

MAINE STATE LEGISLATURE

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AUGUSTA, GEORGIA

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ELECTIONS

-1951

(Sept.)

Referendum Questions

and

Proposed Constitutional Amendments

In Accordance with Acts and
Resolves Passed by the
95th Legislature

(Including Brief Explanatory Statements
by the Attorney General as to Intent
and Content of each Proposed
Constitutional Amendment
and Referendum
Question)



1951

To Be Voted Upon at the Special Election,
Monday, September 10, 1951

‘CHAPTER 201, PRIVATE AND SPECIAL LAWS
OF 1951

**AN ACT to Authorize the Issuance of Bonds in the
Amount of Twenty-Seven Million Dollars on Be-
half of the State of Maine for the Purpose of
Building State Highways.**

Preamble. Two-thirds of both houses of the legislature deeming it necessary in accordance with section 14 of article IX of the constitution to authorize the issuance of bonds on behalf of the state of Maine for the purpose of building state highways:

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. Bond issue of \$27,000,000 authorized. In addition to state highway and bridge bonds heretofore issued in the name and behalf of the state as provided by law, the treasurer of state is hereby authorized, under the direction of the governor and council, to issue from time to time, serial coupon bonds in the name and behalf of the state to an amount not exceeding \$27,000,000, payable serially at the state treasury within 15 years from the date of issue at a rate of interest not exceeding 2% per year.

Such bonds and coupons shall be of such denominations and form and upon such terms and conditions, not inconsistent herewith, as the governor and council shall direct. The proceeds from the sale of said bonds shall be used for construction or reconstruction of roads and bridges on the state highway system and on that part of the state aid highway system which is eligible for the use of federal-aid highway funds.

The said bonds shall be deemed a pledge of the faith and credit of the state. The said bonds shall be issued from time to time so as to meet the needs of the road building program as outlined by the 95th legislature, and as authorized by the legislature. Said bonds when paid at maturity or otherwise retired shall not be reissued but may be refunded on terms more favorable to the state than the original issue.

Sec. 2. Contingent upon ratification of bond issue. No action shall be taken or liability incurred under this act unless and until the people of Maine shall have ratified the issuance of bonds in behalf of the state at such time and in such amounts as set forth

in this act for the purpose of construction or reconstruction of state highways and bridges.

Sec. 3. Referendum for ratification. The aldermen of cities, the selectmen of towns and the assessors of the several plantations of this state are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives, at the next general or special state-wide election, to give in their votes upon the acceptance or rejection of the foregoing act, and the question shall be: "Shall a bond issue be ratified for the purposes set forth in 'An Act to Authorize the Issuance of Bonds in the Amount of Twenty-Seven Million Dollars on Behalf of the State of Maine for the Purpose of Building State Highways,' passed by the 95th Legislature?"

And the inhabitants of said cities, towns and plantations shall indicate by a cross or check mark placed within a square upon their ballots their opinion of the same, those in favor of said ratification voting "YES" and those opposed to said ratification voting "NO" and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings, and return made to the office of the secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same and if it shall appear that a majority of the inhabitants voting on the question are in favor of said act, the governor shall forthwith make known the fact by his proclamation, and the act shall thereupon become effective as of the date of said proclamation.

Secretary of state shall prepare ballots. The secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing act, accompanied by a copy thereof.'

Approved May 18, 1951.

The following is a brief explanatory statement prepared by the Attorney General in accordance with the provisions of Chapter 183 of the Public Laws of 1949 with reference to the Intent and Content of Chapter 201 of the Private and Special Laws of 1951 entitled, "An Act to Authorize the Issuance of Bonds in the Amount of \$27,000,000 on Behalf of the State of Maine for the Purpose of Building State Highways."

Intent

The intent of this act is to obtain funds to be used for construction or reconstruction of roads and bridges in the state of Maine.

Content

This act provides that the necessary funds shall be raised by the sale of serial coupon bonds in an amount not to exceed \$27,000,000 payable within fifteen years from the date of issue at a rate of interest not exceeding 2% per year.

CHAPTER 212, PRIVATE AND SPECIAL LAWS OF 1951

AN ACT to Authorize the Construction of a Toll Bridge Across the Penobscot River Between the Cities of Bangor and Brewer.

Preamble. Two-thirds of both houses of the legislature deeming it necessary in accordance with section 14 of article IX of the constitution;

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. State highway commission authorized to construct bridge. The state highway commission is hereby authorized to construct a bridge across the Penobscot river between the cities of Bangor and Brewer, in the county of Penobscot, with necessary highway approaches thereto, at an estimated cost of \$2,500,000. The cost of said bridge, with the highway approaches thereto, shall be taken and appropriated from the proceeds of bonds issued under authority of this act.

