

MAINE STATE LEGISLATURE

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NINETY-FOURTH LEGISLATURE

Legislative Document

No. 72

S. P. 84

In Senate, January 20, 1949

Referred to the Committee on Judiciary, sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Allen of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE.

**RESOLVE, Proposing an Amendment to the Constitution Changing the
Tenure of Office of Senators to Four-Year Terms.**

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

Constitution, Article II, § 4, amended. The 1st and 2nd sentences of section 4 of Article II of the constitution, as amended by Article XXIII, are hereby further amended to read as follows:

'The election of governor ~~senators~~ and representatives shall be on the 2nd Monday of September biennially **and the election of senators shall be on the 2nd Monday of September every 4 years.** But citizens of the state absent therefrom in the military service of the United States or of this state, and not in the regular army of the United States, being otherwise qualified electors, shall be allowed to vote for governor ~~senators~~ and representatives on the 2nd Monday of September biennially, in the manner herein provided; **and for senators on the 2nd Monday of September every 4 years, in the manner herein provided.'**

Constitution, Article IV, Part Second, § 1, amended. The last sentence of section 1 of Part Second of Article IV of the constitution, as amended by Article LIII, is hereby further amended to read as follows:

'The members of the senate shall be elected ~~at the same time and for the same term as the representatives~~ by the qualified electors of the counties which they shall respectively represent, and shall hold their office for 4 years from the 1st Wednesday of January next following the election.'

Constitution, Article IV, Part Second, § 3, amended. The 1st sentence of section 3 of Part Second of Article IV of the constitution is hereby amended to read as follows:

'The meetings within this state for the election of senators every 4 years shall be notified, held and regulated, and the votes received, sorted, counted, declared and recorded in the same manner as those for representatives.'

Constitution, Article IV, Part Second, § 5, amended. The 1st sentence of section 5 of Part Second of Article IV of the constitution, as amended by Articles XXIII, XXX and LIII, is hereby further amended to read as follows:

'The senate shall, on the said 1st Wednesday of January, ~~biennially~~ every 4 years, determine who are elected by a plurality of votes to be senators in each county; and in case the full number of senators to be elected from each county shall not have been so elected, the members of the house of representatives and such senators, as shall have been elected, shall, from the highest numbers of the persons voted for, on said lists, equal to twice the number of senators deficient, in every county, if there be so many voted for, elect by joint ballot the number of senators required; but all vacancies in the senate, arising from death, resignation, removal from the state or like causes, shall be filled by an immediate election in the unrepresented county.'

Constitution, Article XXIII, amended. The 1st paragraph of Article XXIII of the constitution is hereby amended to read as follows:

'The governor ~~senators~~ and representatives in the legislature shall be elected biennially, and hold office 2 years from the 1st Wednesday in January next succeeding their election; and the legislature, at the 1st session next after the adoption of this article, shall make all needful provisions by law concerning the tenure of office of all county officers, and concerning the annual or biennial reports of the state treasurer and other state officers and institutions; and shall make all such provisions by law as may be required in consequence of the change from annual to biennial elections, and from annual to biennial sessions of the legislature.'

Effective date. Resolved: That the amendments herein proposed, if

adopted, shall determine the term of office of senators to be elected at the general election in September, 1952, as well as the term of senators thereafter to be elected.

Form of question and date when amendments 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 amendments proposed in the foregoing resolution, and the question shall be:

“Shall the constitution be amended as proposed by a resolution of the legislature providing for the change in the tenure of office of senators to four-year terms?”

And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendments voting “Yes” upon their ballots and those opposed to the amendments voting “No” upon their ballots, and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings, and return 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 amendments, the governor shall forthwith make known the fact by his proclamation and the amendments 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.