

**NOTICE**

**WARRANT COMMITTEE**

**SPECIAL SUBCOMMITTEE ON BYLAWS**

**Wednesday, August 4, 2021 at 5:30 p.m.**

**Municipal Building 3<sup>rd</sup> Floor Conference Room**

**To ensure your complete participation in this meeting please inform us of any special requirements you might have due to a disability. Call 288-4098.**

## **Bylaws of the Town of Bar Harbor Warrant Committee**

**Draft after 2<sup>nd</sup> meeting on 7/26/2021**

### **Article I: Name**

The name of this body is the "Town of Bar Harbor Warrant Committee," hereinafter referred to as "Warrant Committee," as established under the Town of Bar Harbor Charter, which the Town of Bar Harbor, Maine, adopted on March 18, 1974, made effective January 1, 1975, as amended [Town of Bar Harbor Municipal Code, Chapter C, Article VII].

### **Article II: Duties and Responsibilities**

A. It shall be the duty of any duly elected Warrant Committee to consider, investigate, and report upon (with recommendations or comments) all articles, except those dealing with the election of candidates, in the warrant of all Town Meetings, whether annual or special. When requested to do so, it shall be the duty of Town officers and committees to meet with the Warrant Committee or any of its subcommittees and to furnish all information relative to matters being considered by said Warrant Committee or subcommittee.

B. The recommendations of the Warrant Committee pertaining to ~~shall submit its~~ recommendations on all warrant budget articles shall be provided to the Town Meeting Council as set forth in ~~provided by~~ Charter § C-5 Annual and Special Town Meetings [C-5 C.(1)(a) and C-5 C. (2)(b)]. The Warrant Committee shall also submit its recommendations on the preliminary budget to the Town Council as provided by Charter § C-31, Preparation and submission of the budget.

C. No later than ~~30~~ 60 days prior to each Annual Town Meeting or 10 days prior to each Special Town Meeting, the report of the Warrant Committee shall be submitted to the Town Clerk, who shall have it printed and made available for distribution to the voters. The report of the Warrant Committee shall be with respect to all articles submitted to it and shall include its recommendations with respect to each article, and contain any commentary which the Warrant Committee elects to have included in said report.

D. Any member of the Warrant Committee may submit a minority report or recommendation at the Annual or Special Town Meeting with respect to any article submitted to the Warrant Committee.

**Article III: Composition, Nomination and Election of Members, and Filling of Vacancies**

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**A. Composition and Election of Members** The Warrant Committee shall consist of 15 members elected by the qualified voters of the Town in accordance with Charter § C-34 A, § C-39 Elections, and § C-40 Nominations.

**B. Eligibility** Only persons who are qualified to vote in elections in the Town of Bar Harbor and have been registered to vote for one year prior to their election to office shall be eligible to hold the office of Warrant Committee Member. Except where clearly authorized by law, or pursuant to an agreement under the Interlocal Cooperation Act, no Warrant Committee Member shall hold any other Town office or Town employment while serving as a Warrant Committee Member.

**C. Terms** Each member shall be elected to a term for three years, with terms to be staggered such that no more than five Warrant Committee members are elected to fill expired terms in any one year in accordance with Charter § C-34.

**D. Nomination Process for Vacancies** A special committee consisting of the Chair, Vice-Chair, Secretary, and Chair of the subcommittee with the vacancy shall solicit and review nominations to fill the vacancy, and then select by majority vote<sup>[11]</sup>, one or more nominee(s)<sup>[12]</sup> for consideration by the full<sup>[13]</sup> Warrant Committee. The Warrant Committee shall then appoint a nominee to fill a vacancy by a majority vote of its members.<sup>[14]</sup>

**E. Filling of Vacancies** The Warrant<sup>[15]</sup> Committee by a majority vote of all its remaining members shall appoint a qualified person to fill the vacancy until the person elected to serve the remainder of the unexpired term takes office<sup>[16]</sup> per Charter § C-35 (B). If at any time the membership of the Warrant<sup>[17]</sup> Committee is reduced below the requirement for a quorum, the remaining members may by majority action appoint additional members to raise the membership to the number required; such appointed members shall serve until succeeded by a person duly elected to fill the vacancy<sup>[18]</sup>.

