

MAINE STATE LEGISLATURE

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(New Draft of H.P. 616, L.D. 764)
(New Title)

FIRST REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 1468

H.P. 1124

House of Representatives, April 14, 1983

Reported by the Majority from the Committee on State Government and printed under Joint Rule 2.

Original bill sponsored by Representative Armstrong of Wilton .
Cosponsored by Representative Brown of Livermore Falls.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-THREE

RESOLUTION, Proposing an Amendment to
the Constitution of Maine to Require that
Legislators be Sent Notification Seven
Calendar Days in Advance of Special Sessions
of the Legislature and that Notification be
Accompanied with an Agenda of Memorials
and Legislation to be Considered at Each
Special Session.

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. V, Pt. First, §13, as amended by CR 1975, c. 5, is repealed and the following enacted in its place:

1 Section 13. Convene the Legislature on extraor-
2 inary occasions; agenda; adjournment. Whenever the
3 Governor calls a special legislative session pursuant
4 to this section, the Governor shall mail to all
5 Legislators an agenda comprising all memorials,
6 bills, resolves and constitutional resolutions to be
7 considered in that special legislative session. The
8 agenda shall be mailed at least seven calendar days
9 prior to the commencement of the session. No other
10 memorials, bills, resolves or constitutional resolu-
11 tions may be introduced or considered at that
12 session, unless both Houses of the Legislature agree
13 by a two-thirds vote.

14 In the event that the public safety, health and
15 welfare are threatened in such a manner as to require
16 a special session of the Legislature without the
17 notification and agenda as required in this section,
18 the Governor may call a special session without
19 sending a notice and agenda to Legislators seven cal-
20 endar days in advance of the special session.

21 In case of disagreement between the two Houses
22 with respect to the time of adjournment, the Governor
23 may adjourn the Legislature to such time as he thinks
24 proper, not beyond the day of the next regular
25 session and, if, since the last adjournment, the
26 place where the Legislature were next to convene
27 shall have become dangerous from an enemy or conta-
28 gious sickness, may direct the session to be held at
29 some other convenient place within the State.

30 Constitutional referendum procedure; form of
31 question; effective date. Resolved: That the city
32 aldermen, town selectmen and plantation assessors of
33 this State shall notify the inhabitants of their
34 respective cities, towns and plantations to meet, in
35 the manner prescribed by law for holding a statewide
36 election, at a statewide election, on the Tuesday
37 following the first Monday of November following the
38 passage of this resolution, to vote upon the ratifi-
39 cation of the amendment proposed in this resolution
40 by voting upon the following question:

41 "Shall the Constitution of Maine be amended to
42 require that Legislators be sent notification seven
43 calendar days in advance of special sessions of the

1 Legislature and that notification be accompanied
2 with an agenda of memorials and legislation to be
3 considered at each special session?"

4 The legal voters of each city, town and
5 plantation shall vote by ballot on this question, and
6 shall designate their choice by a cross or check mark
7 placed within the corresponding square below the word
8 "Yes" or "No." The ballots shall be received,
9 sorted, counted and declared in open ward, town and
10 plantation meetings and returns made to the Secretary
11 of State in the same manner as votes for members of
12 the Legislature. The Governor shall review the
13 returns and, if it appears that a majority of the
14 legal votes are in favor of the amendment, the Gover-
15 nor shall proclaim that fact without delay and the
16 amendment shall become part of the Constitution on
17 the date of the proclamation.

18 Secretary of State shall prepare ballots.
19 Resolved: That the Secretary of State shall prepare
20 and furnish to each city, town and plantation all
21 ballots, returns and copies of this resolution neces-
22 sary to carry out the purposes of this referendum.

23 STATEMENT OF FACT

24 This new draft creates a constitutional resolu-
25 tion to be approved by the voters at referendum to
26 require that Legislators be sent notification of spe-
27 cial sessions 7 calendar days in advance of special
28 sessions of the Legislature and that notification be
29 accompanied with an agenda of the memorials and
30 legislation to be considered at each special session.
31 In the event of an emergency, the notice and agenda
32 requirements are suspended.

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