

## 132nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2025

**Legislative Document** 

No. 132

S.P. 68

In Senate, January 8, 2025

Resolve, to Establish the Commission to Study the Constitution of Maine

Reference to the Committee on Judiciary suggested and ordered printed.

DAREK M. GRANT Secretary of the Senate

Presented by Senator HICKMAN of Kennebec.

Cosponsored by Senators: BENNETT of Oxford, STEWART of Aroostook, Representatives: BOYER of Cape Elizabeth, HASENFUS of Readfield, LEE of Auburn.

**Sec. 1. Commission established. Resolved:** That the Commission to Study the Constitution of Maine, referred to in this resolve as "the commission," is established.

- **Sec. 2. Commission membership. Resolved:** That, notwithstanding Joint Rule 353, the commission consists of 12 voting members as follows:
- 1. Four members of the Senate appointed by the President of the Senate, including members from each of the 2 parties holding the largest number of seats in the Legislature;
- 2. Four members of the House of Representatives appointed by the Speaker of the House, including members from each of the 2 parties holding the largest number of seats in the Legislature;
- 3. One constitutional law scholar with expertise in the history of the Constitution of Maine or member of the Maine State Bar Association who has substantial practice experience with legal issues related to the Constitution of Maine appointed by the President of the Senate;
- 4. One member of a federally recognized Indian tribe in the State appointed by the Speaker of the House;
- 5. One representative of the state chapter of a national civil liberties organization appointed by the Speaker of the House; and
  - 6. The Secretary of State or the Secretary of State's designee.

The chairs of the commission shall invite the Chief Justice of the Supreme Judicial Court to designate a member of the judicial branch to serve as a nonvoting member of the commission in an advisory capacity.

- **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission.
- **Sec. 4. Appointments; convening of commission. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.
- **Sec. 5. Duties; meetings. Resolved:** That the commission may meet 12 times and shall study and review the Constitution of Maine and recommend changes and amendments as considered necessary and desirable.

Proposed changes and amendments for the commission to consider include, but are not limited to, provisions for:

- 1. Strengthening Maine's Declaration of Rights, Article I of the Constitution of Maine;
- 2. Removing procedural minutiae from the Constitution of Maine that are better left to statute;
  - 3. Enabling the popular election of constitutional officers;

4. Establishing 4-year terms for Senators;

- 5. Reducing the number of members of the Legislature;
  - 6. Establishing a unicameral Legislature;
  - 7. Allowing constitutional amendments to be initiated directly by the people of the State; and
    - 8. Examining any constitutional resolutions introduced in the 132nd Legislature.
  - **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide necessary staffing services to the commission, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.
  - **Sec. 7. Report. Resolved:** That, no later than November 4, 2026, the commission shall submit a report that includes its findings and recommendations, including suggested resolutions to amend the Constitution of Maine, for presentation to the Joint Standing Committee on Judiciary. The joint standing committee of the Legislature having jurisdiction over judiciary matters may submit legislation, including a resolution to amend the Constitution of Maine, based on the findings and recommendations in the report to the 133rd Legislature in 2027.

17 SUMMARY

This resolve creates the Commission to Study the Constitution of Maine to study and review the Constitution of Maine and any constitutional resolutions introduced in the 132nd Legislature. The bill requires the commission to submit a report of its findings and recommendations to the Joint Standing Committee on Judiciary by November 4, 2026 and authorizes the joint standing committee of the Legislature having jurisdiction over judiciary matters to submit legislation, including a resolution to amend the Constitution of Maine, based on the findings and recommendations in the report to the 133rd Legislature in 2027.