



## **119th MAINE LEGISLATURE**

## FIRST REGULAR SESSION-1999

Legislative Document

No. 1880

S.P. 658

In Senate, March 16, 1999

**RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for Protected Capital Reserve Funds.** 

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

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JOY J. O'BRIEN Secretary of the Senate

Presented by Senator MILLS of Somerset. Cosponsored by Representative MURPHY of Kennebunk and Senators: CAREY of Kennebec, DAGGETT of Kennebec, GOLDTHWAIT of Hancock, MURRAY of Penobscot, NUTTING of Androscoggin, Representatives: JABAR of Waterville, LaVERDIERE of Wilton, SCHNEIDER of Durham. **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, §14-E is enacted to read:

Section 14-E. Reserve funds. The Legislature may create
reserve funds to provide for capital improvements or to fund
other long-range goals or contingencies of State Government.
Such funds may be carried over from one legislative session to
succeeding sessions and may not be appropriated for any purpose
other than the purpose for which the funds were created unless
the appropriation is approved by a 2/3 vote of each House of a
succeeding Legislature.

; and be it further

18 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:

"Do you favor amending the Constitution of Maine to provide for capital reserve funds?"

30 The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a 32 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 34 and returns made to the Secretary of State in the same manner as 36 votes for members of the Legislature. The Governor shall review the returns and, if it appears that a majority of the legal votes 38 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 40

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

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## SUMMARY

This resolution proposes an amendment to the Constitution of Maine that allows the Legislature to establish capital reserve funds and prohibits subsequent Legislatures from using those funds for any other purpose without approval of 2/3 of each House of the Legislature.

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