

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1530

S.P. 553

March 20, 2007

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Reduce the Size of the Legislature to 140 Members**

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 DOW of Lincoln.

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

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

5 **Section 2. Number of Representatives; biennial terms; division of the State into**
6 **districts for House of Representatives.** The House of Representatives shall consist of
7 151 members, except that, for the Legislature that convenes in 2015 and thereafter, the
8 House of Representatives shall consist of 105 members, to be elected by the qualified
9 electors, and hold their office 2 years from the day next preceding the first Wednesday in
10 December following the general election. The Legislature which convenes in ~~1983~~ 2015
11 and every 10th year thereafter shall cause the State to be divided into districts for the
12 choice of one Representative for each district, using the same method as provided in
13 Article IV, Part Second, Section 2 for apportionment of Senatorial Districts, except that
14 each Senatorial District must be divided into 3 Representative Districts. ~~The number of~~
15 ~~Representatives shall be divided into the number of inhabitants of the State exclusive of~~
16 ~~foreigners not naturalized according to the latest Federal Decennial Census or a State~~
17 ~~Census previously ordered by the Legislature to coincide with the Federal Decennial~~
18 ~~Census, to determine a mean population figure for each Representative District. Each~~
19 ~~Representative District shall be formed of contiguous and compact territory and shall~~
20 ~~cross political subdivision lines the least number of times necessary to establish as nearly~~
21 ~~as practicable equally populated districts. Whenever the population of a municipality~~
22 ~~entitles it to more than one district, all whole districts shall be drawn within municipal~~
23 ~~boundaries. Any population remainder within the municipality shall be included in a~~
24 ~~district with contiguous territory and shall be kept intact.~~

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

26 **Section 1. Number of Senators.** The Senate shall consist of an odd number of
27 Senators, not less than 31 nor more than 35, except that, for the Legislature that convenes
28 in 2015 and thereafter, the Senate shall consist of 35 members, elected at the same time
29 and for the same term as Representatives by the qualified electors of the districts into
30 which the State shall be from time to time divided.

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

32 **Section 2. Submission of reapportionment plan to Secretary of Senate;**
33 **Legislature's action on commission's plan; division of State into Senatorial Districts;**
34 **division by Supreme Judicial Court.** The Legislature which shall convene in the year
35 1983 and every 10th year thereafter shall cause the State to be divided into districts for
36 the choice of a Senator from each district, using the same method as provided in Article
37 IV, Part First, Section 2 for apportionment of Representative Districts, except that the
38 Legislature that convenes in the year 2013 and every 10th year thereafter shall cause the
39 State to be divided into districts for the choice of Senator from each district in accordance
40 with subsection 1.

1 **1. Division of State into Senatorial Districts beginning in the year 2013.** The
2 number of Senators must be divided into the number of inhabitants of the State, exclusive
3 of foreigners not naturalized according to the latest Federal Decennial Census or a State
4 Census previously ordered by the Legislature to coincide with the Federal Decennial
5 Census, to determine a mean population figure for each Senatorial District. Each
6 Senatorial District must be formed of contiguous and compact territory and must cross
7 political subdivision lines the least number of times necessary to establish as nearly as
8 practicable equally populated districts. Whenever the population of a municipality
9 entitles it to more than one district, all whole districts must be drawn within municipal
10 boundaries. Any population remainder within the municipality must be included in a
11 district with contiguous territory and must be kept intact.

12 ; and be it further

13 **Constitutional referendum procedure; form of question; effective date.**
14 **Resolved:** That the municipal officers of this State shall notify the inhabitants of their
15 respective cities, towns and plantations to meet, in the manner prescribed by law for
16 holding a statewide election, at a statewide election held in the month of November
17 following the passage of this resolution, to vote upon the ratification of the amendment
18 proposed in this resolution by voting upon the following question:

19 “Do you favor amending the Constitution of Maine to reduce the size of the House of
20 Representatives from 151 members to 105 members and to limit the size of the
21 Senate to 35 members, effective in the year 2015?”

22 The legal voters of each city, town and plantation shall vote by ballot on this question
23 and designate their choice by a cross or check mark placed within the corresponding
24 square below the word “Yes” or “No.” The ballots must be received, sorted, counted and
25 declared in open ward, town and plantation meetings and returns made to the Secretary of
26 State in the same manner as votes for members of the Legislature. The Governor shall
27 review the returns. If it appears that a majority of the legal votes are cast in favor of the
28 amendment, the Governor shall proclaim that fact without delay and the amendment
29 becomes part of the Constitution of Maine on the date of the proclamation; and be it
30 further

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

34 **SUMMARY**

35 This resolution proposes a constitutional amendment to reduce the size of the House
36 of Representatives from 151 members to 105 members and to establish the size of the
37 Senate at 35 members. Reduction in the size of the House of Representatives and
38 freezing the size of the Senate take effect in 2015.