

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Ninth Legislature

OF THE

STATE OF MAINE

1959

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Friday, May 1, 1959

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

Prayer by the Rev. Mr. Chester Wiley of the First Baptist Church, Nobleboro.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Order:

ORDERED, the House concurring, that the joint standing committee on Public Health be instructed to originate a Bill creating a Committee to study the need and desirability of relocating the State School for Boys (S. P. 479)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

Senate Reports of Committees Ought Not to Pass Covered by Other Legislation

Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" on Bill "An Act relating to Open Season on Deer in Towns of Deer Isle and Stonington" (S. P. 162) (L. D. 382), as it is covered by other legislation.

In the House, the Report was read and accepted in concurrence.

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Rulings on Admissibility of Evidence by Public Utility Hearing Examiners" (S. P. 377) (L. D. 1276)

Came from the Senate read and accepted.

In the House, the Report was read and accepted in concurrence.

Ought to Pass in New Draft

Report of the Committee on Labor on Bill "An Act relating to Artificial Aids for Employees for Injuries under Workmen's Compensation Law" (S. P. 276) (L. D. 738) reporting same in a new draft (S. P. 477) (L. D. 1348) under same title and that it "Ought to pass".

Report of the Committee on Legal Affairs on Bill "An Act relating to St. Mary's Hospital of Lewiston" (S. P. 457) (L. D. 1310) reporting same in a new draft (S. P. 478) (L. D. 1349) under same title and that it "Ought to pass.

Came from the Senate with the Reports read and accepted and the Bills passed to be engrossed.

In the House, the Reports were read and accepted in concurrence, the New Drafts read twice and assigned the next legislative day.

Non - Concurrent Matter

Bill "An Act relating to Settlements or Releases from Injured Persons Confined in Hospitals" (H. P. 56) (L. D. 78) which was passed to be engrossed in the House on March 13.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

Non-Concurrent Matter

Majority Report of the Committee on Claims reporting "Ought not to pass" on Resolve to Reimburse the City of Portland for Support of Joseph A. and Madelon E. Glidden (H. P. 788) (L. D. 1120) and Minority Report reporting "Ought to pass" which Reports and Resolve were indefinitely postponed in the House on April 1.

Came from the Senate with the Minority Report accepted and the Resolve passed to be engrossed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Kilroy.

Mrs. KILROY: Mr. Speaker and Members of the House: I now move that we recede and concur.

The SPEAKER: The question before the House is the motion of the gentlewoman from Portland, Mrs. Kilroy, that the House recede from its action whereby it indefinitely postponed, and concur with the Senate in accepting the Minority Report.

The Chair recognizes the gentleman from St. Albans, Mr. Hughes.

Mr. HUGHES: Mr. Speaker, this resolve seems to have quite a history. It was reported out of committee seven to three "Ought not to pass." It received due consideration within that committee, and it was indefinitely postponed in the House at the acceptance of either committee report when it was reported and it was completely killed and is now being revived. I don't believe that there is any member that signed the "Ought not to pass" Report of the Committee that have changed their minds. I don't believe that there are too many of the members of the House that have changed their minds. I would oppose the motion and hope that it does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Kellam.

Mr. KELLAM: Mr. Speaker and Members of the House: I don't know on what basis the Claims Committee turned down the request for the payment of these funds, but the facts of the matter would clearly indicate that if the true facts in this case were known at the time the payments were made, the State would have paid this amount of money for the support of this family instead of the City of Portland. The State Department of Health and Welfare recognizes this and advised the City of Portland to make its claim when they did not have the funds to do so.

The simple facts are that this man was presumed to have acquired a status in Portland through his mother by the award of custody in a divorce action some fifteen years ago. As it happens, he was not awarded custody and it is a simple matter of law that this man's settlement would have followed the residence of his father which, as it happened, was the Bangor State Hospital, wherein he could not acquire a settlement and, therefore, the settlement of the man for whom the claim is made, or for the reimbursement is made, would have a settlement with the State and would have clearly been liable to the State on this payment. These are the A. D. C. payments, the Aid to Dependent Children, which the city has to bear a portion of, and if these facts were known at the time the pay-

ments were made, the City of Portland would not have had to bear these payments.

Therefore, I can see no reason for not reimbursing the City once these facts come to light. Since it is all based upon a custody proceeding in 1943 or '44, somewhere in there, the facts of which the City of Portland is not likely to investigate since the man involved would have been a child and the custody was either assumed or taken at its face value through a misinformation furnished by the recipient of the aid. Therefore, I hope that you ladies and gentlemen will consider receding and concurring with the Senate in this matter.

The SPEAKER: The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: I signed the "Ought not to pass" Report because fifty per cent, or practically fifty per cent, of all of the claims that come before the Claims Committee are due to the fact of the negligence of somebody of having the thing straightened out. Now, we have turned them practically all down because of that negligence because we did not think it was fair to the other towns or municipalities who had seen to it that their reports were put in properly and because of negligence they were not put in, and then come down a year or two after, or two or three years, and want the State to pay.

It is true that had the people in Portland who were charged with the affairs had properly set this up, why, the State would have paid, but that is true of a great many of the claims we did turn down.

Now, we have found and find a great many times, several bills came in asking for payment for people who had forgotten to put in their tax refunds for gasoline, and other towns who forgot or through negligence of some kind did not get their reports in as required within the ninety days. Now, after ninety days it is mandatory that the Department turn them down, if they don't get them in within the ninety days. So, we had nothing against this claim any more than we had against any of them, it was because

of negligence that they did not get them in on time.

Now, it seems to me if we are going to uphold one in negligence, we should take all of the claims that we turned down and give everyone a chance and pay everyone, even if they weren't negligent and just not merely the City of Portland.

The SPEAKER: The Chair recognizes the gentleman from St. Albans, Mr. Hughes.

Mr. HUGHES: Mr. Speaker and Members of the House: I would like with your permission to read the last paragraph of the report that was given to the Claims Committee by Paul D. McClay, Director, Division of General Relief, Department of Health and Welfare, and I quote: "Had the officials of the City of Portland submitted an application for relief to the Division of General Relief when relief was first given in 1955, they would have been notified by that Division that there was no legal settlement, and they would not have been involved in the expenses represented in this resolve." Which shows to us or it did show to us pretty definitely that it was negligence on the part of the municipal officials in handling the case properly.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Hendricks.

