

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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Legislative Document

No. 1347

H. P. 1033

House of Representatives, March 16, 1979

On Motion of Mrs. Kany of Waterville, referred to the Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Paradis of Augusta.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

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**RESOLUTION, Proposing an Amendment to the Constitution of Maine Changing  
the Legislature to a Single Chamber, Unicameral System.**

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**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. II, § 1, first sentence,** as amended by CR 1974, c. 3, is further amended to read:

Every citizen of the United States of the age of eighteen years and upwards, excepting persons under guardianship for reasons of mental illness, having his or her residence established in this State, shall be an elector for Governor, ~~Senators and Representatives~~ **members of the Legislature**, in the city, town or plantation where his or her residence has been established, if he or she continues to reside in this State, unless barred by the provisions of the second paragraph of this section; and the elections shall be by written ballot.

**Constitution, Art. II, § 4, first sentence** is amended to read:

The election of ~~Senators and Representatives~~ **members of the Legislature** shall be on the Tuesday following the first Monday of November biennially forever and the election of Governor shall be on the Tuesday following the first Monday of November every four years.

**Constitution, Art. IV, Part First, § 1**, is repealed and the following enacted in its place:

**Section 1. Legislative department.** Commencing with the first regular session of the Legislature to be held in December, 1984, the legislative authority of the State shall be vested in a Legislature consisting of one chamber, but the people reserve to themselves power to propose laws and enact or reject the same at the polls independent of the Legislature, and reserve the power to approve or reject at the polls any Act, bill, resolve or resolution proposed by the Legislature, and the style of the laws and Acts shall be, "Be it enacted by the People of the State of Maine." All authority vested by the Constitution or laws of the State in the Senate, House of Representatives or joint session thereof insofar as applicable, shall be, and is, vested in the Legislature of one chamber. All provisions in the Constitution and laws of the State relating to the Legislature, the Senate and House of Representatives, joint sessions of the Senate and House of Representatives, Senators or Members of the House of Representatives shall, insofar as such provisions are applicable, apply to and mean the Legislature of one chamber hereby created. All references to Clerk of the House of Representatives or Secretary of the Senate shall mean when applicable the Clerk of the Legislature of one chamber. All references to Speaker of the House of Representatives or President of the Senate shall mean Speaker of the Legislature. Whenever any provisions of the Constitution require the submission of any matter to, or action by, the House of Representatives, the Senate or joint session thereof, or the members of either body or both, they shall after December, 1984, be construed to refer to the Legislature herein provided for.

At the beginning of each first regular session, the Legislature shall elect from its membership a presiding officer, who shall be known as the Speaker and who shall serve during the entire two-year term, or at the pleasure of two-thirds the entire membership of the Legislature.

**Constitution, Art. IV, Part First, § 2**, as last amended by CR 1977, c. 4, is repealed and the following enacted in its place:

**Section 2. Number of Legislators.** The Legislature shall consist of one hundred fifty-one members, to be elected by the qualified electors and hold their office two years from the day next preceding the first Wednesday in December following the general election. The Legislature which convenes in 1984 and every tenth year thereafter shall cause the State to be divided into districts for the choice of one member of the Legislature for each district. The number of members shall be divided into the number of inhabitants of the State exclusive of foreigners not naturalized according to the latest Federal Decennial Census or a State Census previously ordered by the Legislature to coincide with the Federal Decennial Census, to determine a median population figure for each member District. Each member District shall be formed of continuous and compact territory and shall cross political subdivision lines the least number of times necessary to establish as nearly as practicable equally populated districts. Whenever the population of a municipality entitles it to more than one district, all

**whole districts shall be drawn within municipal boundaries. Any population remainder within the municipality shall be included in a district drawn to cross the municipal boundary, provided that such population remainder of the municipality must be contiguous to another municipality or municipalities included in the district.**

**Constitution, Art. IV, Part First, § 3, 2nd sentence**, as repealed and replaced by CR 1975, c. 1, is amended to read:

The Legislature shall enact the submitted plan of the commission or a plan of its own by a vote of two-thirds of the Members ~~of each House~~ within thirty calendar days after the plan of the commission is submitted.

