

MAINE STATE LEGISLATURE

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NINETY-FOURTH LEGISLATURE

Legislative Document

No. 500

S. P. 307

In Senate, February 9, 1949.

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

CHESTER T. WINSLOW, Secretary.

Presented by Senator Hopkins of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

RESOLVE Proposing an Amendment to the Constitution to Limit the Indebtedness on Municipalities by Public or Quasi-Municipal Corporations to Fifteen Per Cent of the Last Regular Valuation of a City or Town.

Constitutional amendment. Resolved: Two-thirds of each branch of the legislature concurring, that the following amendment to the constitution of this state is hereby proposed:

Constitution, Art. XXII, amended. Article XXII of the constitution, as amended by article XXXIV, is hereby further amended by adding at the end thereof 2 new paragraphs to read as follows:

'No public or quasi-municipal corporation, created to furnish services or facilities which cities and towns are required or permitted to provide for their inhabitants, shall create or assume any debt or liability, which, in combination with other debts and liabilities which constitute a charge or claim upon the property within the limits of such corporation, created by any other public or quasi-municipal corporation, embracing all or part of the same territory and people, but exclusive of debts and liabilities of cities and towns, shall exceed 15% of the last regular valuation of said city or town of the property within the limits of such corporation. For the purpose of the provisions of this article, the debts and liabilities of any public or quasi-municipal corporation shall be deemed to constitute a charge or claim upon the property within any section of the territorial limits of such

corporation, which section is also embraced within the territorial limits of another public or quasi-municipal corporation, only in the proportion that the valuation of the property within such section shall bear to the valuation of the entire property within the limits of the corporation by which such debt or liability was created.

If a fractional part of any city or town is included in the limits of any such corporation, and the valuation of the property therein cannot be determined from said last regular valuation of said city or town, the valuation of the property in such fractional part shall be deemed to be such a proportion of the valuation of the entire property within such city or town, as shown by said last regular valuation of said city or town, as the valuation placed upon the property within such fractional part by the municipal assessors shall bear to the valuation placed by said assessors upon the entire property within such city or town.'

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 limit the indebtedness on municipalities by public or quasi-municipal corporations to 15% of the last regular valuation of said city or town?" 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.