

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1117

H.P. 713

House of Representatives, March 9, 2023

**An Act to Ensure That the Will of the Voters Is Reflected in Interim
Appointments of United States Senators**

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


ROBERT B. HUNT
Clerk

Presented by Representative BOYER of Poland.
Cosponsored by Representatives: EATON of Deer Isle, FAULKINGHAM of Winter Harbor,
GREENWOOD of Wales, MILLIKEN of Blue Hill, RISEMAN of Harrison, RUDNICKI of
Fairfield, WARREN of Scarborough, Senator: GROHOSKI of Hancock.

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

2 **Sec. 1. 21-A MRSA §391, sub-§1**, as corrected by RR 2019, c. 2, Pt. B, §50, is
3 amended to read:

4 **1. Interim appointment.** Within a reasonable time after the vacancy occurs, the
5 Governor shall appoint a qualified person to fill the vacancy until that person's successor
6 is elected and qualified. If the person who vacated the office was enrolled in a political
7 party at the time of that person's last election to that office, the qualified person appointed
8 to fill the vacancy must have been enrolled in that party at the time the office was vacated
9 and must be enrolled in that party at the time the qualified person is appointed. If the person
10 who vacated the office was not enrolled in a political party at the time of that person's last
11 election to that office, the qualified person appointed to fill the vacancy may not have been
12 enrolled in a political party at the time the office was vacated and may not be enrolled in a
13 political party at the time the qualified person is appointed.

14 **SUMMARY**

15 This bill provides that if there is a vacancy in the office of United States Senator and
16 the person who vacated the office was enrolled in a political party at the time of that
17 person's last election to that office, the qualified person appointed to fill the vacancy must
18 have been enrolled in that party at the time the office was vacated and must be enrolled in
19 that party at the time the qualified person is appointed. If the person who vacated the office
20 was not enrolled in a political party at the time of that person's last election to that office,
21 the qualified person appointed to fill the vacancy may not have been enrolled in a political
22 party at the time the office was vacated and may not be enrolled in a political party at the
23 time the qualified person is appointed.