

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 1417

H.P. 964

House of Representatives, May 19, 2015

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Change the Selection Process for the Attorney General**

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

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative STETKIS of Canaan. (GOVERNOR'S BILL)

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

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

5 **Section 11. Attorney General.** The Governor shall nominate and, subject to the
6 same confirmation procedure as that for Justices of the Supreme Judicial Court, appoint
7 the Attorney General shall be chosen biennially by joint ballot of the Senators and
8 Representatives in convention. Vacancy in said office occurring when the Legislature is
9 not in session, may be filled by appointment by the Governor, subject to confirmation as
10 required by this Constitution for Justices of the Supreme Judicial Court.

11 ; and be it further

12 **Constitutional referendum procedure; form of question; effective date.**

13 **Resolved:** That the municipal officers of this State shall notify the inhabitants of their
14 respective cities, towns and plantations to meet, in the manner prescribed by law for
15 holding a statewide election, at a statewide election held in the month of November
16 following the passage of this resolution, to vote upon the ratification of the amendment
17 proposed in this resolution by voting upon the following question:

18 "Do you favor amending the Constitution of Maine to change the process
19 for selection of the Attorney General, requiring the Governor to nominate
20 and appoint the Attorney General subject to confirmation by the Senate,
21 the same selection process used for Justices of the Supreme Judicial
22 Court?"

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

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

35 **SUMMARY**

36 This resolution proposes to amend the Constitution of Maine to change the selection
37 process for the Attorney General. Currently, the Attorney General is selected by the
38 Legislature. This resolution proposes that the Governor nominate and appoint the
39 Attorney General, subject to confirmation by the Senate.