



116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 1032

H.P. 765

House of Representatives, March 25, 1993

RESOLUTION, Proposing an Amendment to the Constitution of Maine Providing for the Free Election of the Secretary of State and the Attorney General.

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

OSEPH W. MAYO, Clerk

Presented by Representative ZIRNKILTON of Mount Desert. Cosponsored by Representative: AIKMAN of Poland. **Constitutional amendment. RESOLVED:** Two thirds of each branch of the Legislature concurring, that the following amendment to the Constitution of Maine be proposed:

Constitution, Art. V, Part Second, §1 is repealed and the following enacted in its place:

 8 Section 1. Election. Beginning in 1994, the Secretary of State must be chosen for a 4-year term by popular election held
 10 on the Tuesday following the first Monday of November in the same manner as provided by this Constitution for the election of the
 12 Governor. Vacancy in that office must be filled by appointment by the Governor, subject to confirmation as required by this
 14 Constitution for Justices of the Supreme Judicial Court.

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

18 Section 11. Attorney General. The Beginning in 1996, the Attorney General shall must be chosen biennially for a 4-year 20 term by jeint--ballet popular election held on the Tuesday following the first Monday of November in the same manner as 22 provided by this Constitution for the election of the Senaters and-Representatives-in-convention Governor. Vacancy in said that 24 office eccurring-when-the-Legislature-is not -in -session, -may must be filled by appointment by the Governor, subject to confirmation as required by this Constitution for Justices of the Supreme 26 Judicial Court.

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; 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:

40 "Do you favor amending the Constitution of Maine to provide that the Attorney General and the Secretary of State be
42 elected by the people in the same manner as the Governor?"

44 The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a 46 cross or check mark placed within the corresponding square below the word "Yes" or "No." The ballots must be received, sorted, 48 counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as

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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 purposes of this referendum.

STATEMENT OF FACT

16 This resolution provides for direct popular election of the Secretary of State and the Attorney General to 4-year terms in 18 the manner currently provided for the election of the Governor. The terms are staggered so that the Secretary of State will first 20 be elected in 1994 and the Attorney General will first be elected in 1996.

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