MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 715

H.P. 506

House of Representatives, February 28, 2017

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Amend the Citizen Initiative Process

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

ROBERT B. HUNT

R(+ B. Hunt

Clerk

Presented by Representative CRAIG of Brewer.

Cosponsored by Representatives: BRADSTREET of Vassalboro, FOLEY of Wells, HERRICK of Paris, JOHANSEN of Monticello, KINNEY of Knox, PICCHIOTTI of Fairfield, TUELL of East Machias, Senator: WHITTEMORE of Somerset.

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. IV, Pt. Third, §18, sub-§2 is amended to read:

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Referral to electors unless enacted by the Legislature without change; number of signatures necessary on direct initiative petitions; dating signatures on petitions; competing measures. For any measure thus proposed by electors, the number of petition must contain signatures shall not be less than 10% of at least 15% of the total vote for Governor cast in the last gubernatorial election preceding the filing of such petition registered voters in each county. The date each signature was made shall be written next to the signature on the petition. A signature is not valid if it is dated more than one year prior to the date that the petition was filed in the office of the Secretary of State. The measure thus proposed, unless enacted without change by the Legislature at the session at which it is presented, shall be submitted to the electors together with any amended form, substitute, or recommendation of the Legislature, and in such manner that the people can choose between the competing measures or reject both. No earlier than 90 days before the referendum vote and no later than 30 days before the referendum vote, the Secretary of State shall hold at least one public debate on the measure in each senatorial district at which the full text of the measure and any amended form, substitute, or recommendation of the Legislature must be read aloud in its entirety. When there are competing bills and neither receives a majority of the votes given for or against both, the one receiving the most votes shall at the next statewide election to be held not less than 60 days after the first vote thereon be submitted by itself if it receives more than 1/3 of the votes given for and against both. If the measure initiated is enacted by the Legislature without change, it shall not go to a referendum vote unless in pursuance of a demand made in accordance with the preceding section. The Legislature may order a special election on any measure that is subject to a vote of the people.

; and be it further

Constitutional referendum procedure; form of question; effective date. 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 require that a direct initiative petition contain signatures of at least 15% of the registered voters in each county and that the Secretary of State hold a public debate in each senatorial district on the measure proposed in the initiative?"

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

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

9 SUMMARY

This resolution proposes to amend the Constitution of Maine to require that a direct initiative petition contain signatures of at least 15% of the registered voters in each county. The Constitution of Maine currently requires a petition to contain a number of signatures equal to at least 10% of the total vote for Governor cast in the last gubernatorial election.

This resolution requires the Secretary of State to hold at least one public debate on the measure proposed in the petition in each senatorial district at which the full text of the measure and any amended form, substitute or recommendation of the Legislature must be read aloud in its entirety.