

MAINE STATE LEGISLATURE

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LEGAL AND VETERANS AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 189, L.D. 235, Bill, "An Act To Modify the Citizen Initiative Process"

Amend the bill by striking out the title and substituting the following:

'An Act To Provide Fiscal Information for Citizen Initiatives'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 1 MRSA §353, as amended by PL 2007, c. 695, Pt. A, §2, is further amended to read:

§353. Explanation of proposed amendments and statewide referenda

With the assistance of the Secretary of State, the Attorney General shall prepare a brief explanatory statement that must fairly describe the intent and content and what a "yes" vote favors and a "no" vote opposes for each constitutional resolution or statewide referendum that may be presented to the people and that must include any information prepared by the Treasurer of State under Title 5, section 152. The explanatory statement may not include comments of proponents or opponents as provided by section 354. In addition to the explanatory statement, ~~beginning with the November 2006 election~~ the Office of Fiscal and Program Review shall prepare an estimate of the fiscal impact of each constitutional resolution or statewide referendum on state revenues, appropriations and allocations within 30 days after the adjournment of the legislative session ~~immediately prior to the statewide election when the constitutional resolution or referendum will appear on the ballot~~ 10 business days after the receipt of the application and full text of the proposed law by the Secretary of State. The fiscal impact estimate must summarize the aggregate impact that the constitutional resolution or referendum will have on the General Fund, the Highway Fund, Other Special Revenue Funds and the amounts distributed by the State to local units of government. The Secretary of State shall publish the explanatory statement and the fiscal estimate in each daily newspaper of the State, not more than 10 and not less than 7 days prior to the voting. This information may be published in the English language in a foreign language newspaper.

COMMITTEE AMENDMENT

1 **Sec. 2. 21-A MRSA §625**, as amended by PL 1997, c. 436, §87, is further
2 amended to read:

3 **§625. Posting of sample ballots, direct initiative fiscal impacts**

4 At least 7 days before an election, the clerk shall post a sample ballot, furnished to
5 the clerk under section 603, and the fiscal impact statement for direct initiatives of
6 legislation furnished to the clerk under section 629, subsection 1, paragraph D-1 in a
7 conspicuous, public place in each voting district.

8 **Sec. 3. 21-A MRSA §629, sub-§1, ¶D-1** is enacted to read:

9 D-1: The Secretary of State shall provide adequate copies of the fiscal impact
10 statement for each direct initiative of legislation prepared in accordance with Title 1,
11 section 353, which must be placed in each voting booth.

12 **Sec. 4. 21-A MRSA §901, sub-§5**, as amended by PL 2007, c. 234, §3, is further
13 amended to read:

14 **5. Summary of proposal.** For a direct initiative, the Secretary of State shall request
15 the Revisor of Statutes to recommend a concise summary that objectively describes the
16 content of the proposed law. The Secretary of State shall approve or amend the
17 summary, and the summary and the fiscal impact statement required by Title 1, section
18 353 must be printed on the petition form immediately following the statements required
19 by section 901-A.

20 **Sec. 5. 21-A MRSA §901-A**, as amended by PL 2007, c. 234, §4, is further
21 amended to read:

22 **§901-A. Petition requirements for direct initiatives of legislation**

23 The following provisions apply to direct initiatives of legislation under the
24 Constitution of Maine, Article IV, Part Third, Section 18.

25 **1. Opportunity to read direct initiative summary.** A person circulating a petition
26 must provide the voter the opportunity to read the proposed direct initiative summary and
27 fiscal impact statement required by section 901 prior to that voter signing the petition.
28 The summary presented to the voter must be as it appears on a publicly accessible
29 website established by the Secretary of State.

30 **2. Required statements; placement of information.** The Secretary of State shall
31 include a space at the top right or left corner of each petition to be submitted to the voters,
32 which must be filled in with the name of the circulator collecting signatures on that
33 petition, and include the fiscal impact of the initiative as described in Title 1, section 353
34 directly below the following statements statement at the top of the petition ~~to be~~
35 ~~submitted to voters~~ in a type size of no less than 16 points:

36 "Freedom of Citizen Information: Before a registered voter signs any initiative
37 petition, signature gatherers must offer the voter the opportunity to read the proposed
38 initiative summary and fiscal impact statement prepared by the Secretary of State."

39 "~~Ballot questions during the 20... election [most recent election cycle] cost taxpayers~~
40 ~~approximately \$..... [Secretary of State shall use fiscal information provided by the~~



Approved: 05/24/09 *MAC*

124th MAINE LEGISLATURE

LD 235

LR 419(02)

An Act To Modify the Citizen Initiative Process

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Legal and Veterans Affairs

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

The additional costs associated with the changes to the processing and distribution of direct initiatives can be absorbed within existing budgeted resources of the Secretary of State and the Legislature.