

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
the Revised Statutes of 1954, Chapter 10, Section 27, Subsection VI.

KENNEBEC JOURNAL

AUGUSTA, MAINE

1961

Message
of
Governor John H. Reed
to the
Special Session
99th Legislature
January 19, 1960

MESSAGE OF JOHN H. REED, GOVERNOR OF MAINE, TO THE
JOINT CONVENTION OF THE NINETY-NINTH LEGISLATURE
OF THE STATE OF MAINE

January 19, 1960

Mr. President, and Members of the 99th Legislature:

We meet on this 19th day of January, 1960, under challenging circumstances.

We have come together in the 140th year of our Statehood, at an hour when the citizens of Maine mourn the passing of a kind and capable man who was our Governor.

Whatever political faith we may avow, whatever our vocation or environment, all of us share a sense of personal loss in the untimely death of the Honorable Clinton A. Clauson. Each of us would, if he were able, take up a portion of the burden of sorrow that is being borne by the gracious lady who is his widow, by his family, and by us, who were his friends.

In a very real sense, we shall today begin a work that was conceived and desired by our departed Governor. I am grateful to have been able to carry his wish into reality, with the calling of this Special Session.

The mantle of statesmanship which slipped from the shoulders of our late Governor has fallen upon mine . . . but not upon mine alone. The robe of government and all the responsibilities which accompany it, is your inheritance, too.

If I may, with all respect, repeat the words of Abraham Lincoln, I would say this: "The world will little note nor long remember what I say here; but it will not forget what we do here."

Executive Policies

You, and all the people you and I serve, have a right to know what kind of man has suddenly been elevated to the governorship. You recognize the fact that my political faith is different from that of the man whose burden I must now carry. You are aware, also, of the fact that while Governor Clauson was elected to the highest state office the people can give, I was called upon to succeed him under Constitutional mandate.

Under these circumstances, the responsibility which was thrust upon me is greater than that of a Governor who takes office under normal conditions. It is my duty to carry forward many of the programs in which Governor Clauson was engaged at the time of his death. I believe that the people of Maine would want me to do that.

I have been called to serve at the head of our State government for a term of one year. My single purpose within that time is to serve all the people well. This calls for the support of all. To the members of the Senate and House,

and to every citizen interested in good government—Republican or Democrat—the door to the executive office will always be open, and you will be welcome. This is also true of the Governor's residence. You will always find me available and I shall welcome your ideas, whether you pay me the courtesy of a personal call or telephone or write. It is my sincere belief that only by pooling all our ideas and all our talents can we give the citizens of Maine the kind of good government they deserve.

Economic Program and Financing

You have every right to know the principles which shall be my guide. I want progress for the people of Maine. I want the services which our State provides to be the best we can give, only recommending that we pay due regard to the people's ability to pay.

In general economic development, we have made good progress; but we have only scratched the surface in prospecting for the precious metal of industrial development and the promotion of our agricultural, coastal, recreational and industrial interests, and their products. The economic inventory which is now being conducted by independent research will tell us what we have to offer, and how we should proceed to promote it. I repeat, we have only begun the campaign to bring to Maine the economic stature that our resources and our people make possible.

Legislative Purpose

As a member of this House and Senate of several years' standing I know of the many problems that are involved in your work. Also, I know that it is your desire, as well as mine, to provide for the people the improved services they demand. I am determined, as you are, that those services will be provided, the only limitation being our financial ability to provide them.

In planning for our growth, and improvement, it is my wish that you and I may constantly work closely together.

If I could make but one recommendation today, it is that in reconciling our divergent views we never lose sight of the purpose which brought us here, the accomplishment of the greatest good for the greatest number. It is my earnest hope that we can arrive at legislative conclusions without lessening our mutual respect, and with our friendships strengthened. It is by following this course that we shall earn the respect and the gratitude of those for whom we legislate.

Special Session Problems

It will be generally accepted that our present interest is focussed upon three principal legislative areas.

There are those measures which have to do with our educational system and its administration, chiefly represented in matters affecting School Administrative Districts. There are several proposals which involve expenditures of money, either to alleviate critical municipal hardships or to relieve deficits in operating ventures undertaken by the State. And, finally, there is the question of authorizing the transportation of school children to and from non-profit, privately-operated schools.

My views on these matters will be presented in the briefest possible manner, consistent with executive responsibility.

