

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

Monday, May 11, 1959

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

Prayer by the Rev. Mr. Lewis Mills of the United Congregational Church, Dixfield.

The members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

Papers from the Senate
Senate Reports of Committees
Ought to Pass in New Draft

Report of the Committee on Judiciary on Bill "An Act relating to Juvenile Offenders" (S. P. 328) (L. D. 904) reporting same in a new draft (S. P. 485) (L. D. 1357) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed.

In the House, the Report was read and accepted in concurrence, the New Draft read twice and tomorrow assigned.

Ought to Pass

Report of the Committee on Judiciary acting in accordance with Joint Order (S. P. 440) reporting a Bill (S. P. 487) (L. D. 1359) under title of "An Act Empowering the Supreme Judicial Court to Promulgate Rules" and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed.

In the House, the Report was read and accepted in concurrence, the Bill read twice and tomorrow assigned.

Amended in House

Report of the Committee on Public Health acting in accordance with Joint Order (S. P. 479) reporting a Bill (S. P. 484) (L. D. 1358) under title of "An Act to Create a Committee to Study the Relocation of the State School for Boys" and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed.

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

Mr. Clark of Scarborough offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 484, L. D. 1358, Bill, "An Act to Create a Committee to Study the Relocation of the State School for Boys."

Amend said Bill by striking out the 9th, 10th and 11th lines and inserting in place thereof the following:

'and Administration, and one member to be the State Director of the Bureau of Public Improvements. The committee shall elect a chairman.'

Further amend said Bill by striking out the period at the end of subsection VI of section 2 and inserting in place thereof a semicolon.

Further amend said Bill by adding after subsection VI of section 2 the following subsection:

'VII. Determine the advisability of relocating the State School for Boys at Fort McKinley.'

Further amend said Bill by adding at the end of section 2 before the period the following:

'and with plans, specifications and cost estimates of the relocation of the State School for Boys at Fort McKinley'

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

Mr. JALBERT: Mr. Speaker and Members of the House: This pinpoints the location, in my opinion, and would handcuff the people who are working on it. I feel they should not have to be restrained, to have one name or two words, Fort McKinley, staring them in the face all through their deliberations. Consequently, I move the indefinite postponement of House Amendment "A".

The SPEAKER: The question now before the House is the motion of the gentleman from Lewiston, Mr. Jalbert that House Amendment "A" be indefinitely postponed.

The Chair recognizes the gentleman from Scarborough, Mr. Clark.

Mr. CLARK: Mr. Speaker, I would like to point out at this time that this amendment only adds to the original L. D. You will notice in the original document that there are six different points which are spelled out in the bill asking that they employ architects and determine a new location for the school, and also to come in with cost estimates to be reported back to the 100th Legislature as to what the approximate cost would be. I have personally talked with Niran Bates and a very rough estimate has been given of something in the vicinity of \$7,000,000 for a new location with all new buildings. I merely have added, if you will look at the amendment, under filing No. 347, I have added another section which is section 7 which reads "to determine the advisability of relocating the State School for Boys at Fort McKinley." This is merely one more point in the overall report. I felt that the 100th Legislature should have not only the benefit of a new location with entire new construction costing approximately \$7,000,000. I felt also that the Legislature should have laid before them the cost of removing the school over to McKinley. They have fine buildings over there. They have a gymnasium. They have a theatre. They have bowling alleys. They have all permanent type construction, and a very rough estimate has been given of something in the vicinity of half a million dollars. I felt it no more than fair that this amendment should be added so that that survey would also be available for the consideration of the 100th Legislature. There has been some opposition voiced to this, and there has also been a great deal of support for this. I certainly hope the motion of the gentleman from Lewiston, Mr. Jalbert, to indefinitely postpone this amendment does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Beane.

Mr. BEANE: Mr. Speaker, I should like to ask a question through the Chair of the gentleman from Scarborough, Mr. Clark.

