

MAINE STATE LEGISLATURE

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ELECTIONS -
1961 (Oct.)

Referendum Questions

and

Proposed Constitutional Amendments

In Accordance with Acts and
Resolves Passed by the
100th Legislature

Bond Issues

\$6,000,000 for Highway Construction
\$2,600,000 for Student Housing for
State Teachers Colleges

Constitutional Amendments

Limiting Use of Funds of Maine State
Retirement System

Authorizing Municipalities to Issue Bonds
for Construction of Industrial
Buildings

(Including Brief Explanatory Statements by the
Attorney General as to Intent and
Content of each)

STATE OF MAINE
AUGUSTA, MAINE



1961

To Be Voted Upon at the Special Election,
Tuesday, October 10, 1961

STATE OF MAINE

SUMMARY OF BONDED INDEBTEDNESS AS
OF OCTOBER 10, 1961

Highway and Bridge Loan	\$27,100,000
Kennebec Bridge Loan	795,000
Bangor-Brewer Bridge Loan	2,150,000
Fore River Bridge Loan	7,000,000
Jonesport Reach Bridge Loan	840,000
Island Ferry Service Loan	2,340,000
General Improvement Loan	3,800,000
University of Maine Loan	6,000,000
Passagassawaukeag River Bridge Loan	3,900,000
	<hr/> \$53,925,000
Total amount of bonds authorized and unissued	\$45,500,000
Total amount of bonds contemplated to be issued if Referendum questions are ratified by the people	\$ 8,600,000

CHAPTER 203, PRIVATE AND SPECIAL LAWS
OF 1961

AN ACT to Authorize the Issuance of Bonds in the
Amount of Six Million Dollars on Behalf of the
State of Maine to Build State Highways.

Preamble. Two-thirds of both Houses of Legislature deeming it necessary in accordance with the Constitution, Article IX, Section 14, 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 \$6,000,000 authorized. In addition to state highway and bridge bonds heretofore authorized in the name and behalf of the State, as provided by law, the Treasurer of State is 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 \$6,000,000 payable serially at the State Treasury within 20 years from the date of issue. 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 in accordance with allocations made by the Legislature.

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. 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 those in the original issue.

Sec. 2. Contingent upon ratification of bond issue. Section 1 of this act shall not become effective unless and until the people of the State of Maine shall have ratified the issuance of bonds as set forth in this act.

Referendum for ratification. The aldermen of cities, the selectmen of towns, and the assessors of the several plantations of this State are 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 Six Million Dollars on Behalf of the State of Maine to Build State Highways,’ passed by the 100th Legislature?”

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 ratification voting “Yes” and those opposed to 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 in 30 days after 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 provisions of the foregoing act, accompanied by a copy thereof.

Approved June 17, 1961

The following is a brief explanatory statement prepared by the Attorney General in accordance with the provisions of Chapter 10, Section 19 of the Revised Statutes of 1954 with reference to the Intent and Content of Chapter 203 of the Private and Special Laws of 1961 entitled, "AN ACT to Authorize the Issuance of Bonds in the Amount of Six Million Dollars on Behalf of the State of Maine to Build State Highways."

Intent

It is the intent of this Act to obtain funds to be used for construction or reconstruction of roads and bridges in the State of Maine.

Content

The Act provides that funds shall be raised by the sale of serial coupon bonds in an amount not to exceed \$6,000,000.

Under the provision of sections 129-310, Chapter 23, of the Revised Statutes, the Economic Advisory Board shall make recommendations to the Governor and Council relative to conditions favorable to the issuance of such bonds, taking into consideration the method of issuance, terms of years and repayment, interest rates and probable trends, and other economic conditions in general.

CHAPTER 220, PRIVATE AND SPECIAL LAWS OF 1961

AN ACT to Authorize the Construction of Self-Liquidating Student Housing for the State Teachers Colleges and the Issuance of not Exceeding \$2,600,000 Bonds of the State of Maine for the Financing Thereof.

