

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 407

H.P. 319

House of Representatives, February 9, 1993

**RESOLUTION, Proposing an Amendment to the Constitution of Maine
to Protect Revenue in Other Special Revenue Funds.**

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

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative TARDY of Palmyra.
Cosponsored by Representatives: HUSSEY of Milo, SPEAR of Nobleboro, STROUT of
Corinth, VIGUE of Winslow.

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, §23** is enacted to read:

8 **Section 23. Limitation on expenditure and use of funds in Other**
Special Revenue accounts. All revenues derived from fees, excises,
10 license taxes, other special taxes related to Other Special
Revenue funds and all other assets, proceeds or income related to
12 Other Special Revenue funds or any successor funds established
for a similar purpose and funded with revenue from sources other
14 than the General Fund or Highway Fund must be expended for the
exclusive purpose of meeting the statutory obligations of these
16 funds and may not be encumbered for, or diverted to, other
purposes. Revenue received from the Federal Government may be
18 allocated as provided by federal or state law and the Legislature
may establish special funds and deposit revenues collected,
20 received or recovered into these special funds or Other Special
22 Revenue funds, if applicable, provided that the revenues are
allocated and expended only for the purposes of those special
funds or the Other Special Revenue funds as provided by law.

24 ; and be it further

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

34 "Do you favor amending the Constitution of Maine to provide
36 that revenues derived from fees and special taxes and other
revenues collected by the State of Maine and allocated to
38 Other Special Revenue funds and all other assets, proceeds
or income related to these funds must be allocated to and
40 expended for the exclusive purpose of meeting the statutory
obligations of these Other Special Revenue funds?"

42 The legal voters of each city, town and plantation shall
44 vote by ballot on this question and designate their choice by a
cross or check mark placed within the corresponding square below
46 the word "Yes" or "No." The ballots must be received, sorted,
counted and declared in open ward, town and plantation meetings
48 and returns made to the Secretary of State in the same manner as

2 votes for members of the Legislature. The Governor shall review
the returns and, if it appears that a majority of the legal votes
4 are cast in favor of the amendment, the Governor shall proclaim
that fact without delay and the amendment becomes part of the
6 Constitution on the date of the proclamation; and be it further

8 **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
10 necessary to carry out the purpose of this referendum.

12
14 **STATEMENT OF FACT**

16 This resolution proposes an amendment to the Constitution of
Maine. The amendment provides that money collected, received or
recovered and the assets, proceeds or income related to Other
18 Special Revenue funds must be expended solely for the exclusive
purpose of meeting the statutory obligations of these funds.