

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 1365

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H.P. 987

House of Representatives, March 21, 2019

**RESOLUTION, Proposing an Amendment to the Constitution of  
Maine To Provide for the Election of the Governor by Majority  
Vote**

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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 BABBIDGE of Kennebunk.  
Cosponsored by Senator SANBORN, L. of Cumberland and  
Representatives: BROOKS of Lewiston, COLLINGS of Portland, DOUDERA of Camden,  
EVANGELOS of Friendship, FARNSWORTH of Portland, KESSLER of South Portland,  
VEROW of Brewer.

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. V, Pt. First, §3** is amended to read:

5           **Section 3. Election; votes to be returned to Secretary of State; Secretary**  
6 **of State to lay lists before the Senate and House of Representatives; provision**  
7 **in case of tie.** The meetings for election of Governor shall be notified, held and  
8 regulated and votes shall be received, sorted, counted and declared and recorded, in the  
9 same manner as those for Senators and Representatives, except that the Governor must be  
10 elected by majority vote. Copies of lists of votes shall be sealed and returned to the  
11 secretary's office in the same manner and at the same time as those for Senators. The  
12 Secretary of State for the time being shall, on the first Wednesday after the first Tuesday  
13 of January then next, lay the lists returned to the secretary's office before the Senate and  
14 House of Representatives to be by them examined, together with the ballots cast if they so  
15 elect, and they shall determine the number of votes duly cast for the office of Governor,  
16 and in case of a choice by ~~plurality~~ majority of all of the votes returned they shall declare  
17 and publish the same. ~~If there shall be the final result of an election is a tie between the 2~~  
18 ~~persons having the largest number of votes for Governor,~~ the House of Representatives  
19 and the Senate meeting in joint session, and each member of said bodies having a single  
20 vote, shall elect one of ~~said 2~~ the persons having so received an equal number of votes  
21 and the person so elected by the Senate and House of Representatives shall be declared  
22 the Governor.

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

29                           "Do you favor amending the Constitution of Maine to require that the  
30                           Governor be elected by majority vote?"

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 require that the Governor be elected by majority vote.