

126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 134

H.P. 109

House of Representatives, January 29, 2013

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Reduce the Size of the Legislature

Reference to the Committee on State and Local Government suggested and ordered printed.

Millient M. Mac Jarland

MILLICENT M. MacFARLAND Clerk

Presented by Representative BROOKS of Winterport. Cosponsored by Senator THIBODEAU of Waldo and Representatives: EVANGELOS of Friendship, FARNSWORTH of Portland, PEASE of Morrill, STANLEY of Medway, WINCHENBACH of Waldoboro. 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. IV, Pt. First, §2,** as amended by CR 2011, c. 1, is further 5 amended to read:

Section 2. Number of Representatives; biennial terms; division of the 6 State into districts for House of Representatives. The House of Representatives 7 8 shall consist of 151 members, except that, beginning with the 128th Legislature and thereafter, the House of Representatives shall consist of 101 members, to be elected by 9 the qualified electors, and hold their office 2 years from the day next preceding the first 10 Wednesday in December following the general election. The Legislature which convenes 11 12 in 2013 2015, and also the Legislature which convenes in 2021 and every 10th year thereafter, shall cause the State to be divided into districts for the choice of one 13 14 Representative for each district. The number of Representatives shall be divided into the number of inhabitants of the State exclusive of foreigners not naturalized according to the 15 16 latest Federal Decennial Census or a State Census previously ordered by the Legislature to coincide with the Federal Decennial Census, to determine a mean population figure for 17 18 each Representative District. Each Representative District shall be formed of contiguous and compact territory and shall cross political subdivision lines the least number of times 19 20 necessary to establish as nearly as practicable equally populated districts. Whenever the 21 population of a municipality entitles it to more than one district, all whole districts shall be drawn within municipal boundaries. 22 Any population remainder within the municipality shall be included in a district with contiguous territory and shall be kept 23 24 intact.

25 **Constitution, Art. IV, Pt. Second, §1** is amended to read:

Section 1. Number of Senators. The Senate shall consist of an odd number of Senators, not less than 31 nor more than 35, except that, beginning with the 128th Legislature and thereafter, the Senate shall consist of 25 members, elected at the same time and for the same term as Representatives by the qualified electors of the districts into which the State shall be from time to time divided.

31 **Constitution, Art. IV, Pt. Second, §2** as amended by CR 2011, c. 1, is further 32 amended to read:

Section 2. Submission of reapportionment plan to Secretary of Senate;
 Legislature's action on commission's plan; division of State into Senatorial
 Districts; division by Supreme Judicial Court. The Legislature which shall
 convene in the year 2013 2015, and also the Legislature which shall convene in the year
 2021 and every tenth year thereafter, shall cause the State to be divided into districts for
 the choice of a Senator from each district, using the same method as provided in Article
 IV, Part First, Section 2 for apportionment of Representative Districts.

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; and be it further

1 **Constitutional referendum procedure; form of question; effective date.** 2 **Resolved:** That the municipal officers of this State shall notify the inhabitants of their 3 respective cities, towns and plantations to meet, in the manner prescribed by law for 4 holding a statewide election, at a statewide election held in the month of November 5 following the passage of this resolution, to vote upon the ratification of the amendment 6 proposed in this resolution by voting upon the following question:

7 "Do you favor amending the Constitution of Maine to reduce the size of
8 the House of Representatives to 101 members and to reduce the size of
9 the Senate to 25 members, beginning with the Legislature elected in
10 2016?"

11 The legal voters of each city, town and plantation shall vote by ballot on this question 12 and designate their choice by a cross or check mark placed within the corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and 13 14 declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall 15 review the returns. If it appears that a majority of the legal votes are cast in favor of the 16 17 amendment, the Governor shall proclaim that fact without delay and the amendment 18 becomes part of the Constitution of Maine on the date of the proclamation; and be it 19 further

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

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SUMMARY

24 This resolution proposes to amend the Constitution of Maine to reduce the size of the 25 House of Representatives from 151 members to 101 members and the size of the Senate from no more than 35 members and no less than 31 members to 25 members. Under the 26 resolution, the proposal would be presented to the voters for their approval at a statewide 27 election held in the month of November following the passage of this resolution, and after 28 voter approval, the Legislature that convenes in 2015 would submit a reapportionment 29 plan to implement the reduction in the size of the Legislature. The reduction in the size 30 of the legislative body takes effect with the 128th Legislature. 31