



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1069

S.P. 438

In Senate, March 9, 2023

An Act Requiring a Referendum to Restore the Former Maine Flag

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BRAKEY of Androscoggin.
Cosponsored by Representative PAULHUS of Bath and
Senators: BAILEY of York, BALDACCI of Penobscot, Representatives: BOYER of Poland,
HYMES of Waldo, MORRIS of Turner, RISEMAN of Harrison.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 1 MRSA §206** is amended to read:

3 **§206. State flag**

4 ~~The flag to be known as the official flag of the State shall be of~~ The former official flag
5 of the State, described as blue, of the same color as the blue field in the flag of the United
6 States, and of the following dimensions and designs; to wit, the length or height of the staff
7 to be 9 feet, including brass spearhead and ferrule; the fly of said flag to be 5 feet 6 inches,
8 and to be 4 feet 4 inches on the staff; in the center of the flag there shall to be embroidered
9 in silk on both sides of the flag the coat of arms of the State, in proportionate size; the edges
10 to be trimmed with knotted fringe of yellow silk, 2 1/2 inches wide; a cord, with tassels, to
11 be attached to the staff at the spearhead, to be 8 feet 6 inches long and composed of white
12 and blue silk strands, is known as the Maine State Seal Flag. A flag made in accordance
13 with the description given in this section shall be kept in the office of the Adjutant General
14 as a model.

15 The flag to be known as the official flag of the State must be buff, charged with the
16 emblem of the State, a pine tree proper, in the center, and the North Star, a mullet of 5
17 points, in blue in the upper corner; the star to be equidistant from the hoist and the upper
18 border of the flag, the distance from the 2 borders to the center of the star being equal to
19 the 1/4 of the hoist, this distance and the size of the star being proportionate to the size of
20 the flag. A flag made in accordance with the description given in this paragraph must be
21 kept in the office of the Adjutant General as a model.

22 **Sec. 2. Statutory referendum procedure; submission at election; form of**
23 **question; effective date.** This Act must be submitted to the legal voters of the State at
24 a statewide election held in the month of November following passage of this Act. The
25 municipal officers of this State shall notify the inhabitants of their respective cities, towns
26 and plantations to meet, in the manner prescribed by law for holding a statewide election,
27 to vote on the acceptance or rejection of this Act by voting on the following question:

28 "Do you favor making the former state flag replaced as the official flag of
29 the State in 1909 and commonly known as the Pine Tree Flag the official
30 flag of the State and designating the current official flag of the State as the
31 Maine State Seal Flag?"

32 The legal voters of each city, town and plantation shall vote by ballot on this question
33 and designate their choice by a cross or check mark placed within a corresponding square
34 below the word "Yes" or "No." The ballots must be received, sorted, counted and declared
35 in open ward, town and plantation meetings and returns made to the Secretary of State in
36 the same manner as votes for members of the Legislature. The Governor shall review the
37 returns. If a majority of the legal votes are cast in favor of this Act, the Governor shall
38 proclaim the result without delay and this Act becomes effective 30 days after the date of
39 the proclamation.

40 The Secretary of State shall prepare and furnish to each city, town and plantation all
41 ballots, returns and copies of this Act necessary to carry out the purposes of this
42 referendum.

SUMMARY

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This bill authorizes for referendum the question as to whether to make the former state flag replaced as the official flag of the State in 1909 and commonly known as the Pine Tree Flag the official flag of the State and to designate the current official flag of the State as the Maine State Seal Flag.