The SPEAKER: The gentleman may state his question.

Mr. BEANE: Will the gentleman kindly explain what his idea is in having printed House Amendment "B" and filing No. 332 which has not yet been put on the Floor of the House apparently, but which appears to strike out the first paragraph of House Amendment "A" but apparently is the same on the rest of it.

The SPEAKER: The gentleman from Augusta, Mr. Beane, has directed a question through the Chair to the gentleman from Scarborough, Mr. Clark, who may answer if he chooses.

Mr. CLARK: This second amendment was offered at the request of the Senate Chairman of the Committee on Public Health in which she requested that the member of the department Niran Bates be a member of that committee.

The SPEAKER: Does the gentleman from Augusta consider his question answered?

Mr. BEANE: I consider the question answered.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I am certainly for the bill as it was first presented, and repeating myself as far as pinpointing, I shall. There are other locations, two or three, that are excellent locations with excellent buildings, and there is opposition to that, that might be considered. I would like to have whatever the Committee is to make a study be given an absolutely a free hand and I assure you as far as the figure of nearly a half a million dollars at Fort McKinley, it is a greater figure than I have heard. Also I know that possibly locations could be found and with buildings on them that might be as great, but my primary intent is to stay with the bill and not start reincluding the locations within the bill because that is a sure way to kill it particularly at this stage of the game.

And I certainly hope my motion prevails. I am in entire sympathy with the bill as it was presented before us, but not with added amendments to it.

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

Mr. KELLAM: Mr. Speaker and Members of the House: I think it would be a mistake for this study committee to not take into consideration the possibility of using the Fort McKinley property. If the study committee does not check into this particular phase it would handicap us a great deal or handicap whoever comes back, I should say, at the next session, because this property might be available at a very low cost and be rehabilitated to take care of this particular matter at a low cost, and thereby save the State a great deal of money. In any event, certainly the study committee should look at it, and I think that it would be a good idea to adopt House Amendment "A" so that we can be assured that they will study the feasibility of using Fort McKinley. Whether they do use it or not would be another matter.

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

Mr. JALBERT: Mr. Speaker, I would like to ask a question either of the gentleman from Scarborough, Mr. Clark, or the gentleman from Portland, Mr. Kellam, what would stop the study committee from looking, and they certainly will look at Fort McKinley but what will stop the committee from looking at Fort McKinley in any event, or any other location?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, has addressed a question through the Chair to either the gentleman from Scarborough or the gentleman from Portland, either of whom may answer.

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

Mr. KELLAM: Mr. Speaker, answering purely for myself, Mr. Jalbert, there is nothing to stop them from looking at Fort McKinley, but in the event that they did not check into this and the question did come up at the next session, it would handicap the Legislature a great deal not having had the study made, and since the Fort has been mentioned prominently as a prospective site, I

think they should take and look into it, and this amendment would merely fix that in their minds.

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

Mr. MILLER: Mr. Speaker, Ladies and Gentlemen of the House: I hate to take issue with my good friend, Mr. Jalbert, from Lewiston, but in all fairness to the amendment that the gentleman from Scarborough has presented here today, I might state that I think it is a worthwhile amendment that is being offered and certainly can be of much value to the next session of the Legislature, so therefore, I would like to go on record as going along with the amendment.

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

Mrs. SMITH: Mr. Speaker, I am very much interested also in this amendment. I only wish that it had said 'and any other site' because people in my area are quite interested in the feeling that there may be other buildings that can be used, including the site at Hebron, and so they have been very anxious that we have this committee study all the locations and all the buildings to be sure that we get the best possible site for the boys at the best price for the State.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Rowe.

Mr. ROWE: Mr. Speaker and Members of the House: I like part one of this amendment here, I think it is very good that the Bureau of Public Improvements should be included on the committee. I am not sure about part two relative to Fort McKinley. I don't know whether this limits the committee or just what its effect will be in its inclusion in the bill, so I would like to table this to tomorrow if I may, table the amendment.

