

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
106TH LEGISLATURE

HOUSE AMENDMENT "C" to S. P. 673, L. D. 2040, RESOLUTION,
Proposing an Amendment to the Constitution to Provide for Annual
Sessions of the Legislature and to Limit the Matters Which May be
Considered in the Second Regular Session; to Provide for Single Member
Districts in the House of Representatives; to Provide for Reduction
of the Number of Representatives and Reapportionment of the House
of Representatives and the Senate in 1983; to Establish an Apportionment
Commission to Plan for all Reapportionments of the House of
Representatives and Senate; to Abolish the Executive Council and
Reassign Certain Constitutional Powers to a Legislative Council;
and to Provide that Oaths and Subscriptions of Office of the Governor,
Representatives and Senators shall be Taken before the Chief Justice
of the Supreme Judicial Court.

Amend said Resolution by inserting at the end of the 8th
paragraph, before the period, the following: 'giving due con-
sideration to the plan of the commission'

Further amend said Resolution by inserting at the end of
the 17th paragraph, before the period, the following: 'giving due
consideration to the plan of the commission'

Further amend said Resolution by striking out in ARTICLE IV,
PART FOURTH, LEGISLATIVE COUNCIL the last underlined sentence
of Section 2 and inserting in place thereof the following:

'Any action by the Legislative Council, except the approval for
introduction of bills, petitions and resolves, shall require the
affirmative vote of six members. The approval for introduction
of bills, petitions and resolves shall require the affirmative
vote of four members.' (Filing No. H. 595)

Further amend said Resolution by striking out all of the 15th paragraph from the end and inserting in place thereof the following:

The oaths or affirmations shall be taken and subscribed by the Governor and ~~Councillors~~ before the ~~presiding officer of the Senate,~~ in the presence of both Houses of the Legislature, and by the Senators and Representatives before the Governor and ~~Council,~~ and by the residue of said officers before such persons as shall be prescribed by the Legislature; and whenever the Governor or ~~any Councillor~~ shall not be able to attend during the session of the Legislature to take and subscribe said oaths or affirmations, such oaths or affirmations may be taken and subscribed in the recess of the Legislature before any Justice of the Supreme Judicial Court and provided further that, if the Governor shall be unable to appear and administer the oath to the Senators and Representatives, such oaths shall be administered by the Chief Justice of the Supreme Judicial Court or in his absence, by the senior Associate Justice of said Supreme Judicial Court present at the State Capitol on the first day of the term for which said Senators and Representatives shall have been elected.

Chief Justice of the
Supreme Judicial Court

Statement of Fact

The purpose of this amendment is to remove the possibility of refusal to introduce legislation on a partisan basis, and also to provide for revising swearing-in process and court apportionment giving due consideration to plan of the commission should the Legislature fail to act.

Filed by Mr. Birt of East Millinocket.

Reproduced and distributed under the direction of the Clerk of the House.
6/20/73

(Filing No. H-595)