

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 1443

S. P. 532

In Senate, March 6, 1963

Referred to Committee on Constitutional Amendments and Legislative Re-apportionment. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Campbell of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

RESOLVE, Proposing an Amendment to the Constitution to Prohibit the Unreasonable Interception of Telephone, Telegraph and Other Electronic Communications.

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

Constitution, Article I, Section 5, amended. Section 5 of Article I of the Constitution is amended by adding at the end a new paragraph, to read as follows:

'The right of the people to be secure against unreasonable interception of telephone, telegraph and other electronic means of communication shall not be violated, and no orders and warrants for such interception shall issue but on complaint in writing, upon probable cause, supported by oath or affirmation that evidence of crime may thus be obtained, and particularly identifying the means of communication and the person or persons whose communications are to be intercepted.'

Form of question and date when amendment shall be voted upon. Resolved: That the aldermen of cities, the selectmen of towns and the assessors of the several plantations of this State are empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of Senators and Representatives at the next general election in the month of November or special state-wide election on the Tuesday following the first Monday of November following the passage of this resolve to give in their votes upon the amendment proposed in the foregoing resolution, and the question shall be:

"Shall the Constitution be amended as proposed by a resolution of the Legislature to Prohibit the Unreasonable Interception of Telephone, Telegraph and Other Electronic Communications?"

And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, and shall indicate by a cross or check mark placed **against** the words "Yes" or "No" their opinion of the same. The ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the office of the Secretary of State in the same manner as votes for Governor and members of the Legislature, and the Governor and Council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendment, the Governor shall forthwith make known the fact by his proclamation, and the amendment shall thereupon, as of the date of said proclamation, become a part of the Constitution.