

## 126th MAINE LEGISLATURE

## **FIRST REGULAR SESSION-2013**

**Legislative Document** 

No. 156

H.P. 131

House of Representatives, January 31, 2013

**RESOLUTION, Proposing an Amendment to the Constitution of Maine Concerning Early Voting and Voting by Absentee Ballot** 

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

Millient M. Macfarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SHAW of Standish.

Cosponsored by Senator LANGLEY of Hancock and

Representatives: CHIPMAN of Portland, Speaker EVES of North Berwick, THERIAULT of

Madawaska, Senators: President ALFOND of Cumberland, COLLINS of York, DUTREMBLE

of York, HILL of York.

**Constitutional amendment. Resolved:** Two thirds of each branch of the Legislature concurring, that the following amendment to the Constitution of Maine be proposed:

## Constitution, Art. II, §4 is amended to read:

 Section 4. Time of state election; absentee ballot; early voting. The election of Senators and Representatives shall be on the Tuesday following the first Monday of November biennially forever and the election of Governor shall be on the Tuesday following the first Monday of November every 4 years. The Legislature by proper enactment shall authorize a process to allow a qualified voter to vote at a polling place in or outside the city, town or plantation where that voter's residence has been established during a period immediately preceding an election. The Legislature under by proper enactment shall authorize and provide for voting by absentee ballot by citizens of the State absent therefrom in the Armed Forces of the United States or of this State and for voting by absentee ballot by other citizens absent or physically incapacitated for reasons deemed sufficient.

; and be it further

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

"Do you favor amending the Constitution of Maine to direct the Legislature to authorize a process to allow a qualified voter to vote at a polling place in or outside the city, town or plantation where that voter's residence has been established during a period immediately preceding an election and to authorize voting by absentee ballot for any sufficient reason?"

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

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

1 SUMMARY

This resolution proposes to amend the Constitution of Maine to require the
Legislature to authorize a process to allow a qualified voter to vote at a polling place in or
outside of the city, town or plantation where that voter's residence has been established
during a period immediately preceding an election. It also allows for voting by absentee
ballot by citizens for reasons deemed sufficient without requiring in the Constitution of
Maine that the citizens be absent or physically incapacitated.