**Constitution, Art. IV, Part First, § 4** is amended to read:

**Section 4. Qualifications.** No person shall be a member of the ~~House of Representatives~~ **Legislature**, unless he shall, at the commencement of the period for which he is elected, have been five years a citizen of the United States, have arrived at the age of twenty-one years, have been a resident in this State one year; and for the three months next preceding the time of his election shall have been, and, during the period for which he is elected, shall continue to be a resident in the town or district which he represents.

**Constitution, Art. IV, Part First, § 5**, as amended by CR 1977, c. 4, is amended to read:

**Section 5. Meetings of cities and towns in representative districts; lists of votes examined by Governor; summons of persons who appear to be elected; lists shall be laid before the House.**

The meetings within this State for the choice of ~~Representatives~~ **Members of the Legislature** shall be warned in due course of law by qualified officials of the several towns and cities seven days at least before the election, and the election officials of the various towns and cities shall preside impartially at such meetings, receive the votes of all the qualified electors, sort, count and declare them in open meeting; and a list of the persons voted for shall be formed, with the number of votes for each person against his name. Cities and towns belonging to any ~~representative member~~ district shall hold their meetings at the same time in the respective cities and towns; and such meetings shall be notified, held and regulated, the votes received, sorted, counted and declared in the same manner. Fair copies of the lists of votes shall be attested by the municipal officers and the clerks of the cities and towns and the city and town clerks respectively shall cause the same to be delivered into the office of the Secretary of State forthwith. The Governor shall examine the returned copies of such lists and seven days before the first Wednesday of December 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~~ **Legislature** on the first Wednesday of December biennially, and they shall finally determine who are elected.

**Consitution, Art. IV, Part First, § 7** is repealed and the following enacted in its place:

**Section 7. To choose own officers; power of impeachment.** The Legislature shall choose their clerk and other officers and have the power to try all impeachments, and when sitting for that purpose shall be on oath or affirmation, and no person shall be convicted without the concurrence of two-thirds of the members present. Their judgment, however, shall not extend farther than to removal from office, and disqualification to hold or enjoy any office of honor, trust or profit under this State. But the party, whether convicted or acquitted, shall, nevertheless be liable to indictment, trial, judgment and punishment according to law.

**Consitution, Art. IV, Part First, § 8** is repealed.

**Constitution, Art. IV, Part 2nd**, as amended, is repealed.

**Constitution, Art. IV, Part 3rd, § 1, 3rd sentence**, as amended by CR 1975, c. 5, is further amended to read:

The Legislature may convene at such other times on the call of the ~~President of the Senate and~~ Speaker of the ~~House~~ Legislature with the consent of a majority of the Members of the Legislature of each political party, all Members of the Legislature having been first polled.

**Constitution, Art. IV, Part 3rd, § 1-A, first and 2nd ¶¶**, as enacted by CR 1975, c. 1, are amended to read:

**Section 1-A. Legislature which is required to apportion to establish commission.** A Legislature which is required to apportion the member districts ~~of the House of Representatives or the Senate, or both~~ under Article IV, Part First, Section 2, ~~or Article IV, Part Second, Section 2~~ shall establish, within the first three calendar days after the convening of that Legislature, a commission to develop in accordance with the requirements of this Constitution, a plan for apportioning the ~~House of Representatives, the Senate, or both~~ Legislature.

The commission shall be composed of ~~three~~ five members from the political party holding the largest number of seats in the ~~House of Representatives~~ Legislature, who shall be appointed by the Speaker; ~~three~~ five members from the political party holding the majority of the remainder of the seats in the ~~House of Representatives~~ Legislature, who shall be appointed by the floor leader of that party in the ~~House~~ Legislature; ~~two~~ members of the party holding the largest number of seats in the Senate, who shall be appointed by the ~~President of the Senate~~; ~~two~~ members of the political party holding the majority of the remainder of the seats in the Senate, to be appointed by the floor leader of that party in the ~~Senate~~; the chairperson of each of the two major political parties in the State or their designated representatives; and three members from the public generally, one to be selected by each group of members of the commission representing the same political party, and the third to be selected by the other two public

members. The Speaker of the **House Legislature** shall be responsible for organizing the commission and shall be chairman pro tempore thereof until a permanent chairman is selected by the commission members from among their own number. No action shall be taken without a quorum of seven being present. The commission shall hold public hearings on any plan for apportionment prior to submitting such plan to the Legislature.

