

MAINE STATE LEGISLATURE

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SEVENTY-FOURTH LEGISLATURE

SENATE.

No. 11

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 :

Section 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 legislature shall enact laws to carry these provisions into effect." So

8 that said section as amended shall read as follows: 'Section
9 12. He shall take care that the laws be faithfully executed.
10 Sheriffs shall obey all orders of the governor directing them
11 to diligently and faithfully enforce the laws of the State.
12 Upon their neglect or refusal so to do, they may be removed,
13 after hearing, and their successors appointed by the governor.
14 Any vacancies caused by such removal shall be filled by
15 appointment from the political party to which the person so
16 removed belongs. The legislature shall enact laws to carry
17 these provisions into effect.'

Resolved, That the aldermen of cities, selectmen of towns and
2 assessors of plantations of this State are hereby empowered
3 and directed to notify the inhabitants of their respective
4 cities, towns and plantations, in the manner prescribed by law
5 at their next meetings in the month of September of the
6 election of said officers in the year of our Lord one thousand
7 nine hundred and ten, to give in their votes in the manner
8 prescribed by law, on the question whether the amendment to
9 the Constitution proposed by the foregoing resolve shall be
10 made, and the question so proposed shall be: Shall the Con-
11 stitution be amended so as to authorize the removal of sheriffs
12 found guilty of neglecting or refusing to obey directions of
13 the governor to faithfully and diligently enforce the laws of
14 the State. And the inhabitants of said cities, towns and
15 plantations shall vote by ballot on said question, in the man-
16 ner now prescribed by law; those in favor of said amendment
17 expressing it by the word "Yes" upon their ballot, and those

18 opposed to said question expressing it by placing the word
19 “No” upon their ballot, and the ballots shall be received,
20 sorted, counted and declared in open ward, town and planta-
21 tion meeting and the list of the votes so received shall be
22 made and returned to the secretary of State in the same man-
23 ner as votes for governor, and the governor and council
24 shall count the same and the governor shall make a proclama-
25 tion on the result thereof, and if a majority of the votes so
26 cast are in favor of said amendment, the Constitution shall be
27 amended accordingly and such amendment shall take effect
28 on the first Wednesday of January, nineteen hundred and
29 eleven.

Resolved, That the secretary of State shall prepare and furn-
2 ish the several cities, towns and plantations with ballots and
3 blank returns in conformity to the foregoing resolves, accom-
4 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
adopted.

STATE OF MAINE.

IN SENATE,

January 14, 1909.

Presented by MR. EATON of Washington and on motion by MR. STAPLES of Knox, laid on the table for printing, pending reference to a Committee.

F. G. FARRINGTON, *Secretary*.