

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 1291

H.P. 960

House of Representatives, April 19, 1993

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

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

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative BENNETT of Norway.
Cosponsored by Senator BERUBE of Androscoggin and
Representatives: AHEARNE of Madawaska, AIKMAN of Poland, DONNELLY of Presque Isle,
DUTREMBLE of Biddeford, FARNUM of South Berwick, GRAY of Sedgwick, HILLOCK of
Gorham, JOY of Island Falls, KUTASI of Bridgton, LOOK of Jonesboro, OTT of York,
PENDEXTER of Scarborough, QUINT of Paris, SIMONEAU of Thomaston, TAYLOR of
Cumberland, WHITCOMB of Waldo, Senators: HALL of Piscataquis, HANLEY of Oxford.

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. IX, §11** is amended to read:

8 **Section 11. Attorney General.** The Attorney General shall
be ~~chosen--biennially--by--joint--ballot--of--the--Senators--and~~
Representatives ~~in--convention,~~ elected by the qualified electors,
10 and shall hold the office for 4 years from the first Wednesday
12 after the first Tuesday of January next following the election
14 and until the successor to the Attorney General has been duly
elected and qualified, in the same manner as provided by this
16 Constitution for the election of the Governor. Vacancy in said
18 that office occurring 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 Judicial Court.

; and be it further

20
22 **Constitutional referendum procedure; form of question; effective**
date. **Resolved:** That the municipal officers of this State shall
24 notify the inhabitants of their respective cities, towns and
plantations to meet, in the manner prescribed by law for holding
26 a statewide election, at a statewide election, on the Tuesday
following the first Monday of November following the passage of
28 this resolution, to vote upon the ratification of the amendment
proposed in this resolution by voting upon the following question:

30 "Do you favor amending the Constitution of Maine to provide
32 that the Attorney General be elected by the people in the
same manner as the Governor and shall, likewise, hold the
office for 4 years?"

34
36 The legal voters of each city, town and plantation shall
vote by ballot on this question and designate their choice by a
38 cross or check mark placed within the corresponding square below
the word "Yes" or "No." The ballots must be received, sorted,
40 counted and declared in open ward, town and plantation meetings
and returns made to the Secretary of State in the same manner as
42 votes for members of the Legislature. The Governor shall review
the returns and, if it appears that a majority of the legal votes
44 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

46
48 **Secretary of State shall prepare ballots. Resolved:** That the
Secretary of State shall prepare and furnish to each city, town
50 and plantation all ballots, returns and copies of this resolution
necessary to carry out the purpose of this referendum.

STATEMENT OF FACT

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This resolution provides for direct popular election of the State's Attorney General in the same manner as currently provided for the Governor.