

MAINE STATE LEGISLATURE

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EIGHTIETH LEGISLATURE

SENATE

NO. 130

In Senate, March 16, 1921.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent down for concurrence.

I. ERNEST THORNTON, Secretary.

Presented by Senator Baxter of Sagadahoc.

STATE OF MAINE

**IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND TWENTY-ONE**

AN ACT Relative to Private and Special Acts in Conflict with
Public Acts.

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

In all cases where private and special acts or resolves are
2 in conflict with public acts, the public acts shall be held to
3 rule, even though such private and special act or resolve
4 antedates in its passage such public acts.

STATEMENT OF FACTS

Chapter 193 of the private and special laws of 1917 required the secretary of state to furnish ballots for a referendum vote in the city of Auburn. The state furnished the ballots at a cost of \$45.69. Section 1, of chapter 7, revised statutes provides that each municipality shall furnish and pay for its own ballots. This private and special act above cited having passed subsequently to that act, it was held that the state must pay. The state auditor in a communication to the legislature, prefacing his biennial report to that body, recommends that in the case of a private and special act is passed that is found to be in direct conflict with a public act already comprised within the statutes, that the public act shall take precedence.