

## **Recall of Elected Officials**

### **Section 7.01: Right to Request a Recall Election**

The right of the Town's registered voters to recall an Elected Official from office, prior to the expiration of his/her term, can be an important part of the democratic process, in order to ensure that Elected Officials carry out their duties with honesty and integrity. Recall elections, however, have the potential for abuse, community divisiveness and controversy, and can cause harm to individual reputations, so it is important that such elections are authorized only when an Elected Official has committed a serious act or acts of misconduct, and only after those seeking the recall have satisfied the procedural requirements for such elections. Having carefully considered and weighed each of these factors, it shall be the policy of the Town that the right of registered voters to request the recall of an Elected Official shall be reserved exclusively for extraordinary situations, and shall be available:

- (a) Only upon the occurrence of any of the acts of misconduct specified in Section 7.02 of this Article; and
- (b) Only after strict compliance with each of the procedures set out in this Article.

### **Section 7.02: Grounds for Recall of an Elected Official**

An Elected Official may be recalled from office after his/her election, but before the expiration of his/her term of office, for any one or more of the following reasons:

- (a) If, in the judgment of the registered voters of the Town, the Elected Official has engaged in serious misconduct amounting to a breach of the public trust. This ground for recall is not intended to be used for the frivolous harassment of an Elected Official, or to vex an Elected Official in the exercise of his/her public duties. Where, however, the misconduct involved has risen to such a level of dishonesty or impropriety that it amounts to a breach of the public trust, the Elected Official may lawfully be subjected to a request for recall;
- (b) Deliberate misrepresentation by an Elected Official of his/her qualifications, background, criminal or work history before or after the election in which he/she was elected;
- (c) Malfeasance in office;
- (d) Misfeasance or nonfeasance in office;
- (e) A conviction of any "qualifying crime" as defined in the Definitions set out in Article 2 of this Charter, or a plea of guilty or nolo contendere as to any "qualifying crime."

### **Section 7.03: Invalid Grounds for Recall**

Disagreements, no matter how vehement, over an Elected Official's exercise of discretion in the performance of a lawful act, or in the performance of his/her official duties, shall not be a valid ground to request a recall election.

### **Section 7.04: Notice of Intention to Request a Recall Election**

In order to initiate a recall election, a notice of intention ("Notice of Intention") to file a recall petition must be signed by 500 or more registered voters ("Signatories") of the Town, requesting that an election be held to determine whether a specific Elected Official should be recalled from office. Each Signatory must be a registered voter of the Town on the date that he/she signs the Notice of Intention. The Signatories shall designate, in the Notice of Intention, one person to act as their agent (the "Agent"), to whom all future communications from the Select Board or Town Clerk, regarding the Notice of Intention, should be sent. It shall be the duty of the Agent to send copies of all such communications to each of the Signatories.

Notice of Intention forms shall be made available at the Office of the Town Clerk. These forms shall contain:

- (a) The name and official position of the Elected Official sought to be recalled;
- (b) The name, current Kennebunk address, telephone number and email address of the Signatories' Agent; and
- (c) A statement of each of the grounds for recall specified in Section 7.02 above, accompanied by a concise statement of the facts alleged by the Signatories to support each ground for recall.

Each Notice of Intention form filed with the Office of the Town Clerk shall name only one Elected Official who is allegedly subject to recall. The Agent shall oversee the collection of signatures of the Signatories and ensure that the information required by Section 7.04 (c) is accurate and complete.

It shall be the duty of the Town Clerk to verify the signatures on the Notice of Intention within 20 Business Days after it has been filed in the Office of the Town Clerk. If the Town Clerk determines that fewer than 500 signatures of registered voters appear on the Notice of Intention, he/she shall notify the Agent of this deficiency within 2 Business Days of his/her determination, and shall take no further action with respect to the defective Notice of Intention.

