## MAINE STATE LEGISLATURE

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## 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

Legislative Document

No. 475

H.P. 352

House of Representatives, January 28, 1997

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Affirm the Rights to Private Property.

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

OSEPH W. MAYO, Clerk

Presented by Representative PERKINS of Penobscot. (By Request) Cosponsored by Representatives: JOY of Crystal, LANE of Enfield, WHEELER of Bridgewater.

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. I, §21 is amended to read:

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Section 21. Private property, when to be taken. Private property shall not be taken for public uses without just compensation; nor unless the public exigencies require it. Every citizen has a right to private property and this right may never be questioned.

; 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 proposed in this resolution by voting upon the following question:

"Do you favor amending the Constitution of Maine to affirm the rights to private property?"

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.

## SUMMARY

This constitutional resolution seeks to strengthen the rights of individuals to private property in the same manner in which the right to bear arms was strengthened constitutionally.