

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-260)
110TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT" A " to H.P. 357, L.D. 405,
Resolution, Proposing an Amendment to the Constitution of
Maine to Provide Counties, which have Adopted a Charter,
with Home Rule Authority Regarding the Office of Sheriff.

Amend the Resolution by striking out all of the title
and inserting in its place the following:

'Resolution, Proposing an Amendment to the Constitution of
Maine to Enable any County which has Adopted a Home Rule
Charter to Provide in the Charter the Method for Selecting
the Sheriff and Register of Probate.'

Further amend the Resolution by striking out everything
after the title and inserting in its place the
following:

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

Constitution, Art. VI, §6, as amended by CR 1975, c. 4,
is further amended by adding after the first sentence a new
sentence to read:

Counties governed by adopted charters may by charter provide,
for an alternative method of selecting the register of pro-
bate.

Constitution, Art. IX, §10, first ¶ is amended to read:

Section 10. Sheriff's Except for counties governed by adopted charters which provide for an alternative method of selection, sheriffs shall be elected by the people of their respective counties, by a plurality of the votes given in on the Tuesday following the first Monday of November, and shall hold their offices for two years from the first day of January next after their election unless sooner removed as hereinafter provided.

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 a 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:

of Maine
"Shall the Constitution/be amended to enable any county which has adopted a home rule charter to provide in this charter the method for selecting the sheriff and register of probate?"

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 word "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 votes are in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment 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 purposes of this referendum.

Statement of Fact

This amendment combines the provisions of L.D. 1225 with this Resolution. The resulting amended bill amends the Constitution of Maine to enable any county which has adopted a home

rule charter to provide in its charter the method for selecting the sheriff and register of probate. A county choosing home rule may use the current system of selecting these officials or some other system specified in its charter. Counties not choosing home rule will continue to use the present method specified in the \leftarrow \rightarrow Constitution of Maine.

Reported by the Majority of the Committee on State Government.
Reproduced and distributed under the direction of the Clerk of the House.

4/28/81

(Filing No. H-260)