

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 968

S. P. 333

In Senate, March 6, 1979

On Motion of Senator Pierce of Kennebec, referred to the Committee on Election Laws. Sent down for concurrence and ordered printed.

Presented by Senator Silverman of Washington.

MAY M. ROSS, Secretary of the Senate.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Prohibit any Constitutional Officer from Running for a Statewide or Federal Office during his Term.

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

5 MRSA § 18 is enacted to read:

§ 18. Constitutional officers not to run for certain offices during term

1. Definitions. As used in this chapter unless the context otherwise indicates, the following terms shall have the following meanings.

A. "State office" means the office of Governor, State Senator, Representative to the State Legislature and Presidential Elector.

2. Condition. No person shall administer the oath of office as Attorney General, Secretary of State or Treasurer of State unless he agrees, in a signed writing beforehand with the Secretary of State, not to seek or accept nomination for or be a candidate for any state office from the time he is administered the oath of office until the first day of convening of the next first regular session of the Legislature.

3. Prohibition. Neither the Secretary of State nor any employee of his department shall accept any primary petition or nomination petition for state office from, or on behalf of, any Attorney General, Secretary of State or

Treasurer of State during the time he has agreed in writing not to seek nomination for or be a candidate for that office; nor shall the Secretary of State or any employee of this department permit the name of any Attorney General, Secretary of State or Treasurer of State to appear on any primary election ballot or general election ballot as a candidate for any state office during that time.

STATEMENT OF FACT

This bill prohibits a constitutional officer from running for statewide or federal office during his term. The constitutional officers are the Attorney General, Secretary of State and Treasurer of State.

It is imperative that constitutional officers be viewed as ends in themselves, not as stepping stones to other offices. The functions of constitutional officers are too important and too time-consuming for them to devote any less than their full efforts to their offices.