

MAINE STATE LEGISLATURE

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EIGHTY-FIRST LEGISLATURE

HOUSE

NO. 108

House of Representatives, Feb. 15, 1923.

Referred to Committee on Legal Affairs and five hundred copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Cummings of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-THREE

RESOLVE, Amending Section Three of Article Four, Part First, of the Constitution as Amended by Resolution Adopted by the Legislature April Seventh, Nineteen Hundred and Seventeen, Adopted by the People September Seventeenth, Nineteen Hundred and Seventeen and Proclaimed by the Governor September Twenty-fifth, Nineteen Hundred and Seventeen, Relating to Apportionment.

Resolved: Section 1. Two-thirds of the legislature con-
2 ccurring, that the following amendment to the constitution
3 of this state is proposed:

Article four, part first, section three of the constitution
2 amended as follows:

Section three of article four, part first is amended by striking out after the word “seven” in the seventh line of said section three as amended by the amendment thereto of nineteen hundred and seventeen, and proclaimed by the governor September twenty-fifth, nineteen hundred and seventeen, the words “but no town shall ever be entitled to more than seven representatives except that” and inserting in lieu thereof the words ‘and the same rule of apportionment shall continue but the total number of representatives shall remain one hundred and fifty-one and the unit on which apportionment is based shall be increased or diminished as occasion may require owing to changes in population and,’ also is further amended by inserting after the word “units” in the tenth line of said section three the words ‘until a new apportionment is made’ also by striking out the words “fifteen hundred inhabitants” in the eleventh line of said section and inserting in lieu thereof the words ‘not having the number of inhabitants in the basic unit.’ Also by striking out after the word “representative” in the fourteenth line, the words “and when on this apportionment the number of representatives shall be two hundred, a different apportionment shall take place upon the above principle and in case the fifteen hundred shall be too large or too small to apportion all the representatives to any county it” and inserting in lieu thereof the words ‘basic number on which apportionment is based’ so that said section three as amended shall read as follows:

'Sect. 3. Each town having fifteen hundred inhabitants
2 may elect one representative; each town having three thou-
3 sand seven hundred and fifty may elect two; each town
4 having six thousand seven hundred and fifty may elect
5 three; each town having ten thousand five hundred may
6 elect four; each town having fifteen thousand may elect
7 five; each town having twenty thousand two hundred and
8 fifty may elect six; each town having twenty-six thousand
9 two hundred and fifty may elect seven; and the same rule
10 of apportionment shall continue, but the total number of
11 representatives shall remain one hundred and fifty-one, and
12 the unit on which apportionment is based shall be increased
13 or diminished as occasion may require owing to changes in
14 population; and in the event of the merger of towns or
15 cities the new town shall be allowed the combined repre-
16 sentation of the former units until a new apportionment is
17 made; and towns and plantations duly organized not having
18 the number of inhabitants in the basic unit shall be classed
19 as conveniently as may be into districts containing that
20 number, and so as not to divide towns, and each such dis-
21 trict may elect one representative; and the basic number
22 on which apportionment is based shall be so increased or
23 diminished as to give the number of representatives ac-
24 cording to the above rule and proportion; and whenever
25 any town or towns, plantation or plantations not entitled to
26 elect a representative shall determine against a classification
27 with any other town or plantation, the legislature may, at

28 each apportionment of representatives on the application
29 of such town or plantation, authorize it to elect a representa-
30 tive for such portion of time and such periods, as shall be
31 equal to its portion of representation, and the right of
32 representation so established, shall not be altered until the
33 next general apportionment.

Form of Question and Date When Amendment is to be
Voted On

Sect. 2. That the aldermen of cities, the selectmen of
2 towns, and the assessors of the several plantations in this
3 state are hereby empowered and directed to notify the
4 inhabitants of their respective cities, towns and plantations
5 to meet in the manner prescribed by law for calling and
6 holding biennial meetings of said inhabitants for the election
7 of senators and representatives, on the second Monday in
8 September following the passage of this resolve, to give in
9 their votes upon the amendment proposed in the foregoing
10 resolution, and the question shall be: "Shall the constitution
11 be amended as proposed by a resolution of the legislature
12 relating to apportionment, as proposed by the eighty-first
13 legislature of nineteen hundred and twenty-three?"

And the inhabitants of said cities, towns and plantations
2 shall vote by ballot on said question, those in favor of the
3 amendment expressing it by the word "Yes" upon their
4 ballots and those opposed to the amendment by the word
5 "No" upon their ballots, and the ballots shall be received,
6 sorted, counted, and declared in open ward, town and plan-

7 tation meetings, and returns made to the office of the secre-
8 tary of state in the same manner as votes for governor and
9 members of the legislature, and the governor and council
10 shall count the same, and if it shall appear that a majority
11 of the inhabitants voting on the question are in favor of the
12 amendment, it shall thereupon become a part of the con-
13 stitution and the governor shall forthwith make known the
14 fact by his proclamation.

Ballots to be Prepared by Secretary of State

Sect 3. That the secretary of state shall prepare and
2 furnish to the several cities, towns and plantations ballots
3 and blank returns in conformity with the foregoing resolves
4 accompanied by a copy thereof.