

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 923

H.P. 647

House of Representatives, March 7, 2013

### **An Act To Require Write-in Candidates To Be Listed on the Ballot Tabulation Report**

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative BROOKS of Winterport.  
Cosponsored by Senator GRATWICK of Penobscot and  
Representatives: FARNSWORTH of Portland, FREY of Bangor, GOODE of Bangor,  
KNIGHT of Livermore Falls, TIPPING-SPITZ of Orono, Senator: HASKELL of Cumberland.

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

2 **Sec. 1. 21-A MRSA §722, sub-§1**, as amended by PL 2009, c. 253, §36, is  
3 further amended to read:

4 **1. How tabulated.** The Secretary of State shall tabulate all votes that appear by an  
5 election return to have been cast for each question or candidate whose name appeared on  
6 the ballot. ~~The Secretary of State shall tabulate the, including~~ votes that appear by an  
7 election return to have been cast for a declared write-in candidate and ~~shall tabulate the~~  
8 ~~votes that appear to have been cast for an undeclared write-in candidate based on a~~  
9 ~~recount requested and conducted pursuant to section 737-A, subsection 2-A.~~

10 **Sec. 2. 21-A MRSA §722, sub-§1-A**, as enacted by PL 2009, c. 253, §36, is  
11 amended to read:

12 **1-A. Form of tabulation.** The tabulation must include the total votes for each  
13 question choice or candidate whose name appeared on the ballot. The tabulation also  
14 must include the total votes for any declared or undeclared write-in candidates ~~who~~  
15 ~~qualified to have their votes tabulated under subsection 1 as follows.~~

16 ~~A. For a write in candidate who receives 5% or more of the votes cast for that office,~~  
17 ~~the Secretary of State shall report the votes under the candidate's name.~~

18 ~~B. For a write in candidate who receives less than 5% of the votes cast for that~~  
19 ~~office, the Secretary of State shall report the votes under the designation "others."~~

20 **SUMMARY**

21 The bill requires the Secretary of State to include in the tabulation and printing of  
22 election results the votes for any declared or undeclared write-in candidates.