

Date:

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STATE AND LOCAL GOVERNMENT

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STATE OF MAINE HOUSE OF REPRESENTATIVES 132ND LEGISLATURE FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to H.P. 1002, L.D. 1517, “An Act to Replace Participation Thresholds with Approval Thresholds in Certain School, Municipal and County Measures”

Amend the bill by striking out all of section 7 and inserting the following:

'Sec. 7. 30-A MRSA §2105, sub-§4, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6 and c. 9, §2 and c. 104, Pt. C, §§8 and 10, is further amended to read:

4. Effective date. If ~~a majority~~ more of the ~~ballots~~ votes cast on any question under subsection 1 or 2 favor acceptance ~~than oppose it~~, the new charter, charter revision, charter modification or charter amendment proposed in that question becomes effective as provided in this subsection, provided as long as the total number of votes cast ~~for and against in favor of~~ the question ~~equals or exceeds 30%~~ 15% of the total votes cast in the municipality at the last gubernatorial election.

A. Except as provided in subparagraph (1), new charters, charter revisions or charter modifications adopted by the voters take effect on the first day of the next succeeding municipal year.

(1) New charters, charter revisions or charter modifications take effect immediately for the purpose of conducting any elections required by the new provisions.

B. Charter amendments adopted by the voters take effect on the date determined by the municipal officers, but not later than the first day of the next municipal year.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment, which is one of 2 reports of the committee, changes the requirements for a new municipal charter, charter revision, charter modification or charter amendment

1 in a question before the voters to go into effect. Current law requires that the total number
2 of votes cast for and against the question equal or exceed 30% of the total votes cast in the
3 municipality in the last gubernatorial election. The amendment requires instead that the
4 number of votes cast in favor of the question exceed 15% of the total votes cast in the
5 municipality in the last gubernatorial election. Also, while the amendment does not change
6 the requirement that a majority of votes cast for and against the proposed change be in favor
7 of it in order for that change to go into effect, the amendment clarifies that blank votes are
8 not counted in that calculation.