

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Third Legislature

OF THE

STATE OF MAINE

1947

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Friday, April 4, 1947

The Senate was called to order by the President.

Prayer by the Reverend T. Porter Drumm of Augusta.

Journal of yesterday read and approved.

Order

On motion by Mr. Cross of Kennebec, it was

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, April 7th, 1947, at 4:30 o'clock in the afternoon. (S. P. 499) Sent down for concurrence.

Subsequently the foregoing order was returned from the House, having been read and passed in concurrence.

From the House:

Bill "An Act to Incorporate the Town of Strong School District." (H. P. 1279) (L. D. 947)

(In the Senate on March 14, 1947 passed to be engrossed as amended by Committee Amendment A and by House Amendment A thereto, in concurrence.)

Comes from the House, engrossing reconsidered, House Amendment B adopted, and passed to be engrossed as amended by Committee Amendment A as amended by House Amendment A thereto, and further amended by House Amendment B in non-concurrence.

In the Senate, on motion by Mr. Cross of Kennebec, the Senate voted to recede from its former action whereby the bill was passed to be engrossed as amended by Committee Amendment A as amended by House Amendment A thereto; and on further motion by the same Senator, House Amendment B was read and adopted in concurrence, and the bill as so amended was passed to be engrossed in concurrence.

From the House:

Bill "An Act to Incorporate the Town of Gray School District." (H. P. 1290) (L. D. 949)

(In the Senate on March 25, 1947, passed to be engrossed as amended by Committee Amendment "A" and by House Amendment "A," in concurrence)

Comes from the House, engros-

sing reconsidered, House Amendment "B" adopted, and the bill passed to be engrossed as amended by Committee Amendment "A" and by House Amendments "A" and "B" in non-concurrence.

In the Senate, on motion by Mr. Baker of Kennebec, the Senate voted to recede from its former action whereby the bill was passed to be engrossed as amended by Committee Amendment A and House Amendment A; and on further motion by the same Senator, House Amendment B was read and adopted in concurrence, and the bill as so amended was passed to be engrossed in concurrence.

From the House:

Bill "An Act Relating to Taxation of Domestic Fowl." (H. P. 1096) (L. D. 708)

(In the Senate on March 19th, 1947, passed to be engrossed in concurrence.)

Comes from the House, engrossing reconsidered, House Amendment "A" adopted, and the bill as amended was passed to be engrossed in non-concurrence.

In the Senate, on motion by Mr. Noyes of Hancock, the Senate voted to recede from its former action whereby the bill was passed to be engrossed; House Amendment A was read and adopted in concurrence, and the bill as so amended was passed to be engrossed in concurrence.

From the House:

Bill "An Act Increasing the Salary of the Judge of the Calais Municipal Court." (S. P. 162) (L. D. 401)

(In the Senate on March 7th, 1947 passed to be engrossed, as amended by Committee Amendment "A".)

Comes from the House, having been passed to be engrossed as amended in concurrence; subsequently engrossing was reconsidered, House Amendment "A" was adopted, and the bill passed to be engrossed as amended by Committee Amendment "A" and by House Amendment "A" in non-concurrence.

In the Senate, on motion by Mr. Murchie of Washington, the Senate voted to recede from its former action whereby the bill was passed to be engrossed as amended by Committee Amendment A; House Amendment A was read and adopted in concurrence, and the bill as

amended by Committee Amendment A and House Amendment A was passed to be engrossed in concurrence.

From the House:

Bill "An Act to Incorporate the Town of Dixfield School District." (H. P. 1446) (L. D. 1051)

(In the Senate, on March 28th, 1947 passed to be engrossed as amended by Committee Amendment "A" in concurrence.)

Comes from the House, engrossing reconsidered, House Amendment "A" adopted, and the bill passed to be engrossed as amended by Committee Amendment "A" and by House Amendment "A" in non-concurrence.

In the Senate, on motion by Mr. Baker of Kennebec, the Senate voted to recede from its former action whereby the bill was passed to be engrossed as amended by Committee Amendment A; House Amendment A was read and adopted in concurrence, and the bill as amended by Committee Amendment A and House Amendment A was passed to be engrossed in concurrence.

From the House:

Bill "An Act Relating to Removal of Superintendents of State Institutions." (H. P. 1176) (L. D. 849)

(In the Senate on March 14th, 1947, passed to be engrossed as amended by Committee Amendment "A" in concurrence)

Comes from the House, engrossing reconsidered, House Amendment "A" adopted, and the bill passed to be engrossed as amended by Committee Amendment "A" and by House Amendment "A" in non-concurrence.

In the Senate, on motion by Mr. Cross of Kennebec, the Senate voted to recede from its former action whereby the bill was passed to be engrossed as amended by Committee Amendment A; House Amendment A was read and adopted in concurrence, and the bill as so amended was passed to be engrossed in concurrence.

House Committee Reports

The Committee on Judiciary on Bill "An Act Relating to Penalties for Operating Motor Vehicles While Under the Influence of Intoxicating Liquor or Drugs," (H. P. 1602) (L. D. 1270) reported that the same

ought to pass as amended by Committee Amendment "A".

Which report was read and adopted in concurrence and the bill read once; Committee Amendment "A" was read and adopted in concurrence and the bill as amended was tomorrow assigned for second reading.

The Committee on Judiciary on Bill "An Act Relating to Unclassified Service in Department of Aeri-culture," (H. P. 1584) (L. D. 1237) reported that the same ought to pass.

