

Title 21-A: ELECTIONS
Chapter 9: CONDUCT OF ELECTIONS
Subchapter 2: ELECTION PROCEDURE
Article 5: MARKING, COUNTING AND HANDLING OF BALLOTS

§695. Counting of ballots

Except for elections determined by ranked-choice voting, the following provisions apply to the 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. [PL 2017, c. 316, §4 (AMD).]

1. Counted in public. The ballots must be counted publicly so that those present may observe the proceedings.

[PL 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.

[PL 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.

[PL 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.

[PL 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.