

MAINE STATE LEGISLATURE

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Legislative Document

No. 204

H. P. 157

House of Representatives, January 24, 1957.

Referred to Committee on Constitutional Amendments. Sent up for concurrence and 750 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Ross of Bath.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

RESOLVE, Proposing an Amendment to the Constitution Changing the Tenure of Office of the Governor to Four-Year Terms.

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

Constitution, Article II, Section 4, amended. The first sentence of Section 4 of Article II of the Constitution is hereby amended to read as follows:

'The election of ~~governor~~ Senators and Representatives shall be on the second Monday of September biennially forever **and the election of Governor shall be on the second Monday of September every four years.**'

Constitution, Article V, Part First, Section 2, amended. Section 2 of Part First of Article V of the Constitution is hereby amended to read as follows:

'Section 2. The Governor shall be elected by the qualified electors, and shall hold his office for ~~two~~ **four** years from the first Wednesday of January next following the election **and shall not be eligible to succeed himself.**'

Constitution, Article V, Part First, Section 3, amended. The first and second sentences of Section 3 of Part First of Article V of the Constitution are hereby amended to read as follows:

'The meetings for election of Governor **every four years** shall be notified, held and regulated, and votes shall be received, sorted, counted, declared and recorded, in the same manner as those for Senators and Representatives. They shall be sealed and returned into the Secretary's office in the same manner, and at the same time **every four years** as those for Senators.'

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

'Section 14. Whenever the office of Governor shall become vacant by death, resignation, removal from office or otherwise, the President of the Senate shall exercise the office of Governor until another Governor shall be duly qualified; in the event such vacancy occurs not less than 90 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 90 days immediately preceding the date of such primaries, in which case the 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. And whenever either the President of the Senate, or Speaker of the House shall so exercise said office, 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, until his duties as Governor shall cease.'

Effective date. Resolved: That the amendments herein proposed, if adopted, shall determine the term of office of Governor to be elected at the general election in September, 1958, as well as the terms of Governors thereafter to be elected.

Form of question and date when amendment shall be voted upon. Resolved: That the aldermen of cities, the selectmen of towns and the assessors of the several plantations of this State are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of Senators and Representatives at a special state-wide election, to be held in September, 1957 to give in their votes upon the amendment proposed in the foregoing resolution and the question shall be:

"Shall the Constitution be amended as proposed by a resolution of the Legislature changing the tenure of office of the Governor to four-year terms?"

And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment voting "Yes" upon their ballots and those opposed to the amendment voting "No" upon their ballots, and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the office of the Secretary of State in the same manner as votes for Governor and members of the Legislature, and the Governor and Council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amend-

ment, the Governor shall forthwith make known the fact by his proclamation, and the amendment shall thereupon, as of the date of said proclamation, become a part of the Constitution.

Secretary of State shall prepare ballots. Resolved: That the Secretary of State shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing resolve, accompanied by a copy thereof.