

# MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 186, L.D. 220)  
2 FIRST REGULAR SESSION  
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4 ONE HUNDRED AND TWELFTH LEGISLATURE  
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6 Legislative Document

No. 1541

8 H.P. 1062

House of Representatives, May 17, 1985

9 Reported by Representative Paul from the Committee on Legal Affairs  
10 and printed under Joint Rule 2. Original bill sponsored by Representative  
11 Pouliot of Lewiston. Cosponsored by Representative Telow of Lewiston and  
Senator Gauvreau of Androscoggin.

EDWIN H. PERT, Clerk

12  
13 STATE OF MAINE  
14

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15 IN THE YEAR OF OUR LORD  
16 NINETEEN HUNDRED AND EIGHTY-FIVE  
17

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18 AN ACT to Remove the Time Limit for  
19 Tabulating Election Returns and the  
20 Requirement for the Presence of the  
21 Municipal Officers.  
22

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

25 21-A MRSA §711, sub-§2, as enacted by PL 1985, c.  
26 161, §6, is amended to read:

27 2. City or multi-district town. In a city, or in  
28 a town which has more than one voting district, the  
29 ward clerk shall fill out the election return form  
30 provided by the Secretary of State, showing the num-  
31 ber of votes cast for each candidate or question. He  
32 must sign the return, have it attested by the warden  
33 and immediately deliver it to the municipal clerk.  
34 Within 26 hours after the polls are closed, the The  
35 municipal clerk shall tabulate the returns in dupli-  
36 cate on the election return provided by the Secretary

1 of State, in the presence of the municipal officers.  
2 The clerk shall sign the return, have it attested by  
3 a majority of the municipal officers and immediately  
4 send the duplicate copy to the Secretary of State.

5 STATEMENT OF FACT

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

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

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