STATE AND LOCAL GOVERNMENT

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

128TH LEGISLATURE

SECOND REGULAR SESSION


Amend the bill by inserting after the enacting clause and before section 1 the following:

'Sec. 1.  30-A MRSA §2152, sub-§1, ¶B, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

B. Be signed by a number of voters of the municipality equal to at least 10% of the voters of that municipality total number of votes cast in that municipality in the last gubernatorial election, except that only 1,000 signatures are necessary in municipalities of 10,000 or more voters:

(1) In municipalities with 10,000 or more votes cast in the last gubernatorial election, 1,000 signatures are required unless the municipal charter requires an amount greater than 1,000; and

(2) When a petition is subject to section 2155;'

Amend the bill in section 1 in subsection 1-A in the 5th line (page 1, line 7 in L.D.) by inserting after the following: "election" the following: 'that is held at least 90 days after the petition is filed'

Amend the bill in section 1 in subsection 1-A in the last line (page 1, line 11 in L.D.) by inserting after the following: "petition)?" the following: 'The consolidation agreement is not final unless approved by the voters of each municipality.'

Amend the bill in section 2 in subsection 2 in the 3rd line (page 1, line 17 in L.D.) by inserting after the following: "municipality" the following: 'or if a majority of municipal officers vote to hold elections for a joint charter commission under section 2155'

Amend the bill by striking out all of section 3 and inserting the following:
'Sec. 3. 30-A MRSA §2155, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

§2155.  Limitation

If the voters of a municipality reject a consolidation agreement, that municipality may not be a party to any consolidation agreement for 6 years after the date of the rejection, except when a number of voters equal to at least 30% of the qualified voters have requested an agreement by signing total number of votes cast in that municipality in the last gubernatorial election file a petition under section 2152, subsection 1 or when a majority of the municipal officers in each municipality proposed for consolidation in the rejected consolidation agreement vote to hold municipal elections to elect members of a joint charter commission in accordance with section 2152, subsection 2 to draft a consolidation agreement.'

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

SUMMARY

This amendment adds language to the bill to change the calculation of the number of signatures required for a petition for municipal consolidation to be based on the number of votes cast at the last gubernatorial election, rather than the number of voters in the municipality. It also adds language to allow a municipal charter to override the limit of 1,000 signatures that is set for certain municipalities. It also provides a cross-reference to the exception to the required number of signatures that applies in the period after a consolidation agreement is rejected by the voters.

The amendment specifies that the referendum on the formation of a joint charter commission must be at least 90 days after the petition is filed to allow for election preparation and deadlines. It also adds language to the referendum question to inform the voters that the consolidation agreement prepared by the commission would not be final unless approved by the voters.

The amendment adds language in the section regarding conditions for holding elections for a joint charter commission to cross-reference the vote by municipal officers to hold such elections.

The amendment sets the waiting period after a rejected consolidation agreement to 6 years, rather than 10 years as provided in the bill. It clarifies that the number of signatures required for a petition to obtain an exception to the waiting period is 30% of votes cast in the last gubernatorial election, rather than 30% of voters. It also clarifies the exception to the waiting period permitted by a vote of municipal officers, as provided in the bill, to specify that the vote is to hold elections of members to a joint charter commission.