

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 917

H.P. 692

House of Representatives, March 1, 2007

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Reduce the Size of the Legislature to 132 Members**

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative PENDLETON of Scarborough.
Cosponsored by Representative JOY of Crystal, Senator SAVAGE of Knox and
Representatives: LANSLEY of Sabattus, VAUGHAN of Durham.

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

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

5 **Section 2. Number of Representatives; biennial terms; division of the State into**
6 **districts for House of Representatives.** The House of Representatives shall consist of
7 151 members, except that, for the Legislature that convenes in 2009 and thereafter, the
8 House of Representatives shall consist of 99 members, to be elected by the qualified
9 electors, and hold their office 2 years from the day next preceding the first Wednesday in
10 December following the general election. The Legislature which convenes in 1983 2007
11 and every 10th year thereafter shall cause the State to be divided into districts for the
12 choice of one Representative for each district, using the same method as provided in
13 Article IV, Part Second, Section 2 for apportionment of Senatorial Districts, except that
14 each Senatorial District must be divided into 3 Representative Districts. The number of
15 Representatives shall be divided into the number of inhabitants of the State exclusive of
16 foreigners not naturalized according to the latest Federal Decennial Census or a State
17 Census previously ordered by the Legislature to coincide with the Federal Decennial
18 Census, to determine a mean population figure for each Representative District. Each
19 Representative District shall be formed of contiguous and compact territory and shall
20 cross political subdivision lines the least number of times necessary to establish as nearly
21 as practicable equally populated districts. Whenever the population of a municipality
22 entitles it to more than one district, all whole districts shall be drawn within municipal
23 boundaries. Any population remainder within the municipality shall be included in a
24 district with contiguous territory and shall be kept intact.

25 **Constitution, Art. IV, Part Second, §1** is amended to read:

26 **Section 1. Number of Senators.** The Senate shall consist of an odd number of
27 Senators, not less than 31 nor more than 35, except that, for the Legislature that convenes
28 in 2009 and thereafter, the Senate shall consist of 33 members, elected at the same time
29 and for the same term as Representatives by the qualified electors of the districts into
30 which the State shall be from time to time divided.

31 **Constitution, Art. IV, Part Second, §2, first ¶** is amended to read:

32 **Section 2. Submission of reapportionment plan to Secretary of Senate;**
33 **Legislature's action on commission's plan; division of State into Senatorial Districts;**
34 **division by Supreme Judicial Court.** The Legislature which shall convene in the year
35 1983 2007 and every 10th year thereafter shall cause the State to be divided into districts
36 for the choice of a Senator from each district, using the same method as provided in
37 Article IV, Part First, Section 2 for apportionment of Representative Districts. The
38 number of Senators must be divided into the number of inhabitants of the State, exclusive
39 of foreigners not naturalized according to the latest Federal Decennial Census or a State
40 Census previously ordered by the Legislature to coincide with the Federal Decennial
41 Census, to determine a mean population figure for each Senatorial District. Each
42 Senatorial District must be formed of contiguous and compact territory and must cross

1 political subdivision lines the least number of times necessary to establish as nearly as
2 practicable equally populated districts. Whenever the population of a municipality
3 entitles it to more than one district, all whole districts must be drawn within municipal
4 boundaries. Any population remainder within the municipality must be included in a
5 district with contiguous territory and must be kept intact.

6 ; and be it further

7 **Constitutional referendum procedure; form of question; effective date.**

8 **Resolved:** That the municipal officers of this State shall notify the inhabitants of their
9 respective cities, towns and plantations to meet, in the manner prescribed by law for
10 holding a statewide election, at a statewide election held in the month of November
11 following the passage of this resolution, to vote upon the ratification of the amendment
12 proposed in this resolution by voting upon the following question:

13 "Do you favor amending the Constitution of Maine to reduce the size of the House of
14 Representatives from 151 members to 99 members and to limit the size of the Senate
15 from no more than 35 members to 33 members, effective in the year 2009?"

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

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

28 **SUMMARY**

29 This resolution proposes a constitutional amendment to reduce the size of the House
30 of Representatives from 151 members to 99 members and the size of the Senate from no
31 more than 35 members to 33 members. The redistricting will be done in 2008 during the
32 Second Regular Session of the 123rd Legislature and the reduction in the size of each
33 legislative body takes effect in 2009.