

# MAINE STATE LEGISLATURE

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Date: 4/28/9

L.D. 1145

(Filing No. H-176)

STATE AND LOCAL GOVERNMENT

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

COMMITTEE AMENDMENT "A" to H.P. 789, L.D. 1145, "RESOLUTION, Proposing an Amendment to the Constitution of Maine To Amend the Time Frame for Towns To Certify Citizen Initiative and People's Veto Signatures"

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

**'RESOLUTION, Proposing an Amendment to the Constitution of Maine To Amend the Time Frame for Towns To Certify Citizen Initiative Signatures'**

Amend the resolution by striking out all of the 2nd and 3rd paragraphs (page 1, lines 4 to 45 and page 2, lines 1 to 10 in L.D.) and inserting the following:

**'Constitution, Art. IV, Pt. Third, §18, sub-§1**, as amended by CR 2005, c. 2, is further amended to read:

**1. Petition procedure.** The electors may propose to the Legislature for its consideration any bill, resolve or resolution, including bills to amend or repeal emergency legislation but not an amendment of the State Constitution, by written petition addressed to the Legislature or to either branch thereof and filed in the office of the Secretary of State by the hour of 5:00 p.m., on or before the ~~50th~~ 60th day after the date of convening of the Legislature in first regular session or on or before the ~~25th~~ 35th day after the date of convening of the Legislature in second regular session, except that the written petition may not be filed in the office of the Secretary of State later than 18 months after the date the petition form was furnished or approved by the Secretary of State. If the applicable deadline falls on a Saturday, Sunday, or legal holiday, the period runs until the hour of 5:00 p.m., of the next day which is not a Saturday, Sunday, or legal holiday.

**Constitution, Art. IV, Pt. Third, §20**, as amended by CR 2005, c. 2, is further amended to read:

**Section 20. Meaning of words "electors," "people," "recess of Legislature," "statewide election," "measure," "circulator," "written petition" and "day" or "days"; written petitions for people's veto; written petitions for direct initiative.** As used in any of the 3 preceding sections or in this section the words "electors" and "people" mean the electors of the State qualified to vote

**COMMITTEE AMENDMENT**

1 for Governor; "recess of the Legislature" means the adjournment without day of a session  
2 of the Legislature; "statewide election" means any election held throughout the State on a  
3 particular day; "measure" means an Act, bill, resolve or resolution proposed by the  
4 people, or 2 or more such, or part or parts of such, as the case may be; "circulator" means  
5 a person who solicits signatures for written petitions, and who must be a resident of this  
6 State and whose name must appear on the voting list of the city, town or plantation of the  
7 circulator's residence as qualified to vote for Governor; "written petition" means one or  
8 more petitions written or printed, or partly written and partly printed, with the original  
9 signatures of the petitioners attached, verified as to the authenticity of the signatures by  
10 the oath of the circulator that all of the signatures to the petition were made in the  
11 presence of the circulator and that to the best of the circulator's knowledge and belief  
12 each signature is the signature of the person whose name it purports to be, and  
13 accompanied by the certificate of the official authorized by law to maintain the voting list  
14 or to certify signatures on petitions for voters on the voting list of the city, town or  
15 plantation in which the petitioners reside that their names appear on the voting list of the  
16 city, town or plantation of the official as qualified to vote for Governor. As used in this  
17 section the words "day" or "days" means any day that is not a Saturday, Sunday or legal  
18 holiday. The oath of the circulator must be sworn to in the presence of a person  
19 authorized by law to administer oaths. Written petitions for a people's veto pursuant to  
20 Article IV, Part Third, Section 17 must be submitted to the appropriate officials of cities,  
21 towns or plantations, or state election officials as authorized by law, for determination of  
22 whether the petitioners are qualified voters by the hour of 5:00 p.m., on the 5<sup>th</sup> 3<sup>rd</sup> day  
23 before the petition must be filed in the office of the Secretary of State, ~~or, if such 5<sup>th</sup> day~~  
24 ~~is a Saturday, a Sunday or a legal holiday, by 5:00 p.m., on the next day which is not a~~  
25 ~~Saturday, a Sunday or a legal holiday.~~ Written petitions for a direct initiative pursuant to  
26 Article IV, Part Third, Section 18 must be submitted to the appropriate officials of cities,  
27 towns or plantations, or state election officials as authorized by law, for determination of  
28 whether the petitioners are qualified voters by the hour of 5:00 p.m., on the 10<sup>th</sup> 12<sup>th</sup> day  
29 before the petition must be filed in the office of the Secretary of State, ~~or, if such 10<sup>th</sup> day~~  
30 ~~is a Saturday, a Sunday or a legal holiday, by 5:00 p.m., on the next day which is not a~~  
31 ~~Saturday, a Sunday or a legal holiday.~~ Such officials must complete the certification of  
32 only those petitions submitted by these deadlines and must return them to the circulators  
33 or their agents within 2 days for a petition for a people's veto and within 5 10 days for a  
34 petition for a direct initiative, ~~Saturdays, Sundays and legal holidays excepted,~~ of the  
35 date on which such petitions were submitted to them. Signatures on petitions not  
36 submitted to the appropriate local or state officials by these deadlines may not be  
37 certified. The petition shall set forth the full text of the measure requested or proposed.  
38 Petition forms shall be furnished or approved by the Secretary of State upon written  
39 application signed and notarized and submitted to the office of the Secretary of State by a  
40 resident of this State whose name must appear on the voting list of the city, town or  
41 plantation of that resident as qualified to vote for Governor. The full text of a measure  
42 submitted to a vote of the people under the provisions of the Constitution need not be  
43 printed on the official ballots, but, until otherwise provided by the Legislature, the  
44 Secretary of State shall prepare the ballots in such form as to present the question or  
45 questions concisely and intelligibly.'

46 Amend the resolution by striking out all of the question (page 2, lines 18 to 21 in  
47 L.D.) and inserting the following:

1 ' "Do you favor amending the Constitution of Maine to increase the amount of time  
2 that local officials have to certify the signatures on direct initiative petitions?" '

3 **SUMMARY**

4 The resolution proposed to amend the Constitution of Maine to increase the amount  
5 of time provided to officials of cities, towns and plantations to certify that signatures on  
6 petitions for a direct initiative or people's veto appear on voting lists for those cities,  
7 towns and plantations. This amendment removes the increase with respect to people's  
8 vetoes and clarifies the petition process generally, including clarifying that "day" or  
9 "days" means any day that is not a Saturday, Sunday or legal holiday. It adds 10 days to  
10 the period of time before the written petitions for a direct initiative are due to the  
11 Secretary of State's office so that citizens have the same amount of time to collect  
12 signatures as they do currently.

**FISCAL NOTE REQUIRED**  
(See attached)



# 124th MAINE LEGISLATURE

LD 1145

LR 1563(02)

**RESOLUTION, Proposing an Amendment to the Constitution of Maine To Amend the Time Frame for Towns To Certify Citizen Initiative and People's Veto Signatures**

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

**Committee: State and Local Government**

**Fiscal Note Required: Yes**

## Fiscal Note

Current biennium cost increase - General Fund

Referendum Costs	Month/Year	Election Type	Question	Length
	Nov-09	General	Referendum	Standard

The Secretary of State's budget includes sufficient funds to accommodate one ballot of average length for the general election in November. If the number or size of the referendum questions requires production and delivery of a second ballot, an additional appropriation of \$107,250 may be required.