

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 226

S.P. 76

January 27, 2009

An Act To Require a Vacancy in the Office of United States Senator To Be Filled by Election

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator DIAMOND of Cumberland.
Cosponsored by Representative TARDY of Newport and
Senators: COURTNEY of York, RAYE of Washington, Representatives: BEAUDETTE of
Biddeford, CONNOR of Kennebunk, COTTA of China.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 21-A MRSA §391**, as enacted by PL 1985, c. 161, §6, is repealed.

3 **Sec. 2. 21-A MRSA §391-A** is enacted to read:

4 **§391-A. United States Senators**

5 When there is a vacancy in the office of United States Senator, the Governor shall
6 issue a proclamation declaring the vacancy and ordering a special primary followed by a
7 special election to fill the vacancy as provided in section 366. The special election must
8 be held within 60 days of the vacancy.

9 **SUMMARY**

10 This bill changes the way in which a United States Senator is replaced when a
11 vacancy occurs by requiring a special election within 60 days of the vacancy. Currently,
12 the Governor appoints a qualified person to fill the vacancy until the successor is elected
13 and qualified. Having a special election matches the way a vacancy in the office of
14 Representative to Congress is replaced.