

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh
Legislature*

OF THE

STATE OF MAINE

1975

KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Tuesday, March 18, 1975

Senate called to order by the President.

The PRESIDENT: The prayer this morning will be offered by the Reverend Leon R. Strout of Mexico. Reverend Strout is a guest of Senator O'Leary and has recently returned from Africa, where he was a missionary.

Rev. STROUT: Shall we pray. Our gracious Father, we come to Thee this morning with grateful hearts, for Thou art worthy of our praise and our adoration. In a changing world Thou dost not change, for Thou art the same yesterday, today and forever. We thank Thee for your goodness and your kindness. We thank Thee that Thy Son, the Lord Jesus Christ, was willing to make himself a little lower than the angels and dwell among us. And we praise Thee that He who knew no sin became sin in order that we might become the righteousness of God in Him. We thank Thee for life, for homes, for friends, for loved ones. We thank Thee for this opportunity of service.

Thou who art all wisdom and all knowledge, and Thou who art the truth, grant to us this day that we may know wisdom and knowledge. Help us that we may know the truth. Help us to forget our hurts and our prejudices, and perhaps even our personal ambitions. Enable that today we may transact the business at hand in a manner that will enhance this state and glorify Thy name. We need the touch of Thy hand, we need Thy voice and Thy direction in all our deliberations.

Thou hast been pleased to hear our prayer because Thou hast promised that Thou wouldst hear and answer, and so humbly and boldly we have come into Thy presence, and now we are willing to leave our petitions before Thee and ask that Thou wilt grant to the goodness and the greatness and the majesty of the Lord Jesus Christ the fulfillment of these petitions, in His precious name. Amen.

Reading of the Journal of Friday, March 14, 1975.

Papers from the House Non-concurrent Matter

Bill, "An Act to Require that Newly Constructed and Reconstructed Public Buildings be made Accessible to the Physically Handicapped." (S. P. 51) (L. D. 132)

In the Senate March 6, 1975, Passed to be Engrossed as Amended by Committee Amendment "A" (S-18).

Comes from the House, Passed to be Engrossed as Amended by Committee Amendment "A" and House Amendment "A" (H-77), in non-concurrence.

On motion by Mr. Katz of Kennebec, the Senate voted to Recede and Concur.

Non-concurrent Matter

Joint Order (S. P. 180) Relative to Legislative Council Study of Distribution of Social Service Funds.

In the Senate February 27, 1975, Read and Passed as Amended by Senate Amendment "A" (S-14).

Comes from the House, Read and Passed as Amended by Senate Amendment "A" as Amended by House Amendment "A" (H-82) There to, in non-concurrence.

On motion by Mr. Speers of Kennebec, the Senate voted to Insist.

House Papers

Bills and Resolve today received from

the House requiring Reference to Committees were acted upon in concurrence, except for the following:

Bill, "An Act Concerning the Registration and Operation of Snowmobiles." (H. P. 845) (L. D. 1030)

Comes from the House referred to the Committee on Fisheries and Wildlife and Ordered Printed.

On motion by Mr. Speers of Kennebec, tabled and Tomorrow Assigned, pending reference.

Bill, "An Act Concerning Vehicles Left on the Premises of Commercial Garages and Certain Other Automobile Businesses for a Period of 6 Months or More." (H. P. 842) (L. D. 1027)

Comes from the House referred to the Committee on Legal Affairs and Ordered Printed.

On motion by Mr. Speers of Kennebec, referred to the Committee on Judiciary and Ordered Printed in non-concurrence.

Sent down for concurrence.

Resolve, Confirming the Transfer of Certain Lands from the Department of Mental Health and Corrections to the Department of Conservation, Bureau of Public Lands. (H. P. 843) (L. D. 1028)

Comes from the House referred to the Committee on Public Lands and Ordered Printed.

On motion by Mr. Speers of Kennebec, referred to the Committee on State Government and Ordered Printed in non-concurrence.

Sent down for concurrence.

