MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 743

H.P. 547

House of Representatives, March 2, 1993

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Change the Election Procedures for Constitutional Officers.

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

JOSEPH W. MAYO, Clerk

Presented by Representative LIBBY of Buxton.

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

Constitution, Art. V, Part Second, §1 is amended to read:

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Section 1. Election. The Secretary of State shall be chosen biennially at the first session of the Legislature, by jeint-ballot-of-the-Senators-and-Representatives-in-convention a majority vote of a bipartisan committee of the Legislature composed of the following: Three Senators selected by the President of the Senate; 3 Senators selected by the Senate minority leader; 5 Representatives selected by the Speaker of the House of Representatives; and 5 Representatives selected by the House of Representatives minority leader.

; and be it further

Constitution, Art. V, Part 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 a majority vote of a bipartisan committee of the Legislature composed of the following: Three Senators selected by the President of the Senate; 3 Senators selected by the Senate minority leader; 5 Representatives selected by the Speaker of the House of Representatives; and 5 Representatives selected by the House of Representatives minority leader.

; and be it further

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

Section 11. Attorney General. The Attorney General shall be chosen biennially by—jeint—ballot—of—the—Senators—and Representatives—in—convention at the first session of the Legislature by a majority vote of a bipartisan committee of the Legislature composed of the following: Three Senators selected by the President of the Senate; 3 Senators selected by the Senate minority leader; 5 Representatives selected by the Speaker of the House of Representatives; and 5 Representatives selected by the House of Representatives minority leader. Vacancy in said office occurring when the 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.

; and be it further

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

"Do you favor amending the Constitution of Maine to provide that the Secretary of State, the Treasurer of State and the Attorney General shall be chosen biennially by a majority of a bipartisan committee of the Legislature composed of the following: Three Senators selected by the President of the Senate; 3 Senators selected by the Senate minority leader; 5 Representatives selected by the Speaker of the House of Representatives; and 5 Representatives selected by the House of Representatives minority leader?"

The legal voters of each city, town and plantation shall vote by ballot on this question 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 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 returns and, if it appears that a majority of the legal votes are cast in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment becomes part of the Constitution on the date of the proclamation; and be it further

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 purpose of this referendum.

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STATEMENT OF FACT

This resolution proposes to amend the Constitution of Maine so that the constitutional officers, currently elected biennially by a joint ballot of both Houses of the Legislature, would in the future be elected by a majority of a bipartisan committee of 6 Senators and 10 Representatives selected by leadership.