

MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

HOUSE NO. 142

On motion of Representative Rounds of Portland, 2000 copies were ordered printed of the remarks of Representatives Clason and Washburn on Governor's Message relative to Ways and Bridges.

CLYDE R. CHAPMAN, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND NINETEEN

REMARKS of Representatives Clason and Washburn on Governor's Message relative to Ways and Bridges.

Mr. Clason of Lisbon Falls.—Mr. Speaker and Gentlemen:

I believe it is my duty as chairman on Ways and Bridges Committee on the part of the House to address you for a few moments upon the Message of Governor Milliken as read in this House last Friday morning by the clerk.

In order to bring out certain facts I must ask your indulgence while I refer to events which happened during the 78th Legislature. In that Legislature I was a member of the Ways and Bridges Committee. The usual number of special resolves for road work came to this committee; they were assigned for

hearings and hearings were held. When the Budget appeared no appropriation was found in it for special road resolves. The committee met in executive session and requested the Governor to be present and he complied with our request. We asked him to allow us a certain sum of money to be used for special road resolves and our request was granted.

Gentlemen: The Budget and the special road resolve appropriation lived very comfortably together in the 78th Legislature and to my knowledge there was no direct criticism of the financial administration during the past two years.

Gentlemen, I am going to repeat this clause: The Budget and the Special Road Resolve, which was called in the Governor's Message, the Pork Barrel, lived very comfortably in the 78th Legislature, and to my knowledge there was no direct criticism of the financial administration during the past two years.

Now, gentlemen, I come to a most interesting question. Were the special road resolves passed two years ago fair and just or were they done by log-rolling methods? They were passed in a fair and just manner, and I believe I can rightfully say that no committee tried to be more fair or more just. In proof of this let me say that at a meeting of the directors of the Automobile Association a short time ago the special road resolves were under consideration. I asked the chairman of the Highway Commission, who was present, the following questions: "Of the 70 special road resolves passed during the 78th Legislature how many towns failed to accept the money granted to

them?" He replied, "I do not recollect just how many but there were less than half a dozen, and was due to the labor problem on account of the war." I then asked him, "**Do you think any of these resolves which were passed were unworthy and were not passed upon their merits alone?**" He replied most emphatically that there were none and also stated that the money was as judiciously expended as any road money in the state. **Gentlemen, so much for the justice of special resolves.**

In regard to the **equalization fund** which the Governor refers to in his message, I will explain. Gentlemen, this is a clause in "the Mill Tax Bill" which was passed two years ago. It was at the request of the Ways and Bridges Committee that I re-drafted this bill so I believe that I can rightfully speak upon this bill with some degree of knowledge.

The purpose of the Equalization Fund as the committee understood it—and it was inserted at the request of the Governor—was to take care of such roads as the special road resolves now take care of from cases that might arise during the year 1918. If this fund proved to be successful during the year 1918 we might add to this fund and eventually take care of all special road resolves under this head.

Now, gentlemen, how was this Equalization Fund used during the past year? Every cent of this money was used for the five times clause and the three town act and not one cent was used for special cases, although I know of one concrete instance where there was an application for some of this money and there would have been many more applications if this fund had been generally known.

What assurance have we as members of the Ways and Bridges Committee that this Equalization Fund will be used in the future as we understood it was to be used when the clause was inserted in the Mill Tax Bill?

Someone asked me a few days ago, "Where did the money come from to pay for the special road resolves passed two years ago?" I replied "that I did not know unless it was taken from the money received from the automobile registration." I asked the chief engineer in the Highway Department and he did not know.

Immediately after the Committee on Ways and Bridges was named at the beginning of this session we held a meeting to organize and at that time we discussed the rumor that the Governor was not in favor of granting any money for special road resolves. Gentlemen, we took no stock in rumor. We wished to know the facts. The chairman of the committee, Senator Peacock and myself were selected to interview the Governor upon this question. We waited upon the Governor and explained our purpose. From him we learned that he was not in favor of granting money for special road resolves and wished to see the committee as a whole. On the following Wednesday morning he met the committee and the result of that meeting was the same.

Last Wednesday morning the Ways and Bridges Committee was summoned before the Governor. After certain bills of importance, which were in the hands of the committee, were discussed, the Governor referred to the special road resolves. Sen-

ator Peacock suggested as a solution that we expend one-third of a mill, which is in round numbers, \$192,000, and have this sum go before the people to be known as the One-third Mill Special Road Resolve Fund.

The Governor refused to do this and stated frankly that he would veto any special resolves that would come to him. We stated just as frankly that we believed that the interests of the whole road program was at stake, that if the usual number of road resolves were not passed we might fail in any other appropriations deemed essential and therefore we were very sorry to say that we felt it our duty to pass the ordinary amount of special road resolves over his veto if possible.

