

MAINE STATE LEGISLATURE

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L.D. 1316

DATE: 4/27/05

(Filing No. H-201)

STATE AND LOCAL GOVERNMENT

Minority

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 914, L.D. 1316, Bill, "An Act To Enable the Town of Livermore Falls To Withdraw from Androscoggin County and Join Franklin County"

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.'

Further amend the bill by striking out all of section 6 and inserting in its place the following:

'Sec. 6. Referendum. This Act takes effect only for the purpose of submitting this Act to the legal voters of the Town of Livermore Falls at the statewide election held in November 2005. The town clerk of the town shall prepare the required ballots, on which the clerk shall reduce the subject matter of this Act to the following question:

"Do you favor the removal of the Town of Livermore Falls from Androscoggin County and its annexation to Franklin County?"

COMMITTEE AMENDMENT

2 The voters shall indicate by a cross or check mark placed
against the word "Yes" or "No" their opinion of the same.

4 If the question is accepted by a majority of the legal
6 voters voting at the election, the Act must be submitted to the
legal voters of Franklin County at the general election in
November 2006 in Franklin County.

8 The Franklin County Clerk shall prepare the required
10 ballots, on which the clerk shall reduce the subject matter of
this Act to the following question:

12 "Do you favor the annexation of the Town of Livermore Falls
14 by Franklin County?"

16 The voters shall indicate by a cross or check mark placed
against the word "Yes" or "No" their opinion of the same.

18 This Act takes effect if it is accepted by a majority of the
20 legal voters voting at the election in Franklin County.

22 The result of the vote in Franklin County must be declared
by the Franklin County Commissioners and due certificate must be
24 filed by the county clerk with the Secretary of State.

26 If the Town of Livermore Falls and Franklin County approve
this Act, the Act takes effect December 1, 2006.'

28
30 **SUMMARY**

32 This amendment is the minority report. The amendment
requires that the election by Livermore Falls voters to secede
34 from Androscoggin County be held at the November 2005 election
and that the election by Franklin County voters to accept
36 Livermore Falls into Franklin County be held at the November 2006
election. If the voters of Livermore Falls and Franklin County
38 approve the bill as amended, it would take effect on December 1,
2006. The amendment also adds a mandate preamble.

40
42 **FISCAL NOTE REQUIRED**
(See attached)



122nd MAINE LEGISLATURE

LD 1316

LR 1929(02)

An Act To Enable the Town of Livermore Falls To Withdraw from Androscoggin County and Join Franklin County

Fiscal Note for Bill as Amended by Committee Amendment *A*

Committee: State and Local Government

Fiscal Note Required: Yes

Minority Report

Fiscal Note

Exempted State Mandate

State Mandate

New or Expanded Activity

Requiring a referendum vote by the town of Livermore Falls and subsequently, if that is approved, a referendum vote by Franklin County, are activities that are state mandates pursuant to the Maine constitution. The additional local costs include voting materials, advertising and notices, staff time and incidentals related to conducting the voting. Pursuant to the Mandate Preamble, the two-thirds vote of all the members elected to each House exempts the State from the constitutional requirement to fund 90% of the additional local costs.

Unit Affected

Municipality
County

Costs

Insignificant

Fiscal Detail and Notes

Although still a mandate, the committee amendment has changed the voting at both the municipal and county levels to be conducted at the general elections in November of 2005 and 2006, respectively, eliminating the special elctions that would have been more costly. The remaining costs to the local units are not expected to be significant.