

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-FIFTH LEGISLATURE

OF THE
STATE OF MAINE.

1911

Published by the Secretary of State, agreeably to Resolves of
June 28, 1820, February 18, 1840, and March 16, 1842

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STATE OF MAINE.

BY THE GOVERNOR, A PROCLAMATION.

Whereas, Section 18, Part Third, of Article Four of the constitution of the State of Maine, as amended, provides as follows:

"Sect. 18. The electors may propose to the legislature for its consideration any bill, resolve or resolution, including bills to amend or repeal emergency legislation but not an amendment of the state constitution, by written petition addressed to the legislature or to either branch thereof and filed in the office of the secretary of state or presented to either branch of the legislature at least thirty days before the close of its session. Any measure thus proposed by not less than twelve thousand electors, unless enacted without change by the legislature at the session at which it is presented, shall be submitted to the electors together with any amended form, substitute, or recommendation of the legislature, and in such manner that the people can choose between the competing measures or reject both. When there are competing bills and neither receives a majority of the votes given for or against both, the one receiving the most votes shall at the next general election to be held not less than sixty days after the first vote thereon be submitted by itself if it receives more than one-third of the votes given for and against both. If the measure initiated is enacted by the legislature without change, it shall not go to a referendum vote unless in pursuance of a demand made in accordance with the preceding section. The legislature may order a special election on any measure that is subject to a vote of the people. The Governor may, and if so requested in the written petitions addressed to the legislature, shall, by proclamation, order any measure proposed to the legislature by at least twelve thousand electors as herein provided, and not enacted by the legislature without change, referred to the people at a special election to be held not less than four or more than six months after such proclamation, otherwise said measure shall be voted upon at the next general election held not less than sixty days after the recess of the legislature, to which such measure was proposed."

And whereas, petitions signed by not less than twelve thousand electors were filed in the office of the Secretary of State, February 3, 1911, proposing to the legislature for its consideration a bill entitled "An Act to provide for nomination of candidates of political parties by primary elections," the last paragraph of said petitions readings as follows:

“If said measure is not enacted by the legislature without change, the Governor is hereby requested to, by proclamation, order said measure to be referred to the people at a special election to be held not less than four nor more than six months after such proclamation, and the Governor is hereby requested to order such special election so that said measure, if approved by a majority of the votes given thereon, shall take effect and become a law in season for nominations thereunder for the official ballot to be used at the general election to be held in September, nineteen hundred and twelve.”

And whereas, the bill proposed in said petitions was not enacted without change by the legislature at the session at which it was presented;

Now, therefore, I, Frederick W. Plaisted, Governor of the State of Maine, in accordance with the provisions of the constitution, do issue this proclamation, and hereby order that the measure proposed as above shall be referred to the people at a special election to be held on the second Monday of September, being the eleventh day of said month, in the year of our Lord one thousand nine hundred and eleven.

IN WITNESS WHEREOF, I have caused the seal of the State to be hereunto affixed, at Augusta, this eighth day of May, in the year of our Lord one thousand nine hundred and eleven, and of the Independence of the United States of America the one hundred and thirty-fifth.

FREDERICK W. PLAISTED.

By the Governor,

ATTEST:

CYRUS W. DAVIS,
Secretary of State.

STATE OF MAINE.

A PROCLAMATION BY THE GOVERNOR.

Whereas, on the second Monday of September, being the fourteenth day of said month, in the year of our Lord one thousand nine hundred and eight, an amendment to the constitution of Maine, was adopted, establishing a people's veto through the optional referendum, and a direct initiative by petition and a general or special election, and a proclamation, declaring said amendment adopted and the constitution amended accordingly was issued on the thirtieth day of October, in the

year of our Lord one thousand nine hundred and eight, by Governor William T. Cobb; said amendment taking effect on the first Wednesday of January, in the year of our Lord one thousand nine hundred and nine;

And whereas, section seventeen of part third of article four of the constitution as thus amended provides, "Upon the written petition of not less than ten thousand electors, 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 one or more acts, bills, resolves or resolutions, or part or parts thereof, passed by the legislature, but then not in effect by reason of the provision of the preceding section, be referred to the people, such acts, bills, resolves, or resolutions, or part or parts thereof as are specified in such petitions shall not take effect until thirty days after the governor shall have announced by public proclamation that the same have been ratified by a majority of the electors voting thereon at a general or special election.

As soon as it appears that the effect of an act, bill, resolve, or resolution or part or parts thereof has been suspended by petition in manner aforesaid, the governor by a public proclamation shall give notice thereof and of the time when such message is to be voted on by the people, which shall be at the next general election not less than sixty days after such proclamation, or in case of no general election within six months thereafter the governor may, and if so requested in said written petition therefor, shall order such measure submitted to the people at a special election not less than four nor six months after his proclamation thereof."

And whereas, the legislature convening upon the first Wednesday of January, in the year of our Lord one thousand nine hundred and nine, passed and the governor approved, "An Act to divide the town of York, and establish the town of Gorges;" also, "An Act to make uniform the standard relating to the per centage of alcohol in intoxicating liquors;" and, "An Act relating to the reconstruction of Portland Bridge."

And whereas, upon each of the above named measures, written petitions for a referendum have been duly filed in accordance with Section seventeen of part third of Article four of the constitution as amended and hereinabove quoted;

Now, therefore, I, Bert M. Fernald, Governor of the State of Maine, in accordance with said amended provisions of the constitution, declare that each of the above named measures is suspended, and I do hereby designate the second Monday of

September, being the twelfth day of said month in the year of our Lord one thousand nine hundred and ten, as the time on which the measures aforesaid shall be voted on by the people of the State.

IN WITNESS WHEREOF, I have caused the seal of the State to be hereunto affixed, at Augusta, this eighteenth day of November, in the year of our Lord one thousand nine hundred and nine, and in the year of the Independence of the United States, the one hundred and thirty-fourth.

[Seal]

BERT M. FERNALD.

By the Governor.

A. I. BROWN,

Secretary of State.

Note.—The measures referred to in the foregoing proclamation, being Chapter 241 of the Public Laws of 1909 and Chapters 397 and 404 of the Private and Special Laws of 1909, were submitted to the people and failed to be ratified by a majority of the electors voting thereon.