Mrs. HENDRICKS: Mr. Speaker and Members of the House: I think there is very little doubt that this money is due the City of Portland and I don't think it is very fair that we should try to find loopholes to get out of that, and I support the motion to recede and concur with the other branch.

The SPEAKER: The Chair recognizes the gentleman from Berwick, Mr. Mathews.

Mr. MATHEWS: Mr. Speaker and Ladies and Gentlemen of the House: The Claims Committee declined several claims just the same as this one of some of the smaller towns in the State, and they have accepted our reports without argument. I think that the City of Portland certainly is large enough to accept our reports if these smaller towns can do so.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Kilroy.

Mrs. KILROY: Mr. Speaker and Members of the House: I feel definitely that the Claims Committee is a court of last resort and I don't think that we should take into consideration the matter of precedence because it is the last place you can go to get relief where it is justified.

The fact that the State has paid \$144 toward this claim since this resolve has been presented, it seems to me that the City of Portland has a just claim. This is the only money that we have asked for, in so far as I know, in the last four years, and the fact that we are more than fifty per cent responsible for the taxes of the State, I feel that we have a just claim and I trust that you people will consider it.

The SPEAKER: Is the House ready for the question? A division has been requested. The question before the House is the motion of the gentlewoman from Portland, Mrs. Kilroy, that the House recede and concur on Resolve to Reimburse the City of Portland for Support of Joseph A. and Madelon E. Glidden, House Paper 788, Legislative Document 1120.

Will those who favor the motion to recede and concur please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Thirty-six having voted in the affirmative and fifty-four having voted in the negative, the motion said not prevail.

Thereupon, on motion of Mr. Hughes of St. Albans, the House voted to adhere.

On motion of the gentlewoman from Yarmouth, Mrs. Knapp, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

House at Ease

Called to order by the Speaker.

A message was received from the Senate borne by Secretary Winslow proposing a Joint Convention to be held in the hall of the House

at eleven o'clock this morning for the purpose of inviting His Excellency, Governor Clinton A. Clauson, his guest, the Honorable Robert B. Williamson, Chief Justice of the Supreme Judicial Court of Maine, and the members of the Executive Council, to attend and address the Convention such remarks as either of them may be pleased to make.

Thereupon, on motion of the gentleman from Auburn, Mr. Wade, the House voted to concur in the proposal for a Joint Convention and the Clerk was instructed to convey the message to the Senate.

The Clerk subsequently reported that he had discharged the duty assigned him.

The following paper from the Senate not on the Advance Journal:

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, May 4, at four o'clock in the afternoon. (S. P. 481)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

**STATE OF MAINE
SENATE CHAMBER**

April 30, 1959

Hon. Harvey R. Pease
Clerk of House of Representatives
99th Legislature
State House
Augusta, Maine.
Sir:

In accordance with the provisions of Chapter 41, Section 246, Revised Statutes, 1954, the President of the Senate on the 29th of April appointed Senator Wilmot S. Dow of Lincoln, of the Legislative Committee on Education, a member of the Maine School Building Authority.

Yours very truly,

(Signed) CHESTER T. WINSLOW
Secretary of the Senate

Came from the Senate read and placed on file

In the House, the Communication was read and ordered placed on file.

Orders

Mr. Shepard of Stonington presented the following Order and moved its passage:

WHEREAS, the members of the House have learned of the recent death of Basil Thomas Wheaton, brother of Mr. Wheaton of Princeton;

NOW THEREFORE BE IT ORDERED that the Clerk of the House be, and hereby is, directed to send to Mr. Wheaton of Princeton a telegram expressing our deepest sympathy to him and the entire family on their loss.

The Order received passage.

**House Reports of Committees
Ought Not to Pass**

Mr. Brown from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve Providing for a Scholarship for Miss Maine" (H. P. 739) (L. D. 1058)

Mr. Edwards from same Committee reported same on Resolve Appropriating Funds for Crop Reporting Service in Department of Agriculture (H. P. 738) (L. D. 1057)

Reports were read and accepted and sent up for concurrence.

Mrs. Smith from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve Appropriating Moneys for Northern Maine General Hospital (H. P. 529) (L. D. 764)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Gallant.

Mr. GALLANT: Mr. Speaker and Members of the House: I move to substitute the bill for the report and when the vote is taken I would request a division. I would like to speak briefly to my motion.

The SPEAKER: The gentleman may proceed.

Mr. GALLANT: Mr. Speaker and Members of the House: I introduced this bill for the hospital, in the hope that I would get a little help from the State. As you know, in the northern section of the State the labor situation is critical and that the financial situation is still worse. We are even short-changed by imported labor. There the hospital

needs an elevator very badly and I hope that you good representatives will support me in substituting the bill for the report. Thank you very much.

The SPEAKER: The gentleman from Eagle Lake, Mr. Gallant, moves that with respect to Resolve Appropriating Moneys for Northern Maine General Hospital, the resolve be substituted for the "Ought not to pass" report.

The Chair recognizes the gentleman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker, I would just like to explain the position of the Committee on this bill. It is one of those bills which is very pathetic and many of us would like to pass, but we have a lot of these bills and we had to pass on a lot of others that could not be passed because they are individual problems and not exactly the problem of the State, and for that reason we voted out "Ought not to pass."

The SPEAKER: Is the House ready for the question? A division has been requested.

Will all those who favor substituting the Resolve for the Report please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty-two having voted in the affirmative and fifty-four having voted in the negative, the motion did not prevail.

Thereupon, the "Ought not to pass" Report was accepted and sent up for concurrence.

Covered By Other Legislation

Mr. Brown from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve Appropriating Moneys to Promote and Advertise Maine's Ski Business (H. P. 266) (L. D. 398), as it is covered by other legislation.

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Eustis, Mr. Carville.

Mr. CARVILLE: Mr. Speaker, I would like to table this item until such a time that the other legislation that this covers comes out.

