

MAINE STATE LEGISLATURE

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N I N E T Y - F I F T H L E G I S L A T U R E

Legislative Document

No. 1275

S. P. 538

In Senate, April 11, 1951.

Referred to Committee on Legal Affairs. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Weeks of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-ONE

AN ACT to Amend the Charter of the Town of Baileyville.

Emergency preamble. Whereas, the town of Baileyville, in the county of Washington, has certain expenses and liabilities which must be met as they become due; and

Whereas, the conduct of the general government of the town is impossible because candidates for office must receive a majority of the votes cast; and

Whereas, the affairs of the government of the town cannot be carried out without duly elected officials; and

Whereas, it is necessary that the charter be changed to permit the election of such officials; and

Whereas, in the judgment of the legislature, these facts create an emergency within the meaning of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. P. & S. L., 1933, c. 95, § 1-A, additional. Chapter 95 of the private and special laws of 1933 is hereby amended by adding thereto a new section, to be numbered 1-A, to read as follows:

'Sec. 1-A. Nominations for elective offices to be made by petition. The nomination of all candidates for elective offices provided for by this charter shall be by petitions. These petitions shall be signed by at least 25 qualified voters of the town. No voter shall sign petitions for more than 1 candidate for each office to be filled at the election, and should he do so, his signature shall be void as to the petition last filed. All nomination papers, besides containing the name and address of the candidate, must specify the office for which he is to be nominated. The nomination petitions shall be assembled and united into 1 petition and filed with the town clerk not earlier than 30 nor later than 10 days before the day of election. No nomination shall be valid unless the candidate shall file with the town clerk, in writing not later than 10 days before the day of election, his consent accepting the nomination and agreeing not to withdraw, and if elected, to qualify.'

Sec. 2. P. & S. L., 1933, c. 95, § 2, amended. Section 2 of chapter 95 of the private and special laws of 1933 is hereby amended by adding at the end thereof a new paragraph, to read as follows :

'At any election, the person receiving the highest number of votes for an office shall be deemed and declared elected to such office.'

Emergency clause; referendum; effective date. In view of the emergency cited in the preamble, this act shall take effect when approved, only for the purpose of permitting its submission to the legal voters of the town of Baileyville at a special town meeting to be called by the council and held on June 11, 1951. Such special town meeting shall be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the municipal officers of the town of Baileyville shall not be required to prepare, nor the town clerk to post, a new list of voters. The town clerk shall prepare the required ballots, on which he shall reduce the subject matter of this act to the following question: "Shall the Act to Amend the Charter of the Town of Baileyville, passed by the 95th legislature, be accepted?" and the qualified voters shall indicate in the usual manner their opinion of the same. This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at said meeting. The result of said vote shall be declared by the municipal officers of the town of Baileyville and due certificates thereof filed by the town clerk with the secretary of state.