Preamble. Two-thirds of both houses of the Legislature deeming it necessary in accordance with Section 14 of Article IX of the Constitution of Maine to authorize the issuance of bonds of the State for the construction of self-liquidating student housing, including necessary dining facilities contained therein, for the State Teachers Colleges:

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

Sec. 1. State Board of Education authorized to construct self-liquidating student housing. The State Board of Education, hereinafter in this act called the state board, is hereby authorized to construct at the state teachers colleges student housing, including additions to existing dormitories, together

with furnishings and dining facilities therein, and utility approaches thereto, as listed below:

At Aroostook State Teachers College—Women's dormitory

At Farmington State Teachers College—Women's dormitory

At Gorham State Teachers College—Addition to men's dormitory

At Washington State Teachers College—Addition to men's dormitory

At Washington State Teachers College—Women's dormitory

The cost of such housing, including any expenses incurred in the financing thereof, shall be taken and appropriated from the proceeds of bonds issued under the authority of this act. Expenses of financing shall include the interest payments required on the bonds issued for the purposes of such construction until the dormitories so constructed shall have been completed and occupied.

Sec. 2. Teachers college housing. The state board shall operate such housing, when constructed, as a single self-liquidating project until all the bonds issued as provided by this act shall be retired. The state board shall charge and collect such board and room fees or rentals for the use of said housing as may from time to time be determined and ordered by the state board as necessary for the amortization of the principal of and interest on the bonds issued, and shall deposit to the credit of the Treasurer of State, in a separate account to be established by the State Controller on the books of the State, all of the fees and rentals so charged and collected. The rates for board and room charged and collected for the amortization of the principal of and the interest on the bonds issued with the authority of this act shall apply also to the dormitories operated by the state board at the State Teachers Colleges prior to the date of ratification of this act, or which are in the process of construction at the date of ratification, and shall be established to take effect not later than the beginning of the college year next following the date of ratification of this act, and the fees and rentals so charged and collected also shall be pledged to the amortization of principal and payment of interest on the bonds issued under the authority of this act.

Sec. 3. Treasurer of State to issue bonds. The Treasurer of State is hereby directed, as requested by the state board with the approval of the Governor and Council, to issue bonds from time to time in the name and on behalf of the State to an amount not exceeding \$2,600,000 for the purpose of raising funds

for the construction of said housing, as provided in this act. Such bonds shall be general obligations of the State of Maine and the full faith and credit of the State shall be pledged to the payment of interest and redemption of the bonds.

Such bonds shall be issued in series from time to time so as to meet the needs of the teachers' colleges for student housing.

The bonds of each series shall be dated, shall mature at such time or times not exceeding 30 years from their date, and may be made redeemable before maturity, at the option of the Treasurer of State, at such price or prices and under such terms and conditions as may be approved by the Governor and Council prior to the issuance of the bonds, and shall bear interest at such rate or rates not exceeding 5% per year, as may be determined by the Treasurer of State with the approval of the state board.

The Treasurer of State with the approval of the Governor and Council shall determine the form of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may include any bank or trust company within or without the State.

The bonds shall be signed by the Treasurer of State and countersigned by the State Auditor and any interest coupons attached thereto shall be executed with the facsimile signature of the Treasurer of State. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until such delivery. The bonds may be issued in coupon or registered form, or both, as the Treasurer of State may determine, and provisions may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, for the reconversion into coupon bonds of any bonds registered as to both principal and interest, and for the interchange of coupon and registered bonds.

Sec. 4. Records of bonds issued to be kept by State Auditor and Treasurer of State. 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 state board with the approval of the Governor and Council. 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 State Controller at the order of the state board or of its authorized representative 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 funds made available for interest and debt retirement 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 this act and all sums coming due for payment of bonds at maturity shall be paid by the Treasurer of State.

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

Sec. 9. Other sources of funds. This act shall not in any manner preclude the state board from obtaining construction funds in any other ways or from any other sources; or from accepting from any authorized agency of the Federal Government loans or grants for the planning, construction or acquisition of any project; or from entering into agreements with such agency respecting any such loans or grants.

Sec. 10. Contingent upon ratification of bond issue. No action shall be taken or liability incurred under this act unless and until the electors of the State 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 constructing student housing at the State Teachers Colleges.

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 on the second Tuesday of October, 1961, to give in their votes upon the acceptance or rejection of the foregoing act, and the question shall be:

"Shall 'An Act to Authorize the Construction of Self-Liquidating Student Housing for the State Teachers Colleges and the Issuance of not Exceeding \$2,600,000 Bonds of the State of Maine for the Financing Thereof,' passed by the 100th Legislature, be accepted?"

The inhabitants of said cities, towns and plantations shall vote by ballot on said question and shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. 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 become effective in 30 days after 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 June 17, 1961

The following is a brief explanatory statement prepared by the Attorney General in accordance with the provisions of Chapter 10, Section 19 of the Revised Statutes of 1954 with reference to the Intent and Content of Chapter 220 of the Private and Special Laws of 1961 entitled, "AN ACT to Authorize the Construction of Self-Liquidating Student Housing for the State Teachers Colleges and the Issuance of not Exceeding \$2,600,000 Bonds of the State of Maine for the Financing Thereof."

