

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Second Legislature

OF THE

STATE OF MAINE

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1965

SELECTED
PROCLAMATIONS

by

GOVERNOR JOHN H. REED

STATE OF MAINE

PROCLAMATION

An Act Authorizing the Construction of Self-Liquidating Student Dining Facilities for the Maine Maritime Academy and the Issuance of not Exceeding \$475,000 Bonds of the State of Maine for the Financing Thereof.

WHEREAS, the One Hundred and First Legislature of the State of Maine, by an act entitled,

“An Act Authorizing the Construction of Self-Liquidating Student Dining Facilities for the Maine Maritime Academy and the Issuance of not Exceeding \$475,000 Bonds of the State of Maine for the Financing Thereof,”

passed by a concurrent vote of both branches and approved June 22, 1963, which said act is known and identified as Chapter 180 of the Private and Special Laws of 1963, enacted said measure expressly conditioned upon the people's ratification by a referendum vote at the next general or special state-wide election, and

WHEREAS, it appears by the return of votes given in by the electors of the various cities, towns and plantations voting upon said act at the Special State-wide Election held on the fifth day of November, 1963, and reviewed by the Governor and Council on the twentieth day of November, 1963, that a majority of said votes were in favor of this act becoming a law; namely,

48,648 for, and
22,985 opposed;

NOW, THEREFORE, I, John H. Reed, Governor of the State of Maine, in pursuance of the provisions of the Constitution of said State in such cases provided, declare said measure adopted, to take effect and become a law thirty days from the date of this proclamation.

Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine this twentieth day of November, in the year of our Lord, One Thousand Nine Hundred and Sixty-three, and of the Independence of the United States of America, the One Hundred and Eighty-eighth.

JOHN H. REED,
Governor of Maine

By the Governor:

JOSEPH T. EDGAR,
Deputy Secretary of State

STATE OF MAINE

PROCLAMATION

An Act to Authorize the Issuance of Bonds in the Amount of Seven Million Dollars on Behalf of the State of Maine to Build State Highways.

WHEREAS, the One Hundred and First Legislature of the State of Maine, by an act entitled,

“An Act to Authorize the Issuance of Bonds in the Amount of Seven Million Dollars on Behalf of the State of Maine to Build State Highways,”

passed by a concurrent vote of both branches and approved June 22, 1963, which said act is known and identified as Chapter 181 of the Private and Special Laws of 1963, enacted said measure expressly conditioned upon the people's ratification by a referendum vote at the next general or special state-wide election, and

WHEREAS, it appears by the return of votes given in by the electors of the various cities, towns and plantations voting upon said act at the Special State-wide Election held on the fifth day of November, 1963, and reviewed by the Governor and Council on the twentieth day of November, 1963, that a majority of said votes were in favor of this act becoming a law; namely,

50,356 for, and
22,435 opposed;

NOW, THEREFORE, I, John H. Reed, Governor of the State of Maine, in pursuance of the provisions of the Constitution of said State in such cases provided, declare said measure adopted, to take effect and become a law thirty days from the date of this proclamation.

Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine this twentieth day of November, in the year of our Lord, One Thousand Nine Hundred and Sixty-three, and of the Independence of the United States of America, the One Hundred and Eighty-eighth.

JOHN H. REED,
Governor of Maine

By the Governor:

JOSEPH T. EDGAR,
Deputy Secretary of State

STATE OF MAINE

PROCLAMATION

An Act to Authorize the Construction of Self-Liquidating Student Housing for the State Teachers Colleges and the Issuance of not Exceeding \$1,433,000 Bonds of the State of Maine for the Financing Thereof.

WHEREAS, the One Hundred and First Legislature of the State of Maine, by an act entitled,

“An Act to Authorize the Construction of Self-Liquidating Student Housing for the State Teachers Colleges and the Issuance of not Exceeding \$1,433,000 Bonds of the State of Maine for the Financing Thereof,”

passed by a concurrent vote of both branches and approved June 22, 1963, which said act is known and identified as Chapter 182 of the Private and Special Laws of 1963, enacted said measure expressly conditioned upon the people's ratification by a referendum vote at the next general or special state-wide election, and

WHEREAS, it appears by the return of votes given in by the electors of the various cities, towns and plantations voting upon said act at the Special State-wide Election held on the fifth day of November, 1963, and reviewed by the Governor and Council on the twentieth day of November, 1963, that a majority of said votes were in favor of this act becoming a law; namely,

50,558 for, and
20,881 opposed;

NOW, THEREFORE, I, John H. Reed, Governor of the State of Maine, in pursuance of the provisions of the Constitution of said State in such cases provided, declare said measure adopted, to take effect and become a law thirty days from the date of this proclamation.

Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine this twentieth day of November, in the year of our Lord, One Thousand Nine Hundred and Sixty-three, and of the Independence of the United States of America, the One Hundred and Eighty-eighth.

JOHN H. REED,
Governor of Maine

By the Governor:

JOSEPH T. EDGAR,
Deputy Secretary of State

STATE OF MAINE

PROCLAMATION

An Act to Authorize General Fund Bond Issue in Amount of Eight Million Four Hundred Twenty-two Thousand Dollars and to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for the Fiscal Year Ending June 30, 1964.

WHEREAS, the One Hundred and First Legislature of the State of Maine, by an act entitled,

“An Act to Authorize General Fund Bond Issue in Amount of Eight Million Four Hundred Twenty-two Thousand Dollars and to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for the Fiscal Year Ending June 30, 1964,”

passed by a concurrent vote of both branches and approved June 22, 1963, which said act is known and identified as Chapter 186 of the Private and Special Laws of 1963, enacted said measure expressly conditioned upon the people's ratification by a referendum vote at a special statewide election to be held on the Tuesday following the first Monday of November, 1963, and

WHEREAS, it appears by the return of votes given in by the electors of the various cities, towns and plantations voting upon said act at the Special State-wide Election held on the fifth day of November, 1963, and reviewed by the Governor and Council on the twentieth day of November, 1963, that a majority of said votes were in favor of this act becoming a law; namely,

42,816 for, and
27,189 opposed;

NOW, THEREFORE, I, John H. Reed, Governor of the State of Maine, in pursuance of the provisions of the Constitution of said State in such cases provided, declare said measure adopted, to take effect and become a law thirty days from the date of this proclamation.

Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine this twentieth day of November, in the year of our Lord, One Thousand Nine Hundred and Sixty-three, and of the Independence of the United States of America, the One Hundred and Eighty-eighth.

JOHN H. REED,

Governor of Maine

By the Governor:

JOSEPH T. EDGAR,

Deputy Secretary of State

STATE OF MAINE

PROCLAMATION

Authorization of the Amendment to the Constitution Affecting the Election, Powers and Apportionment of the House of Representatives.

WHEREAS, the One Hundred and First Legislature of the State of Maine, by a Resolve passed by a concurrent vote of both branches and approved June 22, 1963, proposed to the electors of said State the following amendment to the Constitution, to wit:

“The last sentence of section 2 of Part First of Article IV of the Constitution is amended to read as follows:

‘The number of Representatives shall, at the several periods of making such enumeration, be fixed and apportioned by the Legislature among the several counties, as near as may be, according to the number of inhabitants. Each county shall be entitled to that number of Representatives which is in the same proportion to the total number of Representatives as the number of inhabitants of the county bears to the number of inhabitants of the State, fractional excesses over whole numbers to be computed in favor of the counties having the larger fractional excesses.’

Part First of Article IV of the Constitution is amended by adding a new section 2-A, to read as follows:

‘Section 2-A. The first apportionment under Article IV, Part First, shall be made by the one hundred and first Legislature in the year of our Lord one thousand nine hundred and sixty-four. This section 2-A of this Article IV, Part First, need not be printed as part of the Constitution, and this section 2-A of this Article IV, Part First, of the Constitution may hereafter be omitted in any printed copy of the Constitution or amendments thereto.’

Section 3 of Part First of Article IV of the Constitution is repealed and the following enacted in place thereof:

‘Section 3. Apportionment of representatives within each county shall be made by dividing the total number of inhabitants in the county by the number of Representatives to which the county is entitled to determine a unit base number. Each city or town having a number of inhabitants greater than the unit base number shall be entitled to as many representatives as the number of times the number of its inhabitants fully contains the unit base number; and the remaining cities, towns and plantations within the county which have inhabitants in numbers less than such unit base number shall be formed into representative class districts in number equal to the remainder of county representatives unallocated under the foregoing procedure by grouping whole cities, towns and plantations as equitably as possible with consideration for population and for geographical contiguity. Provided, however, that no such representative district shall contain fewer inhabitants than the largest fraction remaining to any city or town within such county after the allocating of one or more representatives under the foregoing procedure; and, provided further, that additional representatives,

drawn from the remainder of county representatives unallocated under the foregoing procedure, shall be allocated to cities or towns having the largest fraction remaining after the allocation of one or more representatives under the foregoing procedure if such be necessary to insure that no such representative district contain fewer inhabitants than the largest fraction remaining to any city or town within such county after the allocating of one or more representatives under the foregoing procedure. Cities and towns entitled to two or more Representatives under the foregoing procedure may, by affirmative vote of two-thirds of both Houses of the Legislature, be organized into single member districts whereby each legally qualified elector therein is entitled to vote for only one Representative, provided that all such cities and towns are so organized.

