

Testimony on LD 1522, An Act to Update and Eliminate References to Aldermen, Selectmen and Overseers of the Poor

A friendly amendment has been put forth to clarify what a municipal official is which I support.

I commend you for taking the time to change selectmen to select board. Our towns have been reluctant to use the term, select board in ordinances because state law uses the term selectmen. Even when the term has been used in our communities, the media have been reluctant to use the term despite the fact that our communities have had women on their boards for years.

That said, Title 30-A needs more work clarifying municipal official. When the word municipal official is used, it would be more appropriate to state select boards and councillors *or* elected governing body.

1. Municipal officials and officers are used interchangeably.
2. Some municipal officials are elected, and others are not. A clerk may or may not be elected. A road commissioner may or may not be elected.
3. Title 30-A subpart 3 Municipal Affairs includes Ch 123 Municipals Official but doesn't identify the select board or council as municipal officials
4. Mayor is sometimes added to municipal officials

The reasons I suggest simply using select boards and councillors *or* elected governing body are:

1. The law currently uses both officials and officers. As the friendly amendment indicates, municipal officials are specifically members of the elected governing body of a municipality. The last clause should be "*or*" rather than "*and*" the assessors of a plantation. This last phrase needs to be reviewed to ensure what responsibilities assessors have versus county commissioners have as elected officials. P. 6, line 12 should say, The select board or councillors of a town.
2. Elected or not. The town manager is the appointed official of a municipality and signs many official documents. The Clerk, sometimes elected, has specific legal, official responsibilities outlined in law. Stating elected select board or councillors is preferable to municipal officials to avoid confusion with these offices.
3. Title 30-A Subpart 3 Municipal Affairs, Chapter 123 Municipal officials includes the town manager, town clerk, and law enforcement officers, but not the select board or town or city councils. This section's wording adds to the confusion.
4. If responsibility is placed in the governing body, then adding the mayor adds to confusion. Most communities do not have a mayor (p. 2, line 4). With a few exceptions such as Portland, if a town or city has a mayor, he or she is first among equals, elected by the council, serves similarly to a select board chair, and so does not serve as the one elected representative. On p. 6 Line 13, "The mayor and municipal officers or

councillors of the city” might be better stated, “The governing body or, when designated, the mayor representing the governing body,” for the few cases in which the mayor does serve as the elected representative.

Finally, Overseers of the Poor might simply be stated as Welfare Directors.

Thank you,

A handwritten signature in black ink that reads "Carolyn Ball". The script is cursive and fluid, with the first name and last name clearly legible.

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