

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing NO. H-1237)
108TH LEGISLATURE
FIRST SPECIAL SESSION

HOUSE AMENDMENT "C" to S. P. 772, L.D. 2209, RESOLUTION,
Proposing an Amendment to the Constitution to Limit the Amount
of Government Spending and Taxes which may be Made without
Voter Approval.

Amend the Resolution by striking out the Title and inserting
in its place the following:

'RESOLUTION, Proposing an Amendment to the Constitution to
Limit the Amount of State Government Spending which may be Made
without Voter Approval.'

Further amend the Resolution by striking out everything after
the first/and inserting in its place the following:
paragraph

'Constitution, Art. I, §22, sub-§§1 to 3 are enacted to read:

1. Limitation of expenditures. Total state General Fund
expenditures during any fiscal year shall not exceed such
expenditures for the prior fiscal year by a greater percentage
than the percentage change in the cost of living as established
by a recognized index selected by the Legislature. The
expenditure of federal revenues, state dedicated revenue accounts
which on the effective date of this amendment are dedicated
and the payment of principal and interest on indebtedness
incurred by the State shall be excluded from this limitation.
Any amount appropriated above this limitation shall not be
effective until ratified by the electors in accordance with
the law, except for funds needed in a declared emergency.
Emergency expenditures may be made only during the fiscal year

for which the emergency is declared and shall be excluded from future calculations of total expenditures.

2. Declaration of emergency. The expenditure limit of subsection 1 may be exceeded only if all the following conditions are met:

A. The Governor or the Legislature by a 2/3 vote declare an emergency; and

B. The request is specific as to the nature of the emergency, the method by which the emergency will be funded and the amount of such funding.

3. Protection of local government from state required costs. The legislative and executive departments are prohibited from requiring that other levels of government provide any new or expanded programs or services without state or federal shared financing or from shifting the cost of existing programs and services to other levels of Maine Government except as governed by present law.

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 the first special session of the 108th Legislature, to limit the amount of state expenditures which may be made from undedicated revenues without voter approval?"

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 July 1, 1979 and shall remain in effect only if ratified by the voters at the general election in 1982.

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. The ballot shall show, in addition to the referendum question, the constitutional wording of the resolution, namely the Constitution, Article I, Section 22, subsections 1, 2 and 3.'

Statement of Fact

The purpose of this amendment is to put an expenditure limit on State General Fund undedicated revenues.

(Jalbert)
NAME: *Jalbert*
TOWN: Lewiston