



129th MAINE LEGISLATURE

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Legislative Document

No. 1365

H.P. 987

House of Representatives, March 21, 2019

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Provide for the Election of the Governor by Majority
Vote**

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 BABBIDGE of Kennebunk.
Cosponsored by Senator SANBORN, L. of Cumberland and
Representatives: BROOKS of Lewiston, COLLINGS of Portland, DOUDERA of Camden,
EVANGELOS of Friendship, FARNSWORTH of Portland, KESSLER of South Portland,
VEROW of Brewer.

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. V, Pt. First, §3** is amended to read:

5 **Section 3. Election; votes to be returned to Secretary of State; Secretary**
6 **of State to lay lists before the Senate and House of Representatives; provision**
7 **in case of tie.** The meetings for election of Governor shall be notified, held and
8 regulated and votes shall be received, sorted, counted and declared and recorded, in the
9 same manner as those for Senators and Representatives, except that the Governor must be
10 elected by majority vote. Copies of lists of votes shall be sealed and returned to the
11 secretary's office in the same manner and at the same time as those for Senators. The
12 Secretary of State for the time being shall, on the first Wednesday after the first Tuesday
13 of January then next, lay the lists returned to the secretary's office before the Senate and
14 House of Representatives to be by them examined, together with the ballots cast if they so
15 elect, and they shall determine the number of votes duly cast for the office of Governor,
16 and in case of a choice by ~~plurality~~ majority of all of the votes returned they shall declare
17 and publish the same. ~~If there shall be the final result of an election is a tie between the 2~~
18 ~~persons having the largest number of votes for Governor,~~ the House of Representatives
19 and the Senate meeting in joint session, and each member of said bodies having a single
20 vote, shall elect one of ~~said 2~~ the persons having so received an equal number of votes
21 and the person so elected by the Senate and House of Representatives shall be declared
22 the Governor.

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

29 "Do you favor amending the Constitution of Maine to require that the
30 Governor be elected by majority vote?"

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

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

SUMMARY

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This resolution proposes to amend the Constitution of Maine to require that the Governor be elected by majority vote.