

LD 442 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Create the Office of the Lieutenant Governor

To: Members, Joint Standing Committee on State and Local Government
From: Lynne Caswell, Esq., Legislative Analyst
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*electronic
file*

<http://legislature.maine.gov/ctl/SLG/03-24-2021?panel=0&time=0&sortdir=0&sortby=2>

SUMMARY

This resolution proposes a constitutional referendum to ask the voters of Maine whether to amend the Constitution to create the office of Lieutenant Governor “to assist the Governor in the performance of the Governor’s duties.”

The new Part Fourth to Article V to the constitution contains several provisions identical to provisions applicable to the office of the Governor, including:

1. The Lieutenant Governor serves a 4-year term;
2. The Lieutenant Governor may not serve more than 2 consecutive 4-year terms; and
3. The Lieutenant Governor must be no less than 30 years of age, be a citizen of the US for at least 15 years; been a Maine resident for 5 years and be a resident of Maine at the time of election.

TESTIMONY***Sponsor:** Rep Sylvester

- 45 of 50 states have a Lieutenant Governor (26 elect on same ticket as governor; 17 elect on a separate ballot)
- Proposing the position be elected on a separate ballot on the “off-cycle” of Governor’s election

Proponents: none

Opponents: written only: Diana Albanese; Mark Chasse; Matthew Rhodes; Margaret Spence; Pete Harring; Wayne Gray

NFNA: none

INFORMATION / POTENTIAL ISSUES / TECHNICAL PROBLEMS

- See Attachment A for information on other states
- Last sentence in Section 1 of the bill states the election of the Lieutenant Governor occurs in the same year as the election of the Governor.

FISCAL IMPACT - Preliminary (OFPR)

None provided as of this date.

* The section is not intended to reflect all comments and may include unintentionally errors.

LIEUTENANT GOVERNORElected by the public (43 states) using the following procedures:

- Separate primary; separate general election (17)
Alabama, Arkansas, California, Delaware, Georgia, Idaho, Louisiana, Mississippi, Missouri, Nevada, North Carolina, Oklahoma, Rhode Island, Texas, Vermont, Virginia, Washington
- Separate primary; single ticket (8)
Alaska, Connecticut, Hawaii, Massachusetts, New Mexico, New York, Pennsylvania, Wisconsin
- Chosen by gubernatorial candidate before primary; single ticket in both primary and general (8)
Illinois, Kansas, Maryland, Minnesota, Montana, North Dakota, Ohio, Utah
- Chosen by gubernatorial nominee after primary; single ticket (10)
Colorado, Florida, Indiana, Iowa, Kentucky, Michigan, Nebraska, New Jersey, South Carolina, South Dakota

Member of legislature (2)

Tennessee; West Virginia

No Lt. Governor (5)

Arizona, Maine, New Hampshire, Oregon, Wyoming