



THE MAINE HERITAGE POLICY CENTER

**Testimony in Opposition to**  
**LD 1690 – An Act to Prevent Predatory Signature Gathering and Ensure a Clean**  
**Citizen Initiative and People's Veto Process**  
**LD 1692 - RESOLUTION, Proposing an Amendment to the Constitution of Maine**  
**To Amend the Requirements Governing Direct Initiatives**  
**LD 1730 - An Act To Strengthen the Ballot Initiative Process**

**by**  
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Senator Sullivan, Representative Trinward, and members of the Joint Standing Committee on Legal and Veterans Affairs. Thank you for the opportunity to testify in opposition to these three bills that threaten Maine's proud tradition of strong citizen's initiative process.

As this committee is well aware, The Maine Heritage Policy Center has been involved in the citizen's initiative process by drafting model legislation for four citizen's initiative questions and providing research, outreach and advocacy in support of three ballot questions.

These bills seek to make Maine's citizen's initiative process much more difficult, cumbersome and costly. For what purpose or to what end?

When the right to petition was added to the Maine constitution, it was thoughtfully considered and the bar set quite high for citizens to enact a law on their own without going through the usual legislative process.

The threshold to get a question on the ballot is very high; currently at just over 55,000 signatures.

Consider this; it takes just 25 signatures to qualify someone to run for State Representative, just 100 to run for State Senator, just 1,000 to run for Congress and just 2,000 to run for Governor.

The entire Maine House can be decided with as few as 3,775 signatures on 151 respective nomination petitions and someone can be considered as our next Governor with just 2,000 signatures. But apparently the sponsors of these bills before you today believe that the requirement for 55,000 signatures to simply propose a law for the people to enact is not a high enough bar?

LDs 1690, 1692 and 1730 seek to make that high bar a nearly impossible hurdle.

LD 1690 proposes to have the Secretary of State post the names of all certified signers of a petition online. The purpose of this, as outlined later in the bill, is to subject these Maine voters to a barrage of lobbying by opponents of the proposed citizen's initiative for the purpose of pressuring these individuals to request that their names be removed from the petition. This would make the number of qualifying signatures for any circulating petition a constantly moving target and subject any petition signer to an open invitation to be lobbied and harassed. Interestingly, the contributions and expenditures for such lobbying and harassing of petition signers are not subject to any campaign disclosure requirements.

If this is such a great idea, why not propose it for all candidates' nomination petitions as well? If I should be able to have my name removed from a citizen's initiative petition certainly I should be given the chance to change my mind about having someone appear on the ballot.

LD 1690 also makes organizations and paid volunteers who collect signature register in advance and have their names posted on the Secretary of State's website. This onerous requirement would make it virtually impossible to organize a team of collectors and subjects these voters, who are simply exercising their constitutional right, to an unnecessary and cumbersome process and opens them up for harassment by opponents of the proposed initiative before they even start collecting signatures -.

Again if this is such a great idea, why doesn't the bill sponsor propose doing the same for any person or organization paid and working on any candidate's political campaign?

LD 1730 seeks to set up a similar process but makes it a Class E crime for failing to register in advance to exercise your constitutional right. Again, it is interesting that this double standard continues to apply not to candidates and their campaign workers but just petition gatherers.

LD 1692 seeks to require a citizen initiative to identify the source of funding, should it have a fiscal note. No piece of legislator-initiated legislation has this requirement. Indeed, neither does a bond question that obviously has a direct fiscal impact. This proposed constitutional amendment is unnecessary. The fiscal impact of any citizen's initiative is a prominent part of the campaign message, of both sides, and is already publicly available. In addition, the Legislature always has the final word on whether a citizen's initiative will actually receive any necessary appropriation and can be altered at any time by the Legislature. This bill seeks to add an unnecessary hurdle. If this body wants to include such a requirement, then it should not allow any future legislature to change the fiscal impact and language of any voter-approved citizen's initiative.

In conclusion, Maine has a proud tradition of an open and accessible legislature and a reasonable check-and-balance on that legislature through the citizen's initiative and people's veto process. Please respect that history and Mainers' constitutional rights. Please vote Ought Not To Pass on LD 1690, 1692 and 1730.

Thank you. I am happy to answer any questions.