

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND AND EIGHTEEN

S.P. 692 - L.D. 1840

**An Act To Revise the Municipal Consolidation Referendum Process**

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

**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;

**Sec. 2. 30-A MRSA §2152, sub-§1-A** is enacted to read:

**1-A. Referendum on forming joint charter commission.** If a petition is filed pursuant to subsection 1, the municipal officers shall call and conduct a referendum to determine the willingness of the voters of the municipality to form a joint charter commission with the municipality or municipalities named in the petition. The referendum must be held at the next scheduled regular election that is held at least 90 days after the petition is filed. The question to be voted on at the referendum must be in substantially the following form: "Do you favor forming a joint charter commission to draft a consolidation agreement for the purpose of consolidating with ..... (municipality or municipalities named in the petition)?" The consolidation agreement is not final unless approved by the voters of each municipality.

**Sec. 3. 30-A MRSA §2152, sub-§2**, 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:

**2. Joint charter commission.** If a petition is filed as required under subsection 1 and a majority of those casting ballots pursuant to subsection 1-A approve the referendum question in each municipality or if a majority of municipal officers vote to hold elections for a joint charter commission under section 2155, the 3 members of a joint charter commission shall must be elected at the next special or regular election in the manner provided for the election of municipal officers. The election of members by 2 or more municipalities authorizes the commission to draft the consolidation agreement. If a municipality does not elect members, it may not participate in the consolidation.

**Sec. 4. 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 ~~3~~ 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.