

# MAINE STATE LEGISLATURE

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## Referendum Questions

AND

*Proposed Constitutional  
Amendments*

In Accordance with Acts and Resolves  
Passed by the 104th Legislature at  
the Regular and First Special Sessions

**Bond Issues**

1. Bond Issue in the Amount of Thirty Million Dollars to Reconstruct Route 6.
2. Bond Issue in the Amount of \$50,000,000 to Provide Funds for School Building Construction.
3. Bond Issue in the Amount of \$4,000,000 for Removal and Abatement of Prohibited Discharges of Oil.
4. An Act Repealing the Interest on Unissued Bonds for Water Pollution Abatement.

**Constitutional Amendments**

1. Reducing the Voting Age to Twenty Years.
2. Valuation of Certain Lands at Current Use.
3. Convening of Legislature.

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

**Also**

Referendum Questions  
(Local Option)



1970

To be Voted Upon at the General Election,

Tuesday, November 3, 1970

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STATE OF MAINE

SUMMARY OF BONDED INDEBTEDNESS  
OCTOBER 15, 1970

Total Bonds Outstanding not yet Matured	\$178,820,000
Authorized but Unissued	91,566,500
Limit of Potential Contingent Bond Liability	123,000,000
Bond Anticipation Notes	2,000,000
Total amount of bonds contemplated to be issued if the enactment submitted to the electors be ratified.	84,000,000

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CHAPTER 178

PRIVATE AND SPECIAL LAWS OF 1969

AN ACT Providing for a Bond Issue in the Amount of  
Thirty Million Dollars to Reconstruct Route 6.

**Preamble.** Two-thirds of both Houses of the 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 reconstructing Route 6.

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

**Sec. 1.** Bond issue of \$30,000,000 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 \$30,000,000 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 reconstruction of Route 6.

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 this Act. 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. Allocation of General Highway Fund.** Receipts to the General Highway Fund from the proceeds of the sale of bonds shall be segregated, apportioned and expended for the reconstruction of Route 6 from Vanceboro to Lincoln to Howland to Milo to Dover to Guilford to Bingham to Carrabassett to Coburn Gore, utilizing existing routes as far as it is feasible.

**Sec. 3. 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 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 Providing for a Bond Issue in the Amount of Thirty Million Dollars to Reconstruct Route 6, passed by the 104th 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 review 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 the 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 July 2, 1969

The following is a brief explanatory statement prepared by the Attorney General in accordance with the provisions of 1 M.R.S.A. § 353, with reference to the Intent and Content of Chapter 178 of the Private and Special Laws of 1969 entitled, "An Act Providing for a Bond Issue in the Amount of Thirty Million Dollars to Reconstruct Route 6."

## INTENT AND CONTENT

State highway and bridge bonds in the amount of \$30,000,000 are authorized to reconstruct Route 6. The bonds will be payable serially within 20 years from the date of issue. Route 6 shall be reconstructed from Vanceboro to Lincoln to Howland to Milo to Dover to Guilford to Bingham to Carrabassett to Coburn Gore, utilizing existing routes as far as feasible. This will provide a highway across the State from the Canadian border at Vanceboro to the Canadian border north of Jackman.

### CHAPTER 179

#### PRIVATE AND SPECIAL LAWS OF 1969

##### **AN ACT to Authorize Bond Issues in the Amount of \$50,000,000 to Provide Funds for School Building Construction.**

**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 on behalf of the State of Maine to provide funds for elementary and secondary school building construction.

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

**Sec. 1. Issue of bonds to provide funds for elementary and secondary school building construction.** 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 \$50,000,000 for the purpose of providing state funds for elementary and secondary school building construction. Said bonds shall be deemed a pledge of the faith and credit of the State. Said bonds shall not run for a longer period than 20 years from the date of the original issue thereof. Any issuance of bonds for a period in excess of 10 years may contain a call feature at the direction of the Treasurer of State with the approval of the Governor and Council.