Sec. 2. Toll bridge. The state highway commission shall operate such bridge when constructed as a toll bridge until all the bonds issued as provided by this act shall be retired, and all the expenses incurred hereunder shall be paid. The commission shall charge and collect such tolls for the use and crossing of said bridge by vehicles and other traffic, with the exception of pedestrians for whose passage no toll shall be charged, as may from time to time be determined and ordered by it, having due regard to the value of the services rendered, the cost of upkeep, maintenance, repairs and operation, and interest of the bonds issued.

Sec. 3. Treasurer of state to issue bonds. The treasurer of state is hereby authorized, under the direction of the governor and council, to issue from time to time serial coupon bonds in the name and

behalf of the state to an amount not exceeding \$2,500,000 for the purpose of raising funds for the construction of said bridge, as provided in this act.

Sec. 4. Records of bonds issued to be kept by state auditor and treasurer. The state auditor shall keep an account of such bonds, showing the number and amount of each, the date of countersigning, the date when payable and the date of delivery thereof to the treasurer of state, who shall keep an account of each bond, showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of sale and the date when payable.

Sec. 5. Sale, how negotiated; proceeds appropriated. The treasurer of state may negotiate the sale of such bonds by direction of the governor and council; but no such bond shall be loaned, pledged or hypothecated in behalf of the state. The proceeds of the sales of such bonds, which shall be held by the treasurer of state and paid by him upon warrants drawn by the governor and council, are hereby appropriated to be used solely for the purposes set forth in this act. Any balance unexpended shall not lapse, but shall be carried forward to the same account to be used only for the purposes set forth herein.

Sec. 6. Proceeds of bonds not available for other purposes; must be kept separate from other funds. The proceeds of all bonds issued under the authority of this act, and the tolls collected thereunder shall at all times be kept distinct from all other moneys of the state and shall not be drawn upon or be available for any other purpose.

Sec. 7. Interest and debt retirement. Interest due or accruing upon any bonds issued under the provisions of this act and all sums coming due for payment of bonds at maturity shall be paid by the treasurer of state. The interest charges on the bonds issued hereunder that accrue before sufficient funds are available from tolls to pay them in full, shall be paid from the general highway fund until such time as the tolls of the bridge, applicable for the payment of interest are sufficient for this purpose, and such sums as are necessary for this purpose are hereby appropriated out of the general highway fund; provided however that all sums so paid shall be returned and repaid to said general highway fund from the tolls received on said bridge as soon as the same shall be available.

Sec. 8. Disbursement of bond proceeds. The proceeds of such bonds shall be expended under the

direction and supervision of the state highway commission.

Sec. 9. Contingent upon ratification of bond issue. No action shall be taken or liability incurred under this act unless and until the people of Maine shall have ratified the issuance of bonds in behalf of the state at such time and in such amounts as set forth in this act for the purpose of building a toll bridge across the Penobscot river between the cities of Bangor and Brewer.

Referendum for ratification. The aldermen of cities, the selectmen of towns and the assessors of the several plantations of this state are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives, at the next general or special state-wide election, to give in their votes upon the acceptance or rejection of the foregoing act, and the question shall be: "Shall a bond issue be ratified in an amount not to exceed \$2,500,000 as set forth in 'An Act to Authorize the Construction of a Toll Bridge Across the Penobscot River Between the Cities of Bangor and Brewer,' passed by the 95th legislature?"

And the inhabitants of said cities, towns and plantations shall indicate by a cross or check mark placed within a square upon their ballots their opinion of the same, those in favor of said ratification voting "Yes" and those opposed to said ratification voting "No" and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings, and return made to the office of the secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same and if it shall appear that a majority of the inhabitants voting on the question are in favor of the act, the governor shall forthwith make known the fact by his proclamation, and the act shall thereupon become effective as of the date of said proclamation.

Secretary of state shall prepare ballots. The secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing act, accompanied by a copy thereof.'

Approved May 21, 1951.

The following is a brief explanatory statement prepared by the Attorney General in accordance with

the provisions of Chapter 183 of the Public Laws of 1949 with reference to the Intent and Content of Chapter 212 of the Private and Special Laws of 1951 entitled, "An Act to Authorize the Construction of a Toll Bridge Across the Penobscot River Between the Cities of Bangor and Brewer."

Intent

The intent of this act is to make possible the construction of a toll bridge, with necessary highway approaches, across the Penobscot River between the cities of Bangor and Brewer. The cost of the bridge is to be ultimately paid for from tolls collected from all vehicular traffic over the proposed bridge.

Content

The act would enable the Treasurer of State, under the direction of the Governor and Council, to issue serial bonds not exceeding \$2,500,000 to borrow funds for the construction of the bridge. The state highway commission shall construct said bridge and operate it until all the bonds issued are retired and all expenses incurred are paid. In the event that toll proceeds are not sufficient to pay interest charges on the bonds then such interest shall be paid out of the general highway fund, provided, however, that all sums shall be returned to the general highway fund from the tolls received.

CHAPTER 216, PRIVATE AND SPECIAL LAWS OF 1951

AN ACT to Authorize the Construction of a Toll Bridge Across the Androscoggin River Between the Cities of Lewiston and Auburn.

