

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)

LEGISLATIVE RECORD

OF THE

Ninety-first Legislature

OF THE

STATE OF MAINE



1943

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Wednesday, January 27, 1943.

The Senate was called to order by the President.

Prayer by the Rev. Father William Tudor Bulkeley of Hallowell.
Journal of yesterday read and approved.

Papers from the House referred in concurrence.

From the House: The Committee on Judiciary on "Resolve Approving the Reconveyance of Certain Land to the City of Saco," (H. P. 10) (L. D. 3) reported that the same ought to pass as amended by Committee Amendment "A".

In the House, the report was read and accepted, and the bill passed to be engrossed as amended.

In the Senate, the report of the committee was accepted in concurrence and the resolve was given its first reading; Committee Amendment A was read and adopted in concurrence and, under suspension of the rules, the resolve was given its second reading and passed to be engrossed as amended by Committee Amendment A in concurrence.

The following bills and resolves were received and on recommendation by the Committee on Reference of Bills were referred to the following committees:

Banks and Banking

Mr. Dow of Oxford presented Bill "An Act Relating to Tax on Reserves of Banks." (S. P. 137)
(Printing ordered)
Sent down for concurrence.

Claims

The same Senator presented "Resolve in Favor of Alfred Peterson, of South Paris." (S. P. 138)
The same Senator presented "Resolve in Favor of the Town of Gilead." (S. P. 139)
Mr. Buck of Lincoln presented "Resolve in Favor of Paul Luke, of Boothbay." (S. P. 140)
Sent down for concurrence.

Counties

Mr. Dow of Oxford presented Bill "An Act Relating to Bonds of Probation Officers." (S. P. 141)
(Printing ordered)
Sent down for concurrence.

Inland Fisheries and Game

Mr. Megill of Kennebec presented "Resolve Relating to Fly-fishing in the Great and Long Lakes in the Month of October." (S. P. 142)

The same Senator presented, by request "Resolve Regulating Fishing in Belgrade Chain of Lakes." (S. P. 143)

Sent down for concurrence.

Judiciary

Mr. Dow of Oxford presented, by request

Bill "An Act Defining the Word 'Teacher' under Teachers' Pensions." (S. P. 144)

(Printing ordered)

Sent down for concurrence.

Legal Affairs

Mr. Owen of Kennebec presented Bill "An Act to Clarify the Purposes of United Baptist Convention of Maine." (S. P. 145)

(Printing ordered)

Sent down for concurrence.

Pensions

Mr. Good of Arrostook presented "Resolve Providing for a State Pension for Frank J. Minealis, of Monticello." (S. P. 146)

Sent down for concurrence.

Public Utilities

Mr. Batchelder of York presented Bill "An Act Relating to Repayments to Municipalities from Appropriations of the Public Utilities Commission." (S. P. 147)

(Printing ordered)

The same Senator presented Bill "An Act Relating to the Building and Maintenance of Highway Crossings of Railroads." (S. P. 148)

(Printing ordered)

Sent down for concurrence.

Salaries and Fees

Mr. Dorr of Oxford presented Bill "An Act Relating to Salary of Treasurer of Oxford County." (S. P. 149)

Mr. Buck of Lincoln presented Bill "An Act Relating to the Salary of the Sheriff of Lincoln County." (S. P. 150)

Sent down for concurrence.

Sea and Shore Fisheries

Mr. Dunbar of Washington presented Bill "An Act Relating to Licenses for Building Wharves and Fish Weirs." (S. P. 151)

(Printing ordered)

Sent down for concurrence.

Ways and Bridges

Mr. Friend of Somerset presented

Bill "An Act Relating to Notices of Changes of Locations of Certain Highways." (S. P. 152)

(Printing ordered)

Sent down for concurrence.

Mr. Dunbar of Washington presented

Bill "An Act Relating to Highway Bridges." (S. P. 153)

(Printing ordered)

Sent down for concurrence.

