-3. Not otherwise substantially violated the provisions of this chapter or chapter 13; [2009, c. 190, Pt. B, §2 (AMD) .]

D-4. Not failed to pay any civil penalty assessed by the commission under this Title, except that a candidate has 3 business days from the date of the request for certification to pay the outstanding penalty and remain eligible for certification; [2011, c. 389, §52 (AMD) .]

D-5. Not submitted any fraudulent qualifying contributions or any falsified acknowledgement forms for qualifying contributions or seed money contributions; and [2011, c. 389, §52 (NEW) .]

E. Otherwise met the requirements for participation in this Act. [1995, c. 1, §17 (NEW) .]

The executive director shall certify a candidate complying with the requirements of this section as a Maine Clean Election Act candidate as soon as possible after final submittal of qualifying contributions and other supporting documents required under subsection 4 but no later than 3 business days for legislative candidates and 5 business days for gubernatorial candidates. The executive director may take additional time if further investigation is necessary to verify compliance with this Act as long as the commission notifies the candidate regarding the anticipated schedule for conclusion of the investigation. A candidate or other interested person may appeal the decision of the executive director to the members of the commission in accordance with subsection 14.

A certified candidate must comply with all requirements of this Act after certification and throughout the primary and general election periods. Failure to do so is a violation of this chapter.

[ 2015, c. 1, §20 (AMD) . ]

**5-A. Revocation of certification.** The certification of a participating candidate may be revoked at any time if the commission determines that the candidate or an agent of the candidate:

- A. Did not submit the required number of valid qualifying contributions; [2007, c. 443, Pt. B, §6 (NEW) . ]
- B. Failed to qualify as a candidate by petition or other means; [2007, c. 443, Pt. B, §6 (NEW) . ]
- C. Submitted any fraudulent qualifying contributions or qualifying contributions that were not made by the named contributor; [2007, c. 443, Pt. B, §6 (NEW) . ]
- D. Misrepresented to a contributor the purpose of the qualifying contribution or obtaining the contributor's signature on the receipt and acknowledgement form; [2007, c. 443, Pt. B, §6 (NEW) . ]
- E. Failed to fully comply with the seed money restrictions; [2007, c. 443, Pt. B, §6 (NEW) . ]
- F. Knowingly accepted any contributions, including any in-kind contributions, or used funds other than fund revenues distributed under this chapter to make campaign-related expenditures without the permission of the commission; [2007, c. 443, Pt. B, §6 (NEW) . ]
- G. Knowingly made a false statement or material misrepresentation in any report or other document required to be filed under this chapter or chapter 13; [2009, c. 363, §6 (AMD) . ]
- H. Otherwise substantially violated the provisions of this chapter or chapter 13; or [2009, c. 363, §6 (AMD) . ]
- I. As a gubernatorial candidate, failed to properly report seed money contributions as required by this section. [2009, c. 363, §6 (NEW) . ]

The determination to revoke the certification of a candidate must be made by a vote of the members of the commission after an opportunity for a hearing. A candidate whose certification is revoked shall return all unspent funds to the commission within 3 days of the commission's decision and may be required to return all funds distributed to the candidate. In addition to the requirement to return funds, the candidate may be subject to a civil penalty under section 1127. The candidate may appeal the commission's decision to revoke certification in the same manner provided in subsection 14, paragraph C.

[ 2009, c. 363, §6 (AMD) . ]

**5-B. Restrictions on serving as treasurer.** A participating or certified candidate may not serve as a treasurer or deputy treasurer for that candidate's campaign, except that the candidate may serve as treasurer or deputy treasurer for up to 14 days after declaring an intention to qualify for campaign financing under this chapter until the candidate identifies another person to serve as treasurer.

[ 2011, c. 389, §53 (AMD) . ]

**6. Restrictions on contributions and expenditures for certified candidates.** After certification, a candidate must limit the candidate's campaign expenditures and obligations, including outstanding obligations, to the revenues distributed to the candidate from the fund and may not accept any contributions unless specifically authorized by the commission. Candidates may also accept and spend interest earned on fund revenues in campaign bank accounts. All revenues distributed to a certified candidate from the fund must be used for campaign-related purposes. The candidate, the treasurer, the candidate's committee authorized pursuant to section 1013-A, subsection 1 or any agent of the candidate and committee may not use these



revenues for any but campaign-related purposes. The candidate, the treasurer, the candidate's committee authorized pursuant to section 1013-A, subsection 1 or any agent of the candidate and committee may not use these revenues for post-election parties. This section does not prohibit a candidate from using personal funds for post-election parties as governed by rules of the commission. The commission shall publish guidelines outlining permissible campaign-related expenditures.

[ 2017, c. 31, §1 (AMD) . ]

**6-A. Assisting a person to become an opponent.** A candidate or a person who later becomes a candidate and who is seeking certification under subsection 5, or an agent of that candidate, may not assist another person in qualifying as a candidate for the same office if such a candidacy would result in the distribution of revenues under subsections 7 and 8-F for certified candidates in a contested election.

[ 2015, c. 1, §21 (AMD) . ]

**6-B. Expenditures as payment to household members.**

[ 2009, c. 302, §13 (RP) . ]

**6-C. Expenditures to the candidate or family or household members.** Expenditures to the candidate or immediate family member or household member of the candidate are governed by this subsection.

A. The candidate may not use fund revenues to compensate the candidate or a sole proprietorship of the candidate for campaign-related services. [2009, c. 302, §14 (NEW) . ]

B. A candidate may not make expenditures using fund revenues to pay a member of the candidate's immediate family or household, a business entity in which the candidate or a member of the candidate's immediate family or household holds a significant proprietary or financial interest or a nonprofit entity in which the candidate or a member of the candidate's immediate family or household is a director, officer, executive director or chief financial officer, unless the expenditure is made:

- (1) For a legitimate campaign-related purpose;
- (2) To an individual or business that provides the goods or services being purchased in the normal course of the individual's occupation or the business; and
- (3) In an amount that is reasonable taking into consideration current market value and other factors the commission may choose to consider.

For the purpose of this paragraph, "business entity" means a corporation, limited liability company, limited partnership, limited liability partnership and general partnership.

If a candidate uses fund revenues for an expenditure covered by this paragraph, the candidate shall submit evidence demonstrating that the expenditure complies with the requirements of this paragraph if requested by the commission. [2009, c. 302, §14 (NEW) . ]

This subsection does not prohibit reimbursement to the candidate or a member of a candidate's household or immediate family when made in accordance with this chapter and rules adopted by the commission.

[ 2009, c. 302, §14 (NEW) . ]

**6-D (omitted).**

**6-E. Expenditures for television advertising.** A candidate must include closed-captioning within any television advertisement that the candidate provides to a broadcasting or cable television station for broadcast to the public, except for an advertisement aired in the final 4 days before an election if inclusion of closed-captioning during that period is impractical or would materially affect the timing of the candidate's advertisement.

[ 2011, c. 389, §55 (NEW) .]

**6-F. Participation in political action committees.** A participating candidate or a certified candidate may not establish a political action committee for which the candidate is a treasurer or principal officer or for which the candidate is primarily responsible for fund-raising or decision making. This prohibition applies between April 1st immediately preceding a general election through:

A. The date on which the candidate withdraws from a race; [2015, c. 116, §1 (NEW); 2015, c. 116, §2 (AFF).]

B. The date of the primary election or general election for a candidate who loses either election; or [2015, c. 116, §1 (NEW); 2015, c. 116, §2 (AFF).]

C. January 1st immediately preceding the next general election for a candidate who wins the general election. [2015, c. 116, §1 (NEW); 2015, c. 116, §2 (AFF).]

This prohibition also applies to a participating candidate or certified candidate in a special election, except that the prohibition begins on the date of the candidate's nomination. This subsection does not prohibit a participating candidate or certified candidate, including a certified candidate who wins a general or special election, from engaging in fund-raising or decision making for a party caucus political action committee, a ballot question committee or a political action committee formed for the purpose of promoting or opposing a ballot question. This prohibition applies to a participating candidate or certified candidate regardless of the date on which the political action committee was established.

[ 2015, c. 116, §1 (NEW); 2015, c. 116, §2 (AFF) .]

**7. Timing of initial fund distribution.** The commission shall distribute to certified candidates revenues from the fund in amounts determined under subsections 8-B to 8-D in the following manner.

A. Within 3 days after certification, for candidates certified prior to March 15th of the election year, revenues from the fund must be distributed as if the candidates are in an uncontested primary election. [2001, c. 465, §4 (AMD).]

B. Within 3 days after certification, for all candidates certified between March 15th and the end of the qualifying period of the election year, revenues from the fund must be distributed according to whether the candidate is in a contested or uncontested primary election. [2009, c. 363, §7 (AMD).]

B-1. For candidates in contested primary elections receiving a distribution under paragraph A, additional revenues from the fund must be distributed within 3 days of March 15th of the election year. [2001, c. 465, §4 (NEW).]

C. No later than 3 days after the primary election results are certified, for general election certified candidates, revenues from the fund must be distributed according to whether the candidate is in a contested or uncontested general election. [2007, c. 443, Pt. B, §6 (AMD).]

Funds may be distributed to certified candidates under this section by any mechanism that is expeditious, ensures accountability and safeguards the integrity of the fund.

[ 2015, c. 1, §22 (AMD) .]

**7-A. Deposit into account; release of bank records.** A candidate or a committee authorized pursuant to section 1013-A, subsection 1 shall deposit all revenues from the fund and all seed money contributions in an account, referred to in this subsection as a "campaign account," with a bank or other financial institution. The campaign funds must be segregated from, and may not be commingled with, any other funds.

A. A participating candidate shall provide to the commission a signed written authorization allowing the bank or other financial institution administering a campaign account to release to the commission all records held by that bank or institution pertaining to the campaign account, including, but not limited to, campaign account statements, records of payments or transfers from the campaign account and deposits of funds to the campaign account. [2011, c. 522, §2 (NEW); 2011, c. 522, §4 (AFF) .]

B. The executive director of the commission or its auditor, during an audit or during an investigation authorized by the commission or the chair of the commission of potential noncompliance with the requirements of this chapter, chapter 13 or a rule of the commission, may request that a candidate provide the records of a campaign account. If the candidate fails to comply with the request within 30 days of receiving it, the executive director or auditor may use the authorization obtained pursuant to paragraph A to obtain the records directly from the bank or other financial institution. [2011, c. 522, §2 (NEW); 2011, c. 522, §4 (AFF) .]

[ 2011, c. 522, §4 (AFF); 2011, c. 522, §2 (RPR) .]

**7-B. Timing of supplemental fund distribution.** The following provisions govern the timing of supplemental fund distributions.

A. For gubernatorial candidates, any supplemental primary or general election distributions made pursuant to subsection 8-B must be made within 3 business days of certification by the commission of the required number of additional qualifying contributions. [2015, c. 1, §23 (NEW) .]

B. For legislative candidates, any supplemental general election distributions made pursuant to subsections 8-C and 8-D must be made within 3 business days of certification by the commission of the required number of additional qualifying contributions. [2015, c. 1, §23 (NEW) .]

[ 2015, c. 1, §23 (NEW) .]

#### **8. Amount of fund distribution.**

[ 2009, c. 652, Pt. A, §24 (AFF); 2009, c. 652, Pt. A, §23 (RP) .]

#### **8-A. Amount of fund distribution.**

[ 2015, c. 1, §24 (RP) .]

**8-B. Distributions to participating gubernatorial candidates.** Distributions from the fund to participating gubernatorial candidates must be made as follows.

A. For an uncontested primary election, the total distribution of revenues is \$200,000 per candidate. [2015, c. 1, §25 (NEW) .]

B. For a contested primary election, the amount of revenues distributed is as follows:

(1) The initial distribution of revenues is \$400,000 per candidate;

(2) For each increment of 800 additional qualifying contributions a candidate collects and submits pursuant to subsection 8-E, not to exceed a total of 3,200 additional qualifying contributions, the supplemental distribution of revenues to that candidate is \$150,000; and

(3) The total amount of revenues distributed for a contested primary election may not exceed \$1,000,000 per candidate. [2015, c. 1, §25 (NEW).]

C. For an uncontested general election, the total distribution of revenues is \$600,000 per candidate. [2015, c. 1, §25 (NEW).]

D. For a contested general election, the amount of revenues distributed is as follows:

(1) The initial distribution of revenues is \$600,000 per candidate;

(2) For each increment of 1,200 additional qualifying contributions a candidate collects and submits pursuant to subsection 8-E, not to exceed a total of 9,600 additional qualifying contributions, the supplemental distribution of revenues to that candidate is \$175,000; and

(3) The total amount of revenues distributed for a contested general election may not exceed \$2,000,000 per candidate. [2015, c. 1, §25 (NEW).]

[ 2015, c. 1, §25 (NEW) .]

**8-C. Distributions to participating candidates for State Senate.** Distributions from the fund to participating candidates for the State Senate must be made as follows.

A. For an uncontested primary election, the total distribution of revenues is \$2,000 per candidate. [2015, c. 1, §25 (NEW).]

B. For a contested primary election, the total distribution of revenues is \$10,000 per candidate. [2015, c. 1, §25 (NEW).]

C. For an uncontested general election, the total distribution of revenues is \$6,000 per candidate. [2015, c. 1, §25 (NEW).]

D. For a contested general election, the amount of revenues distributed is as follows:

(1) The initial distribution of revenues is \$20,000 per candidate;

(2) For each increment of 45 additional qualifying contributions a candidate collects and submits pursuant to subsection 8-E, not to exceed a total of 360 additional qualifying contributions, the supplemental distribution of revenues to that candidate is \$5,000; and

(3) The total amount of revenues distributed for a contested general election may not exceed \$60,000 per candidate. [2015, c. 1, §25 (NEW).]

[ 2015, c. 1, §25 (NEW) .]

**8-D. Distributions to participating candidates for State House of Representatives.** Distributions from the fund to participating candidates for the State House of Representatives must be made as follows.

A. For an uncontested primary election, the total distribution of revenues is \$500 per candidate. [2015, c. 1, §25 (NEW).]

B. For a contested primary election, the total distribution of revenues is \$2,500 per candidate. [2015, c. 1, §25 (NEW).]

C. For an uncontested general election, the total distribution of revenues is \$1,500 per candidate. [2015, c. 1, §25 (NEW).]

D. For a contested general election, the amount of revenues distributed is as follows:

(1) The initial distribution of revenues is \$5,000 per candidate;

(2) For each increment of 15 additional qualifying contributions a candidate collects and submits pursuant to subsection 8-E, not to exceed a total of 120 additional qualifying contributions, the supplemental distribution of revenues to that candidate is \$1,250; and

(3) The total amount of revenues distributed for a contested general election may not exceed \$15,000 per candidate. [2015, c. 1, §25 (NEW).]

[ 2015, c. 1, §25 (NEW) .]

**8-E. Collection and submission of additional qualifying contributions.** Participating candidates may collect and submit additional qualifying contributions in accordance with subsection 3-A to the commission as follows:

A. For gubernatorial candidates, no earlier than October 15th of the year before the year of the election and no later than 3 weeks before election day; and [2015, c. 1, §25 (NEW).]

B. For legislative candidates, no earlier than January 1st of the election year and no later than 3 weeks before election day. [2015, c. 1, §25 (NEW).]

Additional qualifying contributions may be submitted to the commission at any time in any amounts in accordance with the schedules in this subsection. The commission shall make supplemental distributions to candidates in the amounts and in accordance with the increments specified in subsections 8-B to 8-D. If a candidate submits additional qualifying contributions prior to a primary election in excess of the number of qualifying contributions for which a candidate may receive a distribution, the excess qualifying contributions must be counted as general election additional qualifying contributions if the candidate has a contested general election, but supplemental distributions based on these excess qualifying contributions may not be distributed until after the primary election.

