MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 403

H.P. 294

House of Representatives, February 7, 2017

An Act Regarding Referendum Recounts

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

R(t B. Hunt

ROBERT B. HUNT
Clerk

Presented by Representative POULIOT of Augusta.
Cosponsored by Senator CHIPMAN of Cumberland, Senator DESCHAMBAULT of York and Representatives: HARRINGTON of Sanford, HOGAN of Old Orchard Beach, MARTIN of Sinclair, PICKETT of Dixfield, TIMBERLAKE of Turner, Senator: DAVIS of Piscataquis.

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

2 **Sec. 1. 21-A MRSA §738, 2nd ¶,** as amended by PL 1993, c. 473, §32 and
3 affected by §46, is further amended to read:

4 ~~On~~ If a referendum question prevails by a percentage difference between the yes and
5 no votes of 0.25% or less, as shown by the official tabulation of the referendum votes, the
6 Secretary of State shall conduct a recount paid for by the State. If the percentage
7 difference between the yes and no votes is greater than 0.25%, on a petition signed by
8 100 or more affected voters, a recount may be held ~~on any referendum question~~ by
9 applying to the Secretary of State within the deadline provided in section 737-A. ~~A~~
10 ~~deposit is required if the percentage difference between the yes and no votes falls within~~
11 ~~the requirements of section 737-A, subsection 1~~ The party requesting a recount of a
12 referendum in which the percentage difference shown by the official tabulation is greater
13 than 0.25% must pay for the recount. Appeal of challenged or disputed ballots is to the
14 Supreme Judicial Court.

15   **SUMMARY**

16   This bill requires the Secretary of State to conduct a recount paid for by the State for
17 a referendum if the percentage difference between the yes and no votes as shown by the
18 official tabulation of the referendum votes is 0.25% or less. It allows a group of voters to
19 request a recount for a referendum in which the percentage difference between the yes
20 and no votes as shown in the official tabulation of the referendum votes is greater than
21 0.25%. The party requesting a recount for a referendum in which the percentage
22 difference between the yes and no votes as shown by the official tabulation is greater than
23 0.25% must pay for the recount.