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Legislative Record

House of Representatives

One Hundred and Thirty-First Legislature

State of Maine

Daily Edition

First Special Session

Beginning April 5, 2023

Beginning with Page H-277

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require Constitutional Officers to Be Elected by Statewide Election

(H.P. 832) (L.D. 1307)

Signed:
Senator:
NANGLE of Cumberland
Representatives:
STOVER of Boothbay
ABDI of Lewiston
COPELAND of Saco
DHALAC of South Portland
RISEMAN of Harrison

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-444)** on same RESOLUTION.

Signed:
Senators:
BALDACCI of Penobscot
LYFORD of Penobscot
Representatives:
ADAMS of Lebanon
GREENWOOD of Wales
POMERLEAU of Standish

READ.

Representative STOVER of Boothbay moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative GREENWOOD of Wales **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Paris, Representative Andrews.

Representative **ANDREWS**: Thank you, Madam Speaker. The Constitutional Officers of Maine are the Attorney General, Secretary of State and State Treasurer. A Resolution to amend the State Constitution is required to have our State's Constitutional Officers elected directly by the people. Maine is the only State where the Attorney General and State Treasurer are elected by the Legislature and Maine is one of just three States where lawmakers select the Secretary of State. There is a reason why the majority of states have their voters decide who they want to serve in these important roles. That reason is that the people should be electing their Constitutional Officers and not politicians. To have legislative majorities choose the people to fill these roles makes them inherently partisan. Mystery and intrigue cloud these appointed positions where no one in the public knows what insider horse trading took place to win a legislative-only election. No one outside of a select few of party insiders will ever know what deals were made for one party insider to be named a Constitutional Officer over another.

This has been a problem for a very long time. This is not good government or best practice for transparency. Those who wrote our Constitution would've been wise to account for the tribal nature of humans and put the power to elect Constitutional Officers and the State Auditor into the hands of the people instead of into the hands of those who control the party power in Augusta. Our constituents deserve open and honest races for these positions; races where individuals campaign and demonstrate their knowledge, experience and ideas for the role in which they want to serve. As a State, we will attract a better and more diverse field of candidates if people outside of party loyalists are able to stand a chance of being elected into these very important positions. Madam Speaker, let the people decide who they want to serve them as Attorney General, Secretary of State and Treasurer. Thank you.

The SPEAKER: The Chair recognizes the Representative from Boothbay, Representative Stover.

Representative **STOVER**: Thank you, Madam Speaker. Madam Speaker, this bill does call for an Amendment to our State Constitution. We have a process in place that's served us well and it's recommended that we continue to do so.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 225

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, Warren, White J, Wood, Woodsome.

ABSENT - Adams, Hepler.

Yes, 80; No, 68; Absent, 2; Vacant, 0; Excused, 1.

80 having voted in the affirmative and 68 voted in the negative, with 2 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-445)** on Bill "An Act to Improve the Local Referendum Process by Increasing the Percentage of the Population Required to Submit a Local Referendum Question"

(H.P. 870) (L.D. 1356)

Signed:
Senators:
NANGLE of Cumberland
BALDACCI of Penobscot
LYFORD of Penobscot
Representatives:
STOVER of Boothbay
COPELAND of Saco
PAULHUS of Bath
RISEMAN of Harrison