

129th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2019

Legislative Document

No. 1852

H.P. 1323

House of Representatives, August 26, 2019

An Act To Amend the Law That Increases the Number of Franklin County Commissioners

(EMERGENCY)

Reference to the Committee on State and Local Government suggested and ordered printed.

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative RILEY of Jay. (GOVERNOR'S BILL)

- 1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and
- 3 **Whereas,** this legislation authorizes the Franklin County commissioners to submit a 4 referendum question to the voters of Franklin County in the statewide election to be held 5 in November 2019; and
- 6 **Whereas,** in the judgment of the Legislature, these facts create an emergency within 7 the meaning of the Constitution of Maine and require the following legislation as 8 immediately necessary for the preservation of the public peace, health and safety; now, 9 therefore,

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

- Sec. 1. 30-A MRSA §66-B, sub-§4-A, ¶B, as enacted by PL 2019, c. 362, §2
 and affected by §3, is amended to read:
- B. For purposes of the reapportionment and redistricting conducted in accordance
 with the Constitution of Maine, Article IX, Section 25, Franklin County is divided
 into 5 districts. The redistricting must reflect 5 commissioner districts for Franklin
 County and in addition must align as closely as practicable with the following:
- (1) Commissioner District Number 1, in the County of Franklin, consists of the
 minor civil divisions and unorganized territories of Temple, Wilton and the
 portion of Farmington located on the west side of the Sandy River of Chesterville
 and Jay. The term of office of the commissioner from this district expires in
 2024 2026 and every 4 years thereafter.
- (2) Commissioner District Number 2, in the County of Franklin, consists of the
 portion of Farmington located on the east side of the Sandy River. The term of
 office of the commissioner from this district expires in 2024 and every 4 years
 thereafter.
- (3) Commissioner District Number 3, in the County of Franklin, consists of the
 minor civil divisions and unorganized territories of Avon, Carthage, Coplin,
 Eustis, North Franklin, Phillips, Rangeley, Rangeley Plantation, Sandy River,
 South Franklin, Strong, Weld and West Central Franklin. The term of office of
 the commissioner from this district expires in 2024 and every 4 years thereafter.
- (4) Commissioner District Number 4, in the County of Franklin, consists of the
 minor civil divisions and unorganized territories of Carrabassett Valley, Dallas,
 East Central Franklin, Industry, Kingfield, New Sharon, New Vineyard and
 Wyman Township. The term of office of the commissioner from this district
 expires in 2026 and every 4 years thereafter.
- (5) Commissioner District Number 5, in the County of Franklin, consists of the
 minor civil divisions of Chesterville and Jay and unorganized territories of
 Temple, Wilton and the portion of Farmington located on the west side of the
 Sandy River. The term of office of the commissioner from this district expires in
 2026 2024 and every 4 years thereafter.

Sec. 2. PL 2019, c. 362, §3 is amended to read:

2 Sec. 3. Referendum; effective date. This Act takes effect 90 days after its approval only for the purpose of permitting its submission by the county commissioners 3 of Franklin to the legal voters of the county by ballot at the next general statewide 4 5 election to be held in November 2019. The method of voting and the conduct of the referendum are governed by the Maine Revised Statutes, Title 21-A, and the county 6 commissioners or county administrators shall perform the duties of the Secretary of State 7 8 prescribed by Title 21-A in the same manner as the county commissioners are required to do in the case of a county bond referendum election held pursuant to Title 30-A, section 9 10 938. The subject matter of this Act must be reduced to the following question:

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

The voters shall indicate their opinion on this question by a cross or check mark placed against the word "Yes" or "No." Before becoming effective, this Act must be approved by a majority of the legal voters casting ballots at the general election, and the total number of votes cast for and against the acceptance of this Act at the election must equal or exceed 50% of the total number of votes cast in the county for Governor at the last gubernatorial election.

- The result of a referendum must be declared by the county commissioners or county administrators and due certificate filed with the Secretary of State within 10 days after the date of the election.
- This Act takes effect for all purposes upon approval of the referendum held in accordance with this section.

Sec. 3. Contingent effective date. That section of this Act that amends the Maine Revised Statutes, Title 30-A, section 66-B, subsection 4-A, paragraph B takes effect only upon approval of the referendum held in accordance with Public Law 2019, chapter 362, as amended by this Act.

30 **Emergency clause.** In view of the emergency cited in the preamble, this 31 legislation takes effect September 19, 2019.

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SUMMARY

Public Law 2019, chapter 362 increases the number of Franklin County commissioners, subject to referendum by the voters of Franklin County. This bill amends that law to authorize submission of the referendum question to voters of Franklin County in the statewide election to be held in November 2019. This bill also makes technical changes to the designations of new County Commissioner Districts Number 1 and Number 5.