MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 148

H.P. 113

House of Representatives, January 17, 1995

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for the Direct Popular Election of Constitutional Officers.

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

OSEPH W. MAYO, Clerk

Presented by Representative WHITCOMB of Waldo.

2	branch of the Legislature concurring, that the following
4	amendment to the Constitution of Maine be proposed:
4	Constitution, Art. V, Pt. 2nd, §1 is repealed and the following
6	enacted in its place:
U	enacted in its prace:
8	Section 1. Election. The Secretary of State must be chosen
	biennially by popular election on the same date and in the same
10	manner as provided by this Constitution for the election of
	Senators and Representatives. Vacancy in that office must be
12	filled by appointment by the Governor, subject to confirmation as
	required by this Constitution for Justices of the Supreme
14	Judicial Court.
16	Constitution Art V Dt 2rd 81 is usualled and the following
10	Constitution, Art. V, Pt. 3rd, §1 is repealed and the following enacted in its place:
18	enacted in its prace:
10	Section 1. Election. The Treasurer must be chosen
20	biennially by popular election on the same date and in the same
	manner as provided by this Constitution for the election of
22	Senators and Representatives. Vacancy in that office must be
	filled by appointment by the Governor, subject to confirmation as
24	required by this Constitution for Justices of the Supreme
	<u>Judicial Court.</u>
26	
	Constitution, Art. IX, §11 is amended to read:
28	Continu 11 Attorno Compani Mbo Attorno Compani shell
30	Section 11. Attorney General. The Attorney General shall must be chosen biennially by joint-ballet popular election on the
30	same date and in the same manner as provided by this Constitution
32	for the election of the Senators and Representatives in
_	eenventien. Vacancy in said that office eeeurringwhenthe
34	Legislature-is-not-in-session,-may must be filled by appointment
	by the Governor, subject to confirmation as required by this
36	Constitution for Justices of the Supreme Judicial Court.
38	; and be it further
40	Constitutional referendum procedure; form of question; effective
±0	date. Resolved: That the municipal officers of this State shall
42	notify the inhabitants of their respective cities, towns and
_ _	plantations to meet, in the manner prescribed by law for holding
44	a statewide election, at a statewide election, on the Tuesday
	following the first Monday of November following the passage of
46	this resolution, to vote upon the ratification of the amendment

Constitutional amendment. RESOLVED: Two thirds of each

proposed in this resolution by voting upon the following question:

"Do you favor amending the Constitution of Maine to provide that the Attorney General, the Secretary of State and the Treasurer of State be elected by the people biennially in the same manner as members of the Senate and the House of Representatives?"

The legal voters of each city, town and plantation shall vote by ballot on this question, and shall designate their choice by a cross or check mark placed within the corresponding square below the word "Yes" or "No." The ballots must be received, sorted, 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

2.2

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.

STATEMENT OF FACT

This resolution provides for direct popular election of the State's constitutional officers in the manner currently provided for Senators and Representatives.