

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Sixth Legislature  
1ST SPECIAL SESSION  
JANUARY 2, 1974 TO MARCH 29, 1974  
AND BY THE  
One Hundred and Seventh Legislature  
REGULAR SESSION  
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,  
SECTION 164, SUBSECTION 6.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1975

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**SELECTED  
PROCLAMATIONS**

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## STATE OF MAINE

## PROCLAMATION BY THE GOVERNOR

WHEREAS, the One Hundred and Sixth Legislature of the State of Maine, convening upon the first Wednesday of January in the year of our Lord one thousand nine hundred and seventy-four, in First Special Session, duly enacted a Public Law entitled, "An Act to Change Weights and Related Provisions for Commercial Vehicles," which law appears in the Public Laws of the State of Maine for the year 1973 as Chapter 796, and

WHEREAS, written petitions bearing the signatures of 39,783 electors of this State, which number is in excess of ten per cent of the total vote for Governor cast in the last gubernatorial election preceding the filing of such petitions, were addressed to the Governor and were filed in the office of the Secretary of State within ninety days after the recess of the said One Hundred and Sixth Legislature, in First Special Session, requesting that said act be referred to the people and it therefore appears that said Public Act is suspended by said petitions under the provisions of the Constitution of Maine,

NOW, THEREFORE, I, Kenneth M. Curtis, Governor of the State of Maine do hereby declare that the act entitled "An Act to Change Weights and Related Provisions for Commercial Vehicles," designated as Chapter 796 of the Public Laws of 1973, has been suspended, and

WHEREAS, said petitioners requested that an election be called on November 5, 1974 in accordance with the provisions of the Constitution of Maine, and

WHEREAS, under the provisions of Section 17 of Part Third of Article IV of the Constitution of Maine, such election shall be held at the next general election not less than sixty days after such proclamation,

NOW, THEREFORE, I hereby designate the Tuesday following the first Monday in November, being the fifth day of said month, in the year of our Lord one thousand nine hundred and seventy-four as the time on which the above-mentioned Public Act shall be voted on by the people of the State, in accordance with the Constitutional provisions, and the question shall be: "Shall Chapter 796 of the Public Laws of 1973, enacted by the First Special Session of the 106th Legislature, and approved by the Governor, entitled 'AN ACT to Change Weights and Related Provisions for Commercial Vehicles,' become law?"

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

By the Governor:  
JOSEPH T. EDGAR,  
Secretary of State

KENNETH M. CURTIS,  
Governor

STATE OF MAINE  
**PROCLAMATION BY THE GOVERNOR**

AN ACT to Authorize Bond Issue in the Amount of \$7,800,000 to Build State Highways.

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

“AN ACT to Authorize Bond Issue in the Amount of \$7,800,000 to Build State Highways,”

passed by concurrent vote of both branches and approved June 28, 1973, which said act is known and identified as Chapter 110 of the Private and Special Laws of 1973, enacted said measure expressly conditioned upon the people’s ratification by a referendum vote at the General Election to be held on the Tuesday following the first Monday of November, 1974; 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 fifth day of November, 1974, and reviewed by the Governor and Council on the twenty-first day of November, 1974, that a majority of said votes were in favor of this act becoming law; namely,

255,141 for, and  
 93,602 opposed;

NOW, THEREFORE, I, Kenneth M. Curtis, 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 thirty days after 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 twenty-first day of November, in the year of our Lord, One Thousand Nine Hundred and Seventy-four, and of the Independence of the United States of America, the One Hundred and Ninety-ninth.

KENNETH M. CURTIS,  
 Governor

By the Governor:  
 JOSEPH T. EDGAR,  
 Secretary of State

STATE OF MAINE  
PROCLAMATION BY THE GOVERNOR

AN ACT to Authorize Bond Issues in the Amount of \$25,000,000 to Provide Funds for School Building Construction.

