



# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 1127

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H.P. 778

House of Representatives, March 26, 2015

**An Act Regarding the Authority of the Secretary of State and the  
Attorney General To Conduct Investigations of Vote Recounts**

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

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

ROBERT B. HUNT  
Clerk

Presented by Representative COOPER of Yarmouth.  
Cosponsored by Senator BREEN of Cumberland and  
Senator: MIRAMANT of Knox.

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

2 **Sec. 1. 21-A MRSA §737-A, sub-§13** is enacted to read:

3 **13. Investigatory authority.** The Secretary of State and the Attorney General may  
4 conduct investigations during a recount on matters related to the recount. These  
5 investigations may include interviews and depositions of witnesses and other  
6 investigatory methods determined appropriate by the Secretary of State and the Attorney  
7 General. Notwithstanding any other provision of law, the Secretary of State or the  
8 Attorney General may initiate a 2nd recount of ballots of any relevant voting district  
9 during the recount process if there are inconsistencies compared to the original ballot  
10 count or other credible reasons to believe the original count or first recount is not  
11 accurate. A decision to seat provisionally or otherwise a candidate whose election is the  
12 subject of the recount does not terminate the investigatory authority of the Secretary of  
13 State and the Attorney General provided in this subsection.

14 **SUMMARY**

15 This bill provides the Secretary of State and the Attorney General authority to  
16 conduct investigations during a recount on matters related to the recount. These  
17 investigations may include interviews and depositions of witnesses and other  
18 investigatory methods determined appropriate by the Secretary of State and the Attorney  
19 General. It allows the Secretary of State or the Attorney General to initiate a 2nd recount  
20 of ballots of any relevant voting district during the recount process if there are  
21 inconsistencies compared to the original ballot count or other credible reasons to believe  
22 the original count or first recount is not accurate. A decision to seat provisionally or  
23 otherwise a candidate whose election is the subject of the recount does not terminate the  
24 investigatory authority of the Secretary of State and the Attorney General.