The Governor said that if we persisted in our action that we would destroy his Budget, which he said was really his second message to the Legislature, and I replied that we had no desire to harm his Budget, that if any harm should come to it, it would be done by himself. I asked him what was the purpose of the Appropriations Committee, and he stated that he did not desire to discuss the question.

In closing I wish to say a word for myself as I was personally mentioned in this message. I challenge any man to say that I have not been perfectly sincere and honest in every act and deed, both in this Legislature and in the last. I believe the passage of the usual number of special road resolves is necessary to deal justly with the outlying sections which do not have the direct benefit of our trunk lines where the bulk of the highway money is expended and the people living in these outlying

sections now will have passed away before the direct benefits of the trunk lines come into their towns, and why should we, living in or near the centers and having the advantage of the trunk lines, say to the people on the outskirts we want this money for ourselves and you shall have practically nothing in return in spite of the fact that they are paying their proportional part of the taxes.

Gentlemen, I thank God that I have the courage of my convictions and when I no longer possess that qualification I trust that I may pass on to that distant country from whose bourne no traveller returns. (Applause.)

Mr. WASHBURN of Perry: Mr. Speaker, since the discussion this morning has to do with the affairs and the troubles of the committee on Ways and Bridges I believe that every member of that committee should be heard from in self-defense. This committee entered upon its work at the opening of this session with the idea that it had two general duties to perform. First, to consider and report upon such matters of general legislation as were necessary to the maintenance and improvement of Maine's highway system; and, secondly, to receive and investigate such special matters as might be presented to us. In the performance of this duty we became early convinced that at least a part of these special matters were meritorious and that in order to provide for them we must ask for an appropriation. That situation has given rise to the controversy which has resulted in the hearing before you of a special message from the governor. We ought to acknowledge, all of

us, that to both parties the controversy is entirely sincere, and that the governor is entirely honest in his belief that no money should be allowed for special resolves; but the members of this committee feel that their position has not been plainly set forth in this message and that some explanation is necessary.

I desire to refer to one or two paragraphs of the message. On page 2, at the bottom of the page, and extending on to page 3 we read: "How many of the total number of special resolves now before that committee would be included in this program, I am not informed. If it includes them all, the amount directly involved would be up towards a million dollars." Members of the legislature know, what unfortunately the people of the state at large, do not know, that this committee has never asked for any such sum of money; that we have never planned or contemplated the expenditure of more than \$200,000, and that we have pledged to keep ourselves inside that mark, if possible.

On pages four and five of the message, we are confronted with a startling display of figures regarding the effect that certain legislation would have upon the taxes of the various counties and classes there named. I regret exceedingly that the impression should have gone forth into the far corners of this state that by reason of the attitude of this committee such great sums are likely to be added to the tax burdens of the class towns represented by its members, and I have been at some pains to determine exactly what would be the effect upon the taxes of our various classes if this \$200,000 should be raised by direct taxation. I find that the Lisbon class, represented by Mr.

Clason, would pay \$1,303.00, and not \$51,478, as the careless reader of this message might infer. The Boothbay class, represented by Mr. Love, would pay \$1,237.00, the Dixfield class, represented by Mr. Stanley, \$939.00, the Harmony class, represented by Mr. Pattee \$955.00, the Perry class, which I have the honor to represent, \$404.00, and the Wells and York class, represented by Mr. Williams, \$1,994.00.

Another unhappy feature of the document before us is the repeated allusion to our House chairman. I want to say a word in his defense. I have served with Mr. Clason at a previous session. I have sat by his side through many long hearings, and through many executive sessions lasting far into the night hours, and I have never yet known him to ask for a dollar for himself or for any of his constituents. I have never known him to ask special consideration for anyone who might be a friend of his. I know of no one better acquainted with the road problems of Maine through actual contact with them than is he. He has always taken the ground that whereas his class was benefited by direct contact with the trunk line, he believed that other less fortunate sections should be remembered. Neither House nor Senate chairman have ever tried to dictate the policy of our committee. The only word we have ever had from them was that we must keep these appropriations down.

Now just a word as to the merit of some of the propositions that come before us for special resolves. We have appeals by the dozen from poor and remote towns, towns that come to us with tales of death and disaster, with tax rates ranging very

high, towns with no trunk line and where the state aid seems a slow cure for their troubles. We have appeals from towns and plantations for the maintenance of roads that are of no real value to the towns themselves,—simply thoroughfares where automobile traffic passes through; and I have in mind one resolve for the maintenance of a road across the Indian lands of this state. That road was first provided for by a special resolve in the legislature of 1863, and we have the record. It has been the subject of special resolves by every legislature from that day to this and there is no other way to provide for it. It is true that we have an equalization fund, but I have yet to learn where a single dollar of that fund was expended as the committee and the legislature intended it should be. It was established as an experimental measure, and from the point of view of our committee, the experiment was a failure.

