

# MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

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SENATE

NO. 85

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In Senate, Feb. 14, 1919.

On motion of Senator Ames of Washington 2000 copies of Senator Peacock's speech were ordered printed.

P. F. CRANE, Secretary.

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STATE OF MAINE

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

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Remarks of Senator Peacock on the Governor's Message  
Relative to Ways and Bridges.

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Mr. PEACOCK: Mr. President:

I feel it my duty as Chairman of the Ways and Bridges Committee to take this matter up, as from the Governor's message there was evidently a misunderstanding with him and the Ways and Bridges Committee. I would like to make the position of the committee plain to you if possible. First, I would like to review, as we understand it, the duties of this committee, which is, that all matters pertaining to state highway legislation shall be referred to this committee, and that they shall consider all acts and resolves that are referred to them, and in this matter they should try and take a broad view

of the highways in the state of Maine. The people are inclined to think that the roads in each town belong to that individual town, and I feel that we should consider them as a whole. Our roads are not built and maintained for the people of one town alone but for the people of the whole state, and we should be interested in helping to repair any bad piece of road whether it is in Cumberland county or Washington county, for I have never seen that it makes any difference where the road is located the bad piece of road is just as bad to get over regardless of where it is located.

Now in order to understand our duties it was necessary for us to be fully acquainted with the state highway laws. We found upon investigation that in 1901 a law was passed appropriating \$300,000 to be used to help towns build what was then known as state roads. These roads were laid out by the county commissioners and they were to be the main roads in the town. Later when the bond issue was passed they were changed to state aid roads but the \$300,000 appropriation still continued. As the bond money was practically exhausted at the last session of the Legislature it became necessary to make further arrangements for carrying on the good road program and the Legislature passed a mill tax fund which furnished during 1917 and 1918 \$523,000 each year, and will furnish \$577,000 the next two years. Of this money there was to be set aside \$200,000 to be added to the \$300,000 available from the law of 1901, making \$500,000 available for state aid road building, but at the request of the Governor the Ways and Bridges Com-

mittee had the bill redrafted and took out of the \$500,000 available for state aid roads, \$50,000 to be used for assisting towns having an excessive highway burden or to eliminate special bad sections on their principal roads. This left \$450,000 for state aid road building and we find from the Highway Commission records that there are about 500 towns which take advantage of this state aid law, and there are about 3,000 miles of state aid road in the state. We also found that the fees for automobiles could be used, first, to pay the interest on bonds; second, to create such fund to meet maturing bonds as the Governor and Council may deem necessary; third, to provide funds for all administration charges of the commission; fourth, to apply the balance to state and state aid roads for maintenance and patrolling system. To sum up the situation we found that under the state highway laws the state or commission had no authority to spend any money for state roads except on state aid roads and state or trunk lines, and as there are about 1,300 miles of state roads laid out and 3,000 of state aid roads, this makes 4,200 miles of road on which the Highway Commission or Governor and Council can expend money, state or federal, with the exception of the so-called equalization fund of \$50,000. Now there are 25,530 miles of highway in our state, so that there would be over 21,000 miles with no provisions to build or repair except by special resolves or equalization fund, notwithstanding that the people living on these 21,000 miles will be assessed their share of the mill tax fund.

Special resolves were being reported to our committee and

not knowing what action the Governor and Appropriations Committee would take and believing we could work better, if we knew the amount the Governor felt could be spent on these special resolves, and also feeling that it would be of some assistance to him and help him in making up the budget, we appointed a committee to confer with him and the first question he asked us was what amount of money we felt would be required to take care of the necessary resolves and we stated \$200,000 and that we would agree not to exceed this amount. He then asked us if we had thought of any method of financing these resolves, and we stated that we had not taken this question into consideration, that we felt that it was the business of the Appropriations Committee and himself. We also inquired in reference to the equalization fund, how that was spent, as this information, we thought, would be of some value to guide us on these resolves. We were told that it was not spent as we understood it was intended to be, namely, to help poor towns to repair bad pieces of road, but was spent to help towns taking advantage of the five times act and the three times act, and from what information I can get there was \$150,000 of the state aid money spent in this way. Last April Senator Ames and myself interviewed Mr. Deering, making a request for funds from the equalization fund to repair a piece of road running through two unorganized townships, as this was a road which was the only outlet from the town of Vanceboro. He told us that if the county commission would help on this road he would try and do something. We asked him

for \$1500 and the county commissioners agreed to furnish a like amount, and not hearing from him for some time I wrote him and received a letter stating that the Governor had ruled that there was no money for this purpose, it had all been spent to help the larger towns in their three and five times act. The Governor stated in his message Friday that a controversy had arisen in regard to the so-called equalization fund, and I am sorry that he misunderstood our position because we never for one moment considered the question of changing the present highway law and doing away with the equalization fund. We were asking \$200,000 for special resolves, expecting to leave this equalization fund as it is in the hands of the Highway Commission to spend in any way their good judgment saw fit, but from past experience we felt that it was not safe to depend on it to take care of the needs of special resolves.

