

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1529

S. P. 539

In Senate, May 12, 1965

Reported by Majority, from Committee on State Government. Printed under
Joint Rules No. 10.

EDWIN H. PERT, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

**RESOLVE, Proposing an Amendment to the Constitution Affecting the
Apportionment of the State Senate.**

Constitutional amendment. 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Constitution, Article IV, Part Second, Section 1, repealed and replaced. Section 1 of Part Second of Article IV of the Constitution is repealed and the following enacted in place thereof:

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

Constitution, Article IV, Part Second, Section 1-A, additional. Part Second of Article IV of the Constitution is amended by adding a new section 1-A, to read as follows:

‘Section 1-A. Districts for choice of Senators. The Legislature which shall be first convened in either regular or special session after the adoption of this amendment as part of the Constitution and the Legislature which shall be convened on the first Wednesday in January in the year of our Lord one thousand nine hundred and seventy-one and at every subsequent period of ten years, but not less than five years, shall cause the State to be divided into districts for the choice of Senators. The districts shall conform, as near as may be, to county lines, and be apportioned according to the number of inhabitants as determined by the latest Federal Census.’

Constitution, Article IV, Part Second, Section 4, amended. Section 4 of Part Second of Article IV of the Constitution is amended to read as follows:

'Section 4. Determination of Senators elected; procedure when full number not elected. The Senate shall, on the said first Wednesday of January, biennially, determine who are elected by a plurality of votes to be Senators in each ~~county district~~. All vacancies in the Senate arising from death, resignation, removal from the Senate, or like causes, and also vacancies, if any, which may occur because of the failure of any ~~county district~~ to elect by a plurality of votes the full number of Senators to which said ~~county district~~ shall be entitled, shall be filled by an immediate election in the unrepresented ~~county district~~. The Governor shall issue a proclamation therefor and therein fix the time of such election.'

Form of question and date when amendments shall be voted upon. Resolved: That the aldermen of cities, the selectmen of towns and the 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 affecting the Apportionment of the State Senate?"

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 count 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.