Preamble. Two-thirds of both houses of the legislature deeming it necessary in accordance with section 14 of article IX of the constitution;

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. State highway commission authorized to construct bridge. The state highway commission is hereby authorized to construct a bridge across the Androscoggin river between the cities of Lewiston and Auburn, in the county of Androscoggin, with necessary highway approaches thereto, at an estimated cost of \$3,000,000. The cost of said bridge, with the highway approaches thereto, shall be taken and appropriated from the proceeds of bonds issued under authority of this act.

Sec. 2. Toll bridge. The state highway commission shall operate such bridge when constructed as a toll bridge until all the bonds issued as provided by this act shall be retired and all the expenses incurred hereunder shall be paid. The commission shall charge and collect such tolls for the use and crossing of said bridge by vehicles and other traffic, with the exception of pedestrians for whose passage no toll shall be charged, as may from time to time be determined and ordered by it, having due regard to value of the services rendered, the cost of upkeep, maintenance, repairs and operation, and interest of the bonds issued.

Sec. 3. Treasurer of state to issue bonds. The treasurer of state is hereby authorized, under the direction of the governor and council, to issue from time to time serial coupon bonds in the name and behalf of the state to an amount not exceeding \$3,000,000 for the purpose of raising funds for the construction of said bridge, as provided in this act.

Sec. 4. Records of bonds issued to be kept by state auditor and treasurer. The state auditor shall keep an account of such bonds, showing the number and amount of each, the date of countersigning, the date when payable and the date of delivery thereof to the treasurer of state, who shall keep an account of each bond, showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of sale and the date when payable.

Sec. 5. Sale, how negotiated; proceeds appropriated. The treasurer of state may negotiate the sale of such bonds by direction of the governor and council; but no such bond shall be loaned, pledged or hypothecated in behalf of the state. The proceeds of the sales of such bonds, which shall be held by the treasurer of state and paid by him upon warrants drawn by the governor and council, are hereby appropriated to be used solely for the purposes set forth in this act. Any balance unexpended shall not lapse, but shall be carried forward to the same account to be used only for the purposes set forth herein.

Sec. 6. Proceeds of bonds not available for other purposes; must be kept separate from other funds. The proceeds of all bonds issued under the authority of this act and the tolls collected hereunder shall at all times be kept distinct from all other moneys of the state and shall not be drawn upon or be available for any other purpose.

Sec. 7. Interest and debt retirement. Interest due or accruing upon any bonds issued under the provisions of this act and all sums coming due for payment of bonds at maturity shall be paid by the treasurer of state. The interest charges on the bonds issued hereunder that accrue before sufficient funds are available from tolls to pay them in full shall be paid from the general highway fund until such time as the tolls of the bridge, applicable for the payment of interest, are sufficient for this purpose; and such sums as are necessary for this purpose are hereby appropriated out of the general highway fund; provided, however, that all sums so paid shall be returned and repaid to said general highway fund from the tolls received on said bridge as soon as the same shall be available.

Sec. 8. Disbursement of bond proceeds. The proceeds of such bonds shall be expended under the direction and supervision of the state highway commission.

Sec. 9. Contingent upon ratification of bond issue. No action shall be taken or liability incurred under this act unless and until the people of Maine shall have ratified the issuance of bonds in behalf of the state at such time and in such amounts as set forth in this act for the purpose of building a toll bridge across the Androscoggin river between the cities of Lewiston and Auburn.

Referendum for ratification. The aldermen of cities, the selectmen of towns and the assessors of the several plantations of this state are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives, at the next general or special state-wide election to give in their votes upon the acceptance or rejection of the foregoing act, and the question shall be: "Shall a bond issue be ratified in an amount not to exceed \$3,000,000 as set forth in 'An Act to Authorize the Construction of a Toll Bridge Across the Androscoggin River Between the Cities of Lewiston and Auburn,' passed by the 95th legislature?"

And the inhabitants of said cities, towns and plantations shall indicate by a cross or check mark placed within a square upon their ballots their opinion of the same, those in favor of said ratification voting "Yes" and those opposed to said ratification voting "No" and the ballots shall be received, sorted, count-

ed and declared in open ward, town and plantation meetings, and return made to the office of the secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same and if it shall appear that a majority of the inhabitants voting on the question are in favor of the act, the governor shall forthwith make known the fact by his proclamation, and the act shall thereupon become effective as of the date of said proclamation.

Secretary of state shall prepare ballots. The secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing act, accompanied by a copy thereof.'

Approved May 21, 1951.

The following is a brief explanatory statement prepared by the Attorney General in accordance with the provisions of Chapter 183 of the Public Laws of 1949 with reference to the Intent and Content of Chapter 216 of the Private and Special Laws of 1951 entitled, "An Act to Authorize the Construction of a Toll Bridge Across the Androscoggin River Between the Cities of Lewiston and Auburn."

