

MAINE STATE LEGISLATURE

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SEVENTY-THIRD LEGISLATURE

SENATE.

No. 308

STATE OF MAINE.

Whereas this legislature has submitted to the people the following amendment to the Constitution :

“RESOLVE proposing an amendment to section 12, article V, part first, of the Constitution of the State of Maine relating to the power of the governor to cause the laws to be faithfully executed.

Resolved, Two-thirds of both houses of the legislature concurring that the following amendment of the Constitution of the state be proposed, viz. :

Sect. 12. Article V, part first of the Constitution is amended by adding thereto the following: ‘Sheriffs shall obey all orders of the governor directing them to diligently and faithfully enforce the laws of the state. Upon their neglect or refusal so to do, they may be removed, after hearing, and their successors appointed by the governor. The

10 legislature shall enact laws to carry these provisions into
11 effect.' So that said section as amended shall read as fol-
12 lows:

'Sect. 12. He shall take care that the laws be faithfully
14 executed. Sheriffs shall obey all orders of the governor
15 directing them to diligently and faithfully enforce the laws
16 of the state. Upon their neglect or refusal so to do, they
17 may be removed, after hearing, and their successors
18 appointed by the governor. Any vacancies caused by such
19 removal shall be filled by appointment from the political
20 party to which the person so removed belong. The legisla-
21 ture shall enact laws to carry these provisions into effect.'

Resolved, That the aldermen of cities, selectmen of towns
23 and assessors of plantations of this state are hereby empow-
24 ered and directed to notify the inhabitants of their respective
25 cities, towns and plantations, in the manner prescribed by
26 law at their next meetings in the month of September of the
27 election of said officers in the year of our Lord one thousand
28 nine hundred and eight, to give in their votes in the manner
29 prescribed by law, on the question whether the amendment
30 to the Constitution proposed by the foregoing resolve shall
31 be made, and the question so proposed shall be: Shall the
32 Constitution be amended so as to authorize the removal of
33 sheriffs found guilty of neglecting or refusing to obey direc-
34 tions of the governor to faithfully and diligently enforce the
35 laws of the state. And the inhabitants of said cities, towns
36 and plantations shall vote by ballot on said question, in the

37 manner now prescribed by law; those in favor of said
38 amendment expressing it by the word "Yes" upon their bal-
39 lot, and those opposed to said question expressing it by plac-
40 ing the word "No" upon their ballot, and the ballots shall
41 be received, sorted, counted and declared in open ward, town
42 and plantation meeting and the lists of the votes so received
43 shall be made and returned to the secretary of state in the
44 same manner as votes for governor, and the governor and
45 council shall count the same and the governor shall make a
46 proclamation on the result thereof, and if a majority of the
47 votes so cast are in favor of said amendment, the Constitu-
48 tion shall be amended accordingly and such amendment shall
49 take effect on the first Wednesday of January, nineteen hun-
50 dred and nine.

Resolved, That the secretary of state shall prepare and fur-
52 nish the several cities, towns and plantations with ballots and
53 blank returns in conformity to the foregoing resolves, accom-
54 panied with a copy thereof."

Now therefore, be it enacted by the Senate and House of
Representatives in legislature assembled, as follows:

Section 1. Chapter ninety-two of the Public Laws of 1905
2 is hereby repealed in case of the adoption of the said Con-
3 stitutional amendment.

Sect. 2. This act shall take effect when said amendment is
2 adopted.

STATE OF MAINE.

IN SENATE, March 21, 1907.

Presented by Mr. EATON of Washington and on motion by Mr. IRVING of Aroostook laid on table for printing, pending reference to Committee on Judiciary.

F. G. FARRINGTON, *Secretary.*