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

“AN ACT to Authorize Bond Issues in the Amount of \$25,000,000 to Provide Funds for School Building Construction,”

passed by a concurrent vote of both branches and approved July 5, 1973, which said act is known and identified as Chapter 136 of the Private and Special Laws of 1973, enacted said measure expressly conditioned upon the people's ratification by a referendum vote at the General Election to be held on the Tuesday following the first Monday of November, 1974; 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 fifth day of November, 1974, and reviewed by the Governor and Council on the twenty-first day of November, 1974, that a majority of said votes were in favor of this act becoming law; namely,

206,097 for, and  
127,159 opposed;

NOW, THEREFORE, I, Kenneth M. Curtis, 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 thirty days after 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 twenty-first day of November, in the year of our Lord, One Thousand Nine Hundred and Seventy-four, and of the Independence of the United States of America, the One Hundred and Ninety-ninth.

KENNETH M. CURTIS,  
Governor

By the Governor:  
JOSEPH T. EDGAR,  
Secretary of State

## STATE OF MAINE

## PROCLAMATION BY THE GOVERNOR

Proposing an Amendment to the Constitution to Eliminate the Three-month Voting Residence Requirement Following a Change of Residence Within the State.

WHEREAS, the One Hundred and Sixth Legislature of the State of Maine by a Constitutional Resolution passed by a concurrent vote of both branches January 23, 1974, proposed to the electors of said State the following amendment to the Constitution, to wit:

The first sentence of Section 1 of Article II of the Constitution is amended to read as follows:

'Every citizen of the United States of the age of eighteen years and upwards, excepting persons under guardianship for reasons of mental illness, having his or her residence established in this State, shall be an elector for Governor, Senators and Representatives, in the city, town or plantation where his or her residence has been established, if he or she continues to reside in this State, unless barred by the provisions of the second paragraph of this section; and the elections shall be by written ballot.'

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 Constitutional Resolution at the General Election on the Tuesday following the first Monday of November, being the fifth day of November, 1974, and reviewed by the Governor and Council on the twenty-first day of November, 1974, that a majority of said votes were in favor of this amendment; namely,

217,445 for, and  
110,588 opposed;

NOW, THEREFORE, I, Kenneth M. Curtis, 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 Constitutional Resolution, 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 twenty-first day of November, in the year of our Lord, One Thousand Nine Hundred and Seventy-four, and of the Independence of the United States of America, the One Hundred and Ninety-ninth.

KENNETH M. CURTIS,  
Governor

By the Governor:  
JOSEPH T. EDGAR,  
Secretary of State

## STATE OF MAINE

## PROCLAMATION BY THE GOVERNOR

Proposing an Amendment to the Constitution to Provide for Appointment of Justices of the Peace and Notaries Public to an Initial Term by the Governor with the Approval of the Executive Council and for Additional Terms of These Officers to be by Renewal of Commission, as Provided by Law.

WHEREAS, the One Hundred and Sixth Legislature of the State of Maine by a Constitutional Resolution passed by a concurrent vote of both branches February 28, 1974, proposed to the electors of said State the following amendment to the Constitution, to wit:

Section 8 of Part First of Article V of the Constitution is amended to read as follows:

'Section 8. To nominate officers. He shall nominate, and, with the advice and consent of the Council, appoint all judicial officers (except judges of probate), coroners, and notaries public, except that he shall appoint justices of the peace and notaries public for an initial term only, and additional terms of these officers shall be by renewal of commission, as provided by law; and he shall also nominate, and with the advice and consent of the Council, appoint all other civil and military officers, whose appointment is not by this Constitution, or shall not by law be otherwise provided for, except the land agent; and every such nomination shall be made seven days, at least, prior to such appointment.'

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 Constitutional Resolution at the General Election on the Tuesday following the first Monday of November, being the fifth day of November, 1974, and reviewed by the Governor and Council on the twenty-first day of November, 1974, that a majority of said votes were in favor of this amendment; namely,

214,353 for, and  
96,554 opposed;

NOW, THEREFORE, I, Kenneth M. Curtis, 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 Constitutional Resolution, 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 twenty-first day of November, in the year of our Lord, One Thousand Nine Hundred and Seventy-four, and of the Independence of the United States of America, the One Hundred and Ninety-ninth.

