

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1251

H.P. 925

House of Representatives, March 6, 2003

An Act To Increase Access to Information Regarding Referendum Questions

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MAKAS of Lewiston.
Cosponsored by Senator GAGNON of Kennebec and
Representatives: BLANCHETTE of Bangor, CLARK of Millinocket, GERZOFKY of
Brunswick, HOTHAM of Dixfield, LANDRY of Sanford, NORBERT of Portland, YOUNG of
Limestone, Senator: ROTUNDO of Androscoggin.

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

4 **Sec. 1. 1 MRSA §353**, as amended by PL 1991, c. 837, Pt. A,
§1, is further amended to read:

6 **§353. Explanation of proposed amendments**

8 With the assistance of the Secretary of State, the Attorney
10 General shall prepare a brief explanatory statement ~~which that~~
must fairly describe the intent and content of each
12 constitutional resolution or statewide referendum that may be
presented to the people and, which must include any information
14 prepared under Title 5, section 152. In addition to the
explanatory statement, the Secretary of State and the Attorney
16 General shall prepare an explanation of what a yes vote favors
and a no vote opposes and of the financial impact on State
18 revenues, appropriations or allocations of each referendum. The
Secretary of State may request assistance from the Office of
20 Fiscal and Program Review in preparing the fiscal analysis. The
Secretary of State shall publish this explanatory statement in
22 each daily newspaper of the State, not more than 10 and not less
than 7 days prior to the voting. The explanatory statement may be
24 published in the English language in a foreign language
newspaper. This explanatory statement may not include comments
of proponents or opponents as provided by section 354.

26 **Sec. 2. 1 MRSA §354** is enacted to read:

28 **§354. Public comment on proposed amendments; rules; fees**

30 The Secretary of State shall allow for the publication of
32 public comment by proponents and opponents of statewide
referendum questions along with the explanatory statement
34 required in section 353. The Secretary of State shall adopt
rules regarding the publication of public comment. These rules
36 must include, but are not limited to, a word limit, the labeling
of public comment as supporting or opposing a measure, and the
38 identification of the author of the comment. Rules adopted
pursuant to this section are routine technical rules as defined
40 in Title 5, chapter 375, subchapter 2-A. A person filing a
proponent or opponent statement for publication shall pay a fee
42 of \$500 to the Secretary of State. Fees collected pursuant to
this section pay for the costs of publishing the information
44 related to the referendum pursuant to this section, and any
unspent excess must be deposited in the General Fund. The
46 Secretary of State shall publish the information relating to a
referendum, including the referendum question, explanatory
48 information, public comment and fiscal impact, on a publically
accessible site on the Internet and in pamphlets distributed to
50 municipalities.

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SUMMARY

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6 This bill requires the Secretary of State to allow for the
8 publication of public comment in support of or opposition to
10 statewide referendum questions along with the explanatory
12 information that is already published by the Secretary of State.
 The bill establishes a fee of \$500 for having a public comment
 printed. The bill also makes it a statutory requirement that the
 Secretary of State include information on the financial impact of
 each referendum in the explanatory statement.