MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1208

S.P. 440

In Senate, April 4, 1995

RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding the Constitutional Amendment Process.

Reference to the Committee on State and Local Government suggested and ordered printed.

MAY M. ROSS Secretary of the Senate

Presented by Senator LAWRENCE of York.

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. X, §4 is amended to read:

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Section 4. Amendments to Constitution. The Legislature, whenever 2/3 a majority of both Houses shall deem it necessary, may propose amendments to this Constitution; and when amendments shall be so agreed upon, a resolution shall be passed and sent to the selectmen of the several towns, and the assessors of the several plantations, empowering and directing them to notify the inhabitants of their respective towns and plantations, in the manner prescribed by law, at the next biennial meetings in the month of November, or to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of Senators and Representatives, on the Tuesday following the first Monday of November following the passage of said resolve, to give in their votes on the question, whether such amendment shall be made; and if it shall appear that a majerity 2/3 of the inhabitants voting on the question are in favor of such amendment, it shall be come a part of this Constitution.

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; and be it further

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, on the Tuesday following the first Monday of November following the passage of this resolution, to vote upon the ratification of the amendment

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"Do you favor amending the Constitution of Maine to provide that when an amendment is proposed to the Constitution of Maine, in order to become part of the Constitution the amendment must be ratified by a majority of both Houses and 2/3 of the inhabitants voting on the amendment?"

proposed in this resolution by voting upon the following question:

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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 and, 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 on the date of the proclamation; and be it further

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.

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STATEMENT OF FACT

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This resolution provides for a majority vote of both Houses and a 2/3 vote of inhabitants voting on an amendment before the amendment becomes part of the Constitution.