[ 2015, c. 1, §25 (NEW) .]

**8-F. Amount of distributions.** On December 1st of each even-numbered year the commission shall review and adjust the distribution amounts in subsections 8-B to 8-D based on the Consumer Price Index as reported by the United States Department of Labor, Bureau of Labor Statistics. If an adjustment is warranted by the Consumer Price Index, the distribution amounts must be adjusted, rounded to the nearest amount divisible by \$25. When making adjustments under this subsection, the commission may not change the number of qualifying contributions or additional qualifying contributions required to trigger an initial distribution or an increment of supplemental distribution. The commission shall post information about the distribution amounts including the date of any adjustment on its publicly accessible website and include this information with any publication to be used as a guide for candidates.

[ 2015, c. 1, §25 (NEW) .]

## **9. Matching funds.**

[ 2011, c. 558, §8 (RP) .]

**10. Candidate not enrolled in a party.** An unenrolled candidate for the Legislature who submits the required number of qualifying contributions and other required documents under subsection 4 by 5:00 p.m. on April 20th preceding the primary election and who is certified is eligible for revenues from the fund in the same amounts and at the same time as an uncontested primary election candidate and a general election candidate as specified in subsections 7, 8-C and 8-D. Revenues for the general election must be distributed to the candidate as specified in subsection 7. An unenrolled candidate for Governor who submits the required number of qualifying contributions and other required documents under subsection 4 by 5:00 p.m. on April 1st preceding the primary election and who is certified is eligible for revenues from the fund in the same amounts and at the same time as an uncontested primary election gubernatorial candidate and a general election gubernatorial candidate as specified in subsections 7 and 8-B. Revenues for the general election must be distributed to the candidate for Governor as specified in subsection 7.

[ 2015, c. 1, §26 (AMD) .]

**11. Other procedures.** The commission shall establish by rule procedures for qualification, certification, disbursement of fund revenues and return of unspent fund revenues for races involving special elections, recounts, vacancies, withdrawals or replacement candidates.

[ 1995, c. 1, §17 (NEW) .]

**12. Reporting; unspent revenue.** Notwithstanding any other provision of law, the treasurer or deputy treasurer of participating and certified candidates shall report any money collected, all campaign expenditures, obligations, refunds received by a candidate or agent of that candidate and related activities to the commission according to procedures developed by the commission. If a certified candidate pays fund revenues to a member of the candidate's immediate family or household or a business or nonprofit entity affiliated with a member of the candidate's immediate family or household, the treasurer or deputy treasurer must disclose the candidate's relationship to the payee in a manner prescribed by the commission. In developing these procedures, the commission shall utilize existing campaign reporting procedures whenever practicable. The commission shall ensure timely public access to campaign finance data and may utilize electronic means of reporting and storing information. Upon the filing of a final report for any primary election in which the candidate was defeated and for all general elections, that candidate shall return all unspent fund revenues to the commission. If the candidate or agent of the candidate receives a refund of an expenditure made for the campaign after filing the final report, the candidate shall return those funds to the fund within 14 days of receiving the refund.

[ 2013, c. 334, §33 (AMD) .]

**12-A. Required records.** The candidate or treasurer shall obtain and keep:

A. Bank or other account statements for the campaign account covering the duration of the campaign; [2005, c. 542, §5 (NEW).]

B. A vendor invoice stating the particular goods or services purchased for every expenditure in excess of \$50; [2013, c. 334, §34 (AMD).]

C. A record proving that a vendor received payment for every expenditure in excess of \$50 in the form of a cancelled check, cash receipt from the vendor or bank or credit card statement identifying the vendor as the payee; and [2013, c. 334, §34 (AMD).]

D. [2009, c. 524, §15 (RP).]

E. A contemporaneous document such as an invoice, contract or timesheet that specifies in detail the services provided by a vendor who was paid in excess of \$500 for the election cycle for providing campaign staff or consulting services to a candidate. [2013, c. 334, §34 (AMD).]

The candidate or treasurer shall preserve the records for 3 years following the candidate's final campaign finance report for the election cycle. The candidate and treasurer shall submit photocopies of the records to the commission upon its request.

[ 2013, c. 334, §34 (AMD) .]

**12-B. Audit requirements for candidates for Governor.** The commission shall audit the campaigns of candidates for Governor who receive funds under this chapter to verify compliance with election and campaign laws and rules. Within one month of declaring an intention to qualify for public financing, a candidate for Governor, the campaign's treasurer and any other relevant campaign staff shall meet with the staff of the commission to discuss audit standards, expenditure guidelines and record-keeping requirements.

[ 2007, c. 443, Pt. B, §6 (NEW) .]

**12-C. Payments to political committees.** If a certified candidate makes a payment of fund revenues to a political action committee or party committee, the candidate shall include in reports required under this section a detailed explanation of the goods or services purchased according to forms and procedures developed by the commission that is sufficient to demonstrate that the payment was made solely to promote the candidate's election.

[ 2009, c. 286, §9 (NEW) . ]

**12-D. Duties of the campaign treasurer and deputy treasurer.** The treasurer shall file all campaign finance reports required by section 1017, this chapter and commission rules, unless the treasurer delegates the filing of reports to the deputy treasurer designated on the candidate's registration. A candidate may enter financial transactions in an electronic reporting system or on paper forms of the commission, but the report must be filed by the treasurer or deputy treasurer. The treasurer is jointly responsible with the candidate for ensuring that the campaign keeps all records required by section 1016, this chapter and commission rules. If the candidate keeps the records, the candidate shall provide the treasurer or deputy treasurer with access to the records for the purpose of filing complete and accurate campaign finance reports. The commission may hold the candidate and treasurer jointly and severally liable for any penalties assessed for violations of the financial reporting or record-keeping requirements of this chapter, chapter 13 and commission rules. If the deputy treasurer files reports for the campaign, the commission may hold the deputy treasurer jointly and severally liable for any penalties related to reports filed by the deputy treasurer.

[ 2013, c. 334, §35 (NEW) . ]

### **13. Distributions not to exceed amount in fund.**

[ 2009, c. 524, §17 (RPR); T. 21-A, §1125, sub-§13 (RP) . ]

**13-A. Distributions not to exceed amount in fund.** The commission may not distribute revenues to certified candidates in excess of the total amount of money deposited in the fund as set forth in section 1124. Notwithstanding any other provisions of this chapter, if the commission determines that the revenues in the fund are insufficient to meet distributions under subsection 8-F, the commission may permit certified candidates to accept and spend contributions, reduced by any seed money contributions, aggregating no more than the applicable contribution limits established by the commission pursuant to section 1015, up to the applicable amounts set forth in subsection 8-F according to rules adopted by the commission.

[ 2015, c. 1, §27 (AMD) . ]

**14. Appeals.** A candidate who has been denied certification as a Maine Clean Election Act candidate by the commission's executive director, the opponent of a candidate who has been granted certification as a Maine Clean Election Act candidate or other interested persons may challenge a certification decision by the executive director as follows.

A. A challenger may appeal to the commission within 7 days of the certification decision. The appeal must be in writing and must set forth the reasons for the appeal. [ 2011, c. 389, §59 (AMD) . ]

B. Within 5 days after an appeal is properly made and after notice is given to the challenger and any opponent, the commission shall hold a hearing, except that the commission may extend this period upon agreement of the challenger and the candidate whose certification is the subject of the appeal, or in response to the request of either party upon a showing of good cause. The appellant has the burden of proving that the certification decision was in error as a matter of law or was based on factual error. The commission must rule on the appeal within 5 business days after the completion of the hearing. [ 2007, c. 443, Pt. B, §6 (AMD) . ]

C. A challenger may appeal the decision of the commission in paragraph B by commencing an action in Superior Court within 5 days of the date of the commission's decision. The action must be conducted in accordance with Rule 80C of the Maine Rules of Civil Procedure, except that the court shall issue

its written decision within 20 days of the date of the commission's decision. Any aggrieved party may appeal the decision of the Superior Court by filing a notice of appeal within 3 days of that decision. The record on appeal must be transmitted to the Law Court within 3 days after the notice of appeal is filed. After filing the notice of appeal, the parties have 4 days to file briefs and appendices with the clerk of the court. The court shall consider the case as soon as possible after the record and briefs have been filed and shall issue its decision within 14 days of the decision of the Superior Court. [2007, c. 443, Pt. B, §6 (AMD).]

D. A candidate whose certification as a Maine Clean Election Act candidate is reversed on appeal must return to the commission any unspent revenues distributed from the fund. If the commission or court finds that an appeal was made frivolously or to cause delay or hardship, the commission or court may require the moving party to pay costs of the commission, court and opposing parties, if any. [2007, c. 443, Pt. B, §6 (AMD).]

[ 2011, c. 389, §59 (AMD) .]

#### SECTION HISTORY

IB 1995, c. 1, §17 (NEW). 2001, c. 465, §§4-6 (AMD). 2003, c. 270, §§1,2 (AMD). 2003, c. 448, §5 (AMD). 2003, c. 453, §§1,2 (AMD). 2003, c. 688, §§A21,22 (AMD). 2005, c. 301, §§29-32 (AMD). 2005, c. 542, §§3-5 (AMD). 2007, c. 240, Pt. F, §1 (AMD). 2007, c. 443, Pt. B, §6 (AMD). 2007, c. 567, §2 (AMD). 2007, c. 571, §§11, 12 (AMD). 2007, c. 642, §11 (AMD). 2009, c. 105, §1 (AMD). 2009, c. 190, Pt. B, §2 (AMD). 2009, c. 286, §§6-9 (AMD). 2009, c. 302, §§11-22 (AMD). 2009, c. 302, §24 (AFF). 2009, c. 363, §§2-11 (AMD). 2009, c. 524, §§14-18 (AMD). 2009, c. 652, Pt. A, §§23, 25, 27 (AMD). 2009, c. 652, Pt. A, §§24, 26, 28 (AFF). 2011, c. 389, §§51-59 (AMD). 2011, c. 389, §62 (AFF). 2011, c. 522, §§2, 3 (AMD). 2011, c. 522, §4 (AFF). 2011, c. 558, §§6-9 (AMD). 2013, c. 334, §§33-35 (AMD). IB 2015, c. 1, §§15-27 (AMD). 2015, c. 116, §1 (AMD). 2015, c. 116, §2 (AFF). 2017, c. 31, §1 (AMD).

## §1126. COMMISSION TO ADOPT RULES

The commission shall adopt rules to ensure effective administration of this chapter. These rules must include but must not be limited to procedures for obtaining qualifying contributions, certification as a Maine Clean Election Act candidate, circumstances involving special elections, vacancies, recounts, withdrawals or replacements, collection of revenues for the fund, distribution of fund revenue to certified candidates, return of unspent fund disbursements, disposition of equipment purchased with clean election funds and compliance with the Maine Clean Election Act. Rules of the commission required by this section are major substantive rules as defined in Title 5, chapter 375, subchapter II-A. [2001, c. 465, §7 (AMD).]

#### SECTION HISTORY

IB 1995, c. 1, §17 (NEW). 2001, c. 465, §7 (AMD).

## §1127. VIOLATIONS

**1. Civil fine.** In addition to any other penalties that may be applicable, a person who violates any provision of this chapter or rules of the commission adopted pursuant to section 1126 is subject to a fine not to exceed \$10,000 per violation payable to the fund. In addition to any fine, for good cause shown, a candidate, treasurer, consultant or other agent of the candidate or the political committee authorized by the candidate pursuant to section 1013-A, subsection 1 found in violation of this chapter or rules of the commission may be required to return to the fund all amounts distributed to the candidate from the fund or any funds not used for campaign-related purposes. If the commission makes a determination that a violation of this chapter or rules of the commission has occurred, the commission shall assess a fine or transmit the



finding to the Attorney General for prosecution. A final determination by the commission may be appealed to Superior Court in accordance with Title 5, chapter 375, subchapter 7 and the Maine Rules of Civil Procedure, Rule 80C. Fines assessed or orders for return of funds issued by the commission pursuant to this subsection that are not paid in full within 30 days after issuance of a notice of the final determination may be enforced in accordance with section 1004-B. Fines paid under this section must be deposited in the fund. In determining whether or not a candidate is in violation of the expenditure limits of this chapter, the commission may consider as a mitigating factor any circumstances out of the candidate's control.

[ 2011, c. 558, §10 (AMD) .]

**2. Class E crime.** A person who willfully or knowingly violates this chapter or rules of the commission or who willfully or knowingly makes a false statement in any report required by this chapter commits a Class E crime and, if certified as a Maine Clean Election Act candidate, must return to the fund all amounts distributed to the candidate.

[ 1995, c. 1, §17 (NEW) .]

#### SECTION HISTORY

IB 1995, c. 1, §17 (NEW). 2003, c. 81, §1 (AMD). 2005, c. 301, §33 (AMD). 2005, c. 542, §6 (AMD). 2009, c. 302, §23 (AMD). 2011, c. 558, §10 (AMD).

### §1128. STUDY REPORT

By March 15, 2011 and every 4 years after that date, the commission shall prepare for the joint standing committee of the Legislature having jurisdiction over legal affairs a report documenting, evaluating and making recommendations relating to the administration, implementation and enforcement of the Maine Clean Election Act and Maine Clean Election Fund. [2009, c. 190, Pt. B, §3 (AMD).]

#### SECTION HISTORY

IB 1995, c. 1, §17 (NEW). 2009, c. 190, Pt. B, §3 (AMD).

## Chapter 15: APPORTIONMENT

### §1201. APPORTIONMENT OF THE MAINE SENATE, MAINE HOUSE OF REPRESENTATIVES AND MAINE CONGRESSIONAL DISTRICTS

*(REPEALED)*

#### SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 506, §A40 (AMD). 1985, c. 614, §25 (AMD). 1993, c. 7, §1 (AMD). 1993, c. 628, §1 (RP).

### §1202. DEFINITIONS

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [1993, c. 628, §2 (NEW).]

**1. Block.** "Block" means an area defined as a block in the United States Census for 1990. A block is the smallest census unit used in this document.

[ 1993, c. 628, §2 (NEW) .]

**2. Block group.** "Block group" means an area comprising all of the blocks within a tract or BNA whose census data labels begin with the same digit. There are one to 9 block groups in a tract or BNA.

[ 1993, c. 628, §2 (NEW) .]

**3. Block numbering area.** "Block numbering area" or "BNA" means that area composed of blocks or block groups that is defined as a block numbering area in the United States Census for 1990.

[ 1993, c. 628, §2 (NEW) .]

**4. Census unit.** "Census unit" means a block, block group, BNA or tract.

[ 1993, c. 628, §2 (NEW) .]

**5. Tract.** "Tract" means that area composed of blocks or block groups that is defined as a tract in the United States Census for 1990.

[ 1993, c. 628, §2 (NEW) .]

**6. United States Census for 1990.** "United States Census for 1990" means the population counts published in both printed and electronic media in March 1991 by the United States Census Bureau as the data for the State of Maine collected pursuant to Public Law 94-171.

[ 1993, c. 628, §2 (NEW) .]

#### SECTION HISTORY

1993, c. 628, §2 (NEW).

### §1203. STATE SENATE DISTRICTS

*(REPEALED)*

#### SECTION HISTORY

1993, c. 628, §2 (NEW). 1995, c. 285, §§1,2 (AMD). 2003, c. 62, §1 (AMD). 2003, c. 62, §§5,6 (AFF). 2005, c. 13, §3 (AFF). 2005, c. 13, §1 (RP).

## §1203-A. STATE SENATE DISTRICTS

### *(REPEALED)*

The State Senate consists of 35 Senators with one Senator elected from each of the following districts. [2005, c. 13, §2 (NEW); 2005, c. 13, §3 (AFF).]

For Legislatures until the 127th Legislature, the State Senate consists of 35 Senators with one Senator elected from each of the following districts. This section is repealed December 3, 2014. [2013, c. 270, Pt. A, §1 (AMD).]