#### **Section 7.05: Petition for Recall Election**

If the Town Clerk determines that the Notice of Intention has the required number of registered voters' signatures, then he/she shall make available to the Agent printed Petition for Recall Election ("Petition") forms, and shall deliver to the Agent a dated notice by email ("the Email Notice") that those forms are available at the Office of the Town Clerk. On the same date that the Email Notice is sent to the Agent, the Town Clerk shall notify the Select Board, and the Elected Official who is the target of the Notice of Intention, that the Notice of Intention is valid and has been certified as such. The date of the Email Notice is the date upon which the process of collecting the necessary number of signatures on the Petition may begin.

The printed Petition shall contain, at the top of each signature page:

- (a) The name and office of the Elected Official whose recall is being sought;
- (b) The name, current Kennebunk address, telephone number, and email address of the Petitioners' Agent;
- (c) A copy of the grounds for recall, and the facts alleged to support each ground, that was part of the Notice of Intention required by Section 7.04 (c); and
- (d) The date by which the fully completed Petition must be filed in the Office of the Town Clerk.

The Notice of Intention and the Petition are two separate documents. The signatures on the Notice of Intention shall not be used as a substitute for signatures on the Petition.

The Agent shall have 30 Calendar Days within which to obtain the signatures of 2,000 or more registered voters of the Town on the Petition, and to file that Petition in the Office of the Town Clerk. In calculating the date upon which this 30-day period expires (the "Expiration Date"), the Town Clerk shall use the date of the Email Notice as Day 1. If the Expiration Date falls upon a recognized national or State holiday, or upon a weekend, then 4:30 p.m. on the next occurring Business Day shall be the Expiration Date. The Town Clerk shall determine the Expiration Date and note it on the Petition forms made available to the Agent. The Town Clerk's determination of that Expiration Date shall be final and conclusive, and is not subject to challenge. Under no circumstances may the Expiration Date noted on the completed Petition be extended by the Town Clerk.

After obtaining the required number of 2,000 or more registered voters' signatures on the Petition, the Agent shall file it in the Office of the Town Clerk for certification, and each page of the completed Petition shall be stamped "Filed" by the Office of the Town Clerk on or before the Expiration Date. Completed Petition forms shall be filed by the Agent during Normal Business Hours, and, if they are submitted after Normal Business Hours on a particular day, they shall be treated as having been filed at 9 o'clock, a.m., on the next succeeding Business Day.

Any registered voter who, having signed a Petition, desires to withdraw his/her signature from it before it has been filed in the Office of the Town Clerk, may file a request to do so, in writing, on a pre-printed form available at the Office of the Town Clerk for that purpose. If the Town Clerk receives such a written request before the Expiration Date, then the requesting voter's name shall be stricken from the Petition, and his/her signature shall not be counted as one of the 2,000 required signatures. No such written request shall be acted upon, however, after the Expiration Date.

### **Section 7.06: Certification of the Petition and Notification**

Within 20 Calendar Days of the filing of a Petition, the Town Clerk shall determine whether the requirements of Section 7.05 have been fully satisfied. If he/she determines that those requirements have, in fact, been satisfied, he/she shall certify the Petition in the space provided on the Petition, and shall also, within 2 Business Days after that, send a notification of that certification to: (a) the Select Board; (b) the Agent; and (c) the Elected Official whose recall is being sought. If the Town Clerk determines that the Petition is defective in any material respect, then, within 1 Business Day of that determination, he/she shall notify the Agent of the nature of the defect, and shall send a copy of that notification to the Select Board and the Elected Official. The Agent shall then have the time remaining between the date of notification of the defect and the Expiration Date within which to file a Petition that fully satisfies the requirements of Section 7.05.

### **Section 7.07 Incumbent to Continue Duties During Recall Process**

The Elected Official who is the target of the Petition shall continue to perform the duties of his/her office until the results of the recall election have been recorded in the Town Records Book. If not recalled, the Official shall continue in office for the remainder of his/her unexpired term. If recalled, the Official shall be deemed removed upon entry of the election results in the Town Records Book.