The Committee on Temperance on Bill "An Act Relating to Application of Penalty for Liquor Violation to Subsequently Issued Licenses," (H. P. 1569) (L. D. 1198) reported that the same ought to pass.

The same Committee on Bill "An Act Changing the Definition of a Hotel for the Purpose of Liquor Licenses," (H. P. 1326) (L. D. 855) reported that the same ought to pass.

Which reports were severally read and adopted in concurrence, the bills read once and tomorrow assigned for second reading.

Senate Committee Reports

Mr. Bishop from the Committee on Agriculture on Bill "An Act Permitting Refunds of Dog License Fees," (S. P. 381) (L. D. 1094) reported that the same ought not to pass.

Mr. Dunbar from the Committee on Judiciary on Bill "An Act Relating to Public Officers in Public Contracts," (S. P. 386) (L. D. 1099) reported that the same ought not to pass.

The same Senator from the Committee on Sea and Shore Fisheries on Bill "An Act to Encourage Marine Farming in the Tidal Waters of the State," (S. P. 240) (L. D. 709) reported that the same ought not to pass.

Which reports were severally read and adopted.

Mr. Morrill from the Committee on Sea and Shore Fisheries on Bill "An Act for the Better Protection of Herring Weirs in Hancock County," (S. P. 184) (L. D. 519) reported the same in a new draft (S. P. 500) under a new title, Bill "An Act Defining a Fish Weir," and that it ought to pass.

Which report was read and adopted and the bill in new draft laid upon the table for printing under the joint rules.

Mr. Bishop from the Committee on Education on Bill "An Act Relating to Tuition for Pupils from Towns Contracting for Secondary Education," (S. P. 382) (L. D. 1095) reported that the same ought to pass.

Mr. MacKinnon from the Committee on Inland Fisheries and Game on Bill "An Act to Extend the Open Season for Hunting Migratory Birds," (S. P. 448) (L. D. 1273) reported that the same ought to pass.

Mr. Spear from the same Committee on "Resolve Closing Farmer's Brook in Franklin County to Smelting," (S. P. 362) (L. D. 1031) reported that the same ought to pass.

Which reports were severally read and adopted, the bills and resolve read once, and tomorrow assigned for second reading.

Mr. Barnes from the Committee on Judiciary on Bill "An Act Relating to Issuance of Capias Execution in Divorce Cases," (S. P. 258) (L. D. 720) reported that the same ought to pass as amended by Committee Amendment "A".

Which report was read and adopted and the bill read once.

The Secretary read Committee Amendment A:

"Committee Amendment A to S. P. 258, L. D. 720, bill, An Act Relating to Issuance of Capias Execution in Divorce Cases. Amend said bill by inserting in the 13th line of that part designated as 'Sec. 63' thereof, after the underlined word 'execution', the following underlined words: 'and such reasonable attorney's fee as the court shall order'.

Further amend said bill by adding at the end thereof a new paragraph to read as follows: 'Any person who knowingly files a false affidavit alleging default of payments of support of minor children or payments of alimony or specific sum in lieu thereof, for the purpose of obtaining a capias execution as provided in this section shall be deemed to have committed the crime of perjury and shall be subject to prosecution and imprisonment, upon conviction, in the same manner as provided in the statutes relating to the crime of perjury.'

Which amendment was adopted, and the bill as so amended was tomorrow assigned for second reading.

Mr. Bishop from the Committee on Education to which was recommended bill, "An Act Relating to Reimbursing Towns for Tuition for Pupils Attending Secondary Schools," (S. P. 122) (L. D. 291) reported the same in a new draft (S. P. 501) under the same title and that it ought to pass.

Which report was read and adopted and the new draft laid upon the table for printing under the joint rules.

Passed to be Engrossed

"Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Washington County to Viola Grass, of Lambert Lake." (H. P. 1659) (L. D. 1358)

Bill "An Act Exempting from Taxation the Property of Indians." (H. P. 1660) (L. D. 1357)

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

Bill "An Act Relating to Excise Taxes on Liquors." (H. P. 1562) (L. D. 1191)

Which was read a second time and passed to be engrossed, as amended, in non-concurrence.

Sent down for concurrence.

Bill "An Act Relating to Veteran's Permit to Hunt and Fish Free." (S. P. 178) (L. D. 523)

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

Sent down for concurrence.

Bill "An Act to Create the Augusta Parking District." (S. P. 203) (L. D. 594)

Bill "An Act Relating to Refunds of Gasoline Tax." (S. P. 245) (L. D. 819)

Which were severally read a second time and passed to be engrossed as amended.

Sent down for concurrence.

Bill, "An Act Relating to the Taking of Fur-bearing Animals from the Traps of Another." (S. P. 474) (L. D. 1330)

"Resolve, Providing for Purchase

of Land for the Bangor State Hospital." (S. P. 300) (L. D. 793)

Bill "An Act Relating to Deputy Insurance Commissioners." (H. P. 61) (L. D. 60)

Bill "An Act Excluding Circus Wagons from Definition of Trailers in Motor Vehicle Law." (H. P. 1468) (L. D. 1072)

Orders of the Day

The PRESIDENT: Is there any further business to come before the Senate?

On motion by Mr. Batchelder of York

Adjourned until Monday, April 7, 1947 at 4:30 o'clock in the afternoon.