The SPEAKER: The gentleman from Eustis, Mr. Carville, moves that with respect to Resolve Ap-

propriating Moneys to Promote and Advertise Maine's Ski Business, the Report be tabled unassigned pending acceptance.

Will those who favor the tabling motion please say aye; those opposed, no.

A viva voce vote being doubted, a division of the House was had.

Thirty-eight having voted in the affirmative and fifty-five having voted in the negative, the motion did not prevail.

Thereupon, the "Ought not to pass" Report was accepted and sent up for concurrence.

Mr. Davis from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve in favor of the Economic Promotion of Maine (H. P. 469) (L. D. 687), as it is covered by other legislation.

Report was read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Draft Printed Tabled and Assigned

Mr. Harris from the Committee on Inland Fisheries and Game on Bill "An Act Creating the Merry-meeting Bay Game Sanctuary" (H. P. 716) (L. D. 1021) reported same in a new draft (H. P. 954) (L. D. 1354) under same title and that it "Ought to pass."

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Pert.

Mr. PERT: Mr. Speaker, I would like to get some additional information about this new draft over the weekend. Therefore, I request permission to table this bill until Monday, May 4.

The SPEAKER: The gentleman from Bath, Mr. Pert, moves that the Report and Bill be tabled pending acceptance of the Committee Report and be specially assigned for Monday, May 4. Is this the pleasure of the House?

The motion prevailed.

Ought to Pass Printed Bills

Mr. Brown from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Resolve to Provide Funds for Match-

ing Federal Funds for Training in Fisheries Trade (H. P. 82) (L. D. 129)

Mr. Edwards from same Committee reported same on Resolve Creating a Committee on the Uniform Commercial Code (H. P. 681) (L. D. 981)

Reports were read and accepted, the Resolves read once and assigned the next legislative day.

Ought to Pass with Committee Amendment

Mr. Bragdon from the Committee on Appropriations and Financial Affairs on Resolve Appropriating Moneys for Restoration of Certain Forts in Aroostook County (H. P. 712) (L. D. 1017) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 712, L. D. 1017, Resolve, Appropriating Moneys for Restoration of Certain Forts in Aroostook County.

Amend said Resolve by striking out in the 11th and 12th lines the words "the purposes of this resolve have been accomplished" and inserting in place thereof the word and figures 'June 30, 1961'

Committee Amendment "A" was adopted and the Resolve assigned for second reading the next legislative day.

Mr. Brown from the Committee on Appropriations and Financial Affairs on Resolve to Purchase One Hundred Copies of "History of Otisfield" (H. P. 21) (L. D. 44) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 21, L. D. 44, Resolve, to Purchase One Hundred Copies of "History of Otisfield."

Amend said Resolve by striking out in the 3rd line the words and figures "1,250 for the State to purchase 100" and inserting in place

thereof the words and figures '625 for the State to purchase 50'

Committee Amendment "A" was adopted and the Resolve assigned for second reading the next legislative day.

Mr. Brown from the Committee on Appropriations and Financial Affairs on Resolve to Purchase One Hundred Copies of "A History of Aurora, Maine" (H. P. 530) (L. D. 765) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 530, L. D. 765, Resolve, to Purchase One Hundred Copies of "A History of Aurora, Maine."

Amend said Resolve by striking out in the 2nd line the figure "100" and inserting in place thereof the figure '50'.

Further amend said Resolve by striking out in the next to last line the figure "500" and inserting in place thereof the figure '250'.

Committee Amendment "A" was adopted and the Resolve assigned for second reading the next legislative day.

Mr. Davis from the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Income from Sale of Geological Survey Publications" (H. P. 260) (L. D. 392) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 260, L. D. 392, Bill, "An Act Relating to Income from Sale of Geological Survey Publications."

Amend said Bill by striking out all of the last underlined sentence.

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

Mr. Edwards from the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Sewage Pollution Surveys" (H. P.

432) (L. D. 638) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to (H. P. 432) (L. D. 638), Bill, "An Act Relating to Sewage Pollution Surveys."

Amend said Bill by deleting that part designated as Section 2, and inserting in place thereof the following:

'Sec. 2. Allocation, There is hereby allocated out of any sums appropriated for pollution abatement under the provisions of Chapter 388 of the Public Laws of 1957, \$25,000 for each of the fiscal years ending June 30, 1960 and June 30, 1961. All unencumbered balances as of June 30, 1961 shall lapse.'

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

Mr. Edwards from the Committee on Appropriations and Financial Affairs on Resolve for the Purchase of Two Hundred Copies of "A History of the Town of Porter, Maine" (H. P. 268) (L. D. 400) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 268, L. D. 400, Resolve, For the Purchase of Two Hundred Copies of "A History of the Town of Porter, Maine."

Amend said Resolve by striking out in the 1st line the figure "200" and inserting in place thereof the figure '50'.

Further amend said Resolve by striking out in the next to last line the figure "1,000" and inserting in place thereof the figure '250'.

Committee Amendment "A" was adopted and the Resolve assigned for second reading the next legislative day.

Divided Report

Majority Report of the Committee on Highways on Bill "An Act to Authorize the Construction of a Causeway Connecting Cousins Island with Littlejohns Island, and a Bridge and Causeway Connecting Littlejohns with Chebeague Island" (H. P. 145) (L. D. 201) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Mr. STILPHEN of Knox
— of the Senate.

Messrs. TURNER of Auburn
CROCKETT of Freeport
NADEAU of Biddeford
PRUE of Ashland
DENNISON of
— East Machias
— of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Messrs. THURSTON of Oxford
PARKER of Piscataquis
— of the Senate.

Messrs. CARTER of Etna
GRAVES of Mount Desert
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Call.

Mr. CALL: Mr. Speaker, I now move that we accept the Majority Report "Ought to pass" and may I speak on it?

The SPEAKER: The gentleman may proceed.

Mr. CALL: Ladies and Gentlemen of the House: Over the last four months I have placed on your desks maps, pamphlets and brochures on this matter, and when it goes to the people it will be a referendum, and I am not going to take too much time because I think you are familiar with it. I hope you go along with me on the majority "Ought to pass" Report.

