RESOLUTION, Proposing an Amendment to the Constitution of Maine To Implement Ranked-choice Voting

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.
Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

Presented by Senator BREEN of Cumberland.
Cosponsored by Representative PIERCE of Falmouth and Senators: CHENETTE of York, CHIPMAN of Cumberland, DION of Cumberland, GRATWICK of Penobscot, MILLETT of Cumberland, MIRAMANT of Knox, VITELLI of Sagadahoc.
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. IV, Pt. First, §5 is amended to read:

Section 5. Election of Representatives; lists of votes delivered forthwith; lists of votes examined by Governor; summons of persons who appear to be elected; lists shall be laid before the House. The meetings within this State for the choice of Representatives shall be warned in due course of law by qualified officials of the several towns and cities 7 days at least before the election, and the election officials of the various towns and cities shall preside impartially at such meetings, receive the votes of all the qualified electors, sort, count and declare them in open meeting; and a list of the persons voted for shall be formed, with the number of votes for each person against that person's name. Cities and towns belonging to any Representative District shall hold their meetings at the same time in the respective cities and towns; and such meetings shall be notified, held and regulated, the votes received, sorted, counted and declared in the same manner. Fair copies of the lists of votes shall be attested by the municipal officers and the clerks of the cities and towns and the city and town clerks respectively shall cause the same to be delivered into the office of the Secretary of State forthwith. The Governor shall examine the returned copies of such lists and 7 days before the first Wednesday of December biennially, shall issue a summons to such persons as shall appear to have been elected by a plurality majority of all votes returned, to attend and take their seats. All such lists shall be laid before the House of Representatives on the first Wednesday of December biennially, and they shall finally determine who are elected.

Constitution, Art. IV, Pt. Second, §§4 and 5 are amended to read:

Section 4. Lists of votes examined by Governor; summons to persons who appear to be elected. The Governor shall, as soon as may be, examine the copies of such lists, and at least 7 days before the said first Wednesday of December, issue a summons to such persons, as shall appear to be elected by a plurality majority of the votes in each senatorial district, to attend that day and take their seats.

Section 5. Determination of Senators elected; procedure for filling vacancies. The Senate shall, on said first Wednesday of December, biennially determine who is elected by a plurality majority of votes to be Senator in each district. All vacancies in the Senate arising from death, resignation, removal from the State or like causes, and also vacancies, if any, which may occur because of the failure of any district to elect by a plurality majority of votes the Senator to which said district shall be entitled shall be filled by an immediate election in the unrepresented district. The Governor shall issue a proclamation therefor and therein fix the time of such election.

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

Section 3. Election; votes to be returned to Secretary of State; Secretary of State to lay lists before the Senate and House of Representatives; provision
in case of tie. The meetings for election of Governor shall be notified, held and
regulated and votes shall be received, sorted, counted and declared and recorded, in the
same manner as those for Senators and Representatives. Copies of lists of votes shall be
sealed and returned to the secretary's office in the same manner and at the same time as
those for Senators. The Secretary of State for the time being shall, on the first
Wednesday after the first Tuesday of January then next, lay the lists returned to the
secretary's office before the Senate and House of Representatives to be by them
examined, together with the ballots cast if they so elect, and they shall determine the
number of votes duly cast for the office of Governor, and in case of a choice by plurality
majority of all of the votes returned they shall declare and publish the same. If there shall
be a tie between the 2 persons having the largest number of votes for Governor, the
House of Representatives and the Senate meeting in joint session, and each member of
said bodies having a single vote, shall elect one of said 2 persons having so received an
equal number of votes and the person so elected by the Senate and House of
Representatives shall be declared the Governor.

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 require candidates
for the political offices of Governor, State Senator and State
Representative to be elected by a majority of the votes cast for that
office?"

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.

SUMMARY

This resolution proposes to amend the Constitution of Maine to require candidates for
the political offices of Governor, State Senator and State Representative to be elected by
a majority of the votes cast for that office.