"Enacted with Amendment #265 as Resolves 1953, Chapter 97"

NINETY-SIXTH LEGISLATURE

Legislative Document **No. 470**

H. P. 423 House of Representatives, February 5, 1953

Referred to the Committee on Judiciary, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Fuller of Bangor

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED FIFTY-THREE

RESOLVE, Proposing an Amendment to the Constitution Permitting Indians to Vote.

Constitutional amendment. Resolved: Two-thirds of each branch of the legislature concurring, that the following amendments to the constitution of this state be proposed:

Constitution, Article II, Section 1, amended. The first sentence of Section 1 of Article II of the constitution is hereby amended to read as follows:

'Every citizen of the United States of the age of twenty-one years and upwards, excepting paupers **and** persons under guardianship, ~~and~~ ~~Indians not taxed~~ having his or her residence established in this state for the term of six months next preceding any election, shall be an elector for governor, senators and representatives, in the city, town or plantation where his or her residence has been established for the term of three months next preceding such election, and he or she shall continue to be an elector in such city, town or plantation for the period of three months after his or her removal therefrom, if he or she continues to reside in this state during such period, unless barred by the provisions of the second paragraph of this section; and the elections shall be by written ballot.'

Constitution, Article II, Section 1, amended. Section 1 of Article II of

the constitution is hereby amended by adding at the end thereof a new paragraph, to read as follows:

'Every Indian, residing on tribal reservations and otherwise qualified, shall be an elector in all county, state and national elections except those for representative to the legislature.'

Constitution, Article IV, Part First, Section 2, amended. The second sentence of Section 2 of Part First of Article IV of the constitution is hereby amended to read as follows:

'The legislature shall, within every period of at most ten years and at least five, cause the number of the inhabitants of the state to be ascertained, exclusive of foreigners not naturalized, and Indians ~~not taxed~~ **living on tribal reservations.**'

Form of question and date when amendment shall be voted upon. Resolved: That the aldermen of cities, the selectmen of towns and the assessors of the several plantations of this state are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives at the next general or special state-wide election, to give in their votes upon the amendment proposed in the foregoing resolution, and the question shall be:

"Shall the constitution be amended as proposed by a resolution of the legislature permitting Indians to vote?"

And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment voting "Yes" upon their ballots and those opposed to the amendment voting "No" upon their ballots, and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the office of the secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendment, the governor shall forthwith make known the fact by his proclamation, and the amendment shall thereupon, as of the date of said proclamation, become a part of the constitution.

Secretary of state shall prepare ballots. Resolved: That the secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing resolve, accompanied by a copy thereof.