

FREQUENTLY ASKED QUESTIONS ABOUT MAINE'S CITIZEN INITIATIVE PROCESS

Prepared by the LWVME [Citizen Initiative Study Committee](#)

What is a Citizen Initiative (CI)?

- A citizen initiative (CI) is legislation proposed through a petition process.

Who can/cannot file a Citizen Initiative?

- Any registered Maine Voter can apply.
- A petition organization that supervises or manages the circulation of petitions cannot file an application.

What does the application require?

- Names, contact information, and signatures of the proponent plus 5 supporters, all with verified Maine voter status.
- Draft of the proposed legislation and a brief summary.
- There is no filing fee.

What are the filing dates for a petition application?

- No later than the 50th day after the convening of the 1st Regular Session of the Legislature and no later than the 25th day after the convening of the 2nd Regular Session.

What happens after the application is filed?

- Secretary of State (SoS) reviews application and consults with other offices about wording of draft legislation. The proponent has direct contact with only the SoS, who acts as intermediary. This may take several iterations until proponent signs a statement that s/he is satisfied with the proposed wording and summary that will appear on the petition.
- SoS consults the Office of Fiscal and Program Review, which drafts a fiscal impact statement that becomes part of the petition.
- SoS delivers fully designed petition to the proponent, who must print as many identical copies as needed; date of delivery to the proponent is the "date of issuance" which starts the 18 month period of petition validity.
- The proponent gathers signatures; petition circulators may be volunteers or paid. A paid petition organization must be registered with the SoS. Since no signature can be more than one year old when submitted to the SoS, the actual collection period is limited to 1 year.
- The number of verified signatures must be equal or greater than 10% of voters during last gubernatorial election (63,067 signatures in 2019). There is no geographic distribution requirement.

- If the total amount of contributions received or expenditures made by an individual or organization to initiate or influence the outcome of a ballot question exceeds \$5,000, campaign finance reports must be filed with the Ethics Commission.

How are signatures and petitions verified?

- Petition circulators must sign an oath before a notary that they followed the rules (personally witnessed each signature, made no payments to signees, offered info on objectives and fiscal impact to all signees, etc.)
- Local election officials must certify that each signature is a valid registered voter.
- Locally certified petitions are delivered in bulk to the SoS who certifies that the required number of signatures has been collected and conducts additional checks.
- If SoS determines that the signatures are not adequate, proponents may appeal.

What happens after SoS certification?

- The SoS sends the text of the proposed legislation to the Legislature.
- The Legislature can enact the law directly (has occurred 6 times since CIs introduced in Maine); then the citizen-initiated bill is not on the ballot.
- The proposed bill goes on the ballot if a) the Legislature passes it without changes but the law is vetoed by the governor, b) the Legislature offers a competing measure, or c) the Legislature does not act on the proposed law.
- The SoS publishes notice of a ballot question, provides a 30-day public comment period about the wording of the question, and maintains a record of public comments, revising the draft ballot question if comments suggest revisions are needed.
- The SoS provides voters with detailed information about the initiative in the Citizen's Guide.
- The initiative appears on the ballot for the next state-wide or general election and must pass by 50+% to be enacted.
- If it doesn't pass, there is no waiting period to try again.

What happens if a Citizen's Initiative gets 50+% of the vote?

- The passed law is enacted approximately 40 days after the election (with some exceptions).
- The Governor cannot veto the law.
- The Legislature may change the law immediately after enactment or kill it by not funding its implementation.

FREQUENTLY ASKED QUESTIONS ABOUT MAINE'S PEOPLE'S VETO REFERENDUM

Prepared by the LWVME [Citizen Initiative Study Committee](#)

WHAT IS A PEOPLE'S VETO REFERENDUM?

- A people's veto referendum (PV) is a citizen's initiative to repeal or alter a law that has not yet gone into effect but has been passed by the Maine Legislature.
- A recent PV example involved the Legislature's decision to postpone implementation of ranked choice voting in Maine.

WHAT ARE THE SIMILARITIES BETWEEN CITIZEN INITIATIVES AND PEOPLE'S VETOS?

Many of the rules for initiating a PV are the same as those for initiating a CI:

- **Filing rules:** Applications must be filed with the SoS by a proponent + 5 supporters, all registered Maine voters; petition organizations cannot file PV applications.
- **Campaign finance reporting:** must be undertaken once contributions or expenditures to initiate or influence the outcome of a PV reach \$5000 (applies to supporters and opponents).
- **Drafting the petition and ballot question:** The SoS works with proponents to draft the petition and the ballot question.
- **Petition circulation rules:** Rules for PV petition circulation are identical to those for CI petitions (circulators may be paid and must sign an oath that they followed the rules for signature collection)
- **Signature verification:** Local election officials verify petition signatures.
- **Petition validation:** Petitions verified by local election officials are submitted to the SoS for validation.
- **After validation:** Validated petitions become ballot questions to be voted on at the next general or statewide election.
- **Post-election:** There are no rules to prevent the Legislature from overturning the outcome of the vote by introducing new legislation similar to that vetoed.

WHAT ARE THE KEY DIFFERENCES BETWEEN THE PV AND THE CI PROCESS?

Despite the similarities, there are significant differences in timing of applications, information required in the application, and how and when the PV affects the targeted legislation.

- **Timing of veto application:** A PV petition application must be filed with the Secretary of State (SoS) within 10 business days after adjournment of the legislative session during which the challenged law was passed. CI must be introduced shortly after the beginning of a legislative session.
- **Content of the application:** It must include a copy of the challenged law or reference to the law; a PV can challenge all or part of a law; if the challenge is partial, the application must clearly specify which parts are challenged.
- **Approval of the application and drafting of the petition:** If the SoS approves the application, the SoS drafts the ballot question immediately and it becomes part of the approved petition form provided to the proponent; the petition must include the text of the challenged law and proposed changes.
- **Petition submission and certification:** Petition forms must be submitted in bulk to the SoS by 5:00 p.m. on the 90th day after adjournment of the legislative session during which the challenged law was passed. The SoS determines whether the petition meets requirements, including valid signatures equal to 10% of votes cast in the last gubernatorial election (same as for CI).
- **After the certification decision:** A certified petition suspends the challenged law until it is decided as a ballot question at the next general or statewide election. Unlike the CI, the PV is not referred to the Legislature for consideration and there are no new public hearings.
- **Post-election:** A PV that passes at ballot repeals the challenged law. However, the Legislature may pass the same law again at any time—there is no waiting period for when the defeated law can be re-introduced in the Legislature.

Additional Resources on CI and PV Process in Maine:

Citizen's Initiative Application Packet on the SoS [website](#).

People's Veto Application Packet on the [SoS website](#).

Reporting Requirements for Ballot Question financing on the [Ethics Commission website](#).

Please send comments and questions to CIStudy@lwvme.org