

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1300

S. P. 387

In Senate, March 31, 1977

Referred to the Committee on State Government. Sent down for concurrence and ordered printed.

MAY M. ROSS, Secretary

Presented by Senator Merrill of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

RESOLUTION, Proposing an Amendment to the Constitution to Repeal Provisions Relating to the Poll Tax and to Payment in Lieu of Military Duty.

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

Sec. 1. Constitution, Art. VII, § 5 is amended to read:

Section 5. Persons exempt from military duty. Persons of the denominations of Quakers and Shakers, Justices of the Supreme Judicial Court, Ministers of the Gospel and persons exempted by the laws of the United States may be exempted from military duty, but not other able-bodied person of the age of eighteen and under the age of forty-five years, excepting officers of the militia who have been honorably discharged, shall be so exempted ~~unless he shall pay an equivalent to be fixed by law.~~

Sec. 2. Constitution, Art. IX, § 7 is amended to read:

Section 7. Valuation. While the public expenses shall be assessed on ~~polls and~~ estates, a general valuation shall be taken at least once in ten years.

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 amendments proposed in this resolution by voting upon the following question:

“Shall the Constitution be amended as proposed by a resolution of the First Regular Session of the 108th Legislature to repeal provisions relating to the poll tax and to payment in lieu of military duty?”

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 plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns, and, if it appears that a majority of the legal votes are in favor of the amendments, the Governor shall proclaim that fact without delay and the amendments 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

The purpose of this resolution is to remove 2 unnecessary provisions from the Constitution. They are:

1. The provision that a person can be exempted from military duty if he pays the “equivalent to be fixed by law;” and
2. A portion of the requirement that a general valuation be taken every year which refers to the poll tax.