#### SECTION HISTORY

2005, c. 13, §2 (NEW). 2005, c. 13, §3 (AFF). 2013, c. 270, Pt. A, §1 (AMD). MRSA T. 21-A, §1203-A (RP).

## §1203-B. STATE SENATE DISTRICTS

For Legislatures beginning with the 127th Legislature, the State Senate consists of 35 Senators, with one Senator elected from each of the following districts. [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

### **1. Senate District 1.** Senate District 1 consists of:

A. In Aroostook County, the minor civil divisions and unorganized territories of Allagash; Ashland; Caribou; Castle Hill; Caswell; Connor Township; Cyr; Eagle Lake; Fort Kent; Frenchville; Garfield; Grand Isle; Hamlin; Limestone; Madawaska; Mapleton; Masardis; Nashville; New Canada; New Sweden; Northwest Aroostook; Oxbow; Perham; Portage Lake; Square Lake; St. Agatha; St. Francis; St. John; Stockholm; Van Buren; Wade; Wallagrass; Washburn; Westmanland; Winterville; and Woodland. [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

### **2. Senate District 2.** Senate District 2 consists of:

A. In Aroostook County, the minor civil divisions and unorganized territories of Amity; Bancroft; Blaine; Bridgewater; Cary; Central Aroostook; Chapman; Crystal; Dyer Brook; Easton; Fort Fairfield; Glenwood; Hammond; Haynesville; Hersey; Hodgdon; Houlton; Island Falls; Linneus; Littleton; Ludlow; Macwahoc; Mars Hill; Merrill; Monticello; Moro; New Limerick; Oakfield; Orient; Presque Isle; Reed; Sherman; Smyrna; South Aroostook; Westfield; and Weston; and the following census units of the Penobscot River: Block 4293 of Tract 952900; and [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

B. In Penobscot County, the minor civil divisions and unorganized territories of Carroll; Drew; Kingman Township; Lakeville; Lee; Mount Chase; Patten; Prentiss Township; Springfield; Stacyville; Twombly Ridge Township, T3R1 NBPP; Webster; Whitney (Pukakon) Township, T5R1 NBPP; and Winn; and the following census units in North Penobscot: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135,

1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1312, 1320, 1321, 1324, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1413, 1414, 1415, 1416, 1417, 1418, 1421, 1739, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1758, 1760, 1761, 1762, 1763, 1764, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1787, 1790, 1791, 1793, 1794, 1809, 1810, 1811, 1812, 1814, 1815, 1816, 1817, 1818 and 1819 of Tract 029000. [ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF). ]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) . ]

**3. Senate District 3.** Senate District 3 consists of:

A. In Kennebec County, the minor civil division of Rome; and [ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF). ]

B. In Somerset County, the minor civil divisions and unorganized territories of Anson; Bingham; Canaan; Caratunk; Central Somerset; Cornville; Dennistown; Embden; Highland; Jackman; Madison; Mercer; Moose River; Moscow; New Portland; Norridgewock; Northeast Somerset; Northwest Somerset; Pittsfield; Pleasant Ridge; Seboomook Lake; Skowhegan; Smithfield; Solon; Starks; The Forks; and West Forks. [ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF). ]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) . ]

**4. Senate District 4.** Senate District 4 consists of:

A. In Penobscot County, the minor civil divisions of Alton; Bradford; Charleston; Dexter; Garland; and Lagrange; [ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF). ]

B. Piscataquis County; and [ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF). ]

C. In Somerset County, the minor civil divisions of Athens; Brighton; Cambridge; Detroit; Harmony; Hartland; Palmyra; Ripley; and St. Albans. [ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF). ]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) . ]

**5. Senate District 5.** Senate District 5 consists of:

A. In Penobscot County, the minor civil divisions and unorganized territories of Argyle Township; Chester; East Millinocket; Edinburg; Enfield; Greenbush; Howland; Mattawamkeag; Maxfield; Medway; Milford; Millinocket; Old Town; Orono; Passadumkeag; Penobscot Indian Island; Seboeis; Veazie; and Woodville; and the following census units in North Penobscot: Blocks 1290, 1318, 1319, 1322, 1323, 1335, 1346, 1347, 1348, 1349, 1350, 1351, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1407, 1408,

1409, 1410, 1411, 1412, 1419, 1420, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1740, 1756, 1757, 1759, 1765, 1766, 1786, 1788, 1789, 1792, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808 and 1813 of Tract 029000; and Block 1058 of Tract 031000. [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

**6. Senate District 6.** Senate District 6 consists of:

A. In Hancock County, the minor civil divisions and unorganized territories of Gouldsboro; Sullivan; and Winter Harbor; and the following census units in East Hancock: Blocks 1370, 1376, 1377, 1378, 1379, 1380, 1381, 1386, 1390, 1391, 1392, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406 and 1430 of Tract 965100; and [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

B. Washington County. [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

**7. Senate District 7.** Senate District 7 consists of:

A. In Hancock County, the minor civil divisions and unorganized territories of Amherst; Aurora; Bar Harbor; Blue Hill; Brooklin; Brooksville; Central Hancock; Cranberry Isles; Deer Isle; Eastbrook; Ellsworth; Franklin; Frenchboro; Hancock; Lamoine; Mariaville; Marshall Island; Mount Desert; Osborn; Otis; Sedgwick; Sorrento; Southwest Harbor; Stonington; Surry; Swans Island; Tremont; Trenton; and Waltham; and the following census units in East Hancock: Blocks 1131, 1132, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1150, 1151, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1203, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311,

1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1371, 1372, 1373, 1374, 1375, 1382, 1383, 1384, 1387, 1388, 1389, 1410, 1423, 1426, 1431 and 1434 of Tract 965100. [ 2013, c. 270, Pt. A, § 2 (NEW); 2013, c. 270, Pt. A, § 3 (AFF). ]

[ 2013, c. 270, Pt. A, § 2 (NEW); 2013, c. 270, Pt. A, § 3 (AFF) . ]

**8. Senate District 8.** Senate District 8 consists of:

A. In Hancock County, the minor civil divisions and unorganized territories of Bucksport; Castine; Dedham; Great Pond; Northwest Hancock, T32 MD; Orland; Penobscot; and Verona Island; and the following census units in East Hancock: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1133, 1134, 1135, 1145, 1146, 1147, 1148, 1149, 1152, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1204, 1205, 1206, 1207, 1385, 1393, 1394, 1395, 1396, 1397, 1398, 1407, 1408, 1409, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1424, 1425, 1427, 1428, 1429, 1432, 1433, 1435, 1436 and 1437 of Tract 965100; and [ 2013, c. 270, Pt. A, § 2 (NEW); 2013, c. 270, Pt. A, § 3 (AFF). ]

B. In Penobscot County, the minor civil divisions and unorganized territories of Bradley; Brewer; Burlington; Clifton; East Central Penobscot; Eddington; Holden; Lincoln; Lowell; and Orrington. [ 2013, c. 270, Pt. A, § 2 (NEW); 2013, c. 270, Pt. A, § 3 (AFF). ]

[ 2013, c. 270, Pt. A, § 2 (NEW); 2013, c. 270, Pt. A, § 3 (AFF) . ]

**9. Senate District 9.** Senate District 9 consists of:

A. In Penobscot County, the minor civil divisions of Bangor and Hermon. [ 2013, c. 270, Pt. A, § 2 (NEW); 2013, c. 270, Pt. A, § 3 (AFF). ]

[ 2013, c. 270, Pt. A, § 2 (NEW); 2013, c. 270, Pt. A, § 3 (AFF) . ]

**10. Senate District 10.** Senate District 10 consists of:

A. In Penobscot County, the minor civil divisions of Carmel; Corinna; Corinth; Dixmont; Etna; Exeter; Glenburn; Hampden; Hudson; Kenduskeag; Levant; Newburgh; Newport; Plymouth; and Stetson. [ 2013, c. 270, Pt. A, § 2 (NEW); 2013, c. 270, Pt. A, § 3 (AFF). ]

[ 2013, c. 270, Pt. A, § 2 (NEW); 2013, c. 270, Pt. A, § 3 (AFF) . ]

**11. Senate District 11.** Senate District 11 consists of:

A. Waldo County. [ 2013, c. 270, Pt. A, § 2 (NEW); 2013, c. 270, Pt. A, § 3 (AFF). ]

[ 2013, c. 270, Pt. A, § 2 (NEW); 2013, c. 270, Pt. A, § 3 (AFF) . ]

**12. Senate District 12.** Senate District 12 consists of:

A. In Knox County, the minor civil divisions and unorganized territories of Appleton; Camden; Criehaven; Cushing; Friendship; Hope; Isle au Haut; Matinicus Isle; Muscle Ridge Islands; North Haven; Owls Head; Rockland; Rockport; South Thomaston; St. George; Thomaston; Union; Vinalhaven; and Warren. [2013, c. 457, §6 (AMD).]

[ 2013, c. 457, §6 (AMD) .]

**13. Senate District 13.** Senate District 13 consists of:

A. In Kennebec County, the minor civil division of Windsor; [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

B. In Knox County, the minor civil division of Washington; and [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

C. In Lincoln County, the minor civil divisions and unorganized territories of Alna; Boothbay; Boothbay Harbor; Bremen; Bristol; Damariscotta; Edgecomb; Hibberts Gore; Jefferson; Louds Island; Monhegan; Newcastle; Nobleboro; Somerville; South Bristol; Southport; Waldoboro; Westport Island; Whitefield; and Wiscasset. [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

**14. Senate District 14.** Senate District 14 consists of:

A. In Kennebec County, the minor civil divisions of Chelsea; Farmingdale; Gardiner; Hallowell; Manchester; Monmouth; Pittston; Randolph; Readfield; West Gardiner; and Winthrop. [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

**15. Senate District 15.** Senate District 15 consists of:

A. In Kennebec County, the minor civil divisions of Augusta; China; Oakland; Sidney; and Vassalboro. [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

**16. Senate District 16.** Senate District 16 consists of:

A. In Kennebec County, the minor civil divisions and unorganized territories of Albion; Benton; Clinton; Unity Township; Waterville; and Winslow; and [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

B. In Somerset County, the minor civil division of Fairfield. [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

**17. Senate District 17.** Senate District 17 consists of:

A. Franklin County; and [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

B. In Kennebec County, the minor civil divisions of Belgrade; Fayette; Mount Vernon; and Vienna. [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

**18. Senate District 18.** Senate District 18 consists of:

A. In Androscoggin County, the minor civil divisions of Livermore and Livermore Falls; and [ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

B. In Oxford County, the minor civil divisions and unorganized territories of Andover; Bethel; Buckfield; Byron; Canton; Dixfield; Gilead; Greenwood; Hanover; Hartford; Hebron; Lincoln; Lovell; Magalloway; Mexico; Milton Township; Newry; North Oxford; Peru; Roxbury; Rumford; South Oxford; Stoneham; Stow; Sumner; Sweden; Upton; Waterford; West Paris; and Woodstock. [ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

**19. Senate District 19.** Senate District 19 consists of:

A. In Cumberland County, the minor civil divisions of Bridgton; Harrison; Naples; and Sebago; and [ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

B. In Oxford County, the minor civil divisions of Brownfield; Denmark; Fryeburg; Hiram; Norway; Otisfield; Oxford; Paris; and Porter. [ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

**20. Senate District 20.** Senate District 20 consists of:

A. In Androscoggin County, the minor civil divisions of Auburn; Mechanic Falls; Minot; and Poland; and [ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

B. In Cumberland County, the minor civil division of New Gloucester. [ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

**21. Senate District 21.** Senate District 21 consists of:

A. In Androscoggin County, the minor civil division of Lewiston. [ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

**22. Senate District 22.** Senate District 22 consists of:

A. In Androscoggin County, the minor civil divisions of Durham; Greene; Leeds; Lisbon; Sabattus; Turner; and Wales; and [ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

B. In Kennebec County, the minor civil divisions of Litchfield and Wayne. [ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

**23. Senate District 23.** Senate District 23 consists of:

A. In Lincoln County, the minor civil division of Dresden; and [ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

B. Sagadahoc County. [ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

**24. Senate District 24.** Senate District 24 consists of:



A. In Cumberland County, the minor civil divisions of Brunswick; Freeport; Harpswell; North Yarmouth; and Pownal. [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

**25. Senate District 25.** Senate District 25 consists of:

A. In Cumberland County, the minor civil divisions of Chebeague Island; Cumberland; Falmouth; Gray; Long Island; and Yarmouth; and the following census units in the minor civil division of Westbrook: Blocks 1000, 1001, 1002, 1013, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018 and 2019 of Tract 002600; and Blocks 2000, 2008, 2009, 2010, 2011, 2012, 2013, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3021, 3022, 3023, 3024 and 3025 of Tract 002700. [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

**26. Senate District 26.** Senate District 26 consists of:

A. In Cumberland County, the minor civil divisions of Baldwin; Casco; Frye Island; Raymond; Standish; and Windham. [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

**27. Senate District 27.** Senate District 27 consists of:

A. In Cumberland County, the following census units in the minor civil division of Portland: Tract 000100; Tract 000200; Tract 000300; Tract 000500; Tract 000600; Tract 001000; Tract 001100; Tract 001200; and Tract 001300; and Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016 and 3017 of Tract 001500; Tract 001800; Block 1000 of Tract 001900; Blocks 1005, 1027, 1028, 1032, 1033, 1034, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060 and 1063 of Tract 002002; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2020, 2023, 2025, 2026, 2027 and 2028 of Tract 002200; Tract 002300; Tract 002400; and Blocks 0006, 0007, 0012, 0017, 0018, 0019, 0021, 0022, 0023, 0024, 0026 and 0027 of Tract 990000. [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

**28. Senate District 28.** Senate District 28 consists of:

A. In Cumberland County, the following census units in the minor civil division of Portland: Block 2027 of Tract 001500; Tract 001700; Blocks 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009 and 4010 of Tract 001900; Tract 002001; Blocks 1000, 1001, 1002,

1003, 1004, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1029, 1030, 1031, 1035, 1061, 1062, 1064, 1065, 1066, 1067, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056 and 2057 of Tract 002002; Tract 002101; Tract 002102; and Blocks 2019, 2021, 2022, 2024, 2029, 2030, 2031 and 2032 of Tract 002200; and [ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF). ]

B. In Cumberland County, the following census units in the minor civil division of Westbrook: Blocks 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036 and 1037 of Tract 002600; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2014, 2015, 2016, 2017, 2018, 2019, 3020, 3026 and 3027 of Tract 002700; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041 and 2042 of Tract 002800; and Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4043, 4044, 4045, 4046, 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014, 5015, 5016, 5017, 5018, 5019, 5020, 5021, 5022 and 5023 of Tract 002900. [ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF). ]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) . ]

**29. Senate District 29.** Senate District 29 consists of:

A. In Cumberland County, the minor civil divisions of Cape Elizabeth and South Portland; and the following census units in the minor civil division of Scarborough: Blocks 1001, 1002, 1003, 1004, 1005, 1006, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1033, 1034, 1035, 1050, 1089, 1090, 1096, 1097, 1098, 1099, 1100, 1101, 1102 and 1103 of Tract 017301; Blocks 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2038, 2047, 2048 and 2062 of Tract 017303; Blocks 1051, 4000, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020 and 4021 of Tract 017304; and Blocks 0041, 0042, 0043, 0044, 0045, 0046, 0047, 0048 and 0049 of Tract 990000. [ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF). ]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) . ]

**30. Senate District 30.** Senate District 30 consists of:

A. In Cumberland County, the minor civil division of Gorham; and the following census units in the minor civil division of Scarborough: Blocks 1000, 1007, 1008, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079,

1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1091, 1092, 1093, 1094, 1095, 1104, 1105, 1106, 1107, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3068, 3069, 3070, 3071 and 3072 of Tract 017301; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060 and 2061 of Tract 017303; and Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043 and 4001 of Tract 017304; and [ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) . ]

**B. In York County, the following census units in the minor civil division of Buxton: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 4000, 4001, 4002, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4018, 4028, 4044, 4045 and 4046 of Tract 020000. [ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) . ]**

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) . ]

**31. Senate District 31.** Senate District 31 consists of:

A. In York County, the following census units in the minor civil division of Buxton: Blocks 4003, 4017, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4043, 4047, 4048, 4049, 4050, 4051, 4052, 4053, 4054, 4055, 4056, 4057, 4058 and 4059 of Tract 020000; and the minor civil divisions of Hollis; Limington; Old Orchard Beach; and Saco. [2013, c. 457, §7 (AMD).]

