

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-460)
110TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 1120, L.D. 1337, Bill, "AN ACT to Require Periodic Reapportioning of Districts for Election of Representatives to Congress."

Amend the Bill by striking out everything after the enacting clause and inserting in its place the following:

'Sec. 1. 21 MRSA §1571 is repealed.

Sec. 2. 21 MRSA §1571-A is enacted to read:

§1571-A. Congressional districts

1. Composition. The districts for the election of Representatives to Congress are comprised as follows.

A. The first district is composed of Cumberland, Kennebec, Knox, Lincoln, Sagadahoc, Waldo and York Counties. It is entitled to one Representative to Congress.

B. The 2nd district is composed of Androscoggin, Aroostook, Franklin, Hancock, Oxford, Penobscot, Piscataquis, Somerset and Washington Counties. It is entitled to one Representative to Congress.

2. Redistricting, generally. In 1983 and < > every 10 years thereafter, when the Secretary of State has received notification of the number of congressional seats to which the State is entitled and the Federal Decennial Census population count is final, the Apportionment Commission established pursuant to the Constitution of Maine, Article IV, Part Third, Section 1-A, shall review the existing congressional districts. If the districts

do not conform to Supreme Court guidelines, the commission shall reapportion the State into congressional districts.

In making such a reapportionment, the commission shall ensure that each congressional district is formed of compact and contiguous territory and crosses political subdivisions the least number of times necessary to establish as equally populated districts as possible.

The commission shall submit its↔plan to the Clerk of the House no later than 90 calendar days after appointment of the commission.

The Legislature shall enact the submitted plan of the commission or a plan of its own in regular or special session by a vote of 2/3 of the members of each House within 30 calendar days after the plan is submitted to the Clerk of the House. Such action is subject to the Governor's approval as provided in the Constitution of Maine, Article IV, Part Third, Section 2.

3. Supreme Judicial Court. In the event that the Legislature fails↔to make an apportionment within 30 calendar days, ↔ the Supreme Judicial Court shall, within 60 days following the period in which the Legislature is required to act, but fails to do so, make the apportionment. In making such apportionment, the Supreme Judicial Court shall take into consideration plans and briefs filed by the public with the court during the first 30 days of the period in which the court is required to apportion.

The Supreme Judicial Court shall have original jurisdiction to hear any challenge to an apportionment law enacted by the Legislature, as registered by any citizen or group thereof. If any challenge is sustained, the Supreme Judicial Court shall make the apportionment.'

Statement of Fact

Currently, reapportionment of congressional districts is done according to a nonstatutory procedure. This amendment establishes a statutory procedure to require the Legislature to reapportion congressional districts after receipt of the notification of the number of congressional seats to which the State is entitled and after the Federal Decennial Census count is final. The reapportionment is to be done in 1983 and every 10 years thereafter by the commission required by ~~the~~ ^{of Maine} the Constitution/to apportion the State Legislature.

The commission is to present its plan to the Legislature, which may approve the plan or enact one of its own, subject to the approval of the Governor. If the Legislature fails to act within the required time, then the Supreme Judicial Court is required to make the apportionment.

Filed by Mrs. Masterton of Cape Elizabeth.
Reproduced and distributed under the direction of the Clerk of the House.