**Sec. 2. 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 signing, 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. 3. Sale, how negotiated; proceeds appropriated.** The Treasurer of State may negotiate the sale of such bonds only by direction of the State Board of Education subject to the approval of the Governor and Council;

but no such bond shall be loaned, pledged or hypothecated in behalf of the State. The proceeds of the sale of such bonds, which shall be held by the Treasurer of State and paid by him upon warrants drawn by the State Controller upon approval of the Commissioner of Education, are appropriated to be used solely for the purposes set forth in this Act. The Treasurer of State is authorized to invest the proceeds of the sale of the bonds during the period when the proceeds are not needed for the purposes set forth in this Act and the interest therefrom shall be paid into the General Fund.

**Sec. 4. 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 from any money in the treasury not otherwise appropriated.

**Sec. 5. Disbursement of bond proceeds.** The proceeds of such bonds shall be expended under the direction and supervision of the Commissioner of Education only for elementary and secondary school construction.

**Sec. 6. Contingent upon ratification of bond issue.** 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.

**Sec. 7. 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 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 Bond Issues in the Amount of \$50,000,000 to Provide Funds for School Building Construction,' passed by the 104th 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 review 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 foregoing Act, accompanied by a copy thereof.

Approved July 2, 1969

The following is a brief explanatory statement prepared by the Attorney General in accordance with the provisions of 1 M.R.S.A. § 353, with reference to the Intent and Content of Chapter 179 of the Private and Special Laws of 1969 entitled, "An Act to Authorize Bond Issues in the Amount of \$50,000,000 to Provide Funds for School Building Construction."

#### INTENT AND CONTENT

Bonds not exceeding \$50,000,000 may be issued serially and payable within 20 years of date of issue. Bonds running more than 10 years may contain a call provision. The proceeds of the bonds are to provide state funds for elementary and secondary school building construction. The payments are to be made following the approval by the Commissioner of Education.

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#### CHAPTER 239

#### PRIVATE AND SPECIAL LAWS OF 1969

**AN ACT to Authorize General Fund Bond Issue in the Amount of \$4,000,000 for Removal and Abatement of Prohibited Discharges of Oil from Coastal Waters, Lands Adjoining the Seacoast of the State or Waters Draining into the Coastal Waters of the State in the Event of an Oil Pollution Disaster Declared by the Governor.**

**Preamble.** Two-thirds of both Houses of 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 to provide for the removal of prohibited discharges of oil and the payment of damages in the event of an oil pollution disaster declared by the Governor, pursuant to the Revised Statutes, Title 38, chapter 3, subchapter 11-A and Acts additional and amendatory thereto.

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

**Sec. 1. Issue of bonds to provide for removal of oil and payment of damages.** The Treasurer of State is authorized, under the direction of the Governor and Council, to issue from time to time bonds in the name and behalf of the State to an amount not exceeding \$4,000,000 for the purpose of raising funds to provide

for the abatement or removal of prohibited discharges of oil, petroleum products or their by-products from waters and lands of the State, as specified in the Revised Statutes, Title 38, section 543 and Acts additional and amendatory thereto and the payment of damages to persons damaged by such discharge, in the event of an oil pollution disaster or catastrophe declared by the Governor under the Revised Statutes, Title 38, section 547 and Acts additional and amendatory thereto. 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.

The bonds shall be dated, shall mature at such time or times not exceeding 20 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.

The Treasurer of State, with the approval of the Governor and Council, shall determine the form of bonds, including any interest coupons to be attached thereto, and shall fix the 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 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, and may be interchangeable as the Treasurer of State may determine.

**Sec. 2. 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 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. 3. Sale, how negotiated; proceeds appropriated.** The Treasurer of State may negotiate the sale of such bonds by direction of the Environmental Improvement Commission 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 Environmental Improvement Commission or 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. 4. Proceeds of bonds not available for other purposes to be paid into the Maine Coastal Protection Fund.** The proceeds of a bond issued under the authority of this Act and 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 available for any other purpose than that specified in this Act. The proceeds from the sale of bonds issued under the authority of this Act shall be paid into the Maine Coastal Protection Fund established under the Revised Statutes, Title 38, chapter 3, subchapter 11-A and disbursed pursuant to the Revised Statutes, Title 38, section 551, subsections 2 and 3 and the Revised Statutes, Title 38, section 551, subsection 5, paragraphs B, D and E and Acts additional and amendatory thereto.

