

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 145

H. P. 115

House of Representatives, January 25, 1977

Referred to the Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Jalbert of Lewiston.

Cosponsors: Mr. Kelleher of Bangor, Mrs. Mitchell of Vassalboro, Mr. Norris of Brewer.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**RESOLUTION, Proposing an Amendment to the Constitution to Abolish
the Office of the Treasurer of State.**

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

Sec. 1. Constitution, Art. V, Pt. 4, §§ 1, 2 and 3 are repealed.

Sec. 2. Constitution, Art. IX, § 2 is amended to read:

Section 2. Offices incompatible with each other; election to Congress disqualifies. No person holding the office of Justice of the Supreme Judicial Court, or of any inferior court, Attorney General, county attorney, ~~Treasurer of the State~~ Adjutant General, judge of probate, register of probate, register of deeds, sheriffs or their deputies, clerks of the judicial courts, shall be a member of the Legislature; and any person holding either of the foregoing offices, elected to, and accepting a seat in the Congress of the United States, shall thereby vacate said office; and no person shall be capable of holding or exercising at the same time within this State, more than one of the offices before mentioned.

Constitutional referendum procedure; form of question; effective date. Resolved: That the city aldermen, town selectmen and plantation assessors of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, at the next general election in the month of November or special statewide election on the Tuesday following the first Monday of November

following the passage of this resolution, to vote upon the ratification of the amendments proposed in this resolution by voting upon the following question:

“Shall the Constitution be amended as proposed by a resolution of the Legislature to abolish the office of the Treasurer of State?”

The legal voters of each city, town and plantation shall vote by ballot on this question, and shall designate their choice by a cross or check mark placed within the corresponding square below the words “Yes” or “No.” The ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns, and, if it appears that a majority of the legal voters are in favor of the amendments, the Governor shall proclaim that fact without delay and the amendments shall become part of the Constitution on the date of the proclamation.

Secretary of State shall prepare ballots. Resolved: That the Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this resolution necessary to carry out the purpose of this referendum.

STATEMENT OF FACT

This resolution, if approved by the people, will abolish the Office of the Treasurer of State. Further, if this resolution is approved it will not take effect until the convening of the 109th Legislature, a delay which allows the 2nd regular session of the 108th Legislature sufficient time to make necessary statutory changes caused by the repeal.