

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

R.O.S.

L.D. 148

DATE: 4/4/95

(Filing No. H- 69)

MAJORITY
STATE AND LOCAL GOVERNMENT

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 113, L.D. 148, "RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for the Direct Popular Election of Constitutional Officers"

Amend the resolution by striking out the title and substituting the following:

'RESOLUTION, Proposing and Amendment to the Constitution of Maine to Provide for the Direct Popular Election of the Treasurer of State'

Further amend the resolution by striking out everything after the title and before the statement of fact and inserting in its place the following:

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

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

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 Representatives in convention.

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

COMMITTEE AMENDMENT

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

4 Section 1-B. Direct popular election. Beginning with the
6 1998 general election, the Treasurer of State is elected, in the
8 same manner as provided by this Constitution for the election of
10 the Governor, by the qualified electors, and holds the office for
12 4 years from the first Wednesday after the first Tuesday of
January next following the election and until the successor to
the Treasurer of State has been duly elected and qualified. A
person who has served 2 consecutive popular elective terms of
office as Treasurer is ineligible to serve a 3rd consecutive term.

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

22 ; and be it further

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

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

38 The legal voters of each city, town and plantation shall
40 vote by ballot on this question, and shall designate their choice
42 by a cross or check mark placed within the corresponding square
44 below the word "Yes" or "No." The ballots must be received,
46 sorted, counted and declared in open ward, town and plantation
48 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

COMMITTEE AMENDMENT "A" to H.P. 113, L.D. 148

2
4
6
8
10
12
14
16
18
20
22
24
26

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

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

FISCAL NOTE

The estimated cost of sending this resolution out to referendum will vary according to the total number of referenda enacted during the First Regular Session of the 117th Legislature. The estimated cost to the Secretary of State if one to 6 referenda are enacted is \$95,000. Each additional referendum costs an additional \$7,000.'

STATEMENT OF FACT

This amendment replaces the original resolution and provides for the direct popular election of the Treasurer of State for a 4-year term with a limit of 2 consecutive terms. The amendment also adds the necessary fiscal note to the resolution.