

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the resolution by striking out all of section 19 (page 1, lines 5 to 15 in L.D.) and inserting the following:

**Section 19. Highway Fund.** ~~All revenues derived from fees, excises and license taxes relating to registration, operation and use of vehicles on public highways, and to fuels used for propulsion of such vehicles shall be expended solely for cost of administration, statutory refunds and adjustments, payment of debts and liabilities incurred in construction and reconstruction of highways and bridges, the cost of construction, reconstruction, maintenance and repair of public highways and bridges under the direction and supervision of a state department having jurisdiction over such highways and bridges and expense for state enforcement of traffic laws and shall not be diverted for any purpose, provided that these limitations shall not apply to revenue from an excise tax on motor vehicles imposed in lieu of personal property tax. The Legislature shall establish and maintain in accordance with this section a Highway Fund.~~

1. Receiving funds. The Highway Fund may receive funds from any source.

2. Required deposits. The funds described in this subsection must be deposited into the Highway Fund:

A. All revenues derived from fees, excises and license taxes relating to registration, operation and use of vehicles on public highways, not including revenues from an excise tax on motor vehicles imposed in lieu of personal property tax; and

B. All revenues derived from fees, excises and license taxes relating to fuels used for propulsion of vehicles on public highways.

3. Expenditures. Funds in the Highway Fund, including all funds deposited into or allocated or appropriated to the Highway Fund and any proceeds or income from funds in the Highway Fund, may be allocated or expended only for the purposes described under this subsection and may not be diverted to or used for any other purpose:

A. The cost of administration, statutory refunds and adjustments and payment of debts and liabilities incurred in construction and reconstruction of public highways and bridges under the direction and supervision of a state department having jurisdiction over such highways and bridges;

B. The cost of construction, reconstruction, maintenance and repair of public highways and bridges under the direction and supervision of a state department having jurisdiction over such highways and bridges;

C. The cost of providing, operating, managing and maintaining a state ferry service under the direction and supervision of a state department or agency for ferry routes designated by the Legislature to and from island communities; and

D. The expense for state enforcement of traffic laws.

Amend the resolution by striking out all of the question (page 1, lines 23 to 25 in L.D.) and inserting the following:

"Do you favor amending the Constitution of Maine to require that certain transportation-related revenues be placed in the Highway Fund and to require that all funds in the Highway Fund be used solely for specified transportation-related purposes?"

### **SUMMARY**

This amendment clarifies the changes to Article IX, Section 19 of the Constitution of Maine proposed by the bill. Under this amendment the constitutional provision will require the creation of a Highway Fund, require that certain revenues be placed in that fund, allow other funds to be placed in the fund and require that all funds in that fund be used solely for certain transportation-related purposes. Transportation-related purposes include construction, reconstruction, maintenance and repair of public highways and bridges under the direction and supervision of the Department of Transportation; providing, operating, managing and maintaining the Maine State Ferry Service; and state enforcement of traffic laws.

### **FISCAL NOTE REQUIRED**

**(See attached)**