**Constitution, Art. IV, Part 3rd, § 2**, as last amended by CR 1975, c. 6, is further amended to read:

**Section 2. Bills to be signed by the Governor; proceedings, in case he disapproves; bills shall be returned by him within ten days.** Every bill or resolution, having the force of law, to which the concurrence of ~~both Houses the~~ **Legislature** may be necessary, except on a question of adjournment, which shall have passed ~~both Houses the~~ **Legislature**, shall be presented to the Governor, and if he approves, he shall sign it; if not, he shall return it with his objections to the ~~House, in which it shall have originated~~ **Legislature**, which shall enter the objections at large on its ~~journals~~ **journal**, and proceed to reconsider it. If after such reconsideration, two-thirds of ~~that House the~~ **Legislature** shall agree to pass it, ~~it shall be sent together with the objections, to the other House, by which it shall be reconsidered, and, if approved by two-thirds of that House it shall have the same effect, as if it had been signed by the Governor; but in all such cases, the votes of both Houses the~~ **Legislature** shall be taken by yeas and nays, and the names of the persons, voting for and against the bill or resolution, shall be entered on the ~~journals of both Houses respectively~~ **journal of the Legislature**. If the bill or resolution shall not be returned by the Governor within ten days (Sundays excepted) after it shall have been presented to him, it shall have the same force and effect, as if he had signed it unless the Legislature by their adjournment prevent its return, in which case it shall have such force and effect, unless returned within three days after the next meeting of the same Legislature which enacted the bill or resolution; if there is no such next meeting of the Legislature which enacted the bill or resolution, the bill or resolution shall not be a law.

**Constitution, Art. IV, Part 3rd, §§ 3-9**, are amended to read:

**Section 3. Each House to be judge of its elections; majority, a quorum.** ~~Each House~~ **The Legislature** shall be the judge of the elections and qualifications of its own members, and a majority shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may compel the attendance of absent members, in such manner and under such penalties as ~~each House the~~ **Legislature** shall provide.

**Section 4. May punish and expel members.** ~~Each House~~ **The Legislature** may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member, but not a second time for the same cause.

**Section 5. Shall keep a journal; yeas and nays.** ~~Each House~~ **The Legislature** shall keep a journal, and from time to time publish its proceedings, except such

parts as in their judgment may require secrecy; and the yeas and nays of the Members of ~~either House~~ on any question, shall, at the desire of one-fifth of those present, be entered on the journals.

**Section 6. May punish for contempt; proviso.** ~~Each House~~ **The Legislature**, during its session, may punish by imprisonment any person, not a member, for disrespectful or disorderly behavior in its presence, for obstructing any of its proceedings, threatening, assaulting or abusing any of its members for anything said, done, or doing in ~~either House~~ **the Legislature**; provided, that no imprisonment shall extend beyond the period of the same session.

**Section 7. Compensation; traveling expenses.** ~~The Senators and Representatives~~ **Members of the Legislature** shall receive such compensation as shall be established by law; but no law increasing their compensation shall take effect during the existence of the Legislature, which enacted it. The expenses of the Members of the ~~House of Representatives~~ **Legislature** in traveling to the Legislature, and returning therefrom, once in each week of each session and no more, shall be paid by the State out of the public treasury to every member, who shall seasonably attend, in the judgment of the ~~House~~ **Legislature**, and does not depart therefrom without leave.

**Section 8. Members exempt from arrest; freedom of debate.** ~~The Senators and Representatives~~ **Members of the Legislature** shall, in all cases except treason, felony or breach of the peace, be privileged from arrest during their attendance at, going to, and returning from each session of the Legislature, and no member shall be liable to answer for anything spoken in debate in ~~either House~~ **the Legislature** in any court or place elsewhere.

