

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 779

S. P. 254

In Senate, March 9, 1977

Referred to Committee on State Government. Sent down for concurrence and ordered printed.

MAY M. ROSS, Secretary

Presented by Senator O'Leary of Oxford.

Cosponsor: Senator Jackson of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

RESOLUTION, Proposing an Amendment to the Constitution to Limit Tax Increases to a One-Year Period and to Require Further Legislation and Economic Impact Analysis for the Further Continuation of any Tax Increase.

Constitutional amendment. RESOLVED. Two-thirds of each branch of the Legislature concurring, that the following amendment to the Constitution of this State be proposed:

Constitution, Art. I, § 22 is amended to read:

Sec. 22. Taxes. No tax or duty shall be imposed without the consent of the people or of their representatives in the Legislature. **Any action taken by the Legislature to increase the tax paid by any person upon income, real or personal estate, whether tangible or intangible, shall remain in effect for not more than one year from the effective date of such action unless:**

1. **The Governor prepares a detailed report on the economic and inflationary impact of such action; and**

2. **The Legislature at its next session after taking such action, upon review of the Governor's report, extends such action for any further period of time.**

Constitutional referendum procedure; form of question; effective date. Resolved: That the city aldermen, town selectmen and plantation assessors of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, at the next general election in the month of November or special

statewide election on the Tuesday following the first Monday of November following the passage of this resolution, to vote upon the ratification of the amendment proposed in this resolution by voting upon the following question:

“Shall the Constitution be amended as proposed by a resolution of the first regular session of the 108th Legislature to limit tax increases to a one-year period and to require further legislation and economic impact analysis for the further continuation of any tax increase?”

The legal voters of each city, town and plantation shall vote by ballot on this question, and shall designate their choice by a cross or check mark placed within the corresponding square below the words “Yes” or “No.” The ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns, and, if it appears that a majority of the legal votes are in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment shall become part of the Constitution on the date of the proclamation.

Secretary of State shall prepare ballots. Resolved: That the Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this resolution necessary to carry out the purpose of this referendum.

STATEMENT OF FACT

The purpose of this resolution is to protect citizens of the State from the unanticipated long-term inflationary and economic consequences of increases in taxation and to avoid placing the State in an economically uncompetitive and inflationary position with respect to other states.