My recommendations are given after prolonged consideration, and after the weighing of all the factors involved. It should be understood that in arriving at conclusions I have counselled with fellow citizens of all shades of opinion. However, the recommendations I shall make are entirely and independently my own. They are set forth in the sincere belief that they represent my view of what will accomplish the greatest good for the greatest number of people.

Measures Requiring Appropriation

There are several bills requiring appropriations from the General Fund, totalling \$917,000. You should understand that although on the one hand this money is available from General Fund current revenue, it would normally, at the end of this fiscal year, revert to the General Fund Surplus of the State, and would be available to meet our construction needs which presently exist and additional needs which may be presented in the future.

To the extent that we use this excess of revenue at this time, to the same extent do we remove funds which would normally be available for construction purposes.

The appropriation of substantial sums from the General Fund is acceptable when it meets good principles of State Government and fulfills a vital need of the people.

After having reviewed various problems presented to me for this Special Session, it is my conclusion that the money bills which I am about to recommend are of an urgent nature, and should be dealt with now.

Supplemental Subsidy Payments

Let us turn now to legislation affecting the administration of our public schools. The members will find first among their Legislative Documents for this Special Session, No. 1397. This is An Act to Provide for Supplemental Payments of the 1959 Educational Subsidies to Certain Administrative Districts.

Subsidy allotment payments payable in 1959 resulted in allotment decreases to some administrative units, decreases brought about as a result of a change in state valuation pertaining to certain cities and towns, and which could not be foreseen.

The result has been unexpected financial hardship in carrying educational programs forward. This bill would authorize the State Department of Education to pay, as quickly as possible, an amount equalling the decreases in 1959 subsidies on educational costs resulting from changes in the subsidy formula.

More than 200 municipalities and School Administrative Districts have a direct interest in and are represented in this non-recurring proposal in amounts ranging up to \$40,000 for the current fiscal year, the total amount being \$271,000. With all prudent regard to good financial practice, and in the light of the problem which clearly exists in the affected municipalities, it is respectfully urged that this Special Session give enactment to L. D. 1397.

Validation of School Districts

The agenda for this special session presents thirteen Legislative Documents with identical purposes, that of reconstituting and validating the thirteen School Administrative Districts, the validation constituting an absolute requisite for bonding purposes, essential to school construction.

The 98th Legislature in its wisdom brought into force the so-called Sinclair Act. This legislation had one principal and inspired purpose: To bring greater opportunity for education to the largest possible number of young people.

It is my conviction that there is only one proper course in this matter. I therefore recommend that these bills, validating the thirteen School Administrative Districts, be enacted.

New Districts and Withdrawals

Reference is now made to five Legislative Documents numbered 1400 through 1404, which would authorize various municipalities to form new School Administrative Districts under the authority of the Maine School District Commission.

Applying the same principles which recommend the reconstitution and validation of the thirteen existing Districts, I ask that this Special Session give enactment to these five measures.

There are those Legislative Documents concerned with withdrawal procedure from School Administrative Districts. In a program as new and progressive as this, there are bound to be maladjustments. Before any conclusive action is taken here, it is my desire that this Legislature will give this problem its most concentrated attention, recognizing the desires of the municipalities and yet avoiding damage to the whole educational structure.

Measures With Various Objectives

In carefully examining each of the measures presented for your decision it is noted that there are some nineteen which appear chiefly to be local in character. All are important. The fact that no comment is made on them in detail does not indicate any lack of interest on my part. I know they will receive your serious consideration.

Legislative Document No. 1423, A Resolve to Provide Matching Funds for Federal National Defense Education Act Allotments, requests appropriation from the General Fund in the amount of \$55,000. This money would be matched. Its passage is recommended.

There is requested the sum of \$65,000 to be expended by the Forest Commissioner for the control of spruce budworm. A severe outbreak of this disease threatens the destruction of some 175,000 acres of Maine forest lands. The appropriation asked for would be combined with monies supplied by the Federal Government and by landowners. In the face of this very real emergency, I respectfully recommend enactment of Legislative Document No. 1398.

There is a second measure which is also aimed at control of the Spruce budworm epidemic, L. D. No. 1411, which would increase the self-imposed tax upon the Unorganized Territory within the Maine Forestry District by three-quarter mills for this specified purpose. The tax increase would remain in force only for the year 1960.