[ 2013, c. 457, §7 (AMD) .]

**32. Senate District 32.** Senate District 32 consists of:

A. In York County, the minor civil divisions of Alfred; Arundel; Biddeford; Dayton; Kennebunkport; and Lyman. [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

**33. Senate District 33.** Senate District 33 consists of:

A. In York County, the minor civil divisions of Cornish; Limerick; Newfield; Parsonsfield; Sanford; Shapleigh; and Waterboro. [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

**34. Senate District 34.** Senate District 34 consists of:

A. In York County, the minor civil division of Acton; and the following census units in the minor civil division of Berwick: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1013, 1014, 1015, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1025, 1026, 1027, 1028, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2042, 2043, 2088, 2089, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037 and 3038 of Tract 032000; and the minor civil divisions of Kennebunk; Lebanon; North Berwick; and Wells. [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

**35. Senate District 35.** Senate District 35 consists of:

A. In York County, the following census units in the minor civil division of Berwick: Blocks 1010, 1011, 1012, 1016, 1024, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 2040, 2041, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2090, 2091, 2092, 2093, 2094, 2095 and 2096 of Tract 032000; and the minor civil divisions of Eliot; Kittery; Ogunquit; South Berwick; and York. [2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF).]

[ 2013, c. 270, Pt. A, §2 (NEW); 2013, c. 270, Pt. A, §3 (AFF) .]

SECTION HISTORY

2013, c. 270, Pt. A, §2 (NEW). 2013, c. 270, Pt. A, §3 (AFF). 2013, c. 457, §§6, 7 (AMD).

**§1204. STATE HOUSE DISTRICTS***(REPEALED)*

## SECTION HISTORY

1993, c. 628, §2 (NEW). 1995, c. 285, §§3-8 (AMD). 2003, c. 44, §1 (RP). 2003, c. 62, §2 (AMD). 2003, c. 62, §§5,6 (AFF). 2003, c. 688, §A23 (AMD).

**§1204-A. STATE HOUSE DISTRICTS***(REPEALED)*

For Legislatures until the 127th Legislature, the following House Districts are established. This section is repealed December 3, 2014. [2013, c. 270, Pt. B, §1 (NEW).]

## SECTION HISTORY

2003, c. 289, §1 (NEW). 2003, c. 532, §1 (AMD). 2003, c. 534, §1 (AMD). 2003, c. 534, §5 (AFF). 2003, c. 688, §A24 (AMD). 2013, c. 270, Pt. B, §1 (AMD). MRS A T. 21-A, §1204-A (RP).

**§1204-B. STATE HOUSE DISTRICTS**

For Legislatures beginning with the 127th Legislature, the following House Districts are established. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

**1. House District 1.** House District 1 consists of:

A. In York County, the following census units in the minor civil division of Kittery: Tract 038001; Blocks 1003, 1004, 1006, 1007, 1013, 1014, 1021, 1022, 1023, 1024, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1042, 1043, 1045, 1046, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023 and 3024 of Tract 038002; and Block 0016 of Tract 990100. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**2. House District 2.** House District 2 consists of:

A. In York County, the minor civil division of Eliot; the following census units in the minor civil division of South Berwick: Blocks 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 2017, 2018, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 4018, 4019, 4020, 4026 and 4027 of Tract 035000; and the following census units in the minor civil division of Kittery: Blocks 1000, 1001, 1002, 1005, 1008, 1009, 1010, 1011, 1012, 1015, 1016, 1017, 1018, 1019, 1020, 1025, 1026, 1027, 1028, 1039, 1040, 1041, 1044 and 1047 of Tract 038002. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**3. House District 3.** House District 3 consists of:

A. In York County, the following census units in the minor civil division of York: Tract 036001; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033 and 2034 of Tract 036002; and Blocks 0013, 0014 and 0015 of Tract 990100. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**4. House District 4.** House District 4 consists of:

A. In York County, the minor civil division of Ogunquit; the following census units in the minor civil division of Sanford: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 3000, 3001, 3002, 3003, 3004, 3008, 3010, 3011, 3012, 3013 and 3014 of Tract 030300; the following census units in the minor civil division of Wells: Blocks 3029, 3030, 3031, 3032, 3033, 3034, 3036, 3037, 3038, 3039, 3068, 3069, 3070, 3071, 3072, 3074, 3077, 3078, 3079, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4043, 4044, 4046, 4047, 4048 and 4051 of Tract 034002; and the following census units in the minor civil division of York: Blocks 2018, 2019, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4043, 4044, 4045, 4046, 4047, 4048, 4049, 4050, 4051, 4052, 4053, 4054, 4055, 4056, 4057, 4058, 4059, 4060, 4061, 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014, 5015, 5016, 5017, 5018, 5019, 5020, 5021, 5022, 5023, 5024, 5025, 5026 and 5027 of Tract 036002. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**5. House District 5.** House District 5 consists of:

A. In York County, the minor civil division of Berwick; and the following census units in the minor civil division of North Berwick: Blocks 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3016, 3017, 3018, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3061 and 3062 of Tract 033000. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**6. House District 6.** House District 6 consists of:

A. In York County, the following census units in the minor civil division of North Berwick: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047,

1048, 1049, 1050, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3014, 3015, 3019 and 3060 of Tract 033000; and the following census units in the minor civil division of South Berwick: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1068, 1069, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2019, 2042, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4021, 4022, 4023, 4024, 4025 and 4028 of Tract 035000. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**7. House District 7.** House District 7 consists of:

A. In York County, the following census units in the minor civil division of Wells: Blocks 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4043, 4044, 4045, 4046, 4047, 4048, 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014, 5015, 5016, 5017, 5018, 5019, 5020, 5021, 5022, 5023, 5024, 5025, 5026, 5027, 5028, 5029, 5030, 5031, 5032, 5033, 5034, 5035, 5036, 5037, 5038, 5039, 5040, 5041, 5042, 5043, 5044, 5045, 5046, 5047, 5048, 5049, 5050, 5051, 6000, 6001, 6002, 6003, 6004, 6005, 6006, 6007, 6008, 6009, 6010, 6011, 6012, 6013, 6014, 6015, 6016, 6017, 6018, 6019, 6020, 6021, 6022, 6023, 6024, 6025, 6026, 6027, 6028, 6029, 6030, 6031, 6032, 6033, 6034, 6035, 6036, 6037, 6038, 7000, 7001, 7002, 7003, 7004, 7005, 7006, 7007, 7008, 7009, 7010, 7011, 7012, 7013, 7014, 7015, 7016, 7017, 7018, 7019, 7020, 7021, 7022, 7023, 7024, 7025, 7026, 7027, 7028, 7029, 7030, 7031, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7039, 7040, 7041, 7042, 7043, 7044, 7045, 7046, 7047, 7048, 7049, 7050, 7051, 7052, 7053, 7054, 7055, 7056, 7057, 7058, 7059, 7060, 7061, 7062, 7063, 7064, 7065, 7066, 7067, 7068, 7069, 7070, 7071, 7072, 7073, 7074, 7075, 7076, 7077, 7078, 7079 and 7080 of Tract 034001; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3035, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3073, 3075, 3076, 3080, 3081, 3082, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4045, 4049 and 4050 of Tract 034002; and Block 0011 of Tract 990100. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**8. House District 8.** House District 8 consists of:

A. In York County, the following census units in the minor civil division of Kennebunk: Tract 028001; and Blocks 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1053, 1054, 1055, 1056, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3021, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4043, 4044, 4045, 4046, 4047, 4048, 4049, 4050, 4051, 4052, 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014, 5015, 5016, 5017, 5018, 5019, 5020, 5021, 5022, 5023, 5024, 5025, 5026, 5027, 5028, 5029, 5030, 5031, 5032, 5033, 5034, 5035, 5036, 5037, 5038, 5039, 5040, 5041, 5042, 5043 and 5044 of Tract 028002. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**9. House District 9.** House District 9 consists of:

A. In York County, the minor civil division of Kennebunkport; the following census units in the minor civil division of Biddeford: Blocks 1028, 1029, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024 and 2025 of Tract 025300; Tract 025400; Block 0006 of Tract 990100; and the following census units in the minor civil division of Kennebunk: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1050, 1051, 1052, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 3020, 3022 and 3023 of Tract 028002; and Blocks 0009 and 0010 of Tract 990100. [ 2013, c. 457, §8 (AMD) . ]

[ 2013, c. 457, §8 (AMD) . ]

**10. House District 10.** House District 10 consists of:

A. In York County, the minor civil divisions of Arundel and Dayton; and the following census units in the minor civil division of Lyman: Blocks 2000, 2001, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2045, 2046, 2047, 2048, 2061, 2062, 2063, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034 and 4035 of Tract 024500. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**11. House District 11.** House District 11 consists of:

A. In York County, the following census units in the minor civil division of Biddeford: Tract 025100; Blocks 1014, 1015, 1016, 1017, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031 and 3032 of Tract 025201; Blocks 2003, 2004, 2005, 2006, 2007, 2008 and 2009 of Tract 025202; and Blocks 1000, 1001, 1003, 1004, 1005, 1006, 1007,



1008, 1009, 1010, 1011, 1012, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1030, 1031 and 1032 of Tract 025300. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**12. House District 12.** House District 12 consists of:

A. In York County, the following census units in the minor civil division of Biddeford: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1018, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3021, 3022, 3023, 3033 and 3034 of Tract 025201; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 2000, 2001, 2002, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014, 5015, 5016, 5017, 5018, 6000, 6001, 6002, 6003, 6004, 6005, 6006, 6007, 6008, 6009, 6010, 6011, 6012, 6013, 6014, 6015, 6016, 6017, 6018 and 6019 of Tract 025202; and Blocks 1002, 1013 and 1014 of Tract 025300. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**13. House District 13.** House District 13 consists of:

A. In York County, the minor civil division of Old Orchard Beach. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**14. House District 14.** House District 14 consists of:

A. In York County, the following census units in the minor civil division of Saco: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 2047, 2048, 2051, 2059, 2064, 2068, 2069, 2070, 2073, 2074 and 2075 of Tract 005200; Blocks 1014, 1015, 1016, 1026, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016 and 4017 of Tract 005300; Tract 005400; and Blocks 0004 and 0005 of Tract 990100. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**15. House District 15.** House District 15 consists of:

A. In York County, the following census units in the minor civil division of Saco: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1020, 1021, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1043, 1044, 1045, 1046, 1047, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025,

3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033 and 3034 of Tract 005100; Blocks 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2049, 2050, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2060, 2061, 2062, 2063, 2065, 2066, 2067, 2071, 2072 and 2076 of Tract 005200; and Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1027 and 1028 of Tract 005300. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**16. House District 16.** House District 16 consists of:

A. In York County, the minor civil division of Hollis; the following census units in the minor civil division of Saco: Blocks 1017, 1018, 1019, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1041, 1042 and 1048 of Tract 005100; and the following census units in the minor civil division of Buxton: Blocks 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4043, 4044, 4045, 4046, 4047, 4048, 4049, 4050, 4051, 4052, 4053, 4054, 4055, 4056, 4057, 4058 and 4059 of Tract 020000. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**17. House District 17.** House District 17 consists of:

A. In York County, the minor civil division of Waterboro; and the following census units in the minor civil division of Lyman: Blocks 2002, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2043, 2044, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016 and 4017 of Tract 024500. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**18. House District 18.** House District 18 consists of:

A. In York County, the following census units in the minor civil division of Sanford: Blocks 1026, 1027, 1028, 2002, 2003 and 2018 of Tract 030100; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 2013, 2014, 2015, 2019, 2020, 2021, 2022, 2023, 2024, 2025 and 2035 of Tract 030201; Tract 030202; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1019, 1020, 2000, 2001, 2002, 2003, 2004, 2005, 3000 and 3001 of Tract 030203; and Blocks 3005, 3006, 3007 and 3009 of Tract 030300. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**19. House District 19.** House District 19 consists of:

A. In York County, the following census units in the minor civil division of Sanford: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 2000, 2001, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028 and 3029 of Tract 030100; Blocks 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2016, 2017, 2018, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2036, 2037 and 2038 of Tract 030201; Blocks 1015, 1016, 1017, 1018, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025 and 3026 of Tract 030203; and Blocks 2010, 2011 and 2012 of Tract 030300. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**20. House District 20.** House District 20 consists of:

A. In York County, the minor civil divisions of Acton and Lebanon; and the following census units in the minor civil division of Shapleigh: Blocks 4008, 4009, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4026, 4027, 4028, 4030, 4031, 4032, 4038, 4039, 4040, 4041, 4042, 4043, 4044, 4045, 4046, 4047, 4048, 4049, 4050, 4051, 4052, 4053, 4054, 4055, 4056, 4057, 4058, 4059, 4060, 4061, 4062, 4063, 4064, 4065, 4066, 5034, 5070, 5088, 5089, 5090, 5091, 5092, 5093, 5094, 5095, 5096, 5097, 5098, 5099, 5100, 5101, 5102, 5103, 5104, 5105, 5106, 5107, 5108, 5109, 5110, 5111, 5112, 5114, 5115, 5116 and 5117 of Tract 023500. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**21. House District 21.** House District 21 consists of:

A. In York County, the minor civil divisions of Alfred and Newfield; the following census units in the minor civil division of Parsonsfield: Blocks 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2046, 2048, 2049, 2050, 2051, 2052, 2053, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067 and 3068 of Tract 022500; the following census units in the minor civil division of Limerick: Blocks 1034, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 2011, 2012, 2013, 2014, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050 and 2051 of Tract 023000; and the following census units in the minor civil division of Shapleigh: Blocks 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4010, 4025, 4029, 4033, 4034, 4035, 4036, 4037, 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014, 5015, 5016, 5017, 5018, 5019, 5020, 5021, 5022, 5023, 5024, 5025, 5026, 5027, 5028, 5029, 5030, 5031, 5032, 5033, 5035, 5036, 5037, 5038, 5039, 5040, 5041, 5042, 5043,

5044, 5045, 5046, 5047, 5048, 5049, 5050, 5051, 5052, 5053, 5054, 5055, 5056, 5057, 5058, 5059, 5060, 5061, 5062, 5063, 5064, 5065, 5066, 5067, 5068, 5069, 5071, 5072, 5073, 5074, 5075, 5076, 5077, 5078, 5079, 5080, 5081, 5082, 5083, 5084, 5085, 5086, 5087 and 5113 of Tract 023500. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**22. House District 22.** House District 22 consists of:

A. In Cumberland County, the following census units in the minor civil division of Standish: Blocks 1012, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1056, 1057, 1058, 1059, 1060, 1061 and 1062 of Tract 017001; and [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

B. In York County, the following census units in the minor civil division of Buxton: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2038, 2050, 3000, 3032, 3033 and 3044 of Tract 020000; the following census units in the minor civil division of Limerick: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2015, 2016, 2028 and 2029 of Tract 023000; and the minor civil division of Limington. [ 2013, c. 1, §35 (COR) . ]

[ 2013, c. 1, §35 (COR) . ]

