

MAINE STATE LEGISLATURE

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N I N E T Y - F O U R T H L E G I S L A T U R E

Legislative Document

No. 391

S. P. 260

In Senate, February 4, 1949.

Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Boucher of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

**RESOLVE Proposing an Amendment to the Constitution to Provide for
Election of Members of the Executive Council.**

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

Constitution, Art. V, Part Second, § 2, repealed and replaced. Section 2 of part second of article V of the constitution of the state, as amended by articles XXIII and L, is hereby repealed and the following enacted in place thereof:

'Sec. 2. Each councillor shall be elected by the qualified electors of his district and shall hold office 2 years from the 1st Wednesday of January next succeeding his election; and vacancies, which shall afterward happen, shall be filled in the following manner: The governor with the advice and consent of the council shall appoint within 30 days from said vacancy a councillor from the same district in which the vacancy occurred, and the oath of office shall be administered by the governor; said councillor shall hold office for the remainder of the unexpired term; but not more than 1 councillor shall be elected or appointed from any district prescribed for the election of senators; they shall be privileged from arrest in the same manner as senators and representatives.'

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 election of members of the executive council?" 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.