

MAINE STATE LEGISLATURE

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SMC

L.D. 1667

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STATE OF MAINE

SENATE

124TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 632, L.D. 1667, Bill, "An Act To Amend the Election Laws and Other Related Laws"

Amend the bill by striking out all of section 1 and inserting in its place the following:

'Sec. 1. 1 MRSA §353, as amended by PL 2009, c. 462, Pt. D, §1, 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, 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 ~~40~~ 15 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.'

Amend the bill by striking out all of section 6 (page 2, lines 24 to 33 in L.D.) and inserting the following:

'Sec. 6. 21-A MRSA §501, sub-§3, as amended by PL 2001, c. 310, §27, is further amended to read:

3. Provisions applicable to both towns and cities. A warden, ward clerk or any deputy warden may not be an officer of a municipal committee of a political party. Ward clerks or deputy wardens shall perform the duties of the warden when necessary and may not replace election clerks prescribed by this Title. The warden, ward clerk and deputy

wardens must be registered voters of the municipality, except when a nonresident clerk is acting as either warden, ward clerk or deputy warden. When there is a vacancy in the office of warden, ward clerk or deputy warden, a person who is a resident of the county may serve as a replacement on a per election basis until the end of the vacated term. Before assuming the duties of office, the warden is sworn by the municipal clerk, and the ward clerk or deputy warden is sworn by the municipal clerk or by the warden.'

Amend the bill by striking out all of section 8 (page 3, lines 3 to 8 in L.D.) and inserting the following:

'Sec. 8. 21-A MRSA §629, sub-§1, ¶D-1, as enacted by PL 2009, c. 341, §3, is amended to read:

D-1. The Secretary of State shall provide adequate copies of the fiscal impact statement for each direct initiative of legislation prepared in accordance with Title 1, section 353, which must be ~~placed in each voting booth~~ posted with the sample ballots outside the guardrail so as to be visible to voters.'

SUMMARY

This amendment replaces the provision in the bill that allows a person who is not a resident of a municipality to serve as warden, ward clerk or deputy warden for that municipality, as long as that person is a resident of the county. The amendment specifies that this exception is allowed on a per election basis only in the event of a vacancy in the warden, ward clerk or deputy warden position. The amendment strikes the provision in the bill that required the fiscal impact statement on direct initiatives to be available to a voter upon request instead of in the voting booth as in current law. The amendment specifies that the fiscal impact statement must be posted with sample ballots outside the guardrail in the voting place so as to be visible to voters.