**23. House District 23.** House District 23 consists of:

A. In Cumberland County, the following census units in the minor civil division of Standish: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1013, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036 and 3037 of Tract 017001; and Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 3001, 3002 and 3004 of Tract 017002. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**24. House District 24.** House District 24 consists of:

A. In Cumberland County, the following census units in the minor civil division of Windham: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4016, 5000, 5001, 5002, 5003, 5004, 5005, 5008, 5009, 5010, 5013, 5014, 5015, 6000, 6001, 6002, 6003, 6004, 6005 and 6006 of Tract 004801; and Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1010, 1011, 1012, 1013, 1014, 1015, 1019, 1020, 1021, 1025, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1040, 1041, 1042, 1043, 1046, 1049, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017 and 3018 of Tract 004802. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**25. House District 25.** House District 25 consists of:

A. In Cumberland County, the following census units in the minor civil division of Windham: Blocks 4015, 4017, 5006, 5007, 5011, 5012, 6007, 6008, 6009, 6010, 6011, 6012, 6013, 6014, 6015, 6016, 6017, 6018, 6019, 6020, 6021, 6022, 6023, 6024, 6025, 6026, 6027, 6028, 6029, 6030, 6031, 6032, 6033, 6034, 6035, 6036, 6037, 6038, 6039 and 6040 of Tract 004801; Blocks 1009, 1016, 1017, 1018, 1022, 1023, 1024, 1026, 1038, 1039, 1044, 1045, 1047, 1048 and 3007 of Tract 004802; and Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025 and 3026 of Tract 004803. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**26. House District 26.** House District 26 consists of:

A. In Cumberland County, the following census units in the minor civil division of Gorham: Blocks 1045, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031 and 2032 of Tract 004001; Blocks 1027, 1028, 1029, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 3010, 3011, 3012, 4008, 4009, 4010, 4011, 4012, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014, 5015, 5016, 5017, 5018, 5019, 5020, 5021, 5022, 5023, 5024, 5025, 5026, 5027, 5028, 5029, 5030, 5031, 5032, 5033, 5034, 5035 and 5036 of Tract 004002; and Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 2024,

2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052 and 2053 of Tract 004100. [ 2013, c. 270, Pt. B, § 2 (NEW); 2013, c. 270, Pt. B, § 3 (AFF). ]

[ 2013, c. 270, Pt. B, § 2 (NEW); 2013, c. 270, Pt. B, § 3 (AFF) . ]

**27. House District 27.** House District 27 consists of:

A. In Cumberland County, the following census units in the minor civil division of Gorham: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1046, 1047 and 1048 of Tract 004001; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4013, 4014 and 4015 of Tract 004002; and Blocks 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2025, 2037, 2038, 2054, 2055, 2056, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063 and 3064 of Tract 004100; and the following census units in the minor civil division of Scarborough: Blocks 1040, 1041, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2038, 2039, 2040, 2041, 2042 and 2075 of Tract 017301. [ 2013, c. 270, Pt. B, § 2 (NEW); 2013, c. 270, Pt. B, § 3 (AFF). ]

[ 2013, c. 270, Pt. B, § 2 (NEW); 2013, c. 270, Pt. B, § 3 (AFF) . ]

**28. House District 28.** House District 28 consists of:

A. In Cumberland County, the following census units in the minor civil division of Scarborough: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 2036, 2037, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2076, 2077, 2078, 2079, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3068, 3069, 3070, 3071 and 3072 of Tract 017301; Blocks 2019, 2020, 2024, 2025 and 2029 of Tract 017303; and Blocks 2003, 2005, 2006, 2007, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042 and 3043 of Tract 017304. [ 2013, c. 270, Pt. B, § 2 (NEW); 2013, c. 270, Pt. B, § 3 (AFF). ]

[ 2013, c. 270, Pt. B, § 2 (NEW); 2013, c. 270, Pt. B, § 3 (AFF) . ]

**29. House District 29.** House District 29 consists of:

A. In Cumberland County, the following census units in the minor civil division of Scarborough: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2021, 2022, 2023, 2026, 2027, 2028, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061 and 2062 of Tract 017303; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 2000, 2001, 2002, 2004, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020 and 4021 of Tract 017304; and Blocks 0041, 0042, 0043, 0044, 0045, 0046, 0047, 0048 and 0049 of Tract 990000. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**30. House District 30.** House District 30 consists of:

A. In Cumberland County, the following census units in the minor civil division of Cape Elizabeth: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029 and 2032 of Tract 003701; Blocks 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029 and 3030 of Tract 003702; and Blocks 0028, 0029, 0030, 0031, 0032, 0033, 0034, 0035, 0036, 0037, 0038, 0039 and 0040 of Tract 990000. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**31. House District 31.** House District 31 consists of:

A. In Cumberland County, the following census units in the minor civil division of South Portland: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3042, 3047 and 3048 of Tract 003200; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 2000, 2001, 2002, 2003, 2004, 2006, 2007, 2008, 2009, 2010, 3000 and 3001 of Tract 003400; and Tract 003500. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**32. House District 32.** House District 32 consists of:

A. In Cumberland County, the following census units in the minor civil division of South Portland: Blocks 1015, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 3004, 3005 and 3006 of Tract 003100; Blocks 3041, 3043, 3044, 3045 and 3046 of Tract 003200; Tract 003300; Blocks 2005, 2011, 2012, 2013, 2014, 2015, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014, 5015, 5016, 5017, 5018, 5019, 5020, 5021, 5022, 5023, 5024 and 5025 of Tract 003400; and the following census units in the minor civil division of Cape Elizabeth: Blocks 2030 and 2031 of Tract 003701; and Blocks 1000, 1001, 1002, 1003, 1004, 2000, 2001, 2002 and 2003 of Tract 003702. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**33. House District 33.** House District 33 consists of:

A. In Cumberland County, the following census units in the minor civil division of South Portland: Tract 003000; and Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1016, 3000, 3001, 3002, 3003, 3007, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025 and 4026 of Tract 003100. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**34. House District 34.** House District 34 consists of:

A. In Cumberland County, the following census units in the minor civil division of Westbrook: Tract 002800 and Tract 002900. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**35. House District 35.** House District 35 consists of:

A. In Cumberland County, the following census units in the minor civil division of Westbrook: Tract 002600 and Tract 002700. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**36. House District 36.** House District 36 consists of:

A. In Cumberland County, the following census units in the minor civil division of Portland: Blocks 2003, 2004, 2005, 2006, 2007 and 2009 of Tract 001800; Block 1002 of Tract 001900; Block 1042 of Tract 002001; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2044, 2045, 2046, 2047, 3000, 3001, 3002, 3003, 3004, 3005, 3006 and 3007 of Tract 002102;



and Blocks 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031 and 2032 of Tract 002200. [ 2013, c. 457, §9 (AMD) . ]

[ 2013, c. 457, §9 (AMD) . ]

**37. House District 37.** House District 37 consists of:

A. In Cumberland County, the following census units in the minor civil division of Portland: Blocks 1019, 1020, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3010, 3011, 3012, 3013, 3014, 3015 and 3016 of Tract 001700; Blocks 3006, 3007, 3008, 3021 and 3022 of Tract 001900; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023 and 2024 of Tract 002001; Blocks 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1031, 1032, 1035, 1036, 1037, 1038, 1039, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1064, 1065, 1066, 1067, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056 and 2057 of Tract 002002; and Blocks 2040, 2041, 2042 and 2043 of Tract 002102. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**38. House District 38.** House District 38 consists of:

A. In Cumberland County, the following census units in the minor civil division of Portland: Blocks 1021, 1022, 1023, 2004, 2006, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2060, 2061, 2062, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083 and 2084 of Tract 000300; Blocks 2002, 2003, 2004, 2005, 2007 and 2008 of Tract 001000; Tract 001100; Tract 001200; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 2001, 2002, 2003, 2004, 2005, 2007, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011 and 3012 of Tract 001300; Block 2038 of Tract 001500; and Block 1063 of Tract 002002. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**39. House District 39.** House District 39 consists of:

A. In Cumberland County, the following census units in the minor civil division of Portland: Tract 000100; Tract 000200; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1024, 2000, 2001, 2002, 2003, 2005, 2007, 2008, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2063, 2064, 2065, 2066, 2067, 2068 and 2069 of Tract 000300; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1018, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1036, 1037, 2000, 2001, 2002,

2003, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021 and 2022 of Tract 000500; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3017, 3018, 3020, 3021, 3022, 3058, 3059, 3060, 3061, 3062 and 3063 of Tract 002400; and Blocks 0006, 0007, 0012, 0017, 0018, 0019, 0021, 0022, 0023, 0024, 0026 and 0027 of Tract 990000. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**40. House District 40.** House District 40 consists of:

A. In Cumberland County, the following census units in the minor civil division of Portland: Blocks 1018, 1019 and 1020 of Tract 000300; Blocks 1017, 1019, 1031, 1032, 1033, 1034, 1035, 2004 and 2005 of Tract 000500; Tract 000600; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 2000, 2001 and 2006 of Tract 001000; Blocks 2000, 2006 and 2008 of Tract 001300; Blocks 1000, 1001, 1002, 1003, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1035, 1036, 1037, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2035, 2036, 2037, 2039, 2040, 3008, 3012, 3013, 3014 and 3015 of Tract 001500; and Blocks 1005, 1028, 1033, 1034 and 1040 of Tract 002002. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**41. House District 41.** House District 41 consists of:

A. In Cumberland County, the following census units in the minor civil division of Portland: Blocks 1004, 1034, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3009, 3010, 3011, 3016 and 3017 of Tract 001500; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1021, 2000, 3000, 3001, 3009, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014 and 4015 of Tract 001700; Blocks 3004, 3005, 3016, 3017, 3020, 3021, 3022, 3023, 3024, 3025 and 3026 of Tract 001800; Blocks 1001, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 3000, 3001, 3002, 3003, 3004, 3005, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009 and 4010 of Tract 001900; and Blocks 1000, 1001, 1002, 1003, 1004, 1006, 1007, 1008, 1029 and 1030 of Tract 002002. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**42. House District 42.** House District 42 consists of:

A. In Cumberland County, the following census units in the minor civil division of Portland: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 2000, 2001, 2002, 2008, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 3000, 3001, 3002, 3003, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3018, 3019 and 3027 of Tract 001800;

Block 1000 of Tract 001900; Blocks 1004, 1005, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1017, 1018, 1019, 1020, 1021, 1022, 1023 and 1024 of Tract 002200; and Tract 002300. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**43. House District 43.** House District 43 consists of:

A. In Cumberland County, the following census units in the minor civil division of Portland: Tract 002101; and Blocks 1000, 1001, 1002, 1003, 1006, 1007 and 1016 of Tract 002200; and the following census units in the minor civil division of Falmouth: Blocks 1008, 1011, 1012, 1013, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 2038, 2041, 2042, 2043, 2044, 2046, 2047, 2048, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3037, 3038, 3039 and 3040 of Tract 002502. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**44. House District 44.** House District 44 consists of:

A. In Cumberland County, the following census units in the minor civil division of Falmouth: Tract 002501; and Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1009, 1010, 1014, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2039, 2040, 2045, 2049, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3034, 3035, 3036, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014, 5015, 5016, 5017, 5018, 5019, 5020, 5021 and 5022 of Tract 002502. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**45. House District 45.** House District 45 consists of:

A. In Cumberland County, the minor civil division of Cumberland and the following census units in the minor civil division of Gray: Blocks 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 4024, 4026, 4027, 4028, 4029, 4030, 4031, 4032 and 4033 of Tract 004702. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**46. House District 46.** House District 46 consists of:

A. In Androscoggin County, the minor civil division of Durham; and [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

B. In Cumberland County, the minor civil division of North Yarmouth and the following census units in the minor civil division of Pownal: Blocks 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4043, 4044, 4045, 4046, 4047, 4048, 4049, 4050, 4051, 4052, 4053, 4054, 4055, 4056, 4057,

4058, 4059, 4060, 4061, 4062, 4065, 4066, 4067, 4068, 4069, 4080, 4081, 4084, 4089, 4090, 4091, 4092, 4093 and 4094 of Tract 011500. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**47. House District 47.** House District 47 consists of:

A. In Cumberland County, the minor civil divisions of Chebeague Island, Long Island and Yarmouth. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**48. House District 48.** House District 48 consists of:

A. In Cumberland County, the minor civil division of Freeport and the following census units in the minor civil division of Pownal: Blocks 4063, 4064, 4070, 4071, 4072, 4073, 4074, 4075, 4076, 4077, 4078, 4079, 4082, 4083, 4085, 4086, 4087, 4088, 4095 and 4096 of Tract 011500. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**49. House District 49.** House District 49 consists of:

A. In Cumberland County, the following census units in the minor civil division of Brunswick: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 5000, 5001, 5002, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5018, 5019, 5020, 5021, 5022, 5023, 5024, 5025, 5028, 5029, 5030, 5034, 5035, 5036, 5037, 5038, 5039 and 5040 of Tract 011201; Blocks 1005, 1006, 1007, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1022, 1023, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 4000, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4012, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4039, 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014, 5015, 5016, 5017, 5018, 5019 and 5020 of Tract 011202; and Tract 011300. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**50. House District 50.** House District 50 consists of:

A. In Cumberland County, the following census units in the minor civil division of Brunswick: Blocks 1036, 1037, 2000, 2001, 2002, 2003, 2004, 2005, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 3001, 3002, 3003, 3004, 3005, 3006, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4043, 4044, 4045, 4046, 4047, 4048, 4049, 4050, 4051, 4052, 4053, 4054, 4055 and 4056 of Tract 011100; Blocks 5003, 5012, 5013, 5014, 5015, 5016, 5017, 5026, 5027, 5031, 5032, 5033, 6000, 6001, 6002, 6003, 6004, 6005, 6006, 6007, 6008, 6009, 6010, 6011, 6012, 6013, 6014, 6015, 6016, 6017, 6018, 6019, 6020, 6021, 6022, 6023 and 6024 of Tract 011201; and Blocks 1000, 1001, 1002, 1003, 1004, 1008, 1009, 1010, 1011, 1020, 1021, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020,

2021, 2022, 2023, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 4001, 4010, 4011, 4013, 4014, 4015, 4037, 4038, 4040, 4041, 4042, 4043, 5021, 5022, 5023 and 5024 of Tract 011202. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**51. House District 51.** House District 51 consists of:

A. In Cumberland County, the following census units in the minor civil division of Brunswick: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 2006, 3000 and 3007 of Tract 011100; and Blocks 3026 and 3027 of Tract 011202; and the minor civil division of Harpswell; and [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

B. In Sagadahoc County, the minor civil division of West Bath. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**52. House District 52.** House District 52 consists of:

A. In Sagadahoc County, the minor civil division of Bath. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**53. House District 53.** House District 53 consists of:

A. In Lincoln County, the minor civil division of Dresden; and [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

B. In Sagadahoc County, the minor civil divisions of Arrowsic; Georgetown; Phippsburg; and Woolwich; and the following census units in the minor civil division of Richmond: Blocks 1000, 1001, 1002, 1003 and 1026 of Tract 970100. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**54. House District 54.** House District 54 consists of:

A. In Sagadahoc County, the minor civil division of Topsham. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**55. House District 55.** House District 55 consists of:

A. In Sagadahoc County, the minor civil divisions and unorganized territories of Bowdoin; Bowdoinham; and Perkins Island; and the following census units in the minor civil division of Richmond: Blocks 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065,

1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038 and 3039 of Tract 970100. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**56. House District 56.** House District 56 consists of:

A. In Androscoggin County, the minor civil division of Lisbon. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**57. House District 57.** House District 57 consists of:

A. In Androscoggin County, the minor civil divisions of Greene and Sabattus. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**58. House District 58.** House District 58 consists of:

A. In Androscoggin County, the following census units in the minor civil division of Lewiston: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2025, 2026, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078 and 2079 of Tract 020600; Blocks 2019, 2020, 2021, 2022 and 2023 of Tract 020700; and Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 2002, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024 and 4025 of Tract 020800. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**59. House District 59.** House District 59 consists of:

A. In Androscoggin County, the following census units in the minor civil division of Lewiston: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010 and 1023 of Tract 020300; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 2000, 2001, 2002, 2003, 2004, 2005, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014 and 3015 of Tract 020700; Blocks 2000, 2001 and 2003 of Tract 020800; and Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 2016, 2017, 2018, 2019, 2020, 2021, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007,

3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030 and 3031 of Tract 020900. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**60. House District 60.** House District 60 consists of:

A. In Androscoggin County, the following census units in the minor civil division of Lewiston: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1050, 1051, 1052, 1053, 1058, 1059, 1065 and 1067 of Tract 020100; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016 and 2017 of Tract 020200; Blocks 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3012, 3013, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007 and 4008 of Tract 020300; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006 and 1007 of Tract 020500; Blocks 2006, 2016, 2017 and 2018 of Tract 020700; and Blocks 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029 and 2030 of Tract 020900. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**61. House District 61.** House District 61 consists of:

A. In Androscoggin County, the following census units in the minor civil division of Lewiston: Blocks 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1047, 1048, 1049, 1054, 1055, 1056, 1057, 1060, 1061, 1062, 1063, 1064 and 1066 of Tract 020100; Blocks 3009, 3010, 3011, 3014, 3015, 4009, 4010 and 4011 of Tract 020300; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 3000, 3001, 3002, 3003, 3004, 3005, 3006 and 3007 of Tract 020400; Blocks 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031 and 3032 of Tract 020500; and Blocks 1014, 1015, 1016, 1017, 1012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2027, 2028, 2046 and 2058 of Tract 020600. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**62. House District 62.** House District 62 consists of:

A. In Androscoggin County, the following census units in the minor civil division of Auburn: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2026, 2027 and 2028 of Tract 010100; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030 and 2031 of Tract 010200; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2018, 2020, 2021 and 2022 of Tract 010300; Block 2000 of Tract

010400; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1026, 1027, 2000, 2001, 2002, 2003, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2029 and 2030 of Tract 010500; and Block 1010 of Tract 010800. [2013, c. 457, §10 (AMD).]

