

MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 658, L.D. 930)
2 FIRST REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 1530

7
8 H.P. 1054

House of Representatives, May 17, 1985

9 Reported by Representative Salsbury from the Committee on Local and
10 County Government and printed under Joint Rule 2. Original bill sponsored
11 by Representative Beaulieu of Portland.

EDWIN H. PERT, Clerk

12
13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-FIVE
17

18 AN ACT to Increase Citizen Participation in
19 the Municipal Charter Revision
20 Process.
21

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

24 Sec. 1. 30 MRSA §1913, sub-§6-A is enacted to
25 read:

26 6-A. Charter modification summaries. Where a
27 proposed charter revision is submitted to the voters
28 in separate questions as charter modifications under
29 section 1915, subsection 1, paragraph A, and the mu-
30 nicipal officers, with the advice of an attorney, de-
31 termine that it is not practical to print the pro-
32 posed charter modification on the ballot and that a
33 summary would not misrepresent the subject matter of
34 the proposed modification, a summary of the modifica-
35 tion may be substituted for the text of the proposed
36 modification in the same manner as a summary is sub-

1 stituted for a proposed amendment under section 1914.

2 Sec. 2. 30 MRSA §1915, sub-§1, as enacted by PL
3 1969, c. 563, is amended to read:

4 1. Charter revision or adoption. ~~In~~ Except as
5 provided in paragraph A, in the case of a charter re-
6 vision or a charter adoption the question to be sub-
7 mitted to the voters shall be in substance as fol-
8 lows:

9 "Shall the municipality approve the (charter re-
10 vision) (new charter) recommended by the charter com-
11 mission?"

12 A. If the charter commission, in its final re-
13 port under section 1913, subsection 5, recommends
14 that the present charter continue in force with
15 only a few modifications, those modifications may
16 be submitted to the voters in as many separate
17 questions as the commission finds practicable.
18 The determination to submit the charter revision
19 in separate questions under this paragraph and
20 the number and content of these questions must be
21 made by a majority of the charter commission.

22 (1) If a charter commission decides to sub-
23 mit the charter revision in separate ques-
24 tions under this paragraph, each question to
25 be submitted to the voters shall be in sub-
26 stance as follows:

27 "Shall the municipality approve the charter
28 modification recommended by the charter com-
29 mission and reprinted (summarized) below?"

30 Sec. 3. 30 MRSA §1915, sub-§4, as amended by PL
31 1973, c. 388, §2, is further amended to read:

32 4. Effective date. If a majority of the ballots
33 cast on any question under ~~subsections~~ subsection 1
34 or 2 favor acceptance, the new charter, charter revi-
35 sion, charter modification or charter amendment be-
36 comes effective as provided below, provided the total
37 number of votes cast for and against the question
38 equals or exceeds 30% of the total votes cast in the
39 municipality at the next previous gubernatorial elec-
40 tion.

1 A. Charter revisions, charter modifications or
2 new charters adopted by the voters ~~shall~~ become
3 effective immediately but only for the purpose of
4 conducting necessary elections, otherwise charter
5 revisions, charter modifications and new charters
6 become effective on the first day of the next
7 succeeding municipal year.

8 B. Charter amendments adopted by the voters
9 ~~shall~~ become effective on the first day of the
10 next succeeding municipal year or on a date de-
11 termined by the municipal officers, whichever oc-
12 curs first.

13 STATEMENT OF FACT

14 This new draft allows a charter commission to
15 submit a proposed charter revision to the voters in
16 more than one question only when the commission rec-
17 ommends that only a few modifications be adopted.
18 Present law requires a charter revision to be submit-
19 ted as only one question, regardless of the extent of
20 the changes recommended by the charter commission. If
21 only a few modifications are recommended by the com-
22 mission, this new draft allows the commission to de-
23 cide, by majority vote, if the charter modifications
24 are to be submitted as separate questions and the
25 number and content of those questions. The commission
26 could group together some of the modifications into a
27 single question for convenience or submit them all as
28 individual questions.

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