

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1552

H.P. 1077

House of Representatives, March 20, 2007

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for the Reduction in the Size of the Legislature

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative FINCH of Fairfield.
Cosponsored by Representatives: JOY of Crystal, PEOPLES of Westbrook.

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, Pt. 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 2009 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~~ 2007
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, Pt. 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 2009 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, Pt. 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~~ 2007 and every 10th year thereafter shall cause the State to be divided into districts
36 for the choice of a Senator from each district, ~~using the same method as provided in~~
37 ~~Article IV, Part First, Section 2 for apportionment of Representative Districts. The~~
38 number of Senators must be divided into the number of inhabitants of the State, exclusive
39 of foreigners not naturalized according to the latest Federal Decennial Census or a State
40 Census previously ordered by the Legislature to coincide with the Federal Decennial
41 Census, to determine a mean population figure for each Senatorial District. Each
42 Senatorial District must be formed of contiguous and compact territory and must cross

1 political subdivision lines the least number of times necessary to establish as nearly as
2 practicable equally populated districts. Whenever the population of a municipality
3 entitles it to more than one district, all whole districts must be drawn within municipal
4 boundaries. Any population remainder within the municipality must be included in a
5 district with contiguous territory and must be kept intact.

6 ; and be it further

7 **Constitutional referendum procedure; form of question; effective date.**

8 **Resolved:** That the municipal officers of this State shall notify the inhabitants of their
9 respective cities, towns and plantations to meet, in the manner prescribed by law for
10 holding a statewide election, at a statewide election held in the month of November
11 following the passage of this resolution, to vote upon the ratification of the amendment
12 proposed in this resolution by voting upon the following question:

13 "Do you favor amending the Constitution of Maine to reduce the size of the House of
14 Representatives from 151 members to 105 members and to establish in the
15 Constitution of Maine the size of the Senate at 35 members effective in the year
16 2009?"

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

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

29 **SUMMARY**

30 This resolution proposes a constitutional amendment to reduce the size of the House
31 of Representatives from 151 members to 105 members and to establish in the
32 Constitution of Maine the size of the Senate at 35 members. The redistricting will be
33 done in 2008 during the Second Regular Session of the 123rd Legislature and the
34 adjustments in the size of each legislative body take effect in 2009.