Intent

The intent of this act is to make possible the construction of a toll bridge, with necessary highway approaches, across the Androscoggin River between the cities of Lewiston and Auburn. The cost of the bridge is to be ultimately paid for from tolls collected from all vehicular traffic over the proposed bridge.

Content

The act would enable the Treasurer of State, under the direction of the Governor and Council, to issue serial bonds not exceeding \$3,000,000 to borrow funds for the construction of the bridge. The state highway commission shall construct said bridge, and operate it until all the bonds issued shall have been paid. In the event that toll proceeds are not sufficient to pay interest charges on the bonds then such interest shall be paid out of the general highway fund, provided, however, that all sums shall be returned to the general highway fund from the tolls collected.

CHAPTER 221, PRIVATE AND SPECIAL LAWS OF 1951

AN ACT Relating to Combination Highway and Railroad Bridge Across Fore River.

Be it enacted by the People of the State of Maine, as follows:

P. & S. L., 1949, c. 154, § 4-A, additional. Chapter 154 of the private and special laws of 1949 is hereby amended by adding thereto a new section, to be numbered 4-A, to read as follows:

'Sec. 4-A. Toll bridge. Said bridge, when constructed, shall be operated as a toll bridge until all the bonds issued as provided by this chapter shall be retired.'

Referendum. The aldermen of cities, the selectmen of towns and the assessors of the several plantations of this state are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives, at a special state-wide election to be held on September 10, 1951 to give in their votes upon the acceptance or rejection of the foregoing act, and the question shall be:

"Shall the act passed by the 95th legislature, making the combination highway and railroad bridge across Fore River, when constructed, a toll bridge until all the bonds issued for such construction have been retired, be accepted?"

And the inhabitants of said cities, towns and plantations shall indicate by a cross or check mark placed within a square upon their ballots their opinion of the same, those in favor of said act voting "Yes" and those opposed to said act voting "No" and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings, and return made to the office of the secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same and if it shall appear that a majority of the inhabitants voting on the question are in favor of said act, the governor shall forthwith make known the fact by his proclamation, and the act shall thereupon become effective as of the date of said proclamation.

Secretary of state shall prepare ballots. The secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing act, accompanied by a copy thereof.'

Approved May 21, 1951.

The following is a brief explanatory statement prepared by the Attorney General in accordance with

the provisions of Chapter 183 of the Public Laws of 1949 with reference to the Intent and Content of Chapter 221 of the Private and Special Laws of 1951 entitled, "An Act Relating to Combination Highway and Railroad Bridge Across Fore River."

Intent

In 1949 the Constitution of the State of Maine was amended, by a vote of the people, enabling the legislature to authorize the borrowing not to exceed \$7,000,000 at any one time through a bond issue, the proceeds to be used in whole or in connection with other funds to construct a combination highway and railroad bridge, with approaches, across Fore River between Portland and South Portland. The amendment, as approved by the people, contained no provision as to the bridge being a toll bridge, said bridge to be constructed from funds derived from sale of bonds, and the Portland Terminal Company, which would use the lower level of said bridge, to pay its share in accordance with the authorization provided in Chapter 154 of the Private and Special Laws of 1949. The intent then, of this question, is to determine whether or not the bridge across the Fore River between Portland and South Portland is to be a toll bridge, with the ultimate cost of the vehicular part of the bridge to be paid for by tolls collected from all vehicular traffic across said bridge.

Content

The act would place upon the electors the decision as to whether or not the Fore River Bridge shall be a toll bridge.

'CHAPTER 102, RESOLVES OF 1951

RESOLVE, Proposing an Amendment to the Constitution to Remove the Provision That the Treasurer Shall Not Be Eligible More Than Six Years Successively.

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. V, part fourth, sec. 1, amended. Section 1 of part fourth of article V of the constitution, as amended by articles XXIII and XXVII, is hereby further amended to read as follows:

'Section 1. The treasurer shall be chosen biennially, at the first session of the legislature, by

joint ballot of the senators, and representatives in convention.'

Form of question and date when amendment shall be voted upon. Resolved: That the aldermen of cities, the selectmen of towns and the assessors of the several plantations of this state are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives at the next general or special state-wide election, to give in their votes upon the amendment proposed in the foregoing resolution, and the question shall be:

"Shall the constitution be amended as proposed by a resolution of the legislature to remove the provision that the treasurer shall not be eligible more than 6 years successively?"

And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment voting "Yes" upon their ballots and those opposed to the amendment voting "No" upon their ballots, and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the office of the secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendment, the governor shall forthwith make known the fact by his proclamation, and the amendment shall thereupon, as of the date of said proclamation, become a part of the constitution.

Secretary of state shall prepare ballots. Resolved: That the secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing resolve, accompanied by a copy thereof.'

Approved May 10, 1951.

The following is a brief explanatory statement prepared by the Attorney General in accordance with the provisions of Chapter 183 of the Public Laws of 1949 with reference to the Intent and Content of Chapter 102 of the Resolves of 1951 entitled, "Resolve, Proposing an Amendment to the Constitution to Remove the Provision That the Treasurer Shall Not Be Eligible More Than Six Years Successively."