The SPEAKER: The question before the House is the motion of the gentleman from Cumberland, Mr. Call, that the House accept the Majority "Ought to pass" as amended Report. Is the House

ready for the question? Will those who favor the acceptance of this Report please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

Thereupon, the Bill was given its two several readings.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 145, L. D. 201, Bill, "An Act to Authorize the Construction of a Causeway Connecting Cousins Island with Littlejohns Island, and a Bridge and Causeway Connecting Littlejohns with Chebeague Island."

Amend said Bill in the 8th line by inserting after the word and punctuation "thereto," the words and punctuation 'and interest during construction.'

Further amend said Bill in the 10th line by inserting after the words and punctuation "thereto," the words and punctuation and interest during construction.'

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

Divided Report

Majority Report of the Committee on Highways reporting "Ought not to pass" on Bill "An Act relating to Services of State Police on Maine Turnpike" (H. P. 605) (L. D. 865)

Report was signed by the following members:

Messrs. STILPHEN of Knox
PARKER of Piscataquis
THURSTON of Oxford
— of the Senate.

Messrs. NADEAU of Biddeford
PRUE of Ashland
GRAVES of Mount Desert
DENNISON of East
Machias
CARTER of Etna
TURNER of Auburn
— of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following member:

Mr. CROCKETT of Freeport
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker and Ladies and Gentlemen of the House: In regard to item sixteen on today's calendar, Legislative Document 865, I want to say that I had this very same bill before this House last year. It is a bill that came in practically the same way, "Ought not to pass" Minority Report, but people that were sitting in this hall at that time saw my version of the bill. On an overwhelming vote they gave me the courtesy of taking it through this wonderful House. In the unmentionable department at the other end of the hall, the vote was taken there, it was very satisfactory.

I do say this: That my bill calls for the Maine Turnpike Authority, which is in no doubt a private corporation, we the taxpayers of the State of Maine have subsidized them for \$175,000 per year. Now, do your constituents back home want you to subsidize a private corporation? I assure you if you run a dance in your home town, the law says you must provide the police and you must pay for that police protection.

The turnpike has been in existence going on eleven years. We paid out practically two million dollars to subsidize this Turnpike Authority. Furthermore, we are the only state in the United States that is subsidizing a turnpike authority that is, as I have said before, a private corporation.

I will read to you the truth: States having turnpikes in which turnpike authorities reimburse the states for cost of highway police patrol, they are the Connecticut Turnpike, Florida, Illinois, Indiana, Kansas, (sounds like a convention in Washington) Louisiana, Massachusetts, New Jersey, the New Jersey Turnpike, the Garden State Parkway, New York, Ohio, Oklahoma, Pennsylvania, Texas, Virginia, West Virginia. Now, those are your states that are being returned back on paying for that whole police protection.

Now, the state highway departments operate toll roads in Colorado, Connecticut, Kentucky, New Hampshire, Merritt and the Wilbur Cross

Parkway, the Eastern Spaulding and Central Turnpikes. Maine is the only state having a turnpike authority which receives no reimbursement for state police patrol.

Now, these are just a few of the sample contributions from the state either to the highway department or the state police fund. They are New Jersey, the Garden State Highway, which has 132 miles, they reimburse the state \$61,000; the New Jersey Turnpike, 173 miles, \$906,000; the Ohio Turnpike which is 241 miles, in 1956 reimbursed \$582,000; the Oklahoma Turnpike which is 88 miles, in 1957 reimbursed \$88,000; the Pennsylvania Turnpike, 470 miles, reimbursed the state in 1957 \$1,445,000.

How much longer are you and I, the representatives of the people of the State of Maine, going to subsidize a private corporation? I hope you will go along with the Minority Report and do justice to your people back home that sent you here. Since the Turnpike has been in existence, it has cost you and I and our constituents back home \$2,000,000. Let's not do it. When the Minority Report is accepted I hope we have a division on it. I ask for a division.

The SPEAKER: The gentleman from Freeport, Mr. Crockett, moves the acceptance of the Minority "Ought to pass" Report and requests a division.

The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: This bill, as the gentleman from Freeport, Mr. Crockett, tells you, was turned down last session and I can see a greater reason why it should be turned down now. For these reasons let's look over what really does take place and what is taking place.

It is true that there is an authority but it is backed up by the State of Maine. They have interest on the bonds to pay, and if they don't pay them, why, then the State of Maine will probably have to take them over, we all know that. We know that when they just came as far as Portland that it was a very paying proposition, but they liquidated the bonds and then they put in this piece up to Augusta, which has not

paid. I don't think the Portland to Augusta piece pays the way, but since we have got from Kittery to Portland a good paying piece of road, why, we have got this extra piece of road and they have gone along with it.

Now, they get no gasoline tax whatever. All the gasoline being burned on that turnpike, the State of Maine gets their share, they get their seven cents and the Federal Government gets three cents. And as far as police protection, the police protection is not for the protection of the Maine Turnpike, there is nothing that happens to the Turnpike, there is no one going to carry that off. The protection the police give the Turnpike is for the people that travel the Turnpike, the same protection the police gives my town when we call them and they come down and straighten out some of the things that are going wrong down there, and we expect the state police to be paid for that by the regular appropriations that are being made. I see no reason why the state police should be paid from the Turnpike any more than being paid from 201 or some other piece or road that is set apart. And I think it would be unfair, awful unfair to pass this bill because I think it would come right back in our own dish. You know that within the last year or two the rates had to go up on the Turnpike because they didn't have enough to pay the bonds, to pay their interest and they were going to be in real trouble. So, if you just pass this bill they are going to be in more trouble, and the State of Maine has got to back up that trouble if it ever becomes serious enough. So all we are doing is just robbing Peter to pay Paul if we pass this bill, and I move indefinite postponement of the bill and all accompanying papers.

The SPEAKER: The question now before the House is the motion of the gentleman from Bowdoinham, Mr. Curtis, that both reports be indefinitely postponed on Bill "An Act relating to Services of State Police on Maine Turnpike," House Paper 605, Legislative Document 865. Is the House ready for the question? A division has been requested.

Will those who favor the motion to indefinitely postpone both reports please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty-eight having voted in the affirmative and sixty-four having voted in the negative, the motion did not prevail.

