

# MAINE STATE LEGISLATURE

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# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 145

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H.P. 103

House of Representatives, January 22, 2015

**An Act To Amend the Verification and Certification Process for  
Direct Initiatives and People's Veto Referenda**

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Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

*Robert B. Hunt*  
ROBERT B. HUNT  
Clerk

Presented by Representative RUSSELL of Portland.  
Cosponsored by Senator PATRICK of Oxford and  
Representative: KINNEY of Limington.

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

2 **Sec. 1. 21-A MRSA §902**, as amended by PL 2011, c. 342, §31, is further  
3 amended to read:

4 **§902. Verification and certification**

5 The verification and certification of the petition, as required by the Constitution of  
6 Maine, Article IV, Part Third, Section 20, must be worded so that a single verification or  
7 certification may cover one or more pages fastened together as a single petition.

8 The petitions must be signed, verified and certified in the same manner as are  
9 nonparty nomination petitions under section 354, subsections 3 and 4 and subsection 7,  
10 ~~paragraphs paragraph A and C~~. The circulator of a petition must sign the petition and  
11 verify the petition by oath or affirmation as described in section 354, subsection 7,  
12 paragraph A prior to submitting the petition to the ~~registrar~~ Secretary of State. If the  
13 petitions submitted to the ~~registrar~~ Secretary of State are not signed and verified in  
14 accordance with this paragraph, the ~~registrar~~ Secretary of State may not certify the  
15 petitions and is required only to return the petitions. ~~The clerk or registrar~~ Secretary of  
16 State shall keep a log of petitions submitted to the ~~municipal~~ Secretary of State's office  
17 for verification. The log must contain the title of the petition, the name of the person  
18 submitting the petition, the date of submission, the number of petition forms submitted  
19 and the date and manner by which the petitions were returned. The Secretary of State  
20 shall certify which names on a petition appear in the central voter registration system as  
21 registered voters in the municipality represented by that petition and may not certify any  
22 names that do not satisfy section 354, subsection 3.

23 The Secretary of State shall conduct an audit of the verification and certification  
24 process under this section by sending a random sampling of 10% of the petitions received  
25 to be reviewed for accuracy by the municipal clerk or registrar of the municipality  
26 represented by each random petition selected for the audit.

27 **Sec. 2. Appropriations and allocations.** The following appropriations and  
28 allocations are made.

29 **SECRETARY OF STATE, DEPARTMENT OF THE**

30 **Division of Elections**

31 Initiative: Provides funds for 3 clerical positions to assist in verifying and certifying  
32 people's veto referendum or direct initiative of legislation petitions.

33			
34	<b>GENERAL FUND</b>	<b>2015-16</b>	<b>2016-17</b>
35	POSITIONS - LEGISLATIVE COUNT	3.000	3.000
36	Personal Services	\$179,709	\$179,709
37			
38	GENERAL FUND TOTAL	<u>\$179,709</u>	<u>\$179,709</u>

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## SUMMARY

This bill removes the duty of verifying and certifying petitions in direct initiatives of legislation and people's veto referenda from municipal clerks and registrars and instead requires the Secretary of State to verify and certify all petitions. The Secretary of State is also required to send a random sampling of 10% of the petitions back to the municipalities to review for accuracy for audit purposes. The bill also creates 3 positions in the Secretary of State's office to assist in the verification and certification process for petitions in direct initiatives and people's veto referenda.