

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1031

H.P. 716

House of Representatives, March 1, 2005

RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding the Funding of Local Schools

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative VAUGHAN of Durham.

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. VIII, Pt. First, §1** is amended to read:

8 **Section 1. Legislature shall require towns to support**
9 **public schools; uniform and high-quality education; duty of**
10 **Legislature.** A general diffusion of the advantages of education
11 being essential to the preservation of the rights and liberties
12 of the people; to promote this important object, the Legislature
13 are is authorized, and it shall be their its duty ~~to require, the~~
14 ~~several towns~~ to make suitable provision, ~~at their own expense,~~
15 for the support and maintenance of public schools and to seek to
16 ensure that an educational program of uniform and high quality is
17 established and continuously maintained in all schools in the
18 State; and it shall further be ~~their~~ its duty to encourage and
19 suitably endow, from time to time, as the circumstances of the
20 people may authorize, all academies, colleges and seminaries of
21 learning within the State; provided, that no donation, grant or
22 endowment shall at any time be made by the Legislature to any
23 literary institution now established, or which may hereafter be
24 established, unless, at the time of making such endowment, the
25 Legislature of the State shall have the right to grant any
26 further powers to alter, limit or restrain any of the powers
27 vested in any such literary institution, as shall be judged
28 necessary to promote the best interests thereof.

29 ; and be it further

30
31
32 **Constitutional referendum procedure; form of question; effective**
33 **date. Resolved:** That the municipal officers of this State shall
34 notify the inhabitants of their respective cities, towns and
35 plantations to meet, in the manner prescribed by law for holding
36 a statewide election, at a statewide election, on the Tuesday
37 following the first Monday of November following the passage of
38 this resolution, to vote upon the ratification of the amendment
39 proposed in this resolution by voting upon the following question:

40
41 "Do you favor amending the Constitution of Maine to require
42 the Legislature to make suitable provision for public
43 schools and to seek to ensure that uniform and high-quality
44 education is established and continuously maintained in all
45 schools of the State?"

46
47 The legal voters of each city, town and plantation shall
48 vote by ballot on this question and designate their choice by a
cross or check mark placed within the corresponding square below

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

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

16 **SUMMARY**

18 This resolution proposes an amendment to the Constitution of
Maine to strike the words requiring that towns make suitable
20 provision for the support and maintenance of schools. This
resolution adds language requiring the Legislature to support
22 schools and to seek to ensure that a program of uniform and
high-quality education is established and continuously maintained
24 at all schools in the State.