

2022 MAINE VOTING PLACE LAW ENFORCEMENT QUICK REFERENCE GUIDE



This pocket reference guide contains key provisions within the Maine Elections Code, Title 21-a.*

- ▶ Campaigning within 250 feet of a voting place is a Class E crime.
- ▶ Those who create a disturbance at a voting place may be arrested on request of an election official.
- ▶ It is a Class E crime for challengers to interfere with a voter's exercise of the right to vote.

**Some provisions have been abridged due to space limitations in this guide.*

VOTING PLACE HOURS:

Election Day, June 14: open between 6:00 am to 10 a.m. (depending on location) and closes at 8:00 p.m.

Election Day, November 8: open between 6:00 am to 10 a.m. (depending on location) and closes at 8:00 p.m.

REPORT SUSPICIOUS BEHAVIOR TO:

Secretary of State Elections Division
Phone: (207) 624-7650
cec.officials@maine.gov

Your Local Election Official

WARDEN DEFINITION

(ME Elections Code § 1)

“Election official” means a warden, ward clerk, deputy warden or election clerk. “Warden” means the presiding election officer at a voting place.

ORDER AT VOTING PLACE

(ME Elections Code § 662)

The warden shall keep order in and around the voting place. The warden shall direct that any person who creates a disturbance or otherwise violates the law at the voting place be removed and, if necessary, confined until polls close.

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.

REGULATION OF CHALLENGERS

(ME Elections Code § 673)

A person challenging another person’s right to vote may not create a disturbance, obstruction, or interfere with or delay said voter’s exercise of the right to vote once the voter completes the challenge affidavit. A challenger other than a registrar, clerk or other election official may not handle or inspect registration cards, files or other materials used by the registrar or clerk except as provided in § 22.

A person who knowingly engages in activities prohibited by this section commits a Class E crime and shall be punished by imprisonment up to six months and a \$1,000 fine, pursuant to Sections 1604 and 1704 of the Criminal Code.

UNLAWFUL VOTING AND INTERFERENCE

(ME Elections Code § 674 as amended by ME LEGIS 568 (2022))

A person shall not remove a ballot from a voting place on election day, interfere with a voter attempting to cast a vote or marking a voter’s ballot, or attempt to influence a voter in marking that voter’s ballot. A person shall not assist or offer to assist another person at the voting place in marking that person’s ballot, unless the warden or ward clerk has requested the person to do so. If a person has been entrusted with another voter’s marked ballot, that person shall not intentionally or knowingly disclose the content of that ballot to another person.

A person who knowingly engages in activities prohibited by this section commits a Class E crime and shall be punished by imprisonment up to six months and a \$1,000 fine, pursuant to Sections 1604 and 1704 of the Criminal Code.

A person shall not assist another person in voting, knowing that the other person is not eligible to vote. A person shall not intentionally interfere by force, violence or intimidation with any public official who is in fact performing or who the person believes is performing an official function relating to an election.

A person who engages in activities prohibited by this subsection commits a Class D crime and shall be punished by imprisonment up to one year and a \$2,000 fine, pursuant to Sections 1604 and 1704 of the Criminal Code.

A person shall not tamper with ballots or voting lists or open or break a seal of a package of ballots or voting lists with the intent of changing the outcome of any election.

A person who engages in activities prohibited by this subsection commits a Class B crime and shall be punished by imprisonment up to ten years and a \$20,000 fine, pursuant to Sections 1604 and 1704 of the Criminal Code.

INTERFERENCE WITH VOTING

(ME Elections Code § 681)

If sufficient space exists, party workers and others, in addition to the pollwatchers allowed pursuant to § 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 engages in activities prohibited by this subsection, 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 engages in activities prohibited by this subsection may be removed from the voting place by the municipal clerk at the recommendation of the warden.

ELECTIONEERING AT OR NEAR POLLS PROHIBITED

(ME Elections Code § 682)

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 influence, or attempt to influence, another person's decision regarding a candidate for an office or question that is on the ballot for the election that day. 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. If a person attempts to influence voters or interfere with their free passage, the warden shall have that person removed from the voting place.

A person may not display advertising material, including operating an advertising medium such as a sound amplification device; or display or distribute campaign literature, posters, etc. containing a candidate's name or otherwise intending to influence the opinion of any voter regarding a candidate for an office 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.

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. 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.

A person who knowingly engages in activities prohibited by this section commits a Class E crime and shall be punished by imprisonment up to six months and a \$1,000 fine, pursuant to Sections 1604 and 1704 of the Criminal Code.

UNLAWFUL TAMPERING **(ME Elections Code § 829, 860)**

A person may not alter, unlock, unseal, etc. a voting machine or any part of a voting machine with the intent of changing the outcome of any election.

Before, during or after an election, a person may not intentionally or knowingly, attempt to or actually 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.

A person who engages in activities prohibited by this subsection commits a Class B crime and shall be punished by imprisonment up to ten years and a \$20,000 fine, pursuant to Sections 1604 and 1704 of the Criminal Code.