§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. [PL 1987, c. 188, §16 (AMD).]

1. Referendum questions on separate ballot.
[PL 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.
[PL 2001, c. 310, §68 (AMD).]

2. Bond issues; total interest.
[PL 2009, c. 253, §59 (RP).]

3. Distinctively colored.
[PL 2013, c. 457, §5 (RP).]

4. Size. The Secretary of State shall determine the size of the ballots.
[PL 1985, c. 161, §6 (NEW).]

5. Contents concealed.
[PL 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. [PL 1993, c. 352, §3 (RPR).]

B. The Secretary of State shall write the question in a clear, concise and direct manner that describes the subject matter of the people's veto or direct initiative as simply as is possible. [PL 2019, c. 414, §1 (AMD).]

C. The question for a direct initiative must be phrased so that an affirmative vote is in favor of the direct initiative. [PL 2019, c. 414, §1 (AMD).]

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. [PL 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. [PL 1993, c. 352, §3 (RPR).]
[PL 2019, c. 414, §1 (AMD).]

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; [PL 1993, c. 352, §4 (NEW).]

B. Having more than one question would help voters to better understand the subject matter; and [PL 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. [PL 1993, c. 352, §4 (NEW).]

[PL 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.
[PL 1997, c. 581, §10 (AMD).]

8. Explanation of effect of "yes" or "no" vote. The Secretary of State shall include on the ballot for each referendum question those portions of the statement prepared by the Attorney General pursuant to Title 1, section 353 that describe what a "yes" vote favors and what a "no" vote opposes. These statements must appear directly below the relevant referendum question and above the place on the ballot for the voter to designate the voter's choice.
[PL 2019, c. 414, §2 (NEW).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1987, c. 119, §2 (AMD). PL 1987, c. 188, §16 (AMD). PL 1993, c. 352, §§3,4 (AMD). PL 1993, c. 473, §41 (AMD). PL 1993, c. 473, §46 (AFF). PL 1995, c. 459, §114 (AMD). PL 1997, c. 581, §§6-10 (AMD). PL 2001, c. 310, §68 (AMD). PL 2009, c. 253, §59 (AMD). PL 2013, c. 457, §5 (AMD). PL 2019, c. 414, §§1, 2 (AMD).

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