

MAINE STATE LEGISLATURE

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EIGHTIETH LEGISLATURE

HOUSE

NO. 55

House of Representatives, Feb. 7, 1921.

Referred to Committee on Legal Affairs and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Warren of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND TWENTY-ONE

RESOLVE, Proposing an Amendment to Article IV, Part Third, Section Fourteen of the Constitution, in Regard to Charters of Towns and Cities, and Providing that Towns and Cities Having More than Five Thousand May by Majority Vote of the Inhabitants Adopt or Amend Their Charters Subject to Such Limitation as May be Prescribed by the Legislature, etc.

Resolved: Two-thirds of the legislature concurring, that
2 the following amendment to the constitution of this state
3 be proposed for action of the legal voters, to wit: By strik-
4 ing out the words "for municipal purposes and" in section

5 fourteen of article IV, part third, of said constitution and
6 adding thereto the following: 'Towns and cities having
7 more than five thousand inhabitants may by a majority vote
8 of the qualified voters of said towns and cities at an elec-
9 tion held for that purpose adopt their charters subject to
10 such limitations as may be prescribed by the legislature and
11 providing no charter or any ordinance passed under said
12 charter shall contain any provision inconsistent with the
13 constitution of the state or of the statutes of this state;
14 said towns and cities may levy and assess and collect such
15 taxes as may be authorized by law or their charters; but
16 no tax for any purpose shall be lawful for one year which
17 shall exceed two and one-half per cent of the taxable prop-
18 erty of such city, and no debt shall ever be created by any
19 city, unless at the same time provision be made to assess
20 and collect annually a sufficient sum to pay the interest
21 thereon and creating a sinking fund of at least two per
22 centum thereon; and provided further that no city charter
23 shall be altered, amended or repealed oftener than every
24 two years.' So that said section as amended shall read as
25 follows:

'Sect. 14. Corporations shall be formed under general
2 laws, and shall not be created by special acts of the legis-
3 lature, except in cases where the objects of the corporation
4 cannot otherwise be attained; and, however formed, they
5 shall forever be subject to the general laws of the state.
6 Towns and cities having more than five thousand inhabitants

7 may by a majority vote of the qualified voters of said towns
8 and cities at an election held for that purpose adopt their
9 charters subject to such limitations as may be prescribed
10 by the legislature and providing no charter or any ordi-
11 nance passed under said charter shall contain any provision
12 inconsistent with the constitution of the state or of the stat-
13 utes of this state; said towns and cities may levy and assess
14 and collect such taxes as may be authorized by law or their
15 charters; but no tax for any purpose shall be lawful for
16 one year which shall exceed two and one-half per cent of
17 the taxable property of such city, and no debt shall ever
18 be created by any city, unless at the same time provision
19 be made to assess and collect annually a sufficient sum to
20 pay the interest thereon and creating a sinking fund of at
21 least two per centum thereon; and provided further that
22 no city charter shall be altered, amended or repealed oftener
23 than every two years.'

Resolved: That the aldermen of cities, the selectmen of
2 towns and the assessors of the several plantations in this
3 state are hereby empowered and directed to notify the in-
4 habitants of their respective cities, towns and plantations
5 to meet in the manner prescribed by law for calling and
6 holding biennial meetings of said inhabitants for the elec-
7 tion of senators and representatives, on the second Monday
8 in September following the passage of this resolve, to give
9 in their votes upon the amendment proposed in the fore-
10 going resolution, and the question shall be: "Shall the con-

11 stitution be amended as proposed by a resolution of the
12 legislature allowing towns and cities having more than five
13 thousand inhabitants to adopt or amend their charters?"
14 And the inhabitants of said cities, towns and plantations
15 shall vote by ballot on said question, those in favor of the
16 amendment expressing it by the word "Yes" upon their
17 ballots and those opposed to the amendment by the word
18 "No" upon their ballots, and the ballots shall be received,
19 sorted, counted, and declared in open ward, town and plan-
20 tation meetings, and returns made to the office of secretary
21 of state in the same manner as votes for governor and mem-
22 bers of the legislature, and the governor and council shall
23 count the same, and if it shall appear that a majority of
24 the inhabitants voting on the question are in favor of the
25 amendment, it shall thereupon become a part of the con-
26 stitution, and the governor shall forthwith make known the
27 fact by his proclamation.

Resolve: That the secretary of state shall prepare and
2 furnish to the several cities, towns and plantations ballots
3 and blank returns in conformity with the foregoing resolves
4 accompanied by a copy thereof.