

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 1331

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H.P. 845

House of Representatives, March 28, 2023

**RESOLUTION, Proposing an Amendment to the Constitution of  
Maine to Change Term Limit Time Periods and the Frequency of  
Elections of Legislators**

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Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

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

ROBERT B. HUNT  
Clerk

Presented by Representative COLLINGS of Portland.

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 and  
6 Representatives shall be on the Tuesday following the first Monday of November  
7 biennially ~~forever and the election of,~~ except as provided in this section. Beginning with  
8 the general election held in 2024, the election of Senators, Representatives and the  
9 Governor shall be on the Tuesday following the first Monday of November every 4 years.  
10 The Legislature under proper enactment shall authorize and provide for voting by citizens  
11 of the State absent therefrom in the Armed Forces of the United States or of this State and  
12 for voting by other citizens absent or physically incapacitated for reasons deemed  
13 sufficient.

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

15           **Section 2. Number of Representatives; ~~biennial~~ quadrennial terms;**  
16 **division of the State into districts for House of Representatives.** The House of  
17 Representatives shall consist of 151 members, to be elected by the qualified electors, and  
18 hold their office 2 years from the day next preceding the first Wednesday in December  
19 following the general election, except that, beginning with the general election held in  
20 2024, Representatives are elected as provided in Article II, section 4. Beginning in 2030,  
21 a person may not serve more than 3 consecutive terms as a member of the House of  
22 Representatives. The Legislature which convenes in 2013, and also the Legislature which  
23 convenes in 2021 and every 10th year thereafter, shall cause the State to be divided into  
24 districts for the choice of one Representative for each district. The number of  
25 Representatives shall be divided into the number of inhabitants of the State exclusive of  
26 foreigners not naturalized according to the latest Federal Decennial Census or a State  
27 Census previously ordered by the Legislature to coincide with the Federal Decennial  
28 Census, to determine a mean population figure for each Representative District. Each  
29 Representative District shall be formed of contiguous and compact territory and shall cross  
30 political subdivision lines the least number of times necessary to establish as nearly as  
31 practicable equally populated districts. Whenever the population of a municipality entitles  
32 it to more than one district, all whole districts shall be drawn within municipal boundaries.  
33 Any population remainder within the municipality shall be included in a district with  
34 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 the  
40 several towns and cities 7 days at least before the election, and the election officials of the  
41 various towns and cities shall preside impartially at such meetings, receive the votes of all  
42 the qualified electors, sort, count and declare them in open meeting; and a list of the persons  
43 voted for shall be formed, with the number of votes for each person against that person's  
44 name. Cities and towns belonging to any Representative District shall hold their meetings

1 at the same time in the respective cities and towns; and such meetings shall be notified,  
2 held and regulated, the votes received, sorted, counted and declared in the same manner.  
3 Fair copies of the lists of votes shall be attested by the municipal officers and the clerks of  
4 the cities and towns and the city and town clerks respectively shall cause the same to be  
5 delivered into the office of the Secretary of State forthwith. The Governor shall examine  
6 the returned copies of such lists and 7 days before the first Wednesday of December  
7 biennially until the general election held in 2024 and quadrennially thereafter, shall issue a  
8 summons to such persons as shall appear to have been elected by a plurality of all votes  
9 returned, to attend and take their seats. All such lists shall be laid before the House of  
10 Representatives on the first Wednesday of December biennially until the general election  
11 held in 2024 and quadrennially thereafter, and they shall finally determine who are elected.

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

13 **Section 5. Determination of Senators elected; procedure for filling**  
14 **vacancies.** The Senate shall, on said first Wednesday of December, biennially until the  
15 general election held in 2024 and quadrennially thereafter determine who is elected by a  
16 plurality of votes to be Senator in each district. All vacancies in the Senate arising from  
17 death, resignation, removal from the State or like causes, and also vacancies, if any, which  
18 may occur because of the failure of any district to elect by a plurality of votes the Senator  
19 to which said district shall be entitled shall be filled by an immediate election in the  
20 unrepresented district. The Governor shall issue a proclamation therefor and therein fix  
21 the time of such election.

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

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

28 "Do you favor amending the Constitution of Maine to change the term of  
29 office for State Senators and State Representatives from 2 years to 4 years  
30 and change the number of consecutive years members of the State Senate  
31 and House of Representatives may serve from 8 years to 12 years?"

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

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

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## **SUMMARY**

This resolution proposes to amend the Constitution of Maine to change the term of office for State Senators and State Representatives from 2 years to 4 years and change the number of consecutive years members of the State Senate and House of Representatives may serve from 8 years to 12 years.