

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

SECOND REGULAR SESSION-2008

Legislative Document

No. 1968

S.P. 762

December 18, 2007

An Act To Clarify the Election of Municipal Charter Commission Members

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 18, 2007. Referred to the Committee on State and Local Government pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BRANNIGAN of Cumberland.
Cosponsored by Representative: Speaker CUMMINGS of Portland.

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

Sec. 1. 30-A MRSA §2103, sub-§1, ¶A, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

A. Voter members ~~shall~~ must be elected by one of the following methods:

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

(2) One voter ~~shall~~ member must be elected from each voting district or ward in the same manner as municipal officers, except that they must be elected without party designation; or

(3) In municipalities that have municipal officers elected both at-large and by district, the number of voter members must be the same as the number of municipal officers on the board or council of that municipality and must be elected in the same manner as the municipal officers, except that they must be elected without party designation.

Election of voter members may be held either at the same municipal election as the referendum for the charter commission, ~~but must be held within 90 days of the referendum election~~ or at the next scheduled regular or special municipal or state election that is at least 90 days after the referendum authorizing the charter commission. The names of the candidates on the ballot ~~shall~~ must be arranged alphabetically by last name. If the elections are held at the same time, the names of the candidates ~~shall~~ must appear immediately below the question relating to the charter commission.

SUMMARY

This bill amends the procedure for the election of members to a municipal charter commission. Specifically, it would give the municipality the option to either include the election of voter members on the same ballot as the question authorizing the commission or have members elected no later than the first regular or special municipal or state election that occurs at least 90 days after the vote authorizing the charter commission.

This bill also provides for a third method for electing voter members on a charter commission for a municipality that has municipal officers elected both at-large and by district. That number would be equal to the total number of elected municipal officers on the board or council of that municipality.