

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 214

S.P. 75

In Senate, January 16, 1997

**RESOLUTION, Proposing an Amendment to the Constitution of Maine
to Reduce the Size of the Legislature Following Redistricting in the Year
2003.**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MITCHELL of Penobscot.
Cosponsored by Representative PLOWMAN of Hampden and
Senators: AMERO of Cumberland, GOLDTHWAIT of Hancock, HARRIMAN of
Cumberland, KIEFFER of Aroostook, LIBBY of York, MURRAY of Penobscot,
Representatives: CAMPBELL of Holden, CIANCHETTE of South Portland.

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

4 **Constitution, Art. IV, Part First, §2** is amended to read:

6 **Section 2. Number of Representatives; biennial terms;**
8 **division of the State into districts for House of**
10 **Representatives.** The House of Representatives shall consist of
12 151 members, except that, for the Legislature that convenes in
14 2005 and thereafter, the House of Representatives shall consist
16 of 99 members, to be elected by the qualified electors, and hold
18 their office 2 years from the day next preceding the first
20 Wednesday in December following the general election. The
22 Legislature which convenes in 1983 2003 and every 10th year
24 thereafter shall cause the State to be divided into districts for
26 the choice of one Representative for each district, using the
28 same method as provided in Article IV, Part Second, Section 2 for
30 apportionment of Senatorial Districts except that each Senatorial
32 District must be divided into 3 Representative Districts. The
34 ~~number of Representatives shall be divided into the number of~~
~~inhabitants of the State exclusive of foreigners not naturalized~~
~~according to the latest Federal Decennial Census or a State~~
~~Census previously ordered by the Legislature to coincide with the~~
~~Federal Decennial Census, to determine a mean population figure~~
~~for each Representative District. Each Representative District~~
~~shall be formed of contiguous and compact territory and shall~~
~~cross political subdivision lines the least number of times~~
~~necessary to establish as nearly as practicable equally populated~~
~~districts. Whenever the population of a municipality entitles it~~
~~to more than one district, all whole districts shall be drawn~~
~~within municipal boundaries. Any population remainder within the~~
~~municipality shall be included in a district with contiguous~~
~~territory and shall be kept intact.~~

36 **Constitution, Art. IV, Part Second, §1** is amended to read:

38 **Section 1. Number of Senators.** The Senate shall consist of
40 an odd number of Senators, not less than 31 nor more than 35,
42 except that, for the Legislature that convenes in 2005 and
44 thereafter, the Senate shall consist of 33 members, elected at
the same time and for the same term as Representatives by the
qualified electors of the districts into which the State shall be
from time to time divided.

46 **Constitution, Art. IV, Part Second, §2, first ¶** is amended to read:

48 **Section 2. Submission of reapportionment plan to Secretary**
of Senate; Legislature's action on commission's plan; division of

2 **State into Senatorial Districts; division by Supreme Judicial**
3 **Court.** The Legislature which shall convene in the year 1983 2003
4 and every 10th year thereafter shall cause the State to be
5 divided into districts for the choice of a Senator from each
6 district, ~~using the same method as provided in Article IV, Part~~
7 ~~First, Section 2 for apportionment of Representative Districts.~~
8 The number of Senators must be divided into the number of
9 inhabitants of the State, exclusive of foreigners not naturalized
10 according to the latest Federal Decennial Census or a State
11 Census previously ordered by the Legislature to coincide with the
12 Federal Decennial Census, to determine a mean population figure
13 for each Senatorial District. Each Senatorial District must be
14 formed of contiguous and compact territory and must cross
15 political subdivision lines the least number of times necessary
16 to establish as nearly as practicable equally populated
17 districts. Whenever the population of a municipality entitles it
18 to more than one district, all whole districts must be drawn
19 within municipal boundaries. Any population remainder within the
20 municipality must be included in a district with contiguous
21 territory and must be kept intact.

22 ; and be it further

23
24
25
26 **Constitutional referendum procedure; form of question; effective**
27 **date. Resolved:** That the municipal officers of this State shall
28 notify the inhabitants of their respective cities, towns and
29 plantations to meet, in the manner prescribed by law for holding
30 a statewide election, at a statewide election, on the Tuesday
31 following the first Monday of November following the passage of
32 this resolution, to vote upon the ratification of the amendment
33 proposed in this resolution by voting upon the following question:

34
35 "Do you favor amending the Constitution of Maine to reduce
36 the size of the House of Representatives from 151 members to
37 99 members and to limit the size of the Senate from no more
38 than 35 members to 33 members, effective in the year 2005?"

39
40 The legal voters of each city, town and plantation shall
41 vote by ballot on this question and designate their choice by a
42 cross or check mark placed within the corresponding square below
43 the word "Yes" or "No." The ballots must be received, sorted,
44 counted and declared in open ward, town and plantation meetings
45 and returns made to the Secretary of State in the same manner as
46 votes for members of the Legislature. The Governor shall review
47 the returns and, if it appears that a majority of the legal votes
48 are cast in favor of the amendment, the Governor shall proclaim
49 that fact without delay and the amendment becomes part of the
50 Constitution on the date of the proclamation; and be it further

2 **Secretary of State shall prepare ballots. Resolved:** That the
Secretary of State shall prepare and furnish to each city, town
4 and plantation all ballots, returns and copies of this resolution
necessary to carry out the purpose of this referendum.
6

8 **SUMMARY**

10 This resolution proposes a constitutional amendment to
reduce the size of the House of Representatives from 151 members
12 to 99 members and the size of the Senate from no more than 35
members to 33 members. The redrawing of district lines occurs
14 during the regularly scheduled redistricting following the
decennial census. The redistricting will be done in 2003 and the
16 reduction in the size of each legislative body takes effect in
2005.