



125th MAINE LEGISLATURE

SECOND REGULAR SESSION-2012

Legislative Document

No. 1681

S.P. 580

In Senate, December 21, 2011

An Act To Amend the Charter of the Lucerne-in-Maine Village Corporation

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 19, 2011. Referred to the Committee on State and Local Government pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 218.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator ROSEN of Hancock.
Cosponsored by Representative JOHNSON of Eddington.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas**, this legislation makes changes to the qualifications for membership on the
4 Board of Overseers of the Lucerne-in-Maine Village Corporation; and

5 **Whereas**, the Board of Overseers of the Lucerne-in-Maine Village Corporation
6 holds its meeting in the summer and the changes made by this legislation may not take
7 effect before the date of the meeting if this legislation is not enacted as an emergency;
8 and

9 **Whereas**, in the judgment of the Legislature, these facts create an emergency within
10 the meaning of the Constitution of Maine and require the following legislation as
11 immediately necessary for the preservation of the public peace, health and safety; now,
12 therefore,

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

14 **Sec. 1. P&SL 1927, c. 43, §7-A, first ¶**, as enacted by P&SL 1983, c. 42, §7, is
15 amended to read:

16 **Sec. 7-A. Officers; adoption of bylaws; officers to be sworn; treasurer to**
17 **give bond; budget committee established.** The officers of the corporation ~~shall be~~
18 are a board of 3 overseers, a treasurer, a clerk and such other officers as the bylaws of the
19 corporation may require. The Board of Overseers, when elected as provided ~~below in this~~
20 section, shall ~~forthwith proceed to~~ appoint a treasurer; and a clerk to serve at ~~their~~
21 pleasure the pleasure of the board. ~~Any nonresident officers shall be permanent residents~~
22 ~~of an area included within a radius of 25 miles of the fire station at Lucerne in Maine.~~
23 Officers ~~shall~~ serve until their successors ~~have been~~ are sworn and duly qualified.

24 **Sec. 2. P&SL 1927, c. 43, §7-A, 5th ¶**, as amended by P&SL 1997, c. 24, §1, is
25 further amended to read:

26 Commencing at the 1984 summer meeting and for even-numbered years thereafter, a
27 nonresident voter ~~shall~~ must be elected to serve a 3-year term as overseer. Commencing
28 at the 1985 summer meeting and for odd-numbered years thereafter, a resident voter ~~shall~~
29 must be elected to serve a 3-year term as an overseer. Commencing at the 1997 summer
30 meeting and ~~for each year after the 1997 at any summer meeting before the 2012 summer~~
31 meeting, any legal voter of the village corporation may be elected for a 3-year term as an
32 overseer if the election of that overseer does not place all resident or nonresident
33 overseers in office at the same time. A person may run for the office of overseer for as
34 many terms as that person is nominated. At the first Board of Overseers' meeting
35 following each summer meeting, ~~they~~ the board shall choose a chair for the ensuing year.

36 **Emergency clause.** In view of the emergency cited in the preamble, this
37 legislation takes effect when approved.

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SUMMARY

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This bill amends the charter of the Lucerne-in-Maine Village Corporation to remove

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the requirement that a nonresident member of the Board of Overseers must reside within

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25 miles of the Lucerne-in-Maine fire station and a restriction on the staggering of terms.