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Public Law
124th Legislature
First Regular Session

Chapter 341
H.P. 189 - L.D. 235

An Act To Provide Fiscal Information for Citizen Initiatives

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 1 MRSA §353, as amended by PL 2007, c. 695, Pt. A, §2, 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, ~~beginning with the November 2006 election 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 ~~30 days after the adjournment of the legislative session immediately prior to the statewide election when the constitutional resolution or referendum will appear on the ballot~~ 10 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. The Secretary of State shall publish the explanatory statement and the fiscal estimate in each daily newspaper of the State, not more than 10 and not less than 7 days prior to the voting. This information may be published in the English language in a foreign language newspaper.

Sec. 2. 21-A MRSA §625, as amended by PL 1997, c. 436, §87, is further amended to read:

§ 625. Posting of sample ballots, direct initiative fiscal impacts

At least 7 days before an election, the clerk shall post a sample ballot, furnished to the clerk under section 603, and the fiscal impact statement for direct initiatives of legislation furnished to the clerk under section 629, subsection 1, paragraph D-1 in a conspicuous, public place in each voting district.

Sec. 3. 21-A MRSA §629, sub-§1, ¶D-1 is enacted 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.

Sec. 4. 21-A MRSA §901, sub-§5, as amended by PL 2007, c. 234, §3, is further amended to read:

5. Summary of proposal. For a direct initiative, the Secretary of State shall request the Revisor of Statutes to recommend a concise summary that objectively describes the content of the proposed law. The Secretary of State shall approve or amend the summary, and the summary and the fiscal impact statement required by Title 1, section 353 must be printed on the petition form immediately following the statements required by section 901-A.

Sec. 5. 21-A MRSA §901-A, as amended by PL 2007, c. 234, §4, is further amended to read:

§ 901-A. Petition requirements for direct initiatives of legislation

The following provisions apply to direct initiatives of legislation under the Constitution of Maine, Article IV, Part Third, Section 18.

1. Opportunity to read direct initiative summary. A person circulating a petition must provide the voter the opportunity to read the proposed direct initiative summary and fiscal impact statement required by section 901 prior to that voter signing the petition. The summary presented to the voter must be as it appears on a publicly accessible website established by the Secretary of State.

2. Required statements; placement of information. The Secretary of State shall include a space at the top right or left corner of each petition to be submitted to the voters, which must be filled in with the name of the circulator collecting signatures on that petition, and include the fiscal impact of the initiative as described in Title 1, section 353 directly below the following statements statement at the top of the petition ~~to be submitted to voters~~ 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."

~~"Ballot questions during the 20.. election [most recent election cycle] cost taxpayers approximately \$..... [Secretary of State shall use fiscal information provided by the Office of Fiscal and Program Review] each to be placed on the ballot. As a citizen of Maine, you have a right to this information."~~

Effective September 12, 2009