# MAINE STATE LEGISLATURE

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## 114th MAINE LEGISLATURE

### FIRST REGULAR SESSION - 1989

Legislative Document

No. 893

S.P. 332

In Senate, March 22, 1989

Reference to the Committee on Legal Affairs suggested and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator DUTREMBLE of York.

Cosponsored by Senator WHITMORE of Androscoggin, Representative JACQUES of Waterville and Representative PARADIS of Old Town.

#### STATE OF MAINE

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

An Act to Improve the Definition of Legal Residence for Elected Officials.



### Be it enacted by the People of the State of Maine as follows:

21-A MRSA §1, sub-§40, as enacted by PL 1985, c. 161, §6, is amended to read:

40. Residence. "Residence" means that place in which a person's habitation is fixed and to which that person, whenever absent, has the intention to return and, in the case of a member of the House of Representatives or the Senate, that person's principal dwelling on days when the Legislature is not meeting, including weekends and holidays.

#### STATEMENT OF FACT

This bill clarifies the definition of residence in regard to elected officials. The Constitution of Maine, Article IV, Part 1, Section 4, which deals with residency requirements for state Representatives, requires that an elected Representative "shall continue to be a resident in the district which he represents." The Constitution of Maine, Article IV, Part 2, Section 6 makes this same requirement applicable to state Senators. The bill requires that a state Representative's or Senator's residence be the place where that person principally resides when the Legislature is out of session during the legislative term and when the Legislature has adjourned sine die at the end of the session.