(See Action Later in Today's Session on L. D. 1035)

Senate Papers

Fisheries and Wildlife

Mr. Graham of Cumberland presented, Bill, "An Act Relating to Hunting Bear with Dogs," (S. P. 311)

Which was referred to the Committee on Fisheries and Wildlife and Ordered Printed.

Sent down for concurrence.

Transportation

Mr. Greeley of Waldo presented, Bill, "An Act Relating to Leasing and Selling of Property Taken or Acquired for Highway Purposes." (S. P. 310)

Mr. McNally of Hancock presented, Resolve, to Reimburse Norman Salisbury of Amherst for Economic Loss to his Business Caused by Highway Repair. (S. P. 312)

Which were referred to the Committee on Transportation and Ordered Printed.

Sent down for concurrence.

Committee Reports

House

Change of Reference

The Committee on Health and Institutional Services on, Bill, "An Act Concerning Employment in the Department of Mental Health and Corrections." (H. P. 476) (L. D. 596)

Reported that the same be referred to the Committee on Judiciary.

Comes from the House, the report Read and Accepted and the Bill referred to the Committee on Judiciary.

Which report was Read and Accepted, in concurrence, and the Bill referred to the Committee on Judiciary, in concurrence.

Leave to Withdraw

The Committee on Health and Institutional Services on, Bill, "An Act to

Require Optometrists to Refer Patients to Ophthalmologists in Certain Situations." (H. P. 551) (L. D. 679)

Reported that the same be granted Leave to Withdraw.

The Committee on Business Legislation on, Bill, "An Act to Revise the Statutory Requirements for Registered Pharmacists." (H. P. 302) (L. D. 365)

Reported that the same be granted Leave to Withdraw.

The Committee on Business Legislation on, Bill, "An Act to Exempt Retail Outlets Engaged in the Sale of Maine-made Products from the Sunday Blue Law." (H. P. 233) (L. D. 289)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the reports Read and Accepted.

Which reports were Read and Accepted in concurrence.

Ought to Pass

The Committee on Veterans and Retirement on, Bill, "An Act Concerning Graves of Revolutionary War Veterans." (H. P. 64) (L. D. 76)

Reported that the same Ought to Pass.

The Committee on Marine Resources on, Bill, "An Act Providing Funds for a Fishway at Sherman Lake Outlet in Newcastle." (H. P. 221) (L. D. 277)

Reported that the same Ought to Pass.

The Committee on Agriculture on, Bill, "An Act to Repeal Provisions for Assistant Chief of the Division of Inspection for Sardines." (H. P. 486) (L. D. 605)

Reported that the same Ought to Pass.

Comes from the House, the Bills Passed to be Engrossed.

Which reports were Read and Accepted in concurrence, the Bills Read Once and Tomorrow Assigned for Second Reading.

Ought to Pass — As Amended

The Committee on Judiciary on, Bill, "An Act to Clarify the Short Form Deeds Act." (H. P. 172) (L. D. 203)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-69).

The Committee on Appropriations and Financial Affairs on, Bill, "An Act Making Supplemental Appropriations for Child Welfare Services." (H. P. 442) (L. D. 540)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-68).

The Committee on Judiciary on, Bill, "An Act Relating to Guardianship of Incapacitated Adults in Need of Protective Services." (H. P. 256) (L. D. 304)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-70).

The Committee on State Government on, RESOLUTION, Proposing an Amendment to the Constitution to Provide for a Four-Year Term of Office for Sheriffs. (H. P. 42) (L. D. 54)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-71).

The Committee on Agriculture on, Bill, "An Act for the Humane Treatment of Animals in Schools, Public and Private." (H. P. 457) (L. D. 561)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-73).

The Committee on Appropriations and Financial Affairs on, Resolve, Reimbursing Certain Municipalities on Account of Taxes Lost Due to Lands being Classified under the Maine Tree Growth Tax Law. (H. P. 436) (L. D. 538)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-72).

Come from the House, the Bills, Resolution and Resolves Passed to be Engrossed as Amended by Committee Amendment "A".

