"Enacted with Amendment #484 as Resolves 1951, Chapter 179"

NEW DRAFT OF H. P. 1297—L. D. 855

NINETY-FIFTH LEGISLATURE

Legislative Document **No. 1320**

H. P. 1782 House of Representatives, April 24, 1951.

Reported by Mr. Jacobs from Committee on Appropriations and Financial Affairs and printed under Joint Rules No. 10.

HARVEY R. PEASE, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED FIFTY-ONE

RESOLVE, Proposing an Amendment to the Constitution to Clarify the Provisions That Relate to the State's Borrowing Power.

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. IX, § 14, repealed and replaced. Section 14 of Article IX of the constitution, as amended, is hereby repealed and the following enacted in place thereof:

'Section 14. The credit of the state shall not be directly or indirectly loaned in any case. The legislature shall not create any debt or debts, liability or liabilities, on behalf of the state, which shall singly, or in the aggregate, with previous debts and liabilities hereafter incurred at any one time, exceed ten million dollars, except to suppress insurrection, to repel invasion, or for purposes of war; and excepting also that whenever two-thirds of both houses shall deem it necessary, by proper enactment ratified by a majority of the electors voting thereon at a general or special election, the legislature may authorize the issuance of bonds on behalf of the state at such times and in such amounts and for such purposes as approved by such action; but this shall not be construed to refer to any money that has been, or may be deposited with this state by the government

of the United States, or to any fund which the state shall hold in trust for any Indian tribe. Whenever ratification by the electors is essential to the validity of bonds to be issued on behalf of the state, the question submitted to the electors shall be accompanied by at statement setting forth the total amount of bonds of the state outstanding and unpaid, the total amount of bonds of the state authorized and unissued, and the total amount of bonds of the state contemplated to be issued if the enactment submitted to the elecors be ratified.' And be it further

Certain sections repealed; exception. Resolved: That section 17 of Article IX of the constitution, as adopted by Article XXXV of the Amendments thereto, and heretofore amended by Articles XLIII, XLVIII, XLIX, LI, LII, LVIII and LXVIII of said Amendments, and section 21 of said Article IX, as adopted by Article LX of said Amendments, said sections appearing as section 17 and 18 in a codification of the constitution prepared pursuant to Article LXV of said Amendments, are hereby repealed, but such appeal shall not impair the validity of bonds of the state heretofore authorized, whether presently outstanding or to be issued hereafter according to the authorization therefor carried in Article LXVIII of the Amendments to said constitution.

Form of question and date when amendment shall be voted upon. 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 clarify the provisions that relate to the state's borrowing power?" 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, sorted, 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.