

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

HOUSE

NO. 469

House of Representatives, Mar. 2, 1917.

Referred to Committee on Judiciary and fifteen hundred copies ordered printed. Sent up for concurrence.

W. R. ROIX, Clerk.

Presented by Mr. Speirs of Westbrook.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND SEVENTEEN

AN ACT for optional referendum for cities and towns.

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

Section 1. No ordinance or article passed by the municipal officers of any city or town except when otherwise required by the laws of the State, except an ordinance for the immediate preservation of public peace, health or safety, which contains a statement of its urgency and is passed by at least a nine-tenths vote of the municipal officers, shall go into effect before fifteen days from the time of its final passage and if during said fifteen days a petition signed by

9 voters of the city or town, equal in number to at least
10 twenty per centum of the entire vote cast for all candidates
11 for mayor at least preceding municipal election, at which a
12 mayor was elected, and by at least ten per centum of its
13 municipal officers, or in a town twenty per centum of the
14 entire votes cast at the last preceding town election, pro-
15 testing against the passage of such ordinance, be presented
16 to the municipal officers, the same shall thereupon be sus-
17 pended from going into operation, and it shall be the duty
18 of the municipal officers to reconsider such ordinance or ar-
19 ticle, and if the same is not entirely repealed, the municipal
20 officers shall submit the ordinance or article as provided by
21 section two of this act, to the vote of the electors of the city
22 or town, either at the next municipal election or town meet-
23 ing, or at a special election to be called for the purpose; and
24 such ordinance shall not go into effect or become operative
25 unless a majority of the qualified electors voting on the same
26 shall vote in favor thereof, the petition in all respects to be
27 in accordance with the provisions of section two of this act.

Sect. 2. The petition shall contain a general statement
2 why such an ordinance shall not pass.

2. The signatures to the petition need not all be appended
2 to one paper.

3. Each signer shall add to his signature his place of resi-
2 dence giving street and number.

4. One of the signers of each paper shall sign such paper
2 making the statement that he believes each signature ap-

3 pended to the paper is the genuine signature of the person
4 whose name it purports to be.

5. Within ten days from the date of filing such petition
2 the city or town clerk shall examine such petition and as-
3 certain whether or not such petition is signed by the requisite
4 number of qualified voters and he shall attach to such peti-
5 tion his certificate showing the result of said examination.

6. If the clerks certificate shows the petition is insuffi-
2 cient, it may be amended within ten days from date of said
3 certificate. If the petition shall be deemed to be sufficient
4 the clerk shall submit the same to the municipal officers
5 without delay.

7. The municipal officers shall order and fix a date for
2 holding such election not more than thirty days from the
3 date of the clerk's certificate to the municipal officers that
4 a sufficient petition is filed.

8. The municipal officers shall call a special election un-
2 less a municipal election or town meeting is to be held within
3 ninety days thereafter.

9. At such special or general municipal election or town
2 meeting the ordinance or article shall be submitted without
3 alteration to the vote of the electors of said city or town.

10. The ballots used when voting upon said ordinance
2 shall contain these words:

“For the ordinance or article (stating the nature of the
2 ordinance or article by title) “Against the ordinance” or
3 article (Stating the ordinance or article by title).

11. If a majority of the qualified electors voting on the
2 proposed ordinance or article shall vote in favor thereof,
3 such ordinance or article shall thereupon become valid and
4 binding ordinance or article of the city or town; and any
5 ordinance which shall be adopted by a vote of the people
6 shall not be amended except by a vote of the people.

12. Whenever any ordinance or article is required by this
2 act to be submitted to the voters of a city or town at any
3 election, the city or town shall cause such ordinance to be
4 published once in the daily papers of the county in which
5 such city or town is located.

13. If no daily or weekly paper is published in the county,
2 then typewritten or printed copies of the ordinance or article
3 shall be posted up in ten conspicuous places in said town
4 or city such publication or posting notices shall be not more
5 than seven days or less than five days before the submission
6 of such ordinance or article to be voted on.

Sect. 3. Any city or town not wanting to remain under
2 the provisions of this act may on petition of fifteen per
3 centum of its qualified voters proceed as per section two,
4 paragraphs 2, 3, 4, 5, 6, 7, 8 of this act and vote on the same.

The ballot shall contain these words "against the act giving
2 this city (or town) a referendum."

"For the act giving this city (or town) a referendum."

If a majority of the electors vote against it then the city
2 (or town) shall no longer be under its provisions.

If after rejecting this act a city (or town) wants to come

2 under its provisions again the electors shall proceed by the
3 same methods it did in rejecting it.

The words municipal officers shall mean, Councilmen, Ald-
2 ermen, Councilmen and Aldermen, Selectmen.