The SPEAKER: The question now before the House is the motion of the gentleman from Madawaska, Mr. Rowe, that this matter be tabled and specially assigned for tomorrow pending the motion of the gentleman from Lewiston, Mr. Jalbert, that House Amendment "A" be indefinitely postponed.

The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: I request a division.

The SPEAKER: A division has been requested. Will those who favor the tabling motion of the gentleman from Madawaska, Mr. Rowe, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Thirty-two having voted in the affirmative and seventy-five having voted in the negative, the motion did not prevail.

The SPEAKER: The question now before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, that House Amendment "A" to Bill "An Act to Create a Committee to Study the Relocation of the State School for Boys", Senate Paper 484, Legislative Document 1358, be indefinitely postponed. The Chair will order a division.

Will those who favor the indefinite postponement of House Amendment "A" please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

Thereupon, House Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Ought to Pass with Committee Amendment

Report of the Committee on State Government on Resolve Proposing an Amendment to the Constitution Pledging Credit of State for Guaranteed Loans for Recreational Purposes (S. P. 178) (L. D. 422), which was recommitted, reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Resolve passed to be engrossed as amended by Committee Amendment "A".

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

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

COMMITTEE AMENDMENT "A" to S. P. 178, L. D. 422, "Resolve Proposing an Amendment to the Constitution Pledging Credit of State for Guaranteed Loans for Recreational Purposes."

Amend said Resolve in the title by inserting after the word "Recreational" the words 'and Industrial Park'.

Further amend said Resolve in that part designated "Section 14-A" by inserting after the word 'enterprises' in the 3rd line the underlined words 'including industrial park sites, and by inserting in the 6th line after the word "enterprises" the underlined words 'including industrial park sites'.

Further amend said Resolve in the 11th line of the referendum by inserting after the word "Recreational" the words 'and Industrial Park'.

Committee Amendment "A" was adopted in concurrence and the Resolve assigned for second reading tomorrow.

Ought to Pass

Report of the Committee on Labor reporting "Ought to pass" on Bill "An Act relating to Employment of Minors under 18 Years of Age" (S. P. 102) (L. D. 220)

Came from the Senate with the Report read and accepted and the Bill indefinitely postponed.

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

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

Divided Report

Majority Report of the Committee on State Government reporting "Ought to pass" on Resolve Proposing an Amendment to the Constitution to Provide for the Apportionment of Senators for and Within Each County (S. P. 371) (L. D. 1054)

Report was signed by the following members:

Messrs. HILLMAN of Penobscot
ROSS of Sagadahoc

— of the Senate.

Messrs. SMITH of Exeter
DENNETT of Kittery
SANBORN of Gorham
WADE of Auburn
— of the House.

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

Report was signed by the following members:

Mr. LESSARD of Androscoggin
— of the Senate.

Messrs. PLANTE of Old Orchard Beach
COYNE of Waterville
BARNETT of Augusta
— of the House.

Came from the Senate with the Reports and Resolve indefinitely postponed.

In the House: Reports were read. On motion of Mr. Dennett of Kittery, the House voted to concur with the Senate in the indefinite postponement of the two Reports and Resolve.

**Non-Concurrent Matter
Tabled and Assigned**

Resolve Opening Long Lake, Aroostook County, to Smelt Fishing (H. P. 720) (L. D. 1025) which was passed to be engrossed as amended by Committee Amendment "A" in the House on April 21.

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

In the House:

(On motion of Mr. Rowe of Madawaska, tabled pending further consideration and specially assigned for Wednesday, May 13).

