



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 641

S.P. 234

In Senate, March 3, 2015

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Elect 2 Senators from Each County**

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 DAVIS of Piscataquis.
Cosponsored by Representative LONG of Sherman and
Senators: BURNS of Washington, EDGECOMB of Aroostook, SAVIELLO of Franklin,
WHITTEMORE of Somerset, WILLETTE of Aroostook, Representatives: McCABE of
Skowhegan, SHERMAN of Hodgdon, SHORT of Pittsfield.

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. Second, §1** is amended to read:

5 **Section 1. Number of Senators.** The Senate shall consist of an odd number of
6 Senators, not less than 31 nor more than 35, except that, on or after December 7, 2016,
7 the Senate shall consist of 32 Senators, elected at the same time and for the same term as
8 Representatives by the qualified electors of the districts into which the State shall be from
9 time to time divided.

10 **Constitution, Art. IV, Pt. Second, §2, first ¶** is amended to read:

11 **Section 2. Submission of reapportionment plan to Secretary of Senate;**
12 **Legislature's action on commission's plan; division of State into Senatorial**
13 **Districts; division by Supreme Judicial Court.** The Legislature which shall
14 convene in the year 2013, ~~and also the Legislature which shall convene in the year 2021~~
15 ~~and every tenth year thereafter,~~ shall cause the State to be divided into districts for the
16 choice of a Senator from each district, using the same method as provided in Article IV,
17 Part First, Section 2 for apportionment of Representative Districts, and the Legislature
18 which shall convene on January 6, 2016 shall reapportion the State so that the Senatorial
19 Districts coincide with the counties of the State, resulting in the voters of each county
20 having the right to vote for 2 Senators.

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

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

30 **Constitution, Art. IV, Pt. Third, §1-A, last indented ¶** is amended to read:

31 Public members of the commission shall receive the same rate of per diem that is paid
32 to Legislators for every day's attendance at special sessions of the Legislature as defined
33 by law. All members of the commission shall be reimbursed for actual travel expenses
34 incurred in carrying out the business of the commission. The Legislature which is
35 required to apportion shall establish a budget for the apportioning commission within the
36 state budget document in the fiscal year previous to the fiscal year during which the
37 apportioning commission is required to convene and shall appropriate sufficient funds for
38 the commission to satisfactorily perform its duties and responsibilities except that the
39 Legislature which is required to apportion and which convenes on January 6, 2016 is not
40 required to so establish a budget for the apportioning commission. The budget shall

1 include sufficient funds to compensate the chairperson of the commission and the
2 chairperson's staff. The remainder of the appropriation shall be made available equally
3 among the political parties represented on the commission to provide travel expenses,
4 incidental expenses and compensation for commission members and for partisan staff and
5 operations.

6 ; and be it further

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

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

13 "Do you favor amending the Constitution of Maine to reduce the size of
14 the Senate from no more than 35 members to 32 members by
15 reapportioning senatorial districts to coincide with the counties of the
16 State, effective December 7, 2016?"

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

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

29 **SUMMARY**

30 This resolution proposes to amend the Constitution of Maine to reduce the size of the
31 Senate from no more than 35 members to 32 members as a result of reapportioning to 2
32 Senators per county. The resolution also requires the redrawing of district lines in 2016.