

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 527

H. P. 416

House of Representatives, January 30, 1969

Referred to Committee on State Government. Sent up for concurrence and 1,000 ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Gilbert of Turner.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

**RESOLVE, Proposing an Amendment to the Constitution Providing for
Appointment and Membership of the Council.**

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

Constitution, Article V, Part Second, Section 1, amended. Section 1 of Part Second of Article V of the Constitution is amended to read as follows:

Section 1. Constitution of Council. There shall be a Council, to consist of ~~seven persons, citizens of the United States, and residents of this State~~ **five members of the Legislature**, to advise the Governor in the executive part of government, and whom the Governor shall have full power, at his discretion, to assemble; and he with the Councilors, or a majority of them may from time to time, hold and keep a council, for ordering and directing the affairs of state according to law.

Constitution, Article V, Part Second, Section 2, repealed and replaced. Section 2 of Part Second of Article V of the Constitution is repealed and the following enacted in place thereof:

Section 2. Appointment; vacancies. The Councilors shall be appointed biennially on the second Wednesday of January, in the following manner: One member by the Governor; one member by the Majority Floor Leader of the Senate; one member by the Minority Floor Leader of the Senate; one member by the Majority Floor Leader of the House and one member by the Minority Floor Leader of the House.

Vacancies which afterwards occur shall be filled by the party making the original appointment.

Constitution, Article V, Part Second, Section 4, repealed. Section 4 of Part Second of Article V of the Constitution is repealed.

Form of question and date when amendmends shall be voted upon.

Resolved: That the aldermen of cities, the slectmen of towns and the assessors of the several plantations of this State are 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 the next general election in the month of November or special state-wide election on the Tuesday following the first Monday of November following the passage of this resolve, to give in their votes upon the amendmends proposed in the foregoing resolution, and the question shall be:

“Shall the Constitution be amended as proposed by a resolution of the Legislature Providing for Appointment and Membership of the Council?”

The inhabitants of said cities, towns and plantations shall vote by ballot on said question, and shall indicate by a cross or check mark placed against the words “Yes” or “No” their opinion of the same. 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 review the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendmends, the Governor shall forthwith make known the fact by his proclamation, and the amendmends 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.