By the Governor:

JOSEPH T. EDGAR,  
Secretary of State

KENNETH M. CURTIS,  
Governor



STATE OF MAINE  
**PROCLAMATION BY THE GOVERNOR**

AN ACT Providing for a State Lottery.

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

“AN ACT Providing for a State Lottery,”

passed by a concurrent vote of both branches and approved June 29, 1973, which said act is known and identified as Chapter 570 of the Public Laws of 1973, enacted said measure expressly conditioned upon the people’s ratification by a referendum vote at the Special Election to be held on the Tuesday following the first Monday of November, 1973, 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 sixth day of November, 1973, and reviewed by the Governor and Council on the twentieth day of November, 1973, that a majority of said votes were in favor of this act becoming law; namely,

154,911 for, and  
 90,433 opposed;

NOW, THEREFORE, I, Kenneth M. Curtis, 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 thirty days after 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 Seventy-three, and of the Independence of the United States of America, the One Hundred and Ninety-eighth.

By the Governor:  
 JOSEPH T. EDGAR,  
 Secretary of State

KENNETH M. CURTIS,  
 Governor

STATE OF MAINE  
**PROCLAMATION BY THE GOVERNOR**

AN ACT to Authorize Bond Issue in the Amount of \$3,000,000 for Acquisition of Real Property for State Parks.

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

“AN ACT to Authorize Bond Issue in the Amount of \$3,000,000 for Acquisition of Real Property for State Parks,”

passed by a concurrent vote of both branches and approved July 5, 1973, which said act is known and identified as Chapter 138 of the Private and Special Laws of 1973, enacted said measure expressly conditioned upon the people's ratification by a referendum vote at the Special Election to be held on the Tuesday following the first Monday of November, 1973; 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 sixth day of November, 1973, and reviewed by the Governor and Council on the twentieth day of November, 1973, that a majority of said votes were in favor of this act becoming law; namely,

150,497 for, and  
87,999 opposed;

NOW, THEREFORE, I, Kenneth M. Curtis, 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 thirty days after 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 Seventy-three, and of the Independence of the United States of America, the One Hundred and Ninety-eighth.

By the Governor:  
JOSEPH T. EDGAR,  
Secretary of State

KENNETH M. CURTIS,  
Governor

## STATE OF MAINE

### PROCLAMATION BY THE GOVERNOR

Proposing an Amendment to the Constitution Clarifying the Status of Bills Presented to the Governor and Time the Legislature Adjourns.

WHEREAS, the One Hundred and Sixth Legislature of the State of Maine by a Constitutional Resolution passed by a concurrent vote of both branches May 10, 1973, proposed to the electors of said State the following amendment to the Constitution, to wit:

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

'If the bill or resolution shall not be returned by the Governor within five days (Sundays excepted) after it shall have been presented to him, it shall have the same force and effect, as if he had signed it unless the Legislature by their adjournment prevent its return, in which case it shall have such force and effect, unless returned within three days after the next meeting of the same Legislature which enacted the bill or resolution; if there is no such next meeting of the Legislature which enacted the bill or resolution, the bill or resolution shall not be a law.'

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 Constitutional Resolution at the Special Election on the Tuesday following the first Monday of November, being the sixth day of November, 1973, and reviewed by the Governor and Council on the twentieth day of November, 1973, that a majority of said votes were in favor of this amendment; namely,

153,639 for, and  
68,446 opposed;

NOW, THEREFORE, I, Kenneth M. Curtis, 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 Constitutional Resolution, 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 Seventy-three, and of the Independence of the United States of America, the One Hundred and Ninety-eighth.

By the Governor:  
JOSEPH T. EDGAR,  
Secretary of State

KENNETH M. CURTIS,  
Governor

## STATE OF MAINE

### PROCLAMATION BY THE GOVERNOR

Proposing an Amendment to the Constitution Providing for Regulation of Municipal Borrowing by the Legislature.

