

# MAINE STATE LEGISLATURE

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L.D. 1964

(Filing No. H- 877)

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
115TH LEGISLATURE  
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P.  
1377, L.D. 1964, "Resolve, to Establish the Commission on Recall"

Amend the amendment by inserting after the title the following:

'Amend the resolve by striking out the title and substituting the following:

'Resolve, to Direct the Joint Standing Committee on State and Local Government to Report Out a Proposal to Amend the Constitution of Maine to Establish a Procedure for the Public Recall of State and County Officials''

Further amend the amendment by striking out everything after the title and before the statement of fact and inserting in its place the following:

'Further amend the resolve by striking out everything after the title and before the statement of fact and inserting in its place the following:

**Emergency preamble.** Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the issue of recall is of vital importance to the people of Maine; and

**Whereas,** this legislation directs that a proposal addressing the issues involved in a recall be prepared by the Joint Standing Committee on State and Local Government by March 15, 1992; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**HOUSE AMENDMENT**

2       **Sec. 1. Report by Joint Standing Committee on State and Local**  
3       **Government. Resolved:** That by March 15, 1992, the Joint Standing  
4       Committee on State and Local Government shall report out a  
5       resolution proposing an amendment to the Constitution of Maine to  
6       provide a mechanism for the public recall of all elected state  
7       and county officials; and be it further

8       **Sec. 2. Content of proposed amendment. Resolved:** That the  
9       proposed amendment to the Constitution of Maine reported out by  
10      the Joint Standing Committee on State and Local Government must  
11      include, but is not limited to, a description of the recall  
12      process and the following:

13           1. Procedural requirements and limitations, including:

14           A. The number of times a recall may be attempted;

15           B. The minimum length of time an official must be in office  
16           before a recall may be initiated;

17           C. The maximum length of time remaining in an official's  
18           term beyond which a recall may not be initiated;

19           D. The maximum period allowed for petition circulation;

20           E. The minimum number of signatures needed on a petition to  
21           trigger a recall election;

22           F. The maximum amount of time allowed for a petition to be  
23           certified;

24           G. The mechanism for determining the time for a recall  
25           election; and

26           H. The number of days an official has to step down after a  
27           recall election has been lost;

28           2. The reasons that a recall may be initiated;

29           3. A mechanism for the recall of constitutional officers  
30           and the State Auditor by popular vote cast at any general  
31           election or special election called for that purpose;

32           4. Definitions of the terms used in the amendment; and

33           5. A mechanism for the presentation to a nonpartisan body  
34           of a defense by the official whose recall is sought.

