

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 53

H.P. 39

House of Representatives, January 10, 2017

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Prohibit Payment Per Signature for Citizen Petition
Drives**

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

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

ROBERT B. HUNT
Clerk

Presented by Representative GUERIN of Glenburn.
Cosponsored by Senator MAKER of Washington and
Representatives: GILLWAY of Searsport, LUCHINI of Ellsworth, NADEAU of Winslow,
PICKETT of Dixfield, TUELL of East Machias, Senators: DIAMOND of Cumberland, DILL
of Penobscot, KATZ of Kennebec.

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, §20** is amended to read:

5 **Section 20. Meaning of words "electors," "people," "recess of**
6 **Legislature," "statewide election," "measure," "circulator," and "written**
7 **petition"; written petitions for people's veto; written petitions for direct**
8 **initiative.** As used in any of the 3 preceding sections or in this section the words
9 "electors" and "people" mean the electors of the State qualified to vote for Governor;
10 "recess of the Legislature" means the adjournment without day of a session of the
11 Legislature; "statewide election" means any election held throughout the State on a
12 particular day; "measure" means an Act, bill, resolve or resolution proposed by the
13 people, or 2 or more such, or part or parts of such, as the case may be; "circulator" means
14 a person who solicits signatures for written petitions, and who must be a resident of this
15 State and whose name must appear on the voting list of the city, town or plantation of the
16 circulator's residence as qualified to vote for Governor, and a circulator may not be paid
17 based upon the number of signatures the circulator collects; "written petition" means one
18 or more petitions written or printed, or partly written and partly printed, with the original
19 signatures of the petitioners attached, verified as to the authenticity of the signatures by
20 the oath of the circulator that all of the signatures to the petition were made in the
21 presence of the circulator and that to the best of the circulator's knowledge and belief
22 each signature is the signature of the person whose name it purports to be, and
23 accompanied by the certificate of the official authorized by law to maintain the voting list
24 or to certify signatures on petitions for voters on the voting list of the city, town or
25 plantation in which the petitioners reside that their names appear on the voting list of the
26 city, town or plantation of the official as qualified to vote for Governor. The oath of the
27 circulator must be sworn to in the presence of a person authorized by law to administer
28 oaths. Written petitions for a people's veto pursuant to Article IV, Part Third, Section 17
29 must be submitted to the appropriate officials of cities, towns or plantations, or state
30 election officials as authorized by law, for determination of whether the petitioners are
31 qualified voters by the hour of 5:00 p.m., on the 5th day before the petition must be filed
32 in the office of the Secretary of State, or, if such 5th day is a Saturday, a Sunday or a
33 legal holiday, by 5:00 p.m., on the next day which is not a Saturday, a Sunday or a legal
34 holiday. Written petitions for a direct initiative pursuant to Article IV, Part Third,
35 Section 18 must be submitted to the appropriate officials of cities, towns or plantations, or
36 state election officials as authorized by law, for determination of whether the petitioners
37 are qualified voters by the hour of 5:00 p.m., on the 10th day before the petition must be
38 filed in the office of the Secretary of State, or, if such 10th day is a Saturday, a Sunday or
39 a legal holiday, by 5:00 p.m., on the next day which is not a Saturday, a Sunday or a legal
40 holiday. Such officials must complete the certification of only those petitions submitted
41 by these deadlines and must return them to the circulators or their agents within 2 days
42 for a petition for a people's veto and within 5 days for a petition for a direct initiative,
43 Saturdays, Sundays and legal holidays excepted, of the date on which such petitions were
44 submitted to them. Signatures on petitions not submitted to the appropriate local or state
45 officials by these deadlines may not be certified. The petition shall set forth the full text

1 of the measure requested or proposed. Petition forms shall be furnished or approved by
2 the Secretary of State upon written application signed and notarized and submitted to the
3 office of the Secretary of State by a resident of this State whose name must appear on the
4 voting list of the city, town or plantation of that resident as qualified to vote for Governor.
5 The full text of a measure submitted to a vote of the people under the provisions of the
6 Constitution need not be printed on the official ballots, but, until otherwise provided by
7 the Legislature, the Secretary of State shall prepare the ballots in such form as to present
8 the question or questions concisely and intelligibly.

9 ; and be it further

10 **Constitutional referendum procedure; form of question; effective date.**

11 **Resolved:** That the municipal officers of this State shall notify the inhabitants of their
12 respective cities, towns and plantations to meet, in the manner prescribed by law for
13 holding a statewide election, at a statewide election held in the month of November
14 following the passage of this resolution, to vote upon the ratification of the amendment
15 proposed in this resolution by voting upon the following question:

16 "Do you favor amending the Constitution of Maine to prohibit a person
17 who collects signatures for a written petition for a people's veto or for the
18 direct initiative of legislation from being paid based upon the number of
19 signatures the person collects?"

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

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

32 **SUMMARY**

33 This resolution proposes to amend the Constitution of Maine to prohibit a person who
34 collects signatures for a written petition for a people's veto or for the direct initiative of
35 legislation from being paid based upon the number of signatures the person collects.