

MAINE STATE LEGISLATURE

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N I N E T I E T H L E G I S L A T U R E

Legislative Document

No. 730

H. P. 1425

House of Representatives, February 11, 1941.

Referred to Committee on Judiciary and 750 copies ordered printed. Sent up for concurrence.

HARVEY R. PEASE, Clerk.

Presented by Mr. Payson of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

RESOLVE, Proposing an Amendment to the Constitution to Provide for the Appointment of the Attorney-general by the Chief Justice of the Supreme Judicial Court.

Constitutional amendment. Resolved: Two-thirds of the legislature concurring, that the following amendment to the constitution of this state be proposed:

Article IX, § 11, constitution, amended. Section 11 of Article IX of the constitution, as amended, is hereby repealed and the following enacted in place thereof:

‘Sec. 11. The attorney general shall be appointed by the chief justice of the supreme judicial court and confirmed by the other justices thereof, and shall serve for the term of seven years. Vacancy in said office shall be filled in like manner to fill the unexpired term.’

Form of question and date when amendment shall be voted upon. Resolved: That the aldermen of cities, the selectmen of towns and the assessors of the several plantations of this state, are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives at

the next general or special state-wide election, to give in their votes upon the amendment proposed in the foregoing resolution, and the question shall be: "Shall the constitution be amended as proposed by a resolution of the legislature to provide for the appointment of the attorney-general by the chief justice of the supreme judicial court?" And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment voting "Yes" upon their ballots, and those opposed to the amendment voting "No" upon their ballots, and the ballots shall be received, counted and declared in open ward, town and plantation meetings and returns made to the office of the secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendment, the governor shall forthwith make known the fact by his proclamation, and the amendment shall thereupon as of the date of said proclamation become a part of the constitution.

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