In the event that the Legislature shall fail to make an apportionment the Supreme Judicial Court shall, within sixty days following the end of the period in which the Legislature is required to act, but fails to do so, make the apportionment.'

Section 5 of Part First of Article IV of the Constitution is repealed and the following enacted in place thereof :

'Section 5. The meetings within this State for the choice of Representatives shall be warned in due course of law by qualified officials of the several towns and cities seven days at least before the election, and the election officials of the various towns and cities shall preside impartially at such meetings, receive the votes of all the qualified electors, sort, count and declare them in open meeting; and a list of the persons voted for shall be formed, with the number of votes for each person given against his name. Cities and towns belonging to any representative district shall hold their meetings at the same time in the respective cities and towns; and such meetings shall be notified, held and regulated, the votes received, sorted, counted and declared in the same manner. Fair copies of the lists of votes shall be attested by the city and town clerks, and the city and town clerks respectively shall cause the same to be delivered into the office of the Secretary of State not less than fifteen days after the day on which the election is held. The Governor and Council shall examine the returned copies of such lists and twenty days before the first Wednesday of January biennially, shall issue a summons to such persons as shall appear to have been elected by a plurality of all votes returned, to attend and take their seats. All such lists shall be laid before the House of Representatives on the first Wednesday of January biennially, and they shall finally determine who are elected,''' and

WHEREAS, it appears by the return of votes given in by the electors of the various cities, towns and plantations voting upon said amendment as directed in the aforementioned Resolve at a special state-wide election on the Tuesday following the first Monday of November, being the fifth day of November, 1963, and reviewed by the Governor and Council on the twentieth day of November, 1963, that a majority of said votes were in favor of this amendment; namely,

44,556 for, and
23,035 opposed;

NOW, THEREFORE, I, John H. Reed, Governor of the State of Maine, do proclaim the Constitution of the State of Maine amended as proposed, and in accordance with the provisions of this said Resolve, the amendment shall hereupon as of the date of this proclamation become a part of the Constitution.

Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine this twentieth day of November, in the year of our Lord, One Thousand Nine Hundred and Sixty-three, and of the Independence of the United States of America, the One Hundred and Eighty-eighth.

JOHN H. REED,
Governor of Maine

By the Governor:

JOSEPH T. EDGAR,
Deputy Secretary of State

STATE OF MAINE

PROCLAMATION

Authorization of the Amendment to the Constitution Forbidding Discrimination
Against any Person.

WHEREAS, the One Hundred and First Legislature of the State of Maine, by a Resolve passed by a concurrent vote of both branches and approved June 25, 1963, proposed to the electors of said State the following amendment to the Constitution, to wit:

“Article I of the Constitution is amended by adding thereto a new section 6-A, to read as follows:

‘Section 6-A. Discrimination against persons prohibited. No person shall be deprived of life, liberty or property without due process of law, nor be denied the equal protection of the laws, nor be denied the enjoyment of his civil rights or be discriminated against in the exercise thereof.’”

WHEREAS, it appears by the return of votes given in by the electors of the various cities, towns and plantations, voting upon said amendment as directed in the aforementioned Resolve at a special state-wide election on the Tuesday following the first Monday of November, being the fifth day of November, 1963, and reviewed by the Governor and Council on the twentieth day of November, 1963, that a majority of said votes were in favor of this amendment; namely,

49,966 for, and
19,294 opposed;

NOW, THEREFORE, I, John H. Reed, Governor of the State of Maine, do proclaim the Constitution of the State of Maine amended as proposed and, in

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accordance with the provisions of this said Resolve, the amendment shall hereupon, as of the date of this proclamation, become a part of the Constitution.

Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine this twentieth day of November, in the year of our Lord, One Thousand Nine Hundred and Sixty-three, and of the Independence of the United States of America, the One Hundred and Eighty-eighth.

JOHN H. REED,
Governor of Maine

By the Governor :

JOSEPH T. EDGAR,
Deputy Secretary of State

STATE OF MAINE

PROCLAMATION BY THE GOVERNOR

WHEREAS, I deem it necessary that the Legislature of this State should convene in special session for the following purposes :

To consider legislation relating to the apportionment of the House of Representatives ;

To consider legislation pertaining to the public assistance programs administered by the Department of Health and Welfare ;

To consider legislation revising the Maine Employment Security laws ;

To consider legislation to promote mining in this State ;

To consider any other legislation to promote the general welfare of the State.

