

MAINE STATE LEGISLATURE

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FILED

L.D. 282

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MINORITY
LEGAL AND VETERANS AFFAIRS

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12 the House.

14 STATE OF MAINE
16 HOUSE OF REPRESENTATIVES
18 121ST LEGISLATURE
20 FIRST REGULAR SESSION

22 COMMITTEE AMENDMENT "A" to H.P. 225, L.D. 282, Bill, "An
24 Act To Prohibit Municipal Elections within 60 Days of a Statewide
26 Election"

28 Amend the bill by striking out the title and substituting
30 the following:

32 '**An Act To Prohibit Special Municipal or School District
34 Elections within 60 Days of a Regular Election'**

36 Further amend the bill by striking out everything after the
38 enacting clause and before the summary and inserting in its place
40 the following:

42 '**Sec. 1. 20-A MRSA §1352, sub-§1, as amended by PL 1999, c.
44 93, §1, is further amended to read:**

46 **1. Municipal officers.** The warrant shall direct the
municipal officers within the district to call a referendum on a
date and time determined by the board of directors.
Notwithstanding any other provision of law, the date determined
by the board of directors must be the same day as a regular
election in the municipalities within the district or at least 60
days prior to or subsequent to a regular election in the
municipalities. For the purposes of this subsection, "regular
election" means an election held at a regular time prescribed by
law or charter. A warrant shall be prepared and distributed at
least 30 days prior to the date of the referendum, except that a
warrant for a school district budget referendum held in

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2 accordance with section 1305, subsection 2, shall be prepared and distributed at least 14 days prior to the date of the referendum.

4 A. The warrant shall must be directed to a resident of the district by name, ordering the resident to notify the municipal officers of each of the municipalities within the district, to call a town meeting or city election on the date specified by the board of directors. No other date may be used. The person who serves the warrant shall make a return on the warrant stating the manner of services and the time when it was given.

12 B. The warrant shall must be served on the municipal clerk of each of the municipalities within the district by delivering an attested copy of the warrant in hand within 3 days of the date of the warrant. The municipal clerk, on receipt of the warrant, shall immediately notify the municipal officers within the municipality. The municipal officers shall forthwith meet, countersign and have the warrant posted.

22 C. The warrants and other notices for the referendum must be in the same manner as provided in Title 21-A, except that the district board of directors shall hold a public hearing at least 7 days before the referendum vote. At least 7 days before the public hearing, the board of directors shall give notice of the public hearing by having a copy of the proposed referendum, together with the time and place of hearing, posted in the same manner required for posting a warrant under this section.

32 Sec. 2. 30-A MRSA §2505 is enacted to read:

34 §2505. Special municipal elections

36 Notwithstanding any other provision of law, municipal officers may not call a special municipal election or special municipal referendum on a date within 60 days of a regular election unless it is called for the same day as the regular election. For the purposes of this section, "regular election" means an election held at a regular time prescribed by law or charter.'

44 SUMMARY

46 This amendment is the minority report. This amendment replaces the bill. The amendment prohibits municipalities from

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2 calling a special municipal election or special municipal
referendum within 60 days of a regular election unless it is
4 called for the same day as the regular election. The amendment
prohibits school administrative districts from calling a district
6 referendum within 60 days of a regular election within the
district unless the district referendum is called for the same
day as the regular election.