

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1995

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Legislative Document

No. 1628

H.P. 1187

House of Representatives, December 22, 1995

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**RESOLUTION, Proposing an Amendment to the Constitution of Maine  
Regarding Municipal Certification of Direct Initiative Petitions.**

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Submitted by the Department of the Secretary of State pursuant to Joint Rule 24.  
Received by the Clerk of the House on December 20, 1995. Referred to the Committee on  
Legal and Veterans Affairs and ordered printed pursuant to Joint Rule 14.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative NADEAU of Saco.

2           **Constitutional amendment. Resolved:** Two thirds of each  
branch of the Legislature concurring, that the following  
amendment to the Constitution of Maine be proposed:

4           **Constitution, Art. IV, Part Third, §20** is amended to read:

6           **Section 20. Meaning of words "electors," "people," "recess**  
8 **of Legislature," "statewide election," "measure," "circulator,"**  
10 **and "written petition"; written petitions for people's veto;**  
12 **written petitions for direct initiative.** As used in any of the 3  
preceding sections or in this section the words "electors" and  
14 "people" mean the electors of the State qualified to vote for  
Governor; "recess of the Legislature" means the adjournment  
without day of a session of the Legislature; "statewide election"  
16 means any election held throughout the State on a particular day;  
"measure" means an Act, bill, resolve or resolution proposed by  
the people, or 2 or more such, or part or parts of such, as the  
18 case may be; "circulator" means a person who solicits signatures  
for written petitions, and who must be a resident of this State  
and whose name must appear on the voting list of the city, town  
20 or plantation of the circulator's residence as qualified to vote  
for Governor; "written petition" means one or more petitions  
22 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 the  
24 circulator that all of the signatures to the petition were made  
in the presence of the circulator and that to the best of the  
26 circulator's knowledge and belief each signature is the signature  
of the person whose name it purports to be, and accompanied by  
the certificate of the official authorized by law to maintain the  
30 voting list of the city, town or plantation in which the  
petitioners reside that their names appear on the voting list of  
the city, town or plantation of the official as qualified to vote  
32 for Governor. The oath of the circulator must be sworn to in the  
presence of a person authorized by law to administer oaths.  
Written petitions for a people's veto pursuant to Article IV,  
34 Part Third, Section 17 must be submitted to the appropriate  
officials of cities, towns or plantations for determination of  
36 whether the petitioners are qualified voters by the hour of 5:00  
p.m., on the 5th day before the petition must be filed in the  
office of the Secretary of State, or, if such 5th day is a  
40 Saturday, a Sunday or a legal holiday, by 5:00 p.m., on the next  
day which is not a Saturday, a Sunday or a legal holiday.  
Written petitions for a direct initiative pursuant to Article IV,  
42 Part Third, Section 18 must be submitted to the appropriate  
officials of cities, towns or plantations for determination of  
44 whether the petitioners are qualified voters by the hour of 5:00  
p.m., on the ~~3rd~~ 10th day before the petition must be filed in  
46 the office of the Secretary of State, or, if such ~~3rd~~ 10th day is  
a Saturday, a Sunday or a legal holiday, by 5:00 p.m., on the  
50

2 next day which is not a Saturday, a Sunday or a legal holiday.  
Such officials must complete the certification of such petitions  
4 and must return them to the circulators or their agents within 2  
days for a petition for a people's veto and within 5 days for a  
6 petition for a direct initiative, Saturdays, Sundays and legal  
holidays excepted, of the date on which such petitions were  
8 submitted to them. The petition shall set forth the full text of  
the measure requested or proposed. Petition forms shall be  
10 furnished or approved by the Secretary of State upon written  
application signed in the office of the Secretary of State by a  
12 resident of this State whose name must appear on the voting list  
of the city, town or plantation of that resident as qualified to  
14 vote for Governor. The full text of a measure submitted to a  
vote of the people under the provisions of the Constitution need  
16 not be printed on the official ballots, but, until otherwise  
provided by the Legislature, the Secretary of State shall prepare  
18 the ballots in such form as to present the question or questions  
concisely and intelligibly.

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#### STATEMENT OF FACT

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This resolution requires that a direct initiative be  
24 submitted to municipal officials earlier than is now required and  
provides these municipal officials more time to certify that the  
26 petitioners are certified voters.