

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE - HUNDREDTH LEGISLATURE

Legislative Document

No. 713

H. P. 515 House of Representatives, January 24, 1961
Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Hopkinson of Fort Fairfield.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT Relating to Number of Councillors and Superintending School Board of Town of Fort Fairfield.

Emergency preamble. Whereas, the annual town meeting of the Town of Fort Fairfield is held on the 3rd Monday in March; and

Whereas, if this act is not passed as an emergency it will not become effective in time for said annual town meeting; and

Whereas, it is very desirable that this amendment to the charter be acted upon at the annual town meeting in March, 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 P. & S. L., 1943, c. 5, § 2, repealed and replaced. Section 2 of chapter 5 of the private and special laws of 1943 is repealed and the following enacted in place thereof:

'Sec. 2. Election of officers. At such annual town meetings, the voters shall elect by ballot, as hereinafter provided, persons who are qualified to vote in said town to be known as councillors, a member or members of the library trustees for a term of 5 years, a member or members of the superintending school committee in accordance with the Revised Statutes of 1954, and amendments thereto, and a town clerk.

Said councillors shall be 5 in number and shall be elected as follows:

I. The 3 councillors elected on or before March, 19, 1961 shall continue in office until the expiration of their respective terms.

II. At the first annual town meeting to be held after March 19, 1961, 2 councillors shall be elected for a term of 3 years, one councillor for a term of 2 years, and thereafter the annual vacancies in the office of town councillor caused by the expiration of terms shall be filled for terms of 3 years. Vacancies that occur in the office of town councillor due to death, resignation or other causes shall be filled for the unexpired term at the next annual town meeting or at a special town meeting called for that purpose. The town meeting shall fix the compensation of the members of the council.'

Sec. 2. P. & S. L., 1943, c. 5, § 2-A, additional. Chapter 5 of the private and special laws of 1943, as amended, is further amended by adding a new section to be numbered 2-A, to read as follows:

'Sec. 2-A. Superintending school committee; election; salary. The superintending school committee shall be composed of 5 in number and shall be elected as follows:

At the next annual town meeting to be held in March, 1961, one member shall be elected for a term of 3 years, one member for a term of 2 years and one member for a term of one year; and thereafter, the annual vacancies caused by the expiration of terms shall be filled for terms of 3 years. Vacancies due to death, resignation or other causes shall be filled for the unexpired term at the next annual town meeting or at a special town meeting called for that purpose. The town meeting shall fix the compensation of the members of the superintending school committee.'

Referendum; effective date; emergency clause. 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 Fort Fairfield present and voting at the next annual town meeting or at a special town meeting called and held for the purpose not later than 4 months after the approval of this act. In the event a special meeting is called for the purpose, it shall be called, advertised and conducted according to the law relating to municipal elections; provided that the board of registration shall not be required to prepare for posting, nor the town clerk to post, a new list of voters, and for the purpose of registration of voters, said board shall be in session one hour next preceding such special meeting.

The town clerk shall prepare the required ballots, on which he shall reduce the subject matter of this act to the following questions:

I. "Shall the number of councillors in the Town of Fort Fairfield be increased to 5?"

II. "Shall the number of members of the superintending school committee in the Town of Fort Fairfield be increased to 5?"

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

The provisions of this act, as they relate to each question, shall become effective only if the majority of the votes cast by the legal voters of said town is in favor of the acceptance of such question; provided that the total number of votes cast for and against the acceptance of each question at said meeting equals or exceeds 10% of the total vote for all candidates for Governor in said Town at the next previous gubernatorial election.

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