

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 965

H.P. 701

House of Representatives, February 11, 1997

**RESOLUTION, Proposing an Amendment to the Constitution of Maine
to Provide for a Passamaquoddy Representative District.**

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

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative MOORE of the Passamaquoddy Tribe.

2 **Constitutional amendment. Resolved:** Two thirds of each
branch of the Legislature concurring, that the following
4 amendment to the Constitution of Maine be proposed:

6 **Constitution, Art. IV, Part First, §2** is amended to read:

8 **Section 2. Number of Representatives; biennial terms;**
9 **division of the State into districts for House of**
10 **Representatives.** The House of Representatives shall consist of
11 151 members, to be elected by the qualified electors, and hold
12 their office 2 years from the day next preceding the first
13 Wednesday in December following the general election. The
14 Legislature which convenes in 1983 and every 10th year thereafter
15 shall cause the State to be divided into districts for the choice
16 of one Representative for each district. The number of
17 Representatives shall be divided into the number of inhabitants
18 of the State exclusive of residents on Passamaquoddy Indian
19 Reservations and foreigners not naturalized according to the
20 latest Federal Decennial Census or a State Census previously
21 ordered by the Legislature to coincide with the Federal Decennial
22 Census, to determine a mean population figure for each
23 Representative District, except the Passamaquoddy Representative
24 District. Each Except for the Passamaquoddy Representative
25 District, each Representative District shall be formed of
26 contiguous and compact territory and shall cross political
27 subdivision lines the least number of times necessary to
28 establish as nearly as practicable equally populated districts.
29 Whenever the population of a municipality entitles it to more
30 than one district, all whole districts shall be drawn within
31 municipal boundaries. Any population remainder within the
32 municipality shall be included in a district with contiguous
33 territory and shall be kept intact. Effective for the
34 reapportionment applicable to the 2003 election and for
35 subsequent reapportionments, a Passamaquoddy Representative
36 District is created that consists solely of all Passamaquoddy
Indian Reservation lands, regardless of population or contiguity.

38 ; and be it further
40

42 **Constitutional referendum procedure; form of question; effective**
43 **date. Resolved:** That the municipal officers of this State shall
44 notify the inhabitants of their respective cities, towns and
45 plantations to meet, in the manner prescribed by law for holding
46 a statewide election, at a statewide election, on the Tuesday
47 following the first Monday of November following the passage of
48 this resolution, to vote upon the ratification of the amendment
50 proposed in this resolution by voting upon the following question:

2 "Do you favor amending the Constitution of Maine to provide
for a Passamaquoddy Representative District?"

4 The legal voters of each city, town and plantation shall
6 vote by ballot on this question and designate their choice by a
cross or check mark placed within the corresponding square below
8 the word "Yes" or "No." The ballots must be received, sorted,
counted and declared in open ward, town and plantation meetings
10 and returns made to the Secretary of State in the same manner as
votes for members of the Legislature. The Governor shall review
12 the returns and, if it appears that a majority of the legal votes
are cast in favor of the amendment, the Governor shall proclaim
14 that fact without delay and the amendment becomes part of the
Constitution on the date of the proclamation; and be it further

16 **Secretary of State shall prepare ballots. Resolved:** That the
Secretary of State shall prepare and furnish to each city, town
18 and plantation all ballots, returns and copies of this resolution
necessary to carry out the purpose of this referendum.

20

22

SUMMARY

24 This resolution proposes an amendment to the Constitution of
Maine requiring the creation of a state legislative district
26 consisting solely of all Passamaquoddy Indian Reservation lands.