

MAINE STATE LEGISLATURE

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NINETY-FOURTH LEGISLATURE

Legislative Document

No. 883

H. P. 1569

House of Representatives, February 17, 1949.

Reported by Committee on Constitutional Revision. Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

RESOLVE Proposing an Amendment to the Constitution Empowering the Legislature to Authorize Municipalities to Create Indebtedness in Excess of the Present Limitation on Municipal Indebtedness.

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, Art. XXII, amended. Article XXII of the constitution, as amended by article XXXIV, is hereby further amended to read as follows:

'Unless authorized by proper enactment of the legislature, ratified by a majority of the electors of the city or town affected thereby, designating the purpose for which the debt or liability may be created, ~~No~~ no city or town having less than 40,000 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; provided, however, that cities having a population of 40,000 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 7½% of the last regular valuation of said city, that cities of 40,000 inhabitants, or over, may, by a majority vote of their city government, increase the present rate of 5% by ¼ of 1% in any one municipal year, until, in not

less than 10 years, the maximum rate of $7\frac{1}{2}\%$ 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 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 empower the legislature to authorize municipalities to create indebtedness in excess of the present limitation on 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.