

# MAINE STATE LEGISLATURE

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SECOND SPECIAL SESSION  
(EMERGENCY)

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ONE HUNDRED AND FIRST LEGISLATURE

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**Legislative Document**

**No. 1680**

H. P. 1170

House of Representatives, September 28, 1964

The Committee on Constitutional Amendments and Legislative Reapportionment suggested.

HARVEY R. PEASE, Clerk

Presented by Mr. Cope of Portland.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-FOUR

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**AN ACT Reactivating the Constitutional Commission.**

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**Emergency preamble.** Whereas, recent decisions of the United States Supreme Court cast serious doubt as to the constitutionality of those provisions of the Constitution of the State of Maine which provide for the apportionment of the State Senate; and

Whereas, the 100th Legislature created a Constitutional Commission which made a comprehensive examination and report on the apportionment of the House of Representatives and the Senate; and

Whereas, it is vital to the best interest of the people and the Government of the State that the commission should be reactivated to study whether the constitutional provisions for apportionment of the Senate of this State comply with these subsequent decisions; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. Commission.** The Governor shall appoint a bipartisan commission of 10 persons to study the Constitution of the State of Maine.

**Sec. 2. Report.** The commission shall report to the regular session of the 102nd Legislature, such changes and amendments to the Constitution of this

State as shall be necessary to assure compliance of its provisions with the decisions of the United States Supreme Court governing the apportionment of the Senates in the several states.

**Sec. 3. Appropriation.** There is appropriated from the Unappropriated Surplus of the General Fund the sum of \$5,000 for the expenses and operation of the commission. Any unexpended balance shall not lapse but shall remain a continuing carrying account until June 30, 1965.

**Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.