

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out all of sections 7, 8, 9 and 10 and inserting the following:

Sec. 7. 21-A MRSA §737-A, first ¶, as amended by PL 1999, c. 426, §27, is further amended to read:

For the purposes of this section, a candidate may also be a write-in candidate who has met the qualifications of section 722-A. ~~If, after an initial tally of the ballots, the margin between the number of votes cast for the leading candidate and the number of votes cast for the 2nd-place candidate is less than 1% of the total number of votes cast in that race, a recount is presumed necessary.~~

Sec. 8. 21-A MRSA §737-A, 2nd ¶, as enacted by PL 1993, c. 473, §31 and affected by §46, is amended to read:

~~Once a recount is triggered by this presumption, or a recount is requested, the Secretary of State shall notify the State Police, who shall take physical control of all ballots and related materials involved in the recount as soon as possible.~~

Sec. 9. 21-A MRSA §737-A, 4th ¶, as amended by PL 1999, c. 426, §28, is further amended to read:

~~A losing candidate in any election who is the apparent loser and who desires a recount must file with the Secretary of State a written request for a recount within 5 business days after the election. The recount is held under the supervision of the Secretary of State, who shall allow the candidate's representatives or counsel to recount the ballots. The candidate may not act as a counter of ballots.'~~

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment strikes from the bill the provisions that would make a recount automatic for races with a margin of less than 1% of the total votes cast in a race. In order for a recount to occur under this amendment it must be requested by the apparent losing candidate.

FISCAL NOTE REQUIRED
(See attached)