

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 79

H. P. 58

House of Representatives, January 12, 1977

Referred to the Committee on Local and County Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Cote of Lewiston.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT Relating to Reapportionment.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the law on reapportionment, in regard to the creating of voting districts within the municipalities, needs to be clarified; and

Whereas, the clarification must be completed immediately in order that municipalities may reapportion its districts at least 60 days prior to the 1977 municipal election as required by Maine statutes; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine, as follows:

30 MRSA § 5353, sub-§ 1, ¶ B, as enacted by PL 1969, c. 353 and as repealed and replaced by PL 1975, c. 623, § 49-A, is repealed and the following enacted in its place:

B. Inhabitants. Each district shall contain as nearly as possible the same number of inhabitants as determined according to the latest Federal Decennial Census, but districts shall not differ in number of inhabitants by more than 10% of the inhabitants in the smallest district created.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

The purpose of this bill is to clarify the figures which should be used when redistricting or creating new districts. The present law requires that the districts contain as nearly as possible the same number of inhabitants as determined by the latest Federal Decennial Census, but the number cannot differ by more than 10% of the registered voters. It is impossible to redistrict using 2 sets of figures. All districting done on both state and federal levels is accomplished by using the number of inhabitants and not registered voters.