

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

have that information, this morning, I move that it lie on the table.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate for consideration the second matter assigned for consideration, today, Senate Document 453, an Act to create a Public Utilities Commission, prescribe its powers and duties, and provide for the regulation and control of public utilities. The pending question is the second reading of the bill.

Mr. STEARNS of Oxford: Mr. President, I am willing to yield the floor to the senator from Androscoggin, Senator Morey.

Mr. MOREY of Androscoggin: Mr. President, I move that we go into committee of the whole and discuss this proposition. There are some minor details it seems to me, in which several question should be asked from those familiar with the bill, and it may be they can answer satisfactorily. It seems to me there are a few minor matters that should be taken up in committee of the whole. I think we can get at results quicker.

Mr. STEARNS: Mr. President, I think that perhaps we ought to give this matter a little consideration. There are members of the subcommittee who are particularly interested and have information, and whom perhaps I would like to consult, and I would ask that we have a recess for 10 minutes.

A recess was taken.

#### After Recess.

Senate called to order by the President.

Mr. MOREY of Androscoggin: Mr. President, during recess a consultation was had and I understand that the following is practically agreed upon; that the motion to go into committee of the whole be withdrawn; that members of the Senate desiring to make any amendment to the bill to have them ready, tomorrow morning, and that, next Tuesday we go into committee of the whole and consider the bill and amendments.

I therefore upon that understanding withdraw my motion.

Mr. Wing of Franklin offered the

following amendments, A and B, and moved their adoption:

#### Senate Amendment "A" to Senate Bill No. 453.

Amend Section 15 of Senate Bill No. 453, by adding to said section after the word "commission" in the third line thereof, the words, "Provided, however, that nothing contained in this act shall require any public utility engaged in interstate commerce, to do, or not to do, anything contrary to the requirements of any federal law, relating thereto."

#### Senate Amendment "B" to Senate Bill No. 453.

Amend Section 16 of Senate Bill No. 453 by striking out the words "thirty-first day of December," in the second line of said section, and inserting in lieu thereof the words "thirtieth day of June"; and by striking out the word "February" in the fourth line of said section and inserting in lieu thereof the word "September."

Mr. STEARNS of Oxford: Mr. President, I understand that the senator moved the adoption of these amendments. I hope the senator will withdraw the motion, because I think the understanding that was made during the recess was that such amendments as are ready this morning should be introduced and lie on the table together with the bill until tomorrow morning, at which time other amendments were to be presented, prepared in the meantime, and this whole matter then to come up for consideration. Tuesday, all amendments being on the table for printing, and all having an opportunity to examine them and take them up for discussion.

The PRESIDENT: The Chair understood the motion merely as formal.

Mr. WING: Mr. President, I so understood it, and the statement of the senator from Oxford is satisfactory.

The PRESIDENT: These amendments will lie on the table for printing.

Mr. Stearns offered the following amendments and moved that it be tabled for printing:

#### Amendment "C" to Senate Document No. 453,

Entitled "An Act to create a Public

Utilities Commission, prescribe its powers and duties, and provide for the regulation and control of public utilities."

Amend Section 9 by striking out all of lines 131 and 132, and substituting in place thereof, the following: "Water for municipal and domestic use," so that that portion of Section 9, defining the term "water works" shall read as follows:

The term "water works" when used in this act, includes all reservoirs, tunnels, shafts, dams, dikes, head-gates, pipes, flumes, canals, structures and appliances, and all other real estate, fixtures and personal property, owned, controlled, operated or managed in connection with or to facilitate the diversion, development, storage, supply, distribution, sale, furnishing, carriage, apportionment or measurement of water for municipal and domestic use.

Mr. Richardson of Penobscot offered the following amendment and moved that it be tabled for printing.

**Amendment "D" to Senate Bill No. 453.**

Amend Section 19 of Senate Bill No. 453 by striking out the word "January" in the 10th line of said section, and inserting in lieu thereof the word "July."

The PRESIDENT: The Chair lays before the Senate for consideration the third matter assigned for today, Senate Document 310, An Act relating to the entry of nolle prosequi in criminal cases.

The pending question is the second reading of the bill.

Mr. PACKARD of Knox. Mr. President, I yield the floor to the senator from Androscoggin, Senator Morey.

Mr. MOREY of Androscoggin: Mr. President, as it is late, I move that this matter be reassigned for Wednesday of next week.

The motion was agreed to.

On motion by Mr. Richardson of Penobscot, Senate Document 461, an Act to amend Section 2 of Chapter 250 of the Public Laws of 1909 relating to the payment of fees accruing to State institutions and departments, was taken from the table, and on further motion by the same senator, was

referred to the committee on appropriations and financial affairs.

On motion by Mr. Bailey of Penobscot, Senate Document 462, an Act relating to the payment to minors under decree of court, was taken from the table, and on further motion by the same senator, was referred to the committee on legal affairs.

On motion by the same senator, Senate Document 463, an Act providing for appeals in the case of location of wharves or fish weirs, was taken from the table, and on further motion by the same senator, the Senate non-concurred with the House in the reference of this bill to the committee on judiciary, and the bill was then referred to the committee on sea and shore fisheries.

On motion by Mr. Conant of Waldo, Senate Document 377, Resolve in favor of the Maine Wesleyan Seminary and Woman's College, was taken from the table,

On further motion by the same senator, the bill was given its first reading.

On motion by Mr. Bailey of Penobscot, unanimous consent was given, and that senator introduced, out of order, a report of the committee on legal affairs on that part of the Governor's message on the primary election law and the corrupt practice act which was referred to them together with accompanying bill in a new draft, and that it "ought to pass."

The report was accepted, and the bill tabled for printing under the joint rules.

On motion by Mr. Cole of York, House Document 239, an Act amending Section 3 of Chapter 162 of the Public Laws of 1905, entitled "An Act enlarging the duties and fixing the compensation of the attorney general, was taken from the table.

On further motion by the same senator, the bill was given its first reading.

On motion by Mr. Chase of Piscataquis.

Adjourned until tomorrow morning at 9.30 o'clock.