



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 145

H.P. 103

House of Representatives, January 22, 2015

**An Act To Amend the Verification and Certification Process for
Direct Initiatives and People's Veto Referenda**

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative RUSSELL of Portland.
Cosponsored by Senator PATRICK of Oxford and
Representative: KINNEY of Limington.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 21-A MRSA §902**, as amended by PL 2011, c. 342, §31, is further
3 amended to read:

4 **§902. Verification and certification**

5 The verification and certification of the petition, as required by the Constitution of
6 Maine, Article IV, Part Third, Section 20, must be worded so that a single verification or
7 certification may cover one or more pages fastened together as a single petition.

8 The petitions must be signed, verified and certified in the same manner as are
9 nonparty nomination petitions under section 354, subsections 3 and 4 and subsection 7,
10 ~~paragraphs paragraph A and C~~. The circulator of a petition must sign the petition and
11 verify the petition by oath or affirmation as described in section 354, subsection 7,
12 paragraph A prior to submitting the petition to the ~~registrar~~ Secretary of State. If the
13 petitions submitted to the ~~registrar~~ Secretary of State are not signed and verified in
14 accordance with this paragraph, the ~~registrar~~ Secretary of State may not certify the
15 petitions and is required only to return the petitions. ~~The clerk or registrar~~ Secretary of
16 State shall keep a log of petitions submitted to the ~~municipal~~ Secretary of State's office
17 for verification. The log must contain the title of the petition, the name of the person
18 submitting the petition, the date of submission, the number of petition forms submitted
19 and the date and manner by which the petitions were returned. The Secretary of State
20 shall certify which names on a petition appear in the central voter registration system as
21 registered voters in the municipality represented by that petition and may not certify any
22 names that do not satisfy section 354, subsection 3.

23 The Secretary of State shall conduct an audit of the verification and certification
24 process under this section by sending a random sampling of 10% of the petitions received
25 to be reviewed for accuracy by the municipal clerk or registrar of the municipality
26 represented by each random petition selected for the audit.

27 **Sec. 2. Appropriations and allocations.** The following appropriations and
28 allocations are made.

29 **SECRETARY OF STATE, DEPARTMENT OF THE**

30 **Division of Elections**

31 Initiative: Provides funds for 3 clerical positions to assist in verifying and certifying
32 people's veto referendum or direct initiative of legislation petitions.

33			
34	GENERAL FUND	2015-16	2016-17
35	POSITIONS - LEGISLATIVE COUNT	3.000	3.000
36	Personal Services	\$179,709	\$179,709
37			
38	GENERAL FUND TOTAL	<u>\$179,709</u>	<u>\$179,709</u>

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SUMMARY

This bill removes the duty of verifying and certifying petitions in direct initiatives of legislation and people's veto referenda from municipal clerks and registrars and instead requires the Secretary of State to verify and certify all petitions. The Secretary of State is also required to send a random sampling of 10% of the petitions back to the municipalities to review for accuracy for audit purposes. The bill also creates 3 positions in the Secretary of State's office to assist in the verification and certification process for petitions in direct initiatives and people's veto referenda.