

# MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

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ONE HUNDRED AND FIRST LEGISLATURE

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Legislative Document

No. 1612

H. P. 1141

House of Representatives, January 6, 1964

Committee on Election Laws suggested.

HARVEY R. PEASE, Clerk

Presented by Mr. Smith of Bar Harbor.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-FOUR

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**RESOLVE, Proposing an Amendment to the Constitution Clarifying Procedure  
for Delivering Election Returns to the Secretary of State by Municipalities.**

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**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, Article IV, Part First, Section 5, amended.** The 3rd sentence of Section 5 of Part First of Article IV of the Constitution, as repealed and replaced by Article LXXXVIII, is amended to read as follows:

'Fair copies of the lists of votes shall be attested by the ~~city and town~~ **municipal officers and the clerks of the cities and towns** and the city and town clerks respectively shall cause the same to be delivered into the office of the Secretary of State ~~not less than fifteen days after the day on which the election is held~~ **forthwith.**'

**Constitution, Article IV, Part Second, Section 2, amended.** The 2nd sentence of Section 2 of Part Second of Article IV of the Constitution is amended to read as follows:

~~'And fair~~ Fair copies of the lists of votes shall be attested by the ~~selectmen and town clerks of towns, and the assessors and clerks of plantations, and sealed up in open town and plantation meetings; and the town and plantation clerks~~ **municipal officers and the clerks of the cities and towns and the city and town clerks**, respectively, shall cause the same to be delivered into the ~~secretary's office thirty days at least before the first Wednesday of January~~ **office of the Secretary of State forthwith.**'

**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 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 general statewide election on the Tuesday following the first Monday of November following the passage of this resolve, 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 clarifying procedure for delivering election returns to the Secretary of State by municipalities?”

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 review 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 the 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.