

# MAINE STATE LEGISLATURE

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# 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, reading "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.