**DIVISION OF ELECTIONS PROPOSED RULES**

AGENCY: **29-250** - Department of the Secretary of State (SOS), **Bureau of Corporations, Elections and Commissions – Division of Elections**

CHAPTER NUMBERS AND TITLES:

**Ch. 502**, Rules Governing the Conduct and Procedures for Election Recounts in Election Contests Determined by Plurality

**Ch. 535**, Rules Governing the Administration of Elections Determined by Ranked-Choice Voting

**Ch. 536**, Rules Establishing the Procedures for Requesting and Conducting Recounts of Elections Determined by Ranked-Choice Voting

PROPOSED RULE NUMBERS: **2018-P186, P187, P188**

BRIEF SUMMARY:

**Ch. 502**: This rule sets forth the procedures for the conduct of recounts of state elections by the Secretary of State, including the collection, security and handling of ballots, scheduling the recounts, personnel, instructions, supervision, disputed ballots and final sign-off at the conclusion of the recount, in an election contest determined by plurality. The rule establishes procedures for conducting a recount in stages when a recount is requested for a statewide referendum or statewide or multicounty office.

**Ch. 535**: This rule sets forth the procedures for the administration of elections determined by ranked-choice voting, including the collection, security and handling of ballots and memory devices between the municipal offices and the central counting facility; aggregating and counting the cast vote records; administering the rounds of ranked-choice counting until only two candidates remain, and the candidate with the most votes in the final round is declared the winner; and reporting the results.

**Ch. 536**: This rule sets forth the procedures for requesting and conducting recounts of elections that are determined by the process of ranked-choice voting, including the collection, security and handling of ballots, scheduling and staging the recounts, personnel, instructions, supervision, sorting and counting of first-choice votes and subsequent rankings, handling of disputed and challenged ballots, and final sign-off at the conclusion of the recount.

PUBLIC HEARING: September 17, 2018 - 1 p.m., Room 400 - Burton Cross Building, 111 Sewall Street, Augusta

COMMENT DEADLINE: September 27, 2018

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FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: N/A

STATUTORY AUTHORITY FOR THESE RULES:

**Ch. 502**: 21-A MRS §§ 737-A sub-§12, and 738

**Ch. 535**: 21-A MRS §723-A sub-§5-A

**Ch. 536**: 21-A MRS §723-A sub-§5-A

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED: Ch. 535 & 536: PL 2017 c. 316 and I.B. 2015 c. 3 (Ranked-choice Voting)

ELECTIONS WEBSITE: www.maine.gov/sos/cec/elec/upcoming .

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