

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 1726

H.P. 1209

House of Representatives, March 23, 2007

### **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Guarantee the Integrity of the Highway Fund**

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Reference to the Committee on Transportation suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative PRESCOTT of Topsham.  
Cosponsored by Senator COURTNEY of York and  
Representatives: AUSTIN of Gray, BROWNE of Vassalboro, CEBRA of Naples, GOULD of  
South Berwick, KNIGHT of Livermore Falls, THOMAS of Ripley, Senators: DAMON of  
Hancock, DIAMOND of Cumberland.

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

4           **Constitution, Art. IX, §19** is amended to read:

5           **Section 19. Limitation on expenditures from the Highway Fund.** All revenues  
6 ~~derived from fees, excises and license taxes relating to registration, operation and use of~~  
7 ~~vehicles on public highways, and to fuels used for propulsion of such vehicles~~ funds in  
8 the Highway Fund shall be expended or transferred solely for cost of administration,  
9 statutory refunds and adjustments, payment of debts and liabilities incurred in  
10 construction and reconstruction of highways and bridges, the cost of construction,  
11 reconstruction, maintenance and repair of public highways and bridges under the  
12 direction and supervision of a state department having jurisdiction over such highways  
13 and bridges and expense for state enforcement of traffic laws and shall not be diverted for  
14 any purpose, provided that these limitations shall not apply to revenue from an excise tax  
15 on motor vehicles imposed in lieu of personal property tax.

16 ; and be it further

17           **Constitutional referendum procedure; form of question; effective date.**

18 **Resolved:** That the municipal officers of this State shall notify the inhabitants of their  
19 respective cities, towns and plantations to meet, in the manner prescribed by law for  
20 holding a statewide election, at a statewide election held in the month of November  
21 following the passage of this resolution, to vote upon the ratification of the amendment  
22 proposed in this resolution by voting upon the following question:

23           “Do you favor amending the Constitution of Maine to prohibit expenditures or  
24 transfers from the Highway Fund for any purpose other than those purposes  
25 specifically related to highways?”

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

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

1

## SUMMARY

2       This constitutional resolution amends the Constitution of Maine to prohibit  
3 expenditures or transfers from the Highway Fund for any purpose other than those  
4 purposes specifically related to highways.