

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1994

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Legislative Document

No. 1893

S.P. 695

In Senate, February 18, 1994

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**RESOLUTION, Proposing an Amendment to the Constitution of Maine  
Providing for the Direct Election of the Treasurer of State.**

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

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator CAHILL of Sagadahoc. (GOVERNOR'S BILL).  
Cosponsored by Senators: AMERO of Cumberland, BEGLEY of Lincoln, CARPENTER of York, GOULD of Waldo, HALL of Piscataquis, HANLEY of Oxford, SUMMERS of Cumberland, WEBSTER of Franklin, Representatives: BENNETT of Norway, FOSS of Yarmouth, LIBBY of Buxton, LOOK of Jonesboro, ROBICHAUD of Caribou, TAYLOR of Cumberland, WHITCOMB of Waldo, ZIRNKILTON of Mount Desert.

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

6           **Constitution, Art. V, Part Third, §§1 and 1-A** are amended to read:

8           **Section 1. Election.** The Until the 1998 general election,  
the Treasurer shall be chosen biennially, at the first session of  
the Legislature, by joint ballot of the Senators, and  
10 Representatives in convention.

12           **Section 1-A. Succession to the office of Treasurer.** If  
Until the 1998 general election, if a vacancy occurs in the  
14 office of Treasurer of State, the deputy treasurer of state shall  
act as the Treasurer of State until a Treasurer of State is  
16 elected by the Legislature during the current session if in  
session, or at the next regular or special session.

18           **Constitution, Art. V, Part Third, §§1-B and 1-C** are enacted to  
20 read:

22           **Section 1-B. Election.** Beginning with the 1998 general  
election, the Treasurer of State is elected, in the same manner  
24 as provided by this Constitution for the election of the  
Governor, by the qualified electors, and holds the office for 4  
26 years from the first Wednesday after the first Tuesday of January  
next following the election and until the successor to the  
28 Treasurer has been duly elected and qualified.

30           **Section 1-C. Vacancy; succession to the office of**  
**Treasurer.** Beginning with the 1998 general election, if a  
32 vacancy occurs in the office of Treasurer of State, the deputy  
treasurer of state shall act as the Treasurer of State until a  
34 Treasurer of State is elected at the next statewide election. A  
Treasurer of State elected under this section to fill a vacancy  
36 serves until the next general election at which a Governor is  
elected.

38  
40 ; and be it further

42  
44           **Constitutional referendum procedure; form of question; effective**  
**date. Resolved:** That the municipal officers of this State shall  
46 notify the inhabitants of their respective cities, towns and  
plantations to meet, in the manner prescribed by law for holding  
48 a general election, at the next general election in the month of  
November following passage of this resolution, to vote upon the  
50 ratification of the amendment proposed in this resolution by  
voting upon the following question:

2 "Do you favor amending the Constitution of Maine to provide  
4 that the Treasurer of State be elected by the people in the  
same manner as the Governor and hold the office for 4 years?"

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

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

24 **STATEMENT OF FACT**

26 This resolution provides for direct popular election of the  
28 Treasurer of State in the same manner as currently provided for  
the Governor.