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**JOINT STANDING COMMITTEE ON STATE AND LOCAL GOVERNMENT**

Testimony of Shenna Bellows, Secretary of State  
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Testifying in Opposition To

L.D. 1059, "An Act to Establish the Process for the Selection of Delegates for a Convention Called Under the United States Constitution, Article V"

Senator Baldacci, Representative Salisbury and Members of the Joint Standing Committee on State and Local Government, my name is Shenna Bellows and I am the Secretary of State. I am speaking in opposition to L.D. 1059.

One of the main duties of the Secretary of State is to manage the important, official documents of state government. Typically, the Department generates the oath of office when the oath is also going to be filed with the Department. The language included in L.D. 1059 for the oath of office is not language we have used in the past. Currently, oath language comes from Article IX of the state constitution:

Every person elected or appointed to either of the places or offices provided in this Constitution, and every person elected, appointed, or commissioned to any judicial, executive, military or other office under this State, shall, before entering on the discharge of the duties of that place or office, take and subscribe the following oath or affirmation:

"I, \_\_\_\_\_ do swear, that I will support the Constitution of the United States and of this State, so long as I shall continue a citizen thereof. So help me God."

"I \_\_\_\_\_ do swear, that I will faithfully discharge, to the best of my abilities, the duties incumbent on me as \_\_\_\_\_ according to the Constitution and laws of the State. So help me God."

We would recommend the Committee align the oath language to comport with the state Constitution.

Furthermore, L.D. 1059 states that "after a commissioner's executed oath is filed with the Secretary of State, the Clerk of the House shall provide to the commissioner an official copy of the executed oath..." Given that the Clerk would not be in possession of the executed oath, we are confused about

how the Clerk would provide an official copy of that oath to the commissioner. We recommend that the Committee consider how to re-order these steps to provide for logistical clarity.

The Committee will want to consider if the advisory committee referenced in the bill will be a Title 5 commission, what the terms are for the members, whether members would need to take an oath as well, and how to address vacancies on the advisory committee. We suggest referring to Title 5 §12004-I to look for examples of other creations.

Finally, I oppose any movement toward the calling of an Article V convention because of the threat such a convention would pose to the civil rights of Americans. Now – when Americans' right to vote in a representative democracy are already under attack – is not the time to open up the Constitution to potential wholesale change.

Thank you for the opportunity to offer this testimony. I would be happy to answer any questions that the committee may have.