

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1769

S. P. 598

In Senate, January 6, 1970

The Committee on State Government suggested.

HARRY N. STARBRANCH, Secretary

Presented by Senator Katz of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
AND SEVENTY

**RESOLVE, Proposing an Amendment to the Constitution Affecting the
Apportionment of the House of Representatives.**

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Constitution, Article IV, Part First, Section 2, repealed and replaced. Section 2 of Part First of Article IV of the Constitution is repealed and the following enacted in place thereof:

Section 2. Number of Representatives. The House of Representatives shall consist of an odd number of Representatives, not less than one hundred and forty-one Representatives nor more than one hundred and fifty-one Representatives, elected for a term of two years from the first Tuesday of January in the year next following their election by the qualified electors of the districts into which the State shall be from time to time divided.

Constitution, Article IV, Part First, Section 3, repealed and replaced. Section 3 of Part First of Article IV of the Constitution is repealed and the following enacted in place thereof:

Section 3. Division. The Legislature which shall convene after the adoption of this amendment shall cause the State to be divided into districts for the choice of a Representative from each district. The Legislature every tenth year thereafter shall do likewise. The number of Representatives to constitute the House of Representatives shall be divided into the number of inhabitants of the State to determine a median population figure for each Representative District. Each Representative District shall have equal popu-

lation as nearly as practicable. The number of inhabitants of the State shall be that determined by the latest Federal Decennial Census.

In the event that the Legislature shall fail to make an apportionment, the Supreme Judicial Court shall, within sixty days following the end of the period in which the Legislature is required to act, but fails to do so, make the apportionment.

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 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 House of Representatives?”

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 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.