From the Senate: The following Communications:

STATE OF MAINE
SENATE CHAMBER

May 8, 1959

Hon. Harvey R. Pease
Clerk of the House of
Representatives
99th Legislature

Sir:

The President of the Senate today appointed the following Conferees on the part of the Senate on the disagreeing actions of the two branches of the Legislature on:

Resolve Opening Cross Lake, Aroostook County, to Ice Fishing for Cusk (H. P. 113) (L. D. 168)
Senators: CARPENTER of

Somerset
BRIGGS of Aroostook
HILLMAN of Penobscot
Respectfully,

(Signed) CHESTER T. WINSLOW
Secretary of the Senate

STATE OF MAINE
SENATE CHAMBER

May 8, 1959

Hon. Harvey R. Pease
Clerk of the House of
Representatives
99th Legislature

Sir:

The President of the Senate today appointed the following Conferees on the part of the Senate on the disagreeing actions of the two branches of the Legislature on:

Bill, "An Act Repealing the Two Inch Clam Law" (H. P. 177) (L. D. 248)

Senators:

WYMAN of Washington
COLE of Waldo
MARTIN of Kennebec
Respectfully,

(Signed)

CHESTER T. WINSLOW
Secretary of the Senate

Came from the Senate read and ordered placed on file.

In the House, the Communications were read and ordered placed on file.

Orders

On motion of Mrs. Knapp of Yarmouth it was,

ORDERED, that the gentlemen of the House are hereby given permission to remove their coats if they so desire, and the Speaker of the House is also hereby permitted to wear clothes appropriate to the weather, today or any other day for the remainder of this session.

On motion of Mr. Pert of Bath, it was

ORDERED, that the members of the House of Representatives of the 99th Legislature hereby extend congratulations to Miss Linda Fay Leeman of Bath, who has just been chosen Miss Maine for 1959;

AND BE IT FURTHER ORDERED, that the Clerk of the House is hereby directed to send Miss Lee-man an attested copy of this Order.

(Applause)

On motion of Mrs. Smith of Fal-mouth, it was

ORDERED, that Mr. Frazier of Lee be excused from attendance Monday, Tuesday and Wednesday because of business.

Passed to Be Engrossed

Bill "An Act Refunding Gasoline and Use Fuel Taxes to Local Transit Operators" (H. P. 950) (L. D. 1346)

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

Amended Bills

Bill "An Act relating to Weekly Benefit for Partial Unemployment" (S. P. 72) (L. D. 122)

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

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Baxter.

Mr. BAXTER: Mr. Speaker, with regard to item two, investigating the background of this bill, I find that the level set is definitely out of line with national practice. It is considerably higher than the majority of the other states use. For this reason it seems to me that it very likely would have a substantial impact on the unemployment security fund, and I would like to investigate the extent of this, and therefore I would like to request permission to table this bill until Thursday next.

The SPEAKER: The gentleman from Pittsfield, Mr. Baxter, moves that this item be tabled pending passage to be engrossed and be specially assigned for Thursday, May 14.

The Chair recognizes the gentleman from Friendship, Mr. Winchen-paw, who may not debate the motion.

Mr. WINCHENPAW: I request a division.

The SPEAKER: A division has been requested. Will those who favor the tabling motion please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Forty-four having voted in the affirmative and fifty-eight having voted in the negative, the motion did not prevail.

Thereupon, the Bill was passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Resolve Providing for Purchase of History of the Town of Unity (S. P. 152) (L. D. 373)

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

Resolve for the Purchase of Fifty Copies of "The Story of Houlton" (S. P. 108) (L. D. 258)

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

Bill "An Act Establishing a Minimum Wage" (S. P. 472) (L. D. 1337)

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

Mr. Walsh of Verona offered House Amendment "D" and moved its adoption.

House Amendment "D" was read by the Clerk as follows:

HOUSE AMENDMENT "D" to S. P. 472, L. D. 1337, Bill, "An Act Establishing a Minimum Wage."

Amend said Bill by striking out all of the underlined paragraph E of subsection III of section 132-B and inserting in place thereof the following:

'E. Those employees of summer camps for boys or girls under the age of 19 who are counselors or junior counselors; employees regularly enrolled in an educational institution, or are on vacation therefrom; or part-time worker work-

ing no more than 24 hours per week for any one employer;'

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. Aliberti.

