

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 669

H.P. 499

House of Representatives, February 17, 2011

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Change the Number of Members of the Legislature, the
Length of Legislative Sessions and the Requirements for
Introduction of Bills in a Second Regular Session**

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative CAREY of Lewiston.
Cosponsored by Representative: McCABE of Skowhegan.

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**
6 **State into districts for House of Representatives.** The House of Representatives
7 shall consist of ~~454~~ 101 members, to be elected by the qualified electors, and hold their
8 office 2 years from the day next preceding the first Wednesday in December following
9 the general election. The Legislature which convenes in 1983 and every 10th year
10 thereafter shall cause the State to be divided into districts for the choice of one
11 Representative for each district. The number of Representatives shall be divided into the
12 number of inhabitants of the State exclusive of foreigners not naturalized according to the
13 latest Federal Decennial Census or a State Census previously ordered by the Legislature
14 to coincide with the Federal Decennial Census, to determine a mean population figure for
15 each Representative District. Each Representative District shall be formed of contiguous
16 and compact territory and shall cross political subdivision lines the least number of times
17 necessary to establish as nearly as practicable equally populated districts. Whenever the
18 population of a municipality entitles it to more than one district, all whole districts shall
19 be drawn within municipal boundaries. Any population remainder within the
20 municipality shall be included in a district with contiguous territory and shall be kept
21 intact.

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

23 **Section 1. Number of Senators.** The Senate shall consist of ~~an odd number of~~
24 ~~Senators, not less than 31 nor more than 35~~ 17 members, elected at the same time and for
25 the same term as Representatives by the qualified electors of the districts into which the
26 State shall be from time to time divided.

27 **Constitution, Art. IV, Pt. Third, §1** is amended to read:

28 **Section 1. To meet annually; power of Legislature to convene itself at**
29 **other times; extent of legislative power.** The Legislature shall convene on the first
30 Wednesday of December following the general election in what shall be designated the
31 first regular session of the Legislature, which shall adjourn no later than the 3rd
32 Wednesday of December in the following year; and shall further convene on the first
33 Wednesday after the first Tuesday of January in the subsequent even-numbered year in
34 what shall be designated the second regular session of the Legislature; ~~provided,~~
35 ~~however, that the business of the second regular session of the Legislature shall be~~
36 ~~limited to budgetary matters; legislation in the Governor's call; legislation of an~~
37 ~~emergency nature admitted by the Legislature; legislation referred to committees for~~
38 ~~study and report by the Legislature in the first regular session; and legislation presented to~~
39 ~~the Legislature by written petition of the electors under the provisions of Article IV, Part~~
40 ~~Third, Section 18, which shall adjourn no later than the 3rd Wednesday in August.~~ The
41 Legislature shall enact appropriate statutory limits on the ~~length of the first regular~~
42 ~~session and of the second regular session~~ number of legislative days. The Legislature

1 may convene at such other times on the call of the President of the Senate and Speaker of
2 the House, with the consent of a majority of the Members of the Legislature of each
3 political party, all Members of the Legislature having been first polled. The Legislature,
4 with the exceptions hereinafter stated, shall have full power to make and establish all
5 reasonable laws and regulations for the defense and benefit of the people of this State, not
6 repugnant to this Constitution, nor to that of the United States.

7 ; and be it further

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

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

14 "Do you favor amending the Constitution of Maine to decrease the number of
15 members of the Legislature, extend the length of legislative sessions and remove the
16 requirements for introduction of bills in a second regular session beginning with the
17 127th Legislature?"

18 The legal voters of each city, town and plantation shall vote by ballot on this question
19 and designate their choice by a cross or check mark placed within the corresponding
20 square below the word "Yes" or "No." The ballots must be received, sorted, counted and
21 declared in open ward, town and plantation meetings and returns made to the Secretary of
22 State in the same manner as votes for members of the Legislature. The Governor shall
23 review the returns. If it appears that a majority of the legal votes are cast in favor of the
24 amendment, the Governor shall proclaim that fact without delay and the amendment
25 becomes part of the Constitution of Maine on January 1, 2013 and applies first to the
26 127th Legislature; and be it further

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

30 **SUMMARY**

31 This resolution proposes to amend the Constitution of Maine to reduce the number of
32 members of the Senate to 17 and the number of members of the House of Representatives
33 from 151 to 101 beginning with the 127th Legislature. The resolution also proposes to
34 extend the length of legislative sessions and remove the requirements for introduction of
35 bills in a second regular session.