

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
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3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
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5 Legislative Document

No. 1223

7 H.P. 940

House of Representatives, March 16, 1983

8 Referred to the Committee on Local and County Government, sent up for  
9 concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

11 Presented by Representative Soule of Westport.

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12 STATE OF MAINE  
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14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-THREE  
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17 AN ACT to Allow the Election of Members  
18 of the Board of Assessment Review.  
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20 Be it enacted by the People of the State of Maine as  
21 follows:

22 Sec. 1. 30 MRSA §2060, sub-§6, ¶B, as reenacted  
23 by PL 1973, c. 695, §1, is amended to read:

24 B. The board of assessment review shall consist  
25 of 3 members to be appointed by the selectmen or  
26 to be elected by ballot. A municipality may des-  
27 ignate that members of the board of assessment  
28 review be elected by ballot at a town meeting  
29 held at least 90 days prior to the annual meeting  
30 or, in municipalities without a town meeting, by  
31 referendum. A referendum to determine if the  
32 members of the board of assessment review shall  
33 be elected by ballot shall be held pursuant to  
34 the procedures established in paragraph H. The

1 town, when adopting such board, may fix the com-  
2 pensation of the members. One member shall be  
3 appointed for one year, one member for 2 years  
4 and one member for 3 years, and thereafter the  
5 term of each new member shall be 3 years.

6 Sec. 2. 30 MRSA §2060, sub-§6, ¶H is enacted to  
7 read:

8 H. Notwithstanding any provision of a municipal  
9 charter to the contrary, the qualified voters of  
10 a municipality, except where the legislative body  
11 is a town meeting, may provide by referendum for  
12 the election of the members of the board of  
13 assessment review. Upon receipt of a petition  
14 signed by qualified voters of the municipality  
15 equal in number to at least 10% of the total  
16 number of qualified voters voting in the last  
17 gubernatorial election, the legislative body of  
18 the municipality shall submit the referendum  
19 question to the legal voters of the municipality.  
20 The petition shall be filed at least 90 days  
21 prior to a regular municipal election. The  
22 referendum question shall be submitted to the  
23 voters at a special election held at least 60  
24 days prior to a regular municipal election. A  
25 public hearing shall be held on the referendum  
26 question by the municipal officers at least 10  
27 days before the special election. The referendum  
28 question shall read as follows:

29 "Shall the Board of Assessment Review be elected  
30 by ballot?"

31 The voters shall indicate by a cross or check  
32 mark placed against the word "Yes" or "No" their  
33 opinion of the question. The Act shall be  
34 approved by a majority of the legal voters voting  
35 at the special election.

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STATEMENT OF FACT

This bill allows the election of members of the board of assessment review if that method of selection is chosen at a town meeting or, in municipalities without a town meeting, by referendum.

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