Mr. ALIBERTI: Mr. Speaker, may I ask a question with reference to this amendment, through the Chair to anybody that can answer, the last two lines that say a part-time worker working not more than 24 hours per week for any one employer. Could that mean people working in chain stores for instance could work twenty-four hours for one chain store and then go into another chain store and work twenty-four and go to another one and still come under the exemption as specified on this particular one, House Amendment "D"?

The SPEAKER: The gentleman from Rumford, Mr. Aliberti, has addressed a question through the Chair to anyone who may answer if he chooses. The Chair recognizes the gentleman from Verona, Mr. Walsh.

Mr. WALSH: This amendment doesn't change the original wording in the bill as it now is. The only thing this amendment does is insert two semi-colons and strikes out two words and inserts 'employees'. What the original intent here is I do not know.

The SPEAKER: Does the gentleman consider his question answered?

Mr. ALIBERTI: Yes, Mr. Speaker.

The SPEAKER: The Chair recognizes the gentleman from Kennebunk, Mr. Emmons.

Mr. EMMONS: Mr. Speaker, I would like to direct a question on this amendment because of that semi-colon, it seems to me it changes the intent of the former paragraph E considerably. I would like to ask if that would now, if this amendment is adopted, if that would exclude all employees of any educational institution, during the whole year, I mean.

The SPEAKER: The gentleman from Kennebunk, Mr. Emmons, has addressed a question through the Chair to anyone who may answer if he chooses.

The Chair recognizes the gentleman from Madawaska, Mr. Rowe.

Mr. ROWE: As I understand it, the bill which is affected by this amendment here exempts students, number one, and number two, anyone who is working twenty-four hours a week or less this amendment therefore would include students and anyone who is working any length of hours per week.

The SPEAKER: Does the gentleman consider his question answered?

Mr. EMMONS: No, Mr. Speaker.

The SPEAKER: Would the gentleman restate his question?

Mr. EMMONS: Does Amendment "D", if adopted, exclude all employees of any educational institution no matter during what time of the year they are employed?

The SPEAKER: The gentleman from Kennebunk, Mr. Emmons, addresses a question through the Chair to anyone who may answer if he chooses.

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

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: My interpretation, I think the key word there is enrolled, and it would exclude or exempt all individuals of any educational facility that is enrolled.

I don't think it would exclude teachers. Thank God for that!

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Brunswick, Mr. Lowery.

Mr. LOWERY: I request a division.

The SPEAKER: A division has been requested. Will those who favor the adoption of House Amendment "D" to Bill "An Act Establishing a Minimum Wage," please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty-seven having voted in the affirmative and sixty-three having voted in the negative, House Amendment "D" was not adopted.

The gentleman from Madawaska, Mr. Rowe, was granted unanimous consent to address the House.

Mr. ROWE: Mr. Speaker and Members of the House: I will have to correct my interpretation of this

amendment here. My heart sort of skipped a beat here when I first looked at it, and I was thrilled and delighted because I thought we were excluding many of the exemptions which I had objected to in the minimum wage bill, and I find out there are just a few minor changes here and that we are still voting against counselors in summer camps, students, and also those who are working twenty-four hours a week or less to be included by the minimum wage, and my remarks there I misinterpreted it.

Mr. Lane of Waterville offered House Amendment "E" and moved its adoption.

House Amendment "E" was read by the Clerk as follows:

HOUSE AMENDMENT "E" to S. P. 472, L. D. 1337, Bill, "An Act Establishing a Minimum Wage."

Amend said Bill, in that part designated "Sec. 132-B", by adding at the end of paragraph A of subsection III the following underlined words and punctuation: 'or individuals employed in candling eggs;'

The SPEAKER: The question before the House is the motion of the gentleman from Waterville, Mr. Lane, that the House adopt House Amendment "E". The Chair recognizes the gentleman from Rockland, Mr. Knight.

