



132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 452

S.P. 185

In Senate, February 11, 2025

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine to Provide for the Popular Election of the Secretary of State
and the Attorney General by Ranked-choice Voting**

Received by the Secretary of the Senate on February 5, 2025. Referred to the Committee on State and Local Government pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.

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, except that the votes of all qualified electors must involve~~
9 ~~in any election involving 3 or more candidates the ranking of candidates in order of~~
10 ~~preference according to the procedure established by law and the tabulation of such votes~~
11 ~~must occur in rounds according to the procedure established by law. The Governor shall~~
12 ~~examine the tabulation and, 7 days before the first Wednesday of December biennially,~~
13 ~~shall issue a summons to such person as appears to be elected by a majority of all votes~~
14 ~~returned or, if the electors rank candidates in order of preference, a majority of all votes in~~
15 ~~the final round of tabulation, to take office.~~

16 **Constitution, Art. V, Pt. Second, §1-A** is amended to read:

17 **Section 1-A. Succession to the office of Secretary of State.** If a vacancy occurs
18 in the office of the Secretary of State, the first deputy secretary of state shall act as the
19 Secretary of State until a Secretary of State is elected by ~~the Legislature during the current~~
20 ~~session if in session, or at the next regular or special session popular election. A vacancy~~
21 ~~in the office of the Secretary of State must be filled by a new popular election.~~

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

23 **Section 11. Attorney General.** The Attorney General shall be chosen ~~biennially~~
24 ~~by joint ballot of the popular election on the same date and in the same manner as provided~~
25 ~~by this Constitution for the election of Senators and Representatives in convention, except~~
26 ~~that the votes of all qualified electors must involve in any election involving 3 or more~~
27 ~~candidates the ranking of candidates in order of preference according to the procedure~~
28 ~~established by law and the tabulation of such votes must occur in rounds according to the~~
29 ~~procedure established by law. The Governor shall examine the tabulation and, 7 days~~
30 ~~before the first Wednesday of December biennially, shall issue a summons to such person~~
31 ~~as appears to be elected by a majority of all votes returned or, if the electors rank candidates~~
32 ~~in order of preference, a majority of all votes in the final round of tabulation, to take office.~~
33 Vacancy in said office ~~occurring when the Legislature is not in session,~~ may be filled by
34 appointment by the Governor, subject to confirmation as required by this Constitution for
35 Justices of the Supreme Judicial Court.

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

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

42 "Do you favor amending the Constitution of Maine to provide that the
43 Secretary of State and Attorney General be elected by the people biennially

1 in the same manner as members of the Senate and the House of
2 Representatives?"

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

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

14 **SUMMARY**

15 This resolution proposes a constitutional amendment that provides for the popular
16 election of and to apply ranked-choice voting to elections for the offices of Secretary of
17 State and Attorney General.