

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>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1356

H.P. 870

House of Representatives, March 28, 2023

An Act to Improve the Local Referendum Process by Increasing the Percentage of the Population Required to Submit a Local Referendum Question

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 GRAHAM of North Yarmouth.
Cosponsored by Representatives: BRIDGEO of Augusta, CRAFTS of Newcastle, CROCKETT of Portland, JAUCH of Topsham, MORIARTY of Cumberland, RUNTE of York, STOVER of Boothbay, TERRY of Gorham.

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

2 **Sec. 1. 30-A MRS §2528, sub-§5**, as amended by PL 2021, c. 185, §1, is further
3 amended to read:

4 **5. Referendum questions.** By order of the municipal officers or on the written
5 petition of a number of voters equal to at least ~~10%~~ 25% of the number of votes cast in the
6 town at the last gubernatorial election, but in no case less than 10, the municipal officers
7 shall have a particular article placed on the next ballot printed or shall call a special town
8 meeting for its consideration. A petition or order under this subsection is subject to the
9 filing provisions governing nomination papers under subsection 4.

10 The municipal officers shall hold a public hearing on the subject of the article at least 10
11 days before the day for voting on the article. The public hearing must be held in a manner
12 that solicits and allows for a discussion on the merits of the article. At least 7 days before
13 the date set for the hearing, the municipal officers shall give notice of the public hearing
14 by having a copy of the proposed article, together with the time and place of hearing, posted
15 in the same manner required for posting a warrant for a town meeting under section 2523.
16 The municipal officers shall make a return on the original notice stating the manner of
17 notice and the time it was given.

18 A. The requirement for public hearing is not a prerequisite to the valid issuance of any
19 bond, note or other obligation of a municipality authorized to borrow money by vote
20 under any such particular article.

21 B. If a particular article to be voted on by secret ballot requests an appropriation of
22 money by the municipality, the article, when printed in the warrant and on the ballot,
23 must be accompanied by a recommendation of the municipal officers.

24 (1) If by town meeting vote or charter provision, a budget committee has been
25 established to review proposed town expenditures, the recommendations of the
26 budget committee shall be printed in addition to those of the municipal officers.

27 (2) If the action affects the school budget, a recommendation by the school board
28 shall be printed in addition to those of the municipal officers and the budget
29 committee, if any.

30 C. If the warrant for a town meeting contains only articles for the election of the
31 moderator and one or more referendum questions to be voted on by secret ballot, the
32 municipal officers may specify the same voting places as those used by the town for
33 federal, state or county elections.

34 **SUMMARY**

35 This bill increases the number of voters required on a written petition for a municipal
36 referendum from 10% to 25% of votes cast in the municipality at the last gubernatorial
37 election.