

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fifth Legislature

OF THE

STATE OF MAINE

1911

from the table, and on further motion by the same gentleman the resolve received its second reading and was passed to be engrossed.

On motion of Mr. Williamson the rules were suspended and that gentleman introduced Bill, An Act to amend Chapter 15 of the Revised Statutes, as amended by Chapter 238 of the Public Laws of 1909, relating to truant officers.

On motion of the same gentleman the rules were suspended and he introduced Bill, An Act to amend Chapter 40 of the Revised Statutes, as amended by Chapter 46 of the Public Laws of 1907, and Chapter 70 and 257 of the Public Laws of 1909, relating to employment of women and children.

Mr. WILLIAMSON: Mr. Speaker, the law relative to the inspector of factories, workshops, mines and quarries has passed the House and has been signed by the Governor. The commissioner of labor informs me that it was the intention to have the words "inspector of factories, workshops, mines and quarries" struck out and insert the words "or commissioner of labor;" otherwise we would have statutes enacted referring to an office which did not exist, but for some reason the amendments were not offered until after the act had gone through and been signed by the Governor. The labor commissioner has prepared these two bills correcting the error, which of course now becomes only a clerical error. I do not like to present bills at this time in the session, but if there is no objection I would move that the bills be received at this time and be given their several readings. I will say further that I have seen the chairman of the committee on labor and he has examined the bills and they meet with his approval.

On motion of Mr. Williamson the bills received their two readings and on further motion by the same gentleman the bills received their third reading and were passed to be engrossed.

On motion of Mr. Strickland of Bangor, resolve providing for the payment of certain deficiencies accrued prior to January 1, 1911, were taken from the table.

Mr. Strickland offered House Amendment A, to amend on page three by striking out for agricultural societies \$14,847.42; also by striking out on pages 16, 17, 18 and 19, \$35,630.72; and in the 19th line \$35,630.72, and inserting in place thereof \$20,783.30.

Mr. STRICKLAND: I will say, Mr. Speaker, that this \$14,000 was put into the deficiency bill but it does not belong there. The appropriation bill for 1911 carries that \$14,000 and if it remained in the bill that would leave \$28,000 for 1911. It was not a deficiency. It came to us incorrectly reported and if we let that pass it would be double that amount for this year. This practically corrects a clerical error.

The amendment was adopted and the resolve then received its second reading and was passed to be engrossed as amended.

Mr. TUCKER of Wiscasset: Mr. Speaker, yesterday I moved that a committee of conference be appointed in regard to the resolve in favor of myself as secretary of the committee on school for feeble minded. I wish now to move that we reconsider that action whereby we voted to appoint a committee of conference.

The motion was agreed to.

On further motion of Mr. Tucker, the House voted to concur with the Senate in referring the resolve to the committee on appropriations and financial affairs.

On motion of Mr. Davies of Yarmouth, the rules were suspended and that gentleman introduced a resolution addressed to our representatives in Congress in relation to parcels post.

On motion of Mr. Williamson of Augusta the resolution was tabled for printing.

On motion of Mr. Scates of Westbrook, House Resolve 31, relating to municipal indebtedness, was taken from the table.

Mr. SCATES: Mr. Speaker, I move the adoption of the majority report "ought to pass."

This resolve calls for an amendment to the Constitution of the State and provides that cities of 40,000 or more may increase their municipal indebtedness from five to seven per cent., a

gradual increase of one-quarter of one per cent. a year. This pertains to the city of Portland alone, because that is the only city in the State of 40,000 inhabitants and the only city that will have that population in the next 20 years. Some one has objected to it because they say that it may establish a bad precedent, that some other city of less population in the future may need an increase of their municipal indebtedness more than five per cent. Well, if they need the money for the benefit of their city, I don't know why they should not be allowed to do it. Furthermore, from the time of the adoption of the Constitution of this State in 1819 until 1878 there was no constitutional municipal debt limit I desire the members to bear in mind, in considering this question, that it will not affect your city or your town and it cannot; and I do not apprehend that any town pays any attention to this debt limit. You do not increase your appropriations or decrease them on that account.

Now why does Portland desire this? It is simply for this reason. Three years ago the city hall of Portland was destroyed by fire. Since then she has erected and nearly completed a city hall costing \$1,100,000. That has brought her up to her five per cent. debt limit. Now there are other improvements that the city of Portland must have. She must have a new police station. She must have a new fire station. She must have a new High school building costing nearly \$300,000. She must have better streets. Now as long as she has got to have these things, mind you, the city hall and the High school building and the police station and the fire station are not built for this year or next year, but they are built and will be built to accommodate the citizens of Portland for 25 or 100 years. It is not right that the people of Portland of 1911 and 1912 should be called upon to pay all of the expenses of those buildings which are to be for the use of future generations.

