

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One-Hundredth Legislature

OF THE

STATE OF MAINE

1961

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, February 28, 1961

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

Prayer by the Rev. Mr. Clifford W. Laws of the Congregational Church, Bethel.

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

The journal of the previous session was read and approved.

The SPEAKER: At this time the Chair would like to recognize the presence in the gallery of a group of approximately fifty pupils from the eighth grade of the Sacred Hearts School of Waterville, Maine, accompanied by two teachers, Mother Frances and Mother Florence; Mr. Labbe, a member of the Real Estate Commission and father of one of the pupils is also present with the class. (Applause)

The Chair would also like to recognize the presence of a group of eighth grade students in the gallery from the Burns School, Saco, Maine, accompanied by Miss Thelma Gibbs and Mr. Benjamin Hall. (Applause)

On behalf of the House, the Chair extends to you a most hearty and cordial welcome, and we hope that you will enjoy and profit by your visit with us here today.

**Papers from the Senate
Leave to Withdraw**

Report of the Committee on Towns and Counties on Bill "An Act relating to Payment of Tax Money from Town of York to York Harbor Village Corporation" (S. P. 129) (L. D. 274) reporting Leave to Withdraw.

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

Ought Not to Pass

Report of the Committee on Labor reporting "Ought not to pass" on Bill "An Act relating to Minimum Wages for Summer Camp Employees and Students" (S. P. 232) (L. D. 636)

Came from the Senate read and accepted.

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

Ought to Pass

Report of the Committee on Agriculture reporting "Ought to pass" on Bill "An Act relating to State Humane Agents" (S. P. 132) (L. D. 315)

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.

**Ought to Pass with
Committee Amendment**

Report of the Committee on Judiciary on Bill "An Act relating to Deduction of Sentence in County Jails" (S. P. 18) (L. D. 18) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 18, L. D. 18, Bill, "An Act Relating to Deduction of Sentence in County Jails".

Amend said bill by striking out in the 4th and 5th lines the underlined words "whose record of conduct shows that he" and inserting in place thereof the underlined words and punctuation 'who, in the opinion of the sheriff,'

Further amend said bill by striking out in the 6th line the underlined number "7" and inserting in place thereof the underlined number '2'

Further amend said bill by striking out in the 7th line the underlined word "minimum"

Committee Amendment "A" was adopted in concurrence and the Bill assigned for third reading tomorrow.

Divided Report Tabled

Majority Report of the Committee on Labor reporting "Ought not to pass" on Bill "An Act relating to Dependency Allowances under Employment Security Law" (S. P. 115) (L. D. 260)

Report was signed by the following members:

Messrs. MAYO of Sagadahoc
EDMUNDS of Aroostook
— of the Senate.

Messrs. BROWN
— of South Portland
JOBIN of Rumford
BOISSONNEAU
— of Westbrook
THAANUM of Winthrop
HANCOCK of Nobleboro
WINCHENPAW
— of Friendship
HARDY of Hope
— of the House.

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

Report was signed by the following member:

Mr. COUTURE of Androscoggin
— of the Senate.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read.
(On motion of Mr. Winchenpaw of Friendship, on a viva voce vote tabled unassigned pending acceptance of either report.)

Non-Concurrent Matter

Bill "An Act relating to Student Rates for Ferry Service for North Haven, Vinalhaven, Islesboro and Swan's Island" (H. P. 476) (L. D. 676) which was passed to be engrossed in the House on February 15.

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 from its action of February 15 whereby the Bill was passed to be engrossed.

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

SENATE AMENDMENT "A" to H. P. 476, L. D. 676, Bill, "An Act Relating to Student Rates for Ferry Service for North Haven,

Vinalhaven, Islesboro and Swan's Island."

Amend said Bill in the title by striking out the words: "and Swan's Island" and inserting in place thereof the following: ', Swan's Island and Long Island Plantation'

Further amend said Bill in the 6th line by striking out the words "and Swan's Island" and inserting in place thereof the following: ', Swan's Island and Long Island Plantation'

Further amend said Bill in the 21st line by striking out the underlined words "and Swan's Island" and inserting in place thereof the following underlined words and punctuation: ', Swan's Island and Long Island Plantation'

Senate Amendment "A" was adopted and the Bill passed to be engrossed as amended by Senate Amendment "A" in concurrence.

Orders

Mrs. Knapp of Yarmouth presented the following Order and moved its passage:

WHEREAS, North Yarmouth Academy, whose basketball team is known as the "Panthers", was winner in the basketball tournament held at Lewiston Armory last Friday night;

BE IT ORDERED, that the members of the House of Representatives extend congratulations to the team and to North Yarmouth Academy for their victory in the Western Maine Class L basketball tournament and wish them well in the future;

AND BE IT FURTHER ORDERED, that the Clerk of the House be directed to send an attested copy of this Order to the school, to the attention of Kenneth Coombs, Athletic Coach.

The Order received passage.

(Applause)

The SPEAKER: The Chair would like to recognize the presence in the gallery of a group of eighth grade students from Room 9, thirty pupils in all, from Saco, Maine, accompanied by their teacher, Mrs. Phyllis Borden.

On behalf of the House, the Chair extends to you a most cordial and hearty welcome and we

hope you will enjoy and profit by your visit with us here today.
(Applause)

House Reports of Committees Leave to Withdraw

Mr. Hopkinson from the Committee on Agriculture on Bill "An Act relating to Sales by a Producer of Milk Produced on His Premises" (H. P. 868) (L. D. 1203) reported Leave to Withdraw.

Mr. Anderson from the Committee on Inland Fisheries and Game reported same on Resolve Opening Millinocket Lake, Piscataquis County, to Ice Fishing (H. P. 671) (L. D. 949)

Mr. Pike from the Committee on Public Utilities reported same on Bill "An Act relating to Conditions under which Public Utilities May Issue Stocks, Bonds and Notes" (H. P. 836) (L. D. 1151)

Reports were read and accepted and sent up for concurrence.

Covered by Other Legislation

Mr. Dodge from the Committee on Inland Fisheries and Game on Bill "An Act Regulating Fish Houses" (H. P. 676) (L. D. 954) reported Leave to Withdraw, as covered by other legislation.

Report was read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Anderson from the Committee on Claims reported "Ought not to pass" on Resolve to Reimburse Town of Bristol for Aid Extended to Charles Maines (H. P. 582) (L. D. 802)

Mr. Brewer from same Committee reported same on Resolve in favor of Clarence Ricker of Clinton (H. P. 577) (L. D. 797)

Mr. Gallant from same Committee reported same on Resolve in favor of Town of Chelsea for Aid to Calvin York and Family (H. P. 581) (L. D. 801)

Mr. Carter from the Committee on Highways reported same on Bill "An Act Establishing Minimum Pay for Persons Hauling Gravel on State and Municipal Contracts" (H. P. 744) (L. D. 1030)

Mr. Wade from the Committee on Inland Fisheries and Game reported same on Resolve Regulating Fishing in North Inlet, First Roach

Pond, Piscataquis County (H. P. 240) (L. D. 354)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Certain Lakes in Penobscot and Piscataquis Counties (H. P. 672) (L. D. 950)

Reports were read and accepted and sent up for concurrence.

