

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 202

H.P. 173

House of Representatives, January 16, 2007

### **An Act Requiring the Municipal Clerk To Inspect Municipal Election Ballots**

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Reference to the Committee on State and Local Government suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative BLANCHARD of Old Town.  
Cosponsored by Senator SCHNEIDER of Penobscot and  
Representatives: BARSTOW of Gorham, BRYANT of Windham, HOGAN of Old Orchard  
Beach, MAZUREK of Rockland, PATRICK of Rumford, PIEH of Bremen, SCHATZ of Blue  
Hill.

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

2 **Sec. 1. 30-A MRSA §2528, sub-§6-B** is enacted to read:

3 **6-B. Inspection of ballots in an election.** Upon receipt of a package or box  
4 containing absentee ballots for an election, the municipal clerk shall open the sealed  
5 package or box of ballots and verify that the ballots do not contain any errors and that the  
6 correct number of ballots has been received. The clerk shall then proceed to issue  
7 absentee ballots in response to pending requests. Upon receipt of a package or box  
8 containing regular ballots for an election, the clerk shall open, in the presence of one or  
9 more witnesses, the sealed package or box of ballots and verify that the ballots do not  
10 contain any errors and that the correct number of ballots has been received. Ballots to be  
11 used for testing electronic tabulating devices may be removed at this time and  
12 immediately marked with the word "TEST" across the front side of the ballot in black or  
13 blue indelible ink. The clerk shall keep a record of the number of ballots used for testing  
14 purposes and seal the record with the test ballots in a container labeled "TEST  
15 BALLOTS" at the conclusion of the testing. The clerk shall then reseal the package or  
16 box of regular ballots and secure the package or box of ballots until election day, when it  
17 is delivered to the warden at the polling place.

18 **Sec. 2. 30-A MRSA §2554, sub-§1-A** is enacted to read:

19 **1-A. Inspection of ballots in an election.** The municipal clerk shall inspect ballots  
20 in accordance with section 2528, subsection 6-B.

21 **SUMMARY**

22 This bill requires municipal clerks to inspect ballots prior to municipal elections.