

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1433

H. P. 1114

House of Representatives, April 9, 1969

Reported by Mrs. Boudreau from Committee on Election Laws. Printed under Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

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:

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~~ \$100.
- 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~~ \$150.
- 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~~ \$200.
- 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~~ \$250.

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~~ \$500.

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~~ \$1,000.

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.