

Date:

(Filing No. H- )

## STATE AND LOCAL GOVERNMENT

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### STATE OF MAINE HOUSE OF REPRESENTATIVES 130TH LEGISLATURE FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to H.P. 457, L.D. 621, “An Act To Increase the Number of Franklin County Commissioners”

Amend the bill by inserting after the title and before the enacting clause the following:

**'Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.'

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. Apportionment plans for Franklin County.** The legislative apportionment commission established in 2021 pursuant to the Constitution of Maine, Article IV, Part Third, Section 1-A, hereinafter referred to as "the apportionment commission," shall create 2 apportionment plans for Franklin County, both established in accordance with the Constitution of Maine, Article IV, Part First, Section 2; Article IV, Part Second, Section 2; and Article IV, Part Third, Section 1-A; and the Maine Revised Statutes, Title 21-A, section 1206-A. One plan must apportion Franklin County into 3 districts and one plan must apportion Franklin County into 5 districts as follows.

**1. Plan for 3 districts.** The apportionment plan dividing Franklin County into 3 districts must align as closely as practicable with the following.

A. Commissioner District Number 1, in the County of Franklin, consists of the minor civil divisions and unorganized territories of Carthage, Jay, South Franklin, Temple and Wilton.

B. Commissioner District Number 2, in the County of Franklin, consists of the minor civil divisions of Chesterville, Farmington and New Sharon.

C. Commissioner District Number 3, in the County of Franklin, consists of the minor civil divisions and unorganized territories of Avon, Carrabassett Valley, Coplin,

1 Dallas, East Central Franklin, Eustis, Industry, Kingfield, New Vineyard, North  
2 Franklin, Phillips, Rangeley, Rangeley Plantation, Sandy River, Strong, Weld, West  
3 Central Franklin and Wyman Township.

4 **2. Plan for 5 districts.** The apportionment plan dividing Franklin County into 5  
5 districts must align as closely as practicable with the following.

6 A. Commissioner District Number 1, in the County of Franklin, consists of the minor  
7 civil divisions of Temple and Wilton. The term of office of the commissioner from  
8 this district expires in 2028 and every 4 years thereafter.

9 B. Commissioner District Number 2, in the County of Franklin, consists of  
10 Farmington. The term of office of the commissioner from this district expires in 2028  
11 and every 4 years thereafter.

12 C. Commissioner District Number 3, in the County of Franklin, consists of the minor  
13 civil divisions and unorganized territories of Avon, Carthage, Coplin, Eustis, North  
14 Franklin, Phillips, Rangeley, Rangeley Plantation, Sandy River, South Franklin,  
15 Strong, Weld and West Central Franklin. The term of office of the commissioner from  
16 this district expires in 2028 and every 4 years thereafter.

17 D. Commissioner District Number 4, in the County of Franklin, consists of the minor  
18 civil divisions and unorganized territories of Carrabassett Valley, Dallas, East Central  
19 Franklin, Industry, Kingfield, New Sharon, New Vineyard and Wyman Township.  
20 The term of office of the commissioner from this district expires in 2026 and every 4  
21 years thereafter.

22 E. Commissioner District Number 5, in the County of Franklin, consists of the minor  
23 civil divisions of Chesterville and Jay. The term of office of the commissioner from  
24 this district expires in 2026 and every 4 years thereafter.

25 **Sec. 2. Apportionment of Franklin County if referendum question passes;**  
26 **term of office.** If the referendum question submitted to the legal voters of Franklin County  
27 in accordance with section 4 passes by majority vote, the apportionment commission shall  
28 submit a plan dividing Franklin County into 3 commissioner districts until the election in  
29 November 2024 and thereafter dividing Franklin County into 5 districts aligned as closely  
30 as practicable to the apportionment described in section 1. The plan must ensure that the  
31 terms of office for the 3 commissioners expire in 2024.

32 **Sec. 3. Apportionment of Franklin County if referendum question fails.** If  
33 the referendum question submitted to the legal voters of Franklin County in accordance  
34 with section 4 fails to pass by majority vote, the apportionment commission shall submit a  
35 plan dividing Franklin County into 3 commissioner districts with terms of office for the  
36 commissioners following the terms established in the Maine Revised Statutes, Title 30-A,  
37 section 66-B, subsection 4.

38 **Sec. 4. Referendum.** The county commissioners of Franklin County shall submit  
39 the following question to the legal voters of the county by ballot at the referendum election  
40 to be held in November 2021. The method of voting and the conduct of the referendum  
41 are governed by the Maine Revised Statutes, Title 21-A, and the county commissioners or  
42 county administrators shall perform the duties of the Secretary of State prescribed by Title  
43 21-A in the same manner as the county commissioners are required to do in the case of a

1 county bond referendum election held pursuant to Title 30-A, section 938. The subject  
2 matter of this Act must be reduced to the following question:

3 "Do you favor increasing the number of Franklin County commissioner  
4 districts from 3 to 5 and staggering the terms of the 5 county  
5 commissioners beginning in 2024 following redistricting conducted  
6 pursuant to the Constitution of Maine in 2021?"

7 The voters shall indicate their opinion on this question by a cross or check mark placed  
8 against the word "Yes" or "No." The question must be approved by a majority of the legal  
9 voters casting ballots at the referendum election.

10 The results of the referendum must be declared by the county commissioners or county  
11 administrator and due certificate filed with the Secretary of State within 10 days after the  
12 date of the election.'

13 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
14 number to read consecutively.

### 15 SUMMARY

16 This amendment replaces the bill. It requires the legislative apportionment commission  
17 to develop 2 apportionment plans for Franklin County, one plan dividing Franklin County  
18 into 3 commissioner districts and one plan dividing the county into 5 commissioner  
19 districts. In the election held in November 2021, the Franklin County Commissioners are  
20 required to submit a referendum question to the voters asking whether they favor dividing  
21 Franklin County into 5 districts. If the referendum question passes with a majority vote,  
22 the apportionment commission is required to submit an apportionment plan dividing  
23 Franklin County into 3 districts until 2024 and 5 districts thereafter. The terms of office of  
24 the commissioners under the 3-district plan expire in 2024 and the terms of office of the  
25 commissioners under the 5-district plan are staggered. If the referendum question does not  
26 pass, the apportionment commission is required to submit an apportionment plan dividing  
27 Franklin County into 3 districts with the terms of office of the commissioners based on  
28 current law. The amendment adds a mandate preamble.