

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Second Legislature

OF THE

STATE OF MAINE

1945

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

SENATE

Thursday, February 15, 1945.

The Senate was called to order by the President.

Prayer by the Reverend Elmer Colcord of Gardiner.

Journal of yesterday read and approved.

Papers from the House referred in concurrence.

From the House:

"Resolve Relating to Retirement Pension for Percy E. Averill, of Thomaston." (S. P. 207) (L. D. 477)

(In the Senate on February 7th, referred to the Committee on Pensions.)

Comes from the House, referred to the Committee on Judiciary in non-concurrence.

In the Senate, on motion by Mr. Brown of Aroostook, that Body voted recede from its former action whereby the Resolve was referred to the Committee on Pensions, and the Resolve was then referred to the Committee on Judiciary in concurrence.

Referred to Committees

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

Claims

Mr. Batchelder of York presented "Resolve in Favor of Alphonso S. Dube, of Togus." (S. P. 341)

(Ordered printed.)
Sent down for concurrence.

Inland Fisheries and Game

Mr. Washburn of Washington presented Bill "An Act Relating to Fish Weirs." (S. P. 342)

(Ordered printed.)
Sent down for concurrence.

Judiciary

The same Senator presented Bill "An Act Concerning Agricultural Cooperative Associations." (S. P. 343)

The same Senator presented Bill "An Act Relating to Refunding of Washington County Bonds." (S. P. 344)

Mr. Dow of Oxford presented Bill "An Act Relating to Presumption of Death." (S. P. 345)

The same Senator presented "Resolve Authorizing Preparation of a Digest of the Opinions of the Law Court." (S. P. 346)

The same Senator presented, by request, Bill "An Act Relating to State Board of Arbitration and Conciliation." (S. P. 347)

(Severally ordered printed.)
Sent down for concurrence.

Pensions

Mr. Clements of Waldo presented, by request "Resolve Providing a Pension for Leroy M. Stevenson of Dixmont." (S. P. 348)

Sent down for concurrence.

Salaries and Fees

Mr. Smith of Knox presented Bill "An Act to Increase the Salaries of the County Commissioners of Knox County." (S. P. 349)

(Ordered printed.)
Sent down for concurrence.

Taxation

Mr. Dow of Oxford presented Bill "An Act Relating to Taxation of Express Companies." (S. P. 350)

(Ordered printed.)
Sent down for concurrence.

Ways and Bridges

Mr. Sterling of Somerset presented "Resolve in Favor of the Town of Canaan." (S. P. 351)

Sent down for concurrence.

Mr. Cross of Kennebec presented Bill "An Act to Create the Town Road Improvement Fund." (S. P. 352)

(Ordered printed.)
Sent down for concurrence.

On motion by Mr. Washburn of Washington, out of order and under suspension of the rules, the Senate voted to reconsider its former action taken earlier in today's session, whereby bill, An Act Relating to Fish Weirs (S. P. 342) was referred to the Committee on Inland Fisheries and Game.

Mr. WASHBURN of Washington: Mr. President, I now move that the same bill be referred to the Committee on Sea and Shore Fisheries.

Thereupon, on motion by Mr. Brown of Aroostook, the bill was laid upon the table pending motion of the Senator from Washington, Senator Washburn, that the bill be referred to the Committee on Sea Shore Fisheries.

Orders

On motion by Mr. Sayward of York, it was

ORDERED, that the Secretary of the Senate be directed to invite the Rev. Donald A. Scanlin of Kennebunk to officiate as Chaplain of the Senate, Tuesday at ten o'clock in the forenoon of February 20th.

On motion by Mr. Bishop of Sagadahoc, it was

ORDERED, the House concurring, that 2,500 additional copies be printed of List of Salaries of State Officials and Employees as of December 31, 1944." (S. P. 353)

Mr. BROWN of Aroostook: Mr. President, as we already have one Order on the table referring to this same matter, I move that this Order be laid upon the table pending passage.

The motion prevailed, and the Order was laid upon the table pending passage.

Senate Committee Reports

Miss Clough from the Committee on Judiciary on Bill "An Act Relating to Penalty for Operating Motor Vehicle While Under Influence of Intoxicating Liquor or Drug." (S. P. 102) (L. D. 179) reported that the same ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

The same Senator from the same Committee on Bill "An Act Relating to Intoxication." (S. P. 101) (L. D. 180) reported that the same ought to pass.

