

# MAINE STATE LEGISLATURE

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STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 1016, L.D. 1408, Bill, "An Act to Redistrict Knox County and Provide for 5 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, two thirds of all of the members elected to each House have determined it necessary to enact this measure.'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 30-A MRSA §61-B is enacted to read:

§61-B. Knox County

Notwithstanding section 61, there is a board of commissioners for Knox County consisting of a chair and 4 other citizens. All other provisions of section 61 apply to Knox County.

Sec. 2. Apportionment. Notwithstanding the Maine Revised Statutes, Title 30-A, section 61, when the county commissioner districts are reapportioned in 2003, as provided under Title

COMMITTEE AMENDMENT

30-A, section 65, the apportionment commission shall apportion Knox County into 5 commissioner districts and shall include in its apportionment plan the initial terms of office for each commissioner district. The apportionment commission shall designate 2 commissioner districts that have 2-year terms and 3 commissioner districts that have 4-year terms. All subsequent terms are for 4 years.

**Sec. 3. Statutory referendum procedure; submission at countywide election; form of question; effective date.** This Act must be submitted to the legal voters of Knox County at a countywide election held on the Tuesday following the first Monday of November following passage of this Act. The municipal officers of Knox County shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a municipal election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Do you favor increasing the number of county commissioner districts in Knox County from 3 to 5?"

The legal voters of each city, town and plantation in Knox County shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns and, if it appears that a majority of the legal votes are cast in favor of the Act, the Governor shall proclaim that fact without delay, and the Act takes effect 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation in Knox County all ballots, returns and copies of this Act necessary to carry out the purpose of this referendum.

**Sec. 4. Contingent effective date.** That section of this Act that enacts the Maine Revised Statutes, Title 30-A, section 61-B takes effect on January 1, 2005 only if the referendum submitted pursuant to section 3 of this Act is approved pursuant to section 3.

Further amend the bill by inserting at the end before the summary the following:

**FISCAL NOTE**

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This bill requires a county wide election to determine whether Knox County is in favor of increasing the number of county commissioner districts from 3 to 5. The additional county election costs are expected to be minor. Pursuant to the Mandate Preamble, the two-thirds vote of all members elected to each House exempts the State from the constitutional requirement to fund 90% of the additional local costs.

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The Department of the Secretary of State may incur additional costs of \$1,500 in fiscal year 1997-98 to extend the ballot. If a separate ballot is required as a result of space limitations, the cost would be \$4,050. The ability of the Department of the Secretary of State to absorb any of these costs is uncertain.

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**SUMMARY**

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This amendment replaces the bill. The amendment provides for submission of the question of whether to increase the number of Knox County commissioner districts to the voters of the county in November 1997. If the increase from the current 3 districts is approved by the voters, the amendment directs the apportionment committee to redistrict Knox County into 5 county commissioner districts and delays implementation of the change until completion of the redistricting by the next apportionment commission. The amendment also adds a fiscal note to the bill.

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