

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 1128

S.P. 348

In Senate, March 7, 2019

**An Act To Clarify Statutes Related to Establishing a Municipal  
Charter Commission**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator CLAXTON of Androscoggin.  
Cosponsored by Senator: BREEN of Cumberland.

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

2 **Sec. 1. 30-A MRSA §2102, sub-§3, ¶B**, as enacted by PL 1987, c. 737, Pt. A, §2  
3 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is  
4 further amended to read:

5 B. The municipal clerk shall prepare the petition forms at the municipality's expense.  
6 The petition forms ~~shall~~ must be printed on paper of uniform size and may consist of  
7 as many individual sheets as are reasonably necessary.

8 (1) Petition forms ~~shall~~ must carry the following legend in bold lettering at the  
9 top of the face of each form.

10 "Municipality of ...."

11 In the instance of preparing a new charter, the lettering at the top of the form  
12 must read: "Each of the undersigned voters respectfully requests the  
13 municipal officers to establish a Charter Commission for the purpose of  
14 ~~revising the Municipal Charter or~~ preparing a New Municipal Charter."

15 In the instance of revising a charter, the lettering at the top of the form must  
16 read: "Each of the undersigned voters respectfully requests the municipal  
17 officers to establish a Charter Commission for the purpose of revising the  
18 Municipal Charter."

19 Each signature to a petition must be in ink or other indelible instrument and must  
20 be followed by the residence of the voter with street and number, if any. ~~No~~ A  
21 petition may not contain any party or political designation.

22 (2) The clerk shall note the date of each petition form issued. All petitions must  
23 be filed within 120 days of the date of issue or they are void.

24 (3) Each petition form ~~shall~~ must have printed on its back an affidavit to be  
25 executed by the circulator, stating:

- 26 (a) That the circulator personally circulated the form;  
27 (b) The number of signatures on the form;  
28 (c) That all the signatures were signed in the circulator's presence;  
29 (d) That the circulator believes them to be genuine signatures of the persons  
30 whose names they purport to be;  
31 (e) That each signer has signed no more than one petition; and  
32 (f) That each signer had an opportunity to read the petition before signing.

33 **Sec. 2. 30-A MRSA §2102, sub-§5, ¶A**, as enacted by PL 1987, c. 737, Pt. A, §2  
34 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is  
35 further amended to read:

36 A. The question to be submitted to the voters ~~shall~~ must be in substance as follows:

1 ~~"Shall a Charter Commission be established for the purpose of revising the~~  
2 ~~Municipal Charter or establishing a New Municipal Charter?"~~

3 In the instance of establishing a new charter, the question must read: "Shall a  
4 Charter Commission be established for the purpose of establishing a New  
5 Municipal Charter?"

6 In the instance of revising a charter, the question must read: "Shall a Charter  
7 Commission be established for the purpose of revising the Municipal Charter?"

8 **SUMMARY**

9 This bill clarifies that a petition to form a charter commission to establish a new  
10 municipal charter uses different language than a petition to form a charter commission to  
11 revise a charter.