

MAINE STATE LEGISLATURE

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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.

A handwritten signature in black ink that reads "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:**

11 **Sec. 1. 30-A MRSA §66-B, sub-§4-A, ¶B,** as enacted by PL 2019, c. 362, §2
12 and affected by §3, is amended to read:

13 B. For purposes of the reapportionment and redistricting conducted in accordance
14 with the Constitution of Maine, Article IX, Section 25, Franklin County is divided
15 into 5 districts. The redistricting must reflect 5 commissioner districts for Franklin
16 County and in addition must align as closely as practicable with the following:

17 (1) Commissioner District Number 1, in the County of Franklin, consists of the
18 minor civil divisions ~~and unorganized territories of Temple, Wilton and the~~
19 ~~portion of Farmington located on the west side of the Sandy River of~~ Chesterville
20 and Jay. The term of office of the commissioner from this district expires in
21 ~~2024~~ 2026 and every 4 years thereafter.

22 (2) Commissioner District Number 2, in the County of Franklin, consists of the
23 portion of Farmington located on the east side of the Sandy River. The term of
24 office of the commissioner from this district expires in 2024 and every 4 years
25 thereafter.

26 (3) Commissioner District Number 3, in the County of Franklin, consists of the
27 minor civil divisions and unorganized territories of Avon, Carthage, Coplin,
28 Eustis, North Franklin, Phillips, Rangeley, Rangeley Plantation, Sandy River,
29 South Franklin, Strong, Weld and West Central Franklin. The term of office of
30 the commissioner from this district expires in 2024 and every 4 years thereafter.

31 (4) Commissioner District Number 4, in the County of Franklin, consists of the
32 minor civil divisions and unorganized territories of Carrabassett Valley, Dallas,
33 East Central Franklin, Industry, Kingfield, New Sharon, New Vineyard and
34 Wyman Township. The term of office of the commissioner from this district
35 expires in 2026 and every 4 years thereafter.

36 (5) Commissioner District Number 5, in the County of Franklin, consists of the
37 minor civil divisions ~~of Chesterville and Jay~~ and unorganized territories of
38 Temple, Wilton and the portion of Farmington located on the west side of the
39 Sandy River. The term of office of the commissioner from this district expires in
40 ~~2026~~ 2024 and every 4 years thereafter.

1 **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
3 approval only for the purpose of permitting its submission by the county commissioners
4 of Franklin to the legal voters of the county by ballot at the ~~next general~~ statewide
5 election to be held in November 2019. The method of voting and the conduct of the
6 referendum are governed by the Maine Revised Statutes, Title 21-A, and the county
7 commissioners or county administrators shall perform the duties of the Secretary of State
8 prescribed by Title 21-A in the same manner as the county commissioners are required to
9 do in the case of a county bond referendum election held pursuant to Title 30-A, section
10 938. The subject matter of this Act must be reduced to the following question:

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

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

21 The result of a referendum must be declared by the county commissioners or county
22 administrators and due certificate filed with the Secretary of State within 10 days after the
23 date of the election.

24 This Act takes effect for all purposes upon approval of the referendum held in accordance
25 with this section.

26 **Sec. 3. Contingent effective date.** That section of this Act that amends the
27 Maine Revised Statutes, Title 30-A, section 66-B, subsection 4-A, paragraph B takes
28 effect only upon approval of the referendum held in accordance with Public Law 2019,
29 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.

32 **SUMMARY**

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