

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 1435

H. P. 992

House of Representatives, February 28, 1963

Referred to Committee on Constitutional Amendments and Legislative Reapportionment. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Watkins of Windham.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

RESOLVE, Proposing an Amendment to the Constitution Clarifying Provisions Governing Assumption of Office of Governor by the President of the Senate or the Speaker of the House.

Constitutional amendment. Resolved: Two-thirds of each branch of the Legislature concurring, that the following amendment to the Constitution of this State be proposed:

Constitution, Article V, Part First, Section 14, amended. Section 14 of Part First of Article V of the Constitution, as amended, is further amended to read as follows:

Section 14. Whenever the office of Governor sha'll become vacant by death, resignation, removal from office or otherwise, the President of the Senate shall assume the office of Governor until another Governor shall be duly qualified; in the event such vacancy occurs ~~not~~ in less than ninety days immediately preceding the date of the primaries for nominating candidates to be voted for at the biennial election next succeeding, the President of the Senate shall exercise the office of Governor until the first Wednesday of January following such biennial election. At such biennial election, a Governor shall be elected to fill the unexpired term created by such vacancy, unless the vacancy shall have occurred less than ninety days immediately preceding the date of ~~or after~~ such primaries, in which case the then President of the Senate shall fill the unexpired term; ~~and in case of the death, resignation, removal from office or other disqualification of the president of the senate, so exercising the office of governor, the speaker of the house of representatives shall exercise the office, until a president of the senate shall have been chosen; and when the office of governor, president of the senate, and speaker of the house shall become vacant, in the recess of~~

~~the senate, the person, acting as secretary of state for the time being, shall by proclamation convene the senate, that a president may be chosen to exercise the office of governor.~~

If at the time the office of Governor becomes vacant there shall be no President of the Senate, then the Speaker of the House of Representatives shall exercise the office until a President of the Senate shall have been chosen and such Speaker assuming the office of Governor shall by proclamation convene the Senate that a President may be chosen to assume the office of Governor and upon a President of the Senate being chosen, he shall assume the office of Governor until another Governor shall be duly qualified. Should the offices of Governor, President of the Senate, and Speaker of the House of Representatives all become vacant in the recess of the Senate, the person acting as Secretary of State for the time being shall by proclamation convene the Senate that a President may be chosen to assume the office of Governor. If while exercising the office of Governor the President of the Senate shall die, resign, be removed from office or otherwise be disqualified, the Speaker of the House of Representatives shall assume the office of Governor and proceed in the same manner as if the office of President of the Senate had been vacant when the office of Governor became vacant. ~~And whenever~~ Whenever either the President of the Senate or Speaker of the House of Representatives shall ~~so exercise~~ assume said office of Governor, he shall receive only the compensation of Governor, but his duties as President or Speaker shall be suspended; and the Senate or House shall fill the vacancy resulting from such suspension, until his duties as Governor shall cease.'