

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

E I G H T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 724

H. P. 1640

House of Representatives, February 14, 1939.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Sleeper of Rockland.

S T A T E O F M A I N E

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-NINE

**RESOLVE, Proposing an Amendment to the Constitution Increasing the
Limit of Municipal Indebtednes.**

Constitutional amendemnt. Resolved: Two-thirds of the legislature concurring, that the following amendment to the constitution of this state be proposed.

Article XXII of the constitution relating to increasing the limit of municipal indebtedness amended. Article XXII of the constitution as amended by article XXXIV is hereby further amended to read as follows:

'Municipal indebtedness limited. No city or town having less than ~~forty~~ 8000 inhabitants, according to the last census taken by the United States, shall hereafter create any debt or liability, which single or in the aggregate, with previous debts or liabilities shall exceed 5% of the last regular valuation of said city or town: ~~that cities having a population of forty thousand or more, according to the last census taken by the United States, may create a debt or liability which single or in the aggregate, with previous debts or liabilities, shall equal seven and one-half percent of the last regular valuation of said city, that cities of forty thousand inhabitants, or over, may, by a majority vote of their city government, increase the present rate of five per centum by one fourth of one percent in any one municipal year, until, in not less than ten years, the maximum~~

rate of seven and one-half percent is reached, that any city failing to take the increase in any one municipal year then the increase for that year is lost and no increase can be made until the next year as provided above, and no city or town having more than 8000 inhabitants shall hereafter create any debt or liability which single or in the aggregate with previous debts or liabilities shall exceed 7½% of the last regular valuation of said city or town; and the amount of tax deeds held by any city or town may be deducted from the gross debts or liabilities of such city or town before the constitutional debt limitation herein provided shall apply, and provided further, ~~that~~ the adoption of this article shall not be construed as applying to any fund received in trust by said city or town. Nor to any loan for the purpose of renewing existing loans, or for war or to temporary loans to be paid out of the money raised by taxes during the year in which they were made.'

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 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 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 to increase the limit of municipal indebtedness?" And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment voting "Yes" upon their ballots and those opposed to the amendment voting "No" upon their ballots, and the ballots shall be received, 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.