[ 2013, c. 457, §10 (AMD) .]

**63. House District 63.** House District 63 consists of:

A. In Androscoggin County, the following census units in the minor civil division of Auburn: Blocks 2020, 2021, 2022, 2023, 2024 and 2025 of Tract 010100; Blocks 1003, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1023, 1024, 1025, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021 and 2022 of Tract 010400; Blocks 1025, 2004, 2005, 2027, 2028, 2031 and 2032 of Tract 010500; Tract 010600; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074 and 2075 of Tract 010700; and Blocks 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026 and 2027 of Tract 010800. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**64. House District 64.** House District 64 consists of:

A. In Androscoggin County, the minor civil division of Minot; and the following census units in the minor civil division of Auburn: Blocks 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3068, 3069, 3070 and 3071 of Tract 010200; Blocks 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2017 and 2019 of Tract 010300; Blocks 1000, 1001, 1002, 1004, 1005, 1006, 1021 and 1022 of Tract 010400; Blocks 1012, 1013, 1014 and 1027 of Tract 010700; and Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046 and 2047 of Tract 010800. [2013, c. 457, §11 (AMD).]

[ 2013, c. 457, §11 (AMD) .]

**65. House District 65.** House District 65 consists of:

A. In Androscoggin County, the following census units in the minor civil division of Poland: Blocks 1044, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2022, 2023, 2025, 2042, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2081, 2082, 2083, 2084, 2085, 2087, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039 and 3040 of Tract 041000; and [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]



B. In Cumberland County, the minor civil division of New Gloucester. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**66. House District 66.** House District 66 consists of:

A. In Androscoggin County, the following census units in the minor civil division of Poland: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 2021, 2024, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2043, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080 and 2086 of Tract 041000; and [ 2013, c. 457, §12 (AMD) . ]

B. In Cumberland County, the following census units in the minor civil division of Raymond: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1013, 1016, 1017, 1029, 1030, 1031, 1032, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2049, 2054, 2055, 2056, 2061, 2062, 2063, 2064, 2065, 2066, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049 and 3050 of Tract 012000; and the following census units in the minor civil division of Casco: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039 and 3040 of Tract 013000. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

[ 2013, c. 457, §12 (AMD) . ]

**67. House District 67.** House District 67 consists of:

A. In Cumberland County, the minor civil division of Frye Island; the following census units in the minor civil division of Gray: Tract 004701; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1038, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4025, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041 and 4042 of Tract 004702; the following census units in the minor civil division of Raymond: Blocks 1009, 1010, 1011, 1012, 1014, 1015, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 2045, 2046, 2047, 2048, 2050, 2051, 2052, 2053, 2057, 2058, 2059 and 2060 of Tract 012000; and the following census units in the minor civil division of Casco: Block 1050 of Tract 012000; Blocks 4000, 4001, 4002, 4003, 4004, 4005, 4006,

4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4043, 4044, 4045, 4046, 4047, 4048, 4049, 4050, 4051, 4052, 4053, 4054, 4055, 4056, 4057, 4058, 4059, 4060, 4061, 4062, 4063, 4064, 4065, 4066, 4067, 4068, 4069, 4070, 4071, 4072, 4073, 4074, 4075, 4076, 4077, 4078 and 4079 of Tract 013000; and Blocks 2000 and 2001 of Tract 016500. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**68. House District 68.** House District 68 consists of:

A. In Cumberland County, the minor civil divisions of Baldwin, Naples and Sebago; and [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

B. In York County, the minor civil division of Cornish; and the following census units in the minor civil division of Parsonsfield: Blocks 2000, 2001, 2002, 2003, 2004, 2005, 2013, 2014, 2015, 2016, 2017, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2047, 2054, 2055 and 2063 of Tract 022500. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**69. House District 69.** House District 69 consists of:

A. In Cumberland County, the minor civil divisions of Bridgton and Harrison; and [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

B. In Oxford County, the minor civil division of Denmark. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**70. House District 70.** House District 70 consists of:

A. In Oxford County, the minor civil divisions of Brownfield; Fryeburg; Hiram; Porter; and the following census units in the minor civil division of Lovell: Blocks 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2029, 2030, 2031, 2032, 2033, 2037, 2038, 2039, 2098, 2099, 2102, 2103, 2107, 2108, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2153, 2156, 2157, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3035, 3036, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3068, 3069, 3070, 3071, 3072, 3073, 3074 and 3075 of Tract 966600. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**71. House District 71.** House District 71 consists of:

A. In Oxford County, the minor civil divisions of Norway, Sweden, Waterford and West Paris. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**72. House District 72.** House District 72 consists of:

A. In Androscoggin County, the minor civil division of Mechanic Falls; and [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

B. In Oxford County, the minor civil divisions of Otisfield and Oxford. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**73. House District 73.** House District 73 consists of:

A. In Oxford County, the minor civil divisions of Buckfield, Hebron and Paris. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**74. House District 74.** House District 74 consists of:

A. In Androscoggin County, the following census units in the minor civil division of Livermore: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1011, 1012, 1013, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1031, 1032, 1033, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2034 and 2035 of Tract 043000; and the minor civil division of Livermore Falls; and [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

B. In Franklin County, the minor civil division of Jay. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**75. House District 75.** House District 75 consists of:

A. In Androscoggin County, the minor civil divisions of Leeds and Turner; and the following census units in the minor civil division of Livermore: Blocks 1010, 1014, 1029, 1030, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 2028, 2029, 2030, 2031, 2032, 2033, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051 and 2052 of Tract 043000. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**76. House District 76.** House District 76 consists of:

A. In Kennebec County, the minor civil divisions of Belgrade, Fayette, Mount Vernon, Rome, Vienna and Wayne. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**77. House District 77.** House District 77 consists of:

A. In Kennebec County, the minor civil division of Sidney; and the following census units in the minor civil division of Oakland: Blocks 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3015, 3016, 3017,

3018, 3019, 4051, 4053, 5007, 5008, 5010, 5011, 5012, 5013, 5014, 5015, 5016, 5017, 5018, 5019, 5020, 5021, 5022, 5023, 5024, 5025, 5026 and 5027 of Tract 025000. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**78. House District 78.** House District 78 consists of:

A. In Kennebec County, the minor civil division of Winslow; and the following census units in the minor civil division of Benton: Blocks 1008, 1009, 1010, 1011, 1022, 1023, 1026, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047 and 1050 of Tract 022000. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**79. House District 79.** House District 79 consists of:

A. In Kennebec County, the minor civil divisions and unorganized territories of Albion, China and Unity Township; and the following census units in the minor civil division of Benton: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1024, 1025, 1027, 1048, 1049, 1051, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059 and 2060 of Tract 022000. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**80. House District 80.** House District 80 consists of:

A. In Kennebec County, the minor civil divisions of Vassalboro and Windsor; and the following census units in the minor civil division of Augusta: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1022, 1023, 1024, 1026, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 2000, 2001, 2002, 2004, 2005, 2006, 2007, 2016, 2017, 2019, 2020, 2021, 2022, 2023, 2037 and 2049 of Tract 010100; and Block 1026 of Tract 010500; and [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

B. In Lincoln County, the minor civil divisions and unorganized territories of Hibberts Gore and Somerville. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**81. House District 81.** House District 81 consists of:

A. In Kennebec County, the minor civil divisions of Readfield and Winthrop; and the following census units in the minor civil division of Monmouth: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1008, 1009, 1010, 1011, 1049, 2040 and 2080 of Tract 013000. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**82. House District 82.** House District 82 consists of:

A. In Androscoggin County, the minor civil division of Wales; and [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

B. In Kennebec County, the minor civil division of Litchfield; and the following census units in the minor civil division of Monmouth: Blocks 1007, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2081, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038 and 3039 of Tract 013000. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**83. House District 83.** House District 83 consists of:

A. In Kennebec County, the minor civil divisions of Farmingdale and Gardiner. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**84. House District 84.** House District 84 consists of:

A. In Kennebec County, the minor civil divisions of Hallowell, Manchester and West Gardiner. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**85. House District 85.** House District 85 consists of:

A. In Kennebec County, the following census units in the minor civil division of Augusta: Blocks 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1025, 1027, 1037, 1038, 1039, 2003, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2018, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028 and 4029 of Tract 010100; Blocks 3025, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4020, 4021, 4022, 4023, 4024, 4025, 4026 and 4027 of Tract 010300; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 2000, 2001, 2002, 2003, 2007, 2011, 2017, 2018, 2020, 2024 and 2025 of Tract 010400; and Tract 010500. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**86. House District 86.** House District 86 consists of:

A. In Kennebec County, the following census units in the minor civil division of Augusta: Tract 010200; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3026, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018 and 4019

of Tract 010300; and Blocks 2004, 2005, 2006, 2008, 2009, 2010, 2012, 2013, 2014, 2015, 2016, 2019, 2021, 2022, 2023, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061 and 2062 of Tract 010400. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**87. House District 87.** House District 87 consists of:

A. In Kennebec County, the minor civil divisions of Pittston and Randolph; and [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

B. In Lincoln County, the minor civil divisions of Alna and Wiscasset. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**88. House District 88.** House District 88 consists of:

A. In Kennebec County, the minor civil division of Chelsea; and [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

B. In Lincoln County, the minor civil divisions of Jefferson and Whitefield; and the following census units in the minor civil division of Nobleboro: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1029, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1044, 1045, 1070, 1071, 1072, 1073, 1076, 1077, 1078, 1081, 1082, 1083, 1084, 1085, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040 and 2056 of Tract 975300. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**89. House District 89.** House District 89 consists of:

A. In Lincoln County, the minor civil divisions of Boothbay; Boothbay Harbor; Edgecomb; Southport; and Westport Island; and the following census units in the minor civil division of South Bristol: Blocks 1000, 1002, 1003, 1004, 1005, 1006, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109 and 1110 of Tract 975700; and Blocks 0007, 0008, 0009, 0010 and 0015 of Tract 990000. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**90. House District 90.** House District 90 consists of:

A. In Lincoln County, the minor civil divisions and unorganized territories of Bremen; Bristol; Damariscotta; Louds Island; Monhegan; and Newcastle; the following census units in the minor civil division of Nobleboro: Blocks 1018, 1028, 1030, 1040, 1041, 1042, 1043, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1074, 1075, 1079, 1080, 2013, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048,

2049, 2050, 2051, 2052, 2053, 2054, 2055 and 2057 of Tract 975300; and the following census units in the minor civil division of South Bristol: Blocks 1001, 1007, 1008, 1009, 1010, 1019, 1020, 1033 and 1047 of Tract 975700. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**91. House District 91.** House District 91 consists of:

A. In Knox County, the minor civil divisions of Friendship and Washington; and the following census units in the minor civil division of Union: Blocks 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4051, 4052, 4053, 4054, 4055, 4056, 4057, 4058, 4059, 4060, 4061, 4062, 4063, 4064, 4065, 4066, 4086, 4087, 4088, 4089 and 4090 of Tract 970300; and [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

B. In Lincoln County, the minor civil division of Waldoboro. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**92. House District 92.** House District 92 consists of:

A. In Knox County, the minor civil divisions and unorganized territories of Criehaven, Cushing, Matinicus Isle, Muscle Ridge Islands, South Thomaston, St. George and Thomaston. [2013, c. 457, §13 (AMD).]

[ 2013, c. 457, §13 (AMD) .]

