

# MAINE STATE LEGISLATURE

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STATE AND LOCAL GOVERNMENT

Reported by: Minority

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STATE OF MAINE  
SENATE  
118TH LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT " " to S.P. 121, L.D. 400, "RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require That Constitutional Officers Be Appointed by the Governor"

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

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

Further amend the resolution by striking out everything after the title and before the summary 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:

Sec. 1. Constitution, Art. IX, §11 is repealed and the following enacted in its place:

Section 11. Attorney General. The Attorney General is appointed by the Governor, subject to confirmation by a 2/3 majority of the Legislature.

; and be it further

**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 statewide election, at a statewide election, on the Tuesday following the first Monday of November following the

**COMMITTEE AMENDMENT**

2 passage of this resolution, to vote upon the ratification of the  
3 amendment proposed in this resolution by voting upon the  
4 following question:

5 "Shall the Constitution of Maine be amended to provide for  
6 the appointment by the Governor of the Attorney General,  
7 subject to confirmation by the Legislature?"

8  
9 The legal voters of each city, town and plantation shall  
10 vote by ballot on this question, and shall designate their choice  
11 by a cross or check mark placed within the corresponding square  
12 below the word "Yes" or "No." The ballots must be received,  
13 sorted, counted and declared in open ward, town and plantation  
14 meetings and returns made to the Secretary of State in the same  
15 manner as votes for members of the Legislature. The Governor  
16 shall review the returns and, if it appears that a majority of  
17 the legal votes are cast in favor of the amendment, the Governor  
18 shall proclaim that fact without delay and the amendment becomes  
19 part of the Constitution on the date of the proclamation; and be  
20 it further

21  
22 **Secretary of State shall prepare ballots. Resolved:** That the  
23 Secretary of State shall prepare and furnish to each city, town  
24 and plantation all ballots, returns and copies of this resolution  
25 necessary to carry out the purpose of this referendum.'

26  
27 Further amend the bill by inserting at the end before the  
28 summary the following:

29  
30  
31 **FISCAL NOTE**

32  
33 The estimated cost of sending this resolution out to  
34 referendum will vary according to the total number of referenda  
35 enacted during the First Regular Session of the 118th Legislature  
36 to be submitted to the voters in November. The estimated cost to  
37 the Secretary of State if one to 6 referenda are enacted is  
38 \$95,000. Each additional referendum costs an additional \$7,000.'

39  
40  
41 **SUMMARY**

42  
43 This amendment removes language in the resolution proposing  
44 gubernatorial appointment of the Secretary of State and the  
45 Treasurer of State. It clarifies that confirmation requires a  
46 2/3 vote of the entire Legislature. It also adds a fiscal note  
47 to the resolution.  
48