

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 16

S. P. 2

In Senate, November 22, 1968

Filed November 22, 1968 under Joint Rule 6 by Senator Berry of Cumberland County. To be printed and delivered to the Senate of the 104th Legislature.

JERROLD B. SPEER, Secretary

Presented by Senator Berry of Cumberland County.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

RESOLVE, Proposing an Amendment to the Constitution Authorizing the Legislature to Enact Bond Issues, to be Ratified by the People Upon Petition or Referral by the Legislature.

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 14, amended. Section 14 of Article IX of the Constitution, as amended, is further amended to read as follows:

Section 14. State debt limit, exception. The credit of the State shall not be directly or indirectly loaned in any case, except as provided in sections 14-A and 14-B. 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 except for temporary loans to be paid out of money raised by taxation during the fiscal year in which they are made; ~~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 purposes 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 or in trust for any purpose. Notwithstanding the foregoing, whenever two-thirds of both Houses shall deem it necessary, the Legislature, by proper enactment, may authorize the issuance of bonds on behalf of the State at such times and in such amounts and for such purposes

as approved by such action; and such enactment shall take effect ninety days after the recess of the Legislature, unless a petition of electors, the number of which shall not be less than one percent of the total vote for Governor cast in the last gubernatorial election preceding the filing of such petition, and addressed to the Governor and filed in the office of the Secretary of State within ninety days after the recess of the Legislature, requesting that the bond issue specified in the petition be referred to the people, and thereupon the legislation shall be voted upon and become effective in accordance with Article IV, Part Third, Section 17; the Legislature by its resolve may refer a bond issue to the people for ratification at a general or special election. 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. Temporary loans to be paid out of moneys raised by taxation during any fiscal year shall not exceed in the aggregate during the fiscal year in question an amount greater than 10% of all moneys appropriated, authorized and allocated by the Legislature from undedicated revenues to the General Fund and dedicated revenues to the Highway Fund for that fiscal year, exclusive of proceeds or expenditures from the sale of bonds, or greater than 1% of the total valuation of the State of Maine, whichever is the lesser.

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 to Authorize the Legislature to Enact Bond Issues, to be Ratified by the People Upon Petition or Referral by the Legislature?”

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.