



132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 455

S.P. 188

In Senate, February 11, 2025

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require a Statewide Popular Election of the Secretary of State, the Treasurer of State and the Attorney General for 4-year Terms

Received by the Secretary of the Senate on February 5, 2025. Referred to the Committee on State and Local Government pursuant to Joint Rule 308.2 and ordered printed.

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DAREK M. GRANT Secretary of the Senate

Presented by Senator BENNETT of Oxford. Cosponsored by Senator FARRIN of Somerset and Senators: BRADSTREET of Kennebec, HICKMAN of Kennebec, TIMBERLAKE of Androscoggin, Representative: SUPICA of Bangor. 1 **Constitutional amendment. Resolved:** Two thirds of each branch of the 2 Legislature concurring, that the following amendment to the Constitution of Maine be 3 proposed:

4 **Constitution, Art. V, Pt. Second, §1** is amended to read:

Section 1. Election. The Secretary of State shall be chosen biennially at the first
 session of the Legislature, by joint ballot of the Senators and Representatives in convention,
 except that beginning in 2032 and every 4 years thereafter the Secretary of State must be
 chosen by popular election on the same date and in the same manner as provided by this
 Constitution for the election of Senators and Representatives.

10 **Constitution, Art. V, Pt. Second, §1-A** is amended to read:

Section 1-A. Succession to the office of Secretary of State. If a vacancy occurs in the office of the Secretary of State, the first deputy secretary of state shall act as the Secretary of State until a Secretary of State is elected by the Legislature during the current session if in session, or at the next regular or special session, except that beginning in 2032 if a vacancy occurs in the office of the Secretary of State, the first deputy secretary of state shall act as the Secretary of State until a Secretary of State is elected by popular election as provided in section 1.

18 **Constitution, Art. V, Pt. Third, §1** is amended to read:

Section 1. Election. The Treasurer shall be chosen biennially, at the first session of the Legislature, by joint ballot of the Senators, and Representatives in convention, except that beginning in 2032 and every 4 years thereafter the Treasurer must be chosen by popular election on the same date and in the same manner as provided by this Constitution for the election of Senators and Representatives.

24 **Constitution, Art. V, Pt. Third, §1-A** is amended to read:

Section 1-A. Succession to the office of Treasurer. If a vacancy occurs in the office of Treasurer of State, the deputy treasurer of state shall act as the Treasurer of State until a Treasurer of State is elected by the Legislature during the current session if in session, or at the next regular or special session, except that beginning in 2032 if a vacancy occurs in the office of Treasurer of State, the deputy treasurer of state shall act as the Treasurer of State at the Treasurer of State is elected by popular election as provided in section 1.

32 **Constitution**, **Art. IX**, §11 is amended to read:

33 Section 11. Attorney General. The Except as otherwise provided in this section, the Attorney General shall be chosen biennially by joint ballot of the Senators and 34 Representatives in convention. Vacancy and vacancy in said office occurring when the 35 36 Legislature is not in session, may be filled by appointment by the Governor, subject to confirmation as required by this Constitution for Justices of the Supreme Judicial Court. 37 38 Beginning in 2032 and every 4 years thereafter, the Attorney General must be chosen by 39 popular election on the same date and in the same manner as provided by this Constitution 40 for the election of Senators and Representatives and vacancy in said office may be filled 41 by appointment by the Governor, subject to confirmation as required by this Constitution 42 for Justices of the Supreme Judicial Court.

1 **Constitutional referendum procedure; form of question; effective date.** 2 **Resolved:** That the municipal officers of this State shall notify the inhabitants of their 3 respective cities, towns and plantations to meet, in the manner prescribed by law for holding 4 a statewide election, at a statewide election held in the month of November following the 5 passage of this resolution, to vote upon the ratification of the amendment proposed in this 6 resolution by voting upon the following question:

7 "Do you favor amending the Constitution of Maine to provide that
8 beginning in 2032 the Secretary of State, the Treasurer of State and the
9 Attorney General be elected by the people every 4 years on the same date
10 and in the same manner as members of the Senate and House of
11 Representatives?"

12 The legal voters of each city, town and plantation shall vote by ballot on this question 13 and designate their choice by a cross or check mark placed within the corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared 14 15 in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the 16 returns. If it appears that a majority of the legal votes are cast in favor of the amendment, 17 the Governor shall proclaim that fact without delay and the amendment becomes part of 18 the Constitution of Maine on the date of the proclamation. 19

Secretary of State shall prepare ballots. Resolved: That the Secretary of State
 shall prepare and furnish to each city, town and plantation all ballots, returns and copies of
 this resolution necessary to carry out the purposes of this referendum.

- 23 SUMMARY
- This resolution proposes a constitutional amendment that provides for the popular election beginning in 2032 and every 4 years thereafter of the Secretary of State, the Treasurer of State and the Attorney General on the same date and in the manner currently provided for the election of members of the Senate and House of Representatives.