

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1297

H.P. 952

House of Representatives, March 24, 2011

An Act Relating to the Qualifications for the Position of Municipal Officer

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative COTTA of China.
Cosponsored by Senator SHERMAN of Aroostook and
Representatives: FOSSEL of Alna, FOSTER of Augusta, MORISSETTE of Winslow,
SANDERSON of Chelsea, TUTTLE of Sanford.

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

2 **Sec. 1. 30-A MRSA §2526, sub-§3, ¶B** is enacted to read:

3 B. Except for towns organized under a town manager plan pursuant to chapter 123,
4 subchapter 2, a municipal officer may not concurrently be an employee of the town
5 for which that person serves as a municipal officer.

6 **Sec. 2. Transition.** Upon the effective date of this Act, a municipal officer who is
7 an employee of the municipality in violation of this Act may serve the remainder of the
8 officer's term. If the term of a municipal officer in violation of this Act ends within 6
9 months of the effective date of this Act and the municipal officer is running for
10 reelection, the municipal officer may serve the next term if the municipal officer is
11 reelected.

12 **SUMMARY**

13 This bill prohibits, in municipalities that do not have a town manager, a municipal
14 officer or selectman from being an employee of that same town at the same time the
15 person is serving as a municipal officer. This bill allows a municipal officer who is an
16 employee of the municipality on the effective date of this Act to serve the remainder of
17 the municipal officer's term, and if the municipal officer is running for reelection and the
18 election is within 6 months of the effective date of this Act, the municipal officer may
19 serve the next term if the municipal officer is reelected.