



HOUSE OF REPRESENTATIVES

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Beth Ashcroft, Director of OPEGA
 82 State House Station
 Room 107, Cross State Office Building
 Augusta, ME 04333-0082

Dear Director Ashcroft:

As you know, members of the Government Oversight Committee recently gave unanimous approval to review the referendum campaign for the proposed York County Casino. However, we believe the alleged nefarious activities surrounding this issue could be just a symptom of a far greater problem. I'm referring to the process by which these referendum questions make their way on to the ballot through Maine's citizens' referendum process.

The amendment to the Maine Constitution that first allowed citizens to propose legislation independent of the legislature was enacted in 1907 and sent to statewide referendum in 1908. Voters approved the measure and added seven new sections to the Maine Constitution (Article IV, Part 3, Section 16 to 22). The changes became effective on January 6, 1909 and Maine became the first state on the east coast to adopt statewide initiative and referendum legislation. In 1951, voters approved a measure that required that no less than 10 percent of the total votes for governor cast in the last gubernatorial election were required in order to get a question on the ballot.

Unfortunately, it appears to have become a regular occurrence for wealthy special interest groups, many from out of state, to swoop in and take advantage of Maine's citizens referendum process, allowing them to get their issue on the ballot. These groups have been more than willing to do so by any means necessary. Increasingly, these groups are engaging in unethical activities and in some cases it appears they may be breaking the law. Once they've succeeded in gathering their signatures, they spend millions of dollars on marketing campaigns designed to deceive the voters. It seems the original intent of the citizens' referendum and the people's veto was to allow everyday citizens, not wealthy special interest groups, to have a voice in public policy independent of the legislature. But that notion seems to quickly be becoming a thing of the past and Maine policy making is now commonly thought of as "a cheap date" for these special interest groups.

We are not suggesting that the people of Maine are not smart enough to understand the referendum questions they see on the ballot. I am suggesting that perhaps our citizen referendum process is being

taken advantage of as evidenced by the numerous ethical violations including the current alleged behavior those spearheading the York County Casino referendum.

I would like the Office of Program and Government Accountability to find the answers to the following questions so the Maine Legislature can look at proposing some changes to the current referendum process.

I would like to know:

1. Since the citizens' initiative was first approved by Maine voters, how many times has a citizen initiated question made its way on to the ballot? How many of these referendums used paid signature gatherers in order to get the question on the ballot and is this contrary to the intent of the citizens referendum process?
2. Looking back at all the citizens' referendum questions in Maine history that made it on the ballot, from which counties did the required signatures come from? Was the original intent of the signature gathering aspect of citizen referendums to be a regionalized effort or an accurate representation of the entire state?
3. Looking back on all the citizens' referendum questions that have successfully made it on to the ballot since Maine's Congressional Districts were changed in 2012, how many of the required signatures were collected from the First Congressional District and how many from the Second Congressional District?
4. Looking back at all the citizens' referendum questions that made it on the ballot over the past 10 years, how much money was spent to obtain the signatures necessary to get these referendum questions on the ballot? What groups or individual supplied this money?
5. We would also ask that you recommend steps that the Maine Legislature can take to ensure that the citizen referendum process is fulfilling its original intent.

Maine's need a guarantee that Maine's referendum process still meets its original intent and is not being taken advantage of by wealthy out-of-state and in-state special interest groups to circumvent the Maine Legislature, and in some cases even violate the law, to further their extreme agendas.

Regards,



Representative Jeffrey Pierce
District 53