



116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

Legislative Document

No. 1912

H.P. 1403

House of Representatives, February 18, 1994

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require That the Attorney General Be Appointed by the Governor.

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

JOSEPH W. MAYO, Clerk

Presented by Representative OTT of York. (GOVERNOR'S BILL) Cosponsored by Representatives: FOSS of Yarmouth, LIBBY of Buxton, LOOK of Jonesboro, ROBICHAUD of Caribou, TAYLOR of Cumberland, ZIRNKILTON of Mount Desert, Senators: AMERO of Cumberland, BEGLEY of Lincoln, CARPENTER of York, GOULD of Waldo, HALL of Piscataquis, HANLEY of Oxford, WEBSTER of Franklin. **Constitutional amendment. RESOLVED:** Two thirds of each branch of the Legislature concurring, that the following amendment to the Constitution of Maine be proposed:

Sec. 1. Constitution, Art. IX, §11 is amended to read:

Section 11. Attorney General. The Until December 1, 1998, the Attorney General shall be chosen biennially by joint ballot of the Senators and Representatives in convention. 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.

Sec. 2. Constitution, Art. IX, §11-A is enacted to read:

Section 11-A. Attorney General. Beginning December 1, 1998, the Attorney General is appointed by the Governor, subject to confirmation by the Senate.

; and be it further

24 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 general election, at the next general election in the month of November following passage of this resolution, to vote upon the ratification of the amendment proposed in this resolution by voting upon the following question:

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"Do you favor amending the Constitution of Maine as proposed by a resolution of the Legislature to provide for the appointment by the Governor of the Attorney General?"

The legal voters of each city, town and plantation shall 38 vote by ballot on this question and designate their choice by a cross or check mark placed within the corresponding square below 40 the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings 42 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 44 are cast in favor of the amendment, the Governor shall proclaim 46 that fact without delay and the amendment becomes part of the Constitution on the date of the proclamation; and be it further

50 Secretary of State shall prepare ballots. Resolved: That the 51 Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this resolution 52 necessary to carry out the purpose of this referendum.

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STATEMENT OF FACT

This resolution amends the Constitution of Maine to provide 6 for the appointment by the Governor of the Attorney General.