

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1097

H.P. 692

House of Representatives, March 9, 2023

**An Act to Replace Participation Thresholds in Municipal Referenda
with Lower Approval Thresholds**

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BRIDGEO of Augusta. (BY REQUEST)
Cosponsored by Senator POULIOT of Kennebec and
Representatives: LaROCHELLE of Augusta, MONTELL of Gardiner.

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

2 **Sec. 1. 30-A MRSA §2105, sub-§4**, as enacted by PL 1987, c. 737, Pt. A, §2 and
3 Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further
4 amended to read:

5 **4. Effective date.** If a ~~majority~~ more of the ~~ballots~~ votes cast on any question under
6 subsection 1 or 2 favor acceptance than oppose it, the new charter, charter revision, charter
7 modification or charter amendment proposed in that question becomes effective as
8 provided in this subsection, ~~provided as long as the total~~ provided as long as the total number of votes cast ~~for and~~
9 ~~against~~ in favor of the question equals or exceeds ~~30%~~ 15% of the total votes cast in the
10 municipality for Governor at the last gubernatorial election.

11 A. Except as provided in subparagraph (1), new charters, charter revisions or charter
12 modifications adopted by the voters take effect on the first day of the next succeeding
13 municipal year.

14 (1) New charters, charter revisions or charter modifications take effect
15 immediately for the purpose of conducting any elections required by the new
16 provisions.

17 B. Charter amendments adopted by the voters take effect on the date determined by
18 the municipal officers, but not later than the first day of the next municipal year.

19 **SUMMARY**

20 This bill changes the requirements for a new municipal charter, charter revision, charter
21 modification or charter amendment in a question before the voters to go into effect. Current
22 law requires that the total number of votes cast for and against the question equals or
23 exceeds 30% of the total votes cast in the municipality in the last gubernatorial election.
24 The bill requires instead that the number of votes cast in favor of the question equals or
25 exceeds 15% of the total votes cast in the municipality in the last gubernatorial election and
26 clarifies that this means votes cast for Governor in that election. Also, while this bill does
27 not change the requirement that a majority of votes cast for and against the proposed change
28 be in favor of it in order for that change to go into effect, it clarifies that blank votes are not
29 counted in that calculation.