Intent

It is the intent of this proposal to make it possible for the Treasurer to be eligible to hold his office for a period longer than six years.

Content

That part of the existing provision which provides that the Treasurer shall not be eligible more than six years successively would be deleted.

'CHAPTER 110, RESOLVES OF 1951

RESOLVE, Proposing an Amendment to the Constitution Providing for Additional Signers for Direct Initiative of Legislation.

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. IV, Part Third, § 18, amended. Section 18 of Part Third of Article IV of the constitution is hereby amended to read as follows:

'Section 18. The electors may propose to the legislature for its consideration any bill, resolve or resolution, including bills to amend or repeal emergency legislation but not an amendment of the state constitution, by written petition addressed to the legislature or to either branch thereof and filed in the office of the secretary of state or presented to either branch of the legislature within forty-five days after the date of convening of the legislature in regular session. Any measure thus proposed by electors, the number of which shall not be less than ten per cent of the total vote for governor cast in the last gubernatorial election preceding the filing of such petition, unless enacted without change by the legislature at the session at which it is presented, shall be submitted to the electors together with any amended form, substitute, or recommendation of the legislature, and in such manner that the people can choose between the competing measures or reject both. When there are competing bills and neither receives a majority of the votes given for or against both, the one receiving the most votes shall at the next general election to be held not less than sixty days after the first vote thereon be submitted by itself if it receives more than one-third of the votes given for and against both. If the measure initiated is enacted by the legislature without change, it shall not go to a referendum vote unless in pursuance of a demand made in accordance with the preceding section. The legislature may order a special election on

any measure that is subject to a vote of the people. The governor may, and if so requested in the written petitions addressed to the legislature, shall, by proclamation, order any measure proposed to the legislature as herein provided, and not enacted by the legislature without change, referred to the people at a special election to be held not less than four nor more than six months after such proclamation, otherwise said measure shall be voted upon at the next general election held not less than sixty days after the recess of the legislature, to which such measure was proposed.'

Form of question and date when amendment shall be voted upon. Resolved: That the aldermen of cities, the selectmen of towns and the assessors of the several plantations of this state are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives at the next general or special state-wide election, to give in their votes upon the amendment proposed in the foregoing resolution, and the question shall be:

"Shall the constitution be amended as proposed by a resolution of the legislature providing that direct initiative of legislation shall require not less than 10% of the total vote for governor as cast in the last previous gubernatorial election?"

And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment voting "Yes" upon their ballots and those opposed to the amendment voting "No" upon their ballots, and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the office of the secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendment, the governor shall forthwith make known the fact by his proclamation, and the amendment shall thereupon, as of the date of said proclamation, become a part of the constitution.

Secretary of state shall prepare ballots. Resolved: That the secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with

the foregoing resolve, accompanied by a copy thereof.'

Approved May 17, 1951.

The following is a brief explanatory statement prepared by the Attorney General in accordance with the provisions of Chapter 183 of the Public Laws of 1949 with reference to the Intent and Content of Chapter 110 of the Resolves of 1951 entitled, "Resolve, Proposing an Amendment to the Constitution Providing for Additional Signers for Direct Initiative of Legislation."

Intent

The intent of this proposal is to increase the number of signatures necessary on a petition addressed to and requesting the legislature or its branches to consider a particular measure, thereby requiring the same number of signatures on a petition for Direct Initiative as is now required on a petition for Referendum.

Content

This amendment would increase the number of signatures necessary for such written petition from 12,000 electors, to a number of electors not less than ten per cent of the total vote for governor cast in the last gubernatorial election preceding the filing of the petition.

'CHAPTER 119, RESOLVES OF 1951

RESOLVE, Proposing an Amendment to the Constitution to Liberalize Limitation of Municipal Indebtedness.

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, Section 15, repealed and replaced. Section 15 of article IX of the constitution, as amended, is hereby repealed and the following enacted in place thereof:

'Section 15. No city or town shall hereafter create any debt or liability, which singly, or in the aggregate with previous debts or liabilities, shall exceed seven and one-half per cent of the last regular valuation of said city or town; provided, how-

ever, that the adoption of this article shall not be construed as applying to any fund received in trust by said city or town, nor to any loan for the purpose of renewing existing loans or for war, or to temporary loans to be paid out of money raised by taxation, during the year in which they are made.'

Form of question and date when amendment shall be voted upon. Resolved: That the aldermen of cities, the selectmen of towns and the assessors of the several plantations of this state are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives at the next general or special state-wide election, to give in their votes upon the amendment proposed in the foregoing resolution and the question shall be:

"Shall the constitution be amended as proposed by a resolution of the legislature to increase from 5% to 7½% the limitation of municipal indebtedness?"