Recommended

Mr. Smith from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Destroying Timber, etc. on Land of Another" (H. P. 249) (L. D. 363)

Report was read.

(On motion of Mr. Knight of Rockland, recommitted to Committee on Judiciary and sent up for concurrence.)

Mrs. Knapp from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act to Create a Board of Electrical Safety Rules and Regulations" (H. P. 525) (L. D. 723)

Mr. Maxwell from the Committee on Taxation reported same on Bill "An Act relating to Taxation of Goats" (H. P. 9) (L. D. 28)

Reports were read and accepted and sent up for concurrence.

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.

Ought to Pass in New Draft New Drafts Printed

Mr. Durgin from the Committee on Education on Bill "An Act to Provide Schooling in Brunswick for High School Tuition Pupils from Certain Other Towns" (H. P. 588) (L. D. 809) reported same in a new draft (H. P. 1068) (L. D. 1469) under title of "An Act to Provide Schooling in Brunswick for Tuition Pupils from Certain Other Towns" and that it "Ought to pass"

Mrs. Hanson from same Committee on Bill "An Act relating to Tuition for Summer School Attendance" (H. P. 798) (L. D. 1112) reported same in a new draft (H.

P. 1069) (L. D. 1470) under same title and that it "Ought to pass"

Reports were read and accepted, the New Drafts read twice and tomorrow assigned.

Ought to Pass Printed Bills

Mr. Curtis from the Committee on Education reported "Ought to pass" on Bill "An Act to Reconstitute School Administrative District No. 16" (H. P. 585) (L. D. 806)

Mrs. Hanson from same Committee reported same on Bill "An Act relating to School Administrative Districts Contracting for Secondary Education with other Administrative Units" (H. P. 734) (L. D. 1022)

Mr. Levesque from same Committee reported same on Bill "An Act to Reconstitute School Administrative District No. 15" (H. P. 587) (L. D. 808)

Mr. Sirois from same Committee reported same on Bill "An Act to Reconstitute School Administrative District No. 14" (H. P. 590) (L. D. 811)

Mr. Dodge from the Committee on Inland Fisheries and Game reported same on Resolve Regulating Fishing in Wiggin Brook, Piscataquis County (H. P. 145) (L. D. 208)

Mr. Hanson from same Committee reported same on Resolve Regulating Fishing in Squaw Pond, T3, R5, Piscataquis County (H. P. 146) (L. D. 209)

Mr. Moore from same Committee reported same on Resolve Regulating Ice Fishing on Big Pond, Dexter, Penobscot County (H. P. 113) (L. D. 153)

Mr. Wade from same Committee reported same on Resolve Regulating Fishing in Certain Waters in Piscataquis County (H. P. 596) (L. D. 817)

Mr. Rust from the Committee on Judiciary reported same on Bill "An Act Authorizing Municipalities to Record Certain Instruments by Microfilm" (H. P. 401) (L. D. 576)

Mr. Smith from same Committee reported same on Bill "An Act relating to Microfilm of Criminal Records by Clerks of Courts" (H. P. 814) (L. D. 1129)

Mrs. Knapp from the Committee on Legal Affairs reported same on Bill "An Act relating to Bonds of Buckfield Village Corporation to Acquire Property and for Construction Work" (H. P. 333) (L. D. 485)

Mr. Minsky from same Committee reported same on Bill "An Act Creating the Old Town Junior High School District" (H. P. 509) (L. D. 707)

Mrs. Sproul from same Committee reported same on Bill "An Act to Enlarge the Powers of the Town of Wiscasset School District" (H. P. 611) (L. D. 828)

Mr. Stewart from same Committee reported same on Bill "An Act to Incorporate the Town of Bradford School District" (H. P. 684) (L. D. 962)

Mr. Tyndale from the Committee on Public Utilities reported same on Bill "An Act relating to Meetings of and Power to Borrow Money by Madawaska Water District" (H. P. 698) (L. D. 976)

Mr. Bradeen from the Committee on Taxation reported same on Bill "An Act Exempting Certain Aircraft from Sales Tax" (H. P. 850) (L. D. 1164)

Mr. Letourneau from same Committee reported same on Bill "An Act relating to Exempting from Taxation Mothers of Deceased Veterans" (H. P. 907) (L. D. 1241)

Reports were read and accepted, the Bills read twice, Resolves read once, and tomorrow assigned.

Referred to Committee on Education

Mr. Jalbert from the Committee on Appropriations and Financial Affairs on Resolve Appropriating Moneys for Vocational Educational Institute in Androscoggin County (H. P. 74) (L. D. 116) reported that it be referred to the Committee on Education.

Report was read and accepted, the Resolve referred to the Committee on Education and sent up for concurrence.

Ought to Pass with Committee Amendment

Mr. Hichborn from the Committee on Education on Bill "An Act relating to Apportionments of Educational Subsidies to School Ad-

ministrative Districts" (H. P. 589) (L. D. 810) 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. 589, L. D. 810, Bill, "An Act Relating to Apportionments of Educational Subsidies to School Administrative Districts."

Amend said Bill in the Title by striking out the words "Apportionments of Educational Subsidies to School Administrative Districts" and inserting in place thereof the words 'Educational Subsidies to Administrative Units.'

Further amend said Bill in the 10th line by striking out the underlined period and the underlined word "An" and inserting in place thereof an underlined semicolon and the underlined word 'an' as follows: '; an'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mr. Turner from the Committee on Highways on Resolve Designating Bridge Between Livermore and Livermore Falls as "Veterans Memorial Bridge" (H. P. 669) (L. D. 947) 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. 669, L. D. 947, Resolve, Designating Bridge Between Livermore and Livermore Falls as "Veterans Memorial Bridge."

Amend said Bill, by striking out the last line and inserting in place thereof the following: 'Livermore-Livermore Falls Veterans Bridge.'

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

Mr. Thornton from the Committee on Judiciary on Bill "An Act relating to Funds in Custody of Clerks of Courts" (H. P. 318) (L. D. 470) 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. 318, L. D. 470, Bill, "An Act Relating to Funds in Custody of Clerks of Courts."

Amend said bill by striking out in the last line the underlined words "more than"

Further amend said bill by striking out in the last line the underlined word "from" and inserting in its place thereof the underlined words 'or more prior to'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mr. Kellam from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Carmel School District" (H. P. 609) (L. D. 826) 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. 609, L. D. 826, Bill, "An Act to Incorporate the Town of Carmel School District."