Which reports were Read and Accepted in concurrence and the Bills, Resolution and Resolves Read once. Committee Amendments "A" were Read and Adopted in concurrence and the Bills and Resolves, as Amended, Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Fisheries and Wildlife on, Bill, "An Act to Repeal the Bounty on Bobcats." (H. P. 287) (L. D. 339)

Reported that the same Ought to Pass.

Signed:

Senators:

McNALLY of Hancock
GRAFFAM of Cumberland
PRAY of Penobscot

Representatives:

KAUFFMAN of Kittery
PETERSON of Caribou
DOW of West Gardiner
MacEACHERN of Lincoln
MARTIN of St. Agatha
WALKER of Island Falls
TOZIER of Unity
USHER of Westbrook
MILLS of Eastport

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:

Representative:

CHURCHILL of Orland

Comes from the House, the Majority reported Read and Accepted and the Bill Passed to be Engrossed.

Which reports were read.

On motion by Mr. McNally of Hancock, the Majority Ought to Pass Report of the Committee was Accepted in concurrence, the Bill Read Once and Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Business Legislation on, Bill, "An Act to Require See-through Packaging of Meat, Poultry, and Fish (H. P. 178) (L. D. 195)

Reported that the same Ought Not to Pass.

Signed:

Senators:

THOMAS of Kennebec
REEVES of Kennebec
JOHNSTON of Aroostook

Representatives:

TIERNEY of Durham
PIERCE of Waterville
BOWIE of Gardiner
HIGGINS of Scarborough
BOUDREAU of Portland
DeVANE of Ellsworth
BYERS of Newcastle
RIDEOUT of Mapleton

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-81).

Signed:

Representatives:

CLARK of Freeport
PEAKES of Dexter

Comes from the House, Bill and accompanying papers, Indefinitely Postponed.

Which Reports were Read.

Thereupon the Majority Ought Not To

Pass Report of the Committee was Accepted.

Senate

The following Ought Not to Pass report shall be placed in the legislative files without further action pursuant to Rule 17-A of the Joint Rules:

Bill, "An Act to Annex the Town of Jay to Androscoggin County." (S. P. 67) (L. D. 187)

Mr. O'Leary of Oxford was granted unanimous consent to address the Senate.

Mr. O'LEARY: Mr. President and Members of the Senate: This bill had the unanimous support of the town fathers of the Town of Jay. For a while I was in doubt as to whether I wanted to sponsor this piece of legislation or not, but I made further inquiries in and around and throughout the Town of Jay and I find that they are in favor of this.

Now, a precedent was set here two years ago whereas the legislature allowed the City of Brunswick the right to vote to see if they would want to be annexed to the County of Sagadahoc. I think it is inconsistent to not allow the Town of Jay the same rights that you would allow another town, so I would ask that you go along with me and give me the opportunity to perhaps amend this bill so that even if everyone in the county had the opportunity to vote on it, at least give these people the opportunity to vote. I think it is their right.

I would ask that you overturn this report and not put this bill to sleep just like this, that you give me an opportunity to at least amend it and give it another shot anyway. I would ask for a division on this please.

The PRESIDENT: The Chair would advise the Senator that the matter is not before the body and that his motion is out of order; that in order to bring this matter before the body the Senator would have to introduce a joint order tomorrow and have the joint order voted upon.

Leave to Withdraw

Mr. Berry for the Committee on Marine Resources on, Bill, "An Act to Amend the Non-resident Commercial Fishing License." (S. P. 134) (L. D. 439)

Reported that the same be granted Leave to Withdraw.

Which report was Read and Accepted.

Sent down for concurrence.

Divided Report

The Majority of the Committee on Appropriations and Financial Affairs on, Bill, "An Act to Provide Funds to Pine Tree Legal Assistance, Inc., for Continued Legal Representation for those in Need." (S. P. 133) (L. D. 438)

Reported that the same Ought to Pass.

