

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 1084

H.P. 745

House of Representatives, March 25, 2015

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Exclude Wildlife Issues from Citizen Initiatives**

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative DUNPHY of Old Town.
Cosponsored by Senator BRAKEY of Androscoggin and
Representatives: ALLEY of Beals, BATES of Westbrook, BEAVERS of South Berwick,
BICKFORD of Auburn, BLACK of Wilton, BLUME of York, BROOKS of Lewiston,
DAUGHTRY of Brunswick, DAVITT of Hampden, DEVIN of Newcastle, DOORE of
Augusta, DUCHESNE of Hudson, EVANGELOS of Friendship, FARRIN of Norridgewock,
FOLEY of Wells, GUERIN of Glenburn, HICKMAN of Winthrop, HOGAN of Old Orchard
Beach, HYMANSON of York, KINNEY of Limington, KINNEY of Knox, LONGSTAFF of
Waterville, MARTIN of Sinclair, McCABE of Skowhegan, McCREIGHT of Harpswell,
MONAGHAN of Cape Elizabeth, PICKETT of Dixfield, POWERS of Naples, SAUCIER of
Presque Isle, SHAW of Standish, SHORT of Pittsfield, STUCKEY of Portland, TEPLER of
Topsham, VEROW of Brewer, WARREN of Hallowell, WOOD of Sabattus, Senator: VOLK
of Cumberland.

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-§1,** as amended by CR 2005, c. 2, is
5 further amended to read:

6 **1. Petition procedure.** The electors may propose to the Legislature for its
7 consideration any bill, resolve or resolution, including bills to amend or repeal emergency
8 legislation but not an amendment of the State Constitution and not an amendment to the
9 laws of the State governing wildlife management, by written petition addressed to the
10 Legislature or to either branch thereof and filed in the office of the Secretary of State by
11 the hour of 5:00 p.m., on or before the 50th day after the date of convening of the
12 Legislature in first regular session or on or before the 25th day after the date of convening
13 of the Legislature in second regular session, except that the written petition may not be
14 filed in the office of the Secretary of State later than 18 months after the date the petition
15 form was furnished or approved by the Secretary of State. If the applicable deadline falls
16 on a Saturday, Sunday, or legal holiday, the period runs until the hour of 5:00 p.m., of the
17 next day which is not a Saturday, Sunday, or legal holiday.

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

24 "Do you favor amending the Constitution of Maine to provide that laws
25 governing wildlife management may not be proposed through a citizen
26 initiative?"

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

36 **Secretary of State shall prepare ballots. Resolved:** That the Secretary of State
37 shall prepare and furnish to each city, town and plantation all ballots, returns and copies
38 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 exclude from laws that may be proposed in a citizen initiative laws governing wildlife management.

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