**Sec. 5. 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. 6. Disbursement of bond proceeds.** The proceeds of such bonds shall be expended under the direction and supervision of the Environmental Improvement Commission.

**Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to 6 of this Act shall not become effective unless and until the electors of the State of Maine shall have ratified the issuance of bonds as set forth in this Act.

**Sec. 8. 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 a state-wide election to be held on November 3, 1970 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 General Fund Bond Issue in the Amount of \$4,000,000 for Removal and Abatement of Prohibited Discharges of Oil from Coastal Waters, Lands Adjoining the Seacoast of the State or Waters Draining into the Coastal Waters of the State in the Event of an Oil Pollution Disaster declared by the Governor' passed by the First Special Session of the 104th 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 voted for Governor and Members of the Legislature, and the Governor and Council shall review 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 February 5, 1970

The following is a brief explanatory statement prepared by the Attorney General in accordance with the provisions of 1 M.R.S.A. § 353, with reference to the Intent and Content of Chapter 239 of the Private and Special Laws of 1969 entitled, "An Act to Authorize General Fund Bond Issue in the Amount of \$4,000,000 for Removal and Abatement of Prohibited Discharges of Oil from Coastal Waters, Lands Adjoining the Seacoast of the State or Waters Draining into the Coastal Waters of the State in the Event of an Oil Pollution Disaster Declared by the Governor."

#### INTENT AND CONTENT

Bonds not to exceed \$4,000,000 payable not over 20 years from date of issue are authorized to provide funds for the following purposes: (1) Abatement or removal of prohibited discharges of oil, petroleum products or their by-products from waters and lands of the State and, (2) payment of damages to persons damaged by such discharge in the event of an oil pollution disaster or catastrophe declared by the Governor. The proceeds of the bonds shall be paid into the Maine Coastal Protection Fund and expended under the direction and supervision of the Environmental Improvement Commission.

#### CHAPTER 250

#### PRIVATE AND SPECIAL LAWS OF 1969

#### AN ACT Repealing the Interest on Unissued Bonds for Water Pollution Abatement.

**Preamble.** Two-thirds of both Houses of the Legislature deeming it necessary in accordance with Section 14, Article IX of the Constitution to repeal the interest on unissued bonds for water pollution abatement.

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

**Sec. 1. Purpose.** The present bond market, reflecting a very tight money situation, is not favorable for low interest bonds. It is unlikely that the balance of the water pollution bond issue amounting to \$16,000,000 authorized by the private and special laws of 1963, chapter 235, and amended by the private and special laws of 1969, chapter 195, can be sold at an interest rate of 6% or less. An attempt was made to sell a portion of the above amount of bonds in January 1970 and no bids were received. Therefore, it is necessary to amend the bond issue Act authorizing the bonds. Failure to so amend could mean that the State could not continue grants for water pollution abatement.

**Sec. 2. P. & S. L., 1963, c. 235, § 1, amended.** The 2nd paragraph of section 1 of chapter 235 of the private and special laws of 1963, as amended by section 2 of chapter 195 of the private and special laws of 1969, is further amended to read as follows:

The bonds shall be dated, shall mature at such time or times not exceeding 20 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 6% per year~~, as may be determined by the Treasurer of State.

**Sec. 3. 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 election of Senators and Representatives, at the next general state-wide election to give in their votes upon the acceptance or rejection of the foregoing Act, and the question shall be:

"Shall 'An Act Repealing the Interest on Unissued Bonds for Water Pollution Abatement,' as passed by the 104th Legislature in Special Session, be approved?"

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 review 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 foregoing Act, accompanied by a copy thereof.

Approved February 9, 1970

The following is a brief explanatory statement prepared by the Attorney General in accordance with the provisions of 1 M.R.S.A. § 353, with reference to the Intent and Content of Chapter 250 of the Private and Special Laws of 1969 entitled, "An Act Repealing the Interest on Unissued Bonds for Water Pollution Abatement."

#### INTENT AND CONTENT

There is an unissued balance of \$16,000,000 in bonds authorized by the voters at a referendum on November 3, 1964. These bonds were authorized to provide for State grants in the construction and equipment of pollution abatement facilities. It is unlikely that they may be sold because of the interest limitation set at 6%. This Act removes the interest limitation thereby allowing sale of the bonds.