NOW, THEREFORE, I, JOHN H. REED, Governor of the State of Maine, by virtue of the power vested in me as Governor, convene the Legislature of this State, hereby requiring the Senators and Representatives to assemble in their respective chambers at the Capitol at Augusta on Monday, the sixth day of January 1964, at four o'clock in the afternoon in order to receive such communication as may then be made to them and to consider and determine on such measures as in their judgment will best promote the welfare of the State.

Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine, this thirteenth day of December in the year of our Lord One Thousand Nine Hundred and Sixty-three, and of the Independence of the United States of America, the One Hundred and Eighty-eighth.

JOHN H. REED,
Governor

By the Governor :

PAUL A. MacDONALD,
Secretary of State

STATE OF MAINE

PROCLAMATION BY THE GOVERNOR

WHEREAS, I deem it advisable that the Legislature of this State should meet in special session for the purpose of considering the following legislation :

Enactment of the Revised Statutes of 1964 and acts relating thereto ;

Authorizing a General Fund Bond Issue for construction and equipment of pollution abatement facilities and acts relating thereto,

Pertaining to School Administrative Districts Nos. 31 and 34 and creating new School Administrative Districts ;

Relating to composition of certain District Court Districts ;

Authorizing the Maine-New Hampshire Interstate Bridge Authority to install a draw span on the Piscataqua River Bridge ;

Authorizing the Attorney General to convey certain land to the Town of Raymond ;

An Act Recreating the Constitutional Commission ;

To consider any other legislation to promote the general welfare of the State.

NOW, THEREFORE, I, JOHN H. REED, Governor of the State of Maine, by virtue of the power vested in me as Governor, convene the Legislature of this State, hereby requiring the Senators and Representatives to assemble in their

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respective chambers at the Capitol at Augusta on Monday, the twenty-eighth day of September, 1964, at ten o'clock in the morning in order to receive such communication as may then be made to them and to consider and determine on such measures as in their judgment will best promote the welfare of the State.

Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine, this eighth day of September in the year of our Lord One Thousand Nine Hundred and Sixty-four, and of the Independence of the United States of America, the One Hundred and Eighty-ninth.

JOHN H. REED,
Governor

By the Governor:

PAUL A. MacDONALD,
Secretary of State

STATE OF MAINE

PROCLAMATION BY THE GOVERNOR

Authorization of the Amendment to the Constitution to Provide for Taking Oaths of Senators and Representatives in Absence of Governor and Council.

WHEREAS, the One Hundred and First Legislature of the State of Maine, by a Resolve passed by a concurrent vote of both branches and approved June 25, 1963, proposed to the electors of said State the following amendment to the Constitution, to wit:

“The last paragraph of Section 1 of Article IX of the Constitution is amended to read as follows:

“The oaths or affirmations shall be taken and subscribed by the Governor and Counsellors before the presiding officer of the Senate, in the presence of both houses of the Legislature, and by the Senators and Representatives before the Governor and Council, and by the residue of said officers before such persons as shall be prescribed by the Legislature; and whenever the Governor or any Counsellor shall not be able to attend during the session of the Legislature to take and subscribe said oaths or affirmations, such oaths or affirmations may be taken and subscribed in the recess of the Legislature before any Justice of the Supreme Judicial Court and provided further that, if the Governor shall be unable to appear and administer the oath to the Senators and Representatives, such oaths shall be administered by the Chief Justice of the Supreme Judicial Court or in his absence, by the Senior Associate Justice of said Supreme Ju-

dicial Court present at the State Capitol on the first day of the term for which said Senators and Representatives shall have been elected," and

WHEREAS, it appears by the return of votes given in by the electors of the various cities, towns and plantations, voting upon said amendment as directed in the aforementioned Resolve, upon the third day of November, nineteen hundred and sixty-four, and reviewed by the Governor and Council on the eighteenth day of November, nineteen hundred and sixty-four, that a majority of said votes were in favor of this amendment ; namely,

179,451 for, and
65,193 opposed ;

NOW, THEREFORE, I, John H. Reed, Governor of the State of Maine, do proclaim the Constitution of the State of Maine amended as proposed and, in accordance with the provisions of this said Resolve, the amendment shall hereupon, as of the date of this proclamation, become a part of the Constitution.

Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine this eighteenth day of November, in the year of our Lord, One Thousand Nine Hundred and Sixty-four, and of the Independence of the United States of America, the One Hundred and Eighty-ninth.

JOHN H. REED,
Governor

By the Governor :

JOSEPH T. EDGAR,
Deputy Secretary of State

STATE OF MAINE

PROCLAMATION BY THE GOVERNOR

Authorization of the Amendment to the Constitution Eliminating the Requirement that the Governor Communicate Pardons to the Legislature.

