

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

1967

KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Tuesday, April 11, 1967

Senate called to order by the President.

Prayer by the Rev. Arthur G. Christopher of Augusta.

Reading of the Journal of yesterday.

Papers from the House
Non-concurrent matter

Bill "An Act Relating to Permits for Motor Cycle Operation," (Emergency) (H. P. 566) (L. D. 798)

In Senate, March 24, Passed to be Engrossed, as Amended by Committee Amendment "A" in concurrence.

Comes from the House, Engrossing Reconsidered, and subsequently Passed to be Engrossed As Amended by Committee Amendment "A" (H-91), As Amended by House Amendment "A" (H-154) thereto in non-concurrence.

In Senate, voted to recede and concur with the House.

Joint resolution

Joint Resolution Commending the City of Auburn.

WHEREAS, the Seventy-Eighth Legislature of the State of Maine, by an Act entitled "An Act to Grant a New Charter to the City of Auburn," passed in concurrence and approved April 7, 1917 thus enabling the City of Auburn to become the first municipality in Maine and the second in New England to adopt a Council-Manager Charter; and

WHEREAS, the City of Auburn has in the half century following this development greatly advanced in its community facilities, services and general economy, and achieved wide diversification of industry far beyond the manufacture of shoes for which the city has long been famed; and

WHEREAS, the City of Auburn, while recognizing with pride its fiftieth anniversary under the existing Council-Manager Charter, acknowledges the need for necessary changes to be considered by the 103rd Maine Legislature in

order to meet the demands of a modern progressive government; now, therefore, be it

RESOLVED: that the Members of the Senate and House of Representatives of the 103rd Maine Legislature unite in commending the City of Auburn for its excellent record of achievement during these past fifty years and extend their continued support and encouragement for the future; and be it further

RESOLVED: That copies of these Resolutions, duly authenticated by the Secretary of State, be transmitted forthwith by the Secretary of State to the Honorable Harry W. Woodard, Jr., Mayor, the Honorable Woodbury Brackett, City Manager, and the members of the City Council of the shire City of Auburn.

Presented by Representative DRIGOTAS of Auburn. (H. P. 1106)

Comes from the House Read and Adopted.

Which was Read and Adopted in concurrence.

House Paper

Resolve, Authorizing the Attorney General to Convey a Certain Lot of Land in Washington County to the Northeast Peat Moss Company. (H. P. 1103) (L. D. 1571)

Comes from the House referred to the Committee on State Government.

Which was referred to the Committee on State Government in concurrence.

Reports of Committees**House****Leave to Withdraw**

The Committee on Claims on Resolve, to Reimburse James Harkins of Poland for Well Damage by Deposit of Salt on Highway. (H. P. 971) (L. D. 1413)

Reported that the same should be granted Leave to Withdraw.

Comes from the House report Read and Accepted.

Which report was Read and Accepted in concurrence.

Ought Not to Pass

The Committee on Inland Fisheries and Game on Bill "An Act

Describing Boundaries of Merry-meeting Bay Game Sanctuary. (H. P. 497) (L. D. 710)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Inland Fisheries and Game on Bill "An Act Repealing Merry-meeting Bay Game Sanctuary." (H. P. 498) (L. D. 711)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Inland Fisheries and Game on Bill "An Act relating to Hours of Hunting Game Birds and Operating Power Boats in Merry-meeting Bay." (H. P. 693) (L. D. 974)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Certificate of Competency for Hunting License for Certain Minors." (H. P. 838) (L. D. 1246)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Open Season for Fishing in Rivers, Streams and Brooks." (H. P. 189) (L. D. 278)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Sea and Shore Fisheries on Bill "An Act Providing for Noncommercial Lobster Fishing Licenses." (H. P. 455) (L. D. 630)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

Which reports were Read and Accepted in concurrence.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to a Closed Season on Wild Hares and Rabbits in York County." (H. P. 219) (L. D. 309)

Reported that the same Ought Not to Pass.

Comes from the House, Bill substituted for the report, and Passed to be Engrossed As Amended by House Amendment "B" (H-148)

(On motion by Mr. Hoffses of Knox, tabled pending acceptance of the report.)