#### CHAPTER 33

#### RESOLVES OF 1969

#### RESOLVE, Proposing An Amendment to the Constitution to Reduce the Voting Age to Twenty Years.

**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 II, Section I, amended.** The first sentence of section 1 of Article II of the Constitution, as amended, is further amended to read as follows:

Every citizen of the United States of the age of ~~twenty-one~~ twenty years and upwards, excepting persons under guardianship for reasons of mental illness, having his or her residence established in this State for the term of six months next preceding any election, shall be an elector for Governor, Senators and Representatives, in the city, town or plantation where his or her residence has been

established for the term of three months next preceding such election, and he or she shall continue to be an elector in such city, town or plantation for the period of three months after his or her removal therefrom, if he or she continues to reside in this State during such period, unless barred by the provisions of the second paragraph of this section; and the elections shall be by written ballot.

**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 election in the month of November 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 Reduce the Voting Age to Twenty Years?"

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 review 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 26, 1969

The following is a brief explanatory statement prepared by the Attorney General in accordance with the provisions of 1 M.R.S.A. § 353, with reference to the Intent and Content of Chapter 33 of the Resolves of 1969 entitled, "Resolve Proposing an Amendment to the Constitution to Reduce the voting Age to Twenty Years."



## INTENT AND CONTENT

This Resolve amends Article II, section 1, of the Constitution of Maine to allow citizens of the United States of the age of 20 years who are residents of Maine to vote. The present minimum voting age is 21 years.

### CHAPTER 34

#### RESOLVES OF 1969

##### **RESOLVE, Proposing an Amendment to the Constitution Providing for Valuation of Certain Lands at Current Use.**

**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, amended.** Section 8 of Article IX of the Constitution is amended to read as follows:

**Section 8. Taxation; intangible property.** All taxes upon real and personal estate, assessed by authority of this State, shall be apportioned and assessed equally, according to the just value thereof; but the Legislature shall have power to levy a tax upon intangible personal property at such rate as it deems wise and equitable without regard to the rate applied to other classes of property. Nothing shall prevent the Legislature from providing for the assessment of the following types of real estate wherever situated in accordance with a valuation based upon the current use thereof and in accordance with such conditions as the Legislature may enact:

1. Farms and agricultural lands, timberland and woodlands;
2. Open space lands which are used for recreation or the enjoyment of scenic or natural beauty;
3. Lands used for game management or wildlife sanctuaries.

In implementing the foregoing, the Legislature shall provide that any change of use higher than those set forth above, except when the change is occasioned by a transfer resulting from the exercise or threatened exercise of the power of eminent domain, shall result in the imposition of a minimum penalty equal to the tax which would have been imposed over the 5 years preceding such change of use had such real estate been assessed at its highest and best use, less all taxes paid on said real estate over the preceding 5 years, and interest, upon such reasonable and equitable basis as the Legislature shall determine.

**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 election in the month of November 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 for Valuation of Certain Lands at Current Use?”

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 review 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 30, 1969

The following is a brief explanatory statement prepared by the Attorney General in accordance with the provisions of 1 M.R.S.A. § 353, with reference to the Intent and Content of Chapter 34 of the Resolves of 1969 entitled, “Resolve, Proposing an Amendment to the Constitution Providing for Valuation of Certain Lands at Current Use.”

## INTENT AND CONTENT

This amendment to Article IX, section 8, of the Constitution of Maine, allows the Legislature to provide for the assessment of real estate taxes of the following types of real estate in accordance with a valuation based on current use thereof:

1. Farms and agricultural lands, timberland, and woodlands;

2. Open space lands which are used for recreation or the enjoyment of scenic or natural beauty;

3. Lands used for game management or wildlife sanctuaries.

The Legislature must provide for a minimum penalty equal to the tax which would have been imposed over the 5-year period preceding such change of use, less taxes paid over the preceding 5 years, when a change to a higher use occurs. Such penalty is excepted when the change results from eminent domain or the threat thereof.

