

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 497

H.P. 372

House of Representatives, January 14, 1999

An Act to Promote the Use of the Secret Ballot at Town Meetings.

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative ANDREWS of York.

Cosponsored by Representatives: COLLINS of Wells, LEMONT of Kittery.

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

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48

Sec. 1. 30-A MRSA §2525, sub-§2, as amended by PL 1989, c. 659, is further amended to read:

~~2. Other officials. A town, at a meeting held at least 90 days before the annual meeting, may designate~~ All other town officials to must be elected by ballot in accordance with the provisions of section 2528. ~~The election of officials at the last annual town meeting is deemed to be such a designation until the town acts otherwise at a meeting held at least 90 days before the annual meeting at which the election will be held.~~

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

The following provisions govern a town's use of a secret ballot for the election of town officials ~~or~~ for municipal referenda elections or for the adoption of budget articles. A vote by secret ballot takes precedence over a vote by any other means at the same meeting.

Sec. 3. 30-A MRSA §2528, sub-§1, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is repealed and the following enacted in its place:

1. Election of town officials. This section applies to the election of all town officials at the annual town meeting or annual town elections, except the moderator, who is elected as provided in section 2524, subsection 2.

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

~~2. Designation, number and terms of officials. At the time of acceptance, the~~ The town shall determine, by a separate article in the warrant, which other officials are to be elected according to this section, and may determine the number and terms of ~~selectmen~~ municipal officers, assessors and overseers according to section 2526.

A. After the determination under this subsection, a town may not change the designation, number or terms of town officials, except at a meeting held at least 90 days before the annual meeting.

Sec. 5. 30-A MRSA §2528, sub-§5, ¶B, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

2 B. ~~If--a--particular~~ An article to be voted on by secret
ballot ~~that~~ requests an appropriation of money by the
4 municipality, ~~the--article,~~ when printed in the warrant and
on the ballot, must be accompanied by a recommendation of
the municipal officers.

6
8 (1) If by town meeting vote or charter provision, a
budget committee has been established to review
proposed town expenditures, the recommendations of the
10 budget committee ~~shall~~ must be printed in addition to
those of the municipal officers.

12
14 (2) If the action affects the school budget, a
recommendation by the school board ~~shall~~ must be
16 printed in addition to those of the municipal officers
and the budget committee, if any.

18 **Sec. 6. 30-A MRSA §2528**, as amended by PL 1997, c. 733, §1,
is further amended by adding at the end a new paragraph to read:

20 The provisions of this section apply to all articles on the
22 warrant for the annual town meeting that request an appropriation
24 of funds by the town and are a part of the annual town budget.

26 SUMMARY

28 This bill extends the required use of a secret ballot for
town meeting votes to the election of town officials, approval of
30 local initiatives and adoption of budget articles.