

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1061

H.P. 779

House of Representatives, March 6, 2007

An Act To Accept the Determination of Public Opinion on Municipal Projects

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative McFADDEN of Dennysville. (BY REQUEST)
Cosponsored by Senator RAYE of Washington and
Representatives: BLANCHARD of Old Town, EDGECOMB of Caribou, JOY of Crystal,
SAVIELLO of Wilton, SCHATZ of Blue Hill, TIBBETTS of Columbia, VAUGHAN of
Durham.

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

Sec. 1. 30-A M RSA §2532-A is enacted to read:

§2532-A. Written ballot procedure for opposing projects

Approval for any municipal, county or state governmental project or any private commercial project within the boundaries of a municipality must be rescinded if a majority of the voters within the municipality vote to oppose the project in accordance with this section.

1. Petition. On the written petition of a number of voters equal to at least 10% of the number of votes cast in the town at the last gubernatorial election, but in no case less than 10 voters, the municipal officers shall schedule a referendum vote at the polls. Notice of the referendum must be published in a newspaper of general circulation in the area. One notice must be published as close to the 14th day before the meeting as possible, and the 2nd notice must be published as close to the 7th day before the meeting as possible.

2. Referendum. The municipal officers shall hold the referendum under subsection 1. The ballot must specifically identify the intent to overturn the approval of the project. The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion on the referendum. The results must be declared by the municipal officers and entered upon the municipal records.

3. Majority vote. If the majority of the votes on the referendum under subsection 1 are in favor of overturning the approval for the project, then that approval is rescinded, and the project may not proceed.

SUMMARY

This bill develops a process for a majority of voters in a municipality to overturn an approval for a governmental or commercial project.