

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 305

H. P. 210

House of Representatives, January 12, 1961.

Referred to Committee on Towns and Counties. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Albair of Caribou.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

**AN ACT to Change the Date of Election of Town Meeting Members in the
Town of Caribou.**

Emergency preamble. Whereas, the Town of Caribou presently elects town meeting members at an election separate from the annual town meeting; and

Whereas, this procedure requires unnecessary expense in the conduct of its elections; and

Whereas, in order for said town to elect said members at its annual meeting in 1962, this act must be submitted to the town at its annual meeting in 1961; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. P. & S. L., 1957, c. 21, § 2, sub-§ (d), amended. The first sentence of subsection (d) of section 2 of chapter 21 of the private and special laws of 1957 is amended to read as follows:

'The town council shall annually, during the month of ~~December~~ **February**, appoint a warden, a clerk and such ballot clerks as may be necessary for each district, to act for one year from the first day of ~~January~~ **March** following their appointment, or until their successors are appointed.'

Sec. 2. P. & S. L., 1957, c. 21, § 3, sub-§ (a), amended. The 3rd and 4th sentences of subsection (a) of section 3 of chapter 21 of the private and special laws of 1957 are amended to read as follows:

'All town meeting members shall serve for terms commencing on the ~~first day of March following their election~~ **day of election and ending on the day their successors are elected.** ~~Annually thereafter, on the fourth Monday of January~~ **At the annual town meetings,** the registered voters of each district shall in like manner elect for the term of 3 years one town meeting member for every 180 registered voters or fraction thereof, and shall also in like manner fill for the unexpired term or terms any vacancy or vacancies then existing in the number of town meeting members in such district, subject to the provisions of paragraph (c) of this section.'

Sec. 3. P. & S. L., 1957, c. 21, § 3, sub-§ (d), amended. Subsection (d) of section 3 of chapter 21 of the private and special laws of 1957 is amended to read as follows:

'(d) The town clerk shall ~~after every election of town meeting members forthwith mail to each member a notice of his election~~ **notify each member of his election and newly elected members shall be sworn before any further proceedings may be had under the articles of the warrant.'**

Sec. 4. P. & S. L., 1957, c. 21, § 3, sub-§ (h), amended. The 2nd sentence of subsection (h) of section 3 of chapter 21 of the private and special laws of 1957 is amended to read as follows:

'After a period of 2 years from the acceptance of this act, however, all voters shall qualify for registration according to law ~~and such registration shall be made in all cases at the latest on the secular day preceding the election.'~~

Sec. 5. P. & S. L., 1957, c. 21, § 3, sub-§ (i), amended. Subsection (i) of section 3 of chapter 21 of the private and special laws of 1957 is amended to read as follows:

'(i) Any citizen who shall have a right to vote in the Town of Caribou under Section 2 of Chapter 3 of the Revised Statutes of 1954 shall have the right to vote at the election of town meeting members in the district where he is a resident ~~for 3 months next preceding such election~~; and such right to vote shall continue for a period of 3 months after his removal therefrom; provided, however, that his name has been properly entered on the voting lists of such district.'

Sec. 6. P. & S. L., 1957, c. 21, § 3, sub-§ (j), repealed. Subsection (j) of section 3 of chapter 21 of the private and special laws of 1957 is repealed.

Sec. 7. P. & S. L., 1957, c. 21, § 4, sub-§ (b), amended. Subsection (b) of section 4 of chapter 21 of the private and special laws of 1957 is amended to read as follows:

'(b) The town clerk shall prepare ballots in the manner provided in Section 55 of Chapter 91 of the Revised Statutes of 1954, except that he shall prepare a separate set of ballots for each voting district, which shall contain the names

of all candidates for town meeting members from that district **in addition to the candidates for municipal officers elected at large.**

Emergency clause; effective date; referendum. In view of the emergency cited in the preamble, this act shall take effect when approved, only for the purpose of permitting its submission to the legal voters of the Town of Caribou at the next annual town meeting. The vote shall be taken by ballot in answer to the question: "Shall 'An Act to Change the Date of Election of Town Meeting Members in the Town of Caribou,' passed by the 100th Legislature, be accepted?" The question shall be printed on the official ballot, and the voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at said town meeting.

The result of the vote shall be declared by the municipal officers of the Town of Caribou and due certificate thereof shall be filed by the town clerk with the Secretary of State.