

MAINE STATE LEGISLATURE

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RWS

L.D. 2110

Date: 3/11/8

(Filing No. H-737)

LEGAL AND VETERANS AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1496, L.D. 2110, Bill, "An Act To Amend the Election Laws"

Amend the bill by striking out all of sections 7, 8, 9 and 10 and inserting the following:

'Sec. 7. 21-A MRSA §737-A, first ¶, as amended by PL 1999, c. 426, §27, is further amended to read:

For the purposes of this section, a candidate may also be a write-in candidate who has met the qualifications of section 722-A. ~~If, after an initial tally of the ballots, the margin between the number of votes cast for the leading candidate and the number of votes cast for the 2nd place candidate is less than 1% of the total number of votes cast in that race, a recount is presumed necessary.~~

Sec. 8. 21-A MRSA §737-A, 2nd ¶, as enacted by PL 1993, c. 473, §31 and affected by §46, is amended to read:

~~Once a recount is triggered by this presumption, or a recount~~ is requested, the Secretary of State shall notify the State Police, who shall take physical control of all ballots and related materials involved in the recount as soon as possible.

Sec. 9. 21-A MRSA §737-A, 4th ¶, as amended by PL 1999, c. 426, §28, is further amended to read:

~~A losing candidate in any election who is the apparent loser and~~ who desires a recount must file with the Secretary of State a written request for a recount within 5 business days after the election. The recount is held under the supervision of the Secretary of State, who shall allow the candidate's representatives or counsel to recount the ballots. The candidate may not act as a counter of ballots.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

RES

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SUMMARY

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This amendment strikes from the bill the provisions that would make a recount automatic for races with a margin of less than 1% of the total votes cast in a race. In order for a recount to occur under this amendment it must be requested by the apparent losing candidate.

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FISCAL NOTE REQUIRED

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(See attached)



123rd MAINE LEGISLATURE

LD 2110

LR 3226(02)

An Act To Amend the Election Laws

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Legal and Veterans Affairs

Fiscal Note Required: Yes

Fiscal Note

Minor savings - General Fund

Fiscal Detail and Notes

This act clarifies that the signed statement of the Treasurer of the State regarding the ratification of a bond issue may be printed on the ballot or may be printed as a separate document made available to voters. It also amends the laws governing absentee voters, clarifies requirements of voter's lists, and provides for recounts only if requested by the apparent losing candidate. Minor cost savings could be achieved by not requiring the signed Treasurer's statement to be printed on the ballot.