

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

SECOND REGULAR SESSION-1992

Legislative Document

No. 2338

H.P. 1661

House of Representatives, February 13, 1992

Submitted by the Special Commission on Governmental Restructuring pursuant to Public Law 1991 chapter 139.

Reference to the Joint Standing Committee on State and Local Government suggested and printing ordered under Joint Rule 18.

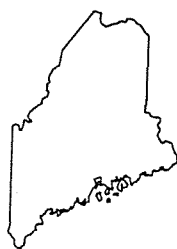
A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

STATE OF MAINE

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

**RESOLUTION, Proposing an Amendment to the Constitution of Maine
to Provide for a Limit on State Spending and the Creation of Reserves.**



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. IX, §21** is enacted to read:

8 **Section 21. Expenditure limit and reserve fund.** In any
state fiscal year beginning after January 1, 1993, General Fund
10 expenditures of State Government may not exceed in any budget
period an amount established by formula prescribed by the
12 Legislature. When actual General Fund revenues in a budget
period exceed budgeted General Fund expenditures, the excess
14 revenues must be placed in a reserve fund. Funds in the reserve
fund may be expended only in years of revenue shortfalls. Funds
16 may be expended from this fund only upon recommendation of the
Governor and approval by 2/3 of both Houses of the Legislature.
18 The Legislature shall prescribe the procedures by which the terms
of this provision are implemented, including a specific spending
limitation formula.

20 ; and be it further

22
24 **Constitutional referendum procedure; form of question; effective**
date. Resolved: That the municipal officers of this State shall
26 notify the inhabitants of their respective cities, towns and
plantations to meet, in the manner prescribed by law for holding
28 a general election, at the next general election in the month of
November following passage of this resolution, to vote upon the
30 ratification of the amendment proposed in this resolution by
voting upon the following question:

32 "Do you favor amending the Constitution of Maine to require
the Legislature to adopt a mechanism to limit state
34 expenditures and to create a reserve fund?"

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

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

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STATEMENT OF FACT

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This resolution is one of the measures submitted by the
Special Commission on Governmental Restructuring.

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The resolution proposes to amend the Constitution of Maine
to impose a limit on state spending and to create a reserve fund.

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