**93. House District 93.** House District 93 consists of:

A. In Knox County, the minor civil divisions of Owls Head and Rockland. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**94. House District 94.** House District 94 consists of:

A. In Knox County, the minor civil divisions of Camden and Rockport; and [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

B. In Waldo County, the minor civil division of Islesboro. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**95. House District 95.** House District 95 consists of:

A. In Knox County, the minor civil divisions of Appleton; Hope; and Warren; and the following census units in the minor civil division of Union: Blocks 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4043, 4044, 4045, 4046, 4047, 4048, 4049, 4050, 4067, 4068, 4069, 4070, 4071, 4072, 4073, 4074, 4075, 4076, 4077, 4078, 4079, 4080, 4081, 4082, 4083, 4084, 4085, 4091, 4092, 4093, 4094, 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014, 5015, 5016, 5017, 5018, 5019, 5020, 5021, 5022, 5023, 5024, 5025, 5026, 5027, 5028, 5029, 5030, 5031, 5032, 5033,

5034, 5035, 5036, 5037, 5038, 5039, 5040, 5041, 5042, 5043, 5044, 5045, 5046, 5047, 5048, 5049, 5050, 5051, 5052, 5053, 5054, 5055, 5056, 5057, 5058 and 5059 of Tract 970300. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**96. House District 96.** House District 96 consists of:

A. In Waldo County, the minor civil divisions of Belmont, Liberty, Lincolnville, Montville, Morrill, Palermo and Searsmont. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**97. House District 97.** House District 97 consists of:

A. In Waldo County, the minor civil divisions of Belfast, Northport and Waldo. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**98. House District 98.** House District 98 consists of:

A. In Waldo County, the minor civil divisions of Frankfort, Searsport, Swanville and Winterport. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**99. House District 99.** House District 99 consists of:

A. In Waldo County, the minor civil divisions of Brooks, Burnham, Freedom, Jackson, Knox, Monroe, Thorndike, Troy and Unity. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**100. House District 100.** House District 100 consists of:

A. In Penobscot County, the minor civil divisions of Corinna; Dixmont; Newport; and Plymouth; and the following census units in the minor civil division of Etna: Blocks 2005, 2006, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2047, 2051 and 2052 of Tract 013500. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**101. House District 101.** House District 101 consists of:

A. In Penobscot County, the minor civil divisions of Hampden and Newburgh. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**102. House District 102.** House District 102 consists of:

A. In Penobscot County, the minor civil divisions of Glenburn, Kenduskeag and Levant. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]



**103. House District 103.** House District 103 consists of:

A. In Penobscot County, the minor civil divisions of Carmel and Hermon; and the following census units in the minor civil division of Etna: Blocks 2000, 2001, 2002, 2003, 2004, 2007, 2008, 2009, 2019, 2020, 2021, 2022, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2048, 2049 and 2050 of Tract 013500. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**104. House District 104.** House District 104 consists of:

A. In Penobscot County, the minor civil divisions of Charleston, Dexter, Exeter, Garland and Stetson. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**105. House District 105.** House District 105 consists of:

A. In Somerset County, the minor civil divisions of Cambridge, Canaan, Hartland, Palmyra, Ripley and St. Albans. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**106. House District 106.** House District 106 consists of:

A. In Kennebec County, the minor civil division of Clinton; and [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

B. In Somerset County, the minor civil divisions of Detroit and Pittsfield. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**107. House District 107.** House District 107 consists of:

A. In Somerset County, the minor civil division of Skowhegan; and the following census units in the minor civil division of Madison: Blocks 1042, 1043 and 1044 of Tract 966500. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**108. House District 108.** House District 108 consists of:

A. In Somerset County, the minor civil divisions of Fairfield, Mercer and Smithfield. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**109. House District 109.** House District 109 consists of:

A. In Kennebec County, the following census units in the minor civil division of Waterville: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 2013, 2014, 2017, 2018, 2019, 2020, 2021, 2031, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2051, 2052, 2053, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 5007, 5008, 5010, 5011, 5015, 5016, 5017, 5018, 5019, 5020, 5021, 5022, 5023, 5024, 5025, 5026, 5027, 5028, 5029 and 5030 of Tract 024102; and Blocks 1025, 1027, 1033, 1034, 1035, 2000, 2001,

2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014, 5015, 5016, 5017, 5018, 5019, 5020, 5021, 5022, 5023, 5024 and 5025 of Tract 024200. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**110. House District 110.** House District 110 consists of:

A. In Kennebec County, the following census units in the minor civil division of Waterville: Tract 024101; Blocks 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2015, 2016, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2032, 2033, 2034, 2050, 2054, 2055, 2056, 2057, 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5009, 5012, 5013, 5014 and 5031 of Tract 024102; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1026, 1028, 1029, 1030, 1031 and 1032 of Tract 024200; and the following census units in the minor civil division of Oakland: Blocks 1000, 1001, 1015, 3000, 3001, 3002, 3003, 3004, 3005, 3014, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4043, 4044, 4045, 4046, 4047, 4048, 4049, 4050, 4052, 5000, 5001, 5002, 5003, 5004, 5005, 5006 and 5009 of Tract 025000. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**111. House District 111.** House District 111 consists of:

A. In Somerset County, the minor civil divisions of Norridgewock and Solon; and the following census units in the minor civil division of Madison: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054 and 3055 of Tract 966500. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**112. House District 112.** House District 112 consists of:

A. In Franklin County, the minor civil divisions and unorganized territories of Avon, Carrabassett Valley, Carthage, East Central Franklin, Kingfield, Phillips, Sandy River, South Franklin and Weld; and [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

B. In Somerset County, the minor civil divisions of Anson, New Portland and Starks. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**113. House District 113.** House District 113 consists of:

A. In Franklin County, the minor civil divisions of Farmington and New Sharon. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**114. House District 114.** House District 114 consists of:

A. In Franklin County, the minor civil divisions of Chesterville, Industry, New Vineyard, Strong, Temple and Wilton. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**115. House District 115.** House District 115 consists of:

A. In Oxford County, the minor civil divisions and unorganized territories of Milton Township, Roxbury, Rumford, Sumner and Woodstock. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**116. House District 116.** House District 116 consists of:

A. In Oxford County, the minor civil divisions of Canton, Dixfield, Hartford, Mexico and Peru. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**117. House District 117.** House District 117 consists of:

A. In Franklin County, the minor civil divisions and unorganized territories of Coplin, Dallas, Eustis, North Franklin, Rangeley, Rangeley Plantation and West Central Franklin; and [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

B. In Oxford County, the minor civil divisions and unorganized territories of Andover; Bethel; Byron; Gilead; Greenwood; Hanover; Lincoln; Magalloway; Newry; North Oxford; South Oxford; Stoneham; Stow; and Upton; and the following census units in the minor civil division of Lovell: Blocks 3033, 3034, 3037, 3038 and 3039 of Tract 966600. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**118. House District 118.** House District 118 consists of:

A. In Franklin County, the unorganized territory of Wyman Township; [2013, c. 1, §36 (COR).]

B. In Piscataquis County, the minor civil divisions of Kingsbury and Wellington; and [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

C. In Somerset County, the minor civil divisions and unorganized territories of Athens, Bingham, Brighton, Caratunk, Central Somerset, Cornville, Dennistown, Embden, Harmony, Highland, Jackman, Moose River, Moscow, Northeast Somerset, Northwest Somerset, Pleasant Ridge, Seboomook Lake, The Forks and West Forks. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 1, §36 (COR) .]

**119. House District 119.** House District 119 consists of:

A. In Piscataquis County, the minor civil divisions and unorganized territories of Abbot, Beaver Cove, Blanchard, Bowerbank, Greenville, Guilford, Monson, Northeast Piscataquis, Northwest Piscataquis, Parkman, Sangerville, Sebec, Shirley and Willimantic. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**120. House District 120.** House District 120 consists of:

A. In Piscataquis County, the minor civil divisions and unorganized territories of Atkinson, Brownville, Dover-Foxcroft, Lake View, Medford, Milo and Orneville Township. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**121. House District 121.** House District 121 consists of:

A. In Penobscot County, the minor civil divisions and unorganized territories of Alton, Argyle Township, Corinth, Hudson and Milford. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**122. House District 122.** House District 122 consists of:

A. In Penobscot County, the minor civil divisions and unorganized territories of Old Town and Penobscot Indian Island; the following census units in the minor civil division of Medway: Blocks 1015 and 1045 of Tract 026500; and the following census units in North Penobscot: Block 1058 of Tract 031000. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**123. House District 123.** House District 123 consists of:

A. In Penobscot County, the following census units in the minor civil division of Orono: Tract 006100; Blocks 1000, 1001, 1002, 1003, 1004, 1013, 1014, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3012, 3013 and 3014 of Tract 006200; and Tract 006300. [2013, c. 1, §37 (COR).]

[ 2013, c. 1, §37 (COR) .]

**124. House District 124.** House District 124 consists of:

A. In Penobscot County, the following census units in the minor civil division of Bangor: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 2010, 2011, 2020, 2021, 2022, 2023, 2024, 2025, 2046, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012 and 4009 of Tract 000200; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016,

1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 3000, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014 and 3015 of Tract 000300; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039 and 1040 of Tract 031100; and the following census units in the minor civil division of Orono: Blocks 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 3009, 3010 and 3011 of Tract 006200. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**125. House District 125.** House District 125 consists of:

A. In Penobscot County, the following census units in the minor civil division of Bangor: Blocks 2000, 2005, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4010, 4011, 4012, 4013, 4014, 4015, 4016 and 4017 of Tract 000200; Blocks 3001, 3002 and 3003 of Tract 000300; Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1025, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1055, 1057 and 1058 of Tract 000400; Block 1000 of Tract 000900; and Blocks 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 3000, 3001, 3002, 3003, 3004, 3005, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3024, 3025, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4029, 4030, 4031, 4032 and 4033 of Tract 031100. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**126. House District 126.** House District 126 consists of:

A. In Penobscot County, the following census units in the minor civil division of Bangor: Blocks 2001, 2002, 2003, 2004, 2015 and 2016 of Tract 000200; Blocks 1024, 1026, 1053, 1054, 1056, 1059 and 1060 of Tract 000400; Blocks 1000, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008 and 5010 of Tract 000500; Blocks 1001, 1002, 1003, 1004, 1005, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1021, 1022, 1023, 1024, 1025, 1026, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009 and 3014 of Tract 000900; and Blocks 3006, 3007, 3008, 3009, 3022, 3023, 4027 and 4028 of Tract 031100. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**127. House District 127.** House District 127 consists of:

A. In Penobscot County, the following census units in the minor civil division of Bangor: Blocks 2006, 2007, 2008, 2009, 2012, 2013, 2014, 2017, 2018, 2019, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044 and 2045 of Tract 000200; Blocks 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 4000, 4001,

4002, 4003, 4004, 5009 and 5011 of Tract 000500; Tract 000600; Tract 000700; Blocks 1006, 1007, 1018, 1019, 1020, 3010, 3011, 3012, 3013, 3015 and 3016 of Tract 000900. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**128. House District 128.** House District 128 consists of:

A. In Penobscot County, the following census units in the minor civil division of Brewer: Tract 004100; Tract 004200; and Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 2001, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 4000, 4001, 4002, 4003, 4004, 4005 and 4006 of Tract 004300. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**129. House District 129.** House District 129 consists of:

A. In Penobscot County, the minor civil divisions of Clifton; Eddington; Holden; and Veazie; and the following census units in the minor civil division of Brewer: Blocks 2000, 2002, 2003, 2004, 2005, 2006, 2007, 2032, 2033, 2034 and 2035 of Tract 004300. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**130. House District 130.** House District 130 consists of:

A. In Hancock County, the minor civil division of Bucksport; and [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

B. In Penobscot County, the minor civil division of Orrington. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**131. House District 131.** House District 131 consists of:

A. In Hancock County, the minor civil divisions of Dedham, Orland, Otis, Penobscot and Verona Island; and [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

B. In Waldo County, the minor civil divisions of Prospect and Stockton Springs. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**132. House District 132.** House District 132 consists of:

A. In Hancock County, the minor civil divisions of Ellsworth and Trenton. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**133. House District 133.** House District 133 consists of:

A. In Hancock County, the minor civil divisions of Blue Hill, Brooklin, Brooksville, Castine, Sedgwick and Surry. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**134. House District 134.** House District 134 consists of:

A. In Hancock County, the minor civil divisions of Cranberry Isles, Deer Isle, Frenchboro, Marshall Island, Southwest Harbor, Stonington, Swans Island and Tremont; and [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

B. In Knox County, the minor civil divisions of Isle au Haut, North Haven and Vinalhaven. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**135. House District 135.** House District 135 consists of:

A. In Hancock County, the minor civil divisions of Bar Harbor, Lamoine and Mount Desert. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**136. House District 136.** House District 136 consists of:

A. In Hancock County, the minor civil divisions and unorganized territories of Central Hancock; Gouldsboro; Hancock; Mariaville; Osborn; Sorrento; Sullivan; Waltham; and Winter Harbor; and the following census units in East Hancock: Blocks 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1361, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1386, 1390, 1391, 1392, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1423 and 1430 of Tract 965100; and [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

B. In Washington County, the minor civil division of Steuben. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**137. House District 137.** House District 137 consists of:

A. In Hancock County, the minor civil divisions and unorganized territories of Amherst; Aurora; Eastbrook; Franklin; Great Pond; and Northwest Hancock; and the following census units in East Hancock: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237,

1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1358, 1359, 1360, 1362, 1363, 1364, 1365, 1382, 1383, 1384, 1385, 1387, 1388, 1389, 1393, 1394, 1395, 1396, 1397, 1398, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1424, 1425, 1426, 1427, 1428, 1429, 1431, 1432, 1433, 1434, 1435, 1436 and 1437 of Tract 965100; [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

B. In Penobscot County, the minor civil divisions and unorganized territories of Bradford, Bradley, East Central Penobscot, Edinburg, Greenbush, Lagrange and Passadumkeag; and [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

C. In Washington County, the minor civil divisions and unorganized territories of Beddington; Deblois; Northfield; Wesley; and the following census units in North Washington: Blocks 3235, 3240, 3257, 3258, 3259, 3260, 3261, 3262, 3264, 3265, 3266, 3267, 3268, 3269, 3270, 3271, 3272, 3273, 3274, 3275, 3276, 3277, 3278, 3279, 3280, 3281, 3282, 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3293, 3294, 3295, 3296, 3297, 3298, 3299, 3300, 3301, 3302, 3303, 3304, 3305, 3306, 3307, 3308, 3309, 3310, 3311, 3312, 3313, 3314, 3315, 3316, 3317, 3318, 3319, 3320, 3321, 3322, 3323, 3324, 3325, 3326, 3327, 3328, 3329, 3330, 3331, 3332, 3333, 3334, 3335, 3336, 3337, 3338, 3339, 3355, 3356, 3357, 3358, 3359, 3360, 3361, 3362, 3363, 3364, 3365, 3366, 3367, 3368, 3369, 3370, 3371, 3372, 3373, 3374, 3375, 3376, 3377, 3378, 3379, 3396, 3397, 3398, 3399, 3400, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3409, 3410, 3411, 3461, 3462, 3463, 3464, 3465, 3466, 3467, 3468, 3469, 3470, 3471, 3472, 3473, 3474, 3475, 3476, 3477, 3478, 3479, 3480, 3481, 3482, 3483, 3484, 3485, 3486, 3487, 3488, 3489, 3490, 3491, 3492, 3493, 3494, 3495, 3496, 3497, 3498, 3499, 3500, 3501, 3502, 3503, 3504, 3505, 3506, 3507, 3508, 3509, 3510, 3511, 3512, 3513, 3514, 3515, 3516, 3517, 3522, 3523, 3524, 3525, 3526, 3527, 3528, 3529, 3530, 3531, 3532, 3533, 3534, 3535, 3536, 3537, 3538, 3539, 3540, 3541, 3542, 3543, 3544, 3545, 3546, 3547, 3548, 3549, 3550, 3551, 3552, 3553, 3554, 3555, 3556, 3557, 3558, 3559, 3560, 3561, 3562, 3563, 3564, 3565, 3566, 3567, 3568, 3569, 3570, 3571, 3572, 3573, 3574, 3575, 3576, 3577, 3578, 3579, 3580, 3581, 3582, 3583, 3584, 3585, 3586, 3587, 3588, 3589, 3590, 3591, 3592, 3593, 3594, 3595, 3596, 3597, 3598, 3599, 3600, 3601, 3602, 3603, 3604, 3605, 3606, 3607, 3608, 3609, 3610, 3611, 3612, 3613, 3614, 3615, 3616, 3617, 3618, 3619, 3620, 3621, 3622, 3623, 3624, 3625, 3626, 3627, 3628, 3629, 3630, 3631, 3632, 3633, 3634, 3635, 3636, 3637, 3638, 3639, 3640, 3641, 3642, 3643, 3644, 3645, 3646, 3647, 3648, 3649, 3650, 3651, 3652, 3653, 3654, 3655, 3656, 3658, 3659, 3660, 3661, 3662, 3663, 3664, 3674, 3684, 3685, 3686, 3687, 3688, 3697, 3701, 3702, 3703, 3736, 3738, 3739, 3742, 3743, 3744, 3745, 3746, 3747, 3748, 3749, 3750, 3751, 3752, 3753, 3754, 3755, 3756, 3757, 3758, 3759, 3760, 3761, 3762, 3763, 3764, 3765, 3766, 3767, 3768, 3769, 3770, 3774, 3775, 3776, 3777, 3778, 3779, 3780, 3781, 3782, 3783, 3784, 3785, 3786, 3787, 3788, 3789, 3790, 3791, 3792, 3793, 3794, 3795, 3796, 3797, 3798, 3799, 3800, 3801, 3802, 3816, 3817, 3891, 3892, 3893, 3894, 3895, 3896, 3899, 3900, 3901, 3903, 3904, 3905, 3906, 3907, 3912, 3913, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3950, 3951, 3956, 3957, 3958, 3959, 3960, 3961, 3962, 3963, 3964, 3965, 3966, 3967, 3968, 3969, 3970, 3971, 3972, 3973, 3974, 3975, 3976, 3977, 3978, 3979, 3980, 3981, 3982, 3985, 3987, 3988, 3992 and 3994 of Tract 955100. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