Order

On motion by Mr. Bragdon of Aroostook, it was

ORDERED, that there be printed 750 copies each of (S. P. 61) "An Act to Improve the Efficiency of the Administration of the Liquor Laws and to Safeguard State Revenues During the Present Emergency;" (S. P. 62) "An Act Relating to the Regulation of the Sale of Malt Liquors to Minors"; (S. P. 63) "An Act Relating to Enforcement of the Liquor Laws;" (S. P. 64) "An Act to Regulate the Sale of Wines Produced by Natural Fermentation or Fortified."

Orders of the Day

On motion by Mr. Brown of Aroostook, the Senate voted to take from the table, Joint Order relative to discontinuing Special Road Resolves (H. P. 3) tabled by that Senator on January 13 pending passage in concurrence.

Mr. BROWN of Aroostook: Mr. President, I now move the indefinite postponement of this order in non-concurrence. In support of that motion, I wish to make a few brief remarks. In the first place I hesitate to raise this point in view of the many learned members of the Bar we have here, but I wish to say first that I believe that this order is unconstitutional. It is true that the legislature may pass anything it wishes regarding the conduct of its own business. If this special type of legislation were barred it would deny to the people their right to introduce through their representatives into the legislature such legislation as they may want.

Secondly, I think it is very poor legislative practice to pass an order forbidding the introduction of legislation whether it is constitutional or not.

Thirdly, it is faultily drawn because there is no such thing as a special resolve and even if we passed this order any member could continue to introduce resolves.

And fourthly, I want to say that at a meeting of the Committee on Ways and Bridges yesterday, a joint committee made up of members of both the House and Senate unanimously asked me to take this order from the table and move its indefinite postponement in non-concurrence. Therefore, Mr. President, I make that motion.

Mr. DORR of Oxford: Mr. President, I would like to second the motion of the Senator from Aroostook, Senator Brown.

Thereupon, the order was indefinitely postponed in non-concurrence.

Mr. BROWN: Mr. President, in order to expedite matters and because I think they are waiting for this paper in order to determine what to do, I move that this order be sent forthwith to the House.

The motion prevailed.

On motion by Mr. Sanborn of Cumberland, the Senate voted to take from the table bill An Act in Relation to Fees of Referees (S. P. 121) tabled by that Senator on January 21 pending reference; on further motion by the same Senator, the bill was referred to the Committee on Salaries and Fees and ordered printed.

Sent down for concurrence.

Mr. ELLIOT of Knox: Mr. President, with the explanation that the Governor will deliver his budget message this afternoon, I move that the Senate do now recess until this afternoon at 4:30 o'clock.

The motion to recess prevailed.

After Recess

The Senate was called to order by the President.

Order

Out of order and under suspension of the rules on motion by Mr. Friend of Somerset, it was

ORDERED, that a message be sent to the House of Representatives proposing a convention of both branches of the Legislature to be held forthwith in the Hall of the House for the purpose of extending to his Excellency, the Gov-

error, an invitation to attend the Convention and make such communication as pleases him.

The Secretary delivered the message and subsequently reported that he had performed the duty assigned to him.

Subsequently a message was received from the House by Mr. Pease, its Clerk, concurring in the proposition for a joint convention for the purpose of extending an invitation to his Excellency, the Governor, to attend the Convention and make such communication as he may be pleased to make.

On motion by Mr. Bishop of Sagadahoc, the Senate voted to take from the table bill, An Act Relating to Annual Audit of Municipalities (S. P. 99) tabled by that Senator

on January 20 pending reference; on further motion by the same Senator, the bill was referred to the Committee on Towns.

Sent down for concurrence.

Thereupon the Senate retired to the Hall of the House of Representatives where a Joint Convention formed.

(For proceedings of Joint Convention, see House report.)

In the Senate

The Senate was called to order by the President.

On motion by Mr. Elliot of Knox Adjourned until tomorrow morning at ten o'clock.