

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 742

S.P. 272

In Senate, March 5, 2015

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Require That 5 Percent of Signatures on a Direct
Initiative of Legislation Come from Each County**

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator SAVIELLO of Franklin.
Cosponsored by Senators: COLLINS of York, LANGLEY of Hancock.

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. IV, Pt. Third, §18, sub-§2** is amended to read:

5 **2. Referral to electors unless enacted by the Legislature without change;**
 6 **number of signatures necessary on direct initiative petitions; dating**
 7 **signatures on petitions; competing measures.** For any measure thus proposed by
 8 electors, the number of signatures shall not be less than 10% of the total vote for
 9 Governor cast in the last gubernatorial election preceding the filing of such petition. At
 10 least 5% of the required number of signatures must be of electors registered to vote in
 11 each county. The date each signature was made shall be written next to the signature on
 12 the petition. A signature is not valid if it is dated more than one year prior to the date that
 13 the petition was filed in the office of the Secretary of State. The measure thus proposed,
 14 unless enacted without change by the Legislature at the session at which it is presented,
 15 shall be submitted to the electors together with any amended form, substitute, or
 16 recommendation of the Legislature, and in such manner that the people can choose
 17 between the competing measures or reject both. When there are competing bills and
 18 neither receives a majority of the votes given for or against both, the one receiving the
 19 most votes shall at the next statewide election to be held not less than 60 days after the
 20 first vote thereon be submitted by itself if it receives more than 1/3 of the votes given for
 21 and against both. If the measure initiated is enacted by the Legislature without change, it
 22 shall not go to a referendum vote unless in pursuance of a demand made in accordance
 23 with the preceding section. The Legislature may order a special election on any measure
 24 that is subject to a vote of the people.

25 ; and be it further

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

32 "Do you favor amending the Constitution of Maine to require signatures
 33 on direct initiative petitions from voters registered to vote in all counties
 34 of this State?"

35 The legal voters of each city, town and plantation shall vote by ballot on this question
 36 and designate their choice by a cross or check mark placed within the corresponding
 37 square below the word "Yes" or "No." The ballots must be received, sorted, counted and
 38 declared in open ward, town and plantation meetings and returns made to the Secretary of
 39 State in the same manner as votes for members of the Legislature. The Governor shall
 40 review the returns. If it appears that a majority of the legal votes are cast in favor of the
 41 amendment, the Governor shall proclaim that fact without delay and the amendment
 42 becomes part of the Constitution of Maine on the date of the proclamation; and be it
 43 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 resolution proposes to amend the Constitution of Maine to require that at least 5% of the number of signatures required on a petition to directly initiate legislation be of electors registered to vote in each of the 16 counties.