

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 638

H.P. 469

House of Representatives, March 3, 2021

An Act To Ensure the Timely and Transparent Delivery of Unofficial Election Results in Maine

Received by the Clerk of the House on March 1, 2021. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative TUELL of East Machias.

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

2 **Sec. 1. 21-A MRSA §700**, as amended by PL 2019, c. 320, §6, is repealed and the
3 following enacted in its place:

4 **§700. Posting of unofficial election results**

5 **1. Definition.** For the purposes of this section, unless the context otherwise indicates,
6 "unofficial election results" means the number of votes cast in a ward or precinct as
7 declared by the warden pursuant to section 695, subsection 3 in an election other than an
8 election determined by ranked-choice voting with respect to each state or municipal
9 question that appeared on a ballot in that ward or precinct and for each candidate, including
10 each declared write-in candidate pursuant to section 722-A, for a federal, state, county or
11 municipal office that appeared on the ballot in that ward or precinct. For an election
12 determined by ranked-choice voting, "unofficial election results" means the results of the
13 first choice votes cast for each candidate, including each declared write-in candidate
14 pursuant to section 722-A.

15 **2. Posting of unofficial election results.** As soon as practicable after declaring the
16 results pursuant to section 695, subsection 3, the warden shall:

17 A. Post a paper copy of the unofficial election results at the voting place or at the
18 municipal office in a secure place where the public may view that copy of the unofficial
19 election results even when the voting place or municipal office is closed; and

20 B. Electronically transmit the unofficial election results to the Secretary of State in a
21 format approved by the Secretary of State.

22 **3. Secretary of State duties.** The Secretary of State shall:

23 A. Immediately post unofficial election results received pursuant to subsection 2,
24 paragraph B on the Secretary of State's publicly accessible website;

25 B. Upon receipt of an attested copy of an election return pursuant to section 711,
26 subsection 3, correct any errors in the unofficial election results posted on the Secretary
27 of State's publicly accessible website pursuant to paragraph A; and

28 C. Develop and implement a statewide public awareness program about the
29 availability of unofficial election results under this section.

30 **4. Acceptance of funds.** The Secretary of State may accept gifts, donations and grants
31 from any private or public source, in addition to money appropriated or allocated by the
32 State, for the purposes of implementing this section.

33 **SUMMARY**

34 This bill requires, as soon as practicable after the election results are tabulated, the
35 posting of unofficial election results for each municipality outside either the municipal
36 office or each voting place in the municipality as well as on the Secretary of State's publicly
37 accessible website.