

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eightieth Legislature

OF THE

State of Maine

1921

AUGUSTA
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HOUSE

Wednesday, Jan. 19, 1921.

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Ecob of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

The following bills, resolves and petitions were presented and, upon recommendation of the committee on reference of bills, were referred to the following committees:

Judiciary

By Mr. Viles of Augusta: Petition of William M. MacLeod of Saco and 21 others in favor of act entitled, "Absentee Voters' Franchise."

By the same gentleman: Petition of Frederick W. Thompson and 22 others in favor of the same.

By the same gentleman: Petition of Minot H. Doble of Portland and 22 others in favor of same.

By the same gentleman: Petition of Fenwick M. Winslow of Portland and 153 others in favor of same.

By the same gentleman: Petition of Benjamin L. Donnell of Portland and 20 others in favor of same.

By the same gentleman: Petition of James A. Reynolds of Canton and 13 others in favor of same.

By the same gentleman: Petition of A. E. Davis of Mexico and 10 others in favor of same.

By Mr. Murchie of Calais: Bill "An act to make legal and valid the annual town meeting of the town of Crawford, in the county of Washington, held March 29th, 1920."

Salaries and Fees

By Mr. Smith of Skowhegan: Bill "An act to increase the salaries of the Clerk of Courts and Register of Deeds of Somerset County and the amounts of money allowed for clerk hire in their offices."

Towns

By Mr. Gipson of Bingham: Bill "An act to repeal acts incorporating the town of Concord."

Ways and Bridges

By Mr. McGlauffin of Pembroke: Resolve to appropriate money for the repair of a road in the town of Pembroke.

By Mr. Varney of Jonesboro: Resolve in favor of the road from Machias to Wesley in the town of Wesley.

By Mr. Brewster of Orland: Resolve appropriating money for the repair of road in the town of Orland.

By Mr. Varney of Jonesboro: Resolve in favor of the road from Machias to Wesley in the towns of Marshfield and Whitneyville.

By Mr. Wadsworth of Winthrop: Resolve in favor of the town of Monmouth for improving Dillno Spring road, so-called.

Orders

Mr. Winter of Auburn presented the following order, and moved its adoption:

Ordered, the Senate concurring, that a joint special committee consisting of the Speaker of the House, ex-officio, and three members upon the part of the House, to be named by the Speaker, and the President of the Senate, ex-officio, and two members upon the part of the Senate, to be named by the President of the Senate, be appointed to formulate a comprehensive plan for the codification and grouping of the various enactments creating and governing the State administrative and executive departments; and be it further

Ordered, that it is the sense of this Legislature that a reorganization and consolidation of the several State departments, commissions, boards and bureaus is possible and desirable at this time; and be it further

Ordered, that such committee shall proceed with diligence to inquire into the whole proposition and report from time to time to the present legislature for further instruction, suggestions or actions; and be it further

Resolved, that such committee consider carefully the urgent need of a fixed policy, insuring to all of the people of our State the largest possible measure of efficient service, consistent with the absolute necessity of the most rigid and practical economy.

On motion by Mr. Hinckley of South Portland, the order was tabled, pending passage, and 300 copies ordered printed.

On motion by Mr. Murchie of Calais, it was

Ordered, that the official reporter of the House be, and hereby is, authorized to procure the services of a typewriter operator for the use of the Assistant Reporter of the Eightieth Legislature in the preparation and completion of the Legislative Record, at an expense not exceeding the sum of two hundred and twenty-five dollars.

Passed to be Enacted

The SPEAKER: The Chair presents at this time an emergency measure requiring a two-thirds affirmative vote of the membership of the House. It is an act to appropriate money for the cost of the Eightieth Legislature, for the payment of all salaries fixed by law, for clerk hire, for general departmental expenses of the State government, and for the ordinary current expenses of the State institutions, required for the period prior to the adjournment of the present Legislature.

Those in favor of the passage of this enactment as emergency legislation will stand until counted, and the monitors will take the count.

A division being had,

One hundred and twenty-six voted in favor and none against, and the bill was passed to be enacted.

Orders of the Day

The SPEAKER: At this time the Chair will suggest to the House, out of order, a Senate paper and will read:

MEMORIAL TO CONGRESS urging the amendment of the Federal Water Power Act so that Maine's water powers shall be saved for the benefit of Maine people.

RESOLVED that the Senate and House of the Eightieth Legislature of the State of Maine now in session,

Believing that the future health and prosperity of the citizens of this State depends in a large measure upon the proper development and use within the State of the water powers which nature has placed within our boundaries; and

Believing that the Federal Water Power Act recently passed by the United States Congress may result in the transmission beyond the borders of the State of the Hydro-electric energy generated therein, thereby causing serious and irreparable loss and injury to the health and prosperity of the State, and to the future growth of industries therein;

Respectfully urge upon the Congress now in session the necessity of amending the said Federal Water Power Act in order that there shall be no Federal interference with and control of the water powers lying within the borders of the State of Maine, and

The Secretary of State is directed to transmit a copy of these Resolutions to both branches of Congress and to our Senators and Representatives therein.

In the Senate read twice under suspension of the rules and passed to be engrossed.

In the House, on motion by Mr. Murchie of Calais, the Memorial was tabled.

Mr. CLARKE of Stonington: Mr. Speaker, I move that the vote be reconsidered whereby bill An Act to amend Chapter 50 of the Revised Statutes as amended by Section 9 of Chapter 238 of the Public Laws of 1919, relating to Workmen's Compensation, was referred to the committee on Judiciary.

The SPEAKER: The Chair asks for information if this reference was made yesterday.

Mr. CLARKE: It was made yesterday.

The SPEAKER: The Chair rules that the gentleman is out of order

and takes this time to state again the parliamentary situation. When a measure is presented to either branch of the Legislature and is by that branch referred to a committee, it is in the first instance to all intents and purposes without the power of the branch in which it originated. A preliminary motion has to be made and carried before either branch can act upon that measure. In this instance, if the Chair is correctly informed, a motion would be made to recall from the committee to which it was referred the particular bill or measure and after the lapse of a reasonable time, which at this stage of the session would be a session, the papers may be assumed to be on the table where the measure originated and subject to any parliamentary order or action by the House.

The Chair takes this time to make this ruling plain lest it may seem to any of the members that by any arbitrary ruling they are prevented from having their way with a measure or presenting it before the House. The Chair, of course, will entertain any motion presented by the gentleman from Stonington (Mr. Clarke). If the gentleman from Stonington (Mr. Clarke) will take the time to reduce his so-called motion to an order, it becomes a part of the Legislative record in proper form, and that can be done tomorrow as well as today.

On motion by Mr. Chamberlain of Winslow,

Adjourned until ten o'clock tomorrow morning.