And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment voting "Yes" upon their ballots and those opposed to the amendment voting "No" upon their ballots, and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the office of the secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendment, the governor shall forthwith make known the fact by his proclamation, and the amendment shall thereupon, as of the date of said proclamation, become a part of the constitution.

Secretary of state shall prepare ballots. Resolved: That the secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing resolve, accompanied by a copy thereof. And be it further

Resolved: That chapter 26 of the resolves of 1951, heretofore passed by the legislature, is hereby repealed and shall not be printed as part of the resolves in the session laws of 1951.'

Approved May 18, 1951.

The following is a brief explanatory statement prepared by the Attorney General in accordance with

the provisions of Chapter 183 of the Public Laws of 1949 with reference to the Intent and Content of Chapter 119 of the Resolves of 1951 entitled, "Resolve, Proposing an Amendment to the Constitution to Liberalize Limitation of Municipal Indebtedness."

Intent

It is the intent of this proposal to permit all municipalities, regardless of size, to increase their power to create indebtedness from 5% to 7½% of the last regular valuation of said city or town.

Content

This Resolve would make uniform the constitutional provision placing limits upon the power of cities and towns to incur indebtedness and eliminate the distinction drawn by the Constitution between municipalities of different sizes.

CHAPTER 126, RESOLVES OF 1951

RESOLVE, Proposing an Amendment to the Constitution to Make Temporarily Inoperative any Measure Adopted by the People which Fails to Provide a Revenue Adequate for its Service.

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. IV, Part Third, § 19, amended. The 1st sentence of section 19 of part third of article IV of the constitution is hereby amended to read as follows:

'Any measure referred to the people and approved by a majority of the votes given thereon shall, unless a later date is specified in said measure, take effect and become a law in thirty days after the governor has made public proclamation of the result of the vote on said measure, which he shall do within ten days after the vote thereon has been canvassed and determined; provided, however, that any such measure which entails expenditure in an amount in excess of available and unappropriated state funds shall remain inoperative until forty-five days after the next convening of the legislature in regular session, unless the measure provides for raising new revenues adequate for its operation.'

Form of question and date when amendment shall be voted upon. Resolved: That the aldermen of cities, the selectmen of towns and the assessors of the several plantations of this state are hereby em-

powered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives at the next general or special state-wide election, to give in their votes upon the amendment proposed in the foregoing resolution, and the question shall be:

"Shall the constitution be amended as proposed by resolution of the legislature to make temporarily inoperative any measure adopted by the people which fails to provide a revenue adequate for its service?"

And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment voting "Yes" upon their ballots and those opposed to the amendment voting "No" upon their ballots, and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the office of the secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendment, the governor shall forthwith make known the fact by his proclamation, and the amendment shall thereupon, as of the date of said proclamation, become a part of the constitution.

Secretary of state shall prepare ballots. **Resolved:** That the secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing resolve, accompanied by a copy thereof.'

Approved May 19, 1951.

The following is a brief explanatory statement prepared by the Attorney General in accordance with the provisions of Chapter 183 of the Public Laws of 1949 with reference to the Intent and Content of Chapter 126 of the Resolves of 1951 entitled, "Resolve, Proposing an Amendment to the Constitution to Make Temporarily Inoperative Any Measure Adopted by the People which Fails to Provide a Revenue Adequate for its Service."

Intent

The intent of this proposal is to delay, temporarily, operation of any measure adopted by the people which fails to provide for sufficient revenue to carry out the purposes of the measure. This provision

would, to some degree, eliminate the possibility of drain on the general state fund to finance measures which ought in themselves to provide means of raising revenue to sustain the measures.

Content

Where at the present time any measure referred to the people and approved by a majority of the votes takes effect and becomes a law in thirty days after the governor proclaims the measure to be approved, the proposed amendment would provide that the measure shall remain inoperative until 45 days after the next convening legislature in regular session, unless the measure provides for raising new revenues adequate for its operation.

'CHAPTER 127, RESOLVES OF 1951

RESOLVE, Proposing an Amendment to the Constitution to Exempt Rental Agreements with the Maine School Building Authority from the Limitations of Municipal Indebtedness.

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, Section 15, amended. Section 15 of article IX of the constitution, as amended, is hereby further amended by adding at the end thereof a new sentence, to read as follows:

'Long term rental agreements not exceeding forty years under contracts with the Maine School Building Authority shall not be debts or liabilities within the provisions of this article.'

Form of question and date when amendment shall be voted upon. Resolved: That the aldermen of cities, the selectmen of towns and the assessors of the several plantations of this state are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives at the next general or special state-wide election, to give in their votes upon the amendment proposed in the foregoing resolution, and the question shall be:

"Shall the constitution be amended as proposed by a resolution of the legislature to exempt rental agreements with the Maine School Building Authority from the limitations of municipal indebtedness?"

And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment voting "Yes" upon their ballots and those opposed to the amendment voting "No" upon their ballots, and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the office of the secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendment, the governor shall forthwith make known the fact by his proclamation, and the amendment shall thereupon, as of the date of said proclamation, become a part of the constitution.

