MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 789

S.P. 350

In Senate, March 4, 2025

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require Legislative Approval of Any State of Emergency Lasting Longer than 60 Days

Received by the Secretary of the Senate on February 27, 2025. Referred to the Committee on State and Local Government pursuant to Joint Rule 308.2 and ordered printed.

DAREK M. GRANT Secretary of the Senate

Presented by Senator STEWART of Aroostook. Cosponsored by Representative FAULKINGHAM of Winter Harbor and Senators: GUERIN of Penobscot, HARRINGTON of York, MARTIN of Oxford, TIMBERLAKE of Androscoggin, Representative: SMITH of Palermo. **Constitutional amendment. Resolved:** Two thirds of each branch of the Legislature concurring, that the following amendment to the Constitution of Maine be proposed:

Constitution, Article IV, Pt. Third, §24 is enacted to read:

Section 24. Legislative approval of continuing state of emergency. A state of emergency proclaimed by the Governor may not continue for longer than 60 days; each subsequent state of emergency proclaimed by the Governor is limited to 60 days and each must be approved by the Legislature.

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 provide that a state of emergency proclaimed by the Governor may not continue for longer than 60 days and that each subsequent state of emergency must be approved by the Legislature?"

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.

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.

30 SUMMARY

This resolution proposes a constitutional amendment that provides that a state of emergency proclaimed by the Governor may not continue for longer than 60 days and that each subsequent state of emergency must be approved by the Legislature.