# MAINE STATE LEGISLATURE

The following document is provided by the

LAW AND LEGISLATIVE DIGITAL LIBRARY

at the Maine State Law and Legislative Reference Library

http://legislature.maine.gov/lawlib



Reproduced from scanned originals with text recognition applied (searchable text may contain some errors and/or omissions)

#### FIRST REGULAR SESSION

## ONE HUNDRED AND THIRTEENTH LEGISLATURE

# Legislative Document

1

3

5

8

9

10 11

12

13

14 15

16

NO. 534

H.P. 400 House of Representatives, February 24, 1987 Reference to the Committee on Legal Affairs suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative HALE of Sanford.

Cosponsored by Representatives SPROUL of Augusta, CARROLL of Gray and Senator TUTTLE of York.

## STATE OF MAINE

## IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT to Allow for the Disposal of Blank Election Material within 60 Days of the Election.

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

Sec. 1. 21-A MRSA §23, sub-§7, as amended by PL 1985, c. 383, §1, is further amended to read:

7. Ballots and other election materials. The clerk shall keep the ballots and other election materials listed in section 698 in his office for 22 months and incoming voting lists for 2 years, unless sooner released to the Secretary of State or required by the Secretary of State to be kept longer; except that the clerk may dispose of the unused ballots and unused absentee ballots, which are on clearly marked

Page 1-LR1599

- 1 containers pursuant to section 698, 60 days after the 2 election. Once released to the Secretary of they shall be kept by him until any appeal period 3 4 bearing on the validity of the election has expired. 5 Notwithstanding this subsection, ballots used for mu-6 nicipal elections conducted under this Title, refer-7 enda elections or special legislative elections shall 8 be kept for 2 months.
- 9 Sec. 2. 21-A MRSA §698, sub-§2, as amended by PL
  10 1985, c. 614, §19, is further amended to read:
- 11 Ballots replaced in containers. The election 12 clerks shall place the sealed packages of used bal-13 lots, envelopes containing challenge certificates, 14 unused ballets, spoiled ballots, defective ballots, void ballots, used and unused absentee ballots, used 15 absentee envelopes and used absentee applications 16 17 containers in which the regular ballots were delivered. The election clerks shall place unused bal-18 lots and unused absentee ballots in separate contain-19 20 which shall be clearly marked substantially as follows: "This package contains unused ballots 21 unused absentee ballots from the (title of election) 22 election held in (name of voting district and munici-23 24 pality) on (date of election)." They shall then seal 25 the containers publicly. The total number of used 26 ballots, unused ballots, spoiled ballots, defective 27 ballots and absentee ballots must equal the number of 28 ballots furnished by the Secretary of State 29 municipal clerk, less the number of absentee ballots issued to voters and not returned. 30

## 31 STATEMENT OF FACT

This bill allows the municipal clerk to dispose of unused ballots and unused absentee ballots 60 days after the election.

35 1599020987