

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 699

H.P. 530

House of Representatives, February 12, 2007

**Resolve, Establishing the Commission To Improve Certain Aspects  
of the Citizen Initiative Process**

(EMERGENCY)

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative CRAVEN of Lewiston.  
Cosponsored by Senator MARTIN of Aroostook and  
Representatives: CANAVAN of Waterville, DUNN of Bangor, HAYES of Buckfield,  
MAKAS of Lewiston, PATRICK of Rumford, WAGNER of Lewiston, WALCOTT of  
Lewiston, Senator: MARRACHÉ of Kennebec.

1       **Emergency preamble. Whereas,** acts and resolves of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3       **Whereas,** the Commission To Improve Certain Aspects of the Citizen Initiative  
4 Process is established in this resolve to conduct a study and recommend legislation to the  
5 next legislative session; and

6       **Whereas,** the study must be initiated before the 90-day period expires in order that  
7 the study may be completed and a report submitted in time for submission to the next  
8 legislative session; and

9       **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
10 the meaning of the Constitution of Maine and require the following legislation as  
11 immediately necessary for the preservation of the public peace, health and safety; now,  
12 therefore, be it

13       **Sec. 1. Commission established. Resolved:** That the Commission To Improve  
14 Certain Aspects of the Citizen Initiative Process, referred to in this resolve as "the  
15 commission," is established; and be it further

16       **Sec. 2. Commission membership. Resolved:** That the commission consists of  
17 9 members appointed as follows:

18       1. Two Senators from the Joint Standing Committee on State and Local Government,  
19 appointed by the President of the Senate;

20       2. Three Representatives from the Joint Standing Committee on State and Local  
21 Government, appointed by the Speaker of the House of Representatives;

22       3. One member of the general public, appointed by the President of the Senate;

23       4. One member of the public who is an attorney, appointed by the Speaker of the  
24 House of Representatives;

25       5. One member of the Department of the Secretary of State, appointed by the  
26 Secretary of State; and

27       6. One member of the Department of Health and Human Services, Office of Elder  
28 Services, appointed by the Commissioner of Health and Human Services; and be it  
29 further

30       **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate  
31 chair of the commission and the first-named House of Representatives member is the  
32 House chair of the commission; and be it further

33       **Sec. 4. Appointments; convening of commission. Resolved:** That all  
34 appointments must be made no later than 30 days following the effective date of this  
35 resolve. The appointing authorities shall notify the Executive Director of the Legislative  
36 Council once all appointments have been completed. Within 15 days after appointment

1 of all members, the chairs shall call and convene the first meeting of the commission; and  
2 be it further

3 **Sec. 5. Duties. Resolved:** That the commission shall gather information and  
4 request necessary data from public and private entities in order to improve the  
5 constitutional process by which a proposal may be enacted into law by the direct initiative  
6 of the people. The goal is to make information more comprehensible and accessible to  
7 citizens, including senior citizens, and to clarify how the information is presented on the  
8 ballot, with particular attention to the manner in which the questions appear on the ballot;  
9 and be it further

10 **Sec. 6. Staff assistance. Resolved:** That, upon approval of the Legislative  
11 Council, the Office of Policy and Legal Analysis shall provide necessary staffing services  
12 to the commission; and be it further

13 **Sec. 7. Compensation. Resolved:** That the legislative members of the  
14 commission are entitled to receive the legislative per diem, as defined in the Maine  
15 Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary  
16 expenses related to their attendance at authorized meetings of the commission. Public  
17 members not otherwise compensated by their employers or other entities that they  
18 represent are entitled to receive reimbursement of necessary expenses and, upon a  
19 demonstration of financial hardship, a per diem equal to the legislative per diem for their  
20 attendance at authorized meetings of the commission; and be it further

21 **Sec. 8. Report. Resolved:** That, no later than January 15, 2008, the commission  
22 shall submit a report that includes its findings and recommendations, including suggested  
23 legislation, for presentation to the Second Regular Session of the 123rd Legislature.  
24 The commission is authorized to introduce legislation related to its report to the Second  
25 Regular Session of the 123rd Legislature at the time of submission of its report; and be it  
26 further

27 **Sec. 9. Extension. Resolved:** That, if the commission requires a limited  
28 extension of time to complete its study and make its report, it may apply to the  
29 Legislative Council, which may grant an extension; and be it further

30 **Sec. 10. Commission budget. Resolved:** That the chairs of the commission,  
31 with assistance from the commission's staff, shall administer the commission's budget.  
32 Within 10 days after its first meeting, the commission shall present a work plan and  
33 proposed budget to the Legislative Council for its approval. The commission may not  
34 incur expenses that would result in the commission's exceeding its approved budget.  
35 Upon request from the commission, the Executive Director of the Legislative Council  
36 shall promptly provide the commission chairs and staff with a status report on the  
37 commission budget, expenditures incurred and paid and available funds.

38 **Emergency clause.** In view of the emergency cited in the preamble, this  
39 legislation takes effect when approved.

**SUMMARY**

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2       This resolve establishes the Commission To Improve Certain Aspects of the Citizen  
3 Initiative Process.