

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1255

H.P. 916

House of Representatives, March 14, 2019

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Require Referenda To Receive 60 Percent of the Vote To
Become Law**

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 MORRIS of Turner.
Cosponsored by Representatives: ANDREWS of Paris, BRADSTREET of Vassalboro,
LOCKMAN of Bradley, O'CONNOR of Berwick, STETKIS of Canaan, STEWART of
Presque Isle, SWALLOW of Houlton, Senator: TIMBERLAKE of Androscoggin.

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

24 **Constitution, Art. IV, Pt. Third, §19** is amended to read:

25 **Section 19. Effective date of measures approved by people; veto power**
26 **limited.** Any measure referred to the people and approved by ~~a majority~~ at least 60% of
27 the votes given thereon shall, unless a later date is specified in said measure, take effect
28 and become a law in 30 days after the Governor has made public proclamation of the
29 result of the vote on said measure, which the Governor shall do within 10 days after the
30 vote thereon has been canvassed and determined; provided, however, that any such
31 measure which entails expenditure in an amount in excess of available and
32 unappropriated state funds shall remain inoperative until 45 days after the next convening
33 of the Legislature in regular session, unless the measure provides for raising new
34 revenues adequate for its operation. The veto power of the Governor shall not extend to
35 any measure approved by vote of the people, and any measure initiated by the people and
36 passed by the Legislature without change, if vetoed by the Governor and if the veto is
37 sustained by the Legislature shall be referred to the people to be voted on at the next
38 general election. The Legislature may enact measures expressly conditioned upon the
39 people's ratification by a referendum vote.

40 **Constitutional referendum procedure; form of question; effective date.**
41 **Resolved:** That the municipal officers of this State shall notify the inhabitants of their
42 respective cities, towns and plantations to meet, in the manner prescribed by law for

1 holding a statewide election, at a statewide election held in the month of November
2 following the passage of this resolution, to vote upon the ratification of the amendment
3 proposed in this resolution by voting upon the following question:

4 "Do you favor amending the Constitution of Maine to require that a
5 direct initiative of legislation or a competing measure receive at least
6 60% of the votes cast to become law?"

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

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

18 SUMMARY

19 This resolution proposes to amend the Constitution of Maine to require that a direct
20 initiative of legislation or a competing measure receive at least 60% of the votes cast to
21 become law.