

**§723. Determination of election**

The determination of an election or referendum question is governed by the following provisions. [PL 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 and elections determined by ranked-choice voting under section 723-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. [PL 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. [PL 1985, c. 161, §2 (NEW).]  
[PL 2019, c. 320, §8 (AMD).]

**2. Other elections.** In any other election except for those determined by ranked-choice voting, 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.

[PL 2017, c. 316, §7 (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.

[PL 1985, c. 161, §6 (NEW).]

**4. Referendum question.** A referendum question is determined by majority vote.

[PL 1985, c. 161, §6 (NEW).]

**SECTION HISTORY**

PL 1985, c. 161, §6 (NEW). PL 1987, c. 146 (AMD). PL 1991, c. 244 (AMD). PL 1999, c. 426, §§25,26 (AMD). PL 2001, c. 310, §49 (AMD). PL 2001, c. 516, §§14,15 (AMD). PL 2009, c. 253, §§38, 39 (AMD). PL 2017, c. 248, §§5, 6 (AMD). PL 2017, c. 316, §7 (AMD). PL 2019, c. 320, §8 (AMD).

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