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JOINT STANDING COMMITTEE ON STATE AND LOCAL GOVERNMENT

LD 1209 "An Act To Require Legislative Hearings on Citizen-initiated Legislation"

Testimony Provided by Julie L. Flynn, Deputy Secretary of State, March 27, 2019

Senator Claxton, Representative Martin and Members of the Committee:

The Secretary of State is in favor of the concept behind this bill, which is for the Legislature to hold a public hearing on any direct initiative that is determined to be valid by the Secretary of State and is transmitted to the Legislature for consideration pursuant to the Maine Constitution.

Although we believe that the Legislature already can hold public hearings and work sessions on initiated bills, pursuant to the joint rules, we know that many of the initiatives that went to the voters in the past few elections did not have a public hearing or work session. We believe that holding a public hearing on each initiated bill will create a public record and generate valuable information about the meaning and the possible effects of the bill, including fiscal impacts. We think that this information will further inform the subsequent campaign and debate and provide another source of information for the voters to consider. It certainly will be helpful to the Secretary of State as we draft the ballot questions for public comment by the voters.

There have been several bills submitted to the prior and current Legislatures to provide more information to the voters by requiring a fiscal impact statement, a summary of legislation, or both, to be printed on the ballot or to be posted at the voting place. While we agree with providing more information to voters, we don't believe it is effective to print this information on the ballot as it may result in greater ballot printing costs and add to the voters' time to mark their ballots. Instead, we think that having a public hearing on each initiative is an effective way to get more information out to voters earlier in the process.

The only thing to consider is whether requiring the public hearing in law conflicts with the Legislature's authority to dispose of legislation as it sees fit.

I will be happy to answer any questions you may have, either now or at the work session.