MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document	No. 456
H.P. 334	House of Representatives, January 27, 2005

An Act To Make Disputed Ballots in State Elections Public

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND

Clerk

Presented by Representative McKANE of Newcastle.
Cosponsored by Senator DOW of Lincoln and
Representatives: BOWLES of Sanford, CLOUGH of Scarborough, CURLEY of Scarborough,
RECTOR of Thomaston, TARDY of Newport.

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

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    Sec. 1. 21-A MRSA §739, as amended by PL 1993, c. 473, §33
4 and affected by §46, is further amended to read:

6 **§739. Ballots and incoming voting lists available for inspection**

8   On request, a municipal clerk or the Secretary of State, or
both, shall produce any ballots or incoming voting lists in their
10 custody before the Governor, either branch of the Legislature,
any legislative committee or a court of competent jurisdiction.
12 If there are disputed ballots arising from a recount conducted
pursuant to section 737-A, the Secretary of State shall make
14 those ballots available for inspection by the public after
ensuring that the ballots cannot be tampered with. Absentee
16 ballots that are made available for public inspection pursuant to
this section must be made available in a manner that preserves
18 the voter's anonymity.

20   After the time for completion of recounts following any
election has elapsed, and on request of any person, the clerk of
22 any municipality or the Secretary of State, or both, shall
produce any incoming voting lists in h̶i̶s̶ the clerk's or Secretary
24 of State's custody.

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SUMMARY

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    This bill requires the Secretary of State to make available
30 for public inspection disputed ballots arising from an election
recount. This bill specifies that absentee ballots made
32 available for public inspection must preserve the voter's
anonymity.