

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1883

H. P. 1587

House of Representatives, May 15, 1975

Reported by Majority from Committee on State Government. Printed under Joint Rules No. 18.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

RESOLUTION, Proposing an Amendment to the Constitution to Provide for Reduction of the Number of Representatives in 1985, to Establish the Number of Senators at Thirty-three in 1985 and to Change the Date of Convening of the Legislature.

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, Art. IV, Pt. 1, § 2, 1st sentence is amended to read:

The House of Representatives shall consist **until 1985** of one hundred and fifty-one members, to be elected by the qualified electors, and hold their office two years from the day next preceding the ~~biennial meeting of the Legislature~~ **first Wednesday after the first Tuesday in January following the general election.**

Constitution, Art. IV, Pt. 1, § 2 is amended by adding a new sentence following the first sentence, to read:

In the general election of 1984, and thereafter, the qualified electors shall elect one hundred and thirty-two members to the House of Representatives to hold office from the day next preceding the first Wednesday after the first Tuesday in January following the general election.

Constitution, Art. IV, Pt. 1, § 5, 4th and 5th sentences are amended to read:

The Governor and Council shall examine the returned copies of such lists and twenty days before the first Wednesday after the first Tuesday of Janu-

ary biennially, shall issue a summons to such persons as shall appear to have been elected by a plurality of all votes returned, to attend and take their seats. All such lists shall be laid before the House of Representatives on the first Wednesday **after the first Tuesday** of January biennially and they shall finally determine who are elected.

Constitution, Art. IV, Pt. 2, § 1 is amended to read:

Section 1. Number of Senators. The Senate shall consist **until 1985** of an odd number of Senators, not less than thirty-one nor more than thirty-five, elected at the same time and for the same term as Representatives by the qualified electors of the districts into which the State shall be from time to time divided.

In the general election of 1984 and thereafter, the qualified electors shall elect thirty-three members to the Senate, at the same time and for the same term as Representatives.

Constitution, Art. IV, Pt. 2, § 4 is amended to read:

Section 4. Examination of lists; summons to persons who appear to be elected. The Governor and Council shall, as soon as may be, examine the copies of such lists, and at least twenty days before the said first Wednesday **after the first Tuesday** of January, issue a summons to such persons, as shall appear to be elected by a plurality of the votes in each senatorial district, to attend that day and take their seats.

Constitution, Art. IV, Pt. 2, § 5, 1st sentence is amended to read:

The Senate shall, on said first Wednesday **after the first Tuesday** of January, biennially, determine who is elected by a plurality of votes to be Senator in each district.

Constitution, Art. IV, Pt. 3, § 1 is amended to read:

Section 1. To meet biennially; power of Legislature to convene itself at other times. The Legislature shall convene on the first Wednesday **after the first Tuesday** of January biennially and at such other times on the call of the President of the Senate and Speaker of the House, with the consent of a majority of the Members of the Legislature of each political party, all Members of the Legislature having first been polled and, with the exceptions hereinafter stated, shall have full power to make and establish all reasonable laws and regulations for the defense and benefit of the people of this State, not repugnant to this Constitution, nor to that of the United States.

Constitution, Art. V, Pt. 1, § 2, 1st sentence is amended to read:

The Governor shall be elected by the qualified electors and shall hold his office for four years from the first Wednesday **after the first Tuesday** of January next following the election and until his successor has been duly elected and qualified.

Constitution, Art. V, Pt. 1, § 3, 3rd sentence, is amended to read:

The Secretary of State for the time being shall, on the first Wednesday **after the first Tuesday** of January then next, lay the lists returned to the secretary's

office before the Senate and House of Representatives to be by them examined, together with the ballots cast if they so elect, and they shall determine the number of votes duly cast for the office of Governor, and in case of a choice by plurality of all the votes returned they shall declare and publish the same.

Constitution, Art. V, Pt. 1, § 14, 2nd sentence, is amended to read:

When the vacancy occurs more than ninety days preceding the date of the primary election for nominating candidates to be voted for at the biennial election next succeeding, the President of the Senate shall assume the office of Governor until the first Wednesday after the first Tuesday of January following the biennial election.

Constitution, Art. V, Pt. 2, § 2 is amended to read:

Section 2. Election; interim appointment and oath on vacancy; privilege from arrest. The Councillors shall be chosen biennially, on the first Wednesday after the first Tuesday of January, by joint ballot of the Senators and Representatives in convention; and vacancies, which shall afterwards happen, shall be filled in the following manner: The Governor with the advice and consent of the Council shall appoint within thirty days from said vacancy a Councillor from the same district in which the vacancy occurred, and the oath of office shall be administered by the Governor; said Councillor shall hold office until the next convening of the Legislature; but not more than one Councillor shall be elected or appointed from any district prescribed for the election of Senators; they shall be privileged from arrest in the same manner as Senators and Representatives.

Constitution, Art. IX, § 4 is amended to read:

Section 4. Elections on the first Wednesday after the first Tuesday of January may be adjourned from day to day. And in case the elections, required by this Constitution on the first Wednesday after the first Tuesday of January biennially, by the two Houses of the Legislature, shall not be completed on that day, the same may be adjourned from day to day, until completed, in the following order: The vacancies in the Senate shall first be filled; the Governor shall then be elected, if there be no choice by the people; and afterwards the two Houses shall elect a Council.

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 to provide for reduction of the number of Representatives from

151 to 132 in 1985, to establish the number of Senators at 33 in 1985 and to change the date of convening of the Legislature?"

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 resolution, accompanied by a copy thereof.

STATEMENT OF FACT

The purpose of this resolution is to provide for the reduction of the number of Representatives from 151 to 132 in 1985, to establish the number of Senators at thirty-three in 1985, and to provide that the Legislature shall convene on the first Wednesday after the first Tuesday in January biennially.