

MAINE STATE LEGISLATURE

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RES

L.D. 1936

DATE: 3/17/94

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M I N O R I T Y
STATE & LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1422, L.D. 1936,
"RESOLUTION, Proposing An Amendment to the Constitution of Maine to Provide for the Election of a Lieutenant Governor and to Provide for Succession to the Office of Governor"

Amend the resolution by striking out all of section 3 and inserting in its place the following:

'Section 3. Election; votes to be returned to Secretary of State; Secretary of State to lay lists before the Senate and House of Representatives; provision in case of tie. The meetings for election of Governor and Lieutenant Governor must be notified, held and regulated and votes received, sorted, counted, declared and recorded, in the same manner as those for Senators and Representatives, except that the names of the candidates for the offices of Governor and Lieutenant Governor must be grouped on the official ballot and the voter may cast a single ballot for any group, which counts as a vote for each candidate in that group, but the voter may not cast a vote for only one of the candidates in the group. Copies of lists of votes must be sealed and returned to the office of the Secretary of State in the same manner and at the same time as those for Senators. The Secretary of State, on the first Wednesday after the first Tuesday of the month of January following the election, shall lay the lists returned to the office of the Secretary of State before the Senate and House of Representatives for examination, together with the ballots cast if they so elect, and they shall determine the number of votes duly cast for the offices of Governor and Lieutenant Governor. In the case of a choice by plurality of all of the votes returned, they shall declare and publish that fact. If there is a tie between the 2 groups of persons having the largest number of votes for Governor and Lieutenant Governor, the

COMMITTEE AMENDMENT

100

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2 Senate and the House of Representatives, meeting in joint
3 session, with each member having a single vote, shall elect one
4 group of candidates for Governor and Lieutenant Governor from
5 those persons receiving an equal number of votes. The persons
6 elected by the Senate and the House of Representatives are
7 declared the Governor and Lieutenant Governor.'

8 Further amend the resolution in section 14 by inserting
9 after the 2nd indented paragraph the following:

10
11 'Whenever the offices of Governor, Lieutenant Governor and
12 President of the Senate are vacant at the same time, the Speaker
13 of the House of Representatives shall assume the office of
14 Governor for the same term and under the same conditions as the
15 President of the Senate would assume that office.'

16
17 Further amend the resolution in section 16 in the last line
18 (page 2, line 42 in L.D.) by inserting after the following:
19 "elected," the following: 'must'

20
21 Further amend the resolution by inserting at the end before
22 the statement of fact the following:

23 **FISCAL NOTE**

24
25 The estimated cost of sending this constitutional amendment
26 out to referendum will vary according to the total number of
27 referenda enacted during the Second Regular Session of the 116th
28 Legislature. The estimated cost to the Secretary of State if one
29 to 6 referenda are enacted is \$95,000. Each additional
30 referendum costs an additional \$7,000.

31
32 If approved by the voters, the Executive Department will
33 require additional General Fund appropriations to support the
34 personal services and other costs associated with the
35 establishment of the office of the Lieutenant Governor. The
36 exact amount can not be determined at this time and will depend
37 on the salary level established.'

38
39
40
41 **STATEMENT OF FACT**

42
43 This amendment adds provisions omitted from the resolution
44 for filling a vacancy in the office of Governor when the offices
45 of Governor, Lieutenant Governor and President of the Senate are
46 vacant. The amendment also makes style and grammar changes and
47 adds a fiscal note to the resolution.
48