As this will not affect in any way any city or any town outside of the city of Portland, the citizens of Portland desire this Legislature to allow them

to work out her own destiny in her own way, and according to this resolve only one quarter of one per cent. can be added each year. She cannot increase her indebtedness more than \$155,000 a year, and if she should take advantage every year of that one quarter of one per cent. it would be 10 years before she could reach her seven per cent. debt limit; and so in behalf of the citizens of Portland we ask you to grant this. It is an amendment to the Constitution, it must be carried by this House by a two-thirds vote on its final passage, and then it must be submitted to the people of the State for their approval.

Mr. PETERS: Mr. Speaker, I simply want to state the reason which animated me in signing the minority report, because I realized that the people of Portland are in a difficult position. Possibly this would be a very beneficial measure to have passed, so far as Portland is concerned, but it is hardly true that Portland is the only community interested. There can be no amendment of the Constitution of this State which interests one locality alone and that justifies us in other parts of the State in going into this matter and taking a position one way or the other. It is perhaps a more important matter than you may appreciate. Anything which looks toward an amendment of the Constitution is of the greatest importance. You are also aware that the Constitution now prohibits and for many years has prohibited any debts of municipalities exceeding five per cent. of their valuation. The effect of this amendment is that the city of Portland is exempted from the constitutional debt limit. The substance and effect of this measure is that Portland alone is exempted from the Constitution and that there is a special constitutional limit for Portland and another for all the rest of the State. There did not appear to me to be any particular reason why we should go to the length suggested in amending the Constitution in order to authorize one locality to increase its debts. There was no more reason to my mind why we should make this limit 40,000 than there was to

make it 20,000. There are other cities in the State to my certain knowledge in very much the same condition as Portland on a smaller scale. If we adopt this precedent of exempting certain localities from the operation of the Constitution we are likely to be followed up by requests from other localities similarly situated who will come around and say, "We want an opportunity to increase our debt limit;" and for that reason I objected and signed the minority report believing it to be a matter of very bad State policy and very bad legislation.

Mr. MURPHY: Mr. Speaker, there may be other cities and towns that may need to increase their debt limit but they have not asked for it yet. Portland has asked for it because we need it. Portland is not hard up because they have been extravagant or wasteful, they are hard up because they could not help it. The gentleman from Westbrook has alluded to the fires which Portland has had the misfortune to suffer from. Portland aided in the building of the Ogdensburg railroad to the extent of some millions of dollars, also the Portland & Rochester Railroad. Now we are up against it. We do need the buildings that the gentleman from Westbrook said we needed and we cannot get them unless the city helps us to get them in a legitimate way. I hope this Resolve will have a passage. The city government either un-animously or by a large majority voted to pass a Resolve requesting the legislative committee to ask of this Legislature to enable them to raise the debt limit. The school committee has unanimously passed a resolution to that effect, and a majority of the school committee is Republican. There are only three out of the twelve members who are Democratic. Therefore I wish to state that the people of Portland irrespective of party are emphatically in favor of an increase in the debt limit.

Mr. WILLIAMSON: Mr. Speaker, I am heartily in favor of this measure but I wish to add to it an amendment which I think there can be no objection to and which applies solely to my own city.

The SPEAKER: The question is on the acceptance of the majority report.

The majority report was accepted.

Mr. Williamson offered Amendment A by adding after the word "further" in line eighteen the word "This resolution shall

not be construed to apply to the city of Augusta which is hereby declared to be forever the seat of Government of the State when it reaches the population of 40,000," and also by adding the same words after the word "made" in line thirty-eight.

On motion of Mr. Davies the amendment was tabled for printing.

The Speaker laid before the House Resolve in favor of the Penobscot tribe of Indians.

This Resolve containing an emergency clause required one hundred and one votes to receive a passage.

A division was had and the Resolve received its final passage by a vote of 120.

On motion of Mr. Bisbee of Rumford, petition of F. S. Skofield and others for change in the open season for fishing in Swift river, was taken from the table.

On motion of Mr. Bisbee the report of the committee was accepted.

On motion of Mr. Allen of Jonesboro, Bill, An Act relating to the observance of the Lord's day, was taken from the table.

Mr. Allen moved to correct a clerical error.

The SPEAKER: The correction will be made by the clerk.

The bill then received its third reading and was passed to be engrossed.

On motion of Mr. Plummer, Bill, An Act to extend the charter of the York Water, Light & Power Company, was taken from the table.

The bill then received its third reading and was passed to be engrossed.

On motion of Mr. Littlefield of Bluehill, Resolve in favor of the Eastern Maine Insane hospital, was taken from the table.

Mr. Littlefield offered House Amendment A by striking out the figures "\$108,850 and substituting in their place \$121,350."

The amendment was adopted, the resolve was then read a second time and was passed to be engrossed.

On motion of Mr. Plummer, An Act to incorporate the Northern Penobscot Water Company, was taken from the table.

The bill then received its third reading and was passed to be engrossed.

On motion of Mr. Plummer, Bill, An Act to extend the charter of the Weld