



128th MAINE LEGISLATURE

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Legislative Document

No. 1323

H.P. 917

House of Representatives, April 4, 2017

An Act To Amend the Direct Initiative Signature Gathering Process

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 LUCHINI of Ellsworth.
Cosponsored by Senator MASON of Androscoggin.

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

2 **Sec. 1. 4 MRSA §955-C, sub-§1, ¶C**, as amended by PL 2005, c. 629, §2, is
3 further amended to read:

4 C. The notary public is in violation of section 954-A or section 960; ~~or~~

5 **Sec. 2. 4 MRSA §955-C, sub-§1, ¶D**, as enacted by PL 1997, c. 712, §2, is
6 amended to read:

7 D. The notary public has been convicted of a crime as defined by rules adopted by
8 the Secretary of State. These rules must provide that a conviction for perjury, false
9 swearing, bribery, corrupt practices or forgery or related offenses may be a basis for
10 the Secretary of State to suspend, revoke or refuse to renew the commission of a
11 notary public. Rules adopted pursuant to this paragraph are routine technical rules as
12 defined in Title 5, chapter 375, subchapter ~~H-A~~ 2-A; or

13 **Sec. 3. 4 MRSA §955-C, sub-§1, ¶E** is enacted to read:

14 E. The notary public has allowed another person to use that notary public's
15 commission.

16 **Sec. 4. 21-A MRSA §905, sub-§1**, as amended by PL 2009, c. 611, §5, is further
17 amended to read:

18 **1. Secretary of State.** The Secretary of State shall review all petitions filed in the
19 Department of the Secretary of State for a people's veto referendum under the
20 Constitution of Maine, Article IV, Part Third, Section 17, or for a direct initiative under
21 the Constitution of Maine, Article IV, Part Third, Section 18.

22 The Secretary of State shall determine the validity of the petition and issue a written
23 decision stating the reasons for the decision within 30 days from the date of filing of a
24 written petition in the Department of the Secretary of State under the Constitution of
25 Maine, Article IV, Part Third, Section 17 or 18.

26 The Secretary of State may invalidate a petition if the Secretary of State is unable to
27 verify the notarization of that petition.

28 **Sec. 5. Secretary of State to establish online reporting system.** The
29 Secretary of State shall establish an online reporting system for suspected fraudulent
30 signature gathering practices for direct initiative and people's veto petitions.

31 **SUMMARY**

32 This bill authorizes the Secretary of State to suspend, revoke or refuse to renew the
33 commission of a notary public who has allowed another person to use that notary public's
34 commission. It also authorizes the Secretary of State to invalidate a petition for a direct
35 initiative or people's veto if the Secretary of State is unable to verify the notarization of
36 that petition. The bill directs the Secretary of State to establish an online reporting

1 system for suspected fraudulent signature gathering practices for direct initiative and
2 people's veto petitions.