**Section 9. Either House may originate bills; revenue bills; proviso.** Bills, orders or resolutions, may originate in ~~either House~~ and may be altered, amended or rejected in the ~~other~~; ~~but all bills for raising a revenue shall originate in the House of Representatives, but the Senate may propose amendments as in other cases; provided, that they shall not, under color of amendment, introduce any new matter, which does not relate to raising a revenue~~ **Legislature**.

**Constitution, Art. IV, Part 3rd, § 10**, as amended by CR 1975, c. 4, is further amended to read:

**Section 10. Members not to be appointed to certain offices.** No ~~Senator or Representative~~ **Member of the Legislature** shall, during the term for which he shall have been elected, be appointed to any civil office of profit under this State, which requires the approval of the Legislature for appointment or which shall have been created, or the emoluments of which increased during such term, except such offices as may be filled by elections by the people.

**Constitution, Art. IV, Part 3rd, § 11** is amended to read:

**Section 11. Persons disqualified to be members.** No member of Congress, nor person holding any office under the United States (post officers excepted) nor

office of profit under this State, justices of the peace, notaries public, coroners and officers of the militia excepted, shall have a seat in ~~either House~~ **the Legislature** during his being such member of Congress, or his continuing in such office.

**Constitution, Art. IV, Part 3rd, § 12** is repealed.

**Constitution, Art. IV, Part 3rd, § 15** is amended to read:

**Section 15. Constitutional conventions.** The Legislature shall, by a two-thirds ~~concurrent vote of both branches~~, have the power to call constitutional conventions, for the purpose of amending this Constitution.

**Constitution, Art. IV, Part 3rd, § 16**, as amended by CR 1975, c. 5, is further amended to read:

**Section 16. Acts become effective in ninety days after recess; exception; emergency bill defined.** No Act or joint resolution of the Legislature, except such orders or resolutions as pertain solely to facilitating the performance of the business of the Legislature, ~~of either branch, or~~ of any committee or officer thereof, or appropriate money therefor or for the payment of salaries fixed by law, shall take effect until ninety days after the recess of the session of the Legislature in which it was passed, unless in case of emergency, (which with the facts constituting the emergency shall be expressed in the preamble of the Act), the Legislature shall, by a vote of two-thirds of all the members ~~elected to each House~~, otherwise direct. An emergency bill shall include only such measures as are immediately necessary for the preservation of the public peace, health or safety; and shall not include (1) an infringement of the right of home rule for municipalities, (2) a franchise or a license to a corporation or an individual to extend longer than one year, or (3) provision for the sale or purchase or renting for more than five years of real estate.

**Constitution, Art. V, Part First, § 3**, as amended by CR 1975, c. 5, is further amended to read:

**Section 3. Election; votes to be returned to Secretary of State; provision in case of tie.** The meetings for election of Governor shall be notified, held and regulated and votes shall be received, sorted, counted and declared and recorded, in the same manner as those for ~~Senators and Representatives~~ **Members of the Legislature**. Copies of lists of votes shall be sealed and returned to the secretary's office in the same manner and at the same time as those for ~~Senators~~ **Members of the Legislature**. 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~~ **Legislature** 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 of the votes returned they shall declare and publish the same. If there shall be a tie between the two persons having the largest



number of votes for Governor, the ~~House of Representatives and the Senate meeting in joint session~~ **Legislature**, and each member of said bodies having a single vote, shall elect one of said two persons having so received an equal number of votes and the person so elected by the ~~Senate and House of Representatives~~ **Legislature** shall be declared the Governor.

**Constitution, Art. V, Part First, § 8, 2nd, 3rd and 4th ¶¶**, as repealed and replaced by CR 1975, c. 4, are amended to read:

The procedure for confirmation shall be as follows: an appropriate legislative committee comprised of members of ~~both houses in reasonable proportion to their membership~~ **the Legislature** as provided by law shall recommend confirmation or denial by majority vote of committee members present and voting. The committee recommendation shall be reviewed by the **Senate Legislature** and upon review shall become final action of confirmation or denial unless the **Senate Legislature** by vote of two-thirds of those members present and voting overrides the committee recommendation. The **Senate Legislature's** vote shall be by the yeas and nays.

