

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
109TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. H-315)

COMMITTEE AMENDMENT "A" to H.P. 1097, L.D. 1376, Bill, "AN ACT to Clarify Home Rule Authority."

Amend the bill by inserting before the enacting clause the following:

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

Whereas, several municipalities will amend their municipal charter before this Act would normally become effective; and

Whereas, clarification of certain provisions for home rule have become necessary; and

Whereas, it is desirable that these clarifications be made to allow greater flexibility in the charter amendments as prepared by the charter commissions; and

Whereas, the charter amendments will be unduly delayed if this legislation does not become effective as soon as possible; 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'

Further amend the bill by inserting at the end before the statement of fact the following:

'Sec. 5. 30 MRSA §5357 is amended to read:

§5357. Election by plurality

In a city election, unless otherwise provided by municipal charter, the person who receives a plurality of the votes cast for election to any office is elected to that office.

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

Statement of Fact

This amendment adds an emergency clause and emergency preamble and adds a section to allow municipalities to provide for run off elections by charter.

Reported by the Committee on Local and County Government
Reproduced and distributed under the direction of the
Clerk of the House.

5/3/79 (Filing No. H-315)