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Resolve, Establishing the Commission To Improve Certain Aspects of the Citizen Initiative Process

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Commission To Improve Certain Aspects of the Citizen Initiative Process is established in this resolve to conduct a study and recommend legislation to the next legislative session; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1 Commission established. Resolved: That the Commission To Improve Certain Aspects of the Citizen Initiative Process, referred to in this resolve as "the commission," is established; and be it further

Sec. 2 Commission membership. Resolved: That the commission consists of 9 members appointed as follows:

1. Two Senators from the Joint Standing Committee on State and Local Government, appointed by the President of the Senate;
2. Three Representatives from the Joint Standing Committee on State and Local Government, appointed by the Speaker of the House of Representatives;
3. One member of the general public, appointed by the President of the Senate;
4. One member of the public who is an attorney, appointed by the Speaker of the House of Representatives;
5. One member of the Department of the Secretary of State, appointed by the Secretary of State; and
6. One member of the Department of Health and Human Services, Office of Elder Services, appointed by the Commissioner of Health and Human Services; and be it further

Sec. 3 Chairs. Resolved: That the first-named Senate member is the Senate chair of the commission and the first-named House of Representatives member is the House chair of the commission; and be it further

Sec. 4 Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. Within 15 days after appointment of all members, the chairs shall call and convene the first meeting of the commission; and be it further

Sec. 5 Duties. Resolved: That the commission shall gather information and request necessary data from public and private entities in order to improve the constitutional process by which a proposal may be enacted into law by the direct initiative of the people. The goal is to make information more comprehensible and accessible to citizens, including senior citizens, and to clarify how the information is presented on the ballot, with particular attention to the manner in which the questions appear on the ballot; and be it further

Sec. 6 Staff assistance. Resolved: That, upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the commission; and be it further

Sec. 7 Compensation. Resolved: That the legislative members of the commission are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the commission. Public members not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses and, upon a demonstration of financial hardship, a per diem equal to the legislative per diem for their attendance at authorized meetings of the commission; and be it further

Sec. 8 Report. Resolved: That, no later than January 15, 2008, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 123rd Legislature. The commission is authorized to introduce legislation related to its report to the Second Regular Session of the 123rd Legislature at the time of submission of its report; and be it further

Sec. 9 Extension. Resolved: That, if the commission requires a limited extension of time to complete its study and make its report, it may apply to the Legislative Council, which may grant an extension; and be it further

Sec. 10 Commission budget. Resolved: That the chairs of the commission, with assistance from the commission's staff, shall administer the commission's budget. Within 10 days after its first meeting, the commission shall present a work plan and proposed budget to the Legislative Council for its approval. The commission may not incur expenses that would result in the commission's exceeding its approved budget. Upon request from the commission, the Executive Director of the Legislative Council shall promptly provide the commission chairs and staff with a status report on the commission budget, expenditures incurred and paid and available funds.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This resolve establishes the Commission To Improve Certain Aspects of the Citizen Initiative Process.