

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 24

H. P. 15

Office of the Clerk of the House

Filed December 29, 1976 under Joint Rule No. 6 by Mr. Jensen of Portland.
To be printed and delivered to the House of Representatives of the 108th
Legislature.

EDWIN H. PERT, Clerk

Presented by Mr. Jensen of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**RESOLUTION, Proposing an Amendment to the Constitution to Repeal the
Section Concerning Continuity of State and local Government in Case of
Enemy Attack.**

Constitutional amendment. RESOLVED: Two-thirds of each branch of
the Legislature concurring, that the following amendment to the Constitution
of this State be proposed:

Constitution, Art. IX, § 17, is repealed.

Constitutional referendum procedure; form of question; effective date.
Resolved: That the city aldermen, town selectmen and plantation assessors
of this State shall notify the inhabitants of their respective cities, towns and
plantations to meet, in the manner prescribed by law for holding a statewide
election, at the next general election in the month of November or special
statewide election on the Tuesday following the first Monday of November
following the passage of this resolution, to vote upon the ratification of the
amendment proposed in this resolution by voting upon the following question:

“Shall the Constitution be amended as proposed by a resolution of the
Legislature to repeal the section concerning continuity of State and local
government in case of enemy attack?”

The legal voters of each city, town and plantation shall vote by ballot on
this question, and shall designate their choice by a cross or check mark placed
within the corresponding square below the words “Yes” or “No.” The ballots
shall be received, sorted, counted and declared in open ward, town and plan-
tation meetings and returns made to the Secretary of State in the same man-

ner as votes for members of the Legislature. The Governor shall review the returns, and, if it appears that a majority of the legal voters are in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment shall become part of the Constitution on the date of the proclamation.

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 of this resolution necessary to carry out the purpose of this referendum.

STATEMENT OF FACT

This resolution, if approved by the people, will remove from the Constitution a section which purported to provide for the continuous operation of State and local Government during enemy attack. Years of experience with this provision has demonstrated that it is unnecessary, unworkable and obsolete. In order to ensure that the Constitution of Maine, our fundamental written law, contains only those provisions of vital importance to the operation of this State, this surplus provision should be deleted.