**138. House District 138.** House District 138 consists of:



A. In Washington County, the minor civil divisions and unorganized territories of Addison; Beals; Cherryfield; Columbia; Columbia Falls; Harrington; Jonesboro; Jonesport; Marshfield; Milbridge; and Whitneyville; and the following census units in North Washington: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1057, 1058, 1059, 1060, 1061, 1062, 1067, 1068, 1088, 1098, 1099, 1100, 1101, 1108 and 1159 of Tract 956300. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**139. House District 139.** House District 139 consists of:

A. In Washington County, the minor civil divisions and unorganized territories of Cutler; East Machias; Eastport; Lubec; Machias; Machiasport; Roque Bluffs; and Whiting; and the following census units in East Central Washington: Blocks 2014, 2015, 2016, 2021, 2022, 2023, 2024, 2044, 2047, 2048, 2049, 2067, 2074, 3022, 3023, 3024, 3029, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3065, 3066 and 3067 of Tract 955800; Block 3312 of Tract 955900; and Block 0002 of Tract 990000. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**140. House District 140.** House District 140 consists of:

A. In Washington County, the minor civil divisions and unorganized territories of Baileyville, Baring, Calais, Charlotte, Passamaquoddy Indian Township, Passamaquoddy Pleasant Point, Pembroke, Perry and Robbinston. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**141. House District 141.** House District 141 consists of:

A. In Penobscot County, the minor civil divisions and unorganized territories of Burlington; Carroll; Chester; Drew; Kingman Township; Lakeville; Lee; Lowell; Mattawamkeag; Prentiss Township; Springfield; Twombly Ridge Township, T3R1 NBPP; Webster; Whitney (Pukakon) Township, T5R1 NBPP; and Winn; and [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

B. In Washington County, the minor civil divisions and unorganized territories of Alexander; Codyville; Cooper; Crawford; Danforth; Dennysville; Grand Lake Stream; Meddybemps; Princeton; Talmadge; Topsfield; Vanceboro; and Waite; and the following census units in North Washington: Blocks 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1030, 1031, 1032, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1079, 1080, 1083, 1084, 1085, 1086, 1087, 1088, 1093, 1102, 1103, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1182, 1183, 1184, 1185, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1238, 1239, 1240, 1241, 1242, 1312, 1313, 1318, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1342, 1343, 1344, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3024, 3025, 3040, 3041, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3068, 3069, 3070, 3071, 3072, 3085, 3086, 3087, 3088, 3089, 3090, 3091, 3092, 3093, 3094, 3095, 3096, 3097, 3098, 3099, 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3117, 3118, 3119, 3120,

3121, 3122, 3123, 3124, 3125, 3126, 3127, 3128, 3129, 3130, 3131, 3132, 3133, 3134, 3135, 3136, 3137, 3138, 3139, 3140, 3141, 3142, 3143, 3144, 3145, 3146, 3147, 3148, 3149, 3150, 3151, 3152, 3153, 3154, 3155, 3156, 3157, 3158, 3159, 3160, 3161, 3162, 3163, 3164, 3165, 3166, 3167, 3168, 3169, 3170, 3171, 3179, 3207, 3208, 3209, 3210, 3211, 3212, 3220, 3221, 3222, 3223, 3224, 3225, 3226, 3228, 3229, 3230, 3231, 3232, 3233, 3236, 3237, 3238, 3239, 3241, 3242, 3243, 3244, 3245, 3246, 3247, 3248, 3249, 3250, 3251, 3252, 3253, 3254, 3255, 3256, 3263, 3341, 3345, 3347, 3348, 3948, 3949, 3952, 3953, 3954, 3983, 3986, 3989, 3990, 3993, 3995, 3996, 3997, 3998 and 3999 of Tract 955100; and Blocks 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2103 and 2104 of Tract 955300; and the following census units in East Central Washington: Blocks 2017, 2018, 2019, 2020, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2045, 2046, 2068, 2069, 2070 and 2073 of Tract 955800; and Blocks 3048, 3049, 3050, 3051, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3068, 3069, 3070, 3071, 3072, 3073, 3074, 3075, 3076, 3077, 3078, 3079, 3080, 3081, 3082, 3083, 3084, 3085, 3086, 3087, 3088, 3089, 3090, 3091, 3092, 3093, 3094, 3095, 3096, 3097, 3098, 3099, 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3117, 3118, 3119, 3120, 3121, 3122, 3123, 3124, 3125, 3126, 3127, 3128, 3129, 3130, 3131, 3132, 3133, 3144, 3145, 3146, 3148, 3149, 3150, 3151, 3152, 3153, 3154, 3155, 3156, 3157, 3158, 3159, 3160, 3161, 3162, 3163, 3164, 3165, 3166, 3167, 3168, 3169, 3170, 3171, 3172, 3173, 3174, 3175, 3176, 3177, 3178, 3179, 3180, 3181, 3182, 3183, 3184, 3185, 3186, 3187, 3188, 3189, 3190, 3191, 3192, 3193, 3194, 3195, 3196, 3197, 3198, 3199, 3200, 3201, 3202, 3203, 3204, 3205, 3206, 3207, 3208, 3209, 3210, 3211, 3212, 3213, 3214, 3215, 3248, 3249, 3252, 3257, 3258, 3275, 3276, 3277, 3278, 3279, 3280, 3281, 3282, 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3293, 3294, 3295, 3296, 3297, 3298, 3299, 3300, 3301, 3302, 3303, 3304, 3305, 3306, 3307, 3308, 3309, 3310, 3311, 3326, 3327, 3336, 3345, 3356, 3357, 3358, 3359, 3363, 3364, 3370, 3372, 3373, 3374, 3375, 3376, 3377, 3378 and 3379 of Tract 955900. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**142. House District 142.** House District 142 consists of:

A. In Penobscot County, the minor civil divisions and unorganized territories of Enfield; Howland; Lincoln; Maxfield; Seboeis; and Woodville; and the following census units in North Penobscot: Blocks 1478, 1479, 1481, 1490, 1491, 1492, 1494, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1572, 1573, 1574, 1575, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1716, 1717, 1723, 1724, 1765 and 1766 of Tract 029000. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF).]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**143. House District 143.** House District 143 consists of:

A. In Penobscot County, the minor civil divisions and unorganized territories of East Millinocket; Millinocket; and Patten; the following census units in the minor civil division of Medway: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1037, 1038, 1039, 1040, 1041, 1042, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1077, 1078, 1079, 1080, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1095, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112 and 1113 of Tract 026500; and the following census units in North Penobscot: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1312, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1335, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1480, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1493, 1495, 1496, 1497, 1498, 1570, 1571, 1576, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1718, 1719, 1720, 1721, 1722, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818 and 1819 of Tract 029000. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) .]

**144. House District 144.** House District 144 consists of:

A. In Aroostook County, the minor civil divisions and unorganized territories of Amity; Bancroft; Cary; Glenwood; Haynesville; Hodgdon; Houlton; Macwahoc; Orient; Reed; South Aroostook; and Weston; and the following census unit of the Penobscot River: Block 4293 of Tract 952900. [ 2013, c. 1, §38 (COR) . ]

[ 2013, c. 1, §38 (COR) . ]

**145. House District 145.** House District 145 consists of:

A. In Aroostook County, the minor civil divisions of Bridgewater, Central Aroostook, Crystal, Dyer Brook, Hammond, Hersey, Island Falls, Linneus, Littleton, Ludlow, Merrill, Monticello, Moro, New Limerick, Oakfield, Sherman and Smyrna; and [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

B. In Penobscot County, the minor civil divisions of Mount Chase and Stacyville. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**146. House District 146.** House District 146 consists of:

A. In Aroostook County, the minor civil divisions of Blaine, Castle Hill, Chapman, Mapleton, Mars Hill, Perham, Wade, Washburn, Westfield and Woodland. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**147. House District 147.** House District 147 consists of:

A. In Aroostook County, the following census units in the minor civil division of Presque Isle: Tract 951800; Blocks 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1032, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072 and 2073 of Tract 951900; and Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2090, 2091, 2092, 2093, 2094 and 2095 of Tract 952000. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**148. House District 148.** House District 148 consists of:

A. In Aroostook County, the minor civil divisions and unorganized territories of Caswell; Connor Township; Cyr; Easton; Fort Fairfield; Hamlin; Limestone; and Stockholm; and the following census units in the minor civil division of Presque Isle: Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1033, 1034, 1035, 1036,

1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045 and 1046 of Tract 951900; and Blocks 2061, 2062, 2063, 2064, 2065, 2083, 2084, 2085, 2086, 2087, 2088 and 2089 of Tract 952000. [ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**149. House District 149.** House District 149 consists of:

A. In Aroostook County, the minor civil divisions of Caribou, New Sweden and Westmanland. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**150. House District 150.** House District 150 consists of:

A. In Aroostook County, the minor civil divisions and unorganized territories of Frenchville, Grand Isle, Madawaska, Square Lake, St. Agatha and Van Buren. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

**151. House District 151.** House District 151 consists of:

A. In Aroostook County, the minor civil divisions and unorganized territories of Allagash, Ashland, Eagle Lake, Fort Kent, Garfield, Masardis, Nashville, New Canada, Northwest Aroostook, Oxbow, Portage Lake, St. Francis, St. John, Wallagrass and Winterville. [2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF). ]

[ 2013, c. 270, Pt. B, §2 (NEW); 2013, c. 270, Pt. B, §3 (AFF) . ]

#### SECTION HISTORY

RR 2013, c. 1, §§35-38 (COR). 2013, c. 270, Pt. B, §2 (NEW). 2013, c. 270, Pt. B, §3 (AFF). 2013, c. 457, §§8-13 (AMD).

## §1205. CONGRESSIONAL DISTRICTS

The State is divided into 2 districts for the election of Representatives to the United States Congress as follows. [1993, c. 628, §2 (NEW). ]

**1. First District.** The First District consists of the counties of Cumberland, Knox, Lincoln, Sagadahoc and York and the following municipalities within Kennebec County: Augusta, Chelsea, China, Farmingdale, Hallowell, Manchester, Pittston, Readfield, Vassalboro, Waterville, Windsor, Winslow and Winthrop.

[ 2011, c. 466, §1 (RPR) . ]

**2. Second District.** The Second District consists of the counties of Androscoggin, Aroostook, Franklin, Hancock, Oxford, Penobscot, Piscataquis, Somerset, Waldo and Washington and the following municipalities and areas within Kennebec County: Albion, Belgrade, Benton, Clinton, Fayette, Gardiner, Litchfield, Monmouth, Mount Vernon, Oakland, Randolph, Rome, Sidney, Vienna, Wayne, West Gardiner and Unity Township.

[ 2011, c. 466, §1 (RPR) . ]

#### SECTION HISTORY

1993, c. 628, §2 (NEW). 2011, c. 466, §1 (AMD).

## §1206. REAPPORTIONMENT

Congressional districts must be reapportioned as follows. [1995, c. 360, §1 (AMD).]

**1. Procedure.** In 2021 and every 10 years thereafter, when the Secretary of State has received notification of the number of congressional seats to which the State is entitled and the Federal Decennial Census population count is final, the Legislative Apportionment Commission, established every 10 years pursuant to the Constitution of Maine, Article IV, Part Third, Section 1-A, shall review the existing congressional districts. If the districts do not conform to Supreme Judicial Court guidelines, the commission shall reapportion the State into congressional districts.

In making such a reapportionment, the commission shall ensure that each congressional district is formed of compact and contiguous territory and crosses political subdivisions the least number of times necessary to establish districts as equally populated as possible. The commission shall submit its plan to the Clerk of the House of Representatives no later than June 1st of the year in which apportionment is required. The Legislature shall enact the submitted plan of the commission or a plan of its own in regular or special session by a vote of 2/3 of the members of each house by June 11th of the year in which apportionment is required. This action is subject to the Governor's approval, as provided in the Constitution of Maine, Article IV, Part Third, Section 2.

[ 2013, c. 85, §1 (AMD) .]

**2. Court apportionment.** If the Legislature fails to make an apportionment by June 11th of the year in which apportionment is required, the Supreme Judicial Court shall make the apportionment within 60 days following the period in which the Legislature is required to act but fails to do so. In making the apportionment, the Supreme Judicial Court shall take into consideration plans and briefs filed by the public with the court during the first 30 days of the period in which the court is required to apportion.

[ 2013, c. 85, §1 (AMD) .]

**3. Judicial review.** The Supreme Judicial Court has original jurisdiction to hear any challenge to an apportionment law enacted by the Legislature, as registered by any citizen or group of citizens. If a challenge is sustained, the Supreme Judicial Court shall make the apportionment.

[ 1993, c. 628, §2 (NEW) .]

### SECTION HISTORY

1993, c. 628, §2 (NEW). 1995, c. 360, §1 (AMD). 2013, c. 85, §1 (AMD).

## §1206-A. REAPPORTIONMENT OF STATE LEGISLATIVE DISTRICTS

The state legislative districts established in this chapter must be reapportioned pursuant to the Constitution of Maine, Article IV, Part First, Section 2; Article IV, Part Second, Section 2; Article IV, Part Third, Section 1-A; and this section. When reapportioning districts, where possible, the Legislative Apportionment Commission shall attempt to form functionally contiguous and compact territories. For purposes of this section, a "functionally contiguous and compact territory" is one that facilitates representation by minimizing impediments to travel within the district. Impediments to travel include, but are not limited to, physical features such as mountains, rivers, oceans and discontinued roads or lack of roads. The commission shall recognize that all political subdivision boundaries are not of equal importance and give weight to the interests of local communities when making district boundary decisions. [1995, c. 360, §2 (NEW) .]

When the Supreme Judicial Court is required to make the apportionment, it is bound by this section.

[1995, c. 360, §2 (NEW) .]

### SECTION HISTORY

1995, c. 360, §2 (NEW).

## §1207. IMPLEMENTATION AND INTERPRETATION

**1. Implementation.** The Secretary of State shall implement the election districts established in this chapter pursuant to this Title and the Constitution of Maine. The Secretary of State shall inform the municipal clerks of the voting district or districts in which each municipality lies and shall provide copies of this chapter and district maps and narrative geographic descriptions of relevant election districts to those officials. The Secretary of State may resolve ambiguities concerning the location of election district lines consistent with subsection 2 and this chapter.

[ 1993, c. 628, §2 (NEW) . ]

**2. Interpretation.** Where a road, street, waterway, boundary of a tract, boundary of a block group or boundary of a block is used as a boundary of an election district, the boundary line lies at the center of the street or road, at the thread of the waterway or at the boundary of the tract, block group or block, unless otherwise noted. When a description refers to a bridge or railroad line, the district boundary lies at the center of the bridge or railroad tracks. When a description refers to a railroad spur, it refers to the principal spur in the area. When a description uses the word "ocean," the district boundary line lies coincident with the legal boundary of the particular community along or within the Atlantic Ocean. When an election district includes a particular unorganized territory, it includes that unorganized territory as described in the United States Census for 1990, whether the territory is organized or unorganized on the effective date of this chapter. Unless otherwise noted, a district that names a municipality includes all of the municipality.

[ 1993, c. 628, §2 (NEW) . ]

**3. Nonseverability.** It is the intent of the Legislature that the apportionment of the Maine Senate, the Maine House of Representatives and Maine congressional districts, as established in this chapter, become law as an entirety. If the apportionment of one or more of the bodies apportioned in this chapter is rendered invalid or unlawful by a court of law, it is the intent of the Legislature that the apportionment of all of the bodies apportioned in this chapter become void.

[ 1993, c. 628, §2 (NEW) . ]

### SECTION HISTORY

1993, c. 628, §2 (NEW).

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