

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1123

H.P. 826

House of Representatives, March 4, 2003

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Change the Duration of the Legislative Session

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative DUPREY of Hampden.
Cosponsored by Representatives: ANNIS of Dover-Foxcroft, CRESSEY of Baldwin,
FLETCHER of Winslow, PEAVEY-HASKELL of Greenbush, SNOWE-MELLO of Poland.

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

6 **Constitution, Art. IV, Part Third, §1** is amended to read:

8 **Section 1. To meet biennially; power of Legislature to**
9 **convene itself at other times; extent of legislative power.** The
10 Legislature shall convene on the first Wednesday of December
11 following the general election ~~in what shall be designated the~~
12 ~~first regular session of the Legislature, and shall further~~
13 ~~convene on the first Wednesday after the first Tuesday of January~~
14 ~~in the subsequent even numbered year in what shall be designated~~
15 ~~the second regular session of the Legislature, provided, however,~~
16 ~~that the business of the second regular session of the~~
17 ~~Legislature shall be limited to budgetary matters, legislation in~~
18 ~~the Governor's call, legislation of an emergency nature admitted~~
19 ~~by the Legislature, legislation referred to committees for study~~
20 ~~and report by the Legislature in the first regular session, and~~
21 ~~legislation presented to the Legislature by written petition of~~
22 ~~the electors under the provisions of Article IV, Part Third,~~
23 ~~Section 18. The Legislature shall enact appropriate statutory~~
24 ~~limits on the length of the first regular session and of the~~
25 ~~second regular session~~ for a period of up to 2 months. The
26 Legislature may convene at such other times on the call of the
27 President of the Senate and Speaker of the House, with the
28 consent of a majority of the Members of the Legislature of each
29 political party, all Members of the Legislature having been first
30 polled. The Legislature, with the exceptions hereinafter stated,
31 shall have full power to make and establish all reasonable laws
32 and regulations for the defense and benefit of the people of this
33 State, not repugnant to this Constitution, nor to that of the
34 United States.

36 **Constitution, Art. IV, Part Third, §18, sub-§1** is amended to read:

38 **1. Petition procedure.** The electors may propose to the
39 Legislature for its consideration any bill, resolve or
40 resolution, including bills to amend or repeal emergency
41 legislation but not an amendment of the State Constitution, by
42 written petition addressed to the Legislature or to either branch
43 thereof and filed in the office of the Secretary of State by the
44 hour of 5:00 p.m., on or before the ~~50th~~ 25th day after the date
45 of convening of the Legislature in ~~first~~ regular session ~~or on or~~
46 ~~before the 25th day after the date of convening of the~~
47 ~~Legislature in second regular session.~~ If the 50th ~~or 25th~~ day,
48 ~~whichever applies,~~ is a Saturday, Sunday, or legal holiday, the
period runs until the hour of 5:00 p.m., of the next day which is
not a Saturday, Sunday, or legal holiday.

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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:

12

"Do you favor amending the Constitution of Maine to require the Legislature to meet once every 2 years for a maximum of 2 months?"

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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 of Maine on the date of the proclamation; and be it further

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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 purposes of this referendum.

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SUMMARY

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This constitutional resolution amends the Constitution of Maine to eliminate the requirement that the Legislature meet every year. Instead, the Legislature is required to meet for a maximum of 2 months once every 2 years. This resolution does not affect the ability of the Legislature to call itself in at other times if needed.

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