

# MAINE STATE LEGISLATURE

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EIGHTY - THIRD LEGISLATURE

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House Document

No. 390

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H. P. 1149      House of Representatives, March 10, 1927.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Douglas of Chelsea.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND TWENTY-SEVEN

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RESOLVE, Proposing an Amendment to Section Fourteen of Article Five, Part First, of the Constitution of the State of Maine, Providing for the Election of a Governor to Fill a Vacancy in That Office.

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Resolved: Two-thirds of both branches of the legislature concurring, that the following amendment to the constitution of the state of Maine be proposed:

Section fourteen of article five, part first, is hereby amended by adding at the end of said section the following: 'Whenever the office of governor shall become vacant by either of the reasons cited in this section, and his immediate successor, as provided in this section, shall have qualified for, and shall have assumed the duties of exercising

7 the office of governor, he shall forthwith issue a procla-  
8 mation calling a special election of the legally qualified  
9 electors of the state to choose a governor to serve during  
10 the unexpired term of office so made vacant, or until an-  
11 other governor shall be duly qualified. And the person so  
12 exercising the office of governor, ad interim, shall immedi-  
13 ately relinquish the powers and duties of said office to the  
14 person so chosen upon the presentation of his legal certifi-  
15 cate of election. Provided, however, that the unexpired  
16 term of office of governor, so made vacant, shall not be for  
17 a period of time less than six months,' so that said section  
18 as amended shall read as follows:

'Sect. 14. Whenever the office of governor shall become  
2 vacant by death, resignation, removal from office or other-  
3 wise, the president of the senate shall exercise the office of  
4 governor until another governor shall be duly qualified; and  
5 in case of the death, resignation, removal from office or  
6 disqualification of the president of the senate so exercising  
7 the office of governor, the speaker of the house of repre-  
8 sentatives shall exercise the office, until a president of  
9 the senate shall have been chosen; and when the office of  
10 governor, president of the senate, and speaker of the house  
11 shall become vacant, in the recess of the senate, the person,  
12 acting as secretary of state for the time being, shall by  
13 proclamation convene the senate, that a president may be  
14 chosen to exercise the office of governor. And whenever  
15 either the president of the senate or the speaker of the house

16 shall so exercise said office, he shall receive only the com-  
17 pensation of governor, but his duties as president or speaker  
18 shall be suspended; and the senate or house shall fill the  
19 vacancy until his duties as governor shall cease. When-  
20 ever the office of governor shall become vacant by either of  
21 the reasons cited in this section, and his immediate suc-  
22 cessor, as provided, in this section, shall have qualified for,  
23 and shall have assumed the duties of exercising the office  
24 of governor, he shall forthwith issue a proclamation calling  
25 a special election of the legally qualified electors of the  
26 state to choose a governor to serve during the unexpired  
27 term of office so made vacant, or until another governor  
28 shall be duly qualified. And the person so exercising the  
29 office of governor, ad interim, shall immediately relinquish  
30 the powers and duties of said office to the person so chosen  
31 upon the presentation of his legal certificate of election.  
32 Provided, however, that the unexpired term of office of  
33 governor, so made vacant, shall not be for a period of time  
34 less than six months.'

Resolved: That the aldermen of cities, the selectmen of  
2 towns, and the assessors of the several plantations in this  
3 state are hereby empowered and directed to notify the in-  
4 habitants of their respective cities, towns and plantations  
5 in the manner prescribed by law, at the second Monday  
6 in the month of September, A. D. nineteen hundred and  
7 twenty-eight, to give in their votes upon the amendment  
8 proposed in the foregoing resolution, and the question shall

9 be: "Shall the constitution be amended as proposed by a  
10 resolution of the legislature providing for the election of  
11 governor in case of a vacancy in such office?"

And the inhabitants of said cities, towns and plantations  
2 shall vote by ballot on said question, those in favor of the  
3 amendment expressing it by the word "yes" upon their  
4 ballots, and those opposed to the amendment by the word  
5 "no" upon their ballots and the ballots shall be received,  
6 sorted, counted and declared in open ward, town and plan-  
7 tation meetings, and returns made to the office of the sec-  
8 retary of state in the same manner as votes for governor  
9 and members of the legislature; and the governor and coun-  
10 cil shall count the same, and if it shall appear that a major-  
11 ity of the inhabitants voting on the question are in favor  
12 of the amendment, the same shall thereupon become a part  
13 of the constitution, and the governor shall forthwith make  
14 known the fact by his proclamation.

Resolved: That the secretary of state shall prepare and  
2 furnish to the several cities, towns and plantations ballots  
3 and blank returns in conformity with the foregoing resolves  
4 accompanied by a copy thereof.