

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 168

S.P. 82

In Senate, February 3, 1987

Reference to the Committee on State and Local Government suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate
Presented by President PRAY of Penobscot.

Cosponsored by Senator TUTTLE of York, Senator DOW of
Kennebec, Senator BUSTIN of Kennebec.

STATE OF MAINE

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

RESOLUTION, Proposing an Amendment
to the Constitution of Maine
to Provide for Staggered 4-year Terms for
Representatives.

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

Constitution, Art. IV, Pt. First, §2 is repealed
and the following enacted in its place:

Section 2. Number of Representatives; biennial
terms; division of the State into districts for House
of Representatives. The House of Representatives
shall consist of 151 members, to be elected by the
qualified electors. The term of office for Represen-

1 tatives shall be for 2 years, except as provided in
2 this section. Beginning with the general election to
3 be held in 1988, Representatives in the odd-numbered
4 districts shall be elected to 4-year terms. In 1990,
5 Representatives in the even-numbered districts shall
6 be elected to 4-year terms. The terms of office for
7 Representatives shall begin on the day next preceding
8 the first Wednesday in December following the general
9 election. The Legislature convening in 1983 and ev-
10 ery 10th year thereafter shall cause the State to be
11 divided into districts for the choice of one Repre-
12 sentative for each district. The number of Repre-
13 sentatives shall be divided into the number of inhab-
14 itants of the State, exclusive of foreigners not nat-
15 uralized according to the latest Federal Decennial
16 Census or a State Census previously ordered by the
17 Legislature to coincide with the Federal Decennial
18 Census, to determine a median population figure for
19 each Representative District. Each Representative
20 District shall be formed of contiguous and compact
21 territory and shall cross political subdivision lines
22 the least number of times necessary to establish as
23 nearly as practicable equally populated districts.
24 Whenever the population of a municipality entitles it
25 to more than one district, all whole districts shall
26 be drawn within municipal boundaries. Any population
27 remainder within the municipality shall be included
28 in a district drawn to cross the municipal boundary,
29 provided that such population remainder of the munic-
30 ipality must be contiguous to another municipality or
31 municipalities included in the district.

32 Constitutional referendum procedure; form of
33 question; effective date. Resolved: That the city
34 aldermen, town selectmen and plantation assessors of
35 this State shall notify the inhabitants of their re-
36 spective cities, towns and plantations to meet, in
37 the manner prescribed by law for holding a statewide
38 election, at a statewide election, on the Tuesday
39 following the first Monday of November following the
40 passage of this resolution, to vote upon the ratifi-
41 cation of the amendment proposed in this resolution
42 by voting upon the following question:

43 "Shall the Constitution of Maine be amended to
44 establish 4-year terms of office for Representa-
45 tives in odd-numbered districts beginning in

1 1988, and 4-year terms of office for Representa-
2 tives in even-numbered districts beginning in
3 1990?"

4 The legal voters of each city, town and planta-
5 tion shall vote by ballot on this question, and shall
6 designate their choice by a cross or check mark
7 placed within the corresponding square below the word
8 "Yes" or "No." The ballots shall be received,
9 sorted, counted and declared in open ward, town and
10 plantation meetings and returns made to the Secretary
11 of State in the same manner as votes for members of
12 the Legislature. The Governor shall review the re-
13 turns and, if it appears that a majority of the legal
14 votes are in favor of the amendment, the Governor
15 shall proclaim that fact without delay and the amend-
16 ment shall become part of the Constitution on the
17 date of the proclamation.

18 Secretary of State shall prepare ballots. Re-
19 solved: That the Secretary of State shall prepare
20 and furnish to each city, town and plantation all
21 ballots, returns and copies of this resolution neces-
22 sary to carry out the purposes of this referendum.

23 STATEMENT OF FACT

24 This constitutional resolution staggers the
25 4-year terms of office for Representatives. Accord-
26 ing to this resolution, Representatives in odd-
27 numbered districts would be elected to 4-year terms
28 of office beginning in 1988, and Representatives in
29 even-numbered districts would be elected to 4-year
30 terms of office beginning in 1990.

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