

# MAINE STATE LEGISLATURE

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L.D. 1120  
(Filing No. S-191)

STATE OF MAINE  
SENATE  
114TH LEGISLATURE  
FIRST REGULAR SESSION

SENATE AMENDMENT " A " to HOUSE AMENDMENT "A" to H.P. 808,  
L.D. 1120, "RESOLUTION, Proposing an Amendment to the  
Constitution of Maine to Provide for 4-Year Terms for Senators  
and Representatives"

Amend the amendment by striking out everything after the  
title and before the statement of fact and inserting in its place  
the following:

'Amend the resolution by striking out all of the title and  
inserting in its place the following:

'RESOLUTION, Proposing an Amendment to the Constitution of Maine  
to Provide for Staggered 4-Year Terms for Senators and  
Representatives'

Further amend the resolution by striking out everything  
after the title and before the statement of fact and inserting in  
its place the following:

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

Constitution, Art. IV, Part First, §2, as amended by CR 1985, c. 3,  
is further amended to read:

Section 2. Term of office. The House of Representatives  
shall consist of 151 members, to be elected by the qualified  
electors, ~~and held their office 2 years from the day next  
preceding the first Wednesday in December following the general  
election. The term of office for Representatives shall be for 2  
years, except as provided in this section. Beginning with the  
general election to be held in 1994, Representatives in the  
even-numbered districts shall be elected to 4-year terms. In  
1996, Representatives in the odd-numbered districts shall be  
elected to 4-year terms. The terms of office for Representatives  
shall begin on the day next preceding the first Wednesday in  
December following the general election.~~ The Legislature which  
convenes in 1983 and every 10th year thereafter shall cause the

1 State to be divided into districts for the choice of one  
2 Representative for each district. The number of Representatives  
3 shall be divided into the number of inhabitants of the State  
4 exclusive of foreigners not naturalized according to the latest  
5 Federal Decennial Census or a State Census previously ordered by  
6 the Legislature to coincide with the Federal Decennial Census, to  
7 determine a mean population figure for each Representative  
8 District. Each Representative District shall be formed of  
9 contiguous and compact territory and shall cross political  
10 subdivision lines the least number of times necessary to  
11 establish as nearly as practicable equally populated districts.  
12 Whenever the population of a municipality entitles it to more  
13 than one district, all whole districts shall be drawn within the  
14 municipal boundaries. Any population remainder within the  
15 municipality shall be included in a district with contiguous  
16 territory and shall be kept intact.

17  
18 **Constitution, Art. IV, Part Second, §1** is repealed and the  
19 following enacted in its place:

21 Section 1. Number of Senators. The Senate shall consist of  
22 an odd number of Senators, not less than 31 nor more than 35,  
23 elected at the same time as Representatives by the qualified  
24 electors of the districts into which the State shall be from time  
25 to time divided. The term of office for Senators shall be for 2  
26 years, except as provided in this section. Beginning with the  
27 general elections to be held in 1994, Senators in the  
28 even-numbered districts shall be elected to 4-year terms. In  
29 1996, Senators in the odd-numbered districts shall be elected to  
30 4-year terms.

31  
32 **Constitutional referendum procedure; form of question; effective**  
33 **date. Resolved:** That the city aldermen, town selectmen and  
34 plantation assessors of this State shall notify the inhabitants  
35 of their respective cities, towns and plantations to meet, in the  
36 manner prescribed by law for holding a statewide election, at a  
37 statewide election, on the Tuesday following the first Monday of  
38 November following the passage of this resolution, to vote upon  
39 the ratification of the amendments proposed in this resolution by  
40 voting upon the following questions:

41  
42 Question A: "Shall the Constitution of Maine be amended to  
43 establish 4-year terms of office for Representatives in  
44 even-numbered districts beginning in 1994, and 4-year terms  
45 of office for Representatives in odd-numbered districts  
46 beginning in 1996?"

47  
48 Question B: "Shall the Constitution of Maine be amended to  
49 establish 4-year terms of office for Senators in  
50 even-numbered districts beginning in 1994, and 4-year terms  
51 of office for Senators in odd-numbered districts beginning  
in 1996?"

SENATE AMENDMENT " A" to HOUSE AMENDMENT "A" to H.P. 808, L.D. 1120

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The legal voters of each city, town and plantation shall vote by ballot on these questions, 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 voters are in favor of Question A, the Governor shall proclaim that fact without delay and the amendment shall become part of the Constitution on the date of the proclamation and, if it appears that a majority of the legal votes are in favor of Question B, 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 purposes of this referendum.' '

**STATEMENT OF FACT**

This amendment provides that the issue of extending the terms of Legislators to 4 years shall be presented to the voters as 2 questions. The amendment also provides for staggered terms, with members from even-numbered districts elected to 4-year terms in 1994 and members from odd-numbered districts elected to 4-year terms in 1996.

(Senator CLARKY)  
SPONSORED BY: *Leopoldo...*

COUNTY: Cumberland

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