

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
102ND LEGISLATURE

COMMITTEE AMENDMENT "A" to H.P. 361, L.D. 486, Bill, "An Act to Grant a New Charter for the Town of Scarborough."

Amend said Bill by striking out in the 3rd and 4th lines of section 2 of Article II the following: "be nominated and elected by the registered voters of the entire town and who shall"

Further amend said Bill by striking out all of the last 2 sentences of section 2 of Article II and inserting in place thereof the following:

'One shall be nominated and elected at large from the registered voters of the entire town, and 2 shall be nominated and elected from the registered voters of each of the 6 districts heretofore provided by the registered voters of each respective district.'

Further amend said Bill by striking out all of section 14 of Article II and inserting in place thereof the following:

'Sec. 14. Fire department. The Scarborough Fire Department Inc., shall consist of volunteer personnel who shall organize into companies deemed necessary and shall have headquarters in such areas as may be designated by the chief of the fire department and approved by the board of fire commissioners. The members of each fire department company shall annually elect their own officers and a commissioner to serve on the board of fire commissioners. The fire chief and all other officers of the corporation shall be elected in accordance with the bylaws of the corporation at their annual meetings. The chief is authorized to make such rules and regulations and such orders not inconsistent with the state law or provisions of the charter or any ordinances of the town that may from time to time be enacted. The Scarborough Fire Department Inc., shall file with the town clerk a copy of the corporation bylaws which shall not be inconsistent with the state law or the provisions of the charter or any ordinances of the town that may be from time to time enacted.'

Further amend said Bill by striking out in section 1 of Article IV everything after the first 4 lines and inserting in place thereof the following:

'Town of Scarborough. One member shall be nominated and elected at large from the registered voters of the entire town, and one member shall be nominated and elected from the registered voters of each of the 6 districts heretofore provided by the registered voters of each respective district. Each member shall hold office for a term of 3 years and shall serve until his successor is elected and qualified; except, however, that at the first election after the adoption of this charter, the member-at-large, and the 2 district members-elect receiving the highest number of votes, shall serve for 3 years, the 2 district members-elect receiving the next highest number of votes shall serve for 2 years, and the 2 district members-elect receiving the next highest number of votes shall serve for one year. In case of an equal number of votes, the relative position of the members-elect shall be determined by lot.'

Further amend said Bill by striking out all of the first sentence of section 2 of Article IV and inserting in place thereof the following:

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'Members of the school committee shall be qualified voters of the town and district members shall reside at the time of their election in the district from which they are elected.'

Further amend said Bill by striking out all of the 2nd paragraph of section 1 of Article VIII and inserting in place thereof the following:

'If, within 10 days after the enactment of any such ordinance, resolution or vote, a petition signed by registered voters of the Town of Scarborough, constituting not less than 10% of the total votes for all candidates for Governor in the Town of Scarborough at the next previous gubernatorial election, is filed with the town clerk requesting its reference to a referendum, the council shall call a public hearing to be held within 30 days from the date of the filing of such petition with the town clerk, and shall within 14 days after said public hearing call a special town election for the purpose of submitting to a referendum vote the question of adopting such ordinance, resolution or vote. Pending action by the voters of the town, the referred ordinance, resolution or vote shall be suspended from going into operation until it has received a vote of the majority of the voters voting on said question.'

Further amend said Bill by striking out all of the first paragraph of section 2 of Article VIII and inserting in place thereof the following:

'Subject to the provisions of section 1, registered voters of the Town of Scarborough, constituting not less than 10% of the total votes for all candidates for Governor in the Town of Scarborough at the next previous gubernatorial election, may at any time petition over their personal signatures for the enactment of any proposed lawful ordinance by filing such petition, including the complete text of such ordinance, with the town clerk. The council shall call a public hearing to be held within 30 days from the date of the filing of such petition with the town clerk, and shall within 30 days after said public hearing call a special town election for the purpose of submitting to a referendum vote the question of adopting such ordinance, unless prior to the call for said town election, such ordinance shall be enacted by the council. Such ordinance shall take effect on the 10th day after the conclusion of such referendum, provided a majority of those voting thereon, shall have voted in the affirmative.'

Further amend said Bill by striking out all of section 3 of Article VIII.

Further amend said Bill by renumbering section 4 of Article VIII to be section 3 of Article VIII.

Reported by the Committee on Legal Affairs.

Reproduced and distributed under the direction of the Clerk of the House.

(Filing No. H-243)

4/23/65