

MAINE STATE LEGISLATURE

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L.D. 2102

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STATE OF MAINE

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SENATE

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123RD LEGISLATURE

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SECOND REGULAR SESSION

8

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P.
1488, L.D. 2102, Bill, "An Act To Allow Road Associations To Determine Assessments
According to Majority Vote Cast at a Duly Held Meeting"

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Amend the amendment in section 1 in §3101 by striking out all of subsection 2 (page
1, lines 24 to 35 and page 2, lines 1 to 4 in amendment) and inserting the following:

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'2. Call of meeting. When 4 or more parcels of land are benefited by a private road,
private way or bridge as an easement or by fee ownership of the private road, private way
or bridge, the owners of any 3 or more of the parcels, as long as at least 3 of the parcels
are owned by different persons, may make written application to a notary public to call a
meeting. The notary may issue a warrant or similar written notice setting forth the time,
place and purpose of the meeting. Copies of the warrant or similar written notice must be
mailed by means of the United States Postal Service to the owners of all the parcels
benefited by the private road, private way or bridge at the addresses set forth in the
municipal tax records at least 30 days before the date of the meeting. If mailing copies of
the warrant or similar written notice to all such owners is not possible, the notary shall
post a notice in a public place. The notice must inform the owners of the planned
meeting's agenda and specify all items to be voted on. The notice, if mailed, must be
accompanied by a proxy form. The notice, if posted, must provide information on how to
obtain a proxy form. A person acting as a proxy may not be an owner of a parcel
benefited by the private road, private way or bridge that is the subject of the meeting.
Subsequent meetings may be called in the same manner or by a commissioner or board
appointed at a previous meeting pursuant to subsection 5.'

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Amend the amendment in section 1 in §3101 in subsection 4 in the 3rd line (page 2,
line 11 in amendment) by striking out the following: "another owner to vote in the
owner's stead" and inserting the following: 'a proxy to vote in the owner's stead, except
that the proxy may not be an owner of a parcel benefited by the private road, private way
or bridge that is the subject of the meeting.'

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SUMMARY

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This amendment removes the ability of the owners to vote by absentee ballot and
specifies that any proxy appointed by an owner may not be an owner of a parcel of land

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SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1488, L.D. 2102

1 that is benefited by the private road, private way or bridge that is the subject of the
2 meeting.

3 SPONSORED BY: 

4 (Senator DAMON)

5 COUNTY: Hancock