Amend said Bill in section 2 by striking out in the 6th line the figure "5" and inserting in place thereof the figure '3'

Further amend said Bill in section 3 by striking out the first 2 sentences and inserting in place thereof the following: 'As soon as may be after the acceptance of this act as hereinafter provided, the municipal officers of the Town of Carmel shall appoint 3 trustees of said district, to hold office as follows respectively: One until the annual town meeting in 1962, one until the annual town meeting in 1963 and one until the annual town meeting in 1964. At each annual town meeting of the Town of Carmel, beginning with the annual town meeting in 1962, one trustee shall be elected to serve until the annual town meeting occurring 3 years thereafter.'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mr. Minsky from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Etna School District" (H. P. 329) (L. D. 481) 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. 329, L. D. 481, Bill, "An Act to Incorporate the Town of Etna School District."

Amend said Bill in section 2 by striking out in the 6th line the figure "5" and inserting in place thereof the figure '3'

Further amend said Bill in section 3 by striking out the first 2 sentences and inserting in place thereof the following: 'As soon as may be after the acceptance of this act as hereinafter provided, the municipal officers of the Town of Etna shall appoint 3 trustees of said district, to hold office as follows respectively: One until the annual town meeting in 1962, one until the annual town meeting in 1963 and one until the annual town meeting in 1964. At each annual town meeting of the Town of Etna, beginning with the annual town meeting in 1962, one trustee shall be elected to serve until the annual town meeting occurring 3 years thereafter.'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mr. Stewart from the Committee on Legal Affairs on Bill "An Act relating to Number of Councillors and Superintending School Board of Town of Fort Fairfield" (H. P. 515) (L. D. 713) 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. 515, L. D. 713, Bill "An Act Relating to Number of Councillors and Superintending School Board of Town of Fort Fairfield".

Amend said Bill by striking out in the 11th line of Section 1

"March 19", and inserting 'March 20' in place thereof.

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Divided Report Tabled and Assigned

Majority Report of the Committee on Claims reporting "Ought not to pass" on Resolve to Reimburse Guy Cyr of Hamlin for Property Damage by Highway Relocation (H. P. 578) (L. D. 798)

Report was signed by the following members:

Messrs. PORTEOUS

 of Cumberland
BREWSTER of York
PARKER of Piscataquis
 — of the Senate.

Messrs.

HUGHES of St. Albans
ANDERSON

 of Greenville
BREWER of Bath
HAGUE of Gorham
GALLANT

 of Eagle Lake
HUTCHINS of Kingfield
 — of the House.

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

Report was signed by the following member:

Mr. JOHNSON of Stockholm
 — of the House.

Reports were read.

(On motion of Mr. Johnson of Stockholm, tabled pending acceptance of either Report and specially assigned for Friday, March 10.)

Divided Report

Majority Report of the Committee on Labor reporting "Ought to pass" on Bill "An Act relating to Minimum Wage for Firemen" (H. P. 505) (L. D. 704)

Report was signed by the following members:

Messrs. MAYO of Sagadahoc
COUTURE

 of Androscoggin
EDMUNDS of Aroostook
 — of the Senate.

Messrs. BROWN of South Portland
JOBIN of Rumford

BOISSONEAU
of Westbrook
THAANUM of Winthrop
— of the House.

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

Report was signed by the following members:

Messrs. HANCOCK of Nobleboro
WINCHENPAW
of Friendship
HARDY of Hope
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker, I move acceptance of the Majority "Ought to pass" Report.

The SPEAKER: The gentleman from Bridgton, Mr. Haughn, moves the House accept the Majority "Ought to pass" Report.

The Chair recognizes the gentleman from Hope, Mr. Hardy.

Mr. HARDY: Mr. Speaker, is that debatable?

The SPEAKER: The matter is debatable.

Mr. HARDY: Mr. Speaker, Ladies and Gentlemen of the House: The State has set up towns and cities, given them their charters; and along with that goes the right, I feel, of the towns and cities of our State to establish their own wages.

Here we have a bill that has gone against the original idea, I feel, of the minimum wage law that was enacted in the 99th Session. There we went along, certain of us did, I for one, that this was a municipal affair and not something that could be handled from the State. Actually, this situation is not paramount in number. It covers some four to five percent of the firemen in the State of Maine, and I feel, as I have already stated, that we shouldn't get into the wage scale of our municipal organizations. Therefore, I hope that the motion of the gentleman from Bridgton, Mr. Haughn, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Winthrop, Mr. Thaanum.

Mr. THAANUM: Mr. Speaker, Ladies and Gentlemen of the House: Your Committee went into this pretty thoroughly at the hearing that we had in connection with the minimum wages for firemen; and the evidence that came before us was to the effect that many of your firemen are working some eighty-four hours a week, which would be twelve hours a day for seven days a week. We on the Committee who reported the "Ought to pass" Report were quite convinced that these firemen needed some relief in this matter. We felt that the eighty-four hours for the money that they were getting was not sufficient, and at our Committee hearing we had a great many in support of this particular bill, but not too much opposition.

I come from a small town and I don't feel that this proposition of paying our firemen, those people who are so dedicated to us, who get out in the middle of the night in zero weather — my goodness ladies and gentlemen, I ask you, isn't it worth a dollar an hour? I hope that the Majority Report of this Committee will prevail.

The SPEAKER: The Chair recognizes the gentleman from Hope, Mr. Hardy.

Mr. HARDY: Mr. Speaker, only to clarify a situation here, they are on an eighty-odd hour week. I am not sure of the digit on the eighties, but I do know that the firemen are on three days twenty-four hours or the best part of it. They sleep their required sleep. The other part of the week they are off so it isn't a continuous eight hours a day seven days a week, they are on a day, off a day, on a day, off a day, and it does enable them to — the way they are operating right now, to take a job as many of them do, and work the odd days driving taxis or working for the city in other jobs; so we worry about their dollar an hour. Actually there are no firemen in the state that I know of that are taking home less than sixty-three or sixty-five and from there up to seventy and seventy-five.

Actually, if this thing does go through, and it has been shown in

one case in the State of Maine where it did, the firemen aren't as well off, because they go on a rate of pay that doesn't give them as much money, and they are not able any more to work the odd days off that they have, so in all truth of the matter, they aren't going to get the eighty-four dollars if that is the number of hours they work a week. That isn't what they are shooting for here. They are going to take less money for this job.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker, with all high regard for my esteemed colleague from Hope, Mr. Hardy, I will have to counteract one statement he just made in regard to the hours they put in of eighty-odd hours, that they sleep. He, like every other member of this House, buys an insurance policy for one reason, for security after youth when it is needed. These men are hired on the same basis, they are hired for security and protection and to be available when needed. Now by those long hours that they devote to these so-called sleeping hours he just expressed, it means that those men are deprived of normal life, they have to be confined and stay within their barracks. Therefore, they should be remunerated in some form for this sacrifice they make, plus we have a slogan a fireman is our friend. When we need him in time of dire need he is available, his type of work is one which is perilous. We have passed other legislation to protect the interests of firemen and policemen in this state, and I do not feel we infringe upon the rights of local or home rule by passing other legislation here to establish minimum wage laws for employees of all nature; they are employees and working people the same as the rest of us.

