

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1518

H.P. 1045

House of Representatives, April 16, 1991

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative BENNETT of Norway.

Cosponsored by Representative LOOK of Jonesboro and Representative HANLEY of Paris.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**RESOLUTION, Proposing an Amendment to the Constitution of Maine
to Provide for the Direct Popular Election of Constitutional Officers.**

2 Constitutional amendment. **RESOLVED:** Two thirds of each
branch of the Legislature concurring, that the following
amendment to the Constitution of Maine be proposed:

4
6 Constitution, Art. V, Pt. 2nd, §1 is repealed and the following
enacted in its place:

8 Section 1. Election. The Secretary of State must be chosen
9 biennially by popular election on the same date and in the same
10 manner as provided by this Constitution for the election of
11 Senators and Representatives. Vacancy in that office must be
12 filled by appointment by the Governor, subject to confirmation as
13 required by this Constitution for Justices of the Supreme
14 Judicial Court.

16 Constitution, Art. V, Pt. 3rd, §1 is repealed and the following
enacted in its place:

18 Section 1. Election. The Treasurer must be chosen
19 biennially by popular election on the same date and in the same
20 manner as provided by this Constitution for the election of
21 Senators and Representatives. Vacancy in that office must be
22 filled by appointment by the Governor, subject to confirmation as
23 required by this Constitution for Justices of the Supreme
24 Judicial Court.

26
28 Constitution, Art. IX, §11 is amended to read:

30 Section 11. Attorney General. The Attorney General shall
31 must be chosen biennially by joint-ballot popular election on the
32 same date and in the same manner as provided by this Constitution
33 for the election of the Senators and Representatives in
34 convention. Vacancy in said that office occurring--when--the
35 Legislature-is-not-in-session,--may must be filled by appointment
36 by the Governor, subject to confirmation as required by this
37 Constitution for Justices of the Supreme Judicial Court.

38 ; and be it further

40 **Constitutional referendum procedure; form of question; effective**
41 **date. Resolved:** That the municipal officers of this State shall
42 notify the inhabitants of their respective cities, towns and
43 plantations to meet, in the manner prescribed by law for holding
44 a statewide election, at a statewide election, on the Tuesday
45 following the first Monday of November following the passage of
46 this resolution, to vote upon the ratification of the amendment
proposed in this resolution by voting upon the following question:

2 "Shall the Constitution of Maine be amended to provide that
4 the Attorney General, the Secretary of State and the
6 Treasurer of State be elected by the people biennially in
the same manner as members of the Senate and the House of
Representatives?"

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

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

26 **STATEMENT OF FACT**

28 This resolution provides for direct popular election of the
30 State's constitutional officers in the manner currently provided
for Senators and Representatives.
32