

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
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CHAPTER 208

S. P. 226 — L. D. 612

AN ACT Relating to Reapportionment for Municipal Officers.

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

Whereas, present law requires municipalities to enact reapportionment ordinances at least 60 days prior to a regular municipal election in the calendar year following a presidential election; and

Whereas, this statute would require that several municipalities immediately enact a reapportionment ordinance since those municipalities are to have municipal elections in the near future; and

Whereas, United States census data is not yet available in order for those municipalities to enact such ordinances; and

Whereas, the present law must be changed prior to the date on which the ordinances are presently required, in order to remedy this problem; 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. 30 MRSA § 5353, sub-§ 2, as enacted by PL 1969, c. 353, is amended to read:

2. Failure to enact ordinance. The legislative body shall enact the reapportionment ordinance ~~in the calendar year following a presidential election and no later than 18 months following the official publication of the latest decennial census as required by the United States Code, Title 13, Section 141, paragraph (c); provided that ordinance is enacted at least 60~~ 90 days prior to a regular municipal election ~~occurring within that 18-month period.~~ If the legislative body fails to do so, all municipal officers to be elected shall be elected at large and shall serve until their terms expire. Such at-large elections shall continue until the legislative body enacts an ordinance in accordance with subsection 1, except that the ordinance shall be enacted at least ~~60~~ 90 days prior to a regular municipal election.

Sec. 2. 30 MRSA § 5353, sub-§ 4 is enacted to read:

4. Exception. This section does not apply to cities or towns whose charters specify different methods of reapportionment.

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

Effective April 27, 1981

CHAPTER 209

H. P. 166 — L. D. 230

AN ACT to Clarify the School Construction Law.

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

Sec. 1. 20 MRSA § 3471, sub-§ 2, ¶ E, sub-¶ (1), as amended by PL 1979, c. 691, § 18, is further amended to read:

(1) In a town or city where the responsibility for final adoption of the school budget is vested in a town or city council by municipal charter, or in a town meeting, the election shall be ~~conducted~~ **conducted by secret ballot** in accordance with the appropriate provisions set forth in Title 21 and Title 30.

Sec. 2. 20 MRSA § 3471, sub-§ 2, ¶ E, sub-¶ (4), div. (a) and (e), as enacted by PL 1979, c. 260, are amended to read:

(a) That the initial local share of the total cost of the project shall be 5% of the total cost or one mill multiplied by the unit's ~~initial~~ state valuation, whichever is less;

(e) The rate of ~~the~~ reimbursement from state General Fund revenue sources ~~for debt service costs~~ in the year in which the project received concept approval.

Sec. 3. 20 MRSA § 3472, as last amended by PL 1979, c. 670, § 14, is further amended to read:

§ 3472. School construction financing

1. Rate of construction aid; sale of bonds. The unit's initial local share of the total cost of each project shall be either 5% of the total cost or the equivalent of one mill multiplied by the unit's ~~initial~~ state valuation, whichever is less. The one mill shall be calculated on the state valuation in effect at the time the project is first approved by the State Board of Education. The unit's initial local share shall