Mr. KNIGHT: Mr. Speaker, I request a division.

The SPEAKER: A division has been requested. The Chair recognizes the gentleman from Waterville, Mr. Lane.

Mr. LANE: Mr. Speaker and Members of the House: I would just like to explain what this amendment will do. The farmers, when they sell the eggs to the city people and beef houses and they have to candle the eggs, and under this bill they would have to pay \$1.00 minimum wage. If we don't adopt this amendment the farmers could go to work and candle their own eggs and hire the women for fifty cents an hour, they don't come under the minimum wage, and I don't believe that is fair competition, and a farmer can do the same work, do the same thing today, hire the women for fifty cents an hour and the people in the cities would have to be punished and have to pay \$1.00 an hour.

The SPEAKER: The Chair recognizes the gentleman from Southport, Mr. Rankin.

Mr. RANKIN: Mr. Speaker, I would like to ask a question through the Chair of the gentleman from Waterville, Mr. Lane. What is the hourly pay of egg candlers now?

The SPEAKER: The gentleman from Southport, Mr. Rankin, has addressed a question through the Chair of the gentleman from Waterville, Mr. Lane, who may answer if he chooses.

Mr. LANE: I would say between fifty and sixty cents an hour.

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

Mr. CALL: Mr. Speaker and Ladies and Gentlemen of the House: I come from an area where there are thousands of laying hens and that is the living of several farmers, and I hope you will adopt the amendment of the gentleman from Waterville because most of the time they hire young boys after school to do this for between sixty and seventy-five cents an hour.

The SPEAKER: The Chair recognizes the gentleman from Sebago, Mr. Good.

Mr. GOOD: Mr. Speaker, I do not wish to take sides at this particular time on this amendment, but I would like to point out that students already are excluded from the minimum wage under this bill.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Waterville, Mr. Lane, that House Amendment "E" shall be adopted. A division has been requested.

Will those who favor the adoption of House Amendment "E" please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty having voted in the affirmative and eighteen having voted in the negative, House Amendment "E" was adopted.

Thereupon, the Bill was passed to be engrossed as amended by House Amendments "A", "C" and "E" in non-concurrence and sent up for concurrence.

**Enactor
Tabled and Assigned**

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

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

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

Mr. EARLES: Mr. Speaker, earlier today, in fact before the session began, the sponsor of this bill spoke to me and asked if I would request and move that this be laid on the table for the purposes of amendment, as in previous discussions—

The SPEAKER: The gentleman is debating a tabling motion.

Mr. EARLES: Thank you for reminding me, sir. I will now move out of kindness to this lady, that this L. D. 91 be tabled and specially assigned for Wednesday next.

The SPEAKER: The gentleman from South Portland, Mr. Earles, moves that this matter be tabled and specially assigned for Wednesday, May 13, pending passage to be enacted. Will those who favor the tabling motion please say aye; those opposed, no.

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

Eighty-seven having voted in the affirmative and thirteen having voted in the negative, the motion prevailed.

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Hilton. For what purpose does the gentleman arise?

Mr. HILTON: Mr. Speaker, I would like to ask a question regarding the previous bill. I am confused about this item number one.

The SPEAKER: The Chair must advise the gentleman that item number one is no longer before the House, but will be on Wednesday next.

