



130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 153

H.P. 109

House of Representatives, January 21, 2021

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Change the Number of Legislators Required To Approve
a Constitutional Amendment**

Received by the Clerk of the House on January 19, 2021. Referred to the Committee on State and Local Government pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative KINNEY of Knox.
Cosponsored by Representatives: BRADSTREET of Vassalboro, DOLLOFF of Milton
Township, HALL of Wilton, TUELL of East Machias.

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. X, Sec. 4** is amended to read:

5 **Section 4. Amendments to Constitution.** The Legislature, whenever 2/3 of ~~both~~
6 Houses all the members elected to each House shall deem it necessary, may propose
7 amendments to this Constitution; and when any amendments shall be so agreed upon, a
8 resolution shall be passed and sent to the selectmen of the several towns, and the assessors
9 of the several plantations, empowering and directing them to notify the inhabitants of their
10 respective towns and plantations, in the manner prescribed by law, at the next biennial
11 meetings in the month of November, or to meet in the manner prescribed by law for calling
12 and holding biennial meetings of said inhabitants for the election of Senators and
13 Representatives, on the Tuesday following the first Monday of November following the
14 passage of said resolve, to give in their votes on the question, whether such amendment
15 shall be made; and if it shall appear that a majority of the inhabitants voting on the question
16 are in favor of such amendment, it shall become a part of this Constitution.

17 **Constitutional referendum procedure; form of question; effective date.**

18 **Resolved:** That the municipal officers of this State shall notify the inhabitants of their
19 respective cities, towns and plantations to meet, in the manner prescribed by law for holding
20 a statewide election, at a statewide election held in the month of November following the
21 passage of this resolution, to vote upon the ratification of the amendment proposed in this
22 resolution by voting upon the following question:

23 "Do you favor amending the Constitution of Maine to require a 2/3 vote of
24 all the members elected to each House of the Legislature, rather than a 2/3
25 vote of the members present, for the Legislature to propose an amendment
26 to the Constitution of Maine?"

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

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

38 SUMMARY

39 This resolution proposes an amendment to the Constitution of Maine to require a 2/3
40 vote of all the members elected to each House of the Legislature, rather than a 2/3 vote of
41 the members present, for the Legislature to propose an amendment to the Constitution of
42 Maine.