Thereupon, the Minority "Ought to pass" Report was accepted, the Bill given its first and second readings and assigned the next legislative day.

Divided Report

Majority Report of the Committee on Highways reporting "Ought not to pass" on Resolve Authorizing State Highway Commission to Study Desirability of Bridge Across Saco River (H. P. 393) (L. D. 576)

Report was signed by the following members:

Messrs. STILPHEN of Knox
PARKER of Piscataquis
THURSTON of Oxford
— of the Senate.

Messrs. CROCKETT of Freeport
TURNER of Auburn
CARTER of Etna
GRAVES of Mount Desert
— of the House.

Minority Report of same Committee reporting "Ought to pass" on same Resolve.

Report was signed by the following members:

Messrs. NADEAU of Biddeford
PRUE of Ashland
DENNISON of
East Machias
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Plante.

Mr. PLANTE: Mr. Speaker, being a realist and anticipating the eventual action that would be taken regarding this bill, I regretfully move that the Majority Report be accepted.

Thereupon, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Third Reader Tabled and Assigned

Bill "An Act to Repeal the Westbrook Sewerage District" (S. P. 38) (L. D. 36)

Was reported by the Committee on Bills in the Third Reading and read the third time.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Kilroy.

Mrs. KILROY: Mr. Speaker, I notice the absence of the gentleman from Westbrook, Mr. Porell, the sponsor of this item one, and I would like to table this bill until Monday.

The SPEAKER: Would the gentlewoman approach the rostrum.

(Conference at rostrum)

The SPEAKER: The gentlewoman from Portland, Mrs. Kilroy, moves that this matter be tabled and specially assigned for Monday, pending passage to be engrossed.

The Chair recognizes the gentlewoman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker, I arise to question the tabling motion. I would like to have it tabled until Wednesday.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Kilroy.

Mrs. KILROY: Mr. Speaker, I withdraw my motion for the timing of Monday.

The SPEAKER: The gentlewoman from Portland, Mrs. Kilroy, withdraws her motion. The question before the House is the motion of the gentlewoman from Falmouth, Mrs. Smith, that the bill be tabled and specially assigned for Wednesday, May 6, pending passage to be engrossed. Is this the pleasure of the House?

The motion prevailed.

Bill "An Act Concerning Liability of Parents for Damage by Children" (S. P. 58) (L. D. 91)

Bill "An Act Creating Municipal Urban Renewal Authorities" (H. P. 555) (L. D. 811)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

Amended Bill

Bill "An Act Revising the Laws Relating to the Registration of Vital Statistics" (H. P. 297) (L. D. 444)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

**Passed to Be Enacted
Emergency Measure**

An Act to Repeal the Charter of the Cousins and Littlejohns Islands Village Corporation (H. P. 168) (L. D. 242)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 102 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Authorize the Municipalities of Limestone and Caswell Plantation to Form a School Administrative District (H. P. 604) (L. D. 864)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 98 voted in favor of same and none against.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Wade.

Mr. WADE: May I approach the rostrum?

The SPEAKER: The gentleman may approach the rostrum.

(Conference at rostrum)

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Wade.

Mr. WADE: Mr. Speaker, I ask for a roll call on item two.

The SPEAKER: The gentleman from Auburn, Mr. Wade, requests a roll call. For the Chair to order a roll call, the Chair must have the approval of one-fifth of the members present. Will all those who

favor a roll call please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously more than one-fifth having arisen, a roll call is ordered.

The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: May I approach the rostrum please?

The SPEAKER: The gentleman may approach the rostrum.

(Conference at rostrum)

(Off Record Remarks)

The SPEAKER: The question before the House is on the passage for enactment of Bill "An Act to Authorize the Municipalities of Limestone and Caswell Plantation to Form a School Administrative District." If you favor the passage for enactment of this measure, you will say "yes" when the Clerk calls your name. If you oppose the enactment, you will say "No". The Clerk will call the roll.

ROLL CALL

YEA - Aliberti, Bacon, Baker, Barnett, Baxter, Beane, Berman, Bragdon, Brown, Cape Elizabeth; Brown, Ellsworth; Cahill, Call, Carter, Caswell, Chapman, Gardiner; Chapman, Norway; Choate, Christie, Clark, Cormier, Cote, Cousins, Couture, Cox, Coyne, Crockett, Curtis, Cyr, Augusta; Cyr, Fort Kent; Davis, Calais; Dean, Dennett, Dennison, Dodge, Dumaine, Earles, Edgerly, Edwards, Raymond; Edwards, Stockton Springs; Emmons, Ervin, Gallant, Hancock, Hanson, Bradford; Hanson, Lebanon; Harrington, Harris, Heald, Hendricks, Hendsbee, Hilton, Hobbs, Hodgkins, Hughes, Jacques, Jalbert, Jewell, Jewett, Johnson, Jones, Karkos, Kennedy, Kilroy, Knapp, Knight, Lancaster, Lantagne, Lemelin, Lindsay, Linnell, Lowery, Maddox, Mathews, Mathieson, Maxwell, Mayo, Miller, Monroe, Morse, Nadeau, Parsons, Perry, Easton; Perry, Hampden; Pert, Philbrick, Pitts, Plante, Rankin, Reed, Saunders, Shepard, Smith, Exeter; Smith, Falmonth; Stanley, Storm, Tardiff, Treworgy, Trumbull, Wade, Walls, Walsh, Walter, Warren, Weston,

Whiting, Whitman, Williams, Winchenpaw, Young.

NAY — Dumais, Rollins.

ABSENT — Boone, Briggs, Brockway, Brown, Bangor; Caron, Carville, Danes, Davis, Westbrook; Desmarais, Dostie, Dow, Doyle, Dudley, Dufour, Dunn, Edmunds, Frazier, Good, Graves, Hardy, Haughn, Healy, Hutchinson, Kellam, Kinch, Lacharite, Lane, Lebel, Letourneau, Moore, Pike, Porell, Prue, Rowe, Limerick; Rowe, Madawaska; Russell, Sanborn, Turner, Wheaton.

Yes 109, No 2, Absent 39.

