

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Transmitted by Director of Legislative Research pursuant to joint order.

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

Legislative Document

No. 1257

H. P. 1069

House of Representatives, March 9, 1955.

Referred to Committee on Judiciary. Sent up for concurrence and 750 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Bowie of Durham.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-FIVE

RESOLVE, Proposing an Amendment to the Constitution to Reapportion the House of Representatives by a Commission if the Legislature Fails to Act.

Constitutional amendment. Resolved: Two-thirds of each branch of the Legislature concurring, that the following amendment to the Constitution of this State be proposed :

Constitution, Article IV, Part First, Section 2, amended. Section 2 of Part First of Article IV of the Constitution is hereby amended by adding at the end thereof the following :

'If the legislature at the regular session following any decennial Federal Census fails to reapportion the house of representatives, a reapportionment commission shall forthwith apportion the representatives in accordance with the constitution. Such apportionment shall be effective the same as if the act of said reapportionment commission were an act of the legislature, subject, however, to the same provisions of referendum as apply to acts of the legislature.

The reapportionment commission shall be created as follows: the two political parties which polled the largest number of votes for governor in the last gubernatorial election, through their respective state committees, shall each nominate ten members whose names shall be certified to the governor by their secretaries. The governor shall appoint as members of the commission five members from each respective list and vacancies shall be filled in like manner.'

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 reapportion the House of Representatives by a commission if the Legislature fails to act?" 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.