

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
104th LEGISLATURE

SENATE AMENDMENT "A" to S.P. 66, L.D. 188, Bill, "AN ACT Relating to Recount and Other Election Procedures and Changing the Primary Election Date."

Amend said Bill in that part designated "§ 1152" of section 9 by inserting after the first underlined sentence (same in L.D.) the following underlined sentence: 'Recounts for State Senator and member of the House of Representatives shall be held in the municipalities from which they are elected.'

Further amend said Bill in subsection 4 of that part designated "§ 1152" of section 9 by inserting after the underlined word "application" in the first line the underlined words 'from a candidate for the State Senate or House of Representatives'

Further amend said Bill in that part designated "§ 1152" of section 9 by inserting after subsection 8, a new subsection 9, as follows: (Same in L.D.)

'9. Ballots and check lists recalled. On receipt of the application for recount for any other offices voted upon, the Secretary of State shall recall all the ballots and check lists from the clerk of each municipality concerned. The clerk shall return or release them to him as soon as any pending recounts have been completed. When an appeal to the Superior Court has been filed the ballots under dispute shall at all times be kept separate from other ballots.

*(Filing No. S-72)*

A. Notice of recount. The Secretary of State shall send written notice of the recount to the candidates for the office in question, stating the time and place of the recount.

B. Time and place of recount. The recount must be held as soon as reasonably possible at such a time and place as to afford the candidates a reasonable opportunity to be present.

C. Mistake in ballot count. If it is found that there was a mistake made in counting the ballots on election day the Secretary of State shall submit a corrected tabulation to the Governor and Council.

D. Package resealed and marked. After the recount, the Secretary of State shall reseat the packages of ballots and the check list, and shall note the fact and date of the recount on them. If there is an appeal to determine the validity of the disputed ballots, the Secretary of State shall keep them until needed by the Superior Court.'

Further amend said Bill by renumbering subsection 9 of that part designated "§ 1152" of section 9 to be subsection 10 and by inserting at the end of the first underlined sentence, before the period, (same in L.D.) the underlined words 'and the Secretary of State'

Further amend said Bill by renumbering subsections 10 and 11 of that part designated "§ 1152" of section 9 (same in L.D.) to be subsections 11 and 12.

Proposed by Senator BERRY of Cumberland

Reproduced and distributed pursuant to Senate Rule No. 11A.

(Filing No. S-72)

4/9/69