

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1632

S. P. 607

In Senate, January 17, 1966

The Committee on State Government suggested.

EDWIN H. PERT, Secretary

Presented by Senator Bernard of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SIX

**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Constitution, Article IV, Part Second, Section 1, repealed and replaced. Section 1 of Part Second of Article IV of the Constitution is repealed and the following enacted in place thereof: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 the members to which the several counties or districts are entitled on the following basis of representation: Each county having two and seven-tenths percent, or a major fraction thereof, of the number of inhabitants of the State shall be entitled to one Senator and shall be entitled to an additional Senator for each additional two and seven-tenths, or a major fraction thereof, of the number of inhabitants of the State. The number of inhabitants shall be according to the latest Federal Census.

The members of the Senate shall be elected at the same time and for the same term as the Representatives by the qualified electors of the counties or districts which they shall respectively represent.

Counties entitled to two or more Senators may, by affirmative vote of two-thirds of both Houses of the Legislature, be organized into single member districts whereby each legally qualified elector therein is entitled to vote for only one Senator, provided that all such counties are so organized.

In the event the Legislature shall fail to make an apportionment, the Supreme Judicial Court, within sixty days following the end of the regular session of the Legislature following the latest Federal Census, shall make the apportionment.'

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, as follows:

'Section 1-A. First apportionment. The first apportionment under Article IV, Part Second, shall be made by the One Hundred and Third Legislature in regular session. This section 1-A of this Article IV, Part Second, need not be printed as part of the Constitution, and this section 1-A of this Article IV, Part Second, of the Constitution may hereafter be omitted in any printed copy of the Constitution or amendments thereto.'

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 or 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 or district to elect by a plurality of votes the full number of Senators to which said county or district shall be entitled, shall be filled by an immediate election in the unrepresented county or 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 a special state-wide election on the Tuesday following the first Monday in 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 Members 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 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 forth-

with 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.