

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 442

H.P. 318

House of Representatives, February 16, 2021

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Create the Office of Lieutenant Governor**

Received by the Clerk of the House on February 11, 2021. Referred to the Committee on State and Local Government pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

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

ROBERT B. HUNT
Clerk

Presented by Representative SYLVESTER of Portland.
Cosponsored by Representative: CUDDY of Winterport.

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. V, Pt. Fourth,** is enacted to read:

5 **Part Fourth.**

6 **Lieutenant Governor.**

7 **Section 1. Election.** The Lieutenant Governor must be elected by the qualified
8 electors, and shall hold the office for 4 years from the first Wednesday after the first
9 Tuesday of January next following the elections and until the successor to the Lieutenant
10 Governor has been duly elected and qualified. The person who has served 2 consecutive
11 popular elective 4-year terms of office as the Lieutenant Governor is ineligible for a
12 successive term. The election for the Lieutenant Governor must occur in the same year as
13 the election of the Governor.

14 **Section 2. Election; votes to be returned to Secretary of State; Secretary of**
15 **State to lay lists before the Senate and House of Representatives; provision in**
16 **case of tie.** The meetings for election of the Lieutenant Governor must be notified, held
17 and regulated and votes received, sorted, counted and declared and recorded in the same
18 manner as those for Senators and Representatives. Copies of lists of votes must be sealed
19 and returned to the Secretary of State's office in the same manner and at the same time as
20 those for Senators. The Secretary of State shall, on the first Wednesday after the first
21 Tuesday of January then next, lay the lists returned to the secretary's office before the
22 Senate and House of Representatives to be by them examined, together with the ballots cast
23 if they so elect, and they shall determine the number of votes duly cast for the office of
24 Lieutenant Governor, and in case of a choice by plurality of all of the votes returned they
25 shall declare and publish the same. If there is a tie between the 2 persons having the largest
26 number of votes for Lieutenant Governor, the House of Representatives and the Senate
27 meeting in joint session and each member of the bodies having a single vote, shall elect
28 one of the 2 persons having so received an equal number of votes, and the person so elected
29 by the Senate and House of Representatives must be declared the Lieutenant Governor.

30 **Section 3. Qualifications.** The Lieutenant Governor must, at the commencement
31 of the Lieutenant Governor's term, be not less than 30 years of age; be a citizen of the
32 United States for at least 15 years; have been 5 years a resident of the State; and at the time
33 of election and during the term for which elected, be a resident of the State.

34 **Section 4. Disqualifications.** No person holding any office or place under the
35 United States, this State or any other power may assume the office of Lieutenant Governor,
36 nor may any such person exercise the office of Lieutenant Governor except as provided by
37 this Constitution.

38 **Section 5. Compensation.** The Lieutenant Governor must, at stated times, receive
39 for services a compensation, which may not be increased or diminished during the
40 Lieutenant Governor's continuance in office.

41 **Section 6. To assist the Governor.** The Lieutenant Governor shall assist the
42 Governor in the performance of the Governor's duties as requested by the Governor.

1 **Constitutional referendum procedure; form of question; effective date.**
2 **Resolved:** That the municipal officers of this State shall notify the inhabitants of their
3 respective cities, towns and plantations to meet, in the manner prescribed by law for holding
4 a statewide election, at a statewide election held in the month of November following the
5 passage of this resolution, to vote upon the ratification of the amendment proposed in this
6 resolution by voting upon the following question:

7 "Do you favor amending the Constitution of Maine to create the office of
8 Lieutenant Governor to assist the Governor in the performance of the
9 Governor's duties?"

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

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

21 **SUMMARY**

22 This resolution amends the Constitution of Maine to create the office of Lieutenant
23 Governor, to assist the Governor in the performance of the Governor's duties.