

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 145

In Senate, Jan. 31, 1913.

Came from the House referred to the Committee on Legal Affairs, and on motion by Senator Hersey of Aroostook laid on the table for printing pending reference in concurrence.

W. E. LAWRY, Secretary.

STATE OF MAINE

RESOLVE for an Amendment of the Constitution providing for the Proposal of Amendment by Initiative Petition.

Resolved, Two-thirds of the legislature concurring, that the
2 following amendment to the constitution of the state be pro-
3 posed:

'Section two of Article X of the constitution is hereby
5 amended by adding after the word "necessary" the following
6 clause, 'or when petitioned by not less than fifteen thousand
7 electors'; also by striking out the word "may" and inserting
8 in place thereof the word 'shall,' so that said section as
9 amended shall read as follows:

'Sect. 2. The legislature, whenever two-thirds of both
11 houses shall deem it necessary, or when petitioned by not
12 less than fifteen thousand electors, shall propose amend-

13 ments to this constitution; and when any amendment shall
14 be so agreed upon a resolution shall be passed and sent to
15 the selectmen of the several towns and the assessors of the
16 several plantations, empowering and directing them to notify
17 the inhabitants of their respective towns and plantations, in
18 the manner prescribed by law, at their next annual meeting
19 in the month of September, to give in their votes on the
20 question, whether such amendment shall be made; and if it
21 shall appear that a majority of the inhabitants voting on the
22 question are in favor of such amendment, it shall become a
23 part of this constitution.'

Section 18 of Part Third of Article IV is hereby amended
25 by adding after the word "constitution" in the first sentence
26 the following clause, 'except as provided in section 2 of
27 Article X'; also by adding after the word "measure" in the
28 second sentence the words 'except amendments of the state
29 constitution as aforesaid,' so that said section as amended
30 shall read as follows:

'Sect. 18. The electors may propose to the legislature for
32 its consideration any bill, resolve, or resolution, including
33 bills to amend or repeal emergency legislation but not an
34 amendment of the state constitution except as provided in
35 section 2 of Article X, by written petition addressed to the
36 legislature or to either branch thereof and filed in the office
37 of the secretary of state or presented to either branch of
38 the legislature at least thirty days before the close of this
39 session. Any measure, except amendments of the consti-

40 tution as aforesaid, thus proposed by not less than twelve
41 thousand electors, unless enacted without change by the leg-
42 islature at the session at which it is presented, shall be sub-
43 mitted to the electors together with any amended form, sub-
44 stitute, or recommendation of the legislature, and in such
45 manner that the people can choose between the competing
46 measures or reject both. When there are competing bills
47 and neither receives a majority of the votes given for or
48 against both, the one receiving the most votes shall at the
49 next general election to be held not less than sixty days after
50 the first vote thereon be submitted by itself if it receives
51 more than one-third of the votes given for and against both.
52 If the measure initiated is enacted by the legislature without
53 change, it shall not go to a referendum vote unless in pur-
54 suance of a demand made in accordance with the preceding
55 section. The legislature may order a special election on
56 any measure that is subject to the vote of the people. The
57 governor may, and if so requested in the written petition
58 addressed to the legislature, shall, by proclamation, order
59 any measure proposed to the legislature by at least twelve
60 thousand electors as herein provided, and not enacted by
61 the legislature without change, referred to the people at a
62 special election to be held not less than four nor more than
63 six months after such proclamation, otherwise said measure
64 shall be voted upon at the next general election held not
65 less than sixty days after the recess of the legislature, to
66 which such measure was proposed.'

Resolved, That the aldermen of cities, the selectmen of
68 towns and the assessors of the several plantations in this
69 state are hereby empowered and directed to notify the in-
70 habitants of their respective cities, towns and plantations in
71 the manner prescribed by law to vote on the second Monday
72 in September in the year nineteen hundred and thirteen upon
73 the amendment proposed in the foregoing resolution, and
74 the question shall be: "Shall the constitution be amended as
75 proposed by a resolution of the legislature providing for the
76 proposal of amendments by initiative petition?"

And the inhabitants of said cities, towns and plantations
78 shall vote by ballot on said question, those favoring the
79 amendment voting "yes" and those opposed "no" on their
80 ballots, and the ballots shall be assorted, counted and de-
81 clared in open ward, town and plantation meetings, and
82 returns made to the office of the secretary of state in the
83 same manner as votes for governor and members of the
84 legislature, and the governor and council shall count the
85 same and make return to the next legislature, and if it shall
86 appear that a majority of the votes are in favor of the
87 amendment, the constitution shall be amended accordingly.

Resolved, That the secretary of state shall prepare and
89 furnish to the several cities, towns and plantations, ballots
90 and blank returns in conformity with the foregoing resolves
91 accompanied by a copy thereof.