

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 5

H. P. 5

Office of the Clerk of the House

Filed December 8, 1970 under Joint Rule 6 by Mr. Emery of Rockland. To be printed and delivered to the House of Representatives of the 105th Legislature.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Emery of Rockland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Relating to Membership on Zoning Boards of Appeal.

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

Sec. 1. R. S., T. 30, § 4954, sub-§ 1, ¶ A, amended. Paragraph A of subsection 1 of section 4954 of Title 30 of the Revised Statutes is amended to read as follows:

A. The board shall consist of 3 members and ~~one associate member~~ 3 alternate members.

Sec. 2. R. S., T. 30, § 4954, sub-§ 1, ¶ B, amended. The last sentence of paragraph B of subsection 1 of section 4954 of Title 30 of the Revised Statutes is amended to read as follows:

The term of office of an ~~associate~~ alternate member is 3 years, but initial appointments shall be made for 1, 2 and 3 years, respectively.

Sec. 3. R. S., T. 30, § 4954, sub-§ 1, ¶ C, amended. Paragraph C of subsection 1 of section 4954 of Title 30 of the Revised Statutes is amended to read as follows:

C. A municipal officer may not be a member or ~~associate~~ an alternate member of a board of appeals.

Sec. 4. R. S., T. 30, § 4954, sub-§ 1, ¶ D, amended. The first sentence of paragraph D of subsection 1 of section 4954 of Title 30 of the Revised Statutes, as amended by section 3 of chapter 334 of the public laws of 1969, is further amended to read as follows:

When a member is unable to act because of interest, physical incapacity or absence ~~the associate~~ **an alternate** member shall act in his stead.

Sec. 5. R. S., T. 30, § 4954, sub-§ 1, ¶ F, amended. The first sentence of paragraph F of subsection 1 of section 4954 of Title 30 of the Revised Statutes is amended to read as follows:

Municipalities of 5,000 or more residents may by ordinance provide for a board of appeals consisting of 5 or 7 members and ~~one associate member~~ **an equal number of alternate members.**

STATEMENT OF FACT

The purpose of this bill is to provide for alternate members of zoning boards of appeals in order to insure a quorum.