

MAINE STATE LEGISLATURE

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

Legislative Document

No. 1062

S. P. 366

In Senate, March 1, 1955

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

CHESTER T. WINSLOW, Secretary

Presented by Senator Chapman of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-FIVE

**RESOLVE, Proposing an Amendment to the Constitution Redefining "Recess"
of the Legislature.**

Constitutional amendment. Resolved: Two-thirds of each branch of the Legislature concurring, that the following amendments to the Constitution of this State be proposed:

Constitution, Art. IV, Part Third, Section 16, amended. The 1st sentence of Section 16 of Part Third of Article IV of the Constitution is hereby amended to read as follows:

'No act or joint resolution of the legislature, except such orders or resolutions as pertain solely to facilitating the performance of the business of the legislature, of either branch, or of any committee or officer thereof, or appropriate money therefor or for the payment of salaries fixed by law, shall take effect until ninety days after the recess of the legislature **in regular or special session** passing it, unless in case of emergency, (which with the facts constituting the emergency shall be expressed in the preamble of the act), the legislature shall, by a vote of two-thirds of all the members elected to each house, otherwise direct.'

Constitution, Art. IV, Part Third, Section 20, amended. The 1st sentence of Section 20 of Part Third of Article IV of the Constitution is hereby amended to read as follows:

'As used in either of the three preceding sections the words "electors" and "people" mean the electors of the state qualified to vote for governor; "recess of the legislature" means the adjournment without day **or adjournment to a day certain after a recess of not less than ninety days** of a session of the legislature;

“general election” means the November election for choice of presidential electors or the September election for choice of governor and other state and county officers; “measure” means an act, bill, resolve or resolution proposed by the people, or two or more such, or part or parts of such, as the case may be; “written petition” means one or more petitions written or printed, or partly written and partly printed, with the original signatures of the petitioners attached, verified as to the authenticity of the signatures by the oath of one of the petitioners certified thereon, and accompanied by the certificate of the clerk of the city, town or plantation in which the petitioners reside that their names appear on the voting list of his city, town or plantation as qualified to vote for governor.’

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 Redefining “Recess” of the Legislature?”

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 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 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.