MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 573

H.P. 392

House of Representatives, February 19, 2013

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Restrict the Voting Privileges of Persons Incarcerated for Murder or Class A Crimes

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

Millient M. Macfaland MILLICENT M. MacFARLAND Clerk

Presented by Representative KNIGHT of Livermore Falls. Cosponsored by Senator PLUMMER of Cumberland and

Representatives: BEAULIEU of Auburn, CAMPBELL of Newfield, FOWLE of Vassalboro, KINNEY of Limington, MARKS of Pittston, SAUCIER of Presque Isle, SCHNECK of

Bangor, Senator: MASON of Androscoggin.

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

Constitution, Art. II, §1 is amended to read:

Section 1. Qualifications of electors; written ballot; military servicemen; **students.** Every citizen of the United States of the age of 18 years and upwards, excepting persons under guardianship for reasons of mental illness, having his or her residence established in this State, shall be an elector for Governor, Senators and Representatives, in the city, town or plantation where his or her residence has been established, if he or she continues to reside in this State; and the elections shall be by written ballot. But persons in the military, naval or marine service of the United States, or this State, shall not be considered as having obtained such established residence by being stationed in any garrison, barrack or military place, in any city, town or plantation; nor shall the residence of a student at any seminary of learning entitle the student to the right of suffrage in the city, town or plantation where such seminary is established; nor may any person convicted of a crime for which a sentence of imprisonment of more than 10 years may be imposed be entitled to the right of suffrage while that person is imprisoned for that crime in a correctional facility of the State. No person, however, shall be deemed to have lost residence by reason of the person's absence from the state in the military service of the United States, or of this State.

Indians. Every Indian, residing on tribal reservations and otherwise qualified, shall be an elector in all county, state and national elections.

; and be it further

Resolved: That the municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, at a statewide election held in the month of November following the passage of this resolution, to vote upon the ratification of the amendment proposed in this resolution by voting upon the following question:

"Do you favor amending the Constitution of Maine to prohibit persons incarcerated for committing a crime for which a sentence of more than 10 years may be imposed from voting while incarcerated?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within the corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If it appears that a majority of the legal votes are cast in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment becomes part of the Constitution of Maine on the date of the proclamation; and be it further

1	Secretary of State shall prepare ballots. Resolved: That the Secretary of
2	State shall prepare and furnish to each city, town and plantation all ballots, returns and
3	copies of this resolution necessary to carry out the purposes of this referendum.

4 SUMMARY

5 6

7 8 This resolution proposes an amendment to the Constitution of Maine that revokes the right of a person in a correctional facility of the State to vote if that person was convicted of a crime punishable by more than 10 years of imprisonment, which currently includes murder and Class A crimes.