Which report was read and accepted, the bill read once and tomorrow assigned for second reading.

Passed to Be Engrossed

Bill "An Act Relating to the Capitol Island Village Corporation." (H. P. 212) (L. D. 83)

Bill "An Act Relating to the Port of Calais Authority." (H. P. 333) (L. D. 147)

Which bills were severally read a second time and passed to be engrossed in concurrence.

Bill "An Act Relating to Repeal of Ordinances in City of Lewiston." (S. P. 144) (L. D. 350)

Which was read a second time and passed to be engrossed.

Sent down for concurrence.

Bill "An Act Creating a Division of Community Recreation Under the State Park Commission." (S. P. 50) (L. D. 13)

Which was read a second time and passed to be engrossed, as amended.

Sent down for concurrence.

Passed to Be Enacted

Bill "An Act to Change the Purposes of the Bingham Associates Fund." (H. P. 4) (L. D. 1)

Bill "An Act Relating to Bonds of Private Detectives." (H. P. 97) (L. D. 31)

Bill "An Act Relating to Claims and Actions Against Executors and Administrators." (H. P. 187) (L. D. 60)

Emergency Measure

Bill "An Act to Provide for Financing the Change in the Fiscal Year of the City of Auburn." (H. P. 99) (L. D. 28)

Which bill being an emergency measure, and having received the affirmative vote of 32 members of the Senate and none opposed was passed to be enacted.

Emergency Measure

"Resolve, Affirming and Validating Certain Elections Held by the Penobscot Indian Tribe." (H. P. 5) (L. D. 2)

Which bill being an emergency measure, and having received the affirmative vote of 32 members of the Senate and none opposed, was finally passed.

Orders of the Day

On motion by Mr. Noyes of Hancock, the Senate voted to take from the table bill, An Act to Aid Towns in Controlling Forest Fires (S. P. 317) tabled by that Senator on February 14 pending reference; and on further motion by the same Senator the bill was referred to the Committee on Judiciary and ordered printed.

Sent down for concurrence.

On motion by Mr. Spear of Cumberland, the Senate voted to take from the table bill, An Act Relating to Fees of Town Clerks for Fishing and Hunting License (H. P. 988) (L. D. 588) tabled by that Senator on February 14 pending reference

to the Committee on Salaries and Fees in concurrence; and on further motion by the same Senator, the bill was referred to the Committee on Inland Fisheries and Game in non-concurrence.

Sent down for concurrence.

On motion by Mr. Willey of Hancock, the Senate voted to take from the table House Report from the Committee on Federal Relations "Ought to be Adopted" on Memorial to the Congress of the United States Relating to National Service Legislation (H. P. 318) (L. D. 114) tabled by that Senator on February 13 pending acceptance of the committee report in concurrence.

Mr. WILLEY of Hancock: Mr. President, I now move that this report be accepted in concurrence with the House.

A viva voce vote being had

The motion to accept the report in concurrence did not prevail, and the report and accompanying papers were returned to the House.

On motion by Mr. Brown of Aroostook, the Senate voted to take from the table Joint Order Relative to Investigation of the Fire at Auburn (S. P. 175) tabled by that Senator on February 1 pending passage.

Mr. BROWN of Aroostook: Mr. President, when this order was presented to create an investigating committee of the legislature with power to supersede all other investigating committees and all other investigating authorities, which would in effect supersede the office of the Attorney General which is a constitutional office, the power of the County Attorney and all the other departments of the state, I considered it was plainly out of order because we could not create by order any such power. I understand that the Senator from Androscoggin, Senator Currier, now wishes to withdraw the order and I yield to that Senator.

Mr. CURRIER of Androscoggin: Mr. President, I wish to withdraw this first tabled matter inasmuch as the phases of that Order are being covered by other legislation.

The PRESIDENT: The Senator from Androscoggin, Senator Currier, asks leave to withdraw the Order. Is there objection? The Chair hears no objection and the order is withdrawn.

On motion by Mr. McKusick of Piscataquis

Adjourned until tomorrow at ten o'clock.