

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 877

S.P. 269

In Senate, February 6, 1997

**RESOLUTION, Proposing an Amendment to the Constitution of Maine
to Clarify the Process for Inclusion of a Competing Measure.**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BUTLAND of Cumberland.
Cosponsored by Senators: CASSIDY of Washington, HALL of Piscataquis, KIEFFER of
Aroostook, Representatives: BUCK of Yarmouth, TAYLOR of Cumberland.

2 statewide election, at a statewide election, on the Tuesday
3 following the first Monday of November following the passage of
4 this resolution, to vote upon the ratification of the amendment
5 proposed in this resolution by voting upon the following question:

6 "Do you favor amending the Constitution of Maine to provide
7 that only measures enacted during the same legislative
8 session in which a citizen-initiated measure is presented
9 may be placed on the ballot as competing measures?"

10 The legal voters of each city, town and plantation shall
11 vote by ballot on this question and designate their choice by a
12 cross or check mark placed within the corresponding square below
13 the word "Yes" or "No." The ballots must be received, sorted,
14 counted and declared in open ward, town and plantation meetings
15 and returns made to the Secretary of State in the same manner as
16 votes for members of the Legislature. The Governor shall review
17 the returns and, if it appears that a majority of the legal votes
18 are cast in favor of the amendment, the Governor shall proclaim
19 that fact without delay and the amendment becomes part of the
20 Constitution on the date of the proclamation; and be it further

21
22 **Secretary of State shall prepare ballots. Resolved:** That the
23 Secretary of State shall prepare and furnish to each city, town
24 and plantation all ballots, returns and copies of this resolution
25 necessary to carry out the purpose of this referendum.

28 SUMMARY

30 This resolution proposes an amendment to the Constitution of
31 Maine to clarify when a legislative act is considered a
32 "competing measure" to a citizen-initiated measure. It provides
33 that only legislative acts taken in the same session in which the
34 citizen-initiated measure was presented to the Legislature are
35 competing measures to the citizen-initiated measure. If an
36 election is pending after final adjournment of the session in
37 which the initiated measure was presented, the Legislature is
38 prohibited from enacting law on the same subject matter as the
39 measure to be voted on, until the vote has been completed.
40