



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1462

S.P. 447

In Senate, April 2, 2019

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Provide 4-year Terms for Senators and To Set Term
Limits for Legislators**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CARPENTER of Aroostook.
Cosponsored by Representative HARNETT of Gardiner and
Senator: KEIM of Oxford, Representative: BAILEY of Saco.

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 Representatives shall be on the Tuesday following the first Monday of November
7 biennially ~~forever and the election of~~, except as provided in this section. Beginning with
8 the general election held in 2022, the election of Senators and the Governor shall be on
9 the Tuesday following the first Monday of November every 4 years. The Legislature
10 under proper enactment shall authorize and provide for voting by citizens of the State
11 absent therefrom in the Armed Forces of the United States or of this State and for voting
12 by other citizens absent or physically incapacitated for reasons deemed sufficient.

13 **Constitution, Art. IV, Pt. First, §2** is amended to read:

14 **Section 2. Number of Representatives; biennial terms; division of the**
15 **State into districts for House of Representatives.** The House of Representatives
16 shall consist of 151 members, to be elected by the qualified electors, and hold their office
17 2 years from the day next preceding the first Wednesday in December following the
18 general election. Beginning in 2022, a person may not serve more than 6 consecutive
19 terms as a member of the House of Representatives. The Legislature which convenes in
20 2013, and also the Legislature which convenes in 2021 and every 10th year thereafter,
21 shall cause the State to be divided into districts for the choice of one Representative for
22 each district. The number of Representatives shall be divided into the number of
23 inhabitants of the State exclusive of foreigners not naturalized according to the latest
24 Federal Decennial Census or a State Census previously ordered by the Legislature to
25 coincide with the Federal Decennial Census, to determine a mean population figure for
26 each Representative District. Each Representative District shall be formed of contiguous
27 and compact territory and shall cross political subdivision lines the least number of times
28 necessary to establish as nearly as practicable equally populated districts. Whenever the
29 population of a municipality entitles it to more than one district, all whole districts shall
30 be drawn within municipal boundaries. Any population remainder within the
31 municipality shall be included in a district with contiguous territory and shall be kept
32 intact.

33 **Constitution, Art. IV, Pt. Second, §§1 and 5** are amended to read:

34 **Section 1. Number of Senators; terms.** The Senate shall consist of an odd
35 number of Senators, not less than 31 nor more than 35, elected at the same time and for
36 the same term as Representatives by the qualified electors of the districts into which the
37 State shall be from time to time divided except that, beginning with the general election
38 held in 2022, Senators are elected as provided in Article II, Section 4. Beginning in 2022,
39 a person may not serve more than 3 consecutive terms as a member of the Senate.

40 **Section 5. Determination of Senators elected; procedure for filling**
41 **vacancies.** The Senate shall, on said first Wednesday of December, biennially until the

1 general election held in 2022 and quadrennially thereafter determine who is elected by a
2 plurality of votes to be Senator in each district. All vacancies in the Senate arising from
3 death, resignation, removal from the State or like causes, and also vacancies, if any,
4 which may occur because of the failure of any district to elect by a plurality of votes the
5 Senator to which said district shall be entitled shall be filled by an immediate election in
6 the unrepresented district. The Governor shall issue a proclamation therefor and therein
7 fix the time of such election.

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

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

14 "Do you favor amending the Constitution of Maine to change the term of
15 office for State Senators from 2 years to 4 years and change the number
16 of consecutive years members of the State Senate and House of
17 Representatives may serve from 8 years to 12 years?"

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

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 change the term of
31 office for State Senators from 2 years to 4 years and change the number of consecutive
32 years members of the State Senate and House of Representatives may serve from 8 years
33 to 12 years.