

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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Legislative Document

No. 535

H. P. 427

House of Representatives, February 17, 1977

Referred to Committee on Election Laws. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Durgin of Kittery.

Cosponsor: Mrs. Boudreau of Portland.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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RESOLUTION, Proposing an Amendment to the Constitution to Prohibit  
Referendum Voting at Primary Elections.

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**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, Art. IV, Pt. 3, § 23, is enacted to read:

**Section 23. No referendum vote at a primary election. No Act of the Legislature providing for the people's ratification by a referendum vote shall be considered at a primary election.**

**Constitutional referendum procedure; form of question; effective date. Resolved:** That the city aldermen, town selectmen and plantation assessors 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 the next general election in the month of November or special statewide election on the Tuesday following the first Monday 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:

"Shall the Constitution be amended as proposed by a resolution of the Legislature to prohibit referendum voting at primary elections?"

The legal voters of each city, town and plantation shall vote by ballot on this question, and shall designate their choice by a cross or check mark placed within the corresponding square below the words "Yes" or "No." The ballots

shall 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, and, if it appears that a majority of the legal voters are in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment shall become part of the Constitution 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 purpose of this referendum.

#### STATEMENT OF FACT

The purpose of this resolution is to provide for more voter participation in initiative referendum elections. It will also provide a cost saving by putting all referendums in, in November, at one time.