In my own particular area, it is all small communities. It is true we have call firemen who we pay \$1.25 an hour. It has not hurt our communities, and I do not believe the few, very minor few communities involved, that this would be working an extreme hardship up-

on them. So, therefore, the argument just presented by my colleague, Mr. Hardy, I do not believe in my opinion stands up as just and sound. And I hope the Committee's Report will prevail.

The SPEAKER: The Chair recognizes the gentleman from Bar Harbor, Mr. Smith.

Mr. SMITH: Mr. Speaker and Members of the House: This bill involves a very small portion of the towns and the firemen in the State of Maine. It also involves a principle of dictation to towns by the State concerning the wages and conditions of fire department employees.

I represent three towns. One of these towns has a five-member paid fire department. Two towns have volunteer departments only. The problem which we are considering does not involve volunteer departments. It involves the small paid departments where employees sleep at the fire house and have twenty-four hours on and twenty-four hours off.

Now this State of course is made up of many diverse elements, small towns and large towns. There are variations in density of population, local government, geography, and one of our problems is, of course, to reconcile these elements, these varying elements. A minimum wage law applicable to all the diverse conditions in the State of Maine is one of those statutes which calls for local application with respect to towns particularly. Any statute such as this, if passed, will necessarily dictate a portion of the taxes which a town must raise to meet its payroll. A municipality has only two choices in the face of such a law. It must raise its pay scales to meet the minimum, that is, raise more in taxes; or cut down the number of its employees, thus eliminating several jobs.

In the town which I represent, one of the towns, I am certain we will have to either eliminate a paid department entirely, or eliminate several men from the paid department, thus reducing the protection which the town receives from its department, and raising the insurance rate as fixed by the Board of Underwriters.

We are not dealing here with the exploitation of helpless and ignorant employees, as was implied in the hearing on this bill. This is not a case of abuse and mistreatment of illiterate workers afraid to speak up to the boss. Fire department employees are capable, intelligent men, known to all of us as persons choosing their particular calling for reasons which must appeal to them or have some advantage to them. They are under no compulsion to continue. Many have other jobs, well paid jobs. The turnover rate is extremely small and ultimately the right of municipalities to determine their own solvency and financial stability is involved.

Municipal employees in the town which I represent, and I suspect in most towns known to the Legislature, are not slow to form political pressures. Town meetings are open to them; the voters can and do appropriate funds in response to the needs and demands for local fire protection. This statute, however, would remove from the local community the privilege of self-government in this area, one more element of self-determination would be eroded away from our municipalities.

If this L. D. 704 is passed it will have these effects: In certain towns, financial consequences will be most severe, or fire protection may well suffer; insurance rates, as I have noted, would necessarily rise as the rating of the fire department is lowered by the Board of Underwriters. And even more important, the State will be setting employment policies in that area of local activity which should be, customarily has been, and is peculiarly the province of the town meeting or the city council. I would urge that you vote against this move to accept the Majority Report.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker, I ask unanimous consent to speak again.

The SPEAKER: The gentleman from Bridgton, Mr. Haughn, requests consent to speak a third time. Is there objection? The

Chair hears none and the gentleman may proceed.

Mr. HAUGHN: Mr. Speaker and Ladies and Gentlemen of the House: My good friend and colleague who just spoke has brought out a few points which I believe need clarification. He says eliminate men. We know that we have got to have a required number of men to take care of our fire protection. Second, he said shorter hours. Maybe that is feasible, maybe it is not, but that is within the jurisdiction of the towns, and they have that right to set the hours; but by our action of setting up the minimum wage law in the State of Maine, according to his opinion, we had no right to designate or say the employees should receive a living wage within the State of Maine of private employment. Now these men come under similar category and you know a test case was made in the Supreme Court of the State of Maine to determine whether legislative intent was meant to include them, which at that time through an oversight I believe from the 99th Legislature did not include or spell out sufficiently enough for the Court in their opinion to include them; and that is what this bill does now, to include what we have done for other working people. I know most municipalities pay a dollar an hour to a man who goes out and sweeps the streets or shovels snow. I mean as far as the pay goes I do not believe, and really and sincerely believe, it will affect any town budget to that degree, and there is such a minority of towns not now paying it against what are paying it, it seems though they can pay it and survive and not have too much hardship on the taxation structure.

When it comes to county budget which pertains to local communities' budgets, we have to approve that budget up here, so indirectly we are doing what he says we should not be doing. We have been doing it for years and years to approve the state county budgets. We set the pay scale of the state employees. They are still employees whether state, county or local level, so I cannot see those par-

ticular things that he has brought out are the basic reasons for the defeat of a bill of this nature, and it is time that we took a stand to let the people know just how we feel on it, and when the vote is taken I do request a division.

The SPEAKER: A division has been requested.

The Chair recognizes the gentleman from Bar Harbor, Mr. Smith.

Mr. SMITH: Mr. Speaker, I certainly should point out that no county budgets or review by the state is involved in a local budget, and I would move indefinite postponement of the bill.

The SPEAKER: The question now before the House is the motion of the gentleman from Bar Harbor, Mr. Smith, that this Bill and both Reports be indefinitely postponed. A division has been requested. All those in favor of the indefinite postponement of this Bill please rise and remain standing until the monitors have made and returned the count.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: I would now request a roll call of the yeas and nays on this bill.

The SPEAKER: Proceed with the count, monitors.

A division of the House was had.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have an expression of a desire for a roll call by at least one-fifth of the members present. Will all those in favor of a roll call please rise and remain standing until the monitors have made and returned their count.

Thirty-three members arose.

The SPEAKER: Thirty-three having arisen, this being more than one-fifth the members present, a roll call is ordered.

House at Ease

Called to order by the Speaker.

The SPEAKER: Now before the roll is called, the question will be again stated, and the Chair would like to advise the members that under the Rules of the House, no one is to leave their seat until the results of the roll call have been

announced. That does not prohibit, however, others coming in and taking their seats.

Now the question before the House is the motion of the gentleman from Bar Harbor, Mr. Smith, that this Bill "An Act relating to Minimum Wage for Firemen," House Paper 505, Legislative Document 704, and these Reports be indefinitely postponed. If you are in favor of indefinite postponement of this bill you will answer "yes" when your name is called; if you are opposed to the indefinite postponement of this bill, you will answer "no" when your name is called. The Clerk will call the roll.

