

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 1416

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H.P. 912

House of Representatives, March 30, 2023

**RESOLUTION, Proposing an Amendment to the Constitution of  
Maine to Increase the Percentage of the Population Required to  
Submit a State Referendum Question**

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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 "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative GRAHAM of North Yarmouth.  
Cosponsored by Representatives: BRIDGEO of Augusta, DILL of Old Town, EATON of Deer  
Isle, STOVER of Boothbay, TERRY of Gorham, THERIAULT of Fort Kent.

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, §17, sub-§1** is amended to read:

5           **1. Petition procedure; petition for people's veto.** Upon written petition of  
6 electors, the number of which shall not be less than ~~10%~~ 25% of the total vote for Governor  
7 cast in the last gubernatorial election preceding the filing of such petition, and addressed to  
8 the Governor and filed in the office of the Secretary of State by the hour of 5:00 p.m., on  
9 or before the 90th day after the recess of the Legislature, or if such 90th day is a Saturday,  
10 a Sunday, or a legal holiday, by the hour of 5:00 p.m., on the preceding day which is not a  
11 Saturday, a Sunday, or a legal holiday, requesting that one or more Acts, bills, resolves or  
12 resolutions, or part or parts thereof, passed by the Legislature but not then in effect by  
13 reason of the provisions of the preceding section, be referred to the people, such Acts, bills,  
14 resolves, or resolutions or part or parts thereof as are specified in such petition shall not  
15 take effect until 30 days after the Governor shall have announced by public proclamation  
16 that the same have been ratified by a majority of the electors voting thereon at a statewide  
17 or general election.

18           **Constitution, Art. IV, Pt. Third, §18, sub-§2** is amended to read:

19           **2. Referral to electors unless enacted by the Legislature without change;**  
20 **number of signatures necessary on direct initiative petitions; dating signatures**  
21 **on petitions; competing measures.** For any measure thus proposed by electors, the  
22 number of signatures shall not be less than ~~40%~~ 25% of the total vote for Governor cast in  
23 the last gubernatorial election preceding the filing of such petition. The date each signature  
24 was made shall be written next to the signature on the petition. A signature is not valid if  
25 it is dated more than one year prior to the date that the petition was filed in the office of the  
26 Secretary of State. The measure thus proposed, unless enacted without change by the  
27 Legislature at the session at which it is presented, shall be submitted to the electors together  
28 with any amended form, substitute, or recommendation of the Legislature, and in such  
29 manner that the people can choose between the competing measures or reject both. When  
30 there are competing bills and neither receives a majority of the votes given for or against  
31 both, the one receiving the most votes shall at the next statewide election to be held not less  
32 than 60 days after the first vote thereon be submitted by itself if it receives more than 1/3  
33 of the votes given for and against both. If the measure initiated is enacted by the Legislature  
34 without change, it shall not go to a referendum vote unless in pursuance of a demand made  
35 in accordance with the preceding section. The Legislature may order a special election on  
36 any measure that is subject to a vote of the people.

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

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

43                   "Do you favor amending the Constitution of Maine to increase the number  
44                   of signatures required on petitions for the people's veto and the direct

1 initiative of legislation from 10% to 25% of the total vote for Governor  
2 cast in the last gubernatorial election preceding the filing of the petitions?"

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

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

14 **SUMMARY**

15 This resolution proposes to amend the Constitution of Maine to increase the number of  
16 signatures required on petitions for the people's veto and the direct initiative of legislation  
17 from 10% to 25% of the total vote for Governor cast in the last gubernatorial election  
18 preceding the filing of the petitions.