

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1477

S.P. 597

In Senate, April 5, 2023

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine to Align the Proceedings for Circulating Written Petitions for
People's Vetoes and Direct Initiatives with Federal Law**

Reference to the Committee on Veterans and Legal Affairs 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 HICKMAN of Kennebec.
Cosponsored by Representative SUPICA of Bangor and
Representative: BOYER of Poland.

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**, as amended by CR 2019, c. 1, is further
5 amended to read:

6 **Section 20. Meaning of words "electors," "people," "recess of**
7 **Legislature," "statewide election," "measure," "circulator," and "written**
8 **petition"; written petitions for people's veto; written petitions for direct**
9 **initiative.** As used in any of the 3 preceding sections or in this section the words "electors"
10 and "people" mean the electors of the State qualified to vote for Governor; "recess of the
11 Legislature" means the adjournment without day of a session of the Legislature; "statewide
12 election" means any election held throughout the State on a particular day; "measure"
13 means an Act, bill, resolve or resolution proposed by the people, or 2 or more such, or part
14 or parts of such, as the case may be; "circulator" means a person who solicits signatures for
15 written petitions, ~~and who must be a resident of this State and whose name must appear on~~
16 ~~the voting list of the city, town or plantation of the circulator's residence as qualified to vote~~
17 ~~for Governor;~~ "written petition" means one or more petitions written or printed, or partly
18 written and partly printed, with the original signatures of the petitioners, or, as authorized
19 by law, the alternative signatures of persons with physical disabilities that prevent them
20 from signing their own names, attached, verified as to the authenticity of the signatures by
21 the oath of the circulator that all of the signatures to the petition were made in the presence
22 of the circulator and that to the best of the circulator's knowledge and belief each signature
23 is the signature of the person whose name it purports to be, and accompanied by the
24 certificate of the official authorized by law to maintain the voting list or to certify signatures
25 on petitions for voters on the voting list of the city, town or plantation in which the
26 petitioners reside that their names appear on the voting list of the city, town or plantation
27 of the official as qualified to vote for Governor. The oath of the circulator must be sworn
28 to in the presence of a person authorized by law to administer oaths. Written petitions for
29 a people's veto pursuant to Article IV, Part Third, Section 17 must be submitted to the
30 appropriate officials of cities, towns or plantations, or state election officials as authorized
31 by law, for determination of whether the petitioners are qualified voters by the hour of 5:00
32 p.m., on the 5th day before the petition must be filed in the office of the Secretary of State,
33 or, if such 5th day is a Saturday, a Sunday or a legal holiday, by 5:00 p.m., on the next day
34 which is not a Saturday, a Sunday or a legal holiday. Written petitions for a direct initiative
35 pursuant to Article IV, Part Third, Section 18 must be submitted to the appropriate officials
36 of cities, towns or plantations, or state election officials as authorized by law, for
37 determination of whether the petitioners are qualified voters by the hour of 5:00 p.m., on
38 the 10th day before the petition must be filed in the office of the Secretary of State, or, if
39 such 10th day is a Saturday, a Sunday or a legal holiday, by 5:00 p.m., on the next day
40 which is not a Saturday, a Sunday or a legal holiday. Such officials must complete the
41 certification of only those petitions submitted by these deadlines and must return them to
42 the circulators or their agents within 2 days for a petition for a people's veto and within 5
43 days for a petition for a direct initiative, Saturdays, Sundays and legal holidays excepted,
44 of the date on which such petitions were submitted to them. Signatures on petitions not
45 submitted to the appropriate local or state officials by these deadlines may not be certified.
46 The petition shall set forth the full text of the measure requested or proposed. Petition

1 forms shall be furnished or approved by the Secretary of State upon written application
2 signed and notarized and submitted to the office of the Secretary of State by a resident of
3 this State whose name must appear on the voting list of the city, town or plantation of that
4 resident as qualified to vote for Governor. The full text of a measure submitted to a vote
5 of the people under the provisions of the Constitution need not be printed on the official
6 ballots, but, until otherwise provided by the Legislature, the Secretary of State shall prepare
7 the ballots in such form as to present the question or questions concisely and intelligibly.

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 remove the
15 requirement that a circulator of a citizen's initiative or people's veto
16 petition be a resident of Maine and registered voter in Maine?"

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 to amend the Constitution of Maine to remove the requirement
30 that a circulator of a citizen's initiative or people's veto petition be a resident of this State
31 and registered voter in this State.