In reference to the question of resolves for bridges we understood that an act was to be introduced to amend the present general bridge law increasing the appropriation to be paid from the state, the small towns having large or costly bridges to rebuild, and we have tabled every bridge resolve until we could have the amended bridge law and if it was satisfactory we planned to advise the people having bridge resolves to take advantage of the state bridge law, but if there was no change from the present law which we think is not fair as the state only contributes 20% of the cost of the bridges, and reports say that this does not much more than pay for the cost of plans and surveys. In many of the small towns they could have

built a bridge for their own traffic at half the cost that is required to take care of the through traffic and for this reason we felt the state should bear a larger appropriation than the present law calls for.

The Governor criticizes our having hearings, but if I understand the laws of our state, when there are resolves that are referred to any committee, they are compelled to give these hearings, and that it is the privilege of any citizen of the state to appear for or against any bill that he is interested in. If we are wrong we respectfully request that the Senate and House so instruct us, and we would be pleased to discontinue these hearings, as I assure you it is no great pleasure to sit hour after hour and listen to the arguments for these resolves, and we would gladly welcome some one taking the responsibility of notifying the public that these hearings should not be held.

Referring to the number of resolves included in this program it is true that we never notified the Governor of the number of resolves as we were not in a position to give this information, but we did at each conference state the amount of money that we believed in our judgment would be necessary, and we understood that the amount of money, not the number of resolves, was the question that he was interested in, and at each conference we stated that we would guarantee not to exceed the amount which was \$200,000, or possibly one-third of a mill for one year, which I suggested to the Governor at our meeting last week, notwithstanding the fact that the

amount of these resolves were over \$900,000 not including Portsmouth-Kittery and Martin's Point bridges.

Now, fellow senators, we will have, as the Governor states, about \$5,000,000 for road and bridge purposes for the years 1919 and 1920, but bear in mind that all this money that is spent by the Highway Commission under the present law has got to be spent on 4,200 miles of road, and that the other 21,000 miles have no assistance except from the equalization fund and when any of you, when driving over the state and going off the 4,200-mile strips get your car stalled in a bad piece of road which might have been avoided by helping some of these poor towns with these special resolves, do not find fault with the roads in the towns you are going through.

The Governor states that the Ways and Bridges Committee is opposed to the budget system. Now I will leave this to you. We have gone to the Governor and Appropriations Committee for the sole purpose of working with them to help make the budget system possible and a success and do what we could to get it through the Legislature. If we were opposed to the budget do you think we would have done as we have and asked for hearings? No, we would have ignored both the Governor and the Appropriations Committee and went along as was the usual custom in the past. The Governor stated at one of the hearings that the money appropriated at the last session was well spent, judiciously awarded and showed good results. We believe we are right; that this 21,000 miles is entitled to some consideration as many of these are important connections in



our highway system. I know of one piece of road in Hancock county which runs through two unorganized townships where no one lives, and unless this road is taken care of by special resolve no work will be done there, notwithstanding the fact that 95% of the travel in and out of Washington county travel over this road, and also the people going to the Province by way of Calais.

There is also similar conditions existing in most every county. Still no work can be done on these important pieces of road except by equalization fund. It has been rumored that there was a general agreement last session that when this so-called equalization fund was passed that it should do away with or replace the special resolves. I emphatically deny this. What I remember the Governor said was, that he would like to try this method out and that if it worked out satisfactorily we could increase the equalization fund to \$150,000 or \$200,000 and then it would replace these special resolves. Now I have showed you how it worked out in 1918, but notwithstanding this fact I believe this law should remain as it is and be given another trial.

Now to sum up the situation, the Ways and Bridges Committee have endeavored to work with the Governor as far as the budget is concerned by furnishing him with whatever information they had acquired. They are, and always have been, in favor of retaining the equalization fund. If the bridge law is amended so that the state will pay a larger appropriation of the cost of building the bridges which are built under the

supervision of the Highway Commission they are in favor of referring bridge resolves to the general state bridge law except in some very exceptional cases which we may think the bridge law will not cover. We also believe that after a full and careful hearing is given to these special road resolves that the most deserving requests should be taken care of even if it is necessary to increase our tax one-third of a mill, and if this is a fact we should state why this increase is made. We also believe in the necessity of legislation for a bond issue to provide for roads and bridges, so that the state will be in a position to take advantage of the federal money. This bond issue should also include the Portsmouth and Kittery bridge.

I thank you