

MAINE STATE LEGISLATURE

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L.D. 1064
(Filing No. H-179)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
113TH LEGISLATURE
FIRST REGULAR SESSION

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HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A"
to H.P. 792, L.D. 1064, Bill, "AN ACT to Require
Candidates Requesting Ballot Inspection to Pay for
this Service."

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Amend the amendment in section 2 in that part
designated "\$736." in subsection 1-B by striking out
all of the last paragraph (page 2, lines 19 to 27 in
the amendment) and inserting in its place the follow-
ing:

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'All deposits required by this section must be made
with the municipal clerk when the ballot inspection
is requested. This deposit, made by the candidate
requesting the ballot inspection, is forfeited to the
municipality if the ballot inspection has begun and
it fails to result in a recount which changes the re-
sult of the election. If a recount following the
ballot inspection reverses the election, the deposit
shall be returned to the candidate requesting the
ballot inspection.'

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Sec. 3. 21-A MRSA §737, sub-§2, as enacted by PL
1985, c. 161, §6, is amended to read:

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2. When deposit is required. A deposit is not
required if the percentage difference shown by the
official tabulation is:

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A. 10% or less if the combined vote for the 2
candidates is 1,000 or less, otherwise a deposit
of \$150 is required;

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B. 5% or less if the combined vote for the 2
candidates is 1,001 to 5,000, otherwise a deposit
of \$200 is required;

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 792
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1 C. 4% or less if the combined vote for the 2
2 candidates is 5,001 to 10,000, otherwise a depos-
3 it of \$250 is required;

4 D. 3% or less if the combined vote for the 2
5 candidates is 10,001 to 50,000, otherwise a de-
6 posit of \$300 is required;

7 E. 1% or less if the combined vote received by
8 the 2 candidates is 50,001 to 100,000, otherwise
9 a deposit of \$500 is required; or

10 F. 1/2 of 1% or less if the combined vote re-
11 ceived by the 2 candidates is 100,001 or over,
12 otherwise a deposit of \$1,000 is required.

13 All deposits required by this section must be made
14 with the Secretary of State when the recount is re-
15 quested. This deposit, made by the candidate re-
16 questing the recount, is forfeited to the State if
17 the recount has begun and it fails to change the re-
18 sult of the election. If the recount reverses the
19 election, the deposit shall be returned to the candi-
20 date requesting the recount.

21 All deposits required under this section are in addi-
22 tion to any deposit required for a ballot inspec-
23 tion.'

24 Further amend the amendment by striking out the
25 next to the last paragraph before the statement of
26 fact (page 2, lines 28 to 35 in amendment) and in-
27 sserting in its place the following:

28 'Further amend the bill in section 2, in subsec-
29 tion 5, by striking out the last paragraph (page 2,
30 lines 28 to 36 of the L.D.) and inserting in its
31 place the following:

32 All deposits required by this section must be
33 made with the municipal clerk when the ballot inspec-

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1 tion is requested. This deposit, made by the candi-
2 date requesting the ballot inspection, is forfeited
3 to the municipality if the ballot inspection has be-
4 gun and it fails to result in a recount which changes
5 the result of the election. If a recount following
6 the ballot inspection reverses the election, the de-
7 posit shall be returned to the candidate requesting
8 the ballot inspection.'

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STATEMENT OF FACT

10 This amendment makes technical corrections in the
11 procedure for collecting and returning deposits for
12 ballot inspections. The amendment clarifies that all
13 deposits must be made to the municipal clerk, not the
14 Secretary of State, because ballot inspections are
15 done at the municipal level.

16 Second, the amendment clarifies that the deposit
17 will be returned if the inspection results in a re-
18 count which changes the outcome of the election.
19 This correction is needed because inspections them-
20 selves do not change election results, but recounts
21 do.