### **Section 7.08 The Recall Election**

After a Petition that meets all of the requirements of this Article has been certified, within 5 Business Days of the certification the Select Board shall, in writing, offer an opportunity to the Elected Official to resign voluntarily from office. If the Elected Official declines to resign within 5 Business Days, the Select Board shall order a recall election to be held for the registered voters of the Town to decide whether that Official should be recalled. The recall election shall be held no fewer than 45 Calendar Days, and no more than 75 Calendar Days, after certification of the Petition under Section 7.06 of this Article, unless a regular municipal election has been scheduled to be held within 90 Calendar Days of certification of the Petition, in which case the recall election shall be held on the same date as the municipal election.

If the Select Board fails to schedule a recall election within 20 Calendar Days of the certification of the Petition, the Town Clerk shall do so in conformity with the timing requirements of this Section.

In order for any recall election to be valid, the minimum number of registered voters who actually vote in the recall election must be at least 3,000. If that threshold has been met, then the question of whether the Elected Official should be recalled shall be decided by a simple majority vote. If that threshold has not been met, the recall election is null and void, and the Elected Official shall remain in office.

### **Section 7.09: Format for Recall Election Ballots**

Ballots for the recall election shall contain a single question:

1. *“Do you authorize the recall of [name of Elected Official] from {name of his/her elected office}?”*  
YES \_\_\_ NO \_\_\_

### **Section 7.10: Recount**

If there is a difference of 1% or less between the total number of "YES" votes and "NO" votes cast in any recall election, a recount shall be conducted in compliance with the provisions of Title 30-A, Section 2531-B and 2532 of Maine's Revised Statutes.

### **Section 7.11: Results of Recall Election**

Within 2 Business Days after a recall election, or, if necessary, after any recount has been completed, the Town Clerk shall record the election results in the Town Records Book, and shall notify the Select Board and the Elected Official at issue of the results. If a majority of the registered voters have voted to recall the Elected Official, that recall shall take

effect on the date that the recall election results (or any necessary recount) are recorded by the Town Clerk in the Town Records Book.

### **Section 7.12: New Election If Recall Occurs**

If an Elected Official is recalled pursuant to this Article, candidates who wish to run in an election to fill the Official's office shall file nomination papers in the Office of the Town Clerk within 14 Calendar Days of certification of the results of the recall election in the Town Records Book. Each such nomination form shall be accompanied by a minimum of 25 signatures of registered voters of the Town who support the nomination of the replacement candidate, and shall state the last date upon which the nomination form may be filed in the Office of the Town Clerk. The Select Board then shall schedule the election of a replacement candidate 30 days after the last date upon which nomination papers must be filed in the Office of the Town Clerk. The successful candidate shall serve out the remainder of the unexpired term of the recalled Official.

### **Section 7.13: Limitation on Repeat Recall Petitions**

When an Elected Official has been the target of unsuccessful recall election proceedings, no additional recall proceedings shall be instituted against that Official for at least 6 months after the date that the final results of the unsuccessful recall election are recorded in the Town Records Book. In addition, no recall proceedings shall be instituted against an Elected Official in the 6 months before expiration of that Official's term of office.

## **References**

### **Current Kennebunk Town Charter:**

#### **ARTICLE VII RECALL OF ELECTED OFFICIALS**

Sec. 7.01 Elected Officials May Be Recalled Any elected official may be recalled and removed from office by the qualified voters of the Town as herein provided. Recall is intended to be used when, in the opinion of the number of voters hereinafter specified, an elected official, acting as such, has caused a loss of confidence in that official's judgment or ability to perform the duties and responsibilities of the office.

