



121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 321

H.P. 264

House of Representatives, January 28, 2003

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.

Millicent M. Mag failand

MILLICENT M. MacFARLAND Clerk

Presented by Representative MILLS of Cornville.

Constitutional amendment. Resolved: Two thirds of each 2 branch of the Legislature concurring, that the following amendment to the Constitution of Maine be proposed:

4 6

16

28

30

32

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
long-range goals or to meet fiscal contingencies of State10Government.When carried over from one Legislature to another, a
reserve fund protected by this section may not be spent for any12purpose other than that for which the fund was expressly created
unless such later purpose is approved by a vote of 3/5 of both14Houses.

; 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 22 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: 26

"Do you favor amending the Constitution of Maine to allow for the creation of reserve funds to be used for capital improvements, long-range goals or fiscal contingencies and to prohibit spending the reserve funds for any purpose unless approved by a vote of 3/5 of the Legislature?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a 34 cross or check mark placed within the corresponding square below the word "Yes" or "No." The ballots must be received, sorted, 36 counted and declared in open ward, town and plantation meetings 38 and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review 40 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 42 Constitution of Maine on the date of the proclamation; and be it further 44

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

50

2 SUMMARY 4 This resolution proposes to amend the Constitution of Maine to allow the Legislature to create reserve funds to be used for 6 capital improvements, long-range goals or fiscal contingencies and to prohibit spending the reserve funds for any purpose unless 8 approved by a vote of 3/5 of the Legislature.