Passed to Be Enacted

An Act Creating a Committee to Study Establishment of a Residential Treatment Center for Emotionally Disturbed Children (S. P. 227) (L. D. 971)

An Act to Prohibit the Selling of Motor Vehicles on Sunday (S. P. 381) (L. D. 1107)

An Act Revising the Laws Relating to the Bureau of Public Improvements (S. P. 439) (L. D. 1286)

An Act Permitting Importation of Fireworks for Protection of Agricultural Crops (S. P. 470) (L. D. 1332)

An Act Increasing Salaries of Justices of Supreme Judicial Court and Superior Court (H. P. 447) (L. D. 653)

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

An Act Authorizing Red Blinker Light for Volunteer Fire Department Vehicles (H. P. 841) (L. D. 1192)

An Act Creating the Merry-meeting Bay Game Sanctuary (H. P. 954) (L. D. 1354)

Finally Passed

Resolve Establishing Daily Limit of Trout on Ledge Pond, Town of Charlotte, Washington County (H. P. 498) (L. D. 711)

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

Orders of the Day

The SPEAKER: Under Orders of the Day the Chair now lays before the House the first tabled and today assigned matter, Senate Report "Ought not to pass" as covered by other legislation, of the Committee on Appropriations and Financial Affairs on Resolve Appropriating Moneys for Advertising and Promoting Maine's Recreational Industry, Senate Paper 153, Legislative Document 374, tabled on May 5 by the gentleman from Bridgton, Mr. Haughn, pending acceptance in concurrence.

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

Thereupon, on motion of that gentleman, tabled pending acceptance in concurrence and specially assigned for Tuesday, May 12.

The SPEAKER: The Chair now lays before the House the second

tabled and today assigned matter, Bill "An Act to Clarify the Excise Tax on Aircraft, House Trailers and Motor Vehicles," House Paper 949, Legislative Document 1345, tabled on May 7 by the gentleman from Bangor, Mr. Cousins, pending passage to be enacted.

Thereupon, on motion of that gentleman, the House voted to suspend the rules and to reconsider its action whereby the bill was passed to be engrossed on April 30.

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

Mr. COUSINS: Mr. Speaker, this bill as passed was not intended to cover for the purposes of taxation interstate aircraft. The State Tax Assessor does not believe that it covers interstate aircraft, neither do I. However, there is a reasonable doubt, and I have been requested by the Northeast Airlines to make it very clear that they are not under this bill, and I assure you again it was not the intention of anybody that they should be, and for that reason I offer House Amendment "A" which will accomplish that purpose.

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

HOUSE AMENDMENT "A" to H. P. 949, L. D. 1345, Bill, "An Act to Clarify the Excise Tax on Aircraft, House Trailers and Motor Vehicles."

Amend said Bill in that part designated "Sec. 124" of section 1 by inserting after the underlined words "within this State" in the 5th line of paragraph A of subsection I, the underlined words "and required to register under chapter 24"

House Amendment "A" was adopted and the Bill passed to be engrossed as amended and sent to the Senate.

The SPEAKER: The House is proceeding under Orders of the Day. The Chair recognizes the gentleman from Greenville, Mr. Harris.

Mr. HARRIS: Mr. Speaker, point

of information, according to our journal of Friday's action, L. D. 91 failed for reconsideration unless I am mixed up, and now we have it on as an enactor.

The SPEAKER: Would the gentleman approach the rostrum please?

(Conference at rostrum)

The SPEAKER: The Chair understands the gentleman from Greenville, Mr. Harris, to have had his question answered.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Barnett.

Mr. BARNETT: Mr. Speaker, I have a question pertaining to the same thing, but I will not refer to the item or to the L. D., but am I correct in assuming that if we vote to reconsider any bill that has already been indefinitely postponed and the reconsideration goes through, that automatically takes off the indefinite postponement of that bill?

The SPEAKER: That is correct.

Mr. BARNETT: Then that explains what happened. Thank you.

The gentleman from Rumford, Mr. Aliberti, was granted unanimous consent to address the House.

Mr. ALIBERTI: Mr. Speaker and Members of the House: I think that we all would like to hear the good news that our Assistant Sergeant-at-Arms has gone into business for himself and has a little pizza place right out on the state road here going toward Island Park toward Winthrop, and I think it would be a wonderful gesture if the members who know that might be driving by there sometime and patronize him, I think he is a deserving young man.

On motion of Mr. Chapman of Norway,

Adjourned until nine o'clock tomorrow morning.