

127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 176

H.P. 134

House of Representatives, January 27, 2015

An Act To Amend the Law Governing the Gathering of Signatures for Direct Initiatives and People's Veto Referenda

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative SHORT of Pittsfield. Cosponsored by Senator CUSHING of Penobscot and Representatives: BLACK of Wilton, CAMPBELL of Orrington, DUCHESNE of Hudson, DUNPHY of Embden, MARTIN of Sinclair, McCABE of Skowhegan, SHAW of Standish, STANLEY of Medway.

1	Be it enacted by the People of the State of Maine as follows:
2	Sec. 1. 21-A MRSA §§903-D and 903-E are enacted to read:
3	§903-D. Limitations on circulators of petitions
4 5 6	A petition organization registered pursuant to section 903-C may not employ for compensation as a circulator collecting signatures on a petition for the direct initiative of legislation or a people's veto referendum a person who does not comply with this section.
7 8	<u>1.</u> Definitions. For the purposes of this section, the following terms have the following meanings.
9 10 11	A. "Circulator" means a resident of the State employed by a petition organization for compensation as a circulator collecting signatures on a petition for the direct initiative of legislation or a people's veto referendum.
12 13	B. "Commission" means the Commission on Governmental Ethics and Election Practices.
14 15	2. Register. A circulator shall register with the commission on a form provided by the commission.
16 17	3. Residency. A circulator shall disclose to the commission the circulator's place of residence.
18 19 20	4. Employment history. A circulator shall disclose to the commission whether the circulator has been compensated previously for the collection of signatures and if so shall identify where.
21 22	5. Compensation. A circulator shall disclose to the commission how the circulator is being compensated and how much the circulator is being compensated.
23 24	<u>6.</u> Monthly reporting. A circulator shall disclose on a monthly basis to the commission how many signatures the circulator has gathered.
25 26	7. Quarterly reporting. A circulator shall make available on a quarterly basis to the commission scanned copies of the petitions the circulator is circulating.
27 28 29 30	8. Identification. While engaged in the process of collecting signatures, a circulator shall wear a name badge including the circulator's first and last name, the name of the petition organization employing the circulator and the circulator's city and state of residence.
31 32 33 34	If a petition organization employing a circulator pays the circulator more than \$2,500, the petition organization shall post a \$2,000 bond with the Secretary of State on the circulator. The bond may be recouped after the Secretary of State has certified the signatures collected by the circulator.
35	A person who violates this section commits a Class E crime.

1 §903-E. Residency restrictions pertaining to circulators of petitions

2 <u>A person who is not a resident of the State may not act as a circulator collecting</u> 3 <u>signatures on a petition for the direct initiative of legislation or a people's veto</u> 4 <u>referendum and may not handle a petition in any manner. A person who is not a resident</u> 5 of the State may provide another person information about a petition.

6 <u>A person who violates this section commits a Class E crime.</u>

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SUMMARY

8 This bill prohibits persons who are not residents of the State from collecting 9 signatures on a petition for the direct initiative of legislation or a people's veto 10 referendum and from handling such a petition in any manner. The bill permits persons who are not residents to provide others with information about a petition. The bill 11 requires a person employed by a petition organization to register with the Commission on 12 Governmental Ethics and Election Practices and to disclose to the commission 13 information regarding the person's place of residence, employment history, compensation, 14 number of signatures gathered in a month and petitions circulated and to wear an 15 identification badge when collecting signatures. The bill requires a petition organization 16 to post a \$2,000 bond on a circulator receiving over \$2,500 in compensation. The bill 17 makes a violation of any of these provisions a Class E crime. 18