

MAINE STATE LEGISLATURE

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N I N E T Y - F I R S T L E G I S L A T U R E

Legislative Document

No. 136

H. P. 186

House of Representatives, January 27, 1943.

Referred to Committee on Judiciary, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Leavitt of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-THREE

RESOLVE, Proposing an Amendment to the Constitution Clarifying the Apportionment of Representatives to the Legislature.

Constitutional amendment. Resolved: Two-thirds of each branch of the legislature concurring, the following amendment to the constitution of this state is hereby proposed:

Constitution, Art. IV, Part First, §§ 2, 3, amended. Sections 2 and 3 of part first of article four of the constitution of the state, as amended, are hereby repealed and the following enacted in place thereof:

‘Sec. 2. The house of representatives shall consist of 151 members, to be elected by the qualified electors, and hold their office 2 years from the day next preceding the biennial meeting of the legislature. The legislature shall within every period of at most 10 years, and at least 5, cause the number of inhabitants of the state to be ascertained, exclusive of foreigners not naturalized and Indians not taxed. The number of representatives shall, at the several periods of making such enumeration, be fixed and apportioned among the several counties, as near as may be by mathematical calculation, according to the number of inhabitants, having regard to the relative increase of population.’

‘Sec. 3. Each town having from 1/3% up to and including 1% of the total inhabitants of the state may elect 1 representative, each town having

from over 1% up to and including 2% of the total inhabitants of the state may elect 2 representatives, each town having from over 2% up to and including 3¼% of the total inhabitants of the state may elect 3 representatives, each town having from over 3¼% up to and including 5% of the total inhabitants of the state may elect 4 representatives, each town having from over 5% up to and including 7% of the total inhabitants of the state may elect 5 representatives, each town having from over 7% up to and including 8½% of the total inhabitants of the state may elect 6 representatives, each town having over 8½% of the total population of the state may elect 7 representatives, but no town shall ever be entitled to more than 7 representatives, except in the event of the merger of towns or cities, the new town or city shall be allowed the combined representation of the former units, and towns and plantations duly organized not having 1/3% of the total inhabitants of the state shall be classed as conveniently as may be from contiguous territory into districts containing from 1/3% up to and including 1%, but so as not to divide towns, and each such district may elect 1 representative.'

Form of question and date when amendment shall be voted upon.
Resolved: That the aldermen of cities, the selectmen of towns and the assessors of the several plantations of this state, are hereby empowered and directed to notify the inhabitants of their respective cities, towns, and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives at the next general or special state-wide election, to give in their votes upon the amendment proposed in the foregoing resolution, and the question shall be: "Shall the constitution be amended as proposed by a resolution of the legislature to provide for clarifying the apportionment of representatives to the legislature?" And the inhabitants of said cities, towns, and plantations shall vote by ballot on said question, those in favor of the amendment voting "Yes" upon their ballots and those opposed to the amendment voting "No" upon their ballots, and the ballots shall be received, counted, and declared in open ward, town, and plantation meetings and returns made to the office of the secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendment, the governor shall forthwith make known the fact by his proclamation, and the amendment shall thereupon as of the date of said proclamation become a part of the constitution.

Secretary of state shall prepare ballots. **Resolved:** That the secretary

of state shall prepare and furnish to the several cities, towns, and plantations, ballots and blank returns in conformity with the foregoing resolve accompanied by a copy thereof.