# MAINE STATE LEGISLATURE

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## 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

Legislative Document

No. 350

S.P. 114

In Senate, February 3, 2009

RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding Early Voting

Submitted by the Secretary of State pursuant to Joint Rule 204.

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

JOY J. O'BRIEN Secretary of the Senate

Presented by President MITCHELL of Kennebec.
Cosponsored by Speaker PINGREE of North Haven and
Senators: MARRACHÉ of Kennebec, SULLIVAN of York, Representatives: BEAUDETTE of
Biddeford, BEAULIEU of Auburn, BERRY of Bowdoinham, TARDY of Newport,
TRINWARD of Waterville, VALENTINO of Saco.

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. II, §4 is amended to read:

 Section 4. Time of state election; absentee voting. The election of Senators and Representatives shall be on the Tuesday following the first Monday of November biennially forever and the election of Governor shall be on the Tuesday following the first Monday of November every 4 years. The Legislature by proper enactment may authorize a process to allow qualified voters to vote at polling places in or outside their election districts during the 10-day period immediately preceding an election. The Legislature under by proper enactment shall authorize and provide for voting by absentee ballot by citizens of the State absent therefrom in the Armed Forces uniformed service of the United States or of this State and for voting by absentee ballot by other citizens absent or physically incapacitated for reasons deemed sufficient as determined by the Legislature.

; 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 held in the month 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 allow the Legislature to authorize a process to allow qualified voters to vote at polling places in or outside their election districts during the 10-day period immediately preceding an election?"

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. 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

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.

#### **SUMMARY**

This resolution proposes to amend the Constitution of Maine to allow the Legislature to authorize a process to allow qualified voters to vote at polling places in

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or outside their election districts during the 10-day period immediately preceding an election.