

# MAINE STATE LEGISLATURE

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STATE OF MAINE



REPORT  
OF THE  
ATTORNEY GENERAL

for the calendar years  
1955 - 1956

June 8, 1955

To Paul A. MacDonald, Deputy Secretary of State

Re: Proposed Constitutional Amendments and Bond Issue

Your question in regard to the Constitutional Amendments, more specifically the requirements of Section 14, Article IX of the Constitution of Maine, as applied to the bond issue authorized by Chapter 198, P&SL 1955, has been received. Your question is:

"Does this constitutional provision require that the Secretary of State print the statement as to bonds outstanding on the ballot along with the question with reference to the issuance of bonds for the bridge across Jonesport Reach?"

The constitutional provision in question is as follows:

"Whenever ratification by the electors is essential to the validity of bonds to be issued on behalf of the state, the question submitted to the electors shall be accompanied by a statement setting forth the total amount of bonds of the state outstanding and unpaid, the total amount of bonds of the state authorized and unissued, and the total amount of bonds of the state contemplated to be issued if the enactment submitted to the electors be ratified."

The words necessary for our immediate attention are "shall be accompanied by a statement." Speaking in general terms, the word "accompany" means "go along with, to go with or attend as a companion or associate, and to occur in association with."

It has been held that an article or thing is accompanied by another when it supplements or explains it, in the same manner that a committee report of the Congress accompanies a bill, and no personal attachment, one to the other, is necessary, it being the textual relationship that is significant. *Kordel v. U. S.*, 335 U. S. 345.

The constitutional provision above referred to will be complied with if a written statement is presented to the voters which sets forth the following: 1) a statement of the total amount of bonds of the State outstanding and unpaid; 2) a statement of the amount of bonds of the State authorized and unissued (if there are no bonds authorized and unissued we feel that this should be stated); and 3) a statement of the total amount of bonds of the State contemplated to be issued under the provisions of Chapter 198, P&SL 1955.

It is not necessary that this statement be printed on the bill. We feel that it is permissible, however, to place this statement on the ballot in such a place that it will be readily seen by the voter. It would be administratively sound, as it would tend to lessen the confusion at the polling place, and, secondly, it would be conclusive evidence that the voter did receive the statement that is provided for under Section 14, as the check list will be proof of the receipt.

While not asked in your written memorandum, we have discussed the question of when the statement as to total indebtedness should be dated. We feel that the statement should be complete as of the date of the election, which we understand will be September 12, 1955. Although the Constitution is silent, we feel that it is the date that the framers had in mind.

ROGER A. PUTNAM  
Assistant Attorney General