ROLL CALL

YEA — Albair, Anderson, Ellsworth; Anderson, Greenville; Baker, Baxter, Bearce, Bernard, Boothby, Bragdon, Brown, Fairfield; Brown, Vassalboro; Carter, Chapman, Gardiner; Chapman, Norway; Cooper, Coulthard, Cyr, Dennett, Dodge, Drake, Dunn, Durgin, Edgerly, Edwards, Finley, Gardner, Hague, Ham, Hancock, Hanson, Bradford; Hanson, Lebanon; Hardy, Harrington, Hartshorn, Hopkinson, Hughes, Jones, Kennedy, Kimball, Lantagne, Linnekin, Maddox, Mathews, Merrill, Minsky, Morse, Philbrick, Augusta; Philbrick, Bangor; Pike, Schulten, Shaw, Shepard, Smith, Bar Harbor; Smith, Falmouth; Smith, Strong; Sproul, Storm, Turner, Vaughn, Walker, Waltz, Waterman, Wellman, Westerfield, Whitman, Whitney, Williams, Winchenpaw, Wood, Young.

NAY — Beane, Augusta; Beane, Moscow; Bedard, Berman, Houlton; Berry, Cape Elizabeth; Berry, Portland; Binnette, Boissonneau, Bradeen, Brewer, Briggs, Brown, So. Portland; Buckley, Burns, Busiere, Choate, Crockett, Curtis, Danes, Davis, Dennison, Dostie, Lewiston; Dostie, Winslow; Estey, Fogg, Gallant, Gill, Haughn, Hendricks, Hichborn, Hinds, Humphrey, Hutchins, Jalbert, Jameson, Jobin, Johnson, Smithfield; Johnson, Stockholm; Karkos, Kellam, Kilroy, Knapp, Knight, Lacharite, Letourneau, Levesque, Lincoln, Littlefield, Lowery, MacGregor, Malenfant,

Maxwell, Moore, Morrill, Nadeau, Biddeford; Nadeau, Lewiston; Noel, Perry, Plante, Prince, Prue, Sevigny, Sirois, Stevens, Swett, Tardiff, Thaanum, Thornton, Tyndale, Wade, Walls, Wheaton.

ABSENT — Berman, Auburn; Cox, Lane, Matheson, Poirier, Rust, Stewart, Tweedie.

Yes 70; No 72; Absent 8.

The SPEAKER: Seventy having voted in the affirmative and seventy-two having voted in the negative, with eight absentees, the motion to indefinitely postpone does not prevail.

Thereupon, the Majority "Ought to pass" Report was accepted, the Bill read twice and tomorrow assigned for third reading.

Passed to Be Engrossed

Bill "An Act Authorizing Construction and Maintenance of a Wharf in Sebago Lake at Standish by Virgule A. Chick" (S. P. 179) (L. D. 425)

Bill "An Act relating to Motor Vehicle Excise Tax" (S. P. 263) (L. D. 780)

Bill "An Act relating to Use of Motor Vehicles without Authority in any Place" (S. P. 465) (L. D. 1464)

Bill "An Act relating to Employment of Women and Children in Lodging Places" (H. P. 504) (L. D. 703)

Bill "An Act Providing for Transfer of Certain State Property to Maine Maritime Academy" (H. P. 532) (L. D. 730)

Bill "An Act relating to Emergency Location of Governments for State Political Subdivisions" (H. P. 533) (L. D. 731)

Bill "An Act relating to Emergency Location of State Government" (H. P. 534) (L. D. 732)

Bill "An Act Providing for Emergency Interim Legislative Succession" (H. P. 535) (L. D. 733)

Bill "An Act Revising and Clarifying the Laws Relating to the State Bureau of the Budget" (H. P. 536) (L. D. 734)

Bill "An Act relating to Publication of Limited Partnerships" (H. P. 653) (L. D. 931)

Bill "An Act to Incorporate the 'Atlas Loan Co.'" (H. P. 656) (L. D. 934)

Bill "An Act to Incorporate the Kennebunk" (H. P. 729) (L. D. 1017)

Bill "An Act to Incorporate the Domestic Finance Corporation of Dexter" (H. P. 730) (L. D. 1018)

Bill "An Act to Incorporate the 'Allied Finance Co.'" (H. P. 731) (L. D. 1019)

Bill "An Act relating to Collateral for Bank Employee Loans" (H. P. 793) (L. D. 1107)

Resolve Regulating Fishing in Parmachenee Lake, Parmachenee and Lynchtown, Oxford County (S. P. 227) (L. D. 632)

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

Amended Bills

Bill "An Act relating to Record of Facts Used to Impose Sentence on Persons Convicted" (S. P. 67) (L. D. 167)

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.

Tabled and Assigned

Bill "An Act to Authorize Cumberland County to Raise Money for the Construction of a County Jail" (H. P. 428) (L. D. 603)

Was reported by the Committee on Bills in the Third Reading.

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

Mr. DANES: Is it the desire of the Speaker to wait until they have all been read? If not, I offer House Amendment to House Paper 428, Legislative Document 603 and would like to speak briefly on the amendment.

The SPEAKER: The gentleman may do so.

Mr. DANES: Mr. Speaker, in changing the figures in Committee, whereas the amount of money on the bond issue was decreased from \$1,000,000 to \$700,000, the

Committee inadvertently missed changing both the figures; in section 2 it was corrected; in section 1 it was not, and all this amendment will do is just straighten out those two figures.

Thereupon, Mr. Danes of South Portland offered House Amendment "C" and moved its adoption.

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

HOUSE AMENDMENT "C" to H. P. 428, L. D. 603, Bill, "An Act to Authorize Cumberland County to Raise Money for the Construction of a County Jail."

Amend said Bill, in the 3rd line, by striking out the figure "\$1,000,000" and inserting in place thereof the figure '\$700,000'

House Amendment "C" was adopted.

Mr. Briggs of Portland offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to H. P. 428, L. D. 603, Bill, "An Act to Authorize Cumberland County to Raise Money for the Construction of a County Jail."

Amend said Bill in the 3rd line from the end of section 2 by inserting after the word "shall" the word 'not'.

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

'Referendum for ratification. This act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters of the County of Cumberland at the next general or special state-wide election. The aldermen of the cities and the selectmen of the towns of Cumberland County are empowered and directed to notify the inhabitants of their respective cities and towns to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of Senators and Representatives.

At the next general or special state-wide election, the inhabitants of Cumberland County shall give in their votes upon the subject matter of this act. The question shall be: "Shall the County Commissioners of Cumberland County be

authorized to issue bonds for construction of a county jail to an amount not exceeding \$700,000 in accordance with an act passed by the 100th Legislature?"

The inhabitants of said cities and towns shall vote by ballot on said question and shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. The ballots shall be received, sorted, counted and declared in open ward and town meetings and returns made to the office of the Secretary of State in the same manner as votes for Governor and Members of the Legislature.

