

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
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3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
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5 Legislative Document

No. 1430

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7 H.P. 1087

House of Representatives, April 6, 1983

8 Referred to the Committee on Transportation. Sent up for concurrence  
9 and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Gauvreau of Lewiston.

11 Cosponsors: Senator Wood of York, Representative Rolde of York and  
12 Senator Clark of Cumberland.

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13 STATE OF MAINE  
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15 IN THE YEAR OF OUR LORD  
16 NINETEEN HUNDRED AND EIGHTY-THREE  
17

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18 RESOLUTION, Proposing an Amendment to  
19 the Constitution of Maine to Undedicate the  
20 Highway Fund.  
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22 Constitutional amendment. Resolved: Two-thirds  
23 of each branch of the Legislature concurring, that  
24 the following amendment to the Constitution of Maine  
25 be proposed:

26 Constitution, Art. IX, §19 is repealed.

27 Constitutional referendum procedure; form of  
28 question; effective date. Resolved: That the city  
29 aldermen, town selectmen and plantation assessors of  
30 this State shall notify the inhabitants of their  
31 respective cities, towns and plantations to meet, in  
32 the manner prescribed by law for holding a statewide  
33 election, at a statewide election, on the Tuesday  
34 following the first Monday of November following the  
35 passage of this resolution, to vote upon the ratifi-  
36 cation of the amendment proposed in this resolution  
37 by voting upon the following question:

1 "Shall the Constitution of Maine be amended to  
2 remove the limitation on the expenditure of motor  
3 vehicle and motor vehicle fuel revenues?"

4 The legal voters of each city, town and  
5 plantation shall vote by ballot on this question, and  
6 shall designate their choice by a cross or check mark  
7 placed within the corresponding square below the word  
8 "Yes" or "No." The ballots shall be received,  
9 sorted, counted and declared in open ward, town and  
10 plantation meetings and returns made to the Secretary  
11 of State in the same manner as votes for members of  
12 the Legislature. The Governor shall review the  
13 returns and, if it appears that a majority of the  
14 legal votes are in favor of the amendment, the Gover-  
15 nor shall proclaim that fact without delay and the  
16 amendment shall become part of the Constitution on  
17 July 1, 1985.

18 Secretary of State shall prepare ballots.  
19 Resolved: That the Secretary of State shall prepare  
20 and furnish to each city, town and plantation all  
21 ballots, returns and copies of this resolution neces-  
22 sary to carry out the purposes of this referendum.

23 STATEMENT OF FACT

24 The purpose of this resolution is to repeal Arti-  
25 cle IX, Section 19 of the Constitution of Maine.  
26 Section 19 presently requires that all revenues col-  
27 lected from fees, excises and license taxes on motor  
28 vehicles and motor vehicle fuels be expended solely  
29 for the construction, repair, administration and  
30 maintenance of highways, bridges and public ways.

31 The road system serves as the backbone for the  
32 entire transportation system of the State, providing  
33 service to the entire population and the economy of  
34 the State, including the enhancement of industrial  
35 development opportunities. The concept that roads  
36 serve only those who travel on them is fundamentally  
37 inaccurate.

38 In addition, recent improvements in motor vehicle  
39 engine efficiencies, together with further engine  
40 efficiencies planned during the 1980's, are resulting

1 in ever diminishing revenue to the highway program.  
2 To provide the same purchasing power as is currently  
3 derived from the motor fuel tax in the future would  
4 require regular and substantial increases in the  
5 motor fuel tax, whether that tax remains a cents per  
6 gallon tax or is changed to a percentage tax. It is  
7 necessary to broaden the revenue tax base to support  
8 the highway program. Undedication will serve that  
9 purpose.

10 The trend toward more fuel efficient vehicles is  
11 also resulting in inequitable taxation among highway  
12 users. As the efficiency of new vehicles improves,  
13 the benefits from this efficiency are largely avail-  
14 able to those who can afford the new vehicles, while  
15 the older vehicles must continue to be operated by  
16 those less able to pay. Particularly during the  
17 transition period as fuel efficiency is improved,  
18 motor fuel taxes paid will vary substantially among  
19 highway users.

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