

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1921

H. P. 1799

House of Representatives, February 5, 1980

Speaker laid before the House and on Motion of Mrs. Post of Owls Head, referred to the Committee on Taxation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk of the House

Presented by Mr. Doukas of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Undedicate the Highway Fund.

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Constitution, Article IX, Section 19 is repealed.

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 following the passage of this resolution, to vote upon ratification of the amendment proposed in this resolution by voting upon the following question:

“Shall the Constitution of Maine be amended as proposed by a resolution of the Legislature to remove the limitation on the expenditure of motor vehicle and motor vehicle fuel revenues?”

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 word “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 purposes of this referendum.

STATEMENT OF FACT

The purpose of this Constitutional Resolution is to repeal Article IX, Section 19 of the Maine Constitution. That section previously required that all revenues collected from motor vehicles and motor vehicle fuels be expended solely for the construction, repair, administration and maintenance of highways, bridges and public ways.

The repeal of section 19 would allow the State greater control over the use of these revenues and would allow their application, in times of need, to areas other than highways and bridges. The repeal of this section would in no way prevent the continuation of spending for highways, but would merely grant the State the power to divert these funds.