

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 628

6  
7 H.P. 446

House of Representatives, February 20, 1985

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

10 EDWIN H. PERT, Clerk

Presented by Representative Webster of Cape Elizabeth.

11 Cosponsored by Representative Jackson of Harrison and Representative  
Bell of Paris.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-FIVE  
16

17 RESOLUTION, Proposing an Amendment  
18 to the Constitution of Maine  
19 to Require that Local Units of Government be  
20 Reimbursed for the Costs Incurred in Executing  
21 State-mandated Programs.  
22

23 Constitutional amendment. RESOLVED: Two thirds  
24 of each branch of the Legislature concurring, that  
25 the following amendment to the Constitution of Maine  
26 be proposed:

27 Constitution, Art. IX, §20 is enacted to read:

28 Section 20. Prohibition of state mandates; reim-  
29 bursement of certain state mandates. The Legislature  
30 or Executive Department of the State, or any agency  
31 thereof, may not repeal, amend or enact any law or  
32 rule which would impose a new or expanded requirement  
33 on any local unit of government if that requirement  
34 would cause an expenditure by any combination of lo-  
35 cal units of government or any single local unit of  
36 government in excess of \$100,000 per year, unless the

1 Legislature annually reimburses those local units for  
2 those expenditures.

3 Constitutional referendum procedure; form of  
4 question; effective date. Resolved: That the city  
5 aldermen, town selectmen and plantation assessors of  
6 this State shall notify the inhabitants of their re-  
7 spective cities, towns and plantations to meet, in  
8 the manner prescribed by law for holding a statewide  
9 election, at a statewide election, on the Tuesday  
10 following the first Monday of November following the  
11 passage of this resolution, to vote upon the ratifi-  
12 cation of the amendment proposed in this resolution  
13 by voting upon the following question:

14 "Shall the Constitution of Maine be amended to  
15 require that local units of government be reim-  
16 bursed for any costs in excess of \$100,000 per  
17 year incurred in executing state laws or rules?"

18 The legal voters of each city, town and  
19 plantation shall vote by ballot on this question, and  
20 shall designate their choice by a cross or check mark  
21 placed within the corresponding square below the word  
22 "Yes" or "No." The ballots shall be received,  
23 sorted, counted and declared in open ward, town and  
24 plantation meetings and returns made to the Secretary  
25 of State in the same manner as votes for members of  
26 the Legislature. The Governor shall review the re-  
27 turns and, if it appears that a majority of the legal  
28 votes are in favor of the amendment, the Governor  
29 shall proclaim that fact without delay and the amend-  
30 ment shall become part of the Constitution on the  
31 date of the proclamation.

32 Secretary of State shall prepare ballots. Re-  
33 solved: That the Secretary of State shall prepare  
34 and furnish to each city, town and plantation all  
35 ballots, returns and copies of this resolution neces-  
36 sary to carry out the purposes of this referendum.

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STATEMENT OF FACT

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The purpose of this constitutional resolution is to require that the Legislature reimburse local units of government for any expenditures incurred by the local unit as a result of any state law or rule.

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