

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1959 - 1960

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17: "The commission is further authorized and directed to cooperate with the federal government or municipalities in establishing and coordinating national defense in this state, especially in the providing of equipment, training, facilities, suitable quarters for troops and supplies, and buildings and lands for military purposes. The commission may acquire real property by right of eminent domain in the manner prescribed by law for the taking of land for highway purposes, and both real and personal property by purchase, gift or otherwise, for the purpose of construction or maintenance of armories . . . and the procuring of equipment and supplies for military purposes."

Military purposes above-mentioned is defined in section 101 of Chapter 14 as follows:

"Wherever in this chapter the words "military purposes" appear, they shall mean any purposes that will aid in facilitating the preparation for or conduct of war whether for defense or offense or whether on land, sea or in the air."

In summary it appears that unless an armory has been built from the funds of the state military defense commission, joint utilization would be in violation of our statutes which limit the use of such other armories by members of the National Guard or other State organized military or naval forces.

JAMES GLYNN FROST
Deputy Attorney General

September 21, 1959

To: Marion Martin, Commissioner of Labor and Industry

Re: Minimum Wage Law (P. L. of 1959, C. 362)

We have your request for an opinion on the following:

"We have received another question concerning interpretation of the new Maine Minimum Wage Law on which we should like a ruling.

"Section 132-B III D exempts 'any individual engaged in the activities of a public-supported non-profit organization.' The question is whether this means "ordinary employees" of a non-profit organization, such as the YMCA or whether it is intended to have some different meaning. The questioner notes the use of the word "employed" in the same Section in connection with private nursing homes and hospitals."

It is our opinion that the phrase "engaged in the activities" is synonymous with the word employed. We therefore feel that the personnel governed by such a phrase would be the "ordinary employees" of the YMCA.

JAMES GLYNN FROST
Deputy Attorney General