Signed:

Senators:

HUBER of Cumberland
GAHAGAN of Aroostook
MARCOTTE of York

Representatives:

JALBERT of Lewiston
SMITH of Dover-Foxcroft
GOODWIN of Bath
CARTER of Winslow

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:

Representatives:

LeBLANC of Van Buren
MacLEOD of Bar Harbor
GARSOE of Cumberland

Which reports were Read.

On motion by Mr. Huber of Cumberland, the Majority Ought to Pass Report of the Committee was Accepted, the Bill Read once and Tomorrow Assigned for Second Reading.

Second Readers

The Committee on Bills in the Second Reading reported the following:

House

Bill, "An Act Concerning Appeals from a Determination that an Employing Unit is an Employer Subject to the Employment Security Law." (H. P. 853) (L. D. 990)

Bill, "An Act Relating to Penalties and Employee Remedies for Unpaid Wages." (H. P. 854) (L. D. 991)

Which were Read a Second Time and Passed to be Engrossed, in concurrence.

House — As Amended

Bill, "An Act to Extend the Time Limit for Filing a Claim under a Mechanic's Lien." (H. P. 84) (L. D. 111)

Bill, "An Act Relating to Interest on Awards in Workmen's Compensation Cases." (H. P. 487) (L. D. 606)

(On motion by Mr. Speers of Kennebec Tabled and Specially Assigned for March 20, 1975 Pending Passage to be Engrossed.)

Bill, "An Act Relating to Issuance of Motor Vehicle Registrations by Municipal Officials." (H. P. 834) (L. D. 961)

(On Motion by Mr. Speers of Kennebec Tabled and Tomorrow Assigned, Pending Passage to be Engrossed.)

Which were Read a Second Time and except for the Tabled Matters, Passed to be Engrossed, as Amended, in concurrence.

Bill, "An Act Authorizing the Department of Environmental Protection to License Privately-owned Septic Waste Disposal Sites." (H. P. 154) (L. D. 209)

Which was Read a Second Time and Passed to be Engrossed, as Amended, in non-concurrence.

Sent down for concurrence.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

AN ACT Prohibiting the Use of Motorboats Powered by Internal Combustion Engines on Nokomis Pond. (S. P. 55) (L. D. 136)

AN ACT to Amend the Charter of the Biddeford and Saco Water Company. (S. P. 170) (L. D. 552)

AN ACT Eliminating the Need for a License to Sell Prophylactic Rubber Goods. (H. P. 262) (L. D. 309)

AN ACT Requiring Security Deposits for Insurance Companies Transacting Business in Maine. (H. P. 276) (L. D. 329)

AN ACT to Clarify the Laws of the Passamaquoddy Tribe of Indians. (H. P. 279) (L. D. 331)

(On motion by Mr. Speers of Kennebec, Tabled and Specially Assigned for March 20, 1975, Pending Enactment)

AN ACT to Repeal Provisions Against Obstructions in Windows of Malt Liquor Licensed Restaurants. (H. P. 313) (L. D. 386)

AN ACT to allow Class A Restaurants Issued a Special Amusement Permit by the State Liquor Commission to Charge Admission in Designated Areas. (H. P. 390) (L. D. 482)

AN ACT Establishing a Symbol to Indicate Buildings and Facilities

Accessible to Handicapped and Elderly Persons. (H. P. 749) (L. D. 860)

AN ACT to Remove the Restriction Concerning the Tenure of Hairdressing Members of the Board of Cosmetology. (H. P. 750) (L. D. 861)

Which, except for the tabled matter, were Passed to be Enacted and, having been signed by the President, were by the Secretary presented to the Governor for his approval.

Emergency

AN ACT Increasing the Authorized Indebtedness of the Lincoln Water District. (H. P. 466) (L. D. 568)

This being an emergency measure and having received the affirmative votes of 29 members of the Senate, was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

Emergency

AN ACT to Provide for Reciprocity in Permits and Fees Issued on Motor Vehicles for Hire under the Public Utilities Law. (S. P. 271) (L. D. 856)

Mr. Corson of Somerset moved that the rules be suspended and the Senate reconsider its prior action whereby the Bill was Passed to be Engrossed.

