

MAINE STATE LEGISLATURE

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

Legislative Document

No. 873

S. P. 358

In Senate, February 22, 1951.

Referred to the 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
FIFTY-ONE

**RESOLVE, Proposing an Amendment to the Constitution to Elect
Members of the Executive's Council by the People.**

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

Constitution, Art. V, part second, § 2, amended. Section 2 of part second of Article V of the constitution, as amended by Articles XXIII and L, is hereby further amended to read as follows:

'Sec. 2. The councillors shall be chosen biennially, on the 1st Wednesday of January, by joint ballot of the senators and representatives in convention elected by the qualified electors and shall hold office for 2 years from the 1st Wednesday in January next following the 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 until the next convening of the legislature; 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 elect members of the executive's council by the people?"

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, sorted, 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.