

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

2/16/19
H. O'S.

MAJORITY

Date: 2/16/19

(Filing No. S-237)

VETERANS AND LEGAL AFFAIRS

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

129TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 164, L.D. 499, Bill, "An Act To Prohibit Payment per Signature on Petitions for Direct Initiatives and People's Veto Referendums"

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

'An Act To Collect Data Regarding How Payment Is Made for Collection of Signatures for Direct Initiatives and People's Veto Referendums'

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

'Sec. 1. 21-A MRSA §903-A, sub-§§4 and 5 are enacted to read:

4. Circulator affidavit. A person who circulates a petition shall execute an affidavit that must include:

A. The circulator's printed name, the physical address at which the circulator resides and the date the circulator signed the affidavit;

B. That the circulator read the information provided by the Secretary of State pursuant to subsection 3 and understands the laws governing the circulation of petitions in the State;

C. That the circulator was a resident of the State and a registered voter in the State at the time of circulating the petition; and

D. That the circulator understands that the circulator can be prosecuted under section 904 for violating the laws governing the circulation of petitions, including the requirement that the circulator truthfully executed the affidavit.

The circulator shall file the affidavit with the Secretary of State at the time the petition is filed.

5. Circulator payment. A person or organization that pays individuals to circulate petitions, other than by reimbursing travel expenses, shall provide a list of those individuals to the Secretary of State along with information indicating the method by

COMMITTEE AMENDMENT

1 which the individuals are being compensated when the petitions are filed pursuant to the
2 Constitution of Maine, Article IV, Part Third, Section 17 or 18.

3 **Sec. 2. 21-A MRSA §903-C, sub-§1, ¶D**, as enacted by PL 2015, c. 99, §2, is
4 amended to read:

5 D. A list containing the names of all individuals hired by the petition organization to
6 assist in circulating petitions or in organizing, supervising or managing the
7 circulation. The list must include a statement indicating the method by which the
8 individuals hired to assist in circulating petitions are being compensated. The list
9 must be updated and resubmitted to the Secretary of State when the petitions are filed
10 pursuant to the Constitution of Maine, Article IV, Part Third, Section 17 or 18.

11 **Sec. 3. 21-A MRSA §904, sub-§4**, as repealed and replaced by PL 2007, c. 455,
12 §53, is amended to read:

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

15 **Sec. 4. 21-A MRSA §904, sub-§5**, as enacted by PL 2007, c. 455, §53, is
16 amended to read:

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

20 **Sec. 5. 21-A MRSA §904, sub-§6** is enacted to read:

21 **6. Failure to truthfully execute and file circulator affidavit.** Knowingly fails to
22 truthfully execute and timely file a circulator affidavit under section 903-A, subsection 4.'

23 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
24 section number to read consecutively.

25 **SUMMARY**

26 This amendment is the majority report. The amendment replaces the title and the bill
27 and strengthens the integrity of the direct initiative and people's veto referendum process
28 by requiring a petition circulator to submit an affidavit that includes the circulator's name,
29 the address at which the circulator resides and the date the circulator signed the affidavit;
30 that the circulator read the information provided by the Secretary of State and
31 understands the laws governing the circulation of petitions in Maine; that the circulator
32 was a resident of Maine and a registered voter in Maine at the time of circulating the
33 petition; and that the circulator understands that the circulator can be prosecuted for
34 violating the laws governing the circulation of petitions, including the requirement that a
35 circulator truthfully executed the affidavit. The amendment also requires petition
36 organizations and others to indicate the method by which they are compensating any
37 individuals hired to assist in circulating petitions.

38 **FISCAL NOTE REQUIRED**

39 (See attached)



Approved: 04/04/19 *MLC*

129th MAINE LEGISLATURE

LD 499

LR 615(02)

An Act To Prohibit Payment per Signature on Petitions for Direct Initiatives and People's Veto Referendums

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-232)
Committee: Veterans and Legal Affairs
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Department of Secretary of State associated with processing and filing the information received from petitioners can be absorbed within existing budgeted resources.