Enactment of this companion measure is also recommended.

Maine Port Authority

Your attention is now called to Legislative Documents No. 1424 and 1425. The first would appropriate \$100,000 from the General Fund to the Maine Port Authority for dock facilities at Long Island Plantation. Of that sum \$10,000 would be expended for a Long Island Plantation Ferry Survey, and \$90,000 for dock facilities. My comment is the fact that this appropriation would implement an action of a previous Legislature.

Legislative Document No. 1425 requests the appropriation of \$293,000 to the Maine Port Authority for Ferry Service. In this case, also, we are asked to follow through on a previous Legislative action. Elimination of the ferry service is inconceivable. It is the highway which connects the islands to the mainland.

The stated objectives of this appropriation are threefold:

1. To repay the State Contingency Account the sum of \$40,000 borrowed in 1959 to pay bond principal;
2. To meet bonds maturing, with interest up to January 1, 1961; and
3. To meet a closely considered estimate of loss in the actual operation of the ferry service up to January 1, 1961.

I recommend that both these bills receive passage.

A further expenditure from the General Fund is requested in Legislative Document No. 1428 to provide the Maine Port Authority with funds for cost of operation of the Maine State Pier in Portland. Specifically, this bill calls for \$17,000 in the current fiscal year and \$35,000 in the fiscal year ending June 30, 1961. These moneys would supplement the present income of the Pier and meet actual operating expenses between February 1, 1960, and June 30, 1961, and would also include \$20,000 to meet bond payments. This should receive favorable consideration.

Portland Airport

Appropriation from the General Fund is also reflected in Legislative Document No. 1426, which asks for \$27,000 for certain construction at Portland Municipal Airport. This sum represents 25 per cent of the cost of that construction, with the remaining 75 per cent to come from federal and other grants. This is Maine's major airport, and a principal gateway to tourist travel. It is evident that specified construction and increased costs warrant the appropriation. Your favorable consideration of this proposal is therefore recommended.

School Bus Transportation

Your attention is now directed to that measure which has attracted wider public interest than any other, the bill relating to municipal police power to transport school children to schools other than public.

This proposal is unlike any other with which a Maine Legislature has been confronted, chiefly because of the overtones of personal feeling that have risen around it.

Since my first day in office I have given this proposal a great deal of thought. I have studied and weighed all of the arguments presented, for and against.

The following are the basic arguments which have been presented in favor of the measure. It is strictly limited to transportation. It would prohibit the use of State funds. It is constitutional, in the opinion of the Maine Supreme Judicial Court. It is enabling legislation, with the ultimate decision left with the municipalities. It would provide safety for pupils going to and from private schools.

Now for the basic arguments which have been presented against the measure. It would violate public principle. It would sanction the use of tax money for the support of private activity. It would enlarge and encourage the duplication of educational facilities now available to all in the public schools. So much for the arguments pro and con.

The conclusion left is that this clearly is an issue on which opinion is divided. Obviously it is a matter which deserves your closest attention and best possible judgment.

There is more than one honest and sincere approach to the problem. These two courses you may wish to consider:

- (1) Determine that you will oppose the Bill at the State level, thereby acting for the electorate.

If you take this position you will reaffirm that the State is the controlling political instrument and that it is the authority through which powers are granted to the municipalities.

- (2) You may enact the Bill and pass the final decision on to those directly concerned.

If you take this second course, you would not necessarily be endorsing the issue, but rather, endorsing that process which gives local people the ultimate voice in their own affairs.

You, as members of this Legislature, have the right of making your decision on this Bill without being given a directive.

I have most carefully considered this matter and my responsibility in it. It is not my desire to influence any member of the Senate or House as to what his position on this measure should be, for I feel that this is a personal decision that each of you must make.

My conclusion, after serious deliberation, is that this is a question for each individual and that each should have absolute freedom in reaching a decision.

In this way the will of the majority can be expressed without prior influence from the head of the Executive Branch of the government.

I am confident that you will agree that the matter should be treated objectively and within an atmosphere of calmness and tolerance. I am equally certain that you will base your final decision on what is best for Maine.

Whatever that decision is, I will accept and abide by it.

Now I have one more thought to express. In dealing with all these Legislative matters, may all of us have the guidance of Divine Providence in reaching our decisions.

JOHN H. REED