

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 1892

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H.P. 1310

House of Representatives, May 21, 1991

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.  
Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative MAYO of Thomaston.

Cosponsored by Representative CATHCART of Orono, Representative MacBRIDE of Presque Isle and Senator BOST of Penobscot.

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### STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

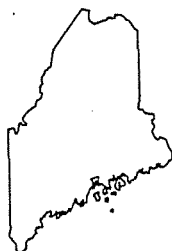
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**Resolve, to Establish a Commission to Investigate Census Data Irregularities.**

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(AFTER DEADLINE)

(EMERGENCY)



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

4  
6           **Whereas,** the federal decennial census data collected in 1990  
appear to contain irregularities in its population counts for  
certain towns in the State; and

8  
10          **Whereas,** these irregularities need to be examined with  
dispatch and resolved as soon as possible; and

12          **Whereas,** appeals may need to be filed before the expiration  
of the 90-day period; and

14  
16          **Whereas,** the study must be initiated before the 90-day  
period expires in order that the study may be completed and a  
report submitted in time for submission to the next legislative  
18 session; and

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

26          **Sec. 1. Commission established. Resolved:** That the Commission  
to Investigate Census Data Irregularities is established; and be  
28 it further

30          **Sec. 2. Commission membership. Resolved:** That the commission  
consists of the following 9 members: two members appointed by  
32 the President of the Senate, 2 members appointed by the Speaker  
of the House of Representatives, 2 members appointed by the  
34 minority leader of the Senate, 2 members appointed by the  
minority leader of the House of Representatives and one member  
36 appointed by the other 8 members, who shall serve as chair of the  
commission; and be it further

38          **Sec. 3. Appointments; meetings. Resolved:** That all  
40 appointments must be made no later than 30 days following the  
effective date of this resolve. The Executive Director of the  
42 Legislative Council must be notified by all appointing  
authorities once the selections of the 8 appointed members have  
44 been made. When the appointments of these members have been  
completed, the Chair of the Legislative Council shall call and  
46 convene the first meeting of the commission no later than August  
1, 1991; and be it further

48          **Sec. 4. Duties. Resolved:** That the commission shall study the  
50 census data for the State compiled in the Federal Decennial  
Census of 1990 to identify any irregularities and to recommend  
52 appropriate corrective action, if any.

1. In conducting the study the commission shall examine the following questions:

- 4 A. Whether census data for the State appear to have been  
6 compiled accurately and correctly;
- 8 B. Whether data maintained by the State or its subdivisions  
10 conflict with the census data; and
- 12 C. Whether corrective action can be taken to remedy any  
14 discovered irregularities.

2. In examining these questions, the commission may:

- 16 A. Obtain all information it determines necessary from any  
18 agency or subdivision of the State;
- 20 B. Meet at such times and places as the commission  
22 determines necessary and hold informational sessions for  
24 discussions with knowledgeable persons;
- 26 C. Procure and analyze relevant data;
- 28 D. Conduct legal research and prepare opinions on legal  
30 questions within the scope of the study; and
- 32 E. Determine and summarize the legislative actions  
34 undertaken in other jurisdictions related to issues within  
36 the scope of the study; and be it further

**Sec. 5. Staff assistance. Resolved:** That the commission shall request staffing assistance from the Legislative Council; and be it further

**Sec. 6. Reimbursement. Resolved:** That members of the commission are not entitled to reimbursement for expenses; and be it further

**Sec. 7. Report. Resolved:** That the commission shall submit its report, together with any necessary implementing legislation, to the Second Regular Session of the 115th Legislature no later than April 1, 1992.

**Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.

### STATEMENT OF FACT

This resolve establishes the Commission to Investigate Census Data Irregularities. The commission is charged to

investigate any irregularities in the data for the State compiled  
27 in the Federal Decennial Census of 1990 and to recommend  
corrective action, if any, to the Second Regular Session of the  
4 115th Legislature.

6 The commission is comprised of 9 members selected on a  
bipartisan basis and the members serve without compensation.