

131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 764

S.P. 323

In Senate, February 21, 2023

An Act to Ensure That Effective Dates of First Regular Session Direct Initiatives of Legislation Will Occur After the November 2023 Election

(EMERGENCY)

Reference to the Committee on State and Local Government suggested and ordered printed.

DAREK M. GRANT Secretary of the Senate

Presented by Senator BENNETT of Oxford.
Cosponsored by Speaker TALBOT ROSS of Portland and
Senators: BRENNER of Cumberland, GROHOSKI of Hancock, President JACKSON of
Aroostook, KEIM of Oxford, Representatives: ADAMS of Lebanon, BOYER of Poland,
FAULKINGHAM of Winter Harbor, RISEMAN of Harrison.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and 3 Whereas, the Constitution of Maine, Article IV, Part Third, Section 18 provides that 4 the electors may propose to the Legislature, for its consideration, any bill, resolve or 5 resolution by written petition, and the Maine Revised Statutes, Title 21-A, chapter 11 sets out the procedure for such a people's direct initiative of legislation; and 7 Whereas, one or more direct initiatives are likely to be introduced during the First 8 Regular Session of the 131st Legislature; and 9 Whereas, the effective date of any direct initiative enacted during the First Regular 10 Session of the 131st Legislature, which is 90 days after adjournment, may occur during the November election cycle, which may result in a change to the election rules in the middle 11 12 of an election: and 13 Whereas, this Act seeks to delay the effective date of any direct initiative enacted 14 during the First Regular Session until after the November 2023 election; and Whereas, in the judgment of the Legislature, these facts create an emergency within 15 the meaning of the Constitution of Maine and require the following legislation as 16 17 immediately necessary for the preservation of the public peace, health and safety; now, 18 therefore, 19 Be it enacted by the People of the State of Maine as follows: 20 **Sec. 1. Effective date.** Notwithstanding any provision of law to the contrary, a bill 21 or resolve enacted during the First Regular Session of the 131st Legislature that is a direct 22 initiative of legislation pursuant to the Constitution of Maine, Article IV, Part Third, Section 18 has an effective date of January 1, 2024. 23 24 **Emergency clause.** In view of the emergency cited in the preamble, this legislation 25 takes effect when approved. **SUMMARY** 26

This bill provides that any direct initiative of legislation enacted during the First Regular Session of the 131st Legislature has an effective date of January 1, 2024.

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