

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1259

H.P. 902

House of Representatives, April 20, 1989

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

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

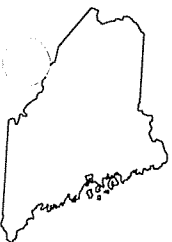
Presented by Representative HANLEY of Paris.

Cosponsored by Senator WEBSTER of Franklin, Representative HEPBURN of Skowhegan and Representative GARLAND of Bangor.

STATE OF MAINE

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

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine to Increase the Availability of Legislative Participation.**



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

4 **Sec. 1. Constitution, Article IV, Part First, Section 2,** as amended by
5 CR 1985, c. 3, is further amended to read:

6
7 **Section 2. Number of Representatives; biennial terms;**
8 **division of the State into districts for House of**
9 **Representatives.** The House of Representatives shall consist of
10 151 members, to be elected by the qualified electors, and hold
11 their office 2 years from the day next preceding the first
12 Wednesday in December following the general election. A member
13 of the House of Representatives who has served 5 consecutive
14 popular elective 2-year terms of office shall be ineligible to
15 succeed himself or herself. The Legislature which convenes in
16 1983 and every 10th year thereafter shall cause the State to be
17 divided into districts for the choice of one Representative for
18 each district. The number of Representatives shall be divided
19 into the number of inhabitants of the State exclusive of
20 foreigners not naturalized according to the latest Federal
21 Decennial Census or a State Census previously ordered by the
22 Legislature to coincide with the Federal Decennial Census, to
23 determine a mean population figure for each Representative
24 District. Each Representative District shall be formed of
25 contiguous and compact territory and shall cross political
26 subdivision lines the least number of times necessary to
27 establish as nearly as practicable equally populated districts.
28 Whenever the population of a municipality entitles it to more
29 than one district, all whole districts shall be drawn within
30 municipal boundaries. Any population remainder within the
31 municipality shall be included in a district with contiguous
32 territory and shall be kept intact.

33
34 **Sec. 2. Constitution, Article IV, Part Second, Section 5,** is amended
35 to read:

36
37 **Section 5. Determination of Senators elected; procedure for**
38 **filling vacancies.** The Senate shall, on said first Wednesday of
39 December, biennially determine who is elected by a plurality of
40 votes to be Senator in each district. A member of the Senate who
41 has served 5 consecutive popular elective 2-year terms of office
42 shall be ineligible to succeed himself or herself. All vacancies
43 in the Senate arising from death, resignation, removal from the
44 State or like causes, and also vacancies, if any, which may occur
45 because of the failure of any district to elect by a plurality of
46 votes the Senator to which said district shall be entitled shall
47 be filled by an immediate election in the unrepresented
48 district. The Governor shall issue a proclamation therefor and
49 therein fix the time of such election.

1
3 **Constitutional referendum procedure; form of question; effective**
5 **date. Resolved:** That the city aldermen, town selectmen and
7 plantation assessors of this State shall notify the inhabitants
9 of their respective cities, towns and plantations to meet, in the
11 manner prescribed by law for holding a statewide election, at a
13 statewide election, on the Tuesday following the first Monday of
15 November following the passage of this resolution, to vote upon
17 the ratification of the amendment proposed in this resolution by
19 voting upon the following question:

21 "Shall the Constitution of Maine be amended to limit the
23 number of terms in which a Legislator may serve
25 consecutively in the House of Representatives or the Senate?"

27 The legal voters of each city, town and plantation shall
29 vote by ballot on this question, and shall designate their choice
31 by a cross or check mark placed within the corresponding square
33 below the word "Yes" or "No." The ballots shall be received,
35 sorted, counted and declared in open ward, town and plantation
37 meetings and returns made to the Secretary of State in the same
39 manner as votes for members of the Legislature. The Governor
41 shall review the returns and, if it appears that a majority of
43 the legal voters 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 purposes of this referendum.

STATEMENT OF FACT

This constitutional amendment is designed to encourage
increased involvement by more citizens in the Legislature by
limiting the terms a Representative or Senator could serve in
either the House of Representatives or the Senate to 5
consecutive terms in a chamber. A Representative who meets the
limit in the House may serve additional terms in the Senate or
vice versa.