Nor do I believe that all needs and emergencies of Maine's great system of bridges can be provided for under the provisions of the General Bridge Law. I want to name one or two specific instances, and I may enlarge upon one just a little bit because I happen to be familiar with the conditions. I refer to the Eastport bridge, so-called.

This bridge forms the only bridge to the city of Eastport accessible to the farmers of Washington county, the automobiles of the state at large, or the touring parties making visits to the coast of Maine during the summer. It is twelve hundred feet long with thirty-five feet of water under it at high water—water driven with the whole force of the Bay of Fundy tide.

The harbor ice crashes against it in the winter time and it is practically certain death to the occupants of any team or automobile that break through it. Very well, you say, Eastport should take care of the bridge. But consider the conditions! The city has a debt almost to its limit, carrying \$25,000 of Civil War debt and \$25,000, incurred at the time of its great local calamity, has the highest tax rate of any city in the state. It has lately discarded all its old school buildings, and by means of generous private subscriptions, and by taxing itself and borrowing money has established a fine system of modern school buildings, where the children of the city and the neighboring towns can receive up-to-date advantages. It is manifestly unfair and impossible for that city to undertake the erection of a \$200,000 bridge on any fifty-fifty basis. Is it the part of wisdom or justice or good business for this state to grant a modest sum from year to year for the maintenance of that bridge, or should we let it drop into the tide?

Six years ago, as a member of this House, I listened to a distinguished member from Penobscot county, who arose in his seat and proved conclusively to the satisfaction of a most unwilling legislator that a certain bridge across the Penobscot river was the property of the state, and the state only, and had been for fifty years; and today we have been considering a resolve for necessary repairs and maintenance of that bridge.

These are some of the propositions that come before us, and in considering them we have established certain rules of procedure. We determine first the financial ability of the town.

Secondly, what it has done for itself through local taxation, and then we consider whether the road or bridge in question is of value to the citizens of the town itself or whether it is a public thoroughfare for people from other sections of the state. In practically every instance we require the town to match, wholly or in part, the appropriation made by the state, thus giving them a local interest in the work. The proposition that comes before our committee, backed by the eloquence of an attorney and half a dozen county and town officials, receives no more consideration than does the lone representative who comes to our table with a plain statement of fact; and in the paring down of these million dollar resolves to fit a \$200,000 appropriation, you will agree with me that most of the unworthy features must be eliminated; the fat will be thoroughly taken out of the pork.

So much for the justice of the resolves which we have before us. Now just a word as to policy. The state of Maine has adopted a great policy of system of highway construction. If you will go with me down into room 7, on the lower floor, into the plunder house of this committee, you will see there on the wall a fine large map loaned us by the highway commission. On that map you will see the main trunk line coming into the state from New Hampshire. It begins to branch slightly in York and Cumberland counties going onward and upward, branching and ramifying into every important section of the state.

That map exemplifies Maine's system of highway construc-

tion, and it is a great system,—I believe the best that could be worked out under the conditions, though it will be years before it can be completed. Legislators and governors will come and go and many large appropriations are needed before we can aid all the branches and divisions. After all the trunk lines and state aid lines now under process of construction are completed, Maine will still have one hundred thousand miles of unimproved highway. Is it not right and just that some of these sections should have some consideration?

There is, unfortunately, in some sections of the state a growing feeling of dissatisfaction with the way the highway funds of the state are administered. Discard, if you will, all these special resolves, dismiss them without consideration of their merits, and you will increase that feeling of dissatisfaction and disappointment. You will have many men coming into the 80th legislature pledged to strike at something connected with the highway department, and to strike vigorously though probably not wisely. Is it wise to jeopardize the very existence of our highway department, with all its fine plans, all its valuable experience, and all its talented engineers?

We must disclaim any attempt to retard the presentation of the Budget. Our committee was one of the first to organize. We early announced our policy and our needs. We have been at all times ready to meet with the executive or the committee on appropriations, and I see no reason why the constructive work of this session should be delayed through any action of ours. We regret this controversy, but it is after all only an

honest difference of opinion between, on the one hand, ten men who are trying to do their duty as they see it, and on the other the chief executive, whom we know to be honest and fearless, and whom we have delighted to honor and follow in all things which seem to us just and reasonable. It appears now that the controversy will have to be settled by the legislature, and until it is settled we can do nothing. The committee has no policy opened to it but to continue with its program, and we shall continue until such time as the legislature, by vote or otherwise, indicates to us a desire for a change in our policy. (Applause.)