



MAINE STATE LEGISLATURE

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April 7, 2025 - Testimony in support of LDs 147, 148, 149 & 150

LD 147 - RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for the Popular Election of the Secretary of State

LD 148 - An Act to Provide for the Statewide Popular Election of the State Auditor

LD 149 - RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for the Popular Election of the Attorney General

LD 150 - RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for the Popular Election of the Treasurer of State

Good morning Senator Baldacci, Representative Salisbury, and members of the Committee on State and Local Government. My name is Representative Billy Bob Faulkingham, and I serve as the House Republican Leader. I represent House District 12, which includes the towns of Franklin, Gouldsboro, Hancock, Sorrento, Sullivan, Winter Harbor, and Steuben. Thank you for the opportunity to present testimony on a package of legislation related to the popular election of our State Constitutional Officers and the head of the Office of the State Auditor.

As you know, Maine is one of the few states in the country where our Constitutional Officers and State Auditor are appointed by the legislature. While this system was customary for its time, I believe it no longer reflects the values of a modern democracy. The proposed bills, LD 147, LD 149, LD 150, and LD 148, aim to change that by allowing the people of Maine to directly elect their Constitutional officers and the State Auditor.

LD 147, LD 149, and LD 150 are resolutions proposing amendments to the Constitution of Maine to allow the people of Maine to elect the Secretary of State (LD 147), Attorney General (LD 149), and Treasurer of State (LD 150). If these bills pass, we would hold a Constitutional referendum to let voters decide whether they want to elect these officials starting in 2026, in the same way we elect our Senators and Representatives.

LD 148 proposes a statewide popular election for the State Auditor, beginning in 2028. This office is not currently a Constitutional office, but the proposed legislation ensures the State Auditor remains a certified public accountant with the required professional experience. If an elected auditor does not meet these qualifications within 9 months of taking office, their position will be deemed vacant, and the Governor will appoint a successor, subject to Senate confirmation.

Maine's reliance on the legislature to appoint these positions is outdated. In fact, the last time our country saw an elected office controlled by state legislatures was when U.S. Senators were selected by the legislature. The passage of the 17th Amendment ratified on April 8, 1913 gave voters the

power to directly elect their Senators. Similarly, political parties recognized that voters should decide who their Presidential nominees would be, leading to the primary system we use today.

The days of selecting a political party's candidate for President of the United States was once an exercise for party bosses and activists to horse trade in smoke filled convention halls. Eventually, political parties recognized that voters wanted and deserved a primary electoral system to select our nominees. This was the norm for decades with exception of the 2024 Presidential race, when one of our two presidential nominees were selected by convention delegates, not through a primary system of voters. Of course, circumventing the voters during that process ended up as failure for that candidacy and the respective political party.

Just as the 17th Amendment brought the election of U.S. Senators closer to the people, and just as political parties realized the need for primary elections, Maine too must move toward an election system that empowers voters and enhances accountability. Directly electing our constitutional officers and the state auditor versus having the state legislature select them on behalf of voters touches on key principles of democratic governance, representation, and accountability.

When our constitutional officers are directly elected by the people, they are directly accountable to Maine voters. This will enhance the legitimacy of our state government, as it reflects the will of the people. Direct elections will allow Maine citizens to have a direct role in choosing who will represent them. This will foster greater political engagement and encourage Maine people to be more informed about candidates and policies.

Our constitutional officers will have to answer to their voters and can be removed from office in subsequent elections if they fail to meet the needs of their constituents. When legislators select our leaders, this layer of accountability is weakened, as our constitutional officers are more accountable to the legislature than to the people of Maine.

Directly electing our constitutional officers will ensure that all eligible voters have an equal opportunity to participate in our representative government. This helps to ensure a more diverse and representative state government. And, when voters feel that they have a say in who represents them, they are more likely to trust the political system. If the process is seen as opaque or controlled by a small group, it erodes trust in government institutions.

This is not just about creating a more efficient system—this is about reinforcing the very foundation of our Republic, where every citizen has a say in how their government is run. I urge you to support these bills and help ensure Maine's government is accountable, transparent, and truly reflective of the will of its people. Thank you for your time, and I look forward to answering any questions you may have.

Respectfully,

A handwritten signature in cursive script that reads "Billy Bob Faulkingham".

Rep. Billy Bob Faulkingham
House Republican Leader