The SPEAKER: One hundred and nine having voted in the affirmative and two having voted in the negative, with thirty-nine absentees, the Bill is passed to be enacted. It will be signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act relating to Administration on Estates of Persons Confined to Imprisonment for Life (S. P. 335) (L. D. 911)

An Act relating to Definition of Misbranded Food (S. P. 426) (L. D. 1244)

An Act relating to Employment of Minors (S. P. 449) (L. D. 1302)

An Act relating to Uniforms for Deputy Sheriffs (S. P. 453) (L. D. 1303)

An Act to Clarify the Liquor Laws (S. P. 466) (L. D. 1330)

An Act relating to Intent to Injure under Unfair Sales Act (S. P. 471) (L. D. 1333)

An Act relating to Temporary Fish and Game Wardens (H. P. 85) (L. D. 132)

An Act Increasing Salary of Commissioner of Education (H. P. 318) (L. D. 465)

An Act relating to School Taxes in Unorganized Townships (H. P. 466) (L. D. 684)

An Act Increasing Compensation of Clerks of the Law Court (H. P. 506) (L. D. 719)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Enactor Tabled and Assigned

An Act Creating Game Management Area of Towns of Deer Isle and Stonington, Hancock County (H. P. 608) (L. D. 868)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Shepard.

Mr. SHEPARD: Mr. Speaker, in respect to this item thirteen, I have been advised by the Attorney General that we should include a small section under the general law in this as an amendment to make it workable. Therefore, I would request permission to table this until Tuesday, May 5.

The SPEAKER: The gentleman from Stonington, Mr. Shepard, moves that this Bill be tabled pending passage to be enacted and be specially assigned for Tuesday, May 5. Is this the pleasure of the House? The motion prevailed.

An Act relating to Financial Responsibility of Vehicles Insured by Automatic Coverage (H. P. 690) (L. D. 990)

An Act relating to Formation and Operation of Mutual Trust Investment Companies under Supervision of Bank Commissioner (H. P. 740) (L. D. 1059)

An Act relating to Pension for Members of Police and Fire Departments of City of Waterville (H. P. 898) (L. D. 1267)

An Act relating to Hours, Vacations and Sick Pay for County Personnel (H. P. 922) (L. D. 1304)

An Act relating to Qualified Assistant Pharmacists (H. P. 926) (L. D. 1308)

Finally Passed

Resolve Appropriating Moneys to Replace and Repair Songo Locks, Cumberland County (H. P. 601) (L. D. 861)

Resolve Regulating Fishing in Richardson Lakes, Upper and Lower, and their Tributaries, Oxford County (H. P. 942) (L. D. 1334)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to

be enacted, Resolves finally passed, all signed by the Speaker and sent to the Senate.

At this point, the Senate entered the Hall of the House and a Joint Convention was formed.

In Convention

The President of the Senate, the Honorable John H. Reed assumed the Chair and called the Convention to order.

On motion of Mr. Weeks, it was ORDERED, that a Committee be appointed to wait upon His Excellency, Clinton A. Clauson, Governor of Maine, and inform him that the two branches of the Legislature are in convention assembled in the Hall of the House of Representatives, and extend to him an invitation to attend the Convention with his guest, the Honorable Robert B. Williamson, Chief Justice of the Supreme Judicial Court of Maine, and address to the Convention such remarks as either of them may be pleased to make.

The Chairman appointed:
Senators:

WEEKS of Cumberland
WOODCOCK of Penobscot
LESSARD of Androscoggin

Representatives:

EARLES of South Portland
EMMONS of Kennebunk
COX of Dexter
BERMAN of Auburn
KNIGHT of Rockland
BEANE of Augusta
CARON of Biddeford.

Convention at Ease

Called to order by the Chairman. Mr. Weeks for the Committee subsequently reported that the Committee had discharged the duties assigned it, and that the Governor and his guest would forthwith attend the Convention.

Convention at Ease

Called to order by the Chairman. Whereupon, His Excellency, Governor Clinton A. Clauson and his guest, the Honorable Robert B. Williamson, Chief Justice of the Supreme Judicial Court of Maine, and the members of the Executive Council, announced by Lt. Col.

Lawrence B. Webster, entered the Hall of the House amid prolonged applause, the audience rising.

The CHAIRMAN: On behalf of the Members of the Joint Convention of the 99th Legislature, it is my distinct privilege and pleasure to welcome to our Convention this morning, His Excellency, Governor Clauson, Members of his Executive Council, and the Honorable Robert B. Williamson, Chief Justice of the Supreme Judicial Court of Maine, in honor of this significant day, Law Day here, a nation - wide celebration, and I feel it very significant that we take this brief pause and have the opportunity to listen to our very distinguished Chief Justice.

At this time, it gives me a lot of pleasure to turn the rostrum over to His Excellency, Governor Clauson, who will introduce our Chief Justice. At this time, it is my real pleasure to present His Excellency, the Chief Executive of the State of Maine, Governor Clinton A. Clauson. (Prolonged Applause, Convention rising)

Governor Clauson then addressed the Convention as follows:

Mr. President, Members of the 99th Legislature and distinguished guests: Throughout our Nation today citizens are gathering in solemn observance of Law Day U.S.A. We are here for that purpose.

The President of the United States has proclaimed this day as Law Day and I have issued a similar proclamation here in Maine.

The purpose of this observance is to renew our faith in the rule of law as the surest safeguard of the welfare of men and women living together in organized society, and the brightest hope for achieving peace in a troubled and anxious world.

An abiding respect for law is essential in a free society. From time to time we should pause to remember that in all our private and public affairs we are safeguarded by laws of our own making which are administered by courts in which the rights of citizens are equal.

Today we demonstrate to the world our faith in the supremacy of law as contrasted with the oppression of the individual citizen in communist lands where this day, May

day, is an occasion for demonstrations of armed might.

In this hall today are gathered members of the three branches of our State Government — the Judicial, Legislative and Executive—to reaffirm our strong belief in the supremacy of law in our nation and in our state.

I should now like to introduce to you a principal custodian of the rule of law in this state, the Honorable Robert B. Williamson, Chief Justice of the Supreme Judicial Court of the State of Maine. Justice Williamson.

