

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 139

H. P. 112

House of Representatives, January 18, 1967

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

BERTHA W. JOHNSON, Clerk

Presented by Mr. Hinds of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Increasing Membership from Five to Seven in City Council and Board of Education of City of South Portland.

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

Sec. 1. P. & S. L., 1963, c. 162, Art. II, § 201, amended. Section 201 of Article II of chapter 162 of the private and special laws of 1963 is amended to read as follows:

201. General powers. The administration of all fiscal, prudential and municipal affairs of said city with the government thereof, except as otherwise herein provided, shall be and are vested in one body of **5 7** members which shall constitute and be called the city council, and shall exercise its powers in the manner herein provided.

Sec. 2. P. & S. L., 1963, c. 162, Art. II, § 207, repealed and replaced. Section 207 of Article II of chapter 162 of the private and special laws of 1963 is repealed and the following enacted in place thereof:

207. Number; election term. The city council shall be composed of 7 members, each of whom shall be elected by the registered voters of the entire city. Two shall be elected at large from the registered voters of the entire city, and one shall be elected from each of the 5 voting districts, provided for in Article X, from the registered voters of each district. The term of office shall be for 3 years, and until their successors are duly elected and qualified.

The present members shall continue in office until their respective terms expire, and shall be deemed the representative members from the 5 voting districts. The 2 at large members shall be elected at the next regular municipal election to be held December 4, 1967.

Sec. 3. P. & S. L., 1963, c. 162, Art. II, § 215, amended. Section 215 of Article II of chapter 162 of the private and special laws of 1963 is amended to read as follows:

§ 215. Quorum. ~~Three~~ **Four** members of the city council shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time or may compel attendance of absent members. At least 24 hours' notice of the time and place of holding such adjourned meeting shall be given to all members who were not present at the meeting from which adjournment was taken.

Sec. 4. P. & S. L., 1963, c. 162, Art. IX, § 901, repealed and replaced. Section 901 of Article IX of chapter 162 of the private and special laws of 1963 is repealed and the following enacted in place thereof:

901. Board of education. The department of education shall be administered by a board of education called the "school board" which shall consist of 7 members, one from each voting district, 2 members to be elected at large, elected in a city-wide election. Members must be qualified electors of the city and residents of the districts from which they are elected and remain inhabitants of the city during their term of office. The term of office shall be for 3 years and until their successors are duly elected and qualified.

The present members shall continue in office until their respective terms expire. It is the intent and purpose of this charter that present members of the school board shall remain in office and upon completion of their terms of office, their successors will be elected as provided for in this charter.

Sec. 5. P. & S. L., 1963, c. 162, Art. IX, & 902, repealed and replaced. Section 902 of Article IX of chapter 162 of the private and special laws of 1963 is repealed and the following enacted in place thereof:

902. Organization; qualification; quorum. The school board shall meet for organization during the first week in January in each year, and after being duly sworn to the faithful discharge of duties by a justice of the peace or by the city clerk, shall elect a chairman from its membership for the ensuing year. Four members shall constitute a quorum for the transaction of business.

Referendum; effective date. This Act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters of the City of South Portland at the next regular city election.

The city clerk shall prepare the required ballots, on which he shall reduce the subject matter of this Act to the following question:

"Shall the Act Increasing Membership from Five to Seven in City Council and Board of Education of City of South Portland, passed by the 103rd Legislature, be accepted?"

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 vote of the legal voters voting at said election; provided that the total number of votes cast for and against the acceptance of this Act at said election equaled or exceeded 20% of the total vote for all candidates for Governor in said city at the next preceding gubernatorial election.

The result of such election shall be declared by the municipal officers of the City of South Portland and due certificate thereof shall be filed by the city clerk with the Secretary of State.