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Date: (Filing No. H-)

VETERANS AND LEGAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1196, L.D. 1669, “RESOLUTION, Proposing an Amendment to the Constitution of Maine To Help Ensure That Direct Initiatives of Legislation Are Compatible with the Constitution of Maine and Statutory Law”

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

'An Act To Enable 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:

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

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

1-A. Request for constitutional review. At the time of submitting a direct initiative application, the applicant may request that the Attorney General review the proposed law for the direct initiative of legislation to determine whether the proposed law conflicts with the Constitution of Maine or the United States Constitution. If the Attorney General determines that a conflict exists, the Attorney General shall 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.'

SUMMARY

This amendment, which is one of 2 minority reports of the committee, strikes the resolution and replaces it with a bill enabling a voter who submits an application to initiate proceedings for the direct initiative of legislation to request in the application that the Attorney General review the proposed law submitted with the application to determine whether it conflicts with the Constitution of Maine or the United States Constitution. If the Attorney General determines that a conflict exists, the Attorney

COMMITTEE AMENDMENT

1 General must provide a written opinion describing the conflict to the applicant within 15
2 business days after the direct initiative application was received by the Secretary of State.
3 The applicant may submit a new draft of the proposed law to the Secretary of State in
4 response to the written opinion.

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FISCAL NOTE REQUIRED

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(See attached)