#### **Article IV: Officers**

A. The elected officers of the Warrant Committee shall be the Chair, Vice-Chair, and Secretary.

B. Duties of the officers

1. The Chair shall:

- a. preside at meetings of the Warrant Committee,
- b. appoint members of the subcommittees and facilitate assign Chair selection for each,
- c. assign articles in the Town Warrant to the subcommittees,
- d. submit provide the a report of the Warrant Committee to the Town Clerk for printing and distribution to voters as required by Charter § C-36, Meeting on the

~~recommendations and recorded votes of the Warrant Committee on each article in the town warrant.~~

e. recommend warrant articles at open Town Meetings and move each article for action by the voters.

2. The Vice-Chair shall serve in all capacities of the Chair when the Chair is absent. ~~in his or her absence.~~

3. The Secretary shall:

a. keep a faithful and complete record of Warrant Committee meetings, including the attendance of members and votes on each article in the Town Warrant,

b. provide a record of the recommendations and recorded votes of the Warrant Committee on each article to the Town Clerk for inclusion in the Town Warrant required by Charter § C-5 as soon as available,

c. provide minutes for each Warrant Committee meeting to its members at or before the following meeting.

## **Article V: Subcommittees**

A. The Warrant Committee shall have the following subcommittees:

1. General Government, Health & Welfare, & Cooperating Agencies [19]

2. Public Works, Recreation, Protection

3. Education

B. Each subcommittee shall be comprised of at least 4 members of the Warrant Committee.

C. Each member of the Warrant Committee, except the Chair and Secretary, shall serve on at least one subcommittee and may serve on other subcommittees with the Chair's approval. The Chair ~~shall not~~ may serve on ~~any~~ one subcommittee. The Secretary may serve on one or more subcommittee(s) with the Chair's approval.

D. Each subcommittee shall consider and investigate the articles assigned to it by the Chair and report its recommendations and comments, as approved by a majority of the votes cast, to the full Warrant Committee.

## **Article VI: Meetings**

A. The Warrant Committee, upon the call of the Town Clerk, shall meet within 21 days of its election to elect a Chair, Vice-Chair, and Secretary.

B. The purpose of the meetings of the Warrant Committee and its subcommittees is to fulfill duties and responsibilities identified herein.

C. For the purpose of conducting Warrant Committee business, a gathering of ~~8~~ 13 members shall constitute a quorum. Warrant Committee approval of its recommendations, reports, and any other actions, except the filling of vacancies in its membership [110] and amending these bylaws [111], shall be by a majority of the votes cast.

D. For the purpose of conducting subcommittee business, a gathering of 3 members of the subcommittee that is meeting shall constitute a quorum. Subcommittee approval of its recommendations, reports, and any other actions shall be by a majority of the votes cast.

E. Warrant Committee members shall receive notice of all meetings sufficient to allow them reasonable opportunity to attend. A failure to attend ~~two~~ three consecutive meetings of the Warrant Committee or a subcommittee within a consecutive 12 month period unless excused by the Chair, Vice-Chair, or Secretary, or by a Chair of the subcommittee, shall result in ~~an automatic~~ the dismissal of that member from the Warrant Committee.

F. The Warrant Committee may not vote on any article that falls within the purview of a subcommittee until that subcommittee has first submitted its report for consideration.

G. All meetings of the Warrant Committee and its subcommittees shall be open to the public and notice thereof shall be posted on the Town of Bar Harbor bulletin board and online calendar no fewer than 2 days prior thereto.

H. Members of the public may speak during Warrant Committee and subcommittee meetings at the discretion of the Chair or Subcommittee Chair, whichever the case may be. A ruling by the Chair or Subcommittee Chair on whether a member of the public can speak may be overturned or amended by a majority of the votes cast. The motion needed for such a vote shall be a privileged motion, which means the motion may be made while the member of the public has the floor. Members of the public may not introduce or vote on motions.

## **Article VII: Parliamentary Authority**

The Warrant Committee will use the rules contained in the most current edition of Robert's Rules of Order Revised as a guide to the conduct of its meetings to the extent that the rules do not conflict with these bylaws, the Town of Bar Harbor Municipal Code, or any special rules of order the Warrant Committee may adopt.

### **Article VIII: Amendments**

The Warrant Committee may amend these bylaws by a majority vote of its members (8 or more) at any regular or special meeting of the Warrant Committee. Written notice of the proposed bylaw amendment shall be provided to each Warrant Committee member at least 5 days prior to the date of the meeting at which the vote will take place.

#### *Legislative History:*

*Adopted: March 14, 1995 Amended: February 24, 2003 Amended: February 23, 2004  
Amended & Adopted: March 7, 2016*