

# 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)

---

---

EIGHTY-SECOND LEGISLATURE

---

---

S. P. No. 40

S. D. No. 31

---

---

In Senate, Jan. 27, 1925.

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

ROYDEN V. BROWN, Secretary.

Presented by Senator Maher of Kennebec.

---

---

STATE OF MAINE

---

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

---

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

---

*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 of

5 common schools shall be applied to, and expended in, no  
6 other schools than those which are conducted according to  
7 law, under the order and superintendence of the authorities  
8 of the town or city in which the money is expended; and  
9 no grant, appropriation or use of public money or property  
10 or loan of public credit shall be made or authorized by the  
11 state or any political division thereof for the purpose of  
12 founding, maintaining or aiding any school or institution  
13 of learning, whether under public control or otherwise,  
14 wherein any denominational doctrine is inculcated, or any  
15 other school, or any college, infirmary, hospital, institution,  
16 or educational, charitable or religious undertaking which  
17 is not publicly owned and under the exclusive control, order  
18 and superintendence of public officers or public agents au-  
19 thorized by the State or Federal authority or both, except  
20 that appropriations may be made for the maintenance and  
21 support of the University of Maine and for free public libra-  
22 ries in any city or town, and to carry out legal obligations, if  
23 any, already entered into; and no such grant, appropriation  
24 or use of public money or property or loan of public credit  
25 shall be made or authorized for the purpose of founding,  
26 maintaining or aiding any church, religious denomination or  
27 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 insti-  
4 tutions for the deaf, dumb or blind not more than the ordi-

5 nary and reasonable compensation for care or support ac-  
6 tually rendered or furnished by such hospitals, infirmaries  
7 or institutions to such persons as may be in whole or in part  
8 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 or  
6 receive religious instruction against his will, or, if a minor,  
7 without the consent of his parent or guardian.

FORM OF QUESTION AND DATE WHEN  
AMENDMENT 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 resolu-  
8 tion, and the question shall be: "Prohibiting the use of pub-  
9 lic funds for other than public institutions and public pur-  
10 poses."

And the inhabitants of said cities, towns and plantations  
2 shall vote by ballot on said question, those in favor of the  
3 amendment expressing it by the word "Yes" upon their bal-  
4 lots and those opposed to the amendment by the word "No"

5 upon their ballots, and the ballots shall be received, sorted,  
6 counted, and declared in open ward, town and plantation  
7 meetings, and returns made to the office of the secretary of  
8 state in the same manner as votes for governor and mem-  
9 bers of the legislature, and the governor and council shall  
10 count the same, and if it shall appear that a majority of the  
11 inhabitants voting on the question are in favor of the amend-  
12 ment, it shall thereupon become a part of the constitution  
13 and the governor shall forthwith make known the fact by  
14 his proclamation.

BALLOTS TO BE PREPARED BY SECRETARY OF  
STATE

*Resolved:* That the secretary of state shall prepare and fur-  
2 nish to the several cities, towns and plantations ballots and  
3 blank returns in conformity with the foregoing resolves ac-  
4 companied by a copy thereof.