Sec. 7.02 Affidavit, Petition, Preparation and Filing Any 25 qualified voters of the Town may file with the Town Clerk an affidavit containing the name of the official sought to be recalled and a statement of specific facts to support the grounds of recall. The Town Clerk shall forthwith transmit a copy of such affidavit to the official sought to be recalled and to the Select Board. Within 5 days from the date of the filing of the affidavit, the Town Clerk shall deliver to the 25 voters making such affidavit a sufficient number of copies of petition blanks demanding such recall. The blanks shall be issued, consecutively numbered and signed by the Town Clerk, who shall set the official seal thereto; they shall be dated and addressed to the Select Board, and shall contain the name of the official sought to be recalled, the grounds of recall as stated in said affidavit, and the names of the persons to whom issued; and they shall demand the election of the successor to such official. The recall petition shall be returned and filed with the Town Clerk within 30 days after issuance of the petition. Said petition, before being returned and filed, shall be signed by registered voters of the Town equal to at least 10% of the number of votes cast in the Town for Governor in the last gubernatorial election, but in no case less than 100 voters, and to every signature shall be added the place of residence of the signer. The Town Clerk shall deliver the petition to the Registrar of Voters, and the Registrar of Voters shall within 5 days certify thereon the number of signatures which are names of qualified voters of the Town.

Sec. 7.03 Election as to Recall and Public Hearing If the petition shall be certified to be sufficient by the Town Clerk and the registrar of voters, the Town Clerk shall allow 5 days for the filing of legal challenges to the signatures on the petition. If no such challenges are filed, the Town Clerk shall forthwith certify and submit the petition to the Select Board. The Select Board shall forthwith give written notice to said official of the receipt of said certificate and, if the official sought to be removed does not resign within 5 days, shall order an election to be held on a day fixed by them not less than 50 nor more than 60 days after the date of the Town Clerk's certificate that a sufficient petition is filed. If any other Town election is to occur within 75 days after the date of said certificate, the Select Board may, at its discretion, postpone the holding of the recall election to the date of such other election. If a vacancy occurs in said office after a

recall election has been so ordered, the election shall nevertheless proceed as in this section provided. If the official sought to be recalled so requests, the Select Board shall make provisions for a public hearing on the matter, said hearing to take place not less than 7 days prior to said election. Sec. 7.04 Nomination of Candidates Any official being recalled shall not be a candidate at the recall election. The nomination of candidates, the publication of the warrant for recall election, and the conduct of the same shall be in accordance with the provisions of the laws of the State of Maine relating to elections, unless otherwise provided in this Charter. Nomination petitions for candidates at the recall election shall be filed with the Town Clerk within 15 days after the date of the filing of the certificate of the Town Clerk as to the sufficiency of the recall petition.

Sec. 7.05 Incumbent to Continue Duties During Recall Process The incumbent official shall continue to perform the duties of the office until the results of the recall election are certified. If not recalled the official shall continue in office for the remainder of the unexpired term, subject to subsequent recall only as provided in Section 7.07. If recalled in the recall election, the official shall be deemed removed upon the certification of the election results.

Sec. 7.06 Form of Ballots for Recall The ballots used in recall elections shall contain a separate question for each official whose recall is sought as follows: "Shall (name of official) be recalled from office?" and shall contain two separate boxes, one for a 'yes' vote and one for a 'no' vote. Under the question there shall appear the word 'CANDIDATES' and the direction 'Vote for One' and beneath this the names of candidates nominated as hereinbefore provided. In the event the recall petition is passed, the candidate receiving the greatest number of votes shall be deemed elected for the balance of the term of the official recalled.

Sec. 7.07 Limitations on Petitions No recall petition shall be filed against an official within 6 months after such official takes office, nor, in the case of an official subjected to recall election and not removed thereby, until at least 6 months after that election.

**State of Maine statute:**

**Title 30-A: MUNICIPALITIES AND COUNTIES**

**Part 2: MUNICIPALITIES**

**Subpart 3: MUNICIPAL AFFAIRS**

**Chapter 121: MEETINGS AND ELECTIONS**

**Subchapter 1: GENERAL PROVISIONS**

**§2505. Recall of municipal officials**

Except as otherwise provided by the municipality's ordinances or charter, an elected official of a municipality may be recalled from office pursuant to this section. For purposes of this section, "official" has the same meaning as [section 2604, subsection 2](#). [PL 2011, c. 324, §1 (NEW).]