Secretary of state shall prepare ballots. Resolved: That the secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing resolve, accompanied by a copy thereof.'

Approved May 19, 1951.

The following is a brief explanatory statement prepared by the Attorney General in accordance with the provisions of Chapter 183 of the Public Laws of 1949 with reference to the Intent and Content of Chapter 127 of the Resolves of 1951 entitled, "Resolve, Proposing an Amendment to the Constitution to Exempt Rental Agreements with the Maine School Building Authority from the Limitations of Municipal Indebtedness."

Intent

The intent of this proposal is to make it possible for cities and towns to secure through the newly created Maine School Building Authority (Ch. 405, Public Laws, 1951) access to school buildings and improvements under short term rentals without increasing the indebtedness of such cities and towns.

Content

Presently, under section 15 of Article IX of the Constitution, the amount of indebtedness to be incurred by a city or town is limited to a percentage of the last regular valuation of said city or town. By the proposed amendment rent owed by a city or town to the Maine School Building Authority for rental of school buildings shall not be included in the indebtedness of the city or town if the long term rental agreement does not exceed forty years.

'CHAPTER 130, RESOLVES OF 1951

RESOLVE, Proposing an Amendment to the Constitution Relating to Voting by Citizens in the Armed Forces and Others Absent or Physically Incapacitated.

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. II, § 4, amended. Section 4 of article II of the constitution is hereby amended by repealing all after the 1st sentence thereof and inserting in place thereof the following:

'The legislature under proper enactment shall authorize and provide for voting by citizens of the state absent therefrom in the armed forces of the United States or of this state and for voting by other citizens absent or physically incapacitated for reasons deemed sufficient.'

Form of question and date when amendment shall be voted upon. Resolved: That the aldermen of cities, the selectmen of towns and the assessors of the several plantations of this state are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives at the next general or special state-wide election, to give in their votes upon the amendment proposed in the foregoing resolution, and the question shall be:

"Shall the constitution be amended as proposed by a resolution of the legislature to re-affirm the right to vote of citizens absent in the armed forces and of others absent or physically incapacitated?"

And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment voting "Yes" upon their ballots and those opposed to the amendment voting "No" upon their ballots, and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the office of the secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendment, the governor shall forthwith make known the fact by his proclamation, and the amend-

ment shall thereupon, as of the date of said proclamation, become a part of the constitution.

Secretary of state shall prepare ballots. Resolved: That the secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing resolve, accompanied by a copy thereof.'

Approved May 19, 1951.

The following is a brief explanatory statement prepared by the Attorney General in accordance with the provisions of Chapter 183 of the Public Laws of 1949 with reference to the Intent and Content of Chapter 130 of the Resolves of 1951 entitled, "Resolve, Proposing an Amendment to the Constitution Relating to Voting by Citizens in the Armed Forces and Others Absent or Physically Incapacitated."

Intent

It is the intent of this proposal to eliminate the lengthy and unwieldy process required by the Constitution for voting of citizens in the armed forces, and to permit the legislature, under proper enactment, to make provisions for the voting of such members of the armed forces and for the voting by other citizens absent or physically handicapped, thereby clarifying the present provisions with regard to such voters.

Content

This provision would provide for a repeal of that portion of Section 4, Article II of the Constitution which provides for the qualifications and procedure by which a person absent from the state and in the military service may vote, and would permit the legislature to make such regulations necessary to absentee voting and the voting by persons physically incapacitated.

'CHAPTER 134, RESOLVES OF 1951

RESOLVE, Proposing an Amendment to the Constitution to Provide for a Bond Issue In the Amount of \$3,000,000, the Proceeds of Which to be Expended for the Erection of a State Office Building.

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, Section 21, additional. Article IX of the constitution is hereby amended by

adding thereto a new section to be numbered 21, to read as follows:

'Section 21. The state, under authority of proper enactment of the legislature, may issue its bonds not to exceed the amount of three million dollars payable within fifteen years at a rate of interest not exceeding four per cent per annum, payable semi-annually, the proceeds of which to be expended for the erection of a state office building.'

Form of question and date when amendment shall be voted upon. Resolved: That the aldermen of cities, the selectmen of towns and the assessors of the several plantations of this state are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives at the next general or special state-wide election, to give in their votes upon the amendment proposed in the foregoing resolution, and the question shall be:

"Shall the constitution be amended as proposed by a resolution of the legislature to provide for a bond issue in the amount of \$3,000,000, the proceeds of which to be expended for the erection of a state office building?"

And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment voting "Yes" upon their ballots and those opposed to the amendment voting "No" upon their ballots, and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the office of the secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendment, the governor shall forthwith make known the fact by his proclamation, and the amendment shall thereupon, as of the date of said proclamation, become a part of the constitution.

Secretary of state shall prepare ballots. Resolved: That the secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing resolve, accompanied by a copy thereof.'

Approved May 19, 1951.

