

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Eighty-Third Legislature

OF THE

STATE OF MAINE

1927

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

economic interests of our State nor with a sense of justice and fair dealing to all the citizens of Maine.

Respectfully submitted,
(Signed) RALPH O. BREWSTER,
Governor of Maine.

In the Senate:

Mr. CARTER of Androscoggin: Mr. President, I understand now that the veto message on the bill is before this body pending discussion and vote?

The PRESIDENT: It is, the pending question necessarily being, "shall this bill become a law notwithstanding the objections of the Governor?"

Mr. CARTER: Now, Mr. President, on a question, perhaps, of personal privilege, I wish to state that for many years I had been employed by the Maine Central Railroad Company, a corporation which would be affected by this act, never having had a salary, never having had a general retainer, but on the other hand I have many matters on my desk in my office pending litigation and I have ridden on a pass of the Maine Central Railroad for a great many years. I believe, therefore, that I am in a unique position in this legislature and, believing so, I have never taken part in any discussion on any matter affecting railroads and I now ask the Senate to excuse me from participation in this matter and from voting on the same.

The PRESIDENT: The Senator from Androscoggin, Senator Carter, for personal reasons very properly explained, asks to be excused from voting on this matter. Is it the pleasure of the Senate to excuse the senator?

Thereupon, Senator Carter of Androscoggin was excused by the Senate from voting on this matter.

The PRESIDENT: The question before the Senate is shall this bill become a law notwithstanding the objections of the Governor? This requires a yea and nay vote. As many as wish the bill to become a law notwithstanding the objections of the Governor will answer "yes" when their names are called. Those who wish to sustain the Governor will answer "no" when their names are called. Is there any senator who does not understand?

Mr. HARRIMAN of Kennebec: Mr. President, is the question debatable at this time?

The PRESIDENT: The question is debatable.

Mr. HARRIMAN: Mr. President: I should feel very unworthy of being a member of this Senate at this session if I did not express my attitude on this important question recording the sentiment of myself and the people I represent.

Now I do not want to go on record as doing anything that will be disastrous to the railroads but I believe in fairness to all the people of Maine that this bill should not pass.

The Republican party in its platform last summer declared for a reduction in taxes, meaning equal reduction to all tax payers and not to any special interests. It was my intention on the day that this bill was finally passed and sent to the Governor to ask that it be tabled in company with other measures calling for an appropriation to be considered all at the same time. Other appropriation bills are being tabled and they will be discussed when all are together and then cuts will be suggested to bring the total appropriation within a certain limit. If this certain limit will reduce the state tax rate, well and good. Let the railroads share in the reduction. If the state tax is not reduced, then I feel it is only right and just that the railroads tax remain as at present.

I have been an Assessor of a small rural town and I know the feeling of the people in that town when taxes are assessed every spring, and I also know the difficulty the tax collector has to get some of the taxes. Yet I have never heard the plea "My farm does not pay any dividends. I am running behind, I should have a substantial reduction in my taxes, let some one else make it up." As a matter of fact towns and states have to be run and the money it costs to run them has to be secured from somewhere. Yet no one comes up and says "here let me pay my part". Oh no, it is "Give us more wages for working on the roads etc. and let the other fellow pay." But who is the other fellow?

I heard someone arguing in the corridor yesterday that the price of coal may go up in 1928 and that together

with some other "maybe" was another reason why this bill should go through.

Now we may have a drouth next summer. We may have a severe hail storm. Some new pest may appear and the farmer should be relieved of a part of his tax burden for what may happen.

Being an officer of the State Grange I have heard their questions discussed from one end of the State to the other. It is the same old cry "Reduce taxes." Industries are crying "reduce the taxes", the railroads are still crying "reduce our taxes".

I say as a representative of the rural people, "use all alike." If we can reduce the taxes on farms and industries then give the railroads equal reduction and not till then.

In my opinion if the railroads were taxed on a property basis same as the farms and industries, their tax would be very much larger than it is today.

I hold in my hand a bill which is an exact copy of the one under discussion as far as the narrow guage and small broad guage roads are concerned, and if the passage of this bill is defeated I will ask unanimous consent to introduce the same so that the railroads that are in real need of this relief will get it. The amounts involved in these cases are very small as far as the state is concerned. Yet are of great importance to these small roads and the people they serve.

I believe that Governor Brewster is honestly striving to put the actual facts before us and that his message is not a "flagrant bit of Lobbying," as the newspapers would have us understand.

I want to go on record as supporting the Governor's veto on this message and hope the Senate will so vote.

Mr. ROBERTS of York: Mr. President, as chairman of the Taxation Committee which heard this bill I do not wish to enter into any discussion of this question. I assume that we all know how we are going to vote at the present time but two years ago a similar bill of this description was presented to the legislature and the committee on taxation reported unanimously "ought to pass." This year this bill has been presented, a much modified one, and the Committee on Taxation has unanimously reported "ought to pass." I make this

brief statement without going into any details and I hope this bill will receive a passage notwithstanding the objections of the Governor.

