

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 559

H. P. 508

House of Representatives, February 2, 1981

Referred to the Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Nelson of Portland.

Cosponsor: Representative Cox of Brewer.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Change the Term of Office for State Legislators from Two Years to Four Years.

Constitutional amendments. RESOLVED: Two-thirds of each branch of the Legislature concurring, that the following amendments to the Constitution of Maine be proposed:

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

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

Constitution, Art. IV, Pt. 1, § 2, first sentence, as amended by CR 1977, c. 4, is further amended to read:

The House of Representatives shall consist of one hundred and fifty-one members, to be elected by the qualified electors, and hold their office ~~two~~ four years from the day next preceding the first Wednesday in December following the general election.

Constitution, Art. IV, Pt. 1, § 5, last 2 sentences, as last amended by CR 1977, c. 4, are further amended to read:

The Governor shall examine the returned copies of such lists and seven days

before the first Wednesday of December ~~biennially following the general election~~, 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 of December ~~biennially following the general election~~, and they shall finally ~~determined~~ **determine** who are elected.

Constitution, Art. IV, Pt. 2, § 5, first sentence, as last amended by CR 1977, c. 4, is further amended to read:

The Senate shall, on said first Wednesday of December ~~biennially following the general election~~ determine who is elected by a plurality of votes to be Senator in each district.

Constitution, Art. IV, Pt. 3, § 1, first sentence, as last amended by CR 1977, c. 4, is further amended to read:

The Legislature shall convene on the first Wednesday of December following the general election in what shall be designated the first regular session of the Legislature; and shall further convene on the first Wednesday after the first Tuesday of January in the subsequent ~~even-numbered year~~ **three years** in what shall be designated the second, ~~third and fourth regular session~~ **sessions** of the Legislature; provided, however, that the business of the second ~~and fourth regular session~~ **sessions** of the Legislature shall be limited to budgetary matters; legislation in the Governor's call; legislation of an emergency nature admitted by the Legislature; legislation referred to committees for study and report by the Legislature in the first ~~or third regular session~~, ~~as the case may be~~; and legislation presented to the Legislature by written petition of the electors under the provisions of Article IV, Part Third, Section 18.

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

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

Constitution, Art. V, Pt. 4, § 1 is amended to read:

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

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

The Attorney General shall be chosen ~~biennially every four years~~ by joint ballot of the Senators and Representatives in convention.

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 election, on the Tuesday following the first Monday of November following the passage of this resolution, to vote upon the ratification of the amendments proposed in this resolution by voting upon the following question:

“Shall the Constitution be amended as proposed by a resolution of the Legislature to change the term of office for State Legislators from two years to four years?”

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 amendments, the Governor shall proclaim that fact without delay and the amendments 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 purposes of this referendum.

STATEMENT OF FACT

This constitutional amendment would change Legislator’s terms to 4 years. The Legislature would meet every year, but the business in the 4th year would be restricted as it presently is in the 2nd year. Constitutional officers would have 4-year terms.