## CHAPTER 74

### RESOLVES OF 1969

#### **RESOLVE, Proposing an Amendment to the Constitution Providing for Convening of the Legislature at Such Times as the Legislature Deems Necessary.**

**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 IV, Part Third, Section 1, amended.** Section 1 of Part Third of Article IV of the Constitution is amended to read as follows:

**Section 1. To meet biennially.** The Legislature shall convene on the first Wednesday of January biennially and at such other times on the call of the President of the Senate and Speaker of the House, with the consent of a majority of the members of the Legislature of each political party, all members of the Legislature having been first polled and, with the exceptions hereinafter stated, shall have full power to make and establish all reasonable laws and regulations for the defense and benefit of the people of this State, not repugnant to this Constitution, nor to that of the United States.

**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 election in the month of November, 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 for Convening of the Legislature at Such Times as the Legislature Deems Necessary?"

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 review 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.

Received in the office of the Secretary of State January 13, 1970. Resolve according to Article X, Section 4 of the Constitution of the State of Maine.

The following is a brief explanatory statement prepared by the Attorney General in accordance with the provisions of 1 M.R.S.A. § 353, with reference to the Intent and Content of Chapter 74 of the Resolves of 1969 entitled, "Resolve, Proposing an Amendment to the Constitution Providing for Convening of the Legislature at Such Times as the Legislature Deems Necessary."

#### INTENT AND CONTENT

The Resolve amends Article IV, Part Third, Section 1, of the Constitution of Maine. Presently only the Governor may call a special session of the Legislature. By this amendment, a special session may be called by the President of the Senate and Speaker of the House with the consent of a majority of the members of the Legislature of each political party. The members shall be polled to determine their wishes.

#### LOCAL OPTION

(Revised Statutes of 1964, Title 28, Chapter 5, Sections 101, 102, 103, as amended.)

Sec. 101. Form of question and ballot.

Sec. 102. Results of vote.

Sec. 103. Unincorporated places.

§ 101. Form of question and ballot.

The aldermen of cities, the selectmen of towns and the assessors of plantations are empowered and directed to notify the inhabitants of their respective municipalities

to meet, in the manner prescribed by law for the calling and holding of biennial meetings of said inhabitants for the election of Senators and Representatives, at the time of holding such biennial meeting to give in their votes upon the following questions:

1. Shall state stores for the sale of liquor be operated by permission of the State Liquor Commission in this city or town? (State Liquor Store)

2. Shall licenses be granted in this city or town for the sale herein of wine and spirits to be consumed on the premises? (Hotel and Club)

3. Shall licenses be granted in this city or town for sale herein of wine and spirits to be consumed on the premises of class A restaurants?

4. Shall licenses be granted in this city or town for sale herein of malt liquor (beer, ale and other malt liquors) to be consumed on the premises? (Beer and Ale in Restaurants, Hotels and Clubs)

5. Shall licenses be granted in this city or town for the sale herein of malt liquor (beer, ale and other malt liquors) to be consumed on the premises of taverns and class A taverns? (Beer and Ale Only)

6. Shall licenses be granted in this city or town for the sale herein of malt liquor (beer, ale and other malt liquors) not to be consumed on the premises? (Beer and Ale to Take Out)

6-A. Shall licenses be granted in this city or town for the sale herein of table wines not to be consumed on the premises?

Upon receipt of a petition of electors resident in that municipality in writing addressed to the Secretary of State and signed by at least 15% of the number of voters voting for the gubernatorial candidates at the last state-wide election in that municipality, which petition shall be filed with the Secretary of State on or before the first day of July preceding the day of the biennial election, the ballots for that municipality shall carry in accordance with the petition any or all of the following additional questions:

7. Shall licenses be granted in this city or town for sale herein of wine and spirits to be consumed on the premises of part-time hotels and clubs?

8. Shall licenses be granted in this city or town for the sale herein of wine and spirits to be consumed on the premises of a club only?

9. Shall licenses be granted in this city or town for the sale herein of malt liquor (beer, ale and other malt liquors) to be consumed on the premises of a club only?

10. Shall licenses be granted in this city or town for the sale herein of malt liquor to be consumed on the premises of part-time hotels only?

11. Shall the municipality or unincorporated place authorize the sale of liquor on Sunday in those licensed hotels, class A restaurants and clubs where liquor is permitted to be sold during the rest of the week or shall be so permitted by this election?

