

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

Amend the resolution by striking out the title and substituting the following:

**'An Act To Require Legal Review To Determine the  
Constitutionality of Direct Initiatives of Legislation'**

Amend the resolution by striking out everything after the title and inserting the following:

‘

**Sec. 1. 21-A MRSA §901, sub-§1-A** is enacted to read:

**1-A. Review for constitutionality.** The Secretary of State and the Attorney General shall review the proposed law for a direct initiative of legislation within 15 business days after the direct initiative application was received by the Secretary of State and determine whether the proposed law conflicts with the Constitution of Maine or the United States Constitution. If the Secretary of State or the Attorney General determines that a conflict exists, the official shall provide a written opinion describing the conflict to the applicant before the end of the 15 business days. The applicant may submit a new draft of the proposed law to the Secretary of State in response to the written opinion.

**SUMMARY**

This amendment, which is one of 2 minority reports of the committee, strikes the resolution and replaces it with a bill requiring the Secretary of State and the Attorney General to review the proposed law submitted with an application for a direct initiative of legislation to determine whether it conflicts with the Constitution of Maine or the United States Constitution. If the Secretary of State or the Attorney General determines that a conflict exists, that official must provide a written opinion describing the conflict to the applicant within 15 business days after the direct initiative application was received by the Secretary of State. The applicant may submit a new draft of the proposed law to the Secretary of State in response to the written opinion.

**FISCAL NOTE REQUIRED**

(See attached)