The PRESIDENT: The Senator has the floor.

Mr. CORSON: Mr. President and Members of the Senate: This bill is the reciprocity bill for permits and fees issued on motor vehicles for hire under the Public Utilities Law, which I sponsored.

I would like to reconsider engrossment for the purpose of offering an amendment which simply changes some of the wording in the emergency preamble. It removes the rather strong language dealing with our good neighbor, Canada, and makes it a more general application, which is in fact what the bill does. It deals generally and not specifically.

The PRESIDENT: The Senator from Somerset, Senator Corson, now moves that the Senate reconsider its action whereby this bill was passed to be engrossed. Is this the pleasure of the Senate?

The motion prevailed.

The same Senator then presented Senate Amendment "A" and moved its Passage.

Senate Amendment "A", Filing No. S-29, was Read and Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

Reconsidered Matter

On motion by Mr. Speers of Kennebec, the Senate voted to reconsider its prior action whereby Bill, "An Act to Clarify Certain Provisions of the Maine Right to Know Law", (H. P. 848) L. D. 1035, was referred to the Committee on Judiciary and Ordered Printed in concurrence.

Thereupon, on further motion by the same Senator, referred to the Committee on Legal Affairs and Ordered Printed in non-concurrence.

Sent down for concurrence.

Orders of the Day

The President laid before the Senate the first tabled and Specially Assigned matter:

Bill, An Act to Permit Insurers to Limit Liability on Accident Policies in Certain Situations. (H. P. 24) (L. D. 32)

Tabled — March 12, 1975 by Senator Speers of Kennebec.

Pending — Enactment.

On motion by Mr. Corson of Somerset, and under suspension of the rules, the Senate voted to reconsider its prior action whereby the Bill was Passed to be Engrossed.

The same Senator then presented Senate Amendment "A" and moved its Adoption.

Senate Amendment "A", Filing No. S-30, was Read.

Thereupon, on motion by Mr. Johnston of Aroostook, tabled and Tomorrow Assigned, pending Adoption of Senate Amendment "A".

The President laid before the Senate the second tabled and Specially Assigned matter:

HOUSE REPORT — from the Committee on Transportation — Bill "An Act Relating to the Use of Colored Lights on Certain Fire and Emergency Vehicles." (H. P. 411) (L. D. 499) Ought to Pass.

Tabled — March 14, 1975 by Senator Speers of Kennebec.

Pending — Acceptance of Report.

(In the House — Passed to be Engrossed as amended by House Amendment "A" (H-63).

On motion by Mr. Speers of Kennebec, retabled and Specially Assigned for March 20, 1975, pending Acceptance of the Committee Report.

The President laid before the Senate the third tabled and Specially Assigned Matter:

Bill, "An Act to Limit the Minimum Wage Exemption for Summer Camp Employees." (H. P. 504) (L. D. 626)

Tabled — March 14, 1975 by Senator Clifford of Androscoggin.

Pending — Motion of Senator Trotsky of Penobscot to Indefinitely Postpone Bill and Accompanying papers.

(In the House — Passed to be Engrossed as amended by Committee Amendment "A" (H-57).

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Trotsky.

Mr. TROTSKY: Mr. President, I would like to speak to my motion of last Friday whereby I moved that L. D. 626 and its accompanying papers be indefinitely postponed.

The PRESIDENT: The Senator has the floor.

Mr. TROTSKY: Distinguished Members of the Senate: Why is this bill aimed solely at Maine's private summer camps? If the sponsor of this bill and the Labor Committee are truly interested in protecting young people under age 19 from the horrible abuses which the distinguished Senator from Kennebec, Senator Katz, referred to but did not document, then I suggest that this is a poorly written bill, as it still leaves those same young people free to experience those same horrible abuses in our non-profit institutional camps, our "Y" camps, our church camps, our Boy Scout and Girl Scout camps, and the like. If the intent of this bill is to truly protect those young people, then we must cover all camps and not allow the blatant discrimination against only our private summer camps.

