

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1993

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Legislative Document

No. 1350

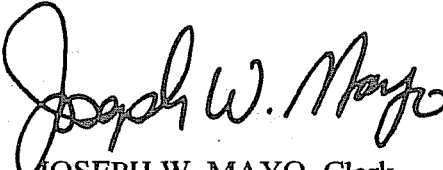
H.P. 1004

House of Representatives, April 28, 1993

**An Act to Provide for the Recall of the Governor, State Senators and State Representatives.**

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Reference to the Committee on State and Local Government suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative COFFMAN of Old Town.  
Cosponsored by Representative: LEMKE of Westbrook, Senator: LUTHER of Oxford.

2 Be it enacted by the People of the State of Maine as follows:

4 Sec. 1. 21-A MRSA §385 is enacted to read:

6 §385. Removal by recall

8 The Governor of this State, State Senators and State  
10 Representatives are each subject to recall and discharge by the  
12 legal voters of the State pursuant to the following procedures.

14 1. Petition. A petition demanding recall must state that  
16 the Governor, a State Senator or a State Representative has  
18 committed some act or acts of malfeasance or misfeasance while in  
20 office or has violated the oath of office and describe those acts  
22 in 200 words or less.

24 A. In the case of the Governor, the petition must be signed  
26 by a number of voters qualified to vote in the statewide  
28 recall election that is at least equal to 35% of the number  
30 of votes cast for all candidates at the preceding  
32 gubernatorial election.

34 B. In the case of a State Senator or a State  
36 Representative, the petition must be signed by a number of  
38 voters qualified to vote in the appropriate Senate or House  
40 District recall election that is at least equal to 35% of  
42 the number of votes cast for all Senate or House candidates,  
44 as appropriate, in that district at the preceding general  
46 election.

48 2. Filing. The petition must be filed with the Secretary  
of State who shall verify the signatures and, in the manner  
prescribed by law, call a special statewide election in the case  
of the Governor and a special districtwide election in the case  
of a State Senator or a State Representative.

3. Ballot. The ballot at the election must describe in not  
more than 200 words the reasons for demanding the recall of the  
Governor, the State Senator or the State Representative, as set  
forth in the recall petition, and must set forth in not more than  
200 words the Governor's, State Senator's or State  
Representative's justification for the actions complained of in  
the petition.

4. Additional procedures. The Legislature shall provide  
such other procedures as necessary to facilitate the  
implementation of this section.

## STATEMENT OF FACT

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4       This bill provides for citizen recall of the Governor, a  
6       State Senator or a State Representative for misfeasance,  
8       malfeasance or violation of oath while in office by a petition  
      signed by a number of qualified voters equal to 35% of the total  
      number of votes cast for all candidates in the preceding  
      gubernatorial election or Senate or House District election.