

MAINE STATE LEGISLATURE

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AUGUSTA, MAINE

ELECTIONS
- 1971
(Nov.)

Referendum Question

AND

He.

Proposed Constitutional

Amendments

In Accordance with a Direct Initiative
Bill and Resolutions Passed by the
105th Legislature at Regular Session

Referendum Question

Income Tax Repeal.

Constitutional Amendments

1. Reduce the Voting Age to Eighteen Years.
2. Providing that the Term of Office of the Governor Continues Until His Successor has Qualified.
3. Pledging Credit of the State and Providing for the Issuance of Bonds not Exceeding Four Million Dollars for Loans for Maine Students in Higher Education.

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



1971

To be Voted Upon at the Special Election,

Tuesday, November 2, 1971

STATE OF MAINE

In the Year of our Lord, Nineteen Hundred Seventy-one.

AN ACT Repealing the "Maine Income Tax Law."

Be it enacted by the People of the State of Maine, as follows: Part 8 of Title 36 of the Revised Statutes, as enacted by Private and Special Laws 1969, Chapter 154, Section F, entitled "INCOME TAXES," is hereby repealed.

PROCLAMATION

WHEREAS, the One Hundred and Fourth Legislature of the State of Maine, commencing upon the first Wednesday of January in the Year of Our Lord One Thousand Nine Hundred and Sixty-nine, duly enacted a law establishing a personal and corporate income tax, Private and Special Laws 1969, Chapter 154, Section F, entitled "Income Taxes" now coded as Part 8 of Title 36 of the Maine Revised Statutes and cited as the "Maine Income Tax Law"; and

WHEREAS, written petitions bearing the signatures of 36,749 electors of this State, which number is in excess of ten percent of the total vote cast in the last gubernatorial election preceding the filing of such petitions, as required by Article IV, Part Third, Section 18 of the Constitution of Maine, were addressed to the Legislature of the State of Maine and were filed in the office of the Secretary of State within forty-five days after the convening of the One Hundred and Fifth Legislature in regular session, requesting that the Legislature consider a bill entitled: "AN ACT Repealing the Maine Income Tax Law"; and

WHEREAS, the petitioning electors further requested that should the Legislature not enact said measure without change, that said measure be referred to the people at a special election ordered by Proclamation of the Governor; and

WHEREAS, the Legislature recommended that no action be taken on the initiated bill and the bill be submitted to the electors of this State in accordance with the Constitution; and

WHEREAS, under the provisions of Article IV, Part Third, Section 18 of the Constitution of Maine, such election may be held not less than four nor more than six months from the date of this Proclamation;

NOW, THEREFORE, I, Kenneth M. Curtis, Governor of the State of Maine, acting under the provision of Article IV, Part Third, Section 18 of the Constitution of Maine, do proclaim that a special election shall be called for the first Tuesday in November, being the second day of the month, in the year of Our Lord One Thousand Nine Hundred and Seventy-one, at which time the following question shall be presented on the ballots prepared by the Secretary of State and voted on by the electors of the State, in accordance with the Constitutional procedure: "Shall the corporate and individual Maine Income Tax Law be Repealed?"



By the Governor

Given at the office of the Governor at Augusta, and sealed with the Great Seal of the State of Maine, this First day of July, in the Year of Our Lord, One Thousand Nine Hundred and Seventy-one, and of the Independence of the United States of America, the One Hundred and Ninety-fifth.

Kenneth M. Curtis

Joseph T. Edgar
Secretary of State

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 the initiated bill entitled "An Act Repealing the Maine Income Tax Law."

INTENT AND CONTENT

The Initiated bill seeks to repeal the corporate and individual Maine Income Tax Law enacted in 1969.

CHAPTER 1

CONSTITUTIONAL RESOLUTION OF 1971

RESOLUTION. Proposing an Amendment to the Constitution to Reduce the Voting Age to Eighteen 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 1, 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 eight 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 a special state-wide election on the Tuesday following the first Monday of November following the passage of this resolution 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 eighteen 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 resolution, accompanied by a copy thereof.

