

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 electronic originals
(may include minor formatting differences from printed original)



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 957

S.P. 337

In Senate, March 17, 2015

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Provide for the Popular Election of the Attorney General,
Secretary of State and Treasurer of State**

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

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator CUSHING of Penobscot.
Cosponsored by Representative CHENETTE of Saco and
Senators: MASON of Androscoggin, President THIBODEAU of Waldo, WILLETTE of
Aroostook, Representatives: ESPLING of New Gloucester, FREDETTE of Newport,
HOBBINS of Saco.

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, Pt. Second, §1 is amended to read:

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

Constitution, Art. V, Pt. Second, §1-A is amended to read:

Section 1-A. Succession to the office of Secretary of State. If a vacancy occurs in the office of the Secretary of State, the first deputy secretary of state shall act as the Secretary of State until a Secretary of State is elected by the Legislature during the current session if in session, or at the next regular or special session popular election. A vacancy in the office of the Secretary of State may be filled by a new election.

Constitution, Art. V, Pt. Third, §1 is amended to read:

Section 1. Election. ~~The Treasurer shall be chosen biennially, at the first session of the Legislature, by joint ballot of the~~ popular election on the same date and in the same manner as provided by this Constitution for the election of Senators, and Representatives in convention.

Constitution, Art. V, Pt. Third, §1-A is amended to read:

Section 1-A. Succession to the office of Treasurer. 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 popular election. A vacancy in the office of Treasurer of State may be filled by a new election.

Constitution, Art. IX, §11 is amended to read:

Section 11. Attorney General. The Attorney General shall be chosen biennially by joint ballot popular election on the same date and in the same manner as provided by this Constitution for the election of the Senators and Representatives in convention. Vacancy in said office occurring when the Legislature is not in session, may be filled by appointment by the Governor, subject to confirmation as required by this Constitution for Justices of the Supreme Judicial Court.

; 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 held in the month of November

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

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

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

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

19 SUMMARY

20 This resolution proposes a constitutional amendment that provides for direct popular
21 election beginning in 2016 of the Secretary of State, the Treasurer of State and the
22 Attorney General biennially in the manner currently provided for Senators and
23 Representatives.