**1. Petition for recall.** On the written petition pursuant to [subsection 5](#) of a number of voters equal to at least 10% of the number of votes cast in the municipality at the last gubernatorial election, an election must be held to determine the recall of an elected official of that municipality.

[PL 2011, c. 324, §1 (NEW).]

**2. Notice of intention.** In order to initiate a recall election under [subsection 1](#), the initiator of the petition shall file a notice of intention of recall with the municipal clerk of the municipality. A notice of intention of recall under this subsection must include the name, address and contact information of the person filing the notice and the name and position of the official subject to recall under this section. Only a person registered to vote in the municipality may file a notice of intention of recall under this subsection.

[PL 2011, c. 324, §1 (NEW).]

**3. Petition forms.** Within 3 business days of receipt of a notice of intention of recall under [subsection 2](#), the municipal clerk shall prepare petition forms for the collection of signatures under [subsection 4](#) and send

notice to the initiator of the petition under [subsection 2](#) that the petition forms are available. The municipality may charge the initiator of the petition a reasonable fee for preparing and providing the petition forms under this subsection. A petition form under this subsection must include:

A. At the top of the form, the name and position of the official subject to recall, the name and contact information of the initiator of the petition and the date by which the signatures must be submitted to the municipal clerk under [subsection 4](#); [PL 2011, c. 324, §1 (NEW).]

B. Spaces for each voter's signature, actual street address and printed name; and [PL 2011, c. 324, §1 (NEW).]

C. Space at the bottom of the form for the name, address and signature of the person circulating the petition form. [PL 2011, c. 324, §1 (NEW).]

[PL 2011, c. 324, §1 (NEW).]

**4. Collection and submission of signatures.** A petition form under [subsection 3](#) may be circulated or signed only by a registered voter of the municipality. A circulator of a petition form shall fill in the information required under [subsection 3, paragraph C](#) and sign the form prior to submission of the form to the municipal clerk. The initiator of the petition under [subsection 2](#) shall collect the petition forms from all circulators and submit the signed petition forms to the municipal clerk within 14 days of receipt of notice from the clerk that the petition forms are available under [subsection 3](#). A municipal clerk may not accept a petition form submitted more than 14 days after sending notice of availability to the initiator under [subsection 3](#), and any voter signatures on that form are invalid.

[PL 2011, c. 324, §1 (NEW).]

**5. Petition certification and notification.** Within 7 business days of receiving petition forms under [subsection 4](#), the municipal clerk shall determine whether the petition forms meet the criteria under [subsection 4](#) and certify the validity of any signatures on the petition forms. If the municipal clerk finds that the number of valid signatures submitted under [subsection 4](#) meets or exceeds the requirements under [subsection 1](#), the clerk shall certify the petition and immediately send notification of the certification to the municipal officers, the initiator of the petition and the official subject to the recall. If the municipal clerk finds the number of valid signatures submitted under [subsection 4](#) does not meet the requirements for a petition under [subsection 1](#), the municipal clerk shall file the petition and the petition forms in the clerk's office and notify the initiator of the petition.

[PL 2011, c. 324, §1 (NEW).]

**6. Scheduling recall election.** Within 10 business days of certification of the petition under [subsection 5](#), the municipal officers shall schedule a recall election to determine whether the official subject to the recall petition should be recalled. The election must be held no less than 45 days nor more than 75 days after certification of the petition under [subsection 5](#) unless a regular municipal election is scheduled to be held within 90 days of the certification of the petition under [subsection 5](#), in which case the recall election must be held on the date of the regular municipal election. If the municipal officers fail to schedule a recall election within 10 days of certification of the recall petition under [subsection 5](#), the municipal clerk shall schedule the recall election pursuant to the date requirements of this subsection.