This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority vote of the legal voters voting at said election; provided the total vote for and against the acceptance of this act at said election equaled or exceeded 20 percent of the total vote for all candidates for Governor in said County of Cumberland at the next preceding gubernatorial election.

Secretary of State shall prepare ballots. The Secretary of State shall prepare and furnish to the several cities and towns ballots and blank returns in conformity with the foregoing act, accompanied by a copy thereof. The County of Cumberland shall reimburse the Secretary of State for the expense necessarily incurred in preparing and furnishing the ballots and returns.'

(On motion of Mr. Crockett of Freeport, the Bill was tabled pending adoption of House Amendment "B" and specially assigned for Wednesday, March 8.)

Resolve Opening Cross Lake, Aroostook County, to Ice Fishing for Cusk (H. P. 20) (L. D. 39)

Resolve Regulating Fishing in Rockabema Lake, Aroostook County (H. P. 39) (L. D. 73)

Resolve Prohibiting Use of Live Bait in Hills Pond, Franklin County (H. P. 311) (L. D. 463)

Were 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.

Tabled and Assigned

Resolve Regulating Fishing in Eagle Lake, St. Froid Lake and Long Lake, Aroostook County (H. P. 396) (L. D. 571)

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

The SPEAKER: The Chair recognizes the gentleman from Sherman, Mr. Storm.

Mr. STORM: Mr. Speaker, item 22 and several others, but I will speak on this item and then I will make the same motion on some of the rest of them, there is a great amount of water involved in the regulations proposed under these bills, there is some difference of opinion in the Aroostook Delegation and we haven't had a chance to caucus on it, and in order to give us that opportunity, I would move at this time that item 22 be laid on the table until Wednesday, March 8.

The SPEAKER: The gentleman from Sherman, Mr. Storm, moves that this item be tabled and specially assigned for Wednesday, March 8, 1961.

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

Mr. JALBERT: Mr. Speaker, am I in order to ask a question?

The SPEAKER: The gentleman may ask a question.

Mr. JALBERT: The gentleman mentions in his motion that he has not had a chance to caucus. Would he clarify the point, if I am in order to ask the question.

The SPEAKER: The gentleman may answer the question.

Mr. STORM: Mr. Speaker, in reply to my friend Mr. Jalbert from Lewiston, the Aroostook Delegation would like to caucus on it.

The SPEAKER: Does the gentleman consider his question answered?

Mr. JALBERT: Yes.

The SPEAKER: The pending question is the motion of the gentleman from Sherman, Mr. Storm, that this Resolve be tabled and specially assigned to March 8, 1961, pending passage to be engrossed. Is this the pleasure of the House?

The motion prevailed.

Tabled and Assigned

Resolve Regulating Ice Fishing on Millinocket Lake, Big Pleasant Lake and Spider Lake, Piscataquis County (H. P. 483) (L. D. 683)

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

(On motion of Mr. Dodge of Guilford, tabled and specially assigned for Wednesday, March 8, pending passage to be engrossed.)

Tabled and Assigned

Resolve Regulating Ice Fishing on Millinagassett Lake, Mooseleuk Lake and Big Machias Lake (H. P. 485) (L. D. 685)

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

(On motion of Mr. Storm of Sherman, tabled and specially assigned for Wednesday, March 8, pending passage to be engrossed.)

Tabled and Assigned

Resolve Regulating Ice Fishing on First Musquacook Lake and Second Musquacook Lake, Aroostook County (H. P. 486) (L. D. 686)

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

(On motion of Mr. Storm of Sherman, tabled and specially assigned for Wednesday, March 8, pending passage to be engrossed.)

Tabled and Assigned

Resolve Regulating Ice Fishing in Umsaskis Lake and Long Lake, Aroostook County (H. P. 488) (L. D. 688)

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

(On motion of Mr. Storm of Sherman, tabled pending passage to be engrossed and specially assigned for Wednesday, March 8.)

**Passed to Be Enacted
Enactor Requiring
Two-Thirds Vote**

An Act to Authorize the Issuance of Bonds in the Amount of Six Million Dollars on Behalf of the State of Maine to Build State Highways (S. P. 162) (L. D. 408)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. In accordance with the provisions of Section 14 of Article IX of the Constitution a two-thirds vote of the House being necessary, a division was had. 114 voted in favor of the same and 4 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Incorporate the Oxford Water District (S. P. 299) (L. D. 910)

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. 123 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.

Passed to Be Enacted

An Act relating to Definition of Indecent Liberties (S. P. 19) (L. D. 19)

An Act relating to Refund of Sales Tax (S. P. 239) (L. D. 643)

An Act Amending the Use Fuel Tax Act (S. P. 240) (L. D. 644)

An Act relating to Revocation of Sellers' Certificates under Sales and Use Tax Law (S. P. 242) (L. D. 646)

An Act relating to Time of the Report of the Judicial Council (S. P. 324) (L. D. 999)

An Act Revising the Maine Economic Poisons Law (H. P. 220) (L. D. 335)

An Act relating to Definition of Retail Sale under Sales and Use Tax Law (H. P. 543) (L. D. 740)

An Act relating to Poll Taxes (H. P. 547) (L. D. 744)

An Act Regulating the Digging of Clams in Wells, York County (H. P. 1059) (L. D. 1320)

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.

Tabled and Assigned

An Act Exempting Certain Non-profit and Charitable Institutions from Sales and Use Tax Law (H. P. 1060) (L. D. 1360)

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

(On motion of Mr. Bragdon of Perham, tabled pending passage to be enacted and specially assigned for Friday, March 3.)

An Act relating to the Tax on Interim Rental of Property Purchased for Resale (H. P. 1061) (L. D. 1361)

Was 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.

Tabled and Assigned

Resolve to Reimburse Edward M. Healy for Repairs to Androscoggin Lake Dam (H. P. 232) (L. D. 346)

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

(On motion of Mr. Bragdon of Perham, tabled pending passage to be enacted and specially assigned for Friday, March 3.)

Resolve Designating Abbot Village Bridge as "The Page-Carr Bridge" (H. P. 306) (L. D. 458)

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

Orders of the Day

The Chair laid before the House the first tabled and today assigned matter:

Resolve in Favor of the Town of Minot (H. P. 58) (L. D. 99)

Tabled — February 22, by Mr. Bragdon of Perham.

Pending — Passage to be Engrossed.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, I move that this matter be tabled until Friday, March 3, and the

same reasons apply as applied to the two previous.

Thereupon, the Resolve was retabled pending passage to be engrossed and specially assigned for Friday, March 3.

The Chair laid before the House the second tabled and today assigned matter:

Resolve to Reimburse the Town of Woodland for Aid Extended to Ronald Tirrell (H. P. 294) (L. D. 446)

Tabled — February 22, by Mr. Bragdon of Perham.

Pending—Passage to be Engrossed.

