

Write-in Candidate Requirements For All 2010 June Primary and November General Election Candidates

WHO IS A WRITE-IN CANDIDATE?

(Title 21-A: §1.51, §338, §723.1)

A “write-in candidate” is a person:

1. Whose name is not printed on the ballot; and
2. Who otherwise fulfills the qualifications for the office designated; and
3. Who receives one or more valid write-in votes for an office listed on a primary, general or special election ballot; and
4. **NEW:** Who has filed a “Declaration of Write-in Candidacy” on or before 5 p.m. on the **45th day prior** to the election. (§722-A, as amended by PL 2009, Chapter 253)

Declaration forms can be obtained from the Department of the Secretary of State, Bureau of Corporations, Elections and Commissions.

ENROLLMENT QUALIFICATIONS OF A PRIMARY WRITE-IN CANDIDATE

(Title 21-A: §144.3, §334, §338)

- The candidate must be enrolled, on or before March 15, 2010, in the party in which the candidate is seeking a write-in nomination; **and**
- The candidate must meet the same qualifications as a candidate filing a petition for nomination by primary election under §144.3 (by filing an application to change enrollment, if applicable, prior to January 1, 2010).

PARTY NAME OR DESIGNATION OF A WRITE-IN CANDIDATE

For the **Primary** Election, the candidate must indicate which party’s nomination the candidate is seeking by checking the appropriate box.

For the **General** Election, the candidate may indicate a party or political designation by writing that party or political designation in the appropriate space on the Declaration of Write-in Candidacy. The candidate may write in the name of a qualified party (Democratic, Green Independent or Republican) or choose a political designation which may not exceed 3 words in length, and 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 or violates any other provision of Maine law 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.

HOW DOES A VOTER CAST A WRITE-IN VOTE?

(Title 21-A: §691, §696)

- A voter must mark the write-in indicator (square, oval or arrow) as instructed on the ballot;
AND
- The voter must also write the candidate's name in the blank space provided to the right of the write-in indicator. The residence address of the candidate is not required to be written in order for the vote to count.

Note: The use of stickers is no longer allowed to cast a write-in vote for any ballot.

MINIMUM NUMBER OF VOTES NEEDED

For a Primary Election: the number of valid write-in votes must be equal to at least **twice** the minimum number of signatures required on a primary petition for that office. If more than one person receives the minimum number of write-in votes for an office, the person receiving the greatest number of votes is nominated. (§723.1.A)

For a General Election: the person receiving the greatest number of votes is elected. (§723.2)