

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 1437

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H.P. 1049

House of Representatives, April 2, 2019

**RESOLUTION, Proposing an Amendment to the Constitution of  
Maine Concerning Alternative Signatures Made by Persons with  
Disabilities**

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Submitted by the Secretary of State pursuant to Joint Rule 204.

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 WHITE of Waterville.

Cosponsored by Senator LUCHINI of Hancock and

Representatives: DOLLOFF of Rumford, DUNPHY of Old Town, HICKMAN of Winthrop,  
MARTIN of Eagle Lake, STROM of Pittsfield, Senators: CYRWAY of Kennebec, DIAMOND  
of Cumberland, HERBIG of Waldo.

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; "written petition" means one or  
17 more petitions written or printed, or partly written and partly printed, with the original  
18 signatures of the petitioners, except when the Legislature by proper enactment has  
19 authorized alternative signatures for persons with disabilities, attached, verified as to the  
20 authenticity of the signatures by the oath of the circulator that all of the signatures to the  
21 petition were made in the presence of the circulator and that to the best of the circulator's  
22 knowledge and belief each signature is the signature of the person whose name it purports  
23 to be, and accompanied by the certificate of the official authorized by law to maintain the  
24 voting list or to certify signatures on petitions for voters on the voting list of the city,  
25 town or plantation in which the petitioners reside that their names appear on the voting  
26 list of the city, town or plantation of the official as qualified to vote for Governor. The  
27 oath of the circulator must be sworn to in the presence of a person authorized by law to  
28 administer oaths. Written petitions for a people's veto pursuant to Article IV, Part Third,  
29 Section 17 must be submitted to the appropriate officials of cities, towns or plantations, or  
30 state election officials as authorized by law, for determination of whether the petitioners  
31 are qualified voters by the hour of 5:00 p.m., on the 5th day before the petition must be  
32 filed 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 **Constitutional referendum procedure; form of question; effective date.**  
10 **Resolved:** That the municipal officers of this State shall notify the inhabitants of their  
11 respective cities, towns and plantations to meet, in the manner prescribed by law for  
12 holding a statewide election, at a statewide election held in the month of November  
13 following the passage of this resolution, to vote upon the ratification of the amendment  
14 proposed in this resolution by voting upon the following question:

15 "Do you favor amending the Constitution of Maine to allow persons with  
16 disabilities to sign petitions in an alternative manner as authorized by the  
17 Legislature?"

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

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

29 **SUMMARY**

30 This resolution proposes to amend the Constitution of Maine to allow alternative  
31 signatures for persons with disabilities signing a petition for a people's veto and for a  
32 direct initiative as authorized by proper enactment by the Legislature.