MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 473

H.P. 353

House of Representatives, February 9, 1995

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Permit Revenues Derived from the Use of Vehicles on Public Highways and from Alternative Modes of Transportation to be Used for Obtaining Access to Rights-of-Way for Alternative Forms of Transportation.

Received by the Clerk of the House on February 7, 1995. Referred to the Committee on Transportation and ordered printed pursuant to Joint Rule 14.

OSEPH W. MAYO, Clerk

Presented by Representative BENEDIKT of Brunswick.

Cosponsored by Representatives: BOUFFARD of Lewiston, VOLENIK of Sedgwick,

WATSON of Farmingdale, Senator: PARADIS of Aroostook.

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

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Constitution, Art. IX, §19 is amended to read:

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Section 19. Limitation on expenditure of motor vehicle and motor vehicle fuel revenues. All revenues derived from fees, excises and license taxes relating to registration, operation and use of vehicles on public highways and from alternative modes of transportation, and to fuels used for propulsion of such those vehicles shall and for alternative modes of transportation must be expended solely for cost of administration, statutory refunds and adjustments, payment of debts and liabilities incurred in construction and reconstruction of highways and bridges, the cost of construction, reconstruction, maintenance and repair of public highways and bridges under the direction and supervision of a state department having jurisdiction over such those highways and bridges, administration and funding of obtaining access to rights-of-way for alternative modes of transportation and expense for state enforcement of traffic laws and shall may not be diverted for any purpose, provided that these limitations shall do not apply to revenue from an excise tax on motor vehicles imposed in lieu of personal property tax.

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; and be it further

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

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"Do you favor amending the Constitution of Maine to permit revenues derived from the use of highways and alternative modes of transportation to be used to support obtaining access to rights-of-way for alternative modes of transportation?"

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

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 necessary to carry out the purpose of this referendum.

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STATEMENT OF FACT

This resolution amends the Constitution of Maine to permit revenues derived from the use of the highways and from alternative modes of transportation and fuels used on the highways and in alternative modes of transportation to be spent on obtaining access to rights-of-way for alternative modes of transportation.