

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 985

S.P. 315

In Senate, March 9, 2021

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Require Legislative Approval of Any State of Emergency
Lasting Longer Than 60 Days**

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator STEWART of Aroostook.
Cosponsored by Representative DILLINGHAM of Oxford and
Senators: GUERIN of Penobscot, TIMBERLAKE of Androscoggin, Representative: STETKIS
of Canaan.

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, Article IV, Pt. Third, §24** is enacted to read:

5 **Section 24. Legislative approval of state of emergency.** A state of emergency
6 proclaimed by the Governor may not continue for longer than 60 days unless approved by
7 the Legislature every 60 days.

8 **Constitutional referendum procedure; form of question; effective date.**

9 **Resolved:** That the municipal officers of this State shall notify the inhabitants of their
10 respective cities, towns and plantations to meet, in the manner prescribed by law for holding
11 a statewide election, at a statewide election held in the month of November following the
12 passage of this resolution, to vote upon the ratification of the amendment proposed in this
13 resolution by voting upon the following question:

14 "Do you favor amending the Constitution of Maine to provide that a state
15 of emergency proclaimed by the Governor may not continue for longer
16 than 60 days unless approved by the Legislature every 60 days?"

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

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

28 **SUMMARY**

29 This resolution proposes a constitutional amendment that provides that a state of
30 emergency proclaimed by the Governor may not continue for longer than 60 days unless
31 approved by the Legislature every 60 days.