

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 749

H.P. 555

House of Representatives, February 14, 2003

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Control State Spending Based on Certain Guidelines

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND

Clerk

Presented by Representative ANDREWS of York.

Cosponsored by Representatives: BOWEN of Rockport, MILLETT of Waterford, Senator LEMONT of York and

Representatives: COURTNEY of Sanford, JOY of Crystal, LEWIN of Eliot, MILLS of Cornville, MURPHY of Kennebunk, SHERMAN of Hodgdon, VAUGHAN of Durham, Senator: YOUNGBLOOD of Penobscot.

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. IV, Part Third, §24** is enacted to read:

8 **Section 24. Limitation on growth of state budget**

10 The Legislature shall establish a General Fund expenditure
12 ceiling that limits the growth of General Fund appropriations,
14 excluding federal funds received by the General Fund, to the
16 estimated rate of growth of the State's economy as measured by
18 the sum of inflation plus the percentage change in state
population in the prior calendar year. No appropriations in
excess of this ceiling may be authorized during any legislative
session unless the Legislature, by a 2/3 vote of the entire
elected membership of both Houses, sets forth the dollar amount
and the rate by which the ceiling will be exceeded and the
reasons therefore.

20 ; and be it further

22 **Constitutional referendum procedure; form of question; effective**
24 **date. Resolved:** That the municipal officers of this State shall
26 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
28 following the first Monday of November following the passage of
this resolution, to vote upon the ratification of the amendment
30 proposed in this resolution by voting upon the following question:

32 "Do you favor amending the Constitution of Maine to
34 establish a ceiling on state spending and require a 2/3 vote
of the Legislature to approve General Fund expenditures that
36 exceed the rate of inflation plus the percentage change in
state population in the prior calendar year?"

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

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

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SUMMARY

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This constitutional resolution establishes a ceiling on
General Fund expenditures and requires a 2/3 vote of the
12 Legislature to approve General Fund expenditures that exceed the
rate of inflation plus the percentage change in state population
14 in the prior calendar year.