

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 478

S.P. 146

In Senate, February 11, 1993

**An Act to Amend the Laws Governing the Method of Recounting Ballots
in Elections.**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BERUBE of Androscoggin.

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

4 **Sec. 1. 21-A MRSA §737, sub-§3, as enacted by PL 1985, c. 161,**
6 **§6, is repealed and the following enacted in its place:**

8 **3. Collection of ballots. When an application for a**
recount is received, the following procedures apply.

10 **A. In a statewide election, the Secretary of State shall**
recall all the ballots and incoming voting lists from the
clerk of each municipality. The clerk shall return or
release them to the Secretary of State as soon as any
pending ballot inspection has been made.

14 **B. In an election that is not a statewide election, the**
Secretary of State shall direct each municipal clerk in the
district that is the subject of the recount to deliver all
the ballots and incoming voting lists to the municipal
office of the municipality with the largest number of voters
in that district. The clerk shall release the ballots as
soon as any pending ballot inspection has been made. A law
enforcement officer must accompany any transportation of the
ballots and lists.

24 **C. In any election, statewide or local, local officials**
shall perform recounts in a municipality and a
representative of each candidate of a challenged race must
be present during the recount of ballots.

30 **STATEMENT OF FACT**

32 **This bill requires recounts to be done locally rather than**
34 **in Augusta. The bill also requires a law enforcement officer to**
accompany ballots that are transported and a representative of
36 **each candidate to be present during the recount of ballots.**