

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 31

H.P. 32

House of Representatives, January 10, 2017

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

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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 ESPLING of New Gloucester.  
Cosponsored by Representatives: KINNEY of Limington, SUTTON of Warren, Senator  
SAVIELLO of Franklin, Senator DIAMOND of Cumberland and  
Representatives: GUERIN of Glenburn, HARVELL of Farmington, LUCHINI of Ellsworth,  
STEWART of Presque Isle.

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

24 ; and be it further

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

31           "Do you favor amending the Constitution of Maine to require signatures  
32 on direct initiative petitions from voters from each congressional district  
33 of this State?"

34           The legal voters of each city, town and plantation shall vote by ballot on this question  
35 and designate their choice by a cross or check mark placed within the corresponding  
36 square below the word "Yes" or "No." The ballots must be received, sorted, counted and  
37 declared in open ward, town and plantation meetings and returns made to the Secretary of  
38 State in the same manner as votes for members of the Legislature. The Governor shall  
39 review the returns. If it appears that a majority of the legal votes are cast in favor of the  
40 amendment, the Governor shall proclaim that fact without delay and the amendment  
41 becomes part of the Constitution of Maine on March 1, 2018; and be it further

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

4                                   **SUMMARY**

5           This resolution proposes to amend the Constitution of Maine to require that the  
6 signatures on a petition to directly initiate legislation be of voters from each of the State's  
7 2 congressional districts and that the number of signatures from each congressional  
8 district be not less than 10% of the total vote for Governor cast in that congressional  
9 district in the previous gubernatorial election. This resolution provides that, if the  
10 required votes are cast in favor of the proposed amendment to the Constitution, the  
11 proposed amendment becomes part of the Constitution on March 1, 2018 instead of on  
12 the date of the Governor's proclamation.