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

122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document	No. 488
H.P. 363	House of Representatives, February 1, 2005

An Act To Clarify City Election Procedures

(EMERGENCY)

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND
Clerk

Presented by Representative ADAMS of Portland.

Emergency preamble. Whereas, acts of the Legislature do not

2 become effective until 90 days after adjournment unless enacted
as emergencies; and

4

Whereas, current law regarding the announcement of elections

6 is unclear as to the application of that law to city referenda
when the municipal charter requirements are different; and

8

Whereas, it is important to clarify the method for calling

10 city referenda; and

12 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of

14 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and

16 safety; now, therefore,

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

20 **Sec. 1. 30-A MRSA §2551,** as enacted by PL 1987, c. 737, Pt.
A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and

22 c. 104, Pt. C, §§8 and 10, is repealed and the following enacted
in its place:

24

§2551. Warrant or notice for city election

26

Except as otherwise required by municipal charter, each city

28 election must be called by a warrant or by a notice of election
posted in compliance with Title 21-A, section 621-A. The warrant

30 must meet the requirements listed in Title 21-A, section 622-A.

32 **Sec. 2. Retroactivity.** This Act applies retroactively to all
city elections held on or after January 1, 2003.

34

Emergency clause. In view of the emergency cited in the

36 preamble, this Act takes effect when approved.

38

SUMMARY

40

This bill clarifies the procedure for calling an election in

42 a city, if the municipal charter does not specify the procedure,
by allowing notification of the election to be done by warrant or

44 by notice of election.