



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 212

H.P. 168

House of Representatives, January 24, 2017

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

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

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative HARVELL of Farmington. Cosponsored by Senator VOLK of Cumberland and Representatives: FARRIN of Norridgewock, FREDETTE of Newport, HAWKE of Boothbay Harbor, O'CONNOR of Berwick, PARRY of Arundel, SANDERSON of Chelsea, STETKIS of Canaan, WARD of Dedham. 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 Referral to electors unless enacted by the Legislature without change; 2. number of signatures necessary on direct initiative petitions; dating signatures on 6 7 petitions; competing measures. For any measure thus proposed by electors, the number 8 of signatures of voters from each state senatorial district shall not be less than 10% of the 9 total vote for Governor cast in that state senatorial district in the last gubernatorial election preceding the filing of such petition. The date each signature was made shall be 10 written next to the signature on the petition. A signature is not valid if it is dated more 11 than one year prior to the date that the petition was filed in the office of the Secretary of 12 State. The measure thus proposed, unless enacted without change by the Legislature at 13 the session at which it is presented, shall be submitted to the electors together with any 14 amended form, substitute, or recommendation of the Legislature, and in such manner that 15 16 the people can choose between the competing measures or reject both. When there are competing bills and neither receives a majority of the votes given for or against both, the 17 18 one receiving the most votes shall at the next statewide election to be held not less than 19 60 days after the first vote thereon be submitted by itself if it receives more than 1/3 of 20 the votes given for and against both. If the measure initiated is enacted by the Legislature without change, it shall not go to a referendum vote unless in pursuance of a demand 21 22 made in accordance with the preceding section. The Legislature may order a special 23 election on any measure that is subject to a vote of the people.

; 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 32 33

24

"Do you favor amending the Constitution of Maine to require signatures on direct initiative petitions from voters from each state senatorial district?"

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 square below the word "Yes" or "No." The ballots must be received, sorted, counted and 36 37 declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall 38 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

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.

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 senate districts and that the number of signatures from each senate district be not less than 8 10% of the total votes for Governor cast in that senate district in the previous 9 gubernatorial election. The resolution provides that, if the required votes are cast in favor 10 of the proposed amendment to the Constitution, the proposed amendment becomes part of 11 the Constitution on March 1, 2018 instead of on the date of the Governor's proclamation.