

130th MAINE LEGISLATURE

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Legislative Document

No. 1057

H.P. 786

House of Representatives, March 11, 2021

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for the Popular Election of the Secretary of State

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

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative FAULKINGHAM of Winter Harbor. Cosponsored by Representatives: DILLINGHAM of Oxford, FECTEAU of Augusta, GRIGNON of Athens, JAVNER of Chester, NEWMAN of Belgrade, O'CONNOR of Berwick, SKOLFIELD of Weld, THORNE of Carmel. 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. Second, §1** is amended to read:

5 **Section 1. Election.** The Secretary of State shall be chosen biennially at the first 6 session of the Legislature, by joint ballot of the popular election on the same date and in 7 the same manner as provided by this Constitution for the election of Senators and 8 Representatives in convention.

9

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.

15 **Constitutional referendum procedure; form of question; effective date.** 16 **Resolved:** That the municipal officers of this State shall notify the inhabitants of their 17 respective cities, towns and plantations to meet, in the manner prescribed by law for holding 18 a statewide election, at a statewide election held in the month of November following the 19 passage of this resolution, to vote upon the ratification of the amendment proposed in this 20 resolution by voting upon the following question:

- 21 "Do you favor amending the Constitution of Maine to provide that the 22 Secretary of State be elected by the people biennially in the same manner 23 Secretary of State Secretary of the Heures of Permanentations?"
- 23 as members of the Senate and the House of Representatives?"

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

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

- 35 SUMMARY
- This resolution proposes a constitutional amendment that provides for direct popular election beginning in 2022 of the Secretary of State biennially in the manner currently provided for Senators and Representatives.