



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 1012

S.P. 352

In Senate, March 19, 2015

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Increase the Length of Terms of Senators**

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

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator VOLK of Cumberland.

Cosponsored by Senators: ALFOND of Cumberland, BAKER of Sagadahoc, CUSHING of Penobscot, CYRWAY of Kennebec, DUTREMBLE of York, GERZOFISKY of Cumberland, GRATWICK of Penobscot, KATZ of Kennebec, LANGLEY of Hancock, ROSEN of Hancock, WHITTEMORE of Somerset, WOODSOME of York, Representatives: ALLEY of Beals, BEAR of the Houlton Band of Maliseet Indians, BLUME of York, BURSTEIN of Lincolnville, DAUGHTRY of Brunswick, DEVIN of Newcastle, ESPLING of New Gloucester, EVANGELOS of Friendship, GINZLER of Bridgton, HOBBS of Saco, KINNEY of Knox, KORNFIELD of Bangor, MAREAN of Hollis, McCABE of Skowhegan, MONAGHAN of Cape Elizabeth, POWERS of Naples, SAUCIER of Presque Isle, STUCKEY of Portland, VACHON of Scarborough, WARD of Dedham, WARREN of Hallowell.

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. II, §4** is amended to read:

5 **Section 4. Time of state election; absentee voting.** The election of Senators
6 and members of the House of Representatives shall be on the Tuesday following the first
7 Monday of November biennially ~~forever and the, except as provided in this section.~~
8 Beginning with the general election held in 2016, the election of Senators must be held on
9 the Tuesday following the first Monday of November every 4 years except that, of the
10 Senators elected in 2016, those Senators who are from odd-numbered districts serve until
11 2018, and, beginning with the general election held in 2018, the election of those
12 Senators must be held on the Tuesday following the first Monday of November every 4
13 years. The election of Governor shall be on the Tuesday following the first Monday of
14 November every 4 years. The Legislature under proper enactment shall authorize and
15 provide for voting by citizens of the State absent therefrom in the Armed Forces of the
16 United States or of this State and for voting by other citizens absent or physically
17 incapacitated for reasons deemed sufficient.

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

19 **Section 1. Number of Senators.** The Senate shall consist of an odd number of
20 Senators, not less than 31 nor more than 35, elected ~~at the same time and for the same~~
21 ~~term as Representatives~~ for 4-year terms by the qualified electors of the districts into
22 which the State shall be from time to time divided.

23 **Constitution, Art. IV, Pt. Second, §5** is amended to read:

24 **Section 5. Determination of Senators elected; procedure for filling**
25 **vacancies.** The Senate shall, on said first Wednesday of December, biennially
26 determine who is elected by a plurality of votes to be Senator in each district in which an
27 election was held. All vacancies in the Senate arising from death, resignation, removal
28 from the State or like causes, and also vacancies, if any, which may occur because of the
29 failure of any district to elect by a plurality of votes the Senator to which said district
30 shall be entitled shall be filled by an immediate election in the unrepresented district. The
31 Governor shall issue a proclamation therefor and therein fix the time of such election.

32 **Constitution, Art. X, §4** is amended to read:

33 **Section 4. Amendments to Constitution.** The Legislature, whenever 2/3 of
34 both Houses shall deem it necessary, may propose amendments to this Constitution; and
35 when any amendments shall be so agreed upon, a resolution shall be passed and sent to
36 the selectmen of the several towns, and the assessors of the several plantations,
37 empowering and directing them to notify the inhabitants of their respective towns and
38 plantations, in the manner prescribed by law, at the next biennial meetings in the month
39 of November, or to meet in the manner prescribed by law for calling and holding biennial
40 meetings of said inhabitants for the election of ~~Senators and~~ Representatives, on the

1 Tuesday following the first Monday of November following the passage of said resolve,
2 to give in their votes on the question, whether such amendment shall be made; and if it
3 shall appear that a majority of the inhabitants voting on the question are in favor of such
4 amendment, it shall become a part of this Constitution.

5 ; and be it further

6 **Constitutional referendum procedure; form of question; effective date.**

7 **Resolved:** That the municipal officers of this State shall notify the inhabitants of their
8 respective cities, towns and plantations to meet, in the manner prescribed by law for
9 holding a statewide election, at a statewide election held in the month of November
10 following the passage of this resolution, to vote upon the ratification of the amendment
11 proposed in this resolution by voting upon the following question:

12 "Do you favor amending the Constitution of Maine to change the term of
13 office for State Senators from 2 years to 4 years, beginning with the
14 Senators from even-numbered districts in 2016 and Senators from odd-
15 numbered districts in 2018?"

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

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

28 **SUMMARY**

29 This constitutional resolution increases the length of the terms of State Senators from
30 2 years to 4 years, beginning with the Senators elected in 2016 except that, in order to
31 stagger the elections so that roughly half of the Senate is up for election every 2 years,
32 Senators from odd-numbered districts will not begin serving a 4-year term until the 2018
33 election.