Ought to Pass

The Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Law Clerks for the Judiciary." (H. P. 929) (L. D. 1345)

Reported that the same Ought to Pass.

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

The Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds to Expand Homemaker Services of the Department of Health and Welfare." (H. P. 440) (L. D. 615)

Reported that the same Ought to Pass.

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

The Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds to Expand Services for Eye Care and Special Services Division, Department of Health and Welfare." (H. P. 687) (L. D. 982)

Reported that the same Ought to Pass.

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

The Committee on Appropriations and Financial Affairs on Bill "An Act Authorizing Additional Staff within Eye Care and Special Services Division, Department of Health and Welfare." (H. P. 931) (L. D. 1347)

Reported that the same Ought to Pass.

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

The Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Moneys for the Continuing Activities of the

Committee on Aging." (H. P. 866) (L. D. 1279)

Reported that the same Ought to Pass.

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

The Committee on Appropriations and Financial Affairs on Resolve, Relating to Unexpended Balance of Appropriation of State Park on Lower Range Pond, Poland, Androscoggin County." (Emergency) (H. P. 623) (L. D. 879)

Reported that the same Ought to Pass.

Comes from the House, report Read and Accepted and the Resolve Passed to be Engrossed.

The Committee on Education on Bill "An Act to Provide for Trade and Industrial Teacher Education Service at Gorham State College." (H. P. 785) (L. D. 1147)

Reported that the same Ought to Pass.

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

The Committee on State Government on Bill "An Act Continuing Governor's Advisory Council on the Status of Women." (H. P. 766) (L. D. 1113)

Reported that the same Ought to Pass.

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

The Committee on State Government on Bill "An Act Relating to Incorporation of Maine World Trade Council." (H. P. 547) (L. D. 779)

Reported that the same Ought to Pass.

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

The Committee on State Government on Bill "An Act Providing for Assistant Superintendent At Stevens Training Center." (H. P. 423) (L. D. 587)

Reported that the same Ought to Pass.

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

The Committee on State Government on Bill "An Act Changing Name of the Stevens Training Cen-

ter to Stevens School." (H. P. 424) (L. D. 588)

Reported that the same Ought to Pass.

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

Which reports were Read and Accepted in concurrence, the Bills and Resolve read once, and tomorrow assigned for Second Reading.

Ought to Pass As Amended

The Committee on Transportation on Bill "An Act Relating to Re-registration of Motor Vehicles of Maine Residents Purchased in Foreign Countries or Out-of-State." (H. P. 818) (L. D. 1194)

Reported that the same Ought to Pass As Amended by; Committee Amendment "A" (H-131)

Comes from the House, report Read and Accepted and the Bill Passed to be Engrossed As Amended by Committee Amendment "A" (H-131)

Which report was Read and Accepted in concurrence, and the Bill read once. Committee Amendment "A" was Read and Adopted in concurrence, and the Bill, As Amended, tomorrow assigned for Second Reading.

Ought to Pass in New Draft

The Committee on Business Legislation on Bill "An Act Relating to Insurance Company Examination Reports." (H. P. 472) (L. D. 685)

Reported that the same Ought to Pass in New Draft, under same title: (H. P. 1104) (L. D. 1570)

Comes from the House, report Read and Accepted, and the Bill, in New Draft, Passed to be Engrossed.

Which report was Read and Accepted in concurrence and the Bill, in New Draft, read once and tomorrow assigned for Second Reading.

Divided Report

The Majority of the Committee on Inland Fisheries and Game on Bill "An Act Prohibiting the Sale of Bear." (H. P. 354) (L. D. 501)

Reported that the same Ought to Pass.

(Signed)

Senators:

HOFFSES of Knox
FARLEY of York
ANDERSON of Hancock

Representatives:

CHAMPAGNE of Fairfield
HAYNES of Camden
LEWIN of Augusta
THOMPSON of Belfast
GAUDREAU of Lewiston

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

(Signed)

Representatives:

RACKLIFF of Easton
COOKSON of Glenburn

Comes from the House, Minority Ought Not to Pass report Read and Accepted.

