

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 378

S.P. 155

In Senate, February 1, 1995

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

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

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator HARRIMAN of Cumberland.

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

6 **Constitution, Art. II, §4** is amended to read:

8 **Section 4. Time of state election; absentee voting.** The
election of Senators and Representatives shall be on the Tuesday
10 following the first Monday of November biennially ~~forever~~ except
as provided in this section. Beginning with the general election
12 held in 1998, the election of Senators and the election--of
Governor shall be on the Tuesday following the first Monday of
14 November every 4 years. The Legislature under proper enactment
shall authorize and provide for voting by citizens of the State
16 absent therefrom in the Armed Forces of the United States or of
this State and for voting by other citizens absent or physically
18 incapacitated for reasons deemed sufficient.

20 **Constitution, Art. IV, Part Second, §5** is amended to read:

22 **Section 5. Determination of Senators elected; procedure for**
filling vacancies. The Senate shall, on said first Wednesday of
December, ~~biennially~~ following the general election, determine
24 who is elected by a plurality of votes to be Senator in each
district. Beginning with the general election held in 1998, a
26 member of the Senate may not serve more than 8 consecutive years,
that is 2 terms. If a member is elected to fill a vacancy in
28 office, the time served during that period is not included in the
8-year limit. A member who has served 8 consecutive years is not
30 eligible to serve a partial term. A member who is serving a
32 legislative term on November 15, 1998 is entitled to complete the
term and the term is not included in the 8-year limit. All
34 vacancies in the Senate arising from death, resignation, removal
from the State or like causes, and also vacancies, if any, which
36 may occur because of the failure of any district to elect by a
plurality of votes the Senator to which said district shall be
38 entitled shall be filled by an immediate election in the
unrepresented district. The Governor shall issue a proclamation
therefor and therein fix the time of such election.

40 ; and be it further

42 **Constitutional referendum procedure; form of question; effective**
date. Resolved: That the municipal officers of this State shall
44 notify the inhabitants of their respective cities, towns and
plantations to meet, in the manner prescribed by law for holding
46 a statewide election, at a statewide election, on the Tuesday
48 following the first Monday of November following the passage of
this resolution, to vote upon the ratification of the amendment
50 proposed in this resolution by voting upon the following question:

2 "Do you favor amending the Constitution of Maine to change
4 the term of office for State Senators from 2 years to 4
6 years and to limit to 2 the number of terms a Senator may
serve consecutively, beginning in 1998?"

8 The legal voters of each city, town and plantation shall
vote by ballot on this question and designate their choice by a
10 cross or check mark placed within the corresponding square below
the word "Yes" or "No." The ballots must be received, sorted,
12 counted and declared in open ward, town and plantation meetings
and returns made to the Secretary of State in the same manner as
14 votes for members of the Legislature. The Governor shall review
the returns and, if it appears that a majority of the legal votes
16 are cast in favor of the amendment, the Governor shall proclaim
that fact without delay and the amendment becomes part of the
18 Constitution on the date of the proclamation; and be it further

20 **Secretary of State shall prepare ballots. Resolved:** That the
Secretary of State shall prepare and furnish to each city, town
22 and plantation all ballots, returns and copies of this resolution
necessary to carry out the purpose of this referendum.

24 **STATEMENT OF FACT**

26 This constitutional resolution changes a Senator's term to 4
28 years and limits to 2 the number of terms a Senator may serve
consecutively beginning with the general election in 1998.