Thereupon, on motion of Mr. Bragdon of Perham, the Resolve was retabled pending passage to be engrossed and specially assigned for Friday, March 3.

The Chair laid before the House the third tabled and today assigned matter:

Resolve to Reimburse the Town of New Sweden for Aid Extended Ronald Tirrell (H. P. 295) (L. D. 447)

Tabled — February 22, by Mr. Bragdon of Perham.

Pending — Passage to be Engrossed.

Thereupon, on motion of Mr. Bragdon of Perham, the Resolve was retabled pending passage to be engrossed and specially assigned for Friday, March 3.

The Chair laid before the House the fourth tabled and today assigned matter:

Resolve Providing Funds for Conservation Education (H. P. 312) (L. D. 464)

Tabled — February 22, by Mr. Bragdon of Perham.

Pending—Passage to be Engrossed.

Thereupon, on motion of Mr. Bragdon of Perham, the Resolve was passed to be engrossed and sent to the Senate.

The Chair laid before the House the fifth tabled and today assigned matter:

Resolve in Favor of Levite Pelletier of St. David (H. P. 463) (L. D. 663)

Tabled — February 22, by Mr. Bragdon of Perham.

Pending — Passage to be Engrossed.

Thereupon, on motion of Mr. Bragdon of Perham, the Resolve was retabled pending passage to be engrossed and specially assigned for Friday, March 3.

The Chair laid before the House the sixth tabled and today assigned matter:

An Act Exempting Certain Salesmen from the Minimum Wage Law (S. P. 399) (L. D. 1253)

Tabled — February 22, by Mr. Noel of Waterville.

Pending — Passage to be Enacted.

Thereupon, on motion of Mr. Noel of Waterville, the Bill was passed to be enacted, signed by the Speaker, and sent to the Senate.

The Chair laid before the House the seventh tabled and today assigned matter:

HOUSE REPORT—Ought to Pass —Committee on Labor on Bill "An Act Relating to Employment of Minors Under 16 Years of Age." (H. P. 759) (L. D. 1045)

Tabled—February 23, by Mr. Haughn of Bridgton.

Pending — Acceptance of Report.

The SPEAKER: The Chair recognizes the gentleman from Harrison, Mr. Morrill.

Mr. MORRILL: Mr. Speaker, Ladies and Gentlemen of the House: Last week we had a bill, a department bill in here that had the age of eighteen years, and I believe the House took action on that to straighten it out. This bill is along the same lines, it is employment of minors sixteen years of age, and it lists items that they cannot do. Now in my own case, I have three boys in this age, and I would hate to see a bill passed that they couldn't work. What they couldn't get into, I wouldn't want to list. But I believe this is a department bill, and I don't believe it is legislation that we want on the books. I'm going to move for indefinite postponement of Legislative Document 1045.

The SPEAKER: The question now before the House is the motion of the gentleman from Harrison, Mr. Morrill, in reference to item seven, Legislative Document 1045, that

this Bill and the Report be indefinitely postponed.

The Chair recognizes the gentleman from Rumford, Mr. Jobin.

Mr. JOBIN: Mr. Speaker, Ladies and Gentlemen of the House: As a signer of the unanimous "Ought not to pass" Report on L. D. 1045 from the Committee on Labor, I feel that I should at this time explain my feelings on this matter.

As you probably have noted, this bill refers to children under sixteen years old. This could include children considerably under sixteen and in such case we would have to regard them as mere school children. The purpose of this bill is to protect these children from any type of work that would be hazardous to them; some of these included in the bill are construction work, tree surgery, woods operations, and transportation, among others that have, in the wisdom of this House, in the past been deemed hazardous.

Granted that even though there may be, in a few instances, certain jobs within the categories mentioned in the bill that in themselves may not be hazardous, we must not forget that these youngsters could and probably would be in an environment of hazard.

For example, a youngster may be employed in construction work as a mere water boy, which in itself would not be deemed hazardous. However, it is conceivable to me anyway that he may be called upon to deliver this water up to a staging. A piece of masonry, wood, tools, or any other various items could be dropped accidentally on him.

While working for the tree surgeon, even though he may not be climbing trees or running a chain saw, who is to say that a falling branch may not be dropped on him, or a high tension wire broken and he exposed to it? The same type of example may be found, I am sure, in the other fields of endeavor mentioned in this bill. Let us not forget that the people mentioned in this bill are mere children and it is our sacred duty to protect them from harm in any way possible.

The argument has been advanced in the past that this bill would curtail job opportunities for these children. It would seem to me that their employment should not be of such concern to us that we expose them to danger. Most school children of this age, in my humble opinion, should use their free time out of school for clean, healthful recreation, or at least work at a job that is safe for them. Some will say that these children will be left with nothing to do in their spare time, therefore probably become juvenile delinquents. I, as a parent, as well as many other parents, still do have and enjoy the obligation of rearing our families and teaching them right from wrong.

Ladies and gentlemen, I submit to you that I am weary of hearing juvenile delinquency mentioned whenever our school children are referred to. I feel that the average youngster of today accomplishes many, many, fine things which we as adults are reluctant to admit, as compared to the few things that have been done of which we should not be proud.

As far as this bill goes, I can also visualize certain unscrupulous parents forcing their children to work vacation time, under the guise of easing the family financial burden, when in reality these children would actually be contributing to just another weekend of parental celebration. Let us not forget for one minute that all parents are not perfect, as witness those many, many, miserable, broken homes which we have all seen. The least we, as Legislators, can do is to prevent such people from exposing children to these occupations.

Finally, even though this may not affect many thousands of people, undoubtedly in some cases these children would be doing jobs that some of our disabled or elderly citizens could be doing to supplement the meager incomes upon which they are forced to subsist.

Let me clarify my position once more by stating that I am not against these children working and earning money, but I do wish to go on record as being against letting them work at dangerous occu-

pations. We probably all have at one time or another heard the statement: "I would do anything if I could only have him back." Let us not as Legislators, be a part to contributing to the death or maiming of even one of our children if it is at all possible not to do so.

For these reasons, it is my sincere hope that the motion by my esteemed colleague does not prevail and that the Committee's unanimous "Ought to pass" Report be accepted. Mr. Speaker, I request a division.

The SPEAKER: A division has been requested.

The Chair recognizes the gentleman from Winthrop, Mr. Thaanum.

