

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 107

H.P. 73

House of Representatives, January 13, 2021

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

Received by the Clerk of the House on January 11, 2021. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in black ink that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative FAULKINGHAM of Winter Harbor.
Cosponsored by Senator STEWART of Aroostook and
Representatives: ANDREWS of Paris, CONNOR of Lewiston, FECTEAU of Augusta,
GRIFFIN of Levant, LIBBY of Auburn, SAMPSON of Alfred.

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 upwards,
8 excepting persons under guardianship for reasons of mental illness, having his or her
9 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 where
11 his or her residence has been established, if he or she continues to reside in this State; and
12 the elections shall be by written ballot. But persons in the military, naval or marine service
13 of the United States, or this State, shall not be considered as having obtained such
14 established residence by being stationed in any garrison, barrack or military place, in any
15 city, town or plantation; nor shall the residence of a student at any seminary of learning
16 entitle the student to the right of suffrage in the city, town or plantation where such
17 seminary is established. No person, however, shall be deemed to have lost residence by
18 reason of the person's absence from the state in the military service of the United States, or
19 of this State.

20 **Indians.** Every Indian, residing on tribal reservations and otherwise qualified, shall be
21 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 holding
25 a statewide election, at a statewide election held in the month of November following the
26 passage of this resolution, to vote upon the ratification of the amendment proposed in this
27 resolution by voting upon the following question:

28 "Do you favor amending the Constitution of Maine to permit only citizens
29 of the United States to vote in state, county or municipal or other local
30 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 square
33 below the word "Yes" or "No." The ballots must be received, sorted, counted and declared
34 in open ward, town and plantation meetings and returns made to the Secretary of State in
35 the same manner as votes for members of the Legislature. The Governor shall review the
36 returns. If it appears that a majority of the legal votes are cast in favor of the amendment,
37 the Governor shall proclaim that fact without delay and the amendment becomes part of
38 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 of
41 this resolution necessary to carry out the purposes of this referendum.

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SUMMARY

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.