

# MAINE STATE LEGISLATURE

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May 12, 1933

Mrs. William R. Pattangall  
Augusta, Maine

Dear Mrs. Pattangall:

Answering your recent oral inquiry as to whether or not members of the present legislature can lawfully be elected delegates to the constitutional convention to pass on the proposed Twenty-first Amendment to the Constitution of the United States, I am pleased to call your attention to Section 10 of Article IV, Third Part, of the Constitution of Maine which provides that,--

"No senator or representative shall, during the term for which he shall have been elected, be appointed to any civil office of profit under this State, which shall have been created or the emoluments of which increased during such term except such offices as may be filled by elections by the people, provided, that this prohibition shall not extend to the members of the first legislature."

From the foregoing it is evident that there is no constitutional provision which would prevent members of the present legislature being members of such constitutional convention, and I do not know of any provision of our statutes, or decisions of our courts which would prevent.

Trusting that the foregoing will give you the information you require, I am

Very truly yours,

Deputy Attorney General

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