

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1064

H.P. 792 House of Representatives, April 1, 1987
Reference to the Committee on Legal Affairs suggested and
ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative ROTONDI of Athens.

Cosponsored by Representative BICKFORD of Jay and Senator
MATTHEWS of Kennebec.

STATE OF MAINE

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

1 AN ACT to Require Candidates Requesting
2 Ballot Inspection to Pay for this
3 Service.
4

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

7 Sec. 1. 30 MRSA §2063, first ¶ is amended to
8 read:

9 Upon written application of any candidate for a
10 municipal office within 3 days after the result of a
11 city election or an election under section 2061 has
12 been declared, the clerk shall permit him or his
13 agent to inspect the ballots under proper protective
14 regulations, subject to the following provisions.

15 Sec. 2. 30 MRSA §2063, sub-§§4 and 5 are enacted
16 to read:

1 4. Percentage difference. For purposes of this
2 section, "percentage difference" means the percentage
3 of the total vote for an office represented by the
4 difference between the votes received by the candi-
5 date requesting a ballot inspection and the votes re-
6 ceived by the nearest winning candidate.

7 5. When deposit is required. A deposit is not
8 required if the percentage difference shown by the
9 official tabulation is:

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

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

16 C. Four percent or less if the combined vote for
17 the 2 candidates is 5,001 to 10,000, otherwise a
18 deposit of \$250 is required;

19 D. Three percent or less if the combined vote
20 for the 2 candidates is 10,001 to 50,000, other-
21 wise a deposit of \$300 is required;

22 E. One percent or less if the combined vote re-
23 ceived by the 2 candidates is 50,001 to 100,000,
24 otherwise a deposit of \$500 is required; or

25 F. Half of one percent or less if the combined
26 vote received by the 2 candidates is 100,001 or
27 over, otherwise a deposit of \$1,000 is required.

28 All deposits required by this section must be made
29 with the Secretary of State when the ballot inspec-
30 tion is requested. This deposit, made by the candi-
31 date requesting the ballot inspection, is forfeited
32 to the State if the ballot inspection has begun and
33 it fails to change the result of the election. If
34 the ballot inspection reverses the election, the de-
35 posit shall be returned to the candidate requesting
36 the ballot inspection.

STATEMENT OF FACT

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This bill requires that a candidate must pay for a requested ballot inspection in the same manner as he would pay for a vote recount.

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