

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)

Acts and Resolves

As Passed by the

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

Published by the Secretary of State, in accordance with the Resolves of the Legislature
approved June 28, 1820, March 18, 1840, and March 16, 1842.

KENNEBEC JOURNAL CO.
AUGUSTA, MAINE
1919

6939

CONSTITUTIONAL AMENDMENTS

Chapter 30, Resolves of 1917

Resolve, Proposing an Amendment to the Constitution of the State of Maine Relative to the Tenure of the Office of Sheriff.

Resolved: Two-thirds of the legislature concurring, that the following amendment to the constitution of the State of Maine be proposed:

Section ten of article nine of the constitution is hereby amended by striking out all that part of said section ten after the word "election" in the fourth line of said section as printed with the revised statutes of nineteen hundred and sixteen, and inserting in the place thereof the following: 'unless sooner removed as hereinafter provided. Whenever the governor and council upon complaint, due notice and hearing shall find that a sheriff is not faithfully or efficiently performing any duty imposed upon him by law, the governor may remove such sheriff from office and with the advice and consent of the council appoint another sheriff in his place for the remainder of the term for which such removed sheriff was elected. All vacancies in the office of sheriff, other than those caused by removal in the manner aforesaid, shall be filled in the same manner as is provided in the case of judges and registers of probate,' so that said section as amended shall read as follows:

'Section 10. Sheriffs shall be elected by the people of their respective counties, by a plurality of the votes given in on the second Monday of September, and shall hold their office for two years from the first day of January next after their election, unless sooner removed as hereinafter provided.

Whenever the governor and council upon complaint, due notice and hearing shall find that a sheriff is not faithfully or efficiently performing any duty imposed upon him by law, the governor may remove such sheriff from office and with the advice and consent of the council appoint another sheriff in his place for the remainder of the term for which such removed sheriff was elected. All vacancies in the office of sheriff, other than those caused by removal in the manner aforesaid shall be filled in the same manner as is provided in the case of judges and registers of probate.'

Resolved: That the aldermen of cities, the selectmen of towns, and the assessors of the several plantations in 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 representaives, on the second Monday in September following the passage of this resolve, 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 granting to the governor, by the consent and advice of the council, the power to remove sheriffs who do not faithfully and efficiently perform the duties imposed upon them by law, and to appoint another sheriff in his place for the remainder of the term for which such removed sheriff was elected?"

And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment expressing it by the word "Yes" upon their ballots and those opposed to the amendment by the word "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 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 same shall thereupon become a part of the constitution, and the governor shall forthwith make known the fact by his proclamation.

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 resolves accompanied by a copy thereof.

(The thirty-eighth amendment was proposed to the people by a resolve of the seventy-eighth legislature, approved March 19, 1917, and having been favorably voted upon by the people at a special election held September 10, 1917, was by proclamation of the governor, declared a part of the constitution, September 25, 1917.)

Chapter 116, Resolves of 1917

Resolve, Proposing an Amendment to Section Three of Part One of Article Four of the Constitution in Regard to the Apportionment of Representatives in the Event of Merger of Towns and Cities.

Resolved: Two-thirds of the legislature concurring, that the following amendment to the constitution of this state be proposed for action of the legal voters, to wit: By inserting in the eighth line of section three of part first of article four of the constitution, after the words "but no town shall ever be entitled to more than seven representatives," the words "except that in the event of the merger of towns or cities, the new town or city shall be allowed the combined representation of the former units," so that said section as amended shall read as follows:

'Section 3. Each town having fifteen hundred inhabitants, may elect one representative; each town having three thousand seven hundred and fifty may elect two; each town having six thousand seven hundred and fifty may elect three; each town having ten thousand five hundred may elect four; each town having fifteen thousand may elect five; each town