(Prolonged Applause, Convention rising.)

Chief Justice Williamson then addressed the Convention as follows:

Your Excellency, Mr. President, Mr. Speaker, Members of the Senate, House, and Council.

We meet this morning to reaffirm, in the words of our President, our "dedication to our form of government and the supremacy of law in our lives." We rejoice in Liberty under law. It is well for us to review first principles.

This meeting has a special and important significance, it seems to me. Here are the members of the Legislature, charged with the enactment of laws in the name of the people. Here is the Governor in whom is vested the supreme executive power and his Council. For my part, I have the privilege and high honor of representing the third great branch of government — the Judicial. Together we participate in the observance of Law Day. Together we stand now as always for Government under Law. The contrast between May Day or Law Day in America with May Day behind the Iron Curtain is great indeed.

I shall not philosophize about the meaning of law. Moral principles, codes of Behavior are called laws, but it is of the laws authorized by the government, national, state, city, or town that I speak. These are the rules or laws which we are directed to obey, or in which we seek protection.

Law comes to us from the common law and principles of equity developed over centuries in the courts; from legislation; and from our constitutions—state and national. We are all acutely aware of the

great increase in the number of laws regulating our conduct. The reason lies in the complexity of modern life. Paradoxically the more freedom we possess as individuals, the greater the need for laws expressing the will of the people to control our relations with one another.

Lastly, in our written constitutions, state and federal, we find in broad strokes the plan of government with the separation of powers, and the declaration of rights of the individual. The State and the Federal constitutions are substantially alike, and for convenience I will refer to the federal constitution which is, as we all know, the supreme law of the land.

What do we mean by the Rule of Law? We mean, I think, the Law in a state where the individual is a free man with rights protected by Courts devoted to justice and independent of the sovereign; law in a state where laws are applied with equal vigor to all men; law in a state where the greatest and the least has reason to respect the law and the administration of justice.

In whatever words the Rule of Law may be defined, there are certain necessary ingredients. First: There must be equal justice under law. Second: There must be freedom for the individual consistent of course with the freedom of one's fellows.

The law protects and guards our freedom and our liberties. We are not often made aware that our great rights rest upon the constitutions—and hence upon law. In the ordinary day we do not feel the impact of law at this level. We accept willingly most of the laws that control and regulate our conduct. A simple example is the traffic light. We recognize that such laws do not destroy our fundamental liberties.

There is a great principle always at work. Only as the rights of men are equal is man free, and conversely, all free men have equal obligations to one another. The individual under the rule of law is a man of dignity and worth. His stature is great. Unless all are free, some are slaves.

A man may speak and write freely, and worship the God of his own choice, in this land of ours.

He cannot be compelled in any criminal case to testify against himself. He cannot be deprived of Life, Liberty, or Property without due process of law. He stands armed against unlawful and arbitrary action of his government.

The great writ of Habeas Corpus is available to protect him from unlawful imprisonment. By these rights, among others, we are marked as free men.

There are moments in history which illustrate the force and meaning of law and the compelling need of the rule of law. I mention only three.

First, in Magna Charta, the great Charter, forced from King John by the Barons at Runnymede in 1215, we read:

"No freeman shall be seized or imprisoned or disseised or outlawed or banished or in any way destroyed nor will we go upon him nor will we send upon him unless by the lawful judgment of his peers or by the law of the land — To no one will we sell—To no one will we deny or delay right or justice."

Magna Charta with its rule of essential fairness and judicial proceedings and of protection of the person is found in our constitutions today. The 5th Amendment reads in part:

"(No person shall) be deprived of Life, Liberty or Property, without due process of law."

A like prohibition rests against action by the states under the 14th Amendment.

There are the stirring words of Lord Coke in answer to King James that "The King should not be under man, but under God and the law, the King should be under God and the law."

There in 1608 was laid low the divine right of Kings; and there in imperishable words was stated the supremacy of the Law. Now turn with me for a moment to the Mayflower, at anchor off Plymouth. There in the cabin a solemn compact was prepared by which men agreed their lives should be governed in the wild forest before them.

Complete freedom meant anarchy. There must be a rule of law for men — for free men — to govern themselves. Read with me the inscriptions on the American Bar

Association building in Chicago, "a cathedral to testify to our faith in the rule of law."

"The administration of Justice is the firmest pillar of Government." —George Washington.

"Where Law ends Tyranny begins." — William Pitt.

"Equal and exact justice to all men." — Thomas Jefferson.

The world of course is always changing. It is not change, but the speed of change that marks our times. In this world of space, there remains the need of the Rule of Law as never before. I venture the prophecy that whatever may happen, whatever course we may pursue, men and women in America —and increasingly throughout the world — will tie to the Rule of Law as the great preserver and protector of the liberties of free men.

In the words of Elihu Root: "Make us useful and effective for the advancement of the cause of Peace and Justice and Liberty in the World."

We are indeed, "one Nation, under God, indivisible, with Liberty and Justice for all." This is the heritage we must protect and preserve, and pass strengthened to those who follow. Thank you.

(Prolonged Applause, Convention rising)

The CHAIRMAN: I am certain, Chief Justice Williamson, that the applause is indicative of the appreciative effect that your very appropriate message has had upon the members of this Joint Convention and the remainder of the folks in the audience. It is most significant that we pay just appreciation and comment on this exceptionally fine day, and it is our pleasure to have had you here as the guest of Governor Clauson.

I am sure that the remainder of the folks here in the Convention would like to know also that Councillor William Silsby, President of the Maine Bar Association, has done a tremendous amount of work arranging for this. I would ask Councillor Silsby to stand. (Applause)

Once again on behalf of the Convention, I would like to extend our very sincere appreciation to Governor Clauson and to Chief Justice Williamson and the members of the

Executive Council for having been our guests here this morning at this Joint Convention.

Thereupon, the Governor, his distinguished guest and his suite then withdrew amid the prolonged applause of the Convention, the audience rising.

The purpose for which the Convention was assembled having been accomplished, the Chairman declared the same dissolved. The Senate then retired to their Chamber amid the applause of the House, the members rising.

In the House

The House was called to order by the Speaker.

