

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1045

H. P. 806

House of Representatives, February 26, 1969

Referred to Committee on Election Laws. Sent up for concurrence and 1,000 ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Chandler of Orono.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT to Revise Ballot Inspection and Recount Procedures Under the Maine Election Laws.

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

Sec. 1. R. S., T. 21, § 1151, amended. The first paragraph of section 1151 of Title 21 of the Revised Statutes is amended by adding at the end the following:

Normally, the purpose of such an inspection shall be to provide factual basis for a request for recount. Such inspection must be of reasonable duration and may not be used for harassment, assessment of ballot splitting, or other purpose not related to the determination of whether ballots were counted in a proper and lawful manner.

Sec. 2. R. S., T. 21, § 1152, sub-§ 2, amended. Subsection 2 of section 1152 of Title 21 of the Revised Statutes is amended to read as follows:

2. Recount on deposit. A losing candidate may request a recount upon making a deposit with the Secretary of State in the following amounts:

- A.** If the combined vote is 1,000, or less, and the percentage of difference between the vote for the 2 candidates is more than 10%, ~~\$50~~ **\$200.**
- B.** If the combined vote is 1,001 to 5,000, and the percentage of difference between the vote for the 2 candidates is more than 5%, ~~\$75~~ **\$300.**
- C.** If the combined vote is 5,001 to 10,000, and the percentage of difference between the vote for the 2 candidates is more than 4%, ~~\$100~~ **\$400.**
- D.** If the combined vote is 10,001 to 50,000, and the percentage of difference between the vote for the 2 candidates is more than 3%, ~~\$125~~ **\$500.**

E. If the combined vote is 50,001 to 100,000, and the percentage of difference between the vote for the 2 candidates is more than 1%, ~~\$250~~ \$1,000.

F. If the combined vote is 100,001, or over, and the percentage of difference between the vote for the 2 candidates is more than $\frac{1}{2}$ of 1%, ~~\$500~~ \$2,000.

The deposit made by the candidate requesting the recount shall be forfeited to the State in the event that the recount fails to change the result of the election. If the recount reverses the election, the deposit shall be returned to the candidate requesting the recount. **In the event of a reversed election, a like amount of money must be paid to the Secretary of State by the community or communities responsible for the incorrect original count. The Secretary of State may then utilize up to $\frac{1}{2}$ of either fee for the purpose of reimbursing, at standard rates, for travel, meals and lodging, those persons selected by him to aid in making the recount.**