



120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 123

H.P. 119

House of Representatives, January 11, 2001

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require Signatures From All Counties on Direct Initiative Petitions.

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

Millicent M. Mac Jailand

MILLICENT M. MacFARLAND, Clerk

Presented by Representative MAYO of Bath.

Cosponsored by Representatives: CARR of Lincoln, PERKINS of Penobscot, President MICHAUD of Penobscot, Senator SAVAGE of Knox, Senator NUTTING of Androscoggin and Representatives: BRUNO of Raymond, HEIDRICH of Oxford, O'NEIL of Saco, RICHARDSON of Brunswick, TRAHAN of Waldoboro, Senator: McALEVEY of York.

Constitutional amendment. Resolved: Two thirds of each Legislature concurring, of the that the following 2 branch amendment to the Constitution of Maine be proposed:

4

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

6 Referral to electors unless enacted by the Legislature 2. change; number of signatures necessary on direct 8 without initiative petitions; dating signatures on petitions; competing measures. For any measure thus proposed by electors, the number 10 of signatures shall not be less than 10% of the total vote for Governor cast in the last gubernatorial election preceding the 12 filing of such petition. At least 5% of the required number of signatures must be collected in each county. The date each 14 signature was made shall be written next to the signature on the petition, and no signature older than one year from the written 16 date on the petition shall be valid. The measure thus proposed, unless enacted without change by the Legislature at the session 18 at which it is presented, shall be submitted to the electors together with any amended form, substitute, or recommendation of 20 the Legislature, and in such manner that the people can choose between the competing measures or reject both. When there are 22 competing bills and neither receives a majority of the votes given for or against both, the one receiving the most votes shall 24 at the next statewide election to be held not less than 60 days after the first vote thereon be submitted by itself if it 26 receives more than 1/3 of the votes given for and against both. If the measure initiated is enacted by the Legislature without 28 change, it shall not go to a referendum vote unless in pursuance of a demand made in accordance with the preceding section. 30 The Legislature may order a special election on any measure that is subject to a vote of the people. 32

34

; and be it further

Constitutional referendum procedure; form of question; effective 36 date. Resolved: That the municipal officers of this State shall notify the inhabitants of their respective cities, towns and 38 plantations to meet, in the manner prescribed by law for holding a statewide election, at a statewide election, on the Tuesday 40 following the first Monday of November following the passage of this resolution, to vote upon the ratification of the amendment 42 proposed in this resolution by voting upon the following question: 44

- "Do you favor amending the Constitution of Maine to require signatures on direct initiative petitions to be collected in all counties?"
- 48

46

The legal voters of each city, town and plantation shall 2 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, 4 counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as 6 votes for members of the Legislature. The Governor shall review the returns and, if it appears that a majority of the legal votes 8 are cast in favor of the amendment, the Governor shall proclaim 10 that fact without delay and the amendment becomes part of the Constitution on the date of the proclamation; and be it further 12

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 at least 5% of the number of signatures required on a petition to directly initiate legislation be collected in

18

20

22

each of the 16 counties.