



132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 991

S.P. 425

In Senate, March 11, 2025

An Act to Prevent Conflicts of Interest When Voting on Municipal Employee Compensation

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

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator MARTIN of Oxford.
Cosponsored by Senator: CYRWAY of Kennebec.

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

2 **Sec. 1. 21-A MRSA §611** is enacted to read:

3 **§611. Guidance to municipal clerks**

4 The Secretary of State shall produce and publicly disseminate guidance to municipal
5 clerks for implementing the provisions of Title 30-A, section 2524, subsection 1-A; section
6 2528, subsection 5, paragraph D; and section 2554, subsection 4. The guidance must
7 provide instructions for:

8 **1. Disqualified voters.** Identifying municipal voters who are disqualified from voting
9 on specific articles or referendum questions or city referendum questions pursuant to Title
10 30-A, section 2524, subsection 1-A; section 2528, subsection 5, paragraph D; and section
11 2554, subsection 4; and

12 **2. Prohibition on voting.** Ensuring that a municipal voter identified in accordance with
13 paragraph A is not permitted to vote during a town meeting on an article or referendum
14 question that the voter is disqualified from voting on pursuant to Title 30-A, section 2524,
15 subsection 1-A; section 2528, subsection 5, paragraph D; and section 2554, subsection 4
16 and is not given a ballot containing an article or referendum question that the voter is
17 disqualified from voting on pursuant to Title 30-A, section 2524, subsection 1-A; section
18 2528, subsection 5, paragraph D; and section 2554, subsection 4.

19 **Sec. 2. 30-A MRSA §2501, sub-§2,** as enacted by PL 1989, c. 104, Pt. C, §10 and
20 Pt. D, §2, is amended to read:

21 **2. Qualifications for voting.** The Except as provided in section 2524, subsection 1-A;
22 section 2528, subsection 5, paragraph D; and section 2554, subsection 4, qualifications for
23 voting in a municipal election conducted under this Title are governed solely by Title 21-A,
24 section 111.

25 **Sec. 3. 30-A MRSA §2524, sub-§1,** as enacted by PL 1987, c. 737, Pt. A, §2 and
26 Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further
27 amended to read:

28 **1. Qualified voter; election of town officials.** Every Except as provided in subsection
29 1-A, every voter in the town may vote in the election of all town officials and in all town
30 affairs.

31 **Sec. 4. 30-A MRSA §2524, sub-§1-A** is enacted to read:

32 **1-A. Disqualification based on direct pecuniary interest.** A voter who has a direct
33 pecuniary interest in an article or referendum question may not vote on that article or
34 referendum question at the town meeting or by secret ballot pursuant to section 2528. For
35 purposes of this subsection, a voter has a direct pecuniary interest in an article or a
36 referendum question that involves approving or ratifying or denying approval or ratification
37 of a contract or a budget, including the school budget, directly affecting the compensation
38 of the voter, including a budget that appropriates or deappropriates money in a way that
39 changes the salary, hourly rate of compensation or employment benefits of the voter.

40 **Sec. 5. 30-A MRSA §2528, sub-§5, ¶D** is enacted to read:

41 D. The provisions of section 2524, subsection 1-A apply to any referendum question
42 voted on by secret ballot.

Sec. 6. 30-A MRSA §2554, sub-§4 is enacted to read:

4. Voter disqualification based on pecuniary interest. A voter who has a direct pecuniary interest in an city referendum question may not vote on that referendum question. For purposes of this subsection, a voter has a direct pecuniary interest in a referendum question that involves approving or ratifying or denying approval or ratification of a contract or a budget, including the school budget, directly affecting the compensation of the voter, including a budget that appropriates or deappropriates money in a way that changes the salary, hourly rate of compensation or employment benefits of the voter.

SUMMARY

This bill prohibits a municipal voter, including a voter in a city, town or plantation, from voting on an article or referendum question if the voter has a direct pecuniary interest in the outcome of the article or referendum question. It also directs the Secretary of State to produce and publicly disseminate guidance for municipal clerks on how to implement this prohibition.