Mr. THAANUM: Mr. Speaker, Ladies and Gentlemen of the House: Just to keep the record straight this bill is an amendment to a law that you already have, it adds to that law other categories, particularly construction activity, woods operation, tree surgery and transportation companies. The law as it already exists has for many years concerned itself with the employment of children under sixteen in connection with any manufacturing or mechanical establishment, hotel, rooming houses, and so forth. So just to keep the record straight as to the employment of children under sixteen years of age, the existing law makes some prohibitions in that respect and this bill is simply to add to those categories, construction activities, which I think is a hazardous place for a child to work, woods operations also, tree surgery with power saws, and transportation companies. So that basically this is not a bill that is going to keep our younger people from jobs, but is going to exclude them from hazardous jobs in certain industries.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker, Ladies and Gentlemen of the House: If you stop and analyze this bill of what they are trying to do and aim at, I think it is more power and supervision over labor than is the intent of the bill. I will agree in part to some of the things concerned in here and there are haz-

ardous occupations inserted in, it is true; but it should have been spelled out as to what portion of that part was the hazardous part; because a large part of the activities a young chap of fifteen could perform without being hazardous anymore than a man, as suggested by the good gentleman from Rumford, Mr. Jobin. The elderly people, sure they must have work too, but they would be just as hazardous on a job as the young fellow, who is more sure-footed, more careful than a man of older years. Also he spoke of juvenile delinquency. As you people know who are parents, such as I am myself, you know that idle minds create juvenile delinquency, also the fact that today's times have changed than they were back years ago, the younger generation today at fifteen probably know as much of life as we people did at twenty. So in doing so, we are qualifying them earlier in life for responsibility in earning in some capacity and to realize the need of it.

I might add too that these same young people, if they do not have sufficient funds to do the things they might want, they are going to get things by other means. There are a tremendous amount of people in the summer months while the children have the seasonal occupational jobs whereby they could not return to school if they did not have sufficient funds to be able to do it. So for the overall picture if this bill were spelled out properly, I would endorse it one hundred percent for hazardous part of these occupations, but it is not. The parts that are not hazardous which could be performed by this younger generation should have been spelled out in this bill so we more clearly understood it. And work never did hurt a child or adult. So I hope that the motion to indefinitely postpone does prevail.

The SPEAKER: The question before the House is the motion of the gentleman from Harrison, Mr. Morrill, that this Bill "An Act Relating to Employment of Minors Under 16 Years of Age" House Paper 759, Legislative Document 1045, be indefinitely postponed. A division has been requested. All those in

favor of indefinite postponement of L. D. 1045, please rise and remain standing until the monitors have made and returned their count.

A division of the House was had. Fifty-three having voted in the affirmative and sixty-seven having voted in the negative, the motion to indefinitely postpone did not prevail.

Thereupon, the "Ought to pass" Report was accepted, the Bill read twice and tomorrow assigned.

Mr. Anderson of Greenville was granted unanimous consent to address the House briefly.

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: Last Thursday as we were leaving, I informed you that I thought additional material would be available to send to ex-members of the House. It is now available and may be either sent in conjunction with this Order (holding up paper) that was passed by the House, or may be sent as a more personal invitation. And as all things desired by the members of the House are always found in the Clerk's office, I shall leave this in the Clerk's office, and you may pick it up there.

In addition to that, I might say that if there are questions in your minds as to the addresses of ex-Legislators from your district, I think that you will find a very good record in the State Librarian's office.

On motion of Mr. Bragdon of Perham, the House voted to take from the table the third tabled and unassigned matter:

Bill "An Act Clarifying the Time of Payment of Wages." (S. P. 22) (L. D. 47)—In Senate Passed to be Engrossed.

Tabled—February 16, by Mr. Bragdon of Perham.

Pending—Acceptance of Report of Committee on Bills in the Third Reading.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, I tabled this bill the other day at the request of a farm organization working in our area, active in our

area, and we merely wished time to look into the bill. We have had that opportunity, we are satisfied that with the bill as now amended we have no objection to it.

The SPEAKER: Is it the pleasure of the House to accept the Committee Report?

The motion prevailed, the Report of the Committee of Bills in the Third Reading was accepted, the Bill given its third reading, passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" in non-concurrence and sent up for concurrence.

On motion of Mr. Bragdon of Perham, the House voted to take from the table the eleventh tabled and unassigned matter:

Bill "An Act Creating a Committee to Plan for an Institution Serving as a Reception and Treatment Center." (S. P. 322) (L. D. 997)—In Senate Passed to be Engrossed.

Tabled—February 23, by Mr. Bragdon of Perham.

Pending—Passage to be Engrossed.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: I tabled this bill merely because there was money involved and at the time that I tabled it I missed the point that it was a Senate bill. I now move that it be passed to be engrossed.

Thereupon, the Bill was passed to be engrossed in concurrence.

Mr. Stevens of Portland was granted unanimous consent to briefly address the House.

Mr. STEVENS: Mr. Speaker and Members of the House: At this time I would like to thank my honorable colleagues in the House for the many messages of good will and the many telephone calls and cards that I received while I was convalescing from my recent accident. It was indeed with a feeling of gratitude and humbleness that I received so many calls and cards. I would also like to thank

the Speaker of the House for his interest and his many calls to my home checking on my convalescence.

If I might add a bit of humor to this unfortunate accident, I would like to say that I was picked up on the highway by a very wonderful priest named Father St. Pierre. Of course you know that means St. Peter, and he informed me while I was in the hospital that I was very fortunate that I wasn't meeting the real St. Peter instead of him. Thank you very much. (Applause)

Mr. Dostie of Winslow was granted unanimous consent to address the House briefly.

Mr. DOSTIE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to say to the gentleman from Portland that Father Romeo St. Pierre comes from Winslow. He told me about the accident that happened, taking him back to St. Mary's Hospital in Lewiston, he had left his gloves in the car, and he was on his way to a funeral in Portland. On his way back, he stopped in and gave Mr. Stevens back his gloves and spoke to him briefly.

The SPEAKER: The Speaker would like to state that he would like to be informed at any and all times as to any of the Members of the House who are ill or otherwise indisposed, in order that appropriate action may be taken. We hope that it doesn't happen to anyone.

The SPEAKER: The schedule for the remainder of the week is session Wednesday morning and committee hearings Wednesday af-

ternoon. On Thursday there will be no session, but there will be committee hearings in the morning and there may be some committee hearings scheduled for the afternoon. However, that afternoon can be used to advantage for executive sessions of the committees. Friday there will be a session at nine o'clock in the morning. That will complete the day for Friday, there will be no committee hearings following the session on Friday. There will simply be a session at nine o'clock on Friday in the morning.

The regular Republican caucus will not be held in the House tonight, it will be held here tomorrow night at seven-thirty.

There is a legal obligation before this House and that is the one for reapportionment. We have established a reapportionment committee. They need the assistance of the county delegations. You have certain chores to attend to in your counties. We hope that you will attend to those chores forthwith. If you have any questions you may ask them of the chairman of the reapportionment committee in the House, who is the gentleman from Milbridge, Mr. Kennedy. Time is fleeting, we are going to get into longer and more detailed sessions and the time to handle your reapportionment is now. We hope that we will perform our duties before the termination of this 100th Legislature.

On motion of Mr. Smith of Strong,

Adjourned until ten o'clock tomorrow morning.