

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 483

S. P. 184

In Senate, January 22, 1963

Referred to Committee on Legal Affairs. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Christie of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

AN ACT Amending the Charter of the City of Presque Isle.

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, certain discrepancies exist between the provisions of the charter of the City of Presque Isle and those of the general laws relating to elections and municipal development; and

Whereas, the following legislation is necessary in order to permit the citizens of Presque Isle to enjoy the benefits of the general laws relating to elections and municipal development at the earliest possible date; 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., 1939, c. 29, Art. II, § 3, amended. The last sentence of section 3 of article II of chapter 29 of the private and special laws of 1939 is amended to read as follows:

'Each member of the city council shall receive ~~\$5~~ \$10 per diem day when actually engaged in duties pertaining to his office, and his actual and necessary expenses incurred in the performance of his duties, to be paid by the ~~town~~ city treasurer.'

Sec. 2. P. & S. L., 1939, c. 29, Art. III, § 3, amended. The 2nd sentence of section 3 of article III of chapter 29 of the private and special laws of 1939, is amended to read as follows:

‘The petition of a candidate for councilman, school director, or any other office required by statute to be elected by the municipality shall be signed by not less than 75 nor more than 140 qualified voters of the city.’

Sec. 3. P. & S. L., 1939, c. 29, Art. III, § 8, repealed and replaced. Section 8 of article III of chapter 29 of the private and special laws of 1939 is repealed and the following enacted in place thereof:

‘Sec. 8. Contents and form of ballots, ballot labels, specimen ballots and instruction cards. Ballots shall be without party mark or designation. The full name and residence of each candidate shall be given.’

Any question required by statute or by this charter to be submitted to a vote may be printed below the listed candidates or on a separate ballot.

Except as otherwise provided in this charter the provisions of the laws of the State of Maine relating to ballots, specimen ballots, ballot labels and instruction posters for use in city elections as provided in the Revised Statutes of 1954, chapter 90-A, section 60-B, and any amendment or replacement thereof, shall govern all municipal elections.’

Sec. 4. P. & S. L., 1939, c. 29, Art. III, § 10, repealed and replaced. Section 10 of article III of chapter 29 of the private and special laws of 1939 is repealed and the following enacted in place thereof:

‘Sec. 10. Time schedule for registration. The time schedule for accepting registration before any municipal election shall be governed by the Revised Statutes of 1954, chapter 90-A, sections 35-A to 35-D, and any amendment or replacement thereof.’

Sec. 5. P. & S. L., 1939, c. 29, Art. III, § 11, additional. Article III of chapter 29 of the private and special laws of 1939 is amended by adding a new section 11 to read as follows:

‘Sec. 11. Voting by absentee ballot. Absentee ballots may be cast at all municipal elections. The absentee voting procedure outlined in the Revised Statutes of 1954, chapter 3-A, and any amendment or replacement thereof, shall be used except that the duties of the Secretary of State shall be performed by the clerk.’

Sec. 6. P. & S. L., 1939, c. 29, Art. III, § 12, additional. Article III of chapter 29 of the private and special laws of 1939 is amended by adding a new section 12 to read as follows:

‘Sec. 12. State election laws. The provisions of the laws of the State of Maine relating to the qualification of voters, registration, the manner and method of voting, the counting of votes, the duties of election officers and all other particulars in respect to the management and conduct of elections so far as they may be applicable, shall govern all municipal elections except as otherwise provided in this charter.’

Sec. 7. P. & S. L., 1939, c. 29, Art. IV, § 11, repealed and replaced. Section 11 of article IV of chapter 29 of the private and special laws of 1939 is repealed and the following enacted in place thereof :

‘Sec. 11. Planning and zoning. There shall be a planning board organized and empowered as provided by state law, except that the members of the city planning board now in office shall serve out their unexpired terms with full power and authority as heretofore provided, and the initial appointments to be made hereunder shall not be made until the first Monday of January, 1964.

The zoning ordinance now in effect, and any amendment or replacement thereof, shall be administered in accordance with state law. The members of the board of appeals now in office shall serve out their unexpired terms without interruption.’

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.