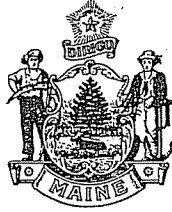


MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 434

H.P. 322

House of Representatives, February 10, 2009

**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, SIROIS of Turner.

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**
6 **into districts for House of Representatives.** The House of Representatives shall
7 consist of 151 members, except that, for the Legislature that convenes in 2011 and
8 thereafter, the House of Representatives shall consist of 105 members, to be elected
9 by the qualified electors, and hold their office 2 years from the day next preceding the
10 first Wednesday in December following the general election. The Legislature which
11 convenes in ~~1983~~ 2009 and every 10th year thereafter shall cause the State to be
12 divided into districts for the choice of one Representative for each district, using the
13 same method as provided in Article IV, Part Second, Section 2 for apportionment of
14 Senatorial Districts, except that each Senatorial District must be divided into 3
15 Representative Districts. ~~The number of Representatives shall be divided into the~~
16 ~~number of inhabitants of the State exclusive of foreigners not naturalized according~~
17 ~~to the latest Federal Decennial Census or a State Census previously ordered by the~~
18 ~~Legislature to coincide with the Federal Decennial Census, to determine a mean~~
19 ~~population figure for each Representative District. Each Representative District shall~~
20 ~~be formed of contiguous and compact territory and shall cross political subdivision~~
21 ~~lines the least number of times necessary to establish as nearly as practicable equally~~
22 ~~populated districts. Whenever the population of a municipality entitles it to more~~
23 ~~than one district, all whole districts shall be drawn within municipal boundaries. Any~~
24 ~~population remainder within the municipality shall be included in a district with~~
25 ~~contiguous territory and shall be kept intact.~~

26 **Constitution, Art. IV, Pt. Second, §1** is amended to read:

27 **Section 1. Number of Senators.** The Senate shall consist of an odd number of
28 Senators, not less than 31 nor more than 35, except that, for the Legislature that
29 convenes in 2011 and thereafter, the Senate shall consist of 35 members, elected at
30 the same time and for the same term as Representatives by the qualified electors of
31 the districts into which the State shall be from time to time divided.

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

33 **Section 2. Submission of reapportionment plan to Secretary of Senate;**
34 **Legislature's action on commission's plan; division of State into Senatorial**
35 **Districts; division by Supreme Judicial Court.** The Legislature which shall
36 convene in the year ~~1983~~ 2009 and every 10th year thereafter shall cause the State to
37 be divided into districts for the choice of a Senator from each district, ~~using the same~~
38 ~~method as provided in Article IV, Part First, Section 2 for apportionment of~~
39 ~~Representative Districts.~~ The number of Senators must be divided into the number of
40 inhabitants of the State, exclusive of foreigners not naturalized according to the latest
41 Federal Decennial Census or a State Census previously ordered by the Legislature to
42 coincide with the Federal Decennial Census, to determine a mean population figure

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

8 ; and be it further

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

15 "Do you favor amending the Constitution of Maine to reduce the size of the
16 House of Representatives from 151 members to 105 members and to establish in
17 the Constitution of Maine the size of the Senate at 35 members effective in the
18 year 2011?"

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

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

31 SUMMARY

32 This resolution proposes a constitutional amendment to reduce the size of the
33 House of Representatives from 151 members to 105 members and to establish in the
34 Constitution of Maine the size of the Senate at 35 members. The redistricting will be
35 done in 2010 during the Second Regular Session of the 124th Legislature and the
36 adjustments in the size of each legislative body take effect in 2011.

37