

# **MAINE STATE LEGISLATURE**

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LAWS  
OF THE  
**STATE OF MAINE**  
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 164, SUBSECTION 6.

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PORLAND LITHOGRAPH COMPANY  
PORTLAND, MAINE  
1977

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**CONSTITUTIONAL RESOLUTIONS**  
OF THE  
**STATE OF MAINE**  
AS PASSED AT THE  
**FIRST REGULAR SESSION**  
of the  
**ONE HUNDRED AND EIGHTH LEGISLATURE**

1977 .....

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gate \$90,000,000 in amount at any one time and may also appropriate moneys and authorize the issuance of bonds on behalf of the State at such times and in such amounts as it may determine to make payments insured as aforesaid. For the purposes of this section, a documented fishing vessel or a vessel registered under state law shall be construed as real estate.

Constitution, Art. IX, § 14-B is repealed.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 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 reduce and combine the guarantee limits for the insurance of enterprises within the State, and to make vessels registered in the State eligible for such insurance?"

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.

Effective as provided in the Act

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## CHAPTER 4

### RESOLUTION, Proposing an Amendment to the Constitution to Require the Legislature to Convene in December after the General Election.

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

## CONSTITUTIONAL RESOLUTIONS, 1977

Constitution, Art. IV, Pt. 1, § 2, first sentence, as amended by CR 1975, c. 5, is further amended to read:

The House of Representatives shall consist of one hundred and fifty-one members, to be elected by the qualified electors, and hold their office two years from the day next preceding the first Wednesday ~~after the first Tuesday~~ in January December following the general election.

Constitution, Art. IV, Pt. 1, § 5, last 2 sentences, as amended by CR 1975, c. 5, are further amended to read:

The Governor shall examine the returned copies of such lists and ~~twenty~~ seven days before the first Wednesday ~~after the first Tuesday~~ of January December biennially, shall issue a summons to such persons as shall appear to have been elected by a plurality of all votes returned, to attend and take their seats. All such lists shall be laid before the House of Representatives on the first Wednesday ~~after the first Tuesday~~ of January December biennially, and they shall finally determined who are elected.

Constitution, Art. IV, Pt. 2, § 2, first sentence, as repealed and replaced by CR 1975, c. 1, is amended to read:

The Legislature which shall convene in ~~1983~~ 1984 and every tenth year thereafter shall cause the State to be divided into districts for the choice of a Senator from each district, using the same method as provided in Article IV, Part First, Section 2 for apportionment of Representative Districts.

Constitution, Art. IV, Pt. 2, § 3, last sentence, is amended to read:

Fair copies of the lists of votes shall be attested by the clerks of the cities and towns or other duly authorized officials and sealed up in open meetings and such officials shall cause said lists to be delivered into the Secretary of State's office ~~within fifteen days after the date on which the election is held~~ office of the Secretary of State forthwith.

Constitution, Art. IV, Pt. 2, § 4, as last amended by CR 1975, c. 5, is further amended to read:

Sec. 4. Examination of lists; summons to persons who appear to be elected. The Governor shall, as soon as may be, examine the copies of such lists, and at least ~~twenty~~ seven days before the said first Wednesday ~~after the first Tuesday~~ of January December, issue a summons to such persons, as shall appear to be elected by a plurality of the votes in each senatorial district, to attend that day and take their seats.

Constitution, Art. IV, Pt. 2, § 5, first sentence, as amended by CR 1975, c. 5, is further amended to read:

The Senate shall, on said first Wednesday ~~after the first Tuesday~~ of January December, biennially determine who is elected by a plurality of votes to be Senator in each district.

Constitution, Art. IV, Pt. 3, § 1, first sentence, as amended by CR 1975, c. 5, is further amended to read:

The Legislature shall convene on the first Wednesday after the first of January December following the general election in what shall be designated the first regular session of the Legislature; and shall further convene on the first Wednesday after the first Tuesday of January in the subsequent even-numbered year in what shall be designated the second regular session of the Legislature; provided, however, that the business of the second regular session of the Legislature shall be limited to budgetary matters; legislation in the Governor's call; legislation of an emergency nature admitted by the Legislature; legislation referred to committees for study and report by the Legislature in the first regular session; and legislation presented to the Legislature by written petition of the electors under the provisions of Article IV, Part Third, Section 18.

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 Legislature to provide for the convening of the Legislature in December following the general election, instead of in January?"

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.

Effective as provided in the Act

## CHAPTER 5

RESOLUTION, Proposing an Amendment to the Constitution to Require the State to Reimburse Municipalities from State Tax Sources for 50% of Losses Caused by Property Tax Exemptions and Credits Enacted after April 1, 1978.