

Resolve 6-08/09

Passage: 12/1/08 8-0 (Leeman absent)

JILL C. DUSON (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
DANIEL S. SKOLNIK (3)
CHERYL A. LEEMAN (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

JOHN R. COYNE (5)
JOHN M. ANTON (A/L)
DORY RICHARDS WAXMAN (A/L)
NICHOLAS M. MAVODONES (A/L)

**RESOLUTION SUPPORTING EMERGENCY ENACTMENT OF
AMENDMENTS TO 30-A M.R.S.A. § 2103
RE: CHARTER COMMISSION MEMBERSHIP**

WHEREAS, on November 4, 2008 the voters of the City of Portland voted in favor of the creation of a Charter Commission; and

WHEREAS, membership on a Charter Commission is governed by 30-A M.R.S.A. § 2103 of the State law; and

WHEREAS, that law currently requires that the election of Charter Commission members be held at either the same time as the election creating the Charter Commission or at the next scheduled regular or special municipal or state election that is no more than 200 days after the referendum authorizing the Charter Commission; and

WHEREAS, 200 days is not sufficient in 2009 and in a number of other years to span the time period between an election in November that creates a Charter Commission and the election of members to that Charter Commission on the second Tuesday in the following June; and

WHEREAS, it is in the best interest of the City of Portland and other communities to have the option of holding the election of Charter Commission members in such a situation on the second Tuesday in June which is often the date of a state election; and

WHEREAS, state law currently requires the municipal officers to appoint three members to a Charter Commission within 30 days after the election approving the establishment of the Charter Commission; and

WHEREAS, such a limited period for the appointment of membership to a Charter Commission is not consistent with or necessary in situations where the Charter Commission members are to be elected at a different date than the date upon which the Charter Commission was established;

NOW THEREFORE BE IT RESOLVED, that the Portland City Council strongly and respectfully requests the Maine Legislature to amend of 30-A M.R.S.A. § 2103 (A) on an emergency basis so that a municipality has at least 230 days within which to call or hold an election for Charter Commission members after the date upon which the voters approve a referendum calling for the creation of the Charter Commission; and

BE IT FURTHER RESOLVED, that the Portland City Council strongly and respectfully requests the Maine Legislature to amend 30-A M.R.S.A. §2103 (1)(B) so that in the future years in a bifurcated election process the appointment of three members to the Charter Commission by the municipal officers shall be made within 30 days after the election of the elected members of the Charter Commission.