

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1266

S.P. 474

In Senate, March 25, 1991

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

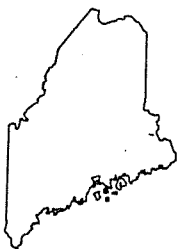
JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator PEARSON of Penobscot

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**RESOLUTION, Proposing an Amendment to the Constitution of Maine
to Ensure Proper Oversight of State Spending.**



2 Constitutional amendment. **RESOLVED:** Two thirds of each
branch of the Legislature concurring, that the following
4 amendment to the Constitution of Maine be proposed:

6 **Constitution, Art. IV, Part Third, §9-A is enacted to read:**

8 Section 9-A. Financial oversight. The Legislature may
9 authorize a joint standing committee of the Legislature to
10 provide legislative oversight of state finances. The committee
11 may meet while the Legislature is in session and during the
12 interim and has the power to investigate and consider any matter
13 relative to revenues, budgets, appropriations, allocations,
14 expenditures, finances or any other fiscal matter of the State.
15 Any financial order or other action transferring or accepting
16 funds or that otherwise varies the terms of a duly enacted
17 appropriations law is subject to the prior approval of the
18 committee.

19 ; and be it further

20
21 **Constitutional referendum procedure; form of question; effective**
22 **date. Resolved:** That the municipal officers of this State shall
23 notify the inhabitants of their respective cities, towns and
24 plantations to meet, in the manner prescribed by law for holding
25 a statewide election, at a statewide election, on the Tuesday
26 following the first Monday of November following the passage of
27 this resolution, to vote upon the ratification of the amendment
28 proposed in this resolution by voting upon the following question:

29 "Shall the Constitution of Maine be amended as proposed by a
30 resolution of the Legislature to provide for legislative
31 oversight of state finances?"

32
33 The legal voters of each city, town and plantation shall
34 vote by ballot on this question, and shall designate their choice
35 by a cross or check mark placed within the corresponding square
36 below the word "Yes" or "No." The ballots must be received,
37 sorted, counted and declared in open ward, town and plantation
38 meetings and returns made to the Secretary of State in the same
39 manner as votes for members of the Legislature. The Governor
40 shall review the returns and, if it appears that a majority of
41 the legal votes are cast in favor of the amendment, the Governor
42 shall proclaim that fact without delay and the amendment becomes
43 part of the Constitution on the date of the proclamation; and be
44 it further

45
46 **Secretary of State shall prepare ballots. Resolved:** That the
47 Secretary of State shall prepare and furnish to each city, town
48 and plantation all ballots, returns and copies of this resolution
49 necessary to carry out the purposes of this referendum.
50

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STATEMENT OF FACT

4 This resolution proposes an amendment to the Constitution of
6 Maine that allows the Legislature to exercise continuing
8 financial oversight powers and to delegate them to a joint
10 standing committee. Financial orders or other actions that vary
12 the terms of an enacted appropriation would require the prior
 approval of the committee. This is a companion measure to LR
 1812 that enacts statutory changes to effectuate the
 constitutional amendment. Those statutory changes are contingent
 on voter ratification of this measure.