

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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 for Governor; "recess of the Legislature" means the adjournment without day of a session of the Legislature; "statewide election" means any election held throughout the State on a particular day; "measure" means an Act, bill, resolve or resolution proposed by the people, or 2 or more such, or part or parts of such, as the case may be; "circulator" means a person who solicits signatures for written petitions, and who must be a resident of this State and whose name must appear on the voting list of the city, town or plantation of the circulator's residence as qualified to vote for Governor; "written petition" means one or more petitions written or printed, or partly written and partly printed, with the original signatures of the petitioners attached, verified as to the authenticity of the signatures by the oath of the circulator that all of the signatures to the petition were made in the presence of the circulator and that to the best of the circulator's knowledge and belief each signature is the signature of the person whose name it purports to be, and accompanied by the certificate of the official authorized by law to maintain the voting list or to certify signatures on petitions for voters on the voting list of the city, town or plantation in which the petitioners reside that their names appear on the voting list of the city, town

or plantation of the official as qualified to vote for Governor. As used in this section the words "day" or "days" means any day that is not a Saturday, Sunday or legal holiday. The oath of the circulator must be sworn to in the presence of a person authorized by law to administer oaths. Written petitions for a people's veto pursuant to Article IV, Part Third, Section 17 must be submitted to the appropriate officials of cities, towns or plantations, or state election officials as authorized by law, for determination of whether the petitioners are qualified voters by the hour of 5:00 p.m., on the ~~5th~~3rd day before the petition must be filed in the office of the Secretary of State, ~~or, if such 5th day is a Saturday, a Sunday or a legal holiday,~~ by 5:00 p.m., ~~on the next day which is not a Saturday, a Sunday or a legal holiday.~~ Written petitions for a direct initiative pursuant to Article IV, Part Third, Section 18 must be submitted to the appropriate officials of cities, towns or plantations, or state election officials as authorized by law, for determination of whether the petitioners are qualified voters by the hour of 5:00 p.m., on the ~~10th~~12th day before the petition must be filed in the office of the Secretary of State, ~~or, if such 10th day is a Saturday, a Sunday or a legal holiday,~~ by 5:00 p.m., ~~on the next day which is not a Saturday, a Sunday or a legal holiday.~~ Such officials must complete the certification of only those petitions submitted by these deadlines and must return them to the circulators or their agents within 2 days for a petition for a people's veto and within 510 days for a petition for a direct initiative, ~~Saturdays, Sundays and legal holidays excepted,~~ of the date on which such petitions were submitted to them. Signatures on petitions not submitted to the appropriate local or state officials by these deadlines may not be certified. The petition shall set forth the full text of the measure requested or proposed. Petition forms shall be furnished or approved by the Secretary of State upon written application signed and notarized and submitted to the office of the Secretary of State by a resident of this State whose name must appear on the voting list of the city, town or plantation of that resident as qualified to vote for Governor. The full text of a measure submitted to a vote of the people under the provisions of the Constitution need not be printed on the official ballots, but, until otherwise provided by the Legislature, the Secretary of State shall prepare the ballots in such form as to present the question or questions concisely and intelligibly.'

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

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

## SUMMARY

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

HP0789, LD 1145, item 2, 124th Maine State Legislature , Amendment C "A", Filing Number H-176, Sponsored by  
'RESOLUTION, Proposing an Amendment to the Constitution of Maine To  
Amend the Time Frame for Towns To Certify Citizen Initiative Signatures'

**FISCAL NOTE REQUIRED**  
**(See attached)**