[PL 2011, c. 324, §1 (NEW).]

**7. Ballots for recall election.** If the official subject to the recall does not resign from office within 10 business days of certification of the recall petition under [subsection 5](#), the ballots for the recall election under [subsection 6](#) must be printed. A ballot for a recall election under this section must read:

"Do you authorize the recall of (name of official) from the position of (name of office)?"

( ) Yes ( ) No"

[PL 2011, c. 324, §1 (NEW).]

**8. Results of recall election.** Within 2 business days of a recall election under subsection 6, the municipal clerk shall certify and record the election results and notify the municipal officers of those results. If a majority of voters vote to remove the official, the recall takes effect on the date the election results are recorded pursuant to this subsection.

[PL 2011, c. 324, §1 (NEW).]

**9. Limitation of recall.** An elected official may be the subject of a recall petition under this section only if the official is convicted of a crime, the conduct of which occurred during the official's term of office and the victim of which is the municipality.

[PL 2011, c. 324, §1 (NEW).]

SECTION HISTORY  
PL 2011, c. 324, §1 (NEW).

NOTE THAT THE MAINE.GOV WEBSITE SHOWS 3 BILLS CREATED DURING THE 124<sup>TH</sup> AND 128<sup>TH</sup> LEGISLATIVE SESSIONS "AN ACT TO ESTABLISH A RECALL PROCEDURE FOR ELECTED OFFICIALS." THERE IS ALSO A BILL FROM THE 129<sup>TH</sup> LEGISLATURE CALLED "An Act To Clarify the Authority To Recall Municipal Officials." THE INFO ABOVE IS THE ACTUAL LAW SHOWN ON THE BOOKS .

**Brief summary of some other towns:**

Town	Who may be recalled	Initiation/# of signatures	Explanation required	# of days to get required signatures	Certification	Link to website
Biddeford	Mayor, or any member of the City Council or School Committee	Mayor, Councilor-at-Large and School Committee Member: petition must be signed by not less than 15% of registered voters from the City who voted in the previous Gubernatorial Election. Ward Councilor: petition must be signed by not less than 15% of the qualified voters in that ward at the time of the previous municipal	not specified	not specified	City Clerk has 7 days after receipt of petition whether or not the petitions have been signed by the requisite number of qualified voters. See Charter for add'l details.	<a href="https://ecode360.com/B13">https://ecode360.com/B13</a>

election.

**Sanford**

Any elected Municipal or School official may be recalled and removed from office by the Voters

Five (5) or more Voters request in writing to the City Clerk for blank petition forms (the "Recall Committee.")

A statement of the reason or reasons for recall (for single individual only) and the names of the Recall Committee.

Recall Committee has thirty (30) days from the date of issuance of petition blanks to get signatures of 5% of the registered Voters.

City Clerk has 10 days after the circulation period ends to determine if # has been reached. If less than 5%, petition has no further effect. Must wait 180 days to file again.

<https://cms5.revize.com/>

**Saco**

Any elected official including Mayor, City Councilor, Ward Clerk, Warden, or School Board member

Any 50 voters of the City, or, in case of a Ward Councilor, School Board member, Warden or Ward Clerk, any 50 voters from the respective Ward .Number of Signatures. For Mayor, the recall petition must be signed by not less than 15% of the number of registered voters, at the time of the last preceding general municipal election, as determined by

A general statement of the reasons why such removal is desired (can be more than one individual)

20 business days

City Clerk has 10 days after receipt to determine if # is reached.

<https://ecode360.com/12>



the City Clerk.

**York**

Any elected office

Any qualified voter of the Town may file with the Town Clerk an affidavit containing the name of the officer sought to be recalled. Requires signatures of not less than ten (10) percent of the number of votes cast in the previous gubernatorial election by the registered voters of the Town.

a statement of the grounds of recall

not specified

The Town Clerk shall deliver the petition to the Board of Voter Registration and the board certifies the number of signatures.

