

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-FOURTH LEGISLATURE

HOUSE.

No. 327

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND NINE.

AN ACT empowering the Governor to remove County
Attorneys.

Be it enacted by the People of the State of Maine, as follows:

Section 1. Section sixteen of chapter eighty-one of the
2 revised statutes is hereby amended by inserting between the
3 words "years" and "none" in the fourth line thereof the
4 following: 'unless their terms of office are sooner termi-
5 nated in the manner following, viz: Upon the petition of not
6 less than fifty adult citizens of any county, charging that
7 the county attorney of such county has persistently failed
8 to perform his legal duties, and specifying wherein he has
9 so failed, the governor, upon hearing and satisfactory proof

10 of such persistent failure, may remove such county attor-
11 ney and fill the vacancy from the same political party to
12 which said county attorney belongs, first giving to such
13 county attorney, at least ten days before the date of the
14 hearing, a copy of the charges and specifications against
15 him and notice of the time and place of hearing thereon,'
16 so that said section as amended shall read as follows:

'Sect. 16. County attorneys shall be elected and notified,
18 their elections determined and vacancies filled in the same
19 manner, and they shall enter upon the discharge of their
20 duties at the same time as is provided respecting county
21 commissioners, but they shall hold office for two years, un-
22 less their terms of office are sooner terminated in the man-
23 ner following, viz: Upon the petition of not less than fifty
24 adult citizens of any county, charging that the county attor-
25 ney of such county has persistently failed to perform his
26 legal duties, and specifying wherein he has so failed, the
27 governor, upon hearing and satisfactory proof of such per-
28 sistent failure, may remove such county attorney and fill the
29 vacancy from the same political party to which said county
30 attorney belongs, first giving to such county attorney, at
31 least ten days before the date of the hearing, a copy of the
32 charges and specifications against him and notice of the time
33 and place of hearing thereon. None but a permanent resi-
34 dent of the county shall hold the office of county attorney
35 and removal therefrom vacates the office.'

STATE OF MAINE.

The majority report of the Committee on Judiciary, to which was referred "Resolves providing for an amendment of the Constitution empowering the Governor to remove any executive officer," have had the same under consideration, and ask leave to report bill in new draft, under title of "An Act empowering the Governor to remove County Attorneys," and that it ought to pass. (Majority Report.)

Per order,

HASTINGS,
BAXTER,
LOONEY,
DAVIES,
PETERS,
HERSEY,
ANDREWS,
BURLEIGH,
WING.

STATE OF MAINE.

The minority report of Committee on Judiciary, to which was referred "Resolves providing for an amendment of the Constitution, empowering the Governor to remove any executive officer," have had the same under consideration, and ask leave to report that the same ought not to pass.

J. H. MONTGOMERY.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, Feb. 25, 1909.

Reported by majority of Committee on Judiciary and with both reports ordered printed under joint rules, 500 extra copies to be printed on motion of Mr. HERSEY of Houlton and Tuesday next assigned.

E. M. THOMPSON, *Clerk.*