

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2235

H.P. 1636 House of Representatives, February 11, 1988
Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on State and Local Government
suggested and ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative RACINE of Biddeford.
Cosponsored by Representatives WENTWORTH of Wells and
CARROLL of Gray.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

1 AN ACT to Revise the Charter Commission Law.
2

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

5 Sec. 1. 30 MRSA §1913, sub-§1, as amended by PL
6 1979, c. 663, §192, is further amended to read:

7 1. Membership. The charter commission shall
8 consist of several voters in the community, elected

1 as provided in this section, and 3 members appointed
2 by the municipal officers. The voters elected to the
3 charter commission may not hold any other elected
4 municipal office.

5 A. Voter members may be elected by one of the
6 following methods:

7 (1) Six voter members shall be elected in
8 the same manner as the municipal officers,
9 except that they shall be elected at large
10 and without party designations; or

11 (2) One voter member shall be elected from
12 each voting district or ward in the same
13 manner as municipal officers, except that
14 they that voter member shall be elected
15 without party designation.

16 Election of voter members may be held at the same
17 municipal election as the referendum for the
18 charter commission, but shall be held within 90
19 days of such referendum election. The names of
20 the candidates shall be arranged alphabetically by
21 surname immediately below the question relating to
22 the charter commission.

23 B. Appointive members need not be residents of
24 the municipality, but only one may be a municipal
25 officer. Appointments shall be made in accordance
26 with municipal custom or bylaws and shall be made
27 by the municipal officers within 30 days after the
28 adoption of the charter commission.

29 Sec. 2. 30 MRSA §1913, sub-§2, as enacted by PL
30 1969, c. 563, is amended to read:

31 2. Organization. The municipal clerk shall
32 immediately, after receiving notice of the appointment
33 of the members by the municipal officers, notify the
34 appointed and elected members of the charter
35 commission of the date, time and place of the
36 organizational meeting of the charter commission.
37 Such date, time and place shall be fixed by the clerk
38 and 7 days' notice thereof shall be given.

1 The charter commission shall organize by electing from
2 its members a chairman, ~~vice chairman~~ vice-chairman
3 and a secretary, none of whom may be a municipal
4 officer or municipal employee, and shall file notice
5 thereof with the municipal clerk. Vacancies occurring
6 on the commission shall be filled by vote of the
7 commission from the voters of the municipality, except
8 that a vacancy among appointive members shall be
9 promptly filled by the municipal officers. Members
10 shall serve without compensation, but shall be
11 reimbursed from the commission's account for expenses
12 lawfully incurred by them in the performance of their
13 duties.

14

STATEMENT OF FACT

15 This bill amends the law on charter commission
16 membership by providing that:

17 1. The members elected to the commission may not
18 hold another elected municipal office; and

19 2. The officers of the commission may not be
20 municipal officers or employees.

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