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THE MAINE SENATE
132nd Legislature

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***Testimony of Senate Majority Leader Teresa S. Pierce introducing
LD 1289, An Act to Amend the Election Recount Process
Before the Joint Standing Committee on Veterans and Legal Affairs
April 7, 2025***

Chair Hickman, Chair Supica, and esteemed members of the Joint Standing Committee on Veterans and Legal Affairs, my name is Teresa S. Pierce. I serve as the Senate Majority Leader, representing Senate District 25, which includes Falmouth, Cumberland, North Yarmouth, Yarmouth (majority), Gray, and Long Island. Thank you for the opportunity to introduce LD 1289, An Act to Amend the Election Recount Process.

Working with Secretary of State Shenna Bellows and the remarkable team at the Elections Division, I present this bill in an effort to support the Division by adjusting the threshold for taxpayer-funded recounts and liability for those costs, after costly and consuming recounts were requested following the 2024 elections. Secretary Bellows and her team, in accordance with state law, worked well into December on these recounts. The recounts are costly to taxpayers as they require secure space for the recount and unbudgeted payroll expenses in order to staff the recount. The bill before you seeks to amend the recount laws to provide greater clarity for candidates and ease the burden on taxpayers when a recount, within the qualifying margins, is requested.

Current Maine law doesn't require recounts but grants apparent losing candidates the ability to request one. Candidates do not have to pay a deposit on the recount if the statewide or multicounty race is 1% or less of the election night margin of victory, or 1,000 votes, whichever is less, or 1.5% for a legislative or single county office. As drafted, this bill would reduce by half the amount of votes in an election used to determine if a recount deposit is required. It would also clarify that the candidate requesting the recount is required to pay the payroll costs of the state workers necessary to conduct the recount, in the actual cost of the recount.

Secretary Bellows will present a small technical amendment to clarify that in legislative and single county recounts, the actual cost of the recount will only be required to be paid when a deposit is required for the recount. I support that amendment.

Finally, this bill requires a refund be provided to the requesting candidate if the deposit paid is greater than the actual cost of the recount and requires the requesting candidate to pay the difference if the actual cost of the recount is more than the deposit paid.

Secretary Bellows and her team are here to speak to this bill in greater depth and provide additional information as the subject matter experts. Thank you for the opportunity to present this bill, I'm happy to answer questions you may have.