

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 220

6  
7 H.P. 186

House of Representatives, January 29, 1985

8 Reference to the Committee on Legal Affairs suggested and ordered  
9 printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Pouliot of Lewiston.

11 Cosponsored by Representative Telow of Lewiston and Senator Gauvreau  
of Androscoggin.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-FIVE  
16

17 AN ACT to Remove the Time Limit for  
18 Tabulating Election Returns and the  
19 Requirement for the Presence of the  
20 Municipal Officers.  
21

22 Be it enacted by the People of the State of Maine as  
23 follows:

24 21 MRSA §961, sub-§2, as amended by PL 1967, c.  
25 60, §2, is further amended to read:

26 2. City or certain town. In a city, or in a town  
27 which has more than one voting district, the ward  
28 clerk shall fill out the election return form pro-  
29 vided by the Secretary of State, showing the number  
30 of votes cast for each candidate or question. He  
31 shall sign the return, have it attested by the warden  
32 and deliver it to the clerk forthwith. ~~Within 26~~  
33 ~~hours after the polls are closed, the~~ The clerk shall  
34 tabulate the returns in duplicate on the election re-  
35 turn provided by the Secretary of State, ~~in the pres-~~  
36 ~~ence of the municipal officers.~~ The clerk shall sign

1 the return, have it attested by a majority of the mu-  
2 nicipal officers and send the duplicate copy forth-  
3 with to the Secretary of State.

4 STATEMENT OF FACT

5 This bill removes the requirement that clerks  
6 tabulate election returns in duplicate on the elec-  
7 tion return forms provided by the State within 26  
8 hours after the polls close. The bill also removes  
9 the requirement that the tabulation be done in the  
10 presence of the municipal officers.

11 Clerks in larger communities need the entire 26  
12 hour period to complete tabulating returns, which  
13 means the work is not completed until 10:00 p.m. on  
14 the day after election day. It is difficult for  
15 these clerks to ensure that a majority of the municipi-  
16 pal officers are present at that time.

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