



## **120th MAINE LEGISLATURE**

## FIRST REGULAR SESSION-2001

Legislative Document

No. 223

S.P. 59

In Senate, January 23, 2001

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

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

by JOBuen

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator MILLS of Somerset.

**Constitutional amendment. Resolved:** Two thirds of each 2 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 create8reserve funds to provide for capital improvements, to fulfill<br/>long-range goals or to meet fiscal contingencies of State10Government.When carried over from one Legislature to another, a<br/>reserve fund protected by this section may not be spent for any12purpose other than that for which the fund was expressly created<br/>unless such later purpose is approved by a vote of 3/5 of both14Houses.

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**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

; and be it further

proposed in this resolution by voting upon the following question:

"Do you favor amending the Constitution of Maine to permit the Legislature to create reserve funds to provide for capital improvements, to fulfill long-range goals or to meet fiscal contingencies of State Government?"

32 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 34 the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings 36 and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review 38 the returns and, if it appears that a majority of the legal votes are cast in favor of the amendment, the Governor shall proclaim 40 that fact without delay and the amendment becomes part of the Constitution on the date of the proclamation; and be it further 42

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

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## SUMMARY

4 This constitutional resolution permits the Legislature to create reserve funds to provide for capital improvements, to fulfill long-range goals or to meet fiscal contingencies of State Government. When carried over from one Legislature to another, a reserve fund may not be spent for any purpose other than that for which the fund was expressly created unless such later purpose is approved by a vote of 3/5 of both Houses.

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