



114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1728

H.P. 1237

ň,

House of Representatives, June 8, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on Legal Affairs suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative PINEAU of Jay. Cosponsored by Speaker MARTIN of Eagle Lake, Senator ERWIN of Oxford and Representative MILLS of Bethel.

STATE OF MAINE

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

Resolve, Authorizing the Secretary of State to Release Certain Ballots to the Municipal Officers of the Town of Jay.

(AFTER DEADLINE)

Sec. 1. Release of ballots authorized. Resolved: That, notwithstanding any statutes or laws to the contrary, the Secretary of State shall release to the municipal officers in the Town of Jay the ballots collected at the town election held on March 20, 1989, for the purpose of determining the source of a discrepancy in the number of votes counted and the number of voters who cast ballots; and be it further

Sec. 2. Supervision; testing. Resolved: That, under the supervision of the clerk for the Town of Jay, a representative of the company that programmed the optical scan reader which was used at the election may, in the Town of Jay, perform tests on the scanner using the released ballots, to determine whether the discrepancy was caused by a programming error.

STATEMENT OF FACT

After the close of the polls at the March 20, 1989 town election in Jay, Maine, a discrepancy was discovered in the 21 number of votes counted by the scanning device that was used and the number of voters who cast ballots, thus necessitating the 23 counting of the ballots by hand. In order to avoid a future 25 reoccurrence of this problem, the town seeks to open the box containing the voted ballots from that election and permit a 27 representative from the company that programmed the scanning device to determine whether the malfunction was caused by a programming error. Although the inspection of ballots for this 29 purpose is not authorized by current law, this resolve will allow 31 the release of the ballots in order to ascertain the source of the error.

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