

125th MAINE LEGISLATURE

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Legislative Document

No. 603

S.P. 183

In Senate, February 17, 2011

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require Approval by a 2/3 Vote of Each Branch of the Legislature in Order To Raise a Tax

Reference to the Committee on Taxation suggested and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR. Secretary of the Senate

Presented by Senator COURTNEY of York.

Cosponsored by Representative CURTIS of Madison and

Senators: LANGLEY of Hancock, PLOWMAN of Penobscot, President RAYE of Washington, SAVIELLO of Franklin, THOMAS of Somerset, Representatives: BENNETT of Kennebunk, BICKFORD of Auburn, CEBRA of Naples, COTTA of China, CUSHING of Hampden, HARMON of Palermo, KNIGHT of Livermore Falls, LIBBY of Waterboro, RICHARDSON of Warren, WATERHOUSE of Bridgton, WEAVER of York, WILLETTE of Mapleton.

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. IV, Pt. Third, §24 is enacted to read: 5 **Section 24.** Tax increase. The Legislature may not enact legislation that raises a tax unless approved by a 2/3 vote of all the members elected to each House of the 6 7 Legislature. 8 ; and be it further 9 Constitutional referendum procedure; form of question; effective date. 10 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 11 holding a statewide election, at a statewide election held in the month of November 12 13 following the passage of this resolution, to vote upon the ratification of the amendment proposed in this resolution by voting upon the following question: 14 15 "Do you favor amending the Constitution of Maine to require approval by a 2/3 vote of all the members elected to each House of the Legislature in order to raise a tax?" 16 17 The legal voters of each city, town and plantation shall vote by ballot on this question 18 and designate their choice by a cross or check mark placed within the corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and 19 20 declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall 21 review the returns. If it appears that a majority of the legal votes are cast in favor of the 22 amendment, the Governor shall proclaim that fact without delay and the amendment 23 24 becomes part of the Constitution of Maine on the date of the proclamation; and be it 25 further 26 Secretary of State shall prepare ballots. Resolved: That the Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies 27 of this resolution necessary to carry out the purposes of this referendum. 28 29 **SUMMARY** 30 This resolution proposes to amend the Constitution of Maine to require approval by a 2/3 vote of all the members elected to each House of the Legislature in order to raise a 31

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tax.