

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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1979

PUBLIC LAWS
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working days, during which time the district supervisor so appointed shall have all responsibilities and obligations of the assistant director.

Effective September 14, 1979

CHAPTER 218

H. P. 1097 — L. D. 1376

AN ACT to Clarify Home Rule Authority.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, several municipalities will amend their municipal charter before this Act would normally become effective; and

Whereas, clarification of certain provisions for home rule have become necessary; and

Whereas, it is desirable that these clarifications be made to allow greater flexibility in the charter amendments as prepared by the charter commissions; and

Whereas, the charter amendments will be unduly delayed if this legislation does not become effective as soon as possible; 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. 20 MRSA § 476, as amended by PL 1967, c. 425, § 19, is further amended to read:

§ 476. Applicability of provisions to certain towns or cities

Sections 471 and 472 shall not apply to cities **or towns** whose charters specify the methods of ~~election~~ **selection** and term of office of a **superintending** school committee or board of education; nor to towns, cities and incorporated districts authorized by private and special laws to choose school committees other than those herein provided for.

Sec. 2. 30 MRSA § 2256, 2nd sentence, as amended by PL 1973, c. 421, § 1, is further amended to read:

Except where specifically provided by statute, **municipal charter** or municipal ordinance, the municipal officers shall appoint all town officials and employees required by general law, **by municipal charter** or by municipal ordinance and may remove such officials and employees for cause, after notice and hearing.

Sec. 3. 30 MRSA § 2411, sub-§ 1, first sentence, as enacted by PL 1971, c. 455, § 1, is amended to read:

A municipality may establish a board of appeals and, **unless provided otherwise by municipal charter**, the municipal officers shall appoint the members and determine their compensation.

Sec. 4. 30 MRSA § 4964, last sentence, as amended by PL 1975, c. 531, § 6, is further amended to read:

Planning boards established pursuant to provisions of repealed section 4952, subsection 1 shall continue to be governed by those provisions until they are superseded by municipal **charter or ordinance** and, **unless a municipal charter otherwise provides**, the municipal officers may pay board members a set amount, not to exceed \$10, for each meeting attended.

Sec. 5. 30 MRSA § 5357 is amended to read:

§ 5357. Election by plurality

In a city election, **unless otherwise provided by municipal charter**, the person who receives a plurality of the votes cast for election to any office is elected to that office.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective May 14, 1979

CHAPTER 219

S. P. 95 — L. D. 181

AN ACT to Provide Accessible Polling Places for the Physically Handicapped and the Elderly.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and