All statutes enacted to carry out the purposes of this section shall require the affirmative vote of two-thirds of the members of ~~each House~~ **the Legislature** present and voting.

Either the Governor or the ~~President of the Senate~~ **Speaker of the Legislature** shall have the power to call the **Senate Legislature** into session for the purpose of voting upon confirmation of appointments.

**Constitution, Art. V, Part First, § 13**, as amended by CR 1975, c. 5, is further amended to read:

**Section 13. Convene the Legislature on extraordinary occasions, and adjourn it in case of disagreement; may change the place of meeting.** He may, on extraordinary occasions, convene the Legislature; ~~and in case of disagreement between the two Houses with respect to the time of adjournment, adjourn them to such time, as he shall think proper, not beyond the day of the next regular session;~~ and if, since the last adjournment, the place where the Legislature were next to convene shall have become dangerous from an enemy or contagious sickness, may direct the session to be held at some other convenient place within the State.

**Constitution, Art. V, Part First, § 14**, as last amended by CR 1975, c. 5, is further amended to read:

**Section 14. Vacancy, how supplied.** Whenever the office of Governor shall become vacant because of the death, resignation or removal of a Governor in office, or any other cause, the ~~President of the Senate~~ **Speaker of the Legislature** shall assume the office of Governor until another Governor shall be duly qualified. 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~~ **Speaker of the Legislature** shall assume

the office of Governor until the first Wednesday after the first Tuesday of January following the biennial election. At the biennial election, a Governor shall be elected to fill the unexpired term created by the vacancy. When the vacancy occurs less than ninety days preceding the date of a primary election the ~~President of the Senate~~ **Speaker of the Legislature** shall fill the unexpired term.

~~Whenever the offices of Governor and President of the Senate are vacant at the same time, the Speaker of the House of Representatives shall assume the office of Governor for the same term and under the same conditions as the President of the Senate~~

Whenever the offices of Governor ~~and President of the Senate~~ and Speaker of the ~~House of Representatives~~ **Legislature** are vacant at the same time, the person acting as Secretary of State for the time being shall exercise the office of Governor and shall forthwith by proclamation convene the ~~Senate and the House of Representatives~~ **Legislature** which shall fill respectively the ~~vacancies~~ **vacancy** in the office of the ~~President of the Senate and the Speaker of the House~~ **Legislature** and by joint ballot of the ~~Senators and Representatives in convention~~ **Legislature** choose a person who shall assume the office of Governor for the same term and under the same conditions as the ~~President of the Senate~~ **Speaker of the Legislature**.

Whenever for six months a Governor in office shall have been continuously unable to discharge the powers and duties of his office because of mental or physical disability such office shall be deemed vacant. Such vacancy shall be declared by the Supreme Judicial Court upon presentment to it of a joint resolution declaring the ground of the vacancy, adopted by a vote of two-thirds of the ~~Senators and Representatives in convention~~ **Legislature**, and upon notice, hearing before the court and a decision by a majority of the court that ground exists for declaring the office to be vacant.

**Constitution, Art. V, Part First, § 15**, as enacted by CR 1975, c. 3, is amended to read:

**Section 15. Inability of the Governor to discharge the powers and duties of his office.** Whenever the Governor is unable to discharge the powers and duties of his office because of mental or physical disability, ~~the President of the Senate, or if that office is vacant~~ the Speaker of the ~~House of Representatives~~ **Legislature**, shall exercise the powers and duties of the office of Governor until the Governor is again able to discharge the powers and duties of his office, or until the office of the Governor is declared to be vacant or until another Governor shall be duly qualified.

When the Governor is unable to discharge the powers and duties of his office, he may so certify to the Chief Justice of the Supreme Judicial Court, in which case and upon notice from the Chief Justice, ~~the President of the Senate, or if that office is vacant~~ the Speaker of the ~~House of Representatives~~ **Legislature** shall exercise the powers and duties of the office of Governor until such time as the Governor shall certify to the Chief Justice that he is able to discharge such powers

and duties and the Chief Justice shall so notify the officer who is exercising the powers and duties of the office of Governor.