WHEREAS, the One Hundred and First Legislature of the State of Maine, by a Resolve passed by a concurrent vote of both branches and approved June 25, 1963, proposed to the electors of said State the following amendment to the Constitution, to wit :

"The last sentence of Section 11 of Part First of Article V of the Constitution is repealed." and

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WHEREAS, it appears by the return of votes given in by the electors of the various cities, towns and plantations, voting upon said amendment as directed in the aforementioned Resolve, upon the third day of November, nineteen hundred and sixty-four, and reviewed by the Governor and Council on the eighteenth day of November, nineteen hundred and sixty-four, that a majority of said votes were in favor of this amendment; namely,

149,582 for, and
98,581 opposed;

NOW, THEREFORE, I, John H. Reed, Governor of the State of Maine, do proclaim the Constitution of the State of Maine amended as proposed and, in accordance with the provisions of this said Resolve, the amendment shall hereupon, as of the date of this proclamation, become a part of the Constitution.

Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine this eighteenth day of November, in the year of our Lord, One Thousand Nine Hundred and Sixty-four, and of the Independence of the United States of America, the One Hundred and Eighty-ninth.

JOHN H. REED,
Governor

By the Governor:

JOSEPH T. EDGAR,
Deputy Secretary of State

STATE OF MAINE

PROCLAMATION BY THE GOVERNOR

Authorization of the Amendment to the Constitution to Revise Article VI
Relating to the Judicial Power.

WHEREAS, the One Hundred and First Legislature of the State of Maine, by a Resolve passed by a concurrent vote of both branches and approved June 25, 1963, proposed to the electors of said State the following amendment to the Constitution, to wit:

“Article VI of the Constitution is repealed and the following enacted in place thereof:

'ARTICLE VI.

Judicial Power.

Section 1. The judicial power of this State shall be vested in a Supreme Judicial Court, and such other courts as the Legislature shall from time to time establish.

Section 2. The Justices of the Supreme Judicial Court and the judges of other courts shall, at stated times receive a compensation, which shall not be diminished during their continuance in office, but they shall receive no other fee or reward for their services as justices or judges.

Section 3. The Justices of the Supreme Judicial Court shall be obliged to give their opinion upon important questions of law, and upon solemn occasions, when required by the Governor, Senate or House of Representatives.

Section 4. All judicial officers shall hold their offices for the term of seven years from the time of their respective appointments (unless sooner removed by impeachment or by address of both branches of the Legislature to the executive, provided further that justices of the peace may be removed from office in such manner as the Legislature may provide) and no longer, unless reappointed thereto.

Section 5. No Justice of the Supreme Judicial Court or any other court shall hold office under the United States or any other state, nor under this State, except as justice of the peace or as member of the Judicial Council.

Section 6. Judges and registers of probate shall be elected by the people of their respective counties, by a plurality of the votes given in, at the biennial election on the Tuesday following the first Monday of November, and shall hold their offices for four years, commencing on the first day of January next after their election. Vacancies occurring in said offices by death, resignation or otherwise, shall be filled by election in manner aforesaid at the November election, next after their occurrence; and in the meantime, the Governor, with the advice and consent of the Council, may fill said vacancies by appointment, and the persons so appointed shall hold their offices until the first day of January next after the election aforesaid.' " and

WHEREAS, it appears by the return of votes given in by the electors of the various cities, towns and plantations, voting upon said amendment as directed in the aforementioned Resolve, upon the third day of November, nineteen hundred and sixty-four, and reviewed by the Governor and Council on the eighteenth day of November, nineteen hundred and sixty-four, that a majority of said votes were in favor of this amendment; namely,

143,614 for, and
79,095 opposed;

NOW, THEREFORE, I, John H. Reed, Governor of the State of Maine, do proclaim the Constitution of the State of Maine amended as proposed and, in accordance with the provisions of this said Resolve, the amendment shall hereupon, as of the date of this proclamation, become a part of the Constitution.

Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine this eighteenth day of November, in the year of our Lord, One Thousand Nine Hundred and Sixty-four, and of the Independence of the United States of America, the One Hundred and Eighty-ninth.

JOHN H. REED,
Governor

By the Governor:

JOSEPH T. EDGAR,
Deputy Secretary of State

STATE OF MAINE

PROCLAMATION BY THE GOVERNOR

Authorization of the Amendment to the Constitution Eliminating Requirements
Relating to Warrants for Public Money and Publication of Receipts and
Expenditures.

