

## 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

**Legislative Document** 

No. 1631

H.P. 1174

House of Representatives, April 25, 2019

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

Submitted by the Secretary of State pursuant to Joint Rule 204.

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

ROBERT B. HUNT

Presented by Representative SCHNECK of Bangor.

Cosponsored by Senator MIRAMANT of Knox and

Representatives: ALLEY of Beals, DUNPHY of Old Town, EVANGELOS of Friendship, Speaker GIDEON of Freeport, HEPLER of Woolwich, HICKMAN of Winthrop, MOONEN of

Portland, Senator: President JACKSON of Aroostook.

**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 may authorize a process of early voting that allows voting to occur in the same manner as on election day 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. The Legislature also may by proper enactment authorize voting by mail for all citizens of the State as an alternative to voting by absentee ballot.

**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 authorize the Legislature to adopt a process of early voting and voting by mail?"

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.

**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.

36 SUMMARY

This resolution proposes to amend the Constitution of Maine to allow the Legislature to authorize a process to allow voting to occur in the same manner as on election day 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

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- Maine that the citizens be absent or physically incapacitated. Additionally, this resolution allows the Legislature to authorize a process of voting by mail for all citizens of the State as an alternative to voting by absentee ballot. 2
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