

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)



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1109

H.P. 705

House of Representatives, March 9, 2023

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine to Create Consistent Election Dates for Citizen-initiated
Referenda in Even-numbered Election Years**

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 BRADSTREET of Vassalboro.
Cosponsored by Representatives: ARATA of New Gloucester, CARLOW of Buxton,
DUCHARME of Madison, LANDRY of Farmington, POIRIER of Skowhegan, SARGENT of
York.

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 signatures**
7 **on petitions; competing measures.** For any measure thus proposed by electors, the
8 number of signatures shall not be less than 10% of the total vote for Governor cast in the
9 last gubernatorial election preceding the filing of such petition. The date each signature
10 was made shall be written next to the signature on the petition. A signature is not valid if
11 it is dated more than one year prior to the date that the petition was filed in the office of the
12 Secretary of State. The measure thus proposed, unless enacted without change by the
13 Legislature at the session at which it is presented, shall be submitted to the electors together
14 with any amended form, substitute, or recommendation of the Legislature, and in such
15 manner that the people can choose between the competing measures or reject both. When
16 there are competing bills and neither receives a majority of the votes given for or against
17 both, the one receiving the most votes shall at the next statewide election to be held in
18 November of an even-numbered year 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, §18, sub-§3** is amended to read:

25 **3. Timing of elections; proclamation by Governor.** The Governor shall, by
26 proclamation, order any measure proposed to the Legislature as herein provided, and not
27 enacted by the Legislature without change, referred to the people at an election to be held
28 in November of the even-numbered year ~~in~~ after which the petition is filed. If the Governor
29 fails to order a measure proposed to the Legislature and not enacted without change to be
30 submitted to the people at such an election by proclamation within 10 days after the recess
31 of the Legislature to which the measure was proposed, the Secretary of State shall, by
32 proclamation, order such measure to be submitted to the people at an election as requested,
33 and such order shall be sufficient to enable the people to vote.

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

40 "Do you favor amending the Constitution of Maine to hold elections on
41 citizen-initiated referenda only in November of even-numbered years?"

42 The legal voters of each city, town and plantation shall vote by ballot on this question
43 and designate their choice by a cross or check mark placed within the corresponding square
44 below the word "Yes" or "No." The ballots must be received, sorted, counted and declared

1 in open ward, town and plantation meetings and returns made to the Secretary of State in
2 the same manner as votes for members of the Legislature. The Governor shall review the
3 returns. If it appears that a majority of the legal votes are cast in favor of the amendment,
4 the Governor shall proclaim that fact without delay and the amendment becomes part of
5 the Constitution of Maine on the date of the proclamation.

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

9 **SUMMARY**

10 This resolution proposes to amend the Constitution of Maine to require that all direct
11 initiatives of legislation appear on an election ballot for the election to be held in November
12 of even-numbered years.