Where a city or town has voted in favor of accepting or not accepting questions 1, 2, 3, 4, 5, 6, 6-A, 7, 8, 9, 10 and 11, said vote shall be effective until repealed in the manner hereinafter provided.

A new vote may be held in a municipality upon one or more of questions 1 through 11, upon receipt of a petition of electors resident in that municipality, in writing addressed to the Secretary of State and signed by at least 15% of the number of voters voting for the gubernatorial candidates at the last state-wide election in that municipality, which petition shall be filed with the Secretary of State on or before the first day of July preceding the day of the biennial election. The ballots for that municipality shall carry questions in accordance with the petition.

The Secretary of State, the aldermen of cities, the selectmen of towns and the assessors of plantations are empowered and directed to notify the inhabitants of their respective municipality to meet in the manner prescribed by law for the calling and holding of biennial meetings of said inhabitants for the election of Senators and Representatives at the time of holding such biennial meeting to give in their votes upon the questions contained in the ballots prepared for that municipality by the Secretary of State. The Secretary of State shall prepare and furnish to the several municipalities ballots in manner and form as prescribed in Title 21, section 702, for constitutional amendment or other questions, together with all such other forms including those for instructions and returns as are prescribed in Title 21.

The inhabitants of the several municipalities shall vote by ballot on said questions, those in favor voting "Yes" on their ballots and those opposed "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 canvass the same and the result shall be determined as provided in Title 21.

Upon this ballot no other referendum question shall be printed.

#### § 102. Results of vote.

If a majority of the votes cast in any municipality in answer to any local option question is in the affirmative, the Liquor Commission may issue licenses of the type authorized by such affirmative vote in such municipality.

If a majority of the votes cast in any municipality in answer to any local option question is in the negative, no

licenses for sale of the type denied by such negative vote shall be issued in such municipality.

In case of a tie vote on any of the preceding questions, the law shall remain as it was before the voting.

Where a city or town has voted in favor of accepting or not accepting any of the questions on the local option ballot, said vote shall be effective until repealed by a new petition and vote as required by section 101.

Table wines not to be consumed on the premises may be sold by licensees in a municipality or unincorporated place where a majority of votes cast in the municipality or unincorporated place at the general election in November 1970, are in the affirmative to the following local option question:

Shall licenses be granted in this city or town for the sale herein of table wines not to be consumed on the premises?

Subsequent to the 1970 general election, electors in any municipality or unincorporated place may place on a ballot and vote upon local option question numbered 6-A in the manner provided by section 101.

### § 103. Unincorporated places.

Upon petition signed by 20% or more of the persons resident in an unincorporated place as shown by returns to the State Tax Assessor provided for by Title 36, section 1421, requesting a vote on local option questions, the Secretary of State shall forthwith appoint a time and place, give public notice in the same manner as provided for notice in section 252 and cause a vote on such questions to be taken in such unincorporated place under his supervision and subject to such rules and regulations as he shall promulgate.

If a majority of the votes cast on any such question is in the affirmative, the commission may issue licenses in such unincorporated place of the type approved by such affirmative vote, subject to all the provisions of law. If a majority of the votes cast on any such question is in the negative, no new or renewal license shall be issued in such unincorporated place of the type disapproved by such negative vote.

The affirmative or negative vote, as cast, on each such local option question, shall prevail in such unincorporated place, unless and until changed by another such local option vote, subsequently held, on petition to said Secretary of State as provided. No such local option vote shall be taken more often than once in any 2-year period.

If the total number of persons shown by returns of the State Tax Assessor in such unincorporated place is less than 20 or the number signing any petition for local option vote is less than 20, the Secretary of State shall not hold any election in such unincorporated place and in event no such vote is taken, the county

commissioners or the commission may refuse approval of such application on the basis that such license is not warranted for any substantial public convenience, necessity or demand. The county commissioners or the commission shall have the authority in such unincorporated place to authorize the sale of liquor on Sunday in those licensed hotels, class A restaurants and clubs where liquor is permitted to be sold during the rest of the week.

In no event shall the commission issue a license to any person when it appears to it that such person or any other person for his benefit has moved a store or restaurant into an unincorporated place from an organized or unincorporated place where a local option vote has resulted in his being unable to procure a liquor license.

1969, c. 360.

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Secretary of State