Secondly, there is a misconception in the word "profit" or "profit-making" as opposed to "non-profit." I think many of our finest and oldest children's camps in Maine today, the profit-making ones, are

under economic hardship and are being forced to close their doors. The non-profit institutional camps often have a more solid financial base, making them less subject to difficult economic times.

Third, the Senator from Kennebec referred to a small group of really bad apples, which again he did not document. My question is why should the majority of the concerned good camp directors be subject to essentially useless governmental regulation and interference because of the few?

Fourth, I don't believe that the Labor Committee really understands the true nature of the summer children's camp in Maine. Counselors in summer camps work often eighty hours per week and get paid possibly \$300 to \$500 for an eight-week session. This comes to 50 cents or 80 cents per hour as a wage. If one doesn't understand the camp environment, this appears to be the most blatant exploitation by those in the private and non-profit summer children's camps. But why year after year do these same young people seem to return to that same exploitive situation?

Fifth, for those young people under age 19 who work in maintenance in camps and help out in kitchens, they work less than half the time of the camp counselors. And do the directors of these camps charge them for the recreational facilities they make use of, or are they charged for the swims they take?

Again, I say that the only push behind this bill is Labor's desire to remove exemptions, regardless of circumstance, from the minimum wage law.

Members of the Senate, I urge you to support my motion to indefinitely postpone this bill so that we may pass on to more serious legislation.

The PRESIDENT: The Chair recognizes the senator from Cumberland, Senator Merrill.

Mr. MERRILL: Mr. President, I would like to make an inquiry of the Chair. I believe on Friday last there was a request for a roll call on this. Will a roll call be taken when this is put to a vote?

The PRESIDENT: The Chair would answer in the affirmative.

Mr. MERRILL: Mr. President and Members of the Senate: I would like to speak for a moment against the motion of the Senator from Penobscot, Senator Trotsky. I think he is making a valiant battle here for an ignoble cause. I think we ought to consider for a moment what the effect of this bill is and then just wonder why such a battle is being made over such an insignificant bill.

We are talking about camps to which the average person that goes there pays about \$1,600 a year. The bill affects only those people who aren't in counselor situations but who work in the kitchen and do maintenance around the grounds. The people that we are talking about are generally under the age of 19 and therefore, under Maine law, aren't entitled to \$2.10 as a minimum wage, but to 75 percent of that, which is \$1.60 an hour, for their efforts and their labors. From this, the director of the camp can subtract a reasonable amount for room and board. This would very well result in a person receiving from 40 to 50 or 60 dollars a week for working in a kitchen in a camp in the summer.

Now, most of the people who do these jobs are Maine young people. I don't think this is too much to ask that these people

that run these camps pay them. I am sure most of the people that run the camps are conscionable and pay that amount of money already.

I think this is a good bill and I urge that we defeat the motion of the Senator from Penobscot.

The PRESIDENT: The Chair recognizes the Senator from Hancock, Senator McNally.

Mr. McNALLY: Mr. President and Members of the Senate: I would like to speak on this motion of indefinite postponement and tell why I voted for this bill.

This is a bill concerning the ones that are employed in the kitchen or outside on other duties that never have a chance to participate in learning to canoe or swim or anything else. That is the thing that has influenced me all through the years. It isn't a case of like the Boy Scout camps or the camp that we have down at Branch Pond, where the ones that work in the kitchen participate, after their work is over, with the other campers. This is not the case.

This is for the out-of-state campowners who come here and run a program for the people that are paying for it. That is why I voted for the bill; and I still will vote for the bill.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President and Members of the Senate: There seems to be an undercurrent of comment that the individuals who have pleasant working surroundings or who happen to have some recreational facilities readily handy to their place of employment don't need to be protected under a minimum wage law. I find that a little bit illogical because it could very easily be extended to the point where we could say that anyone who happens to enjoy their work doesn't have to be protected under a minimum wage or doesn't have to get a minimum wage; that the only ones who need to be protected under a minimum wage are those who don't happen to enjoy the particular place they work. I don't think that that is a very good argument, and I would urge the Senate to defeat the motion to indefinitely postpone.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Trotzky.