<https://www.yorkmaine.o>

<b>Falmouth</b>	Councilor, School Board member or other elected official	Any five qualified voters may begin at any time proceedings to recall a Councilor, School Board member or other elected official by a request in writing to the Town Clerk for appropriate petition blanks. These voters shall be referred to as the recall committee "(recall committee)" Requires signature of 20% of registered voters.	A statement of the reason or reasons for recall and the names of the recall committee (each petition limited to a single individual)	30 days from the date of issuance of appropriate petition blanks	Town Clerk has 10 days after the circulation period ends. If not enough signatures, petition has no further effect. Must wait 180 days to file again.	<a href="http://online.encodeplus.com">http://online.encodeplus.com</a>
<b>Kittery</b>	Town council members, school "committee members"	On the written petition of a number of voters equal to at least 15% of the number of qualified voters registered at the time of the most recent municipal regular election.	not specified	not specified	Election called within 20 days of receiving certification of enough signatures; to be held 45-60 days later.	<a href="https://ecode360.com/15">https://ecode360.com/15</a>
<b>Wells</b>	Any elected official	On the written petition of a number of voters equal to at least 20% of the number of qualified voters who voted in the most recent gubernatorial election.	statement of the reason(s) why recall and removal is sought. Must also be given to the person(s) being recalled, at the same time.	not specified	Election called within 20 days of receiving certification of enough signatures; to be held 45-60 days later.	<a href="https://ecode360.com/12">https://ecode360.com/12</a>

<b>Old Orchard Beach</b>	town councilors and town clerk	Any seven qualified voters may begin at any time. Requires signatures from number of voters equal to at least 20% of the number of votes cast in the town at the last gubernatorial election	A statement of the reason or reasons for recall and the names of the recall committee (each petition limited to a single individual)	Within ten (10) days after the circulation period ends the Town Clerk shall certify. In the event of a request for the recall of the Town Clerk, the Registrar of Voters shall perform all the duties and functions of the Town Clerk	Town Council shall within forty-five (45) days submit to the voters the question of recall.	<a href="https://library.municode.com">https://library.municode.com</a>
<b>Buxton</b>	Any elected official	Any one person can initiate but 5 people comprising a petitioners committee must file an affidavit w/Town Clerk and gather signatures of 10% of votes cast in last gubernatorial election	statement of the reasons	committee has 60 days to get signatures; town clerk must certify them within 20 days of receipt	SB has 5 days after receipt from town clerk to schedule an election • Similar recall procedure but if the BOS not order an election, an election may be called by a Notary Public in the county by a fairly small number of petition signatures	<a href="https://www.buxton.me.u">https://www.buxton.me.u</a>
<b>Waterboro</b>	any elected municipal or school director	No language about who may initiate. Must gather signatures of 10% of votes cast in last gubernatorial election	not specified	no time limit	Town Clerk must certify within 10 days; SB must schedule election	<a href="https://cms6.revize.com/n">https://cms6.revize.com/n</a>

<b>Berwick</b>	all elected officials but does not apply to RSU directors	Must gather signatures of 10% of votes cast in last gubernatorial election	statement of reasons of recall	no specified time limit	Town Clerk must certify within 10 days; SB must schedule election	<a href="https://www.berwickmaine.org">https://www.berwickmaine.org</a>
<b>Eliot</b>	references SB, Budget Board or "any other elected official"	Recall can be initiated by either Select Board or group of 5 citizens ("recall committee") Need signatures of 10% of votes cast in last gubernatorial election	statement of reason or reasons. Justification: specified, but not limited to: 1) lacks prescribed qualification, 2) violates an expressed prohibition, 3) convicted of a crime (moral turpitude, dishonesty, or punishable by more than 1 year), 4) fails requirements of ordinances or boards, 5) false statements under oath or fraud, 6) accepting bribes, 7) solicitation of favors, 8) interference of any person's right to political activity or expression; Forfeiture for no longer residing in Eliot.	30 business days	Town Clerk has 10 days after the circulation period ends. If not enough signatures, petition has no further effect. Must wait 180 days to file again.	<a href="https://www.eliotmaine.org">https://www.eliotmaine.org</a>
<b>Lebanon</b>	does not apply to RSU directors; must be 90+ days in office	Must gather signatures of 10% of votes cast in last gubernatorial election	statement of reasons of recall	no specified time limit	Town Clerk must certify within 10 days; SB must schedule election	<a href="https://www.lebanon-me.org">https://www.lebanon-me.org</a>