Resolution according to Article X, Section 4 of the Constitution of the State of Maine.

Received in the office of the Secretary of State February 16, 1971.

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 1 of Constitutional Resolution of 1971 entitled, "Resolution, Proposing an Amendment to the Constitution to Reduce the Voting Age to Eighteen Years."

INTENT AND CONTENT

The intent of this constitutional amendment is to give voting privileges to citizens of the United States and residents of Maine who have reached the age of 18 years. This amendment, if approved, will allow 18 year old persons to vote in all elections held in the State of Maine.

The enactment and approval of the 26th amendment to the United States Constitution makes the enactment of this amendment only a matter of form. Even if this amendment is defeated, 18 year old residents are eligible to vote in all elections held in the State of Maine.

CHAPTER 2

CONSTITUTIONAL RESOLUTION OF 1971

RESOLUTION. Proposing an Amendment to the Constitution Providing that the Term of Office of the Governor Continues Until His Successor has Qualified.

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 V, Part First, Section 2, amended. The first sentence of Section 2 of Part First of Article V of the Constitution is amended to read as follows:

The Governor shall be elected by the qualified electors, and shall hold his office for four years from the first Wednesday of January next following the election and until his successor has been duly elected and qualified.

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 or special state-wide election on the Tuesday following the first Monday of November following the passage of this resolution 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 term of office of the Governor continues until his successor has qualified?"

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 resolution, accompanied by a copy thereof.

Resolution according to Article X, Section 4 of the Constitution of the State of Maine.

Received in the office of the Secretary of State February 17, 1971.

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 2 of Constitutional Resolution of 1971 entitled, "Resolution, Proposing an Amendment to the Constitution Providing that the Term of Office of the Governor Continues Until His Successor has Qualified."

INTENT AND CONTENT

The amendment will allow the Governor to continue in office until his successor is determined and takes the oath of office. The amendment proposed will only be effective in the event the election of a Governor is disputed and not determined by midnight of the first Wednesday of January following the general election in November. Presently the Governor's term of office expires at that time.

CHAPTER 4

CONSTITUTIONAL RESOLUTION OF 1971

RESOLUTION, Proposing an Amendment to the Constitution Pledging Credit of the State and Providing for the Issuance of Bonds not Exceeding Four Million Dollars for Loans for Maine Students in Higher Education.

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 VIII, Section 2, amended. The 2nd sentence of Section 2 of Article VIII of the Constitution, as enacted by chapter 73 of the resolves of 1967, is amended to read as follows:

Funds shall be obtained by the issuance of state bonds, when authorized by the Governor and Council, but the amount of bonds issued and outstanding shall not at one time exceed in the aggregate one four million dollars.

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 planta-

tions 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 or special state-wide election on the Tuesday following the first Monday of November following the passage of this resolution 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 pledging credit of the State and providing for the issuance of bonds not exceeding four million dollars for loans for Maine students in higher education?"

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 resolution, accompanied by a copy thereof.

Resolution according to Article X, Section 4 of the Constitution of the State of Maine.

Received in the office of the Secretary of State June 22, 1971.

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 4 of Constitutional Resolution of 1971 entitled, "Resolution, Proposing an Amendment to the Constitution Pledging Credit of the State and Providing for the Issuance of Bonds not Exceeding Four Million Dollars for Loans for Maine Students in Higher Education."

INTENT AND CONTENT

The increase to four million dollars will effect an increase in the guarantee capacity of the Maine student loan program to one hundred eighty million, five hundred thousand dollars. The loan program applies to Maine students attending institutions of higher education, wherever situated.

Under this program the State of Maine and the United States government guarantee to loaning banks repayment of loans to Maine students. Bonds will only be issued as needed to repay to creditor banks student loans for higher education which are in default.

(Published under Appropriation 1072-2060)

JOSEPH T. EDGAR
Secretary of State