

MAINE STATE LEGISLATURE

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

Legislative Document

No. 36

S. P. 60

In Senate, January 15, 1947.

Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Leavitt of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-SEVEN

RESOLVE, Proposing an Amendment to the Constitution to Correct a Clerical Error Regarding the Apportionment of the Number of Representatives.

Constitutional amendment. Resolved: Two-thirds of the legislature concurring that the following amendment to the constitution of this state be proposed:

Article IV, Part First, § 3, amended. Section 3 of Part First of Article IV of the constitution, as amended by Article XXXIX, is hereby further amended to read as follows:

‘Sec. 3. Each town having 1,500 inhabitants may elect 1 representative; each town having 3,750 may elect 2; each town having 6,750 may elect 3; each town having 10,500 may elect 4; each town having 15,000 may elect 5; each town having 20,250 may elect 6; each town having 26,250 may elect 7; but no town shall ever be entitled to more than 7 representatives, except that 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 1,500 inhabitants, shall be classed, as conveniently as may be, into districts containing that num-

ber, and so as not to divide towns; and each such district may elect 1 representative; ~~and when on this apportionment the number of representatives shall be two hundred, a different apportionment shall take place upon the above principal;~~ and, in case the 1,500 shall be too large or too small to apportion all the representatives to any county, it shall be so increased or diminished as to give the number of representatives according to the above rule and proportion; and wherever any town or towns, plantation or plantations not entitled to elect a representative shall determine against a classification with any other town or plantation, the legislature may, at each apportionment of representatives, on the application of such town or plantation, authorize it to elect a representative for such portion of time and such periods as shall be equal to its portion of representation; and the right of representation, so established, shall not be altered until the next general apportionment.'

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 state-wide election held on the 2nd Monday in September, to give in their votes upon the amendment proposed in the foregoing part of this resolve, and the question shall be:

"Shall the constitution be amended as proposed by a resolve of the legislature providing for the correction of a clerical error regarding the apportionment of the number of representatives?"

And the legal voters 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" and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings, and return 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 legal voters 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.