

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

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Legislative Document

No. 1537

S. P. 463

In Senate, May 21, 1969

Reported by Senator Letourneau of York from Committee on State Government. Printed under Joint Rules No. 18.

JERROLD B. SPEERS, Secretary

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-NINE

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**RESOLVE, Proposing an Amendment to the Constitution Regulating the  
Size of the State Senate.**

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**Constitutional amendments. Resolved:** Two-thirds of each branch of the Legislature concurring, that the following amendments to the Constitution of this State be proposed:

**Constitution, Article IV, Part Second, Section 1, repealed and replaced.** Section 1 of Part Second of Article IV of the Constitution, as repealed and replaced by Article CIII, is repealed and the following enacted in place thereof:

**Section 1. Number of Senators.** The Senate shall consist of an odd number of Senators, not less than thirty-one nor more than forty-one, elected at the same time and for the same term as Representatives by the qualified electors of the districts into which the State shall be from time to time divided.

**Constitution, Article IV, Part Second, Section 2, repealed and replaced.** Section 2 of Part Second of Article IV of the Constitution, as enacted by Article CIII, is repealed and the following enacted in place thereof:

**Section 2. Division.** The Legislature which shall convene after the adoption of this amendment shall cause the State to be divided into districts for the choice of a Senator from each district. The Legislature every tenth year thereafter shall do likewise. The number of Senators to constitute the Senate shall be divided into the number of inhabitants of the State to determine a median population figure for each Senatorial District. Each Senatorial District shall have equal population as nearly as practicable. The number of

inhabitants of the State shall be that determined by the latest Federal Decennial Census.

In the event that the Legislature shall fail to make an apportionment, the Supreme Judicial Court shall, within sixty days following the end of the period in which the Legislature is required to act, but fails to do so, make the apportionment.

**Form of question and date when amendments shall be voted upon. Resolved:** That the aldermen of cities, the selectmen of towns and assessors of the several plantations of this State are 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 election in the month of November or special state-wide election on the Tuesday following the first Monday of November following the passage of this resolve to give in their votes upon the amendments proposed in the foregoing resolution, and the question shall be:

“Shall the Constitution be amended as proposed by a resolution of the Legislature to provide for an odd numbered Senate of not less than thirty-one nor more than forty-one Senators following the constitutionally required reapportionment in 1971?”

The inhabitants of said cities, towns and plantations shall vote by ballot on said question, and shall indicate by a cross or check mark placed against the words “Yes” or “No” their opinion of the same. 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 review the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendments, the Governor shall forthwith make known the fact by his proclamation, and the amendments 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.