1	L.D. 764
2	Date: (Filing No. S- )
3	Reproduced and distributed under the direction of the Secretary of the Senate.
4	STATE OF MAINE
5	SENATE
6	131ST LEGISLATURE
7	FIRST SPECIAL SESSION
8 9 10	SENATE AMENDMENT "" to COMMITTEE AMENDMENT "A" to S.P. 323, L.D. 764, "An Act to Ensure That Effective Dates of First Regular Session Direct Initiatives of Legislation Will Occur After the November 2023 Election"
11 12	Amend the amendment by striking out the first to 5th indented paragraphs after the substitute title (page 1, lines 15 to 27 in amendment) and inserting the following:
13 14	'Amend the bill in the emergency preamble by striking out all of the 3rd, 4th and 5th paragraphs after the title (page 1, lines 7 to 14 in L.D.) and inserting the following:
15 16	<b>'Whereas,</b> 4 direct initiatives were introduced during the First Special Session of the 131st Legislature; and
17 18	Whereas, 3 of those direct initiatives concern participation in the political process; and
19 20	Whereas, unless enacted by the Legislature without change, those direct initiatives will be presented to voters on the general election to be held on November 7, 2023; and
21 22	Whereas, participation in elections may entail "core political speech" protected by the First Amendment to the United States Constitution; and
23 24 25	Whereas, the Legislature desires to consider enacting one or more of the direct initiatives without change during the First Special Session of the 131st Legislature without affecting participation in the November general election; and
26 27 28 29	Whereas, the effective date of any direct initiative enacted during the First Special Session of the 131st Legislature, which is 90 days after adjournment, may occur during the November election cycle, which may result in a change to the election rules in the middle of an election and thereby affect participation in the November general election; and
30 31 32 33	Whereas, this Act seeks to delay the effective date of any direct initiative enacted during the First Special Session until after the November 2023 election in order to not affect participation in this election, but not to otherwise change the direct initiatives as proposed to the Legislature by the electors; and'
34 35	Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting the following:

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## SENATE AMENDMENT

1 'Sec. 1. Effective date. Notwithstanding any provision of law to the contrary, bills enacted during the First Special Session of the 131st Legislature that are direct initiatives 2 of legislation pursuant to the Constitution of Maine, Article IV, Part Third, Section 18 and 3 are identified as L.D. 1610, "An Act to Prohibit Campaign Spending by Foreign 4 5 Governments and Promote an Anticorruption Amendment to the United States Constitution," L.D. 1611, "An Act to Create the Pine Tree Power Company, a Nonprofit, 6 Customer-owned Utility," and L.D. 1772, "An Act to Require Voter Approval of Certain 7 8 Borrowing by Government-controlled Entities and Utilities and to Provide Voters More 9 Information Regarding That Borrowing," have an effective date of January 1, 2024, unless the direct initiative provides for an effective date later than January 1, 2024, in which case 10 the effective date in that direct initiative applies.'' 11

12 Amend the amendment by relettering or renumbering any nonconsecutive Part letter or 13 section number to read consecutively.

**SUMMARY** 

This amendment amends the committee amendment to clarify the nature of the emergency in the bill and to provide details of the direct initiatives to which this legislation applies. It retains the substance of the committee amendment by specifying the legislation's application to direct initiatives enacted during the First Special Session of the 131st Legislature.

20 SPONSORED BY:

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- 21 (Senator STEWART, T.)
- 22 COUNTY: Aroostook

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SENATE AMENDMENT