Intent

This Act proposes to raise funds for the purpose of constructing student housing, including additions

to existing dormitories together with furnishings and dining facilities therein, and utility approaches thereto, as listed below:

Aroostook State Teachers College—Women's dormitory

Farmington State Teachers College—Women's dormitory

Gorham State Teachers College—Addition to men's dormitory

Washington State Teachers College—Addition to men's dormitory

Washington State Teachers College—Women's dormitory

Content

This Act would authorize the Treasurer of State, as requested by the State Board of Education with the approval of the Governor and Council, to issue bonds to an amount not exceeding \$2,600,000 to raise funds for such projects. The bonds would be payable within 30 years from date of issue.

CHAPTER 95, RESOLVES OF 1961

RESOLVE, Proposing an Amendment to the Constitution to Limit to Retirement Purposes the Use of Funds of the Maine State Retirement System.

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, Article IX, Section 19-A, additional. Article IX of the Constitution is amended by adding thereto a new section, to be numbered 19-A, to read as follows:

'Section 19-A. Limitation on use of funds of the Maine State Retirement System. All of the assets, and proceeds or income therefrom, of the Maine State Retirement System or any successor system and all contributions and payments made to the system to provide for retirement and related benefits shall be held, invested or disbursed as in trust for the exclusive purpose of providing for such benefits and shall not be encumbered for, or diverted to, other purposes.'

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 empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the man-

ner 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 the funds of the Maine State Retirement System shall be maintained in trust and shall not be diverted?”

The inhabitants of said cities, towns and plantations shall vote by ballot on said question, and shall indicate by a cross or check mark placed against the words “Yes” or “No” their opinion of the same. 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 June 17, 1961

The following is a brief explanatory statement prepared by the Attorney General in accordance with the provisions of Chapter 10, Section 19 of the Revised Statutes of 1954 with reference to the Intent and Content of Chapter 95 of the Resolves of 1961 entitled, “RESOLVE, Proposing an Amendment to the Constitution to Limit to Retirement Purposes the Use of Funds of the Maine State Retirement System.”

Intent

The State of Maine by statute has provided a retirement system for its employees. The state and the employees both contribute to this system. As the system is set up by statute, the funds are subject to diversion by a legislative act. This constitutional amendment is intended to protect these funds from possible diversion by a legislative act.

Content

This Resolve proposes to amend the Constitution to make a trust for the exclusive purpose of providing retirement and related benefits of all assets, proceeds or income of the Maine State Retirement System.

CHAPTER 106, RESOLVES OF 1961

RESOLVE, Proposing an Amendment to the Constitution Authorizing the Construction of Industrial Buildings.

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, Article IX, Section 8-A, additional. Article IX of the Constitution is amended by adding thereto a new section, to be numbered 8-A, to read as follows:

‘Section 8-A. Industrial building construction. For the purposes of fostering, encouraging and assisting the physical location, settlement and resettlement of industrial and manufacturing enterprises within the physical boundaries of any municipality, the registered voters of that municipality may, by majority vote, authorize the issuance of notes or bonds in the name of the municipality for the purpose of constructing buildings for industrial use, to be leased or sold by the municipality to any responsible industrial firm or corporation.’

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 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 permitting the registered voters of a municipality to authorize the issuance of notes or bonds in the name of the municipality for the purpose of constructing buildings for industrial use?”

The inhabitants of said cities, towns and planta-

tions shall vote by ballot on said question, and shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. 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 June 17, 1961

The following is a brief explanatory statement prepared by the Attorney General in accordance with the provisions of Chapter 10, Section 19 of the Revised Statutes of 1954 with reference to the Intent and Content of Chapter 106 of the Resolves of 1961 entitled, "RESOLVE, Proposing an Amendment to the Constitution Authorizing the Construction of Industrial Buildings."

Intent

In order to assist in the continued economic development of the State of Maine, many municipalities wish to construct buildings for industrial use. It is believed that such action by a municipality will encourage a new industry to settle in that municipality.

Content

This Resolve authorizes the issuance of notes or bonds by a municipality for the purpose of constructing buildings for industrial use, to be leased or sold by the municipality. The authorization to issue notes or bonds must be approved by a majority of the registered voters of the municipality.

PAUL A. MacDONALD,
Secretary of State