

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 154**

S. P. 68

In Senate, January 27, 1953

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

CHESTER T. WINSLOW, Secretary

Presented by Senator Collins of Aroostook.

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**STATE OF MAINE**

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-THREE

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**AN ACT Relating to Members of Executive Council and Manner  
of Selection.**

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Be it enacted by the People of the State of Maine, as follows :

R. S., c. 11, § 2-A, **additional**. Chapter 11 of the revised statutes, as amended, is hereby further amended by adding thereto a new section to be numbered 2-A, to read as follows :

‘Sec. 2-A. **Executive council, selection.** Whenever a county within any of the councillor districts is entitled to have the office of executive councillor occupied by a resident of that county, the nomination of such member shall be made in the following manner.

After the votes cast for senators and representatives at the biennial state election have been tabulated by the governor and council and the results announced, the senior senator-elect from the county entitled to an executive councillor shall, not later than the 3rd Monday in October next following such election, notify all senators and representatives-elect who are members of the political party having elected a majority of such senators and representatives in said county to assemble at the court house in the county seat of such county for the purpose of nominating a member of the executive council. Said meeting shall be held not later than the 1st Wednesday in November. If said senior senator belongs to a political party other

than the party having a majority of the senators and representatives-elect in such county; or if neither party has a majority; or if said senior senator neglects or refuses to issue the call for said meeting; or if there is no senior senator; a meeting shall be called by the secretary of state.

Such meeting shall be organized by the election of a chairman and a secretary. The vote for the nomination of executive councillor shall be by written ballot and no candidate shall be declared nominated unless he receives a number of votes equal to a majority of those senators and representatives eligible to vote at said meeting. Within 24 hours after the adjournment of said meeting, a certificate shall be executed setting forth the date and place of meeting, the name of the chairman and secretary elected at such meeting and the action of the meeting with respect to the purpose for which the meeting was called. Said certificate shall be signed by the chairman and the secretary and transmitted forthwith to the secretary of state.

The secretary of state shall file such certificate with the secretary of the joint convention of both branches of the legislature on the 1st Wednesday in January following, at which time the legislature shall elect a member of the executive council from each of the councillor districts.

If it appears from the certificate that no nomination has been made or if no certificate has been filed as herein provided, the secretary of state shall forthwith notify all senators and representatives-elect of all counties comprising said councillor district who represent the political party having elected a majority of the senators and representatives in the county entitled to an executive councillor to assemble at the court house in the county seat of any county in the councillor district on or before the 3rd Wednesday in November for the purpose of nominating an executive councillor who must be a resident, however, of the county entitled to representation. Said district meeting shall be organized, conducted and the certificate made and transmitted in the same manner as provided for the county meeting.

Nominations for the office of executive councillor may be made by the political party or parties having elected a minority of the senators and representatives in the county entitled to representation in the manner aforesaid.

If no candidate receives a majority of the votes cast at either the county or district meeting, the nomination shall be made at the party caucus preceding the convening of the legislature.'