

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST SPECIAL SESSION-1997

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Legislative Document

No. 1733

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H.P. 1221

House of Representatives, April 2, 1997

**An Act to Allow Municipalities the Option to Require Residency for Those Who Submit Major Budget Requests to the Municipality.**

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

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative WINGLASS of Auburn.

Cosponsored by Representatives: BOLDUC of Auburn, GERRY of Auburn, GOOLEY of Farmington, PERKINS of Penobscot, SAVAGE of Union, WHEELER of Eliot.

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

2  
3 Sec. 1. 30-A MRSA §2703, as amended by PL 1989, c. 104, Pt.  
4 C, §§8 and 10, is repealed and the following enacted in its place:

6 **§2703. Residency requirement; ordinances and collective bargaining**

8 **1. Residency requirement.** A municipality may not enact any  
9 ordinance that requires employees to reside within the boundaries  
10 of the municipality as a condition of employment, nor may  
11 collective bargaining agreements contain these requirements.

12 **2. Ordinances and collective bargaining.** Notwithstanding  
13 subsection 1, a municipality may negotiate collective bargaining  
14 agreements or, if the municipality does not engage in collective  
15 bargaining, enact ordinances that require employees to reside  
16 within a specified distance or a specific response time of a  
17 facility if those provisions represent a legitimate job  
18 requirement and the ordinances do not apply to employees already  
19 employed when the ordinance takes effect.

22 **3. Officials and employees who submit major budget**  
23 **requests.** Notwithstanding subsection 1, a municipality may  
24 require officials and employees who submit major budget requests  
25 to maintain a residence in the municipality that the officials  
26 and employees serve. Officials and employees who hold positions  
27 on the effective date of this subsection are exempt from the  
28 provisions of this subsection for as long as they hold those  
29 positions.

30 Subsections 1 and 2 apply only to public employees, as  
31 defined in Title 26, section 962, subsection 6.

34 **SUMMARY**

36 This bill allows municipalities to require residency for  
37 officials and employees who submit major budgetary requests for  
38 the municipality.