<b>Lyman</b>	Any elected municipal officer or official, to include the RSU 57 School Board Directors	5 people comprising a petitioners committee. Must get signatures equal to 10% of voters.	Needs specific reasons spelled out.	no specified time limit	Town Clerk must certify within 10 days; SB must schedule election	<a href="https://lyman-me.gov/wp">https://lyman-me.gov/wp</a>
<b>Arundel</b>	Any elected official of the Town, including School Board Members/Directors	Must gather signatures of 10% of votes cast in last gubernatorial election	statement for reasons of recall	within fourteen (14) days of receipt of notice from the Clerk that the petition forms are available.	Town clerk must certify within 7 business days	<a href="https://arundelmaine.org/">https://arundelmaine.org/</a>
<b>Kennebunkport</b>	"Any elected official," ordinance amended 11/8/22 to include RSU21 board members Called "removal" rather than "recall"	A number of voters equal to at least 10% of votes cast in the Town at the last gubernatorial election	not specified	not specified	In or within 15 days after receipt of petition, Selectmen shall hold a public hearing, which hearing shall be restricted and limited to presentation and discussion of those matters set forth in the petition. In or within 15 days after the public hearing, a Town Meeting shall be called Selectmen and a vote by secret ballot shall be taken	<a href="https://ecode360.com/37">https://ecode360.com/37</a>

<b>Limerick</b>	all elected officials	A number of voters equal to at least 10% of votes cast in the Town at the last gubernatorial election	statement for reasons of recall	no specified time limit	Town Clerk must certify within 10 days; SB must schedule election	<a href="https://0201.nccdn.net/4">https://0201.nccdn.net/4</a>
<b>Acton</b>	Any Elected Municipal Official, with the exception of School Board Members	A number of voters equal to at least 10% of votes cast in the Town at the last gubernatorial election	statement for reasons of recall	no specified time limit	Town Clerk must certify within 10 days; SB must schedule election	<a href="http://www.actonmaine.o">http://www.actonmaine.o</a>
<b>Ogunquit</b> see SECT 804 of Charter	Any elected officer or official	Any fifty (50) registered voters of the Town may make and file with the Town Clerk an affidavit. Must have signatures from voters equal to at least twenty-five percent (25%) of the ballots cast in the last gubernatorial election	statement of the specific reason(s) why such removal is desired. Must be limited to: a. failure to appropriately carry out duties and responsibilities of the office (such as failure to represent the will of the people of Ogunquit); b. engaging in conduct which brings the office into disrepute; c. engaging in conduct which displays an unfitness to hold the office; or d. for the indictment or conviction of a felony under the laws of the State of Maine or the laws of the United States, or the laws of any	thirty (30) business days (note that each petition requires notarization)	Town Clerk must certify within 5 days; SB must schedule election	<a href="https://www.ogunquit.gov">https://www.ogunquit.gov</a>

other State or  
Nation, or  
entry of a plea  
of guilty or no-  
contest to  
such an  
offense.

**Westbrook** no information  
found on town  
website

**Gorham** no information  
found on town  
website

**South Berwick** no information  
found on town  
website

**North Berwick** no information  
found on town  
website

**Limington** no information found on town website

**Alfred** no information found on town website

**Shapleigh** no information found on town website

**Dayton** no information found on town website

**Newfield** no information found on town website

**Cornish** no information found on town website

**Hollis** repealed 2017

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