

MAINE STATE LEGISLATURE

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(Filing No. H-840)

3 **State and Local Government**

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5 **STATE OF MAINE**
6 **HOUSE OF REPRESENTATIVES**
7 **122ND LEGISLATURE**
8 **SECOND REGULAR SESSION**

9 COMMITTEE AMENDMENT "A" to H.P. 1236, L.D. 1728, "Resolve, Directing the
10 Cumberland County Commissioners To Establish a Task Force To Establish New County
11 Commissioner Districts"

12 Amend the resolve by striking out the title and substituting the following:

13 **'Resolve, Establishing an Apportionment Commission To Develop New**
14 **Cumberland County Commissioner Districts'**

15 Further amend the resolve by striking out everything after the title and before the
16 summary and inserting in its place the following:

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

22 **Sec. 1. Apportionment commission. Resolved:** That, notwithstanding the
23 Maine Revised Statutes, Title 30-A, section 61, the Legislature shall establish an
24 apportionment commission, referred to in this resolve as "the commission," in accordance
25 with the procedure established in the Constitution of Maine, Article IV, Part Third,
26 Section 1-A to apportion the Cumberland County commissioner districts to increase the
27 number of county commissioner districts in Cumberland County. The commission shall
28 develop 2 plans, one that increases the number of county commissioner districts from 3 to
29 5 and one that increases the number of districts from 3 to 7. The commission shall
30 include in its apportionment plans the initial terms of office for each commissioner
31 district. The plan to increase the number of districts to 5 must designate 2 commissioner
32 districts that have 2-year initial terms and 3 commissioner districts that have 4-year initial
33 terms. The plan to increase the number of districts to 7 must designate 3 commissioner
34 districts that have 2-year initial terms and 4 commissioner districts that have 4-year initial
35 terms. All subsequent terms under both plans are for 4 years. The commission shall
36 conduct the reapportionment according to the process established in Title 30-A, section
37 65, subsection 1, paragraphs A and B; and be it further

COMMITTEE AMENDMENT "A" to H.P. 1236, L.D. 1728

1 **Sec. 2. County referendum. Resolved:** That the Cumberland County
2 commissioners shall submit the 2 plans under section 1 to the voters of Cumberland
3 County at the June 2007 election. The plan receiving the higher number of votes must be
4 submitted by the commission to the Clerk of the House of Representatives no later than
5 January 15, 2008 for enactment by the Second Regular Session of the 123rd Legislature;
6 and be it further

7 **Sec. 3. Election of county commissioners. Resolved:** That the election of
8 Cumberland County commissioners in the reapportioned districts approved pursuant to
9 section 2 must take place on the first Tuesday after the first Monday in November 2008.'

10

SUMMARY

11 This amendment replaces the resolve. It establishes an apportionment commission
12 under the constitutional procedure for establishing an apportionment commission to
13 apportion the districts of the Legislature. The commission is required to develop 2 plans
14 to increase the number of Cumberland County commissioners from 3 districts to 5 or 7
15 districts. The voters of Cumberland County are to choose between the 2 plans at a
16 referendum held at the June 2007 election. The reapportionment plan chosen by the
17 voters must be submitted to the Legislature for its approval. Election of Cumberland
18 County commissioners in the reapportioned districts must take place at the November
19 2008 election.

FISCAL NOTE REQUIRED
(See attached)



122nd MAINE LEGISLATURE

LD 1728

LR 2514(02)

Resolve, Directing the Cumberland County Commissioners to Establish a Task Force to Establish New County Commissioner Districts

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

Committee: State and Local Government

Fiscal Note Required: Yes

Fiscal Note

Exempted State Mandate

State Mandate

New or Expanded Activity

Requiring the Cumberland County Commissioners to establish new county commissioner districts is a state mandate pursuant to the Maine Constitution. Costs to develop and submit plans to increase districts to referendum and related expenditures to implement this requirement will be incurred by the county. 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.

Unit Affected

County

Costs

Significant