When the Secretary of State shall have reason to believe that the Governor is unable to discharge the duties of his office, he may so certify to the Supreme Judicial Court, declaring his reasons for such belief. After notice to the Governor, a hearing before the court and a decision by a majority of the court that the Governor is unable to discharge the duties of his office, the court shall notify ~~the President of the Senate, or if that office is vacant~~ the Speaker of the **Legislature House of Representatives**, of such inability and he shall exercise the functions, powers and duties of the office of Governor until such time as the Secretary of State or the Governor shall certify to the court that the Governor is able to discharge the duties of his office and the court, after notice to the Governor and a hearing before the court, decides that the Governor is able to discharge the duties of his office and so notifies the officer who is exercising the powers and duties of the office of Governor.

Whenever ~~either the President of the Senate or Speaker of the House of Representatives~~ **Legislature** shall exercise the office of Governor, he shall receive only the compensation of Governor, but his duties as ~~President or Speaker~~ shall be suspended; and the ~~Senate or House~~ **Legislature** shall fill the vacancy resulting from such suspension, until he shall cease to exercise the office of Governor.

**Constitution, Art. V, Part 3rd, § 1** is amended to read:

**Section 1. Election.** The Secretary of State shall be chosen biennially at the first session of the Legislature, by ~~joint~~ ballot of the ~~Senators and Representatives in convention~~ **Legislature**.

**Constitution, Art. V, Part 3rd, §§ 3 and 4**, as amended by CR 1975, c. 4, are further amended to read:

**Section 3. Attend the Governor.** He shall attend the Governor, ~~Senate and House of Representatives~~ **Legislature**, in person or by his deputies as they shall respectively require.

**Section 4. Records of executive and legislative departments.** He shall carefully keep and preserve the records of all the official acts and proceedings of the Governor ~~Senate and House of Representatives~~ **Legislature**, and, when required, lay the same before ~~either branch of~~ the Legislature, and perform such other duties as are enjoined by this Constitution, or shall be required by law.

**Constitution, Art. V, Part 4th, § 1** is amended to read:

**Section 1. Election.** The Treasurer shall be chosen biennially, at the first session of the Legislature, by ~~joint~~ ballot of the ~~Senators, and Representatives in convention~~ **Legislature**.

**Constitution, Art. VI, § 3** is amended to read:

**Section 3. To give opinion when required by Governor or the Legislature.** The Justices of the Supreme Judicial Court shall be obliged to give their opinion upon important questions of law, and upon solemn occasions, when required by the Governor ~~Senate or House of Representatives~~ **the Legislature.**

**Constitution, Art. VI, § 4**, as amended by CR 1975, c. 7, is further amended to read:

**Section 4. Tenure of judicial officers.** All judicial officers shall hold their offices for the term of seven years from the time of their respective appointments (unless sooner removed by impeachment or by address of ~~both branches~~ of the Legislature to the executive, provided further that justices of the peace may be removed from office in such manner as the Legislature may provide); provided, however, that a judicial officer whose term of office has expired or who has reached mandatory retirement age, as provided by statute, may continue to hold office until the expiration of an additional period not to exceed six months or until his successor is appointed, whichever occurs first in time.

**Constitution, Art. IX, § 1, last ¶**, as amended by CR 1975, c. 4, is further amended to read:

The oaths or affirmations shall be taken and subscribed by the Governor, before the ~~presiding officer of the Senate~~ **Speaker of the Legislature**, in the presence of ~~both Houses~~ of the Legislature, and by the ~~Senators and Representatives~~ **Members of the Legislature** before the Governor and by the residue of said officers before such persons as shall be prescribed by the Legislature; and whenever the Governor shall not be able to attend during the session of the Legislature to take and subscribe said oaths or affirmations, such oaths or affirmations may be taken and subscribed in the recess of the Legislature before any Justice of the Supreme Judicial Court and provided further that, if the Governor shall be unable to appear and administer the oath to the ~~Senators and Representatives~~ **Members of the Legislature**, such oaths shall be administered by the Chief Justice of the Supreme Judicial Court or in his absence, by the senior Associate Justice of said Supreme Judicial Court present at the State Capitol on the first day of the term for which ~~said Senators and Representatives~~ **the Members of the Legislature** shall have been elected.

