

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 186

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H.P. 149

House of Representatives, January 17, 2019

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**RESOLUTION, Proposing an Amendment to the Constitution of  
Maine To Specify the Qualifications of Electors**

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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 FAULKINGHAM of Winter Harbor.  
Cosponsored by Senator GUERIN of Penobscot and  
Representatives: DILLINGHAM of Oxford, FECTION of Augusta, HANLEY of Pittston,  
O'CONNOR of Berwick, REED of Carmel, STETKIS of Canaan, STEWART of Presque Isle,  
STROM of Pittsfield.

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. II, §1** is amended to read:

5           **Section 1. Qualifications of electors; written ballot; military servicemen;**  
6 **students.** Only a citizen of the United States may vote in a state, county or municipal or  
7 other local election. Every citizen of the United States of the age of 18 years and  
8 upwards, excepting persons under guardianship for reasons of mental illness, having his  
9 or her residence established in this State, shall be an elector for Governor, Senators and  
10 Representatives; and county, local or municipal office in the city, town or plantation  
11 where his or her residence has been established, if he or she continues to reside in this  
12 State; and the elections shall be by written ballot. But persons in the military, naval or  
13 marine service of the United States, or this State, shall not be considered as having  
14 obtained such established residence by being stationed in any garrison, barrack or  
15 military place, in any city, town or plantation; nor shall the residence of a student at any  
16 seminary of learning entitle the student to the right of suffrage in the city, town or  
17 plantation where such seminary is established. No person, however, shall be deemed to  
18 have lost residence by reason of the person's absence from the state in the military service  
19 of the United States, or of this State.

20           **Indians.** Every Indian, residing on tribal reservations and otherwise qualified, shall  
21 be an elector in all county, state and national elections.

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

28                   "Do you favor amending the Constitution of Maine to permit only  
29                   citizens of the United States to vote in state, county or municipal or other  
30                   local elections?"

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

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

## **SUMMARY**

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This resolution proposes to amend the Constitution of Maine to specify that only a person who is a citizen of the United States may vote in a state, county or municipal or other local election.