

MAINE STATE LEGISLATURE

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E I G H T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 803

S. P. 488

In Senate, Feb. 28, 1933.

Referred to Committee on Federal Relations and 1000 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Murchie of Washington.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED THIRTY-THREE

AN ACT to Provide for a Constitutional Convention to Pass on the Proposed Twenty-first Amendment to the Constitution of the United States.

Be it enacted by the People of the United States, as follows:

Sec. 1. A constitutional convention shall be convened in the hall of the house of representatives on the first Wednesday in January, 1934 to act on the question of the ratification or rejection of the twenty-first amendment to the constitution of the United States.

Sec. 2. Said convention shall be composed of 175 delegates of whom 151 shall be elected from the legislative class districts as members of the house of representatives in the legislature are elected; 9 shall be elected from the congressional districts, 3 at large from each district and 15 shall be elected at large from the state.

Sec. 3. The delegates to said convention shall be elected at a general election to be held on the second Monday in September, 1933, the ballots for which shall be prepared and distributed by the secretary of state as in the case of general elections and notifications of which shall be prepared and posted as required by law for such general elections.

Sec. 4. The qualifications for delegates to said convention shall be the same as the qualifications for members of the house of representatives in the state legislature.

Sec. 5. Candidates for election as delegates shall be nominated by peti-

tion signed in the aggregate for each candidate by not less than 5% of the total vote cast for governor in the gubernatorial election of 1932 in the district or division sought to be represented by the candidate; provided, however, that not more than 2000 signatures shall be required for nomination as a delegate at large in any congressional district and not more than 5000 names for nomination as a candidate for delegate at large in the state.

Sec. 6. Nominating petitions shall be prepared for circulation by the secretary of state and shall specify as to each candidate his name, his place of residence and the election district in which he offers himself as a candidate.

Nominating petitions shall not be signed prior to the 5th day of July, 1933 and shall be filed in the office of the secretary of state not later than midnight on the 10th day of August, 1933.

Sec. 7. The ballots shall contain the names of all candidates duly nominated arranged alphabetically according to surnames in three groups, the first group containing the names of all candidates in the state at large, the second group containing the names of all candidates in the congressional district at large and the third group containing the names of all candidates in the legislative class district. Appropriate instructions at the head of each group shall instruct the voter as to the number to be voted for in each group. The ballots shall contain no designation either of party or of position on the question of ratification or rejection.

Sec. 8. The result of the election shall be canvassed by the governor and council in accordance with the provisions of law governing the canvassing of the returns in general elections; the delegates-elect shall be notified of their election and the roll of convention shall be prepared by the secretary of state as in the case of such general elections.

Sec. 9. The secretary of state shall on or before the day preceding the meeting of the convention furnish to the secretary of the senate a certified roll under the seal of the state with the names and residences of the delegates-elect according to the report of the governor and council and shall report the vacancies if any exist.

Sec. 10. The secretary of the senate at 10 o'clock in the forenoon on the day appointed for the meeting of the convention as provided in section 1 shall call the delegates-elect present to order and from the certified roll furnished him as aforesaid shall call their names and if a quorum respond, he shall preside until they are qualified and a president of the convention is elected and if no quorum appear, he shall preside and the delegates present shall adjourn from day to day until a quorum appear and are qualified and a president is elected. In case of a vacancy in the

office of the secretary of the senate, the clerk of the house shall act in his stead.

Sec. 11. The governor shall administer the oath to the delegates-elect as the same is administered to members of the legislature.

Sec. 12. The convention shall be the judge of the qualification and election of its own members and shall organize by the election of a president and a secretary with such subordinate officers as may be in the opinion of the convention necessary for the transaction of its business.

Sec. 13. Delegates to the convention shall draw the same mileage as members of the legislature and shall receive as compensation for their services \$50 each.

Sec. 14. All the provisions of law contained in the chapter on corrupt practices in primary elections shall apply to the election of delegates herein provided. The candidates for election as delegates and any individual group or organization supporting them or any of them to file returns of expenses with the secretary of state prior to the date of election, which returns shall be published in the appropriate local newspapers on the Friday preceding the date of the election.