

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

Transmitted by Director of Legislative Research pursuant to joint order.

---

---

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

---

---

Legislative Document

No. 1011

S. P. 356

In Senate, March 3, 1959.

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

CHESTER T. WINSLOW, Secretary

Presented by Senator Carpenter of Somerset.

---

---

STATE OF MAINE

---

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-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 be proposed:

**Constitution, Article V, Part Second, Section 2, repealed and replaced.** Section 2 of Part Second of Article V of the Constitution is repealed and the following enacted in place thereof:

'Section 2. Each councillor shall be elected by the qualified electors of his county and shall hold office two years from the first 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 thirty days from said vacancy a councillor from the same county 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 one councillor shall be elected or appointed from any county 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?”

The inhabitants of said cities, towns and plantations shall vote by ballot on said question, and shall indicate by a cross or check mark placed against the words “Yes” or “No” their opinion of the same. 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.