Mr. SPEIRS of Cumberland: Mr. President, according to the reports in the morning paper the Maine Central Railroad closed last year with a surplus of a million dollars, earning \$9.33 a share upon its common stock. It seems to me that a railroad having that surplus and earning that amount of money should have no reason for calling for the reduction in the matter of taxes. I find that in 1923 they earned \$3,200,000, in 1924, \$2,300,000 with some odd hundreds over and in 1925 they earned \$1,900,000 and the prospects are that in 1926 they will increase this by \$350,000. We have on our table here, tabled by the Committee on Appropriations, many resolves calling for help for the different sanitoriums and public institutions, the feeble-minded institution at Pownal, the Augusta Hospital and many others. These are held up because they do not think there will be money enough to allow them to go through. If there is not money enough for this purpose why should we reduce the taxes of a corporation that indicates it is well able to pay this sum of money? We tax the fishermen, who daily take their lives in their hands to earn their living, \$29,000 in order that we may get money enough to go through with our resolves. Besides the reduction which is coming here there is a bill which has just gone through denying passes to the Public Utilities Commission that will add from six to ten thousand dollars to this present fund. That is mostly used for the railroads and that will give at least ten thousand dollars more to be paid by the state for public utilities. I don't know that I can add anything more except to say that I believe that the Governor's estimate of \$1,650,000 is correct and that you will be adding a burden of from one-third to two-thirds of a mill on our present taxation if this bill goes through.

The PRESIDENT: Is there any further discussion? The question is, shall this bill become a law notwithstanding the objections of the Governor? As many as wish the bill to become a law notwithstanding the objections of the Governor will answer "yes" when their names are called. Those who wish to sustain the veto

of the Governor will answer "no" when their names are called. The Secretary will call the roll.

The Secretary called the roll.

Those voting "yes" were Senators Allen, Bond, Case, Crafts, Douglas, Drake, Dunbar, Dwinal, Foster, Granville, Holmes, Lord, Maher, Miner, Mitchell, Morrison, Nickerson, Oakes, Pinkham, Roberts, Smith, Slocum, Spear—23. Those voting "no" were Senators Bragdon, Buzzell, Harri-man, Perkins, Speirs, Woods—6.

Not voting, Senator Carter.

The PRESIDENT: Twenty-three having voted in the affirmative and six in the negative, the bill become a law notwithstanding the objections of the Governor.

From the House, the following order:

ORDERED, That a joint committee consisting of five members on the part of the House, appointed by the Speaker, and three members on the part of the Senate, appointed by the President, be authorized and instructed to forthwith investigate the conduct of the affairs of the State Highway Commission, specifically including contracts and proposals for purchase of material and supplies and purchases thereof made within ten months last past, also proposed changes in the personnel of officials and employees in the State Highway Department and reasons therefor, and the present methods of awarding contracts and purchasing supplies; with full power vested in said committee to summon and require the attendance of witnesses, the production of records, books and papers, and to take evidence pertinent to said matters. Said committee shall make prompt report to this Legislature, now in session, with its findings and recommendations as to any further action, by it deemed advisable, to be taken by the Legislature; together with any bill for appropriate remedial legislation.

In the House, read and passed, as amended by House Amendment "A."

In the Senate:

Mr. GRANVILLE of York: Mr. President, I offer Senate Amendment A to the order and move its passage:—

"Senate Amendment A. Amend by striking out the words 'made within ten months last past'."

The PRESIDENT: Is it the pleas-

ure of the Senate to adopt this amendment?

Mr. SPEAR of Cumberland: Mr. President, is it the idea of that amendment that the investigation shall be conducted forthwith or at some time in the future?

The PRESIDENT: The order reads "forthwith."

Mr. SPEAR: Mr. President, I move it lie on the table.

Mr. GRANVILLE: Mr. President, I would like—

The PRESIDENT: The question is not debatable unless the Senator from Cumberland, Senator Spear, will withdraw his motion temporarily.

Mr. SPEAR: I will withdraw the motion, Mr. President.

Mr. GRANVILLE: Mr. President, I would like to explain to the Senate that this strikes out the ten months limitation contained in the order as it originally passed the House as it would seem to enhance the value of the order if the committee were allowed the privilege of extending the investigation over a greater number of months, or years, if they see fit.

Mr. SPEAR: May I ask a question, Mr. President?

The PRESIDENT: You may.

Mr. SPEAR: As I understand the matter, it is the intention of this amendment that the investigation shall go right forward?

Mr. GRANVILLE: I will say, Mr. President, that that is the intention.

The PRESIDENT: Does the Senator from Cumberland, Senator Spear, permanently withdraw his motion to table?

Mr. SPEAR: I do, Mr. President.

The PRESIDENT: The question is now on the adoption of Senate Amendment A. Is it the pleasure of the Senate that the amendment be adopted?

Thereupon, Senate Amendment A was adopted.

Mr. GRANVILLE: Mr. President, I would now like to offer and move the adoption of Senate Amendment B to House Amendment A:—

"Senate Amendment B to House Amendment A. Amend by striking out 'funds in the treasury not otherwise appropriated' and inserting 'funds appropriated for expenses of the 83rd Legislature'."

Thereupon, Senate Amendment B was adopted and the order as amended by Senate Amendment A and Senate Amendment B was passed in non-concurrence.