



# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 796

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H.P. 576

House of Representatives, March 2, 2017

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**RESOLUTION, Proposing an Amendment to the Constitution of  
Maine Regarding Referendum Questions for Statewide Ballots**

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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 "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative STEWART of Presque Isle.  
Cosponsored by Representative TURNER of Burlington, Senator LANGLEY of Hancock and  
Representatives: HANINGTON of Lincoln, MARTIN of Eagle Lake, McCREA of Fort  
Fairfield, PARRY of Arundel, PIERCE of Dresden, SIROCKI of Scarborough, WARD of  
Dedham, Senator: CARPENTER of Aroostook.

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 on**  
7 **petitions; competing measures.** For any measure thus proposed by electors, the number  
8 of signatures shall not be less than 10% of the total vote for Governor cast in each county  
9 in the last gubernatorial election preceding the filing of such petition. Each signature of  
10 the number so required for a county must be that of a person registered to vote in the  
11 county. The date each signature was made shall be written next to the signature on the  
12 petition. A signature is not valid if it is dated more than one year prior to the date that the  
13 petition was filed in the office of the Secretary of State. The measure thus proposed,  
14 unless enacted without change by the Legislature at the session at which it is presented,  
15 shall be submitted to the electors together with any amended form, substitute, or  
16 recommendation of the Legislature, and in such manner that the people can choose  
17 between the competing measures or reject both. When there are competing bills and  
18 neither receives a majority of the votes given for or against both, the one receiving the  
19 most votes shall at the next statewide election to be held not less than 60 days after the  
20 first vote thereon be submitted by itself if it receives more than 1/3 of the votes given for  
21 and against both. If the measure initiated is enacted by the Legislature without change, it  
22 shall not go to a referendum vote unless in pursuance of a demand made in accordance  
23 with the preceding section. The Legislature may order a special election on any measure  
24 that is subject to a vote of the people.

25 ; and be it further

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

32 "Do you favor amending the Constitution of Maine to require on direct  
33 initiative petitions the same minimum percentage of signatures to be  
34 collected from each county and to require of those signatures that each  
35 must be that of a person registered to vote in that county?"

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

1 becomes part of the Constitution of Maine on the date of the proclamation; and be it  
2 further

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

6 **SUMMARY**

7 This resolution proposes to amend the Constitution of Maine to require the total  
8 number of signatures required for a direct initiative of legislation to be not less than 10%  
9 of the total vote for Governor cast in each county in the last gubernatorial election. It also  
10 requires each of the signatures from a county to be that of a person registered to vote in  
11 that county.