The following is a brief explanatory statement prepared by the Attorney General in accordance with the provisions of Chapter 183 of the Public Laws of 1949 with reference to the Intent and Content of Chapter 134 of the Resolves of 1951 entitled, "Resolve, Proposing an Amendment to the Constitution to Provide for a Bond Issue in the Amount of \$3,000,000, the Proceeds of Which to be Expended for the Erection of a State Office Building."

Intent

The intent of this proposal is to make possible the construction of a building to be used by the state for office purposes, thereby relieving presently congested, inadequate facilities.

Content

This proposal provides that the funds necessary for such a project shall be obtained by the sale of bonds, not to exceed the amount of \$3,000,000, payable within 15 years at a rate of interest not exceeding 4% per annum, payable semi-annually.

'CHAPTER 179, RESOLVES OF 1951

RESOLVE, Proposing an Amendment to the Constitution to Clarify the Provisions That Relate to the State's Borrowing Power.

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, § 14, repealed and replaced. Section 14 of Article IX of the constitution, as amended, is hereby repealed and the following enacted in place thereof:

"Section 14. The credit of the state shall not be directly or indirectly loaned in any case. The legislature shall not create any debt or debts, liability or liabilities, on behalf of the state, which shall singly, or in the aggregate, with previous debts and liabilities hereafter incurred at any one time, exceed two million dollars, except to suppress insurrection, to repel invasion, or for purposes of war; and excepting also that whenever two-thirds of both houses shall deem it necessary, by proper enactment ratified by a majority of the electors voting thereon at a general or special election, the legislature may authorize the issuance of bonds on behalf of the state at such times and in such amounts and for such pur-

poses as approved by such action; but this shall not be construed to refer to any money that has been, or may be deposited with this state by the government of the United States, or to any fund which the state shall hold in trust for any Indian tribe. 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.' And be it further

Certain sections repealed; exception. Resolved: That section 17 of Article IX of the constitution, as adopted by Article XXXV of the Amendments thereto, and heretofore amended by Articles XLIII, XLVIII, XLIX, LI, LII, LVIII and LXVIII of said Amendments, and section 21 of said Article IX, as adopted by Article LX of said Amendments, said sections appearing as sections 17 and 18 in a codification of the constitution prepared pursuant to Article LXV of said Amendments, are hereby repealed, but such repeal shall not impair the validity of bonds of the state heretofore authorized, whether presently outstanding or to be issued hereafter according to the authorization therefor carried in Article LXVIII of the Amendments to said constitution.

Form of question and date when amendment shall be voted upon. That the aldermen of cities, the selectmen of towns and the assessors of the several plantations of this state are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives at the next general or special state-wide election, to give in their votes upon the amendment proposed in the foregoing resolution, and the question shall be: "Shall the constitution be amended as proposed by a resolution of the legislature to clarify the provisions that relate to the state's borrowing power?" And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment voting "Yes" upon their ballots and those opposed to the amendment voting "No" upon their ballots, and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the office of the

secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendment, the governor shall forthwith make known the fact by his proclamation, and the amendment shall thereupon, as of the date of said proclamation, become a part of the constitution.

Secretary of state shall prepare ballots. Resolved: That the secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing resolve, accompanied by a copy thereof.'

Approved May 21, 1951.

The following is a brief explanatory statement prepared by the Attorney General in accordance with the provisions of Chapter 183 of the Public Laws of 1949 with reference to the Intent and Content of Chapter 179 of the Resolves of 1951 entitled, "Resolve, Proposing an Amendment to the Constitution to Clarify the Provisions That Relate to the State's Borrowing Power."

Intent

The intent of this proposal is threefold: (1) to simplify the provisions of the Constitution that relate to the State's borrowing power by eliminating two sections which under the proposed amendment would be superfluous, (2) to make it possible for the State to borrow money without amending the Constitution each time a major financing program is found necessary or desirable, and (3) to permit the State, in time of insurrection, invasion, or for purposes of war, to increase its debt beyond a \$2,000,000 limit without the prior approval of the majority of the electors.

Content

The amendment would provide that in the event of insurrection, invasion, or for purposes of war the State may exceed the \$2,000,000 debt limit without first presenting the measure to the vote of the electors. Where hitherto, aside from the emergencies mentioned, other purposes for which the State might exceed its debt limit upon a vote of the electors were restricted by the enumerated purposes of building state highways, intrastate, interstate and international bridges, wharves and port facilities, the pro-

posed amendment would eliminate these enumerated purposes and permit the debt limit to be exceeded for any purpose which the legislature enacts and which the electors approve at a general or special election for ratification. The proposal also provides for the repeal of those sections appearing as sections 17 and 18 of Article IX of the codified Constitution, which sections relate to the raising of funds by the sale of bonds, such funds to be used for the construction of highways and bridges, and which, by the proposed amendment would become superfluous. The proposal would provide that the validity of the bonds issued under sections 17 and 18 shall not be impaired.

HAROLD I. GOSS,
Secretary of State