## MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

### **FIRST REGULAR SESSION-2001**

Legislative Document

No. 59

H.P. 50

House of Representatives, January 9, 2001

Millient M. Macfailand

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Increase the Number of Signatures Required on Direct Initiative Petitions.

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

MILLICENT M. MacFARLAND, Clerk

Presented by Representative MAYO of Bath.

Cosponsored by Senator SHOREY of Washington, Senator NUTTING of Androscoggin and Representatives: BRUNO of Raymond, MURPHY of Berwick, TRAHAN of Waldoboro,

Senator: McALEVEY 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:

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### Constitution, Art. IV, Part Third, §18, sub-§2 is amended to read:

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2. Referral to electors unless enacted by the Legislature number of signatures necessary on direct change; initiative petitions; dating signatures on petitions; competing measures. For any measure thus proposed by electors, the number of signatures shall not be less than 10% 15% of the total vote for Governor cast in the last gubernatorial election preceding the filing of such petition. The date each signature was made shall be written next to the signature on the petition, and no signature older than one year from the written date on the petition shall be valid. The measure thus proposed, unless enacted without change by the Legislature at the session at which it is presented, shall be submitted to the electors together with any amended form, substitute, recommendation οf or Legislature, and in such manner that the people can choose between the competing measures or reject both. When there are competing bills and neither receives a majority of the votes given for or against both, the one receiving the most votes shall at the next statewide election to be held not less than 60 days after the first vote thereon be submitted by itself if it receives more than 1/3 of the votes given for and against both. If the measure initiated is enacted by the Legislature without change, it shall not go to a referendum vote unless in pursuance of a demand made in accordance with the preceding section. Legislature may order a special election on any measure that is subject to a vote of the people.

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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:

44 46 "Do you favor amending the Constitution of Maine to increase the number of signatures required on direct initiative petitions from 10% to 15% of the total vote for Governor cast in the gubernatorial election?"

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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.

#### **SUMMARY**

This resolution proposes amending the Constitution of Maine to require that the number of signatures required on a petition to directly initiate legislation be not less than 15% of the total vote for Governor cast in the last preceding gubernatorial election. The currently required percentage is 10%.