

# MAINE STATE LEGISLATURE

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S.  
D. DE B.

L.D. 2209  
(Filing No. S-625)

STATE OF MAINE  
SENATE  
108TH LEGISLATURE  
FIRST SPECIAL SESSION

SENATE AMENDMENT "A " to SENATE AMENDMENT "G" 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 Amendment by striking out everything after the Title and inserting in its place the following:

'Amend the Resolution by striking out all of the title and inserting in its place the following: 'AN ACT to Limit the Amount of Government Spending and Taxes which may be Made without Voter Approval.'

Further amend the Resolution by striking out all of the first 2 paragraphs and inserting in their place the following: 'Be it enacted by the People of the State of Maine, as follows: 5 MRSA §§1512 and 1513 are enacted to read:

§1512. Expenditure limitations'

Further amend the resolution by striking out all of paragraph 3 and inserting in its place the following:

'1. Control of appropriations. Notwithstanding any other provisions of law, commencing with any fiscal year after 1979, the annual appropriations of State Government during any fiscal year, shall not exceed the appropriations, as adjusted, for the prior year, except for cost-of-living changes, unless a majority of the voting electors approve a different amount. Any amount above this limitation shall not be effective until ratified by the electors.'

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Further amend the resolution by striking out all of the 6th paragraph and inserting in its place the following:

'4. Protection of local government for state-required costs.

The State is prohibited from requiring that local units of government finance from property taxation any new or expanded programs or services or from shifting the costs of existing programs and services to the local units, as a group, or from increasing the property tax by reducing total state aid to local units as adjusted annually for changes in the cost of living.'

Further amend the Resolution in the 7th paragraph in subsection 5 by striking out all of the last underlined sentence and inserting in its place the following:

'If any section, part, clause or phrase in this section or section 1513 is for any reason held invalid or unconstitutional the remaining section shall not be affected but will remain in full force and effect.'

Further amend the Resolution on page 3 of the L.D. in subsection 6, paragraph A by striking out all of subparagraph (8) and inserting in its place the following: '(8) Allocations of revenues received pursuant to the Constitution of Maine, Article IX, section 19.'

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Further amend the Resolution by striking out all of the last 7 paragraphs before the Statement of Fact and inserting in their place the following:

§1513. Highway Fund expenditure limitations

1. Control of allocations. Notwithstanding any other provision of law, commencing with any fiscal year after 1979 the annual allocations made under the Constitution of Maine, Article IX, Section 19, during any fiscal year shall not exceed the allocations, as adjusted, for the prior year, except for cost-of-living changes, unless the electors approve a different amount. Any amount allocated above this limitation shall not be made effective until ratified by the electors by referendum.

2. Application of the provisions of section 1512. The following provisions of section 1512 shall apply to this section: Subsections 2, 4, 5, subsection 6, paragraph A, subparagraphs 1 to 7, subsection 6, paragraphs C and D and subsection 7. For the purposes of this section, wherever in section 1512, the word "appropriations" appears, it shall mean allocations, and the words "unit of government" shall mean the services provided by revenues received subject to this section.

Statutory referendum procedure; submission at general election; form of question; effective date. This Act shall be submitted to the legal voters of the State of Maine at the next general election in the month of November following passage of this Act. The city aldermen, town selectmen and plantation assessors of this State shall notify the inhabitants of their respective cities, towns and

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plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Shall the Act to Limit the Amount of Government Spending and Taxes which may be Made without Voter Approval, passed at the First Special Session of the 108th Legislature, be accepted?"

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 a 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, if it appears that a majority of the legal votes are in favor of the Act, the Governor shall proclaim that fact without delay, and the Act shall become effective 90 days after the adjournment of the First Special Session of the 108th Legislature.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purposes of this referendum.'

Statement of Fact

This Act will limit the amount of government spending which may be made from tax revenues in any fiscal year without approval of the voters.

OF R.

"A"

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(Merrill) *Philip L Merrill*  
NAME:  
COUNTY: Cumberland

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