Mr. TROTZKY: Mr. President and Members of the Senate: I say that if we are really out here to protect the worker, then we should protect the worker whether he be in a profit camp or whether he be in a non-profit camp. It may be, as the distinguished Senator from Cumberland says, that in a private camp some of them may charge \$1,000, but today in private camps it is very difficult to get parents to pay \$1,000 in an economic recession. But again, the point I want to make is that it doesn't matter whether a person is working in a profit or a non-profit camp; if the Labor Committee wants to protect the worker, then they should cover both circumstances.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Roberts.

Mr. ROBERTS: Mr. President and Members of the Senate: The only change that is involved here as far as what we are discussing is the last two lines of the bill. Up to that point it is exactly the same as the law now is. Those last two lines say "and who are employees of summer

camps operated by or belonging to corporations or associations existing under the provisions of Title 12, Part 2", which has been corrected to Title 13. Those are the camps that are organized under the charitable corporation law.

There is an earlier section in the law — we are talking about exemptions here, and under (f) is the list of exemptions. The earlier letters in the alphabet are also exemptions. I will read you an exemption, and as far as I am concerned, unless you amend the whole law from start to finish, which this bill doesn't do, you won't change what Senator Trotzky has just suggested.

This bill refers to Title 26, section 663, subsection 2(f). Under that same section, only not under (f) but under (e), it refers to an exception: "Any individual engaged in the activities of a public supported non-profit organization or in a program controlled by an educational non-profit organization." Now, in my opinion, there isn't any difference between that and the language which says, "employees of summer camps operated by or belonging to corporations", under this section. That doesn't make any difference whatsoever. Those people who work in the so-called religious and charitable camps, like the YMCA and various church camps, are already excluded under this subsection (e), which this doesn't affect in any way.

The PRESIDENT: Is the Senate ready for the question? The pending motion before the Senate is the motion by the Senator from Penobscot, Senator Trotzky, that this bill, L. D. 626, and all its accompanying papers be indefinitely postponed. A roll call has been requested. In order for the Chair to order a roll call, under the Constitution, it requires the affirmative vote of at least one-fifth of those Senators present and voting. Will all those Senators in favor of ordering a roll call please rise and remain standing until counted.

Obviously more than one-fifth having arisen, a roll call is ordered. The pending motion before the Senate is the motion of the Senator from Penobscot, Senator Trotzky, that L. D. 626 and all of its accompanying papers be indefinitely postponed.

The Secretary will call the roll.

ROLL CALL

YEAS: Senators Berry, R; Hichens, Trotzky, Wyman.

NAYS: Senators Berry, E; Carbonneau, Cianchette, Clifford, Collins, Conley, Corson, Cummings, Curtis, Danton, Gahagan, Graffam, Graham, Greeley, Huber, Jackson, Johnston, Katz, Marcotte, McNally, Merrill, O'Leary, Pray, Reeves, Roberts, Speers, Thomas.

ABSENT: Senator Cyr.

A roll call was had. Four Senators having voted in the affirmative, and 27 Senators having voted in the negative, with one Senator being absent, the motion did not prevail.

Thereupon, the Bill was Passed to be Engrossed in concurrence.

(Off Record Remarks)

The PRESIDENT: The Chair would like to lay at rest any rumor that might have started that it has replaced the Secretary of the Senate with the Secretary's very able and beautiful assistant. This is not the case. Harry Starbranch is in the hospital for a few days having an operation on his ear and will be

back possibly before the end of the week. The Chair would like to congratulate the very fine job that Mrs. Ross has done today. (Applause, the members rising)

On motion by Mrs. Cummings of Penobscot,
Adjourned until 10 o'clock tomorrow morning.