**Constitution, Art. IX, § 4**, as last amended by CR 1975, c. 5, is further 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.

**Constitution, Art. IX, § 5**, as amended by CR 1975, c. 4, is further amended to read:

**Section 5. Removal by impeachment or address.** Every person holding any civil office under this State, may be removed by impeachment, for misdemeanor in office; and every person holding any office, may be removed by the Governor on the address of ~~both branches~~ of the Legislature. But before such address shall pass ~~either House~~ **the Legislature**, the causes of removal shall be stated and entered on the journal of ~~the House in which it originated~~, and a copy thereof served on the person in office, that he may be admitted to a hearing in his defence.

**Constitution, Art. IX, § 11, first sentence**, is amended to read:

The Attorney General shall be chosen biennially by ~~joint~~ ballot of the ~~Senators and Representatives in convention~~ **Legislature**.

**Constitution, Art. IX, § 14, 2nd sentence** is amended to read:

The Legislature shall not create any debt or debts, liability or liabilities, on behalf of the State, which shall singly, or in the aggregate, with previous debts and liabilities hereafter incurred at any one time, exceed two million dollars, except to suppress insurrection, to repeal invasion, or for purposes of war, and except for temporary loans to be paid out of money raised by taxation during the fiscal year in which they are made; and excepting also that whenever two-thirds of ~~both Houses~~ **the Legislature** shall deem it necessary, by proper enactment ratified by a majority of the electors voting thereon at a general or special election, the Legislature may authorize the issuance of bonds on behalf of the State at such times and in such amounts and for such purposes as approved by such action; but this shall not be construed to refer to any money that has been, or may be deposited with this State by the Government of the United States, or to any fund which the State shall hold in trust for any Indian tribe.

**Constitution, Art. X, § 4** is amended to read:

**Section 4. Amendments to Constitution.** ~~The Legislature, whenever~~ **Whenever** two-thirds of ~~both Houses~~ **the Legislature** shall deem it necessary, may propose amendments to this Constitution; and when any amendments shall be so agreed upon, a resolution shall be passed and sent to the selectmen of the several towns, and the assessors of the several plantations, empowering and directing them to notify the inhabitants of their respective towns and plantations, in the manner prescribed by law, at the next biennial meetings in the month of November, or to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of ~~Senators and Representatives~~ **Members of the Legislature**, on the Tuesday following the first Monday of November following the passage of said resolve, to give in their votes on the question, whether such amendment shall be made; and if it shall appear that a majority of the inhabitants voting on the question are in favor of such amendment, it shall become a part of this Constitution.

**Constitutional referendum procedure; form of question; effective date. Resolved:** That the city aldermen, town selectmen and plantation assessors of this State shall notify the inhabitants of their respective cities, towns

and plantations to meet, in the manner prescribed by law for holding a statewide election, at a special statewide election on the Tuesday following the first Monday of November following the passage of this resolution, to vote upon the ratification of the amendment proposed in this resolution by voting upon the following question:

“Shall the Constitution of Maine be amended to change the Legislature to a single chamber, unicameral Legislature?”

The legal voters of each city, town and plantation shall vote by ballot on this question, and shall designate their choice by a cross or check mark placed within the corresponding square below the word “Yes” or “No.” The ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns and, if it appears that a majority of the legal votes are in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment shall become part of the Constitution on the date of the proclamation.

**Secretary of State shall prepare ballots. Resolved:** That the Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this resolution necessary to carry out the purpose of this referendum.

#### STATEMENT OF FACT

The purpose of this Constitutional resolution is to provide for a unicameral Legislature, consisting of one chamber to be called the Legislature, consisting of 151 members, effective December, 1984.