

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
105TH LEGISLATURE
FIRST SPECIAL SESSION

HOUSE AMENDMENT " A " to H. P. 1543, L. D. 1999, RESOLUTION,
Proposing an Amendment to the Constitution Providing for
Apportionment of the House of Representatives into Single Member
Districts.

Amend said Resolution by striking out everything after the
first paragraph and inserting in place thereof the following:

'Constitution, Article IV, Part First, Sections 2 and 3,
repealed and replaced. Sections 2 and 3 of Part First of Article
IV of the Constitution are repealed and the following enacted
in place thereof:

Section 2. Division. The House of Representatives shall
consist of one hundred and fifty-one members, to be elected by
the qualified electors of the districts into which the State shall
be from time to time divided and shall hold their office two years
from the day next preceding the biennial meeting of the Legislature.
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
shall in 1981 and every tenth year thereafter do likewise. The
latest Federal Decennial Census shall be used for determination of
population. The State Unit Base Number shall be determined by
dividing the total population of the State by one hundred and
fifty-one. Representatives shall be allotted to the several
counties as near as possible in relation to multiples of the

(Filing No. H-616)

State Unit Base Number and fractional excesses over whole numbers shall be computed for initial allotment purposes in favor of the counties having the larger fractional excesses. County lines may be crossed, where necessary, to accomodate excesses above and below this allocation. In no case will any county line be crossed more than twice in formation of districts.

Section 3. Apportionment within counties. The cities and towns within the county shall be combined or divided so as to form districts as near as may be to the State Unit Base Number. Cities and towns having population greater than the State Unit Base Number shall first be divided into as many single member districts containing only inhabitants of such city or town as the total population of such city or town has multiples of the State Unit Base Number, and the surplus population, if any, of such city or town shall be combined with some geographically contiguous city, town or towns, or some portion thereof to form a district with a population as near as may be to the State Unit Base Number. Cities and towns having less than the State Unit Base Number shall be combined to form geographically contiguous single member districts as near as may be to the State Unit Base Number. City and town lines may be crossed only once in formation of any district.

There shall be established in the year prior to each year in which the House of Representatives is required to be apportioned, a commission to develop, in accordance with the requirements of this Constitution, a plan for apportioning the House of

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Representatives. The plan of the commission shall be submitted to the Clerk of the House, on or before the day of the convening of the next regular legislative session, for presentation to the Joint Standing Committee on Apportionment. In the event that the Legislature shall fail to apportion the House of Representatives by the end of the year in which said apportionment is required by this Constitution to be made, the apportionment plan which was submitted to that Legislature by the commission established for that purpose shall become effective as law and remain in effect until such time as the House of Representatives is next apportioned. The commission shall be composed of the Speaker of the House of Representatives, who shall serve as chairman pro-tem until the commission shall select a permanent chairman; three members of the House of Representatives, two of whom shall be appointed by the Speaker of the House and the third member appointed by the Minority Floor Leader in the House; two members of the Senate, one of who shall be appointed by the President of the Senate and the other shall be appointed by the Minority Floor Leader of the Senate; the chairman of each of the major political parties in the State, or their chosen appointees; two members of Political Science Departments of Maine Colleges, one of whom shall be from a different college, who shall be appointed by the Governor; and one member from a nonpartisan citizens organization within the State, who shall be appointed by the Governor. The commission shall serve until the apportionment of the House of Representatives in connection with which it was established is accomplished.

(Filing No. H-614)

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 resolution 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 providing for apportionment of the House of Representatives into single member districts?"

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 amend-

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ments , 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 ^{resolution,} / accompanied by a copy thereof.'

Statement of Fact

The purpose of this amendment is to provide for apportionment of the House of Representatives along the one man one vote philosophy and establishes a commission for developing a plan to be presented to the Legislature.

Filed by Mr. Birt of East Millinocket.

Reproduced and distributed under the direction of the Clerk of the House.

3/1/72

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