

# MAINE STATE LEGISLATURE

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

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**Legislative Document**

**No. 437**

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S. P. 175

In Senate, February 5, 1953

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

CHESTER T. WINSLOW, Secretary

Presented by Senator Boucher of Androscoggin

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## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-THREE

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

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**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, Article V, Part Second, Section 2, amended.** Section 2 of Part Second of Article V of the constitution, as amended by Article XXIII and L, is hereby further amended to read as follows:

'Section 2. The counsellors shall be ~~chosen biennially, on the first Wednesday of January, by joint ballot of the senators and representatives in convention~~ elected by the qualified electors and shall hold office for two years from the first Wednesday in January next following the election; and vacancies, which shall afterwards happen, shall be filled in the following manner: the governor with the advice and consent of the council shall appoint within thirty days from said vacancy a counsellor from the same district in which the vacancy occurred, and the oath of office shall be administered by the governor; said counsellor shall hold office until the next convening of the legislature; but not more than one counsellor shall be elected or appointed from any district prescribed from 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.