

126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 740

S.P. 278

In Senate, February 28, 2013

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That the Attorney General Be Elected by Popular Vote

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

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DAREK M. GRANT Secretary of the Senate

Presented by Senator SHERMAN of Aroostook. Cosponsored by Representative WILLETTE of Mapleton. 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:

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.

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; 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 provide that the
19 Attorney General be elected by the people biennially in the same manner
20 as members of the Senate and the House of Representatives?"

21 The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within the corresponding 22 square below the word "Yes" or "No." The ballots must be received, sorted, counted and 23 24 declared in open ward, town and plantation meetings and returns made to the Secretary of 25 State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If it appears that a majority of the legal votes are cast in favor of the 26 27 amendment, the Governor shall proclaim that fact without delay and the amendment becomes part of the Constitution of Maine on the date of the proclamation; and be it 28 29 further

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

- 33 SUMMARY
- This resolution proposes a constitutional amendment that provides for direct popular
 election biennially of the Attorney General in the manner currently provided for Senators
 and Representatives.