

# MAINE STATE LEGISLATURE

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EIGHTY-SECOND LEGISLATURE

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H. P. No. 116

H. D. No. 26

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House of Representatives, Jan. 27, 1925.

Referred to Committee on Judiciary and 5000 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Holmes of Lewiston.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND TWENTY-FIVE

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RESOLVE, Proposing an Amendment to the Constitution Prohibiting the Use of Public Funds for Other than Public Institutions and Public Purposes.

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*Resolved:* Two-thirds of the legislature concurring, that  
2 the following amendment to the constitution of this state  
3 be proposed for the action of the legal voters, to wit, by  
4 adding thereto the following article:

'Section 1. On and after January first, nineteen hundred  
2 and thirty-one, all moneys raised by taxation in the towns  
3 and cities for the support of public schools, and all moneys  
4 which may be appropriated by the state for the support  
5 of common schools shall be applied to, and expended in,

6 no other schools than those which are conducted according  
7 to law, under the order and superintendence of the authori-  
8 ties of the town or city in which the money is expended;  
9 and no grant, appropriation or use of public money or prop-  
10 erty or loan of public credit shall be made or authorized  
11 by the state or any political division thereof for the pur-  
12 pose of founding, maintaining or aiding any school or in-  
13 stitution of learning, whether under public control or other-  
14 wise, wherein any denominational doctrine is inculcated, or  
15 any other school, or any college, infirmary, hospital, insti-  
16 tution, or educational, charitable or religious undertaking  
17 which is not publicly owned and under the exclusive con-  
18 trol, order and superintendence of public officers or public  
19 agents authorized by the state or federal authority or both,  
20 except that appropriations may be made for the mainte-  
21 nance and support of the University of Maine and for free  
22 public libraries in any city or town, and to carry out legal  
23 obligations, if any, already entered into; and no such grant,  
24 appropriation or use of public money or property or loan  
25 of public credit shall be made or authorized for the purpose  
26 of founding, maintaining or aiding any church, religious  
27 denomination or society.

‘Sect. 2. Nothing herein contained shall be construed to  
2 prevent the state, or any political division thereof, from  
3 paying to privately controlled hospitals, infirmaries, or in-  
4 stitutions for the deaf, dumb or blind not more than the  
5 ordinary and reasonable compensation for care or support

6 actually rendered or furnished by such hospitals, infirma-  
7 ries or institutions to such persons as may be in whole or  
8 in part unable to support or care for themselves.

‘Sect. 3. Nothing herein contained shall be construed to  
2 deprive any inmate of a publicly controlled reformatory,  
3 penal or charitable institution of the opportunity of religious  
4 exercises therein of his own faith; but no inmate of such  
5 institution shall be compelled to attend religious services  
6 or receive religious instruction against his will, or, if a minor,  
7 without the consent of his parent or guardian.

‘Sect. 4. In the distribution of public moneys for educa-  
2 tional purposes the attendance of pupils in other than pub-  
3 lic schools shall not be counted in fixing the amount to  
4 which any city, town or municipality wherein such pupils  
5 reside shall receive.’

FORM OF QUESTION AND DATE WHEN AMEND-  
MENT IS TO BE VOTED ON

*Resolved:* That the aldermen of cities, the selectmen of  
2 towns, and the assessors of the several plantations in this  
3 state are hereby empowered and directed to notify the in-  
4 habitants of their respective cities, towns and plantations  
5 in the manner prescribed by law, to give in their votes at  
6 the next regular biennial election in the month of Septem-  
7 ber upon the amendment proposed in the foregoing reso-  
8 lution, and the question shall be: “Prohibiting the use of  
9 public funds for other than public institutions and public  
10 purposes.”

And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment expressing it by the word "Yes" upon their ballots and those opposed to the amendment by the word "No" upon their ballots, and the ballots shall be received, sorted, counted, and declared in open ward, town and plantation meetings, and returns made to the office of the secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendment, it shall thereupon become a part of the constitution and the governor shall forthwith make known the fact by his proclamation.

BALLOTS TO BE PREPARED BY THE SECRETARY  
OF STATE

*Resolved:* That the secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing resolves accompanied by a copy thereof.