

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 79

S.P. 49

In Senate, January 17, 1995

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**RESOLUTION, Proposing an Amendment to the Constitution of Maine  
to Require the Popular Election of the Secretary 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 that reads "May M. Ross".

MAY M. ROSS  
Secretary of the Senate

Presented by Senator HANLEY of Oxford.

Cosponsored by Senators: AMERO of Cumberland, BENOIT of Franklin, CARPENTER of York, FERGUSON of Oxford, HALL of Piscataquis, PENDEXTER of Cumberland,

Representatives: BARTH of Bethel, BIRNEY of Paris, LEMKE of Westbrook, ROBICHAUD of Caribou, UNDERWOOD of Oxford, WATERHOUSE of Bridgton, WINSOR of Norway.

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. V, Part Second, §§1 and 1-A** are amended to  
read:

8

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

12

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

20

22           **Constitution, Art. V, Part Second, §§1-B and 1-C** are enacted to  
read:

24

26           **Section 1-B. Election.** Beginning with the 1998 general  
election, the Secretary of State must be chosen every 4 years by  
popular election on the same date and in the same manner as  
provided by this Constitution for the election of the Governor.

28

30           **Section 1-C. Succession to the office of Secretary of**  
**State.** Beginning with the 1998 general election, if a vacancy  
occurs in the office of the Secretary of State, the first deputy  
secretary of state shall act as Secretary of State until a  
Secretary of State is elected at the next statewide election. A  
Secretary of State elected under this section to fill a vacancy  
serves until the next general election at which a Governor is  
elected.

38

; and be it further

40

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

2 "Do you favor amending the Constitution of Maine to provide  
4 that the Secretary of State be elected by the people every 4  
years in the same manner as the Governor is elected?"

6 The legal voters of each city, town and plantation shall  
8 vote by ballot on this question and designate their choice by a  
10 cross or check mark placed within the corresponding square below  
12 the word "Yes" or "No." The ballots must be received, sorted,  
14 counted and declared in open ward, town and plantation meetings  
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  
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

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

22 **STATEMENT OF FACT**

24 This resolution provides for direct popular election and for  
26 filling a vacancy in the office of the Secretary of State in the  
manner currently provided for the office of Governor.