

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 767

S.P. 285

Received by the Secretary, February 21, 1991

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

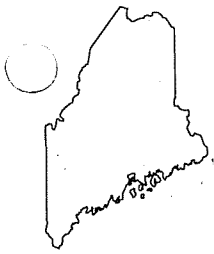
Presented by Senator GAUVREAU of Androscoggin
Cosponsored by Representative KETTERER of Madison and Representative PARADIS of
Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Clarify the Voting Requirements for a Board Containing 3 or
More Members.

Printed on recycled paper



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

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Sec. 1. 1 MRSA §71, sub-§3 is repealed and the following enacted in its place:

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3. Authority to 3 or more. Unless an enactment otherwise determines, words giving authority to 3 or more persons require a majority to constitute a quorum and a majority of the quorum to take legally binding action.

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Sec. 2. Retroactivity. This Act applies retroactively so that any action taken by a board, commission or other entity prior to the effective date of this Act by either a full majority or a majority of a quorum is an action authorized by that entity in the proper manner.

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STATEMENT OF FACT

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This law clarifies a legal controversy regarding the number of votes needed to legally act when a board or agency has 3 or more persons and the law or ordinance establishing the board does not specifically state the necessary votes needed for legal action. The law makes it clear that a majority of a quorum of the entire board may take legally binding action.

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