MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine to Provide for the Direct Election of the Secretary of State**

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

JOY J. O'BRIEN
Secretary of the Senate

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

4

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

8 **Section 1. Election.** The Secretary of State ~~shall~~ must be
chosen ~~biennially at the first session of the Legislature, by~~
10 ~~joint ballot of the Senators and Representatives in convention~~
every 4 years by popular election on the same date and in the
12 same manner as provided by this Constitution for the election of
Governor.

14

Section 1-A. Succession to the office of Secretary of
16 **State.** If a vacancy occurs in the office of the Secretary of
State, the first deputy secretary of state shall act as the
18 Secretary of State ~~until a Secretary of State is elected by the~~
~~Legislature during the current session if in session, or at the~~
20 ~~next regular or special session~~ for the remainder of the term.
If the vacancy occurs more than 90 days before the primary
22 election for nominating candidates to be voted for at the next
biennial election, the vacancy must be filled by the first deputy
24 secretary of state until the first Wednesday after the first
Tuesday in January following the biennial election. At the
26 biennial election, a Secretary of State must be elected to fill
the unexpired term created by the vacancy.

28

; and be it further
30

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

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

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

2   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
4   are cast in favor of the amendment, the Governor shall proclaim
     that fact without delay and the amendment becomes part of the
6   Constitution on the date of the proclamation; and be it further

8   **Secretary of State shall prepare ballots. Resolved:** That the
     Secretary of State shall prepare and furnish to each city, town
10   and plantation all ballots, returns and copies of this resolution
     necessary to carry out the purpose of this referendum.
12

14   **SUMMARY**

16   This resolution provides for direct popular election and for
     filling vacancies in the office of the Secretary of State in the
18   same manner as provided for the election of the Governor.