

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 310

H.P. 253

House of Representatives, January 28, 2003

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine to Reduce the Size of the Legislature Beginning in 2005**

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative RICHARDSON of Skowhegan.
Cosponsored by Senator MITCHELL of Penobscot, Senator DAVIS of Piscataquis and
Representatives: BLISS of South Portland, BRUNO of Raymond, FLETCHER of Winslow,
McGOWAN of Pittsfield, McLAUGHLIN of Cape Elizabeth, MILLS of Cornville, Senators:
GILMAN of Cumberland, WOODCOCK of Franklin.

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;**
7 **division of the State into districts for House of**
8 **Representatives.** The House of Representatives shall consist of
10 151 members, except that, for the Legislature that convenes in
11 2005 and thereafter, the House of Representatives shall consist
12 of 99 members, to be elected by the qualified electors, and hold
13 their office 2 years from the day next preceding the first
14 Wednesday in December following the general election. The
15 Legislature which convenes in ~~1983~~ 2003 and every 10th year
16 thereafter shall cause the State to be divided into districts for
17 the choice of one Representative for each district, using the
18 same method as provided in Article IV, Part Second, Section 2 for
19 apportionment of Senatorial Districts, except that each
20 Senatorial District must be divided into 3 Representative
21 Districts. ~~The number of Representatives shall be divided into~~
22 ~~the number of inhabitants of the State exclusive of foreigners~~
23 ~~not naturalized according to the latest Federal Decennial Census~~
24 ~~or a State Census previously ordered by the Legislature to~~
25 ~~coincide with the Federal Decennial Census, to determine a mean~~
26 ~~population figure for each Representative District. Each~~
27 ~~Representative District shall be formed of contiguous and compact~~
28 ~~territory and shall cross political subdivision lines the least~~
29 ~~number of times necessary to establish as nearly as practicable~~
30 ~~equally populated districts. Whenever the population of a~~
31 ~~municipality entitles it to more than one district, all whole~~
32 ~~districts shall be drawn within municipal boundaries. Any~~
33 ~~population remainder within the municipality shall be included in~~
34 ~~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
an odd number of Senators, not less than 31 nor more than 35,
40 except that, for the Legislature that convenes in 2005 and
41 thereafter, the Senate shall consist of 33 members, elected at
42 the same time and for the same term as Representatives by the
43 qualified electors of the districts into which the State shall be
44 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 **Constitutional referendum procedure; form of question; effective**
24 **date. Resolved:** That the municipal officers of this State shall
25 notify the inhabitants of their respective cities, towns and
26 plantations to meet, in the manner prescribed by law for holding
27 a statewide election, at a statewide election, on the Tuesday
28 following the first Monday of November following the passage of
29 this resolution, to vote upon the ratification of the amendment
30 proposed in this resolution by voting upon the following question:

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

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