

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Amend the Requirements Governing Direct Initiatives

Constitutional amendment. Resolved: Two thirds of each branch of the Legislature concurring, that the following amendment to the Constitution of Maine be proposed:

Constitution, Art. IV, Pt. Third, §18, sub-§1, as amended by CR 2005, c. 2, is further amended to read:

Section 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 day after the date of convening of the Legislature in first regular session or on or before the 25th 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. The text of the proposed bill, resolve or resolution that is included in the application for a direct initiative of legislation must identify the fiscal impact of, and the amount and source of revenue required to implement, the proposed bill, resolve or resolution. If the proposed bill, resolve or resolution requires a reduction in any source of government revenue, or a reallocation of funding from currently funded programs, the text of the proposed bill, resolve or resolution must identify the program or programs whose funding must be reduced or eliminated to implement the proposed bill, resolve or resolution. The Legislature's office of fiscal review shall provide reasonable assistance to the proponent of the proposed bill, resolve or resolution in fulfilling the requirements of this section. 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.

; and be it further

Constitutional referendum procedure; form of question; effective date. Resolved: That the municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, at a statewide election held in the month of November following the passage of this resolution, to vote upon the ratification of the amendment proposed in this resolution by voting upon the following question:

"Do you favor amending the Constitution of Maine to require that the text of a direct initiative of legislation must identify the amount and source of revenue required to implement the initiative and, if applicable, identify the program or programs whose funding must be reduced or eliminated to implement the initiative?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within the corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation

meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If it appears that a majority of the legal votes are cast in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment becomes part of the Constitution of Maine on the date of the proclamation; and be it further

Secretary of State shall prepare ballots. Resolved: That the Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this resolution necessary to carry out the purposes of this referendum.

SUMMARY

This resolution proposes to amend the Constitution of Maine to require that the text of a direct initiative of legislation identify the amount and source of revenue required to implement the initiative and, if applicable, identify the program or programs whose funding must be reduced or eliminated to implement the initiative. This resolution also directs the Office of Fiscal and Program Review to provide reasonable assistance to the proponent of the direct initiative.