



Matthew Dunlap
Secretary of State

State Of Maine
Office
of the
Secretary of State

May 23, 2008

Brian M. Dench
Skelton, Taintor & Abbott
95 Main Street
P.O. Box 3200
Auburn, Maine 04212-3200

Dear Mr. Dench:

This is in response to your letter of inquiry, dated May 16, 2007, regarding the effect of L.D. 2323 (now Chapter 668 the Public Laws of 2007) on the citizen's initiative petition, entitled "An Act to Repeal Maine's School Consolidation Law," which is currently circulating.

As you correctly noted in your synopsis of the procedural history, the form of the citizen's initiative petition to repeal the school consolidation law was approved and issued to petitioners on October 17, 2007, in accordance with 21-A M.R.S.A. § 901 and Maine's Constitution, Article IV, part third, section 18, subsection 1 and section 20. The approved form of the petition included the text of the proposed legislation, repealing and replacing certain sections of the Maine Revised Statutes then in effect. Neither the initiative provisions of the Maine Constitution nor the implementing provisions of Title 21-A appear to give me or my office authority to review the form of that petition again, notwithstanding that the Legislature may have made changes in the interim to the statutes which the citizen's initiative would repeal. Accordingly, if the proponents of the initiative to repeal the school consolidation law file their petitions by the deadlines specified in the Maine Constitution, with a sufficient number of signatures certified by local registrars, our office will process those petitions and issue a determination of validity based on the petition's conformity to the requirements of 21-A M.R.S.A. §§ 901-905 and the Article IV, part third, sections 18 and 20.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Dunlap', written over a white background.

Matthew Dunlap
Secretary of State