

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 1328

H.P. 932

House of Representatives, March 31, 2009

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine Concerning Early Voting and Voting by Absentee Ballot**

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative ADAMS of Portland.

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

4 **Constitution, Art. II, §4** is amended to read:

5 **Section 4. Time of state election; absentee voting.** The election of Senators
6 and Representatives shall be on the Tuesday following the first Monday of November
7 biennially forever and the election of Governor shall be on the Tuesday following the
8 first Monday of November every 4 years. The Legislature by proper enactment shall
9 authorize a process to allow a qualified voter to vote at a polling place in or outside
10 that voter's election district during the 21-day period immediately preceding an
11 election. The Legislature ~~under~~ by proper enactment shall authorize and provide for
12 voting by absentee ballot by citizens of the State absent therefrom in the Armed
13 Forces of the United States or of this State and for voting by absentee ballot by other
14 citizens ~~absent or physically incapacitated~~ for any reasons deemed sufficient.

15 ; and be it further

16 **Constitutional referendum procedure; form of question; effective**
17 **date. Resolved:** That the municipal officers of this State shall notify the inhabitants
18 of their respective cities, towns and plantations to meet, in the manner prescribed by
19 law for holding a statewide election, at a statewide election held in the month of
20 November following the passage of this resolution, to vote upon the ratification of the
21 amendment proposed in this resolution by voting upon the following question:

22 "Do you favor amending the Constitution of Maine to allow the Legislature to
23 authorize a process to allow a qualified voter to vote at a polling place in or
24 outside that voter's election district during the 21-day period immediately
25 preceding an election and to authorize voting by absentee ballot for any sufficient
26 reason?"

27 The legal voters of each city, town and plantation shall vote by ballot on this
28 question and designate their choice by a cross or check mark placed within the
29 corresponding square below the word "Yes" or "No." The ballots must be received,
30 sorted, counted and declared in open ward, town and plantation meetings and returns
31 made to the Secretary of State in the same manner as votes for members of the
32 Legislature. The Governor shall review the returns. If it appears that a majority of
33 the legal votes are cast in favor of the amendment, the Governor shall proclaim that
34 fact without delay and the amendment becomes part of the Constitution of Maine on
35 the date of the proclamation; and be it further

36 **Secretary of State shall prepare ballots. Resolved:** That the Secretary of
37 State shall prepare and furnish to each city, town and plantation all ballots, returns
38 and copies of this resolution necessary to carry out the purposes of this referendum.

SUMMARY

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This resolution proposes to amend the Constitution of Maine to require the Legislature to authorize a process to allow a qualified voter to vote at a polling place in or outside of the voter's election district during the 21-day period immediately preceding an election. It also changes an allowable reason for absentee voting from absence or physical incapacity to any reason deemed sufficient.