

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 58

H.P. 55

House of Representatives, January 15, 2019

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Extend the Terms of Legislators to 4 Years**

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative NADEAU of Winslow.
Cosponsored by Senator CHENETTE of York and
Representatives: ALLEY of Beals, FECTION of Biddeford, HANINGTON of Lincoln,
KINNEY of Knox, MASTRACCIO of Sanford, Senator: FARRIN of Somerset.

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. II, §4** is amended to read:

5 **Section 4. Time of state election; absentee voting.** The election of Senators
6 and members of the House of Representatives shall be on the Tuesday following the first
7 Monday of November biennially ~~forever and the election of, except as provided in this~~
8 section. Beginning with the general election held in 2022 for Senators and members of
9 the House of Representatives, the election of Senators and members of the House of
10 Representatives and Governor shall be on the Tuesday following the first Monday of
11 November every 4 years. The Legislature under proper enactment shall authorize and
12 provide for voting by citizens of the State absent therefrom in the Armed Forces of the
13 United States or of this State and for voting by other citizens absent or physically
14 incapacitated for reasons deemed sufficient.

15 **Constitution, Art. IV, Pt. First, §2** is amended to read:

16 **Section 2. Number of Representatives; 4-year terms; division of the State**
17 **into districts for House of Representatives.** The House of Representatives shall
18 consist of 151 members, to be elected by the qualified electors, and hold their office 2
19 years from the day next preceding the first Wednesday in December following the
20 general election, except that beginning with the general election held in 2022, they hold
21 their office 4 years from the day next preceding the first Wednesday in December
22 following the general election. The Legislature which convenes in 2013, and also the
23 Legislature which convenes in 2021 and every 10th year thereafter, shall cause the State
24 to be divided into districts for the choice of one Representative for each district. The
25 number of Representatives shall be divided into the number of inhabitants of the State
26 exclusive of foreigners not naturalized according to the latest Federal Decennial Census
27 or a State Census previously ordered by the Legislature to coincide with the Federal
28 Decennial Census, to determine a mean population figure for each Representative
29 District. Each Representative District shall be formed of contiguous and compact
30 territory and shall cross political subdivision lines the least number of times necessary to
31 establish as nearly as practicable equally populated districts. Whenever the population of
32 a municipality entitles it to more than one district, all whole districts shall be drawn
33 within municipal boundaries. Any population remainder within the municipality shall be
34 included in a district with contiguous territory and shall be kept intact.

35 **Constitution, Art. IV, Pt. First, §5** is amended to read:

36 **Section 5. Election of Representatives; lists of votes delivered forthwith;**
37 **lists of votes examined by Governor; summons of persons who appear to be**
38 **elected; lists shall be laid before the House.** The meetings within this State for the
39 choice of Representatives shall be warned in due course of law by qualified officials of
40 the several towns and cities 7 days at least before the election, and the election officials of
41 the various towns and cities shall preside impartially at such meetings, receive the votes

1 of all the qualified electors, sort, count and declare them in open meeting; and a list of the
2 persons voted for shall be formed, with the number of votes for each person against that
3 person's name. Cities and towns belonging to any Representative District shall hold their
4 meetings at the same time in the respective cities and towns; and such meetings shall be
5 notified, held and regulated, the votes received, sorted, counted and declared in the same
6 manner. Fair copies of the lists of votes shall be attested by the municipal officers and
7 the clerks of the cities and towns and the city and town clerks respectively shall cause the
8 same to be delivered into the office of the Secretary of State forthwith. The Governor
9 shall examine the returned copies of such lists and 7 days before the first Wednesday of
10 December biennially until the general election held in 2022 and quadrennially thereafter
11 following the general election, shall issue a summons to such persons as shall appear to
12 have been elected by a plurality of all votes returned, to attend and take their seats. All
13 such lists shall be laid before the House of Representatives on the first Wednesday of
14 December biennially until the general election held in 2022 and quadrennially thereafter
15 following the general election, and they shall finally determine who are elected.

16 **Constitution, Art. IV, Pt. Second, §5** is amended to read:

17 **Section 5. Determination of Senators elected; procedure for filling**
18 **vacancies.** The Senate shall, on said first Wednesday of December, biennially until the
19 general election held in 2022 and quadrennially thereafter determine who is elected by a
20 plurality of votes to be Senator in each district. All vacancies in the Senate arising from
21 death, resignation, removal from the State or like causes, and also vacancies, if any,
22 which may occur because of the failure of any district to elect by a plurality of votes the
23 Senator to which said district shall be entitled shall be filled by an immediate election in
24 the unrepresented district. The Governor shall issue a proclamation therefor and therein
25 fix the time of such election.

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

32 "Do you favor amending the Constitution of Maine to change the term of
33 office for State Senators and members of the House of Representatives
34 from 2 years to 4 years beginning in 2022?"

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

