MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 458

H.P. 336

House of Representatives, January 23, 1997

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Change the Manner in Which the Legislature Calls Itself into Special Session.

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

OSEPH W. MAYO, Clerk

Presented by Representative AHEARNE of Madawaska. Cosponsored by Representatives: CLARK of Millinocket, O'NEAL of Limestone. Constitutional amendment. Resolved: Two thirds of each branch of the Legislature concurring, that the following amendment to the Constitution of Maine be proposed:

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Constitution, Art. IV, Pt. 3rd, §1 is amended to read:

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To meet annually; power of Legislature Section 1. convene itself at other times; extent of legislative power. Legislature shall convene on the first Wednesday of December following the general election in what shall be designated the first regular session of the Legislature; and shall further convene on the first Wednesday after the first Tuesday of January in the subsequent even-numbered year in what shall be designated the second regular session of the Legislature; provided, however, second regular session of business of the Legislature shall be limited to budgetary matters; legislation in the Governor's call; legislation of an emergency nature admitted by the Legislature; legislation referred to committees for study and report by the Legislature in the first regular session; and legislation presented to the Legislature by written petition of the electors under the provisions of Article IV, Part Third, The Legislature shall enact appropriate statutory Section 18. limits on the length of the first regular session and of the The Legislature may convene at such second regular session. other times on the call of the President of the Senate Speaker of the House, with the consent of a majority of Members of each House of the Legislature of-each-political-party, all Members of the Legislature having been first polled. Legislature, with the exceptions hereinafter stated, shall have full power to make and establish all reasonable laws regulations for the defense and benefit of the people of this State, not repugnant to this Constitution, nor to that of the United States.

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; and be it further

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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 proposed in this resolution by voting upon the following question:

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"Do you favor amending the Constitution of Maine to authorize the Legislature to convene a special session with consent of a majority vote of the membership of each House of the Legislature, rather than with consent of a majority of the members of each political party?"

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.

20 SUMMARY

This resolution amends the Constitution of Maine to change the manner in which the Legislature may call itself into special session. The Constitution of Maine currently provides for special session with consent of a majority of the members of each political party represented in the Legislature. The amendment provides for the calling of a special session with consent of a majority of the members of each House of the Legislature.