

**MAINE STATUTES AUTHORIZING EXECUTIVE SESSIONS  
FOR MUNICIPALITIES**

**SAMPLE MOTION:** I move to go into executive session to consider the *[Insert Reason for Executive Session]* pursuant to *[Insert Statutory Citation]*.

**EXAMPLE:** I move to go into executive session to consider the *[acquisition of real property]* pursuant to *[1 M.R.S.A. § 405(6)(C)]*.

REASON FOR EXECUTIVE SESSION	STATUTORY CITATION	APPLIES TO (EXPLANATION)
Acquisition of property	1 M.R.S.A. § 405(6)(C)	Real or personal property attached to real property or interests therein if premature disclosure would prejudice competitive or bargaining position of the municipality
Appointment of officials/ appointees/employees	1 M.R.S.A. § 405(6)(A)	Public officials, appointees or employees if public discussion could damage reputation or violate right to privacy
Assignment of officials/ appointees/employees	1 M.R.S.A. § 405(6)(A)	Public officials, appointees or employees if public discussion could damage reputation or violate right to privacy
Compensation of officials/ appointees/ employees	1 M.R.S.A. § 405(6)(A)	Public officials, appointees or employees if public discussion could damage reputation or violate right to privacy
Condition of property	1 M.R.S.A. § 405(6)(C)	Real or personal property attached to real property or interests therein if premature disclosure would prejudice competitive or bargaining position of the municipality

Note: This summary is subject to modification as the result of legislative changes. In specific cases, the text of the actual statute should always be reviewed.

<b>REASON FOR EXECUTIVE SESSION</b>	<b>STATUTORY CITATION</b>	<b>APPLIES TO (EXPLANATION)</b>
Demotion of officials/ appointees/employees	1 M.R.S.A. § 405(6)(A)	Public officials, appointees or employees if public discussion could damage reputation or violate right to privacy
Disciplining of officials/ appointees/employees	1 M.R.S.A. § 405(6)(A)	Public officials, appointees or employees if public discussion could damage reputation or violate right to privacy
Dismissal of officials/ appointees/employees	1 M.R.S.A. § 405(6)(A)	Public officials, appointees or employees if public discussion could damage reputation or violate right to privacy
Disposition of property	1 M.R.S.A. § 405(6)(C)	Publicly held property only if premature disclosure would prejudice competitive or bargaining position of the municipality
Duties of officials/ appointees/employees	1 M.R.S.A. § 405(6)(A)	Public officials, appointees or employees if public discussion could damage reputation or violate right to privacy
Economic development	1 M.R.S.A. § 405(6)(C)	Discussion generally only if premature disclosure would prejudice competitive or bargaining position of the municipality
Employment of officials/ appointees/employees	1 M.R.S.A. § 405(6)(A)	Public officials, appointees or employees if public discussion could damage reputation or violate right to privacy
Evaluation of officials/ appointees/employees	1 M.R.S.A. § 405(6)(A)	Public officials, appointees or employees if public discussion could damage reputation or violate right to privacy

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<b>REASON FOR EXECUTIVE SESSION</b>	<b>STATUTORY CITATION</b>	<b>APPLIES TO (EXPLANATION)</b>
Hearing of charges against a person or persons	1 M.R.S.A. § 405(6)(A)	Public officials, appointees, employees or other persons if public discussion could damage reputation or violate right to privacy
Hearing of complaints against a person or persons	1 M.R.S.A. § 405(6)(A)	Public officials, appointees, employees or other persons if public discussion could damage reputation or violate right to privacy
Information in confidential records; discussion or review of	1 M.R.S.A. § 405(6)(F)	Records made, maintained or received by the municipality to which public access is prohibited by statute or regulation
Investigation of charges against a person or persons	1 M.R.S.A. § 405(6)(A)	Public officials, appointees, employees or other persons if public discussion could damage reputation or violate right to privacy
Investigation of complaints against a person or persons	1 M.R.S.A. § 405(6)(A)	Public officials, appointees, employees or other persons if public discussion could damage reputation or violate right to privacy
Labor contract discussions [parties must be named]	1 M.R.S.A. § 405(6)(D)	Public employer and its negotiators
Labor contract meetings [parties must be named]	1 M.R.S.A. § 405(6)(D)	Public employer and its negotiators
Labor contract negotiations	1 M.R.S.A. § 405(6)(D)	Negotiations if parties have not agreed to open sessions
Labor contract proposal discussions [parties must be named]	1 M.R.S.A. § 405(6)(D)	Public employer and its negotiators

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<b>REASON FOR EXECUTIVE SESSION</b>	<b>STATUTORY CITATION</b>	<b>APPLIES TO (EXPLANATION)</b>
Legal rights and duties of the municipality; discussion of	1 M.R.S.A. § 405(6)(E)	Consultations between the municipality and its attorney
Litigation, pending or contemplated; discussion of	1 M.R.S.A. § 405(6)(E)	Consultations between the municipality and its attorney
Matters where duties of legal counsel to client under Code of Professional Responsibility conflict with statute or where premature disclosure would disadvantage municipality; discussion of	1 M.R.S.A. § 405(6)(E)	Consultations between the municipality and its attorney
Negotiations between public employer and public employees	1 M.R.S.A. § 405(6)(D)	Labor negotiations if parties have not agreed to open sessions
Promotion of officials/ appointees /employees	1 M.R.S.A. § 405(6)(A)	Public officials, appointees or employees if public discussion could damage reputation or violate right to privacy
Resignation of officials/ appointees/employees	1 M.R.S.A. § 405(6)(A)	Public officials, appointees or employees if public discussion could damage reputation or violate right to privacy
Settlement offers	1 M.R.S.A. § 405(6)(E)	Consultations between the municipality and its attorney
Use of property	1 M.R.S.A. § 405(6)(C)	Real or personal property attached to real property or interests therein if premature disclosure would prejudice competitive or bargaining position of the municipality

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