

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1039

H.P. 735

House of Representatives, March 12, 1991

Received by the Clerk of the House on March 8, 1991. Referred to the Committee on State and Local Government and 1400 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

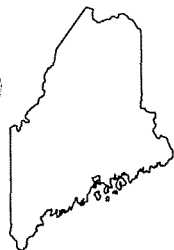
Presented by Representative LOOK of Jonesboro.

Cosponsored by Senator BERUBE of Androscoggin and Senator EMERSON of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Resolve Municipal Secret Ballot Elections that Result in a Tie
Vote.**



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

2
30-A MRSA §2528, sub-§10, as amended by PL 1989, c. 104, Pt.
4 C, §§8 and 10, is further amended to read:

6 10. Election by plurality vote; tie vote. Election shall
7 must be by plurality vote. In the case of a tie vote, the
8 meeting shall must be adjourned to a day certain, when ballots
9 shall are again be cast for the candidates tied for the office in
10 question, unless the municipality's legislative body has provided
11 by ordinance that any tied candidate may withdraw from a
12 subsequent election by delivering written notice of withdrawal
13 signed by the candidate and notarized to the municipal offices
14 within the 5-day period following the election. After the 5-day
15 period has expired, the municipal officers shall call a run-off
16 election between the remaining candidates by posting a warrant in
17 the manner required for calling a town meeting. If only one
18 candidate remains, that candidate is declared the winner and
19 sworn into office.

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STATEMENT OF FACT

25 The bill allows a municipality's legislative body to pass an
26 ordinance allowing a tied candidate to withdraw by signing a
27 written waiver so the a run-off election is not necessary.
28