Orders of the Day

The SPEAKER: The Chair now lays before the House the first tabled and today assigned matter, Bill "An Act relating to Chiropractic Treatment Under Workmen's Compensation Law," House Paper 940, Legislative Document 1327, tabled on April 24 by the gentleman from Old Orchard Beach, Mr. Plante, pending passage to be engrossed, and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the Bill was tabled pending passage to be engrossed and specially assigned for Tuesday, May 5.

The SPEAKER: The Chair now lays before the House the second tabled and today assigned matter, Senate Report "Ought not to pass" of the Committee on Taxation on Bill "An Act relating to Inheritance Tax Exemptions for Husband or Wife," Senate Paper 29, Legislative Document 9, tabled on April 27 by the gentleman from Fort Fairfield, Mr. Edmunds, pending acceptance.

The Chair recognizes the gentleman from Bangor, Mr. Cousins.

Mr. COUSINS: Mr. Speaker, Ladies and Gentlemen of the House: This bill as considered by the Taxation Committee had to do with the inheritance tax exemption and what it did was increase the exemption for widows from \$10,000 which it has been for many, many years, to \$25,000 and as such was unaccept-

able to the Taxation Committee for one reason alone, it was going to cost the State of Maine too much money. The estimate from the Department of Taxation was that it would be somewhere in the \$50,000 or \$60,000 area.

An amendment is now proposed to this matter which would reduce the exemption from \$25,000 to \$15,000 and at the same time increase the amount of tax on Class C people from twelve to fourteen, from fourteen to sixteen and from sixteen to eighteen, depending upon the amount of money inherited. Now Class C people are those who are not close relatives. That is a good easy way of putting it. The Taxation Department, Mr. Johnson, tells us that this would return the State money, that the increase to the Class C people would override the increased exemption that you give widows. Now the idea behind the whole bill was simple. It is that a widow receives an exemption of \$10,000 when she inherits money, it has been that way for a long, long, long time, but \$10,000 today is not what \$10,000 was a number of years ago, and it seems that this should be increased. The Committee has not considered this amendment. I personally am very much in favor of it, and I can't of course comment upon what the other branch did. I move that the bill be substituted for the report and that we go along with the Senate.

The SPEAKER: The gentleman from Bangor, Mr. Cousins, moves that the Bill be substituted for the "Ought not to pass" Report.

The Chair recognizes the gentleman from Belfast, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker and Members of the House: As the gentleman from Bangor, Mr. Cousins explained, the Committee couldn't go along with losing money, but since this amendment which is now presented before us with this bill will — we won't lose any money, in fact we will gain, and it will give the direct heirs a little more money exemption from taxation, why I feel that I will support the motion of the gentleman from Bangor, Mr. Cousins.

The SPEAKER: Is the House ready for the question? The ques-

tion before the House is the motion of the gentleman from Bangor, Mr. Cousins, that Bill "An Act relating to Inheritance Tax Exemptions for Husband or Wife" be substituted for the "Ought not to pass" Report. Will those who favor substituting the Bill for the Report, please say aye; those opposed, no.

A viva voce vote being taken, the Bill was substituted for the Report, and the Bill read twice.

Senate Amendment "A" was read by the Clerk as follows:

SENATE AMENDMENT "A" to S. P. 29, L. D. 9, Bill, "An Act Relating to Inheritance Tax Exemptions for Husband or Wife."

Amend said Bill at the beginning of the first line by inserting the underlined word and figure 'Sec. 1.'

Further amend said Bill in the 16th line by striking out the underlined figure "\$25,000" and inserting in place thereof the underlined figure '\$15,000'

Further amend said Bill by adding at the end the following section:

"Sec. 2. R. S., c. 155 Sec. 5, amended. Section 5 of chapter 155 of the Revised Statutes is amended to read as follows:

'Sec. 5 Tax on Class C. property which shall so pass to or for the use of any person not falling within either of the classes hereinbefore set forth shall be subject to a tax upon the value thereof, in excess of an exemption of \$500; of 19 per cent 12 per cent of such value in excess of said exemption as does not exceed \$50,000; of 12 per cent 14 per cent of such value as exceeds \$50,000 and does not exceed \$100,000; of 14 per cent 16 per cent of such value as exceeds \$100,000 and does not exceed \$250,000; and of 13 per cent 18 per cent of such value as exceeds \$250,000.'

Senate Amendment "A" was adopted in concurrence and the Bill assigned for third reading the next legislative day.

The SPEAKER: The Chair now lays before the House the third tabled and today assigned matter, House Report "Ought to pass" in New Draft House Paper 947, Legis-

lative Document 1343, of the Committee on Business Legislation on Bill "An Act Regulating Certain Insurance Sold in Connection with Credit Transactions," House Paper 893, Legislative Document 1262, tabled on April 29 by the gentleman from Lewiston, Mr. Jacques, pending acceptance of the "Ought to pass" in New Draft Report; and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the Report was accepted, the New Draft read twice and assigned for third reading the next legislative day.

The SPEAKER: The Chair now lays before the House the fourth tabled and today assigned matter, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act Providing Funds to Construct a Sanatorium at Lewiston," House Paper 707, Legislative Document 1012, tabled on April 29 by the gentleman from Lewiston, Mr. Jacques, pending acceptance of either report.

The Chair recognizes the gentleman from Auburn, Mr. Berman.

Thereupon, on motion of that gentleman the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Mr. Edwards of Raymond was granted unanimous consent to address the House.

Mr. EDWARDS: Mr. Speaker and Members of the House: Several have asked me for a copy of the paper which I had pertaining to the State Aid amendment which I presented the other day. I have had that reproduced and a copy placed on each member's desk so that you may have the opportunity to study this and decide on what you wish to do next week. Thank you.

The SPEAKER: At this time the Chair would recognize the presence in the gallery of the House of a group of pupils from the South Hiram Grammar School accompanied by Mrs. Beryl Wescott, their teacher. On behalf of the House the Chair extends to you ladies and

gentlemen a most hearty and cordial welcome, and we hope you will enjoy and profit by your visit here today. (Applause)

On motion of Mr. Pitts of Harrison,

Adjourned until Monday, May 4, at four o'clock in the afternoon.