125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document   **No. 153**

H.P. 136   House of Representatives, January 25, 2011

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Provide for the Reduction of the Size of the Legislature**

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

[signature]

HEATHER J.R. PRIEST
Clerk

Presented by Representative HINCK of Portland.
Cosponsored by Representatives: BURNS of Whiting, DOW of Waldoboro, MAZUREK of Rockland, Senators: GOODALL of Sagadahoc, KATZ of Kennebec, Senator SAVIELLO of Franklin and Representatives: BLODGETT of Augusta, GRAHAM of North Yarmouth, HARVELL of Farmington, NELSON of Falmouth, PLUMMER of Windham, Senators: DIAMOND of Cumberland, HASTINGS of Oxford, SNOWE-MELLO of Androscoggin.

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** is amended to read:

5   **Section 2. Number of Representatives; biennial terms; division of the**
6 **State into districts for House of Representatives.** The House of Representatives
7 shall consist of 151 members, <u>except that, for the Legislature that convenes in 2015 and</u>
8 <u>thereafter, the House of Representatives shall consist of 101 members,</u> 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 in 1983 and every 10th year thereafter shall cause the State to be divided into districts for
12 the choice of one Representative for each district. The number of Representatives shall
13 be divided into the number of inhabitants of the State exclusive of foreigners not
14 naturalized according to the latest Federal Decennial Census or a State Census previously
15 ordered by the Legislature to coincide with the Federal Decennial Census, to determine a
16 mean population figure for each Representative District. Each Representative District
17 shall be formed of contiguous and compact territory and shall cross political subdivision
18 lines the least number of times necessary to establish as nearly as practicable equally
19 populated districts. Whenever the population of a municipality entitles it to more than
20 one district, all whole districts shall be drawn within municipal boundaries. Any
21 population remainder within the municipality shall be included in a district with
22 contiguous territory and shall be kept intact.

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

24   **Section 1. Number of Senators**. The Senate shall consist of an odd number of
25 Senators, not less than 31 nor more than 35, <u>except that, for the Legislature that convenes</u>
26 <u>in 2015 and thereafter, the Senate shall consist of 23 members,</u> elected at the same time
27 and for the same term as Representatives by the qualified electors of the districts into
28 which the State shall be from time to time divided.

29   ; and be it further

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

36   "Do you favor amending the Constitution of Maine to reduce the size of the House of
37   Representatives to 101 members and to reduce the size of the Senate to 23 members,
38   effective in the year 2015?"

39   The legal voters of each city, town and plantation shall vote by ballot on this question
40 and designate their choice by a cross or check mark placed within the corresponding
41 square below the word "Yes" or "No." The ballots must be received, sorted, counted and

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 review the returns. If it appears that a majority of the legal votes are cast in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment becomes part of the Constitution of Maine on the date of the proclamation; and be it 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.

SUMMARY

This resolution proposes to amend the Constitution of Maine to reduce the size of the House of Representatives from 151 members to 101 members and the size of the Senate from no more than 35 members and no less that 31 members to 23 members. The redistricting will be done in 2013 during the First Regular Session of the 126th Legislature, and the reduction in the size of each legislative body takes effect in 2015.