WHEREAS, the One Hundred and First Legislature of the State of Maine, by a Resolve passed by a concurrent vote of both branches and approved June 25, 1963, proposed to the electors of said State the following amendment to the Constitution, to wit:

"Section 4 of Part Fourth of Article V of the Constitution is amended to read as follows:

'Section 4. No money drawn except upon appropriation. No money shall be drawn from the treasury, except in consequence of appropriations or allocations authorized by law.' " and

WHEREAS, it appears by the returns of votes given in by the electors of the various cities, towns and plantations, voting upon said amendment as directed in the aforementioned Resolve, upon the third day of November, nineteen hundred and sixty-four, and reviewed by the Governor and Council on the eighteenth day of November, nineteen hundred and sixty-four, that a majority of said votes were in favor of this amendment; namely,

131,407 for, and
102,809 opposed;

NOW, THEREFORE, I, John H. Reed, Governor of the State of Maine, do proclaim the Constitution of the State of Maine amended as proposed and, in accordance with the provisions of this said Resolve, the amendment shall hereupon, as of the date of this proclamation, become a part of the Constitution.

Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine this eighteenth day of November, in the year of our Lord, One Thousand Nine Hundred and Sixty-four, and of the Independence of the United States of America, the One Hundred and Eighty-ninth.

JOHN H. REED,
Governor

By the Governor:

JOSEPH T. EDGAR,
Deputy Secretary of State

STATE OF MAINE

PROCLAMATION BY THE GOVERNOR

Authorization of the Amendment to the Constitution Clarifying Provisions Governing Assumption of Office of Governor by the President of the Senate or the Speaker of the House.

WHEREAS, the One Hundred and First Legislature of the State of Maine, by a Resolve passed by a concurrent vote of both branches and approved June 27, 1963, proposed to the electors of said State the following amendment to the Constitution, to wit:

“Section 14 of Part First of Article V of the Constitution, as amended, is further amended to read as follows:

‘Section 14. Whenever the office of the Governor shall become vacant, the President of the Senate shall assume the office of Governor until another Governor shall be duly qualified. When the vacancy occurs more than ninety days preceding the date of the primary election for nominating candidates to be voted for at the biennial election next succeeding, the President of the Senate shall assume the office of Governor until the first Wednesday of January following the biennial election. At the biennial election, a Governor shall be elected to fill the unexpired term created by the vacancy. When the vacancy occurs less than ninety days preceding the date of a primary election the President of the Senate shall fill the unexpired term.

Whenever the offices of Governor and President of the Senate are vacant at the same time, the Speaker of the House of Representatives shall assume the office of Governor for the same term and under the same conditions as the President of the Senate.

Whenever the offices of Governor, President of the Senate and Speaker of the House of Representatives are vacant at the same time, the person acting as Secretary of State for the time being shall exercise the office of Governor and shall forthwith by proclamation convene the Senate and the House of Representatives which shall fill respectively the vacancies in the office of the President of the Senate and the Speaker of the House, and by joint ballot of the Senators and Representatives in convention choose a person who shall assume the office of Governor for the same term and under the same conditions as the President of the Senate. Whenever either the President of the Senate or Speaker of the House of Representatives shall assume said office of Governor, he shall receive only the compensation of Governor, but his duties as President or Speaker shall be suspended; and the Senate or House shall fill the vacancy resulting from such suspension, until his duties as Governor shall cease.'” and

WHEREAS, it appears by the returns of votes given in by the electors of the various cities, towns and plantations, voting upon said amendment as directed in the aforementioned Resolve, upon the third day of November, nineteen hundred and sixty-four, and reviewed by the Governor and Council on the eighteenth day of November, nineteen hundred and sixty-four, that a majority of said votes were in favor of this amendment, namely,

171,113 for, and
59,170 opposed;

NOW, THEREFORE, I, John H. Reed, Governor of the State of Maine, do proclaim the Constitution of the State of Maine amended as proposed and, in accordance with the provisions of this said Resolve, the amendment shall hereupon, as of the date of this proclamation, become a part of the Constitution.

Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine this eighteenth day of November, in the year of our Lord, One Thousand Nine Hundred and Sixty-four, and of the Independence of the United States of America, the One Hundred and Eighty-ninth.

JOHN H. REED,
Governor

By the Governor:

JOSEPH T. EDGAR,
Deputy Secretary of State

STATE OF MAINE

PROCLAMATION BY THE GOVERNOR

Authorization of the Amendment to the Constitution Designating Procedure for Determining the Election of Governor.

