

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
124TH LEGISLATURE  
SECOND REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 662,  
L.D. 1730, Bill, "An Act To Strengthen the Ballot Initiative Process"

Amend the amendment by striking out all of section 1 and inserting the following:

'Sec. 1. 21-A MRSA §901-A, sub-§2, as amended by PL 2009, c. 341, §5, is further amended to read:

2. Required statements; placement of information. ~~The~~ On each page of a petition that contains space intended for voter signatures, the Secretary of State shall include a space at the top right or left corner of each ~~petition~~ such page to be submitted to the voters, which must be filled in with the name of the circulator collecting signatures on that petition and a unique identifying number, and include the fiscal impact of the initiative as described in Title 1, section 353 directly below the following statement at the top of the petition in a type size of no less than 16 points:

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

Amend the amendment in section 2 in the indented paragraph in the last line (page 1, line 25 in amendment) by striking out the following: "of the petition to the registrar." and inserting the following: 'the petition to the registrar. If the petitions submitted to the registrar are not signed and verified in accordance with this paragraph, the registrar may not certify the petitions and is required only to return the petitions.'

Amend the amendment in section 3 in §902-A in the first paragraph by striking out all of the first sentence (page 1, lines 28 and 29 in amendment)

Amend the amendment by inserting after section 4 the following:

'Sec. 5. 21-A MRSA §903-D is enacted to read:

§903-D. Direct initiative and people's veto petition organization required to be registered

An organization opposed to a petition shall register with the Secretary of State in accordance with this section. For the purposes of this section, "organization opposed to a petition" means a business entity that receives compensation for organizing, supervising

R. 68.

1 or managing the opposition of petitions for a direct initiative of legislation or a people's  
2 veto referendum.

3 1. Registration. Prior to organizing, supervising or managing the opposition of  
4 petitions for a direct initiative of legislation or a people's veto referendum, an  
5 organization opposed to a petition, in addition to meeting any other requirement to  
6 transact business in this State, shall register with the Secretary of State on a form  
7 prescribed by the Secretary of State. The registration form must include the following:

8 A. The ballot question or title of each direct initiative of legislation or people's veto  
9 referendum for which the organization opposed to a petition will receive  
10 compensation;

11 B. Contact information for the organization opposed to a petition, including the name  
12 of the organization opposed to a petition, street address or post office box, telephone  
13 number and e-mail address; and

14 C. The name and signature of a designated agent for the organization opposed to a  
15 petition.

16 The information contained in the registration must be made available for public  
17 inspection and must be posted on the publicly accessible website of the Secretary of  
18 State.

19 **Sec. 6. 21-A MRSA §904, sub-§4,** as repealed and replaced by PL 2007, c. 455,  
20 §53, is amended to read:

21 **4. Duplicate signature.** Knowingly signs the person's name more than once on  
22 initiative or referendum petitions for the same measure; ~~or~~

23 **Sec. 7. 21-A MRSA §904, sub-§5,** as enacted by PL 2007, c. 455, §53, is  
24 amended to read:

25 **5. False swearing; signature made in circulator's presence.** Circulates an  
26 initiative or referendum petition and willfully swears that a signature to the petition was  
27 made in the circulator's presence when it was not; or

28 **Sec. 8. 21-A MRSA §904, sub-§6** is enacted to read:

29 **6. Interfere with free passage.** Interferes with the free passage of circulators of  
30 petitions or members of the public signing initiatives or referendum petitions.'

31 Amend the amendment by relettering or renumbering any nonconsecutive Part letter  
32 or section number to read consecutively.

33 **SUMMARY**

34 This amendment does the following.

35 1. It removes language from Committee Amendment "A" requiring the circulator of  
36 a petition to affix a unique identifier to the top and bottom of each page of a petition, and  
37 instead amends existing law to require the Secretary of State to provide space on each  
38 petition page intended for signatures for the inclusion of a unique identifying number to  
39 accompany the name of the circulator.

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SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 662, L.D. 1730

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2. It provides that if petitions are not signed and verified before being submitted to the registrar, the registrar is required only to return the petitions.

3. It removes language requiring the registrar to make a copy of each petition submitted.

4. It provides that a person commits a Class E crime if that person interferes with the free passage of circulators of petitions or members of the public signing initiatives or referendum petitions.

5. It imposes on organizations that are opposed to a petition registration requirements that are modeled on those imposed on petition organizations.

**FISCAL NOTE REQUIRED**

(See attached)

SPONSORED BY: 

(Senator TRAHAN)

COUNTY: Lincoln

**SENATE AMENDMENT**



# 124th MAINE LEGISLATURE

LD 1730

LR 2310(05)

## An Act To Strengthen the Ballot Initiative Process

Fiscal Note for Senate Amendment "A" to Committee Amendment "A"

Sponsor: Sen. Trahan of Lincoln

Fiscal Note Required: Yes

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### Fiscal Note

Removes State Mandate

Minor cost increase - General Fund

Minor revenue increase - General Fund

### Correctional and Judicial Impact Statements

Establishes new Class E crimes.

The collection of additional fines may also increase General Fund revenue by minor amounts.

### Fiscal Detail and Notes

This amendment eliminates the requirement for the registrar or clerk to copy each petition, therefore eliminating the State Mandate reported on the committee amendment.