WHEREAS, the One Hundred and Sixth Legislature of the State of Maine by a Constitutional Resolution passed by a concurrent vote of both branches May 3, 1973, proposed to the electors of said State the following amendment to the Constitution, to wit:

Section 15 of Article IX of the Constitution is repealed and the following enacted in place thereof:

'Section 15. Municipal indebtedness. The Legislature shall enact general law regulating the total borrowing capacity of municipal corporations.'

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 Constitutional Resolution at the Special Election on the Tuesday following the first Monday of November, being the sixth day of November, 1973, and reviewed by the Governor and Council on the twentieth day of November, 1973, that a majority of said votes were in favor of this amendment; namely,

122,555 for, and  
100,984 opposed;

NOW, THEREFORE, I, Kenneth M. Curtis, 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 Constitutional Resolution, 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 Seventy-three, and of the Independence of the United States of America, the One Hundred and Ninety-eighth.

KENNETH M. CURTIS,  
Governor

By the Governor:  
JOSEPH T. EDGAR,  
Secretary of State

## STATE OF MAINE

### PROCLAMATION BY THE GOVERNOR

Proposing an Amendment to the Constitution to Clarify Validity of Municipal Industrial Parks.

WHEREAS, the One Hundred and Sixth Legislature of the State of Maine by a Constitutional Resolution passed by a concurrent vote of both branches March 4, 1974, proposed to the electors of said State the following amendment to the Constitution, to wit:

Section 2 of Part Second of Article VIII of the Constitution is amended to read as follows:

'Section 2. For the purposes of fostering, encouraging and assisting the physical location, settlement and resettlement of industrial and manufacturing enterprises within the physical boundaries of any municipality, the registered voters of that municipality may, by majority vote, authorize the issuance of notes or bonds in the name of the municipality for the purpose of purchasing land and interests therein or constructing buildings for industrial use, to be leased or sold by the municipality to any responsible industrial firm or corporation.'

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 Constitutional Resolution at the General Election on the fifth day of November, 1974, and reviewed by the Governor and Council on the twenty-first day of November, 1974, that a majority of said votes were in favor of this amendment; namely,

239,953 for, and  
71,644 opposed;

NOW, THEREFORE, I, Kenneth M. Curtis, 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 Constitutional Resolution, 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 twenty-first day of November, in the year of our Lord, One Thousand Nine Hundred and Seventy-four, and of the Independence of the United States of America, the One Hundred and Ninety-ninth.

KENNETH M. CURTIS,  
Governor

By the Governor:  
JOSEPH T. EDGAR,  
Secretary of State

#### STATE OF MAINE

#### PROCLAMATION BY THE GOVERNOR

AN ACT to Authorize the Creation of the Maine Inland Fisheries and Game Acquisition Fund and the Issuance of Not Exceeding \$4,000,000 for the Financing Thereof.

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

"AN ACT to Authorize the Creation of the Maine Inland Fisheries and Game Acquisition Fund and the Issuance of Not Exceeding \$4,000,000 for the Financing Thereof,"

passed by a concurrent vote of both branches and approved July 3, 1973, which said act is known and identified as Chapter 118 of the Private and Special Laws of 1973, as amended by Chapter 183 of the Private and Special Laws of 1973 and approved February 4, 1974, enacted said measure expressly conditioned upon the people's ratification by a referendum vote at the Special Election to be held on the second Tuesday in June, 1974, 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 eleventh day of June, 1974, and reviewed by the Governor and Council on the twenty-sixth day of June, 1974, that a majority of said votes were in favor of this act becoming law; namely,

122,046 for, and  
56,323 opposed;

NOW, THEREFORE, I, Kenneth M. Curtis, 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 thirty days after 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 twenty-sixth day of June, in the year of our Lord, One Thousand Nine Hundred and Seventy-four, and of the Independence of the United States of America, the One Hundred and Ninety-ninth.

KENNETH M. CURTIS,  
Governor

By the Governor:  
JOSEPH T. EDGAR,  
Secretary of State