WHEREAS, the One Hundred and First Legislature of the State of Maine, by a Resolve passed by a concurrent vote of both branches and approved June 27, 1963, proposed to the electors of said State the following amendment to the Constitution, to wit:

“Section 3 of Part First of Article V of the Constitution as amended, is repealed and the following enacted in place thereof:

‘Section 3. Election; votes to be returned to Secretary of State; provision in case of a tie. The meetings for election of Governor shall be notified, held and regulated and votes shall be received, sorted, counted and declared and recorded, in the same manner as those for Senators and Representatives. Copies of lists of votes shall be sealed and returned to the secretary’s office in the same manner and at the same time as those for Senators. The Secretary of State for the time being shall, on the first Wednesday of January then next, lay the lists returned to the secretary’s office before the Senate and House of Representatives to be by them examined, together with the ballots cast if they so elect, and they shall determine the number of votes duly cast for the office of Governor, and in case of a choice by plurality of all of the votes returned they shall declare and publish the same. If there shall be a tie between the two persons having the largest number of votes for Governor, the House of Representatives and the Senate meeting in joint session, and each member of said bodies having a single vote, shall elect one of said two persons having so received an equal number of votes and the person so elected by the Senate and House of Representatives shall be declared the Governor.’” and

WHEREAS, it appears by the return of votes given in by the electors of the various cities, towns and plantations, voting upon said amendment as directed in the aforementioned Resolve, upon the third day of November, nineteen hundred and sixty-four, and reviewed by the Governor and Council on the eighteenth day of November, nineteen hundred and sixty-four, that a majority of said votes were in favor of this amendment; namely,

156,407 for, and
74,441 opposed

NOW, THEREFORE, I, John H. Reed, Governor of the State of Maine, do proclaim the Constitution of the State of Maine amended as proposed and, in accordance with the provisions of this said Resolve, the amendment shall hereupon, as of the date of this proclamation, become a part of the Constitution.

Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine this eighteenth day of November, in the year of our Lord, One Thousand Nine Hundred and Sixty-four, and of the Independence of the

PROCLAMATION BY GOVERNOR

United States of America, the One Hundred and
Eighty-ninth.

JOHN H. REED,
Governor

By the Governor:

JOSEPH T. EDGAR,
Deputy Secretary of State

STATE OF MAINE

PROCLAMATION BY THE GOVERNOR

Authorization of the Amendment to the Constitution Relating to Authority of
Governor as Commander in Chief.

WHEREAS, the One Hundred and First Legislature of the State of Maine, by a Resolve passed by a concurrent vote of both branches and approved June 27, 1963, proposed to the electors of said State the following amendment to the Constitution, to wit:

“Section 7 of Part First of Article V of the Constitution is amended to read as follows:

‘Section 7. Commander in Chief of the Militia. He shall be Commander in Chief of the Army and Navy of the State, and of the Militia, except when the same are called into the actual service of the United States.’” and

WHEREAS, it appears by the return of votes given in by the electors of the various cities, towns and plantations, voting upon said amendment as directed in the aforementioned Resolve, upon the third day of November, nineteen hundred and sixty-four, and reviewed by the Governor and Council on the eighteenth day of November, nineteen hundred and sixty-four, that a majority of said votes were in favor of this amendment; namely,

147,984 for, and
83,335 opposed;

NOW, THEREFORE, I, John H. Reed, Governor of the State of Maine, do proclaim the Constitution of the State of Maine amended as proposed and, in accordance with the provisions of this said Resolve, the amendment shall hereupon, as of the date of this proclamation, become a part of the Constitution.

Given at the office of the Governor at Augusta
and sealed with the Great Seal of the State of
Maine this eighteenth day of November, in the

year of our Lord, One Thousand Nine Hundred and Sixty-four, and of the Independence of the United States of America, the One Hundred and Eighty-ninth.

JOHN H. REED,
Governor

By the Governor:

JOSEPH T. EDGAR,
Deputy Secretary of State

STATE OF MAINE

PROCLAMATION BY THE GOVERNOR

Authorization of the Amendment to the Constitution Increasing the Amount Available for Guaranteed Loans for Industrial Purposes.

WHEREAS, the One Hundred and First Legislature of the State of Maine, by a Resolve passed by a concurrent vote of both branches and approved January 8, 1964, proposed to the electors of said State the following amendment to the Constitution, to wit:

“Section 14-A of Article IX of the Constitution, as enacted by Article LXXXII, is repealed and the following enacted in place thereof:

‘Section 14-A. For the purposes of fostering, encouraging and assisting the physical location, settlement and resettlement of industrial and manufacturing enterprises within the State, the Legislature by proper enactment may insure the payment of mortgage loans on the real estate within the State of such industrial and manufacturing enterprises not exceeding in the aggregate \$40,000,000 in amount at any one time and may also appropriate moneys and authorize the issuance of bonds on behalf of the State at such times and in such amounts as it may determine to make payments insured as aforesaid.’” and

WHEREAS, it appears by the returns of votes given in by the electors of the various cities, towns and plantations, voting upon said amendment as directed in the aforementioned Resolve, upon the third day of November, nineteen hundred and sixty-four, and reviewed by the Governor and Council on the eighteenth day of November, nineteen hundred and sixty-four, that a majority of said votes were in favor of this amendment; namely,

164,855 for, and
69,658 opposed;

NOW, THEREFORE, I, John H. Reed, Governor of the State of Maine, do proclaim the Constitution of the State of Maine amended as proposed and, in accordance with the provisions of this said Resolve, the amendment shall hereupon, as of the date of this proclamation, become a part of the Constitution.

Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine this eighteenth day of November, in the year of our Lord, One Thousand Nine Hundred and Sixty-four, and of the Independence of the United States of America, the One Hundred and Eighty-ninth.

JOHN H. REED,
Governor

By the Governor:

JOSEPH T. EDGAR,
Deputy Secretary of State

STATE OF MAINE

PROCLAMATION BY THE GOVERNOR

Authorization of the Amendment to the Constitution Clarifying Procedure for Delivering Election Returns to the Secretary of State by Municipalities.

WHEREAS, the One Hundred and First Legislature of the State of Maine, by a Resolve passed by a concurrent vote of both branches and approved January 17, 1964, proposed to the electors of said State the following amendment to the Constitution, to wit:

"The 3rd sentence of Section 5 of Part First of Article IV of the Constitution, as repealed and replaced by Article LXXXVIII, is amended to read as follows:

'Fair copies of the lists of votes shall be attested by the municipal officers and the clerks of the cities and towns and the city and town clerks respectively shall cause the same to be delivered into the office of the Secretary of State forthwith.'

The 2nd sentence of Section 2 of Part Second of Article IV of the Constitution is amended to read as follows:

'Fair copies of the lists of votes shall be attested by the municipal officers and the clerks of the cities and towns and the city and town clerks, respectively, shall cause the same to be delivered into the office of the Secretary of State forthwith.'" and

WHEREAS, it appears by the return of votes given in by the electors of the various cities, towns and plantations, voting upon said amendment as directed in the aforementioned Resolve, upon the third day of November, nineteen hundred and sixty-four, and reviewed by the Governor and Council on the eighteenth day of November, nineteen hundred and sixty-four, that a majority of said votes were in favor of this amendment; namely,

178,614 for, and
52,836 opposed

NOW, THEREFORE, I, John H. Reed, Governor of the State of Maine, do proclaim the Constitution of the State of Maine amended as proposed and, in accordance with the provisions of this said Resolve, the amendment shall hereupon, as of the date of this proclamation, become a part of the Constitution.

Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine this eighteenth day of November, in the year of our Lord, One Thousand Nine Hundred and Sixty-four, and of the Independence of the United States of America, the One Hundred and Eighty-ninth.

JOHN H. REED,
Governor

By the Governor:

JOSEPH T. EDGAR,
Deputy Secretary of State

STATE OF MAINE

PROCLAMATION BY THE GOVERNOR

AN ACT to Authorize General Fund Bond Issue in Amount of Twenty-five Million Dollars and to Appropriate Moneys for Construction and Equipment of Pollution Abatement Facilities.

WHEREAS, the One Hundred and First Legislature of the State of Maine by an act entitled,

“AN ACT to Authorize General Fund Bond Issue in Amount of Twenty-five Million Dollars and to Appropriate Moneys for Construction and Equipment of Pollution Abatement Facilities,”

passed by a concurrent vote of both branches and approved September 30, 1964, which said act is known and identified as Chapter 235 of the Private and Special

Laws of 1963, enacted said measure expressly conditioned upon the people's ratification by a referendum vote at the state-wide election to be held on the Tuesday following the first Monday of November, 1964, and

WHEREAS, it appears by the return of votes given in by the electors of the various cities, towns and plantations voting upon said act, upon the third day of November, 1964, and reviewed by the Governor and Council on the eighteenth day of November, 1964, that a majority of said votes were in favor of this act becoming a law ; namely,

222,242 for, and
81,469 opposed ;

NOW, THEREFORE, I, John H. Reed, Governor of the State of Maine, in pursuance of the provisions of the Constitution of said State in such case provided declare said measure adopted, to take effect and become a law as of the date of this proclamation.

Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine this eighteenth day of November, in the year of our Lord, One Thousand Nine Hundred and Sixty-four, and of the Independence of the United States of America, the One Hundred and Eighty-ninth.

JOHN H. REED,
Governor

By the Governor :

JOSEPH T. EDGAR,
Deputy Secretary of State