



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 277

H.P. 225

House of Representatives, February 1, 2011

An Act To Make Disputed Ballots in State Elections Public

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

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative FOSSEL of Alna.
Cosponsored by Senator RECTOR of Knox and
Representatives: DAVIS of Sangerville, DOW of Waldoboro, McKANE of Newcastle,
Senator: TRAHAN of Lincoln.

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

2 **Sec. 1. 21-A MRSA §739**, as amended by PL 1993, c. 473, §33 and affected by
3 §46, is further amended to read:

4 **§739. Ballots and incoming voting lists available for inspection**

5 On request, a municipal clerk or the Secretary of State, or both, shall produce any
6 ballots or incoming voting lists in their custody before the Governor, either branch of the
7 Legislature, any legislative committee or a court of competent jurisdiction. If there is a
8 disputed ballot arising from a recount conducted pursuant to section 737-A, the Secretary
9 of State shall make that ballot available for inspection by the public after ensuring that the
10 ballot cannot be tampered with. An absentee ballot that is made available for public
11 inspection pursuant to this section must be made available in a manner that preserves the
12 voter's anonymity.

13 After the time for completion of recounts following any election has elapsed, and on
14 request of any person, the clerk of any municipality or the Secretary of State, or both,
15 shall produce any incoming voting lists in ~~his~~ the clerk's or Secretary of State's custody.

16 **SUMMARY**

17 This bill requires the Secretary of State to make available for public inspection a
18 disputed ballot arising from an election recount and specifies that the manner of making
19 an absentee ballot available for public inspection must preserve the voter's anonymity.