

# SWEARING-IN DAY LEADERSHIP AND CONSTITUTIONAL OFFICERS ELECTIONS

**PretiFlaherty**

December 5, 2024

Swearing-in Day for the newly elected 132nd Maine State Legislature took place on Wednesday, December 4th. This is the day that the House and Senate convene the legislative session and each votes for their respective presiding officers, Speaker of the House and President of the Senate. In addition, the respective bodies choose the Constitutional Officers, the Clerk of the House, the Secretary of the Senate, and their respective Assistants.

As expected, Senator Mattie Daughtry, D-Cumberland, was elected President of Senate. She was nominated by Senator Peggy Rotundo, D-Androscoggin, and seconded by Senator Brad Farrin, R-Somerset. Minority Leader, Trey Stewart, R-Aroostook, then moved that the body cast a single ballot in support of Daughtry. Senator Stewart repeated this motion for the casting of a single ballot in support of Darek Grant as Secretary of the Senate and Jared Roy as Assistant Secretary. Both are continuing in these positions.

Also, as expected Rep. Ryan Fecteau, D-Biddeford, was elected to be Speaker of the House, a position he held two sessions ago. In the House, the Republicans did nominate Rep. Billy Bob Faulkingham, R-Winter Harbor, for Speaker. The House also re-elected Clerk of the House, Rob Hunt, and Assistant Clerk, Michelle Dunphy. The House Republicans did nominate Republican House staffer, Frank Gleason, who has worked in the Clerk's office for Rob Hunt in the past. The body cast one ballot in support of Assistant Clerk Dunphy.

The fact that two of the House positions were contested meant that the House organizing took much longer than did the Senate. It was also noted that, in her nomination of Speaker Fecteau, Rep. Michele Meyer, made references to his ability to get the work of the body done in a timely and efficient manner. This is clearly a criticism of the handling of the House's affairs in the previous session.

The Senate completed their work in the early afternoon. Of particular note were three Joint Orders related to the organization of the Legislature. The Legislature will be changing the name of the Innovation, Development, Economic Advancement and Business Committee (IDEA) to the Housing and Economic Development Committee and eliminating the stand-alone Housing Committee from last session. They are also changing the make-up of the Appropriations Committee. While all other committees will remain with 13 members, 3 Senators and 10 Representatives, the Appropriations Committee will now have 21 members. There will now be 5 Senators and 16 Representatives.

Finally, they are tasking the Joint Rules Committee to meet and review a long list of proposed changes. These include rules about concept drafts, various ways to make committee materials and processes more accessible and transparent, and changes to processes regarding budgeting and appropriations. The first joint order passed under the hammer, while the latter two were

tabled by Senator Rick Bennett, R-Oxford. Senator Bennett was instrumental in pushing for many of these changes, and his tabling is not an attempt to undermine either of these orders.

Preti will continue following these changes and will provide further updates.

The cloture order was also passed in both chambers. All requests for bills and resolves submitted by Legislators for a first regular session must be submitted in complete form, as provided in Joint Rule 208, to the Revisor of Statutes by 4:00 p.m. on **January 10, 2025**. Preti will be working to finalize drafts of potential legislation and seek sponsors with any of you who wish to do so.

This is also the day that the Constitutional Officers are elected. The successful candidates must be supported by a majority of legislators in a joint session of the Legislature.

The joint caucus of the newly elected House and Senate Democrats, as well as the joint caucus of the House and Senate Republicans, chose their nominees for the State's Constitutional Offices on the afternoon and evening of Tuesday, December 3. Two of the offices were uncontested amongst the Democrats.

Current Secretary of State, the Honorable Shenna Bellows, and current State Auditor, the Honorable Matt Dunlap, were once again chosen by the Democrats as the nominees for those positions. And both were re-elected to those positions in the joint session of the newly sworn-in 132nd Legislature in the afternoon on Swearing-in Day. Dunlap was elected by a single unanimous ballot.

The position of State Treasurer was an open race due to the decision of current State Treasurer, the Honorable Henry Beck, to not run for another term. Current House Majority Leader Maureen Terry, who is termed-out of the Legislature, announced her interest soon after Beck's announcement. More recently, newly re-elected Rep. Joe Perry, D-Bangor, announced his interest in the position. Tuesday afternoon Rep. Perry won the Democratic nomination for the office of Maine State Treasurer and was elected by a single unanimous ballot in the joint session of the full legislature the next day.

The Republican joint caucus was considering nominating Rep. Perry and voting in support of him if he had not prevailed as the Democratic nominee. Perry's nomination on Tuesday and subsequent election on Wednesday will cause the need for a Special Election in his heavily Democratic Bangor House District, a need to choose a new House Chair of the Taxation Committee, and a margin of 75 Democrats to 73 Republicans and 2 Democratic leaning Unenrolled (independents). This will remain the case probably until sometime in late February or March when the Special Election will be held.

The position of Attorney General of the State of Maine was also contested. While current Attorney General Aaron Frey did choose to seek the Democratic nomination to return to office, the Honorable Maeghan Maloney, current District Attorney for Kennebec and Somerset Counties, has also been seeking the nomination for several months. AG Aaron Frey successfully won the Democratic nomination on Tuesday evening and subsequently was re-elected to his position on Wednesday afternoon.

The Honorable William Schneider, who previously served as Attorney General from 2010-2012 was the Republican nominee for Attorney General. The Honorable Sawin Millett, a long-time mainstay in Augusta, as both a legislator and serving in several administrations, was the Republican nominee for Secretary of State.

Preti is also hearing that Legislative Committee assignments may be announced before the end of next week. We will provide our clients a list of all assignments as soon as they are made available.

One final note related to Maine's 2nd Congressional District race - on election night Congressman Jared Golden appeared to narrowly defeat his challenger, the Honorable Austin Theriault. However, due to a third-party write-in effort, Golden had not received over 50% of the vote. This automatically triggers a ranked choice run-off in Maine. Upon completing the ranked choice tally Golden had again prevailed, but Theriault requested a hand count of all the ballots. Finally, after the hand count had been underway since Monday, Theriault called it off on Wednesday and conceded defeat.

Please reach out with any questions or concerns and we will be in touch soon.

## Preti Flaherty's Government Affairs Practice Group

### Dan Walker

Chair, Government Affairs Group  
dwalker@preti.com

### Bruce Gerrity

bgerrity@preti.com

### Diane Johanson

Legislative Liaison  
djohanson@preti.com

### Severin Beliveau

sbeliveau@preti.com

### Steven Hudson

shudson@preti.com

### Andrew Roth-Wells

Legislative Liaison  
aroth-wells@preti.com

### John Doyle

jdoyle@preti.com

### Jared Bornstein

Preti Strategies\*  
jbornstein@preti.com

\* Preti Strategies is an affiliate of Preti Flaherty. It is a government relations and consulting firm that is not engaged in the practice of law and does not provide legal services.