

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 147

6  
7 H.P. 122

House of Representatives, January 22, 1985

8 Reference to the Committee on State Government suggested and ordered  
9 printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Vose of Eastport.

11  
12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-FIVE  
16

17 RESOLUTION, Proposing an Amendment  
18 to the Constitution of Maine  
19 to Remove the Restriction that Prevents a  
20 Person from Serving more than 2 Consecutive  
21 Terms as Governor.  
22

23 Constitutional amendment. RESOLVED: Two thirds  
24 of each branch of the Legislature concurring, that  
25 the following amendment to the Constitution of Maine  
26 be proposed:

27 Constitution, Art. V, Pt. 1, §2, is amended to  
28 read:

29 Section 2. The Governor shall be elected by the  
30 qualified electors, and shall hold his office for  
31 ~~four~~ 4 years from the first Wednesday after the first  
32 Tuesday of January next following the election and  
33 until his successor has been duly elected and quali-  
34 fied. ~~The person who has served two consecutive popu-~~  
35 ~~lar elective four-year terms of office as Governor~~  
36 ~~shall be ineligible to succeed himself.~~

1 Constitutional referendum procedure; form of  
2 question; effective date. Resolved: That the city  
3 aldermen, town selectmen and plantation assessors of  
4 this State shall notify the inhabitants of their re-  
5 spective cities, towns and plantations to meet, in  
6 the manner prescribed by law for holding a statewide  
7 election, at a statewide election, the next regular  
8 election in November following passage of this reso-  
9 lution, to vote upon the ratification of the amend-  
10 ment proposed in this resolution by voting upon the  
11 following question:

12 "Shall the Constitution of Maine be amended  
13 to remove the restriction that prevents a person  
14 from serving 2 or more consecutive terms as the  
15 Governor?"

16 The legal voters of each city, town and  
17 plantation shall vote by ballot on this question, and  
18 shall designate their choice by a cross or check mark  
19 placed within the corresponding square below the word  
20 "Yes" or "No." The ballots shall be received,  
21 sorted, counted and declared in open ward, town and  
22 plantation meetings and returns made to the Secretary  
23 of State in the same manner as votes for members of  
24 the Legislature. The Governor shall review the re-  
25 turns and, if it appears that a majority of the legal  
26 votes are in favor of the amendment, the Governor  
27 shall proclaim that fact without delay and the amend-  
28 ment shall become part of the Constitution on the  
29 date of the proclamation.

30 Secretary of State shall prepare ballots. Re-  
31 solved: That the Secretary of State shall prepare  
32 and furnish to each city, town and plantation all  
33 ballots, returns and copies of this resolution neces-  
34 sary to carry out the purposes of this referendum.

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STATEMENT OF FACT

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The purpose of this resolution is to allow a Governor to serve in the office of Governor without a limit placed upon the procedure by which the terms are served. The current constitutional provision does not limit the number of terms that a Governor may serve but prohibits more than 2 consecutive terms.

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This resolution allows the electorate to choose the candidate of their choice. If the general public does not want a Governor to serve a 3rd consecutive term, this opinion will be reflected in the vote. If the general public wants a Governor to serve 3 or more consecutive terms, the public should not be penalized or thwarted by the current provision.

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