

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

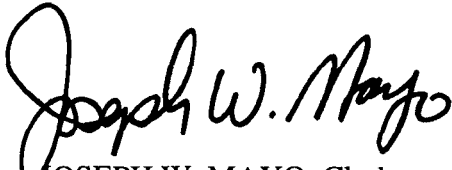
No. 349

H.P. 247

House of Representatives, January 31, 1995

**An Act Concerning Tie Votes among Candidates in Municipal Secret
Ballot Elections.**

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative WINN of Glenburn.

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

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Sec. 1. 30-A MRSA §2528, sub-§10, as amended by PL 1991, c. 323, is further amended to read:

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

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STATEMENT OF FACT

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This bill removes the requirement in secret ballot elections of candidates for municipal office that in order to allow withdrawal from a run-off election between or among tied candidates, a municipality must adopt an ordinance providing for such withdrawal. Under this bill, any tied candidate may withdraw.

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