The PRESIDENT: The Chair recognizes the Senator from Piscataquis, Senator Ross.

Mr. ROSS of Piscataquis: Mr. President and Members of the Senate: I move that we accept the Minority "Ought Not to Pass" Report in concurrence, and I would like to speak briefly on the motion.

The PRESIDENT: The Senator from Piscataquis, Senator Ross, moves that we now accept the Minority "Ought Not to Pass" Report. The Chair recognizes the Senator from Piscataquis, Senator Ross.

Mr. ROSS: Mr. President and Members of the Senate; I have sold an awful lot of bears all over the eastern part of the country. When the deer kill is down the out-of State sports like to have something to take home, and they are sort of crazy about having a bear on top of their car. Before I get accused of any conflict of interest I would like to say that I have more or less retired from the bear trapping business. Last year I could have sold eight bears without moving out of my house, but I did not trap them, so there is no conflict of interest at the present time.

When you go to get a bear hide mounted it costs you \$20.00 a foot from the tip of his nose

to the tip of his tail, so people aren't so crazy about dragging them out of the woods when it is going to cost them between \$100.00 and \$120.00 to get a rug made up. If you don't have a market for them and you shoot a bear, and you don't want to spend \$100.00, you are going to let them lie there in the woods, and that, frankly, is no bargain. If anybody has been near a dead bear after he has been there for a few days, he knows what I am talking about. So, under this Bill, you are allowed to sell the hide. O.K., so I trap a bear, and along comes a sport and I say "I will sell you the hide, and I am giving you the meat that is inside of the hide." So, I think the "Ought Not to Pass" Report should be accepted.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Hoffses.

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: I was somewhat amazed at the remarks by the good Senator from Piscataquis when he boasted how many bears that he had sold over the years. I think perhaps that, and other sportsmen who have been equally successful in the sale of bears, is the reason that we have had to place a closed season on bear, which is certainly in the best interests of conservation, and we have other bills pending before this Legislature in the best interest of conservation.

Now, I am quite well aware that it is possible under this Bill to sell a hide, and I think it is very noble that we give the meat to the party buying the hide to prevent any foul odors, because most of us are interested now in air pollution, and this certainly would help in that respect.

I think this is a good bill in that it discourages these sportsmen that come into the State with the idea of having a good time and that they are going to go back rewarded, even to the extent of having to buy a bear carcass if they are not fortunate enough to get a deer. Now, it is a quite well established fact that the deer herd has been depleted. There

have been, of course, some questions as to what has caused the depletion of the deer herd, which perhaps will be elaborated upon at a later date. But I believe that if we permit the sale of bear that we are going to continue to deplete the bear population in this State. I would hope that when you vote that you vote against the motion of the good Senator from Piscataquis.

The PRESIDENT: The pending question is on the motion of the Senator from Piscataquis, Senator Ross, that we accept the "Ought Not to Pass" Report of the Committee.

The Chair recognizes the Senator from York, Senator Farley.

Mr. FARLEY of York: Mr. President and Members of the Senate: I support the Chairman of the Committee. I listened to the testimony on the bears when we were in session for an hour. Since we haven't had very good luck with the bobcats, rabbits, and different animals, if we don't have some good luck with this one we might just as well adjourn. It was a very simple matter, after we heard the discussions back and forth; all that fellow had to do was take a shovel with him and dig a little hole and bury the carcass. I am going to vote with the Chairman of the Committee.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Knox, Senator Hoffses.

Mr. HOFFSES: Mr. President, when the vote is taken, I ask that it be taken by division.

The PRESIDENT: Is the Senate ready for the question?

The pending question is on the motion of the Senator from Piscataquis, Senator Ross, that we accept the Minority "Ought Not to Pass" Report. The Senator from Knox, Senator Hoffses, has moved that the vote be taken by a division.

As many as are in favor of the motion to accept the "Ought Not to Pass" Report will say "Yes." Those opposed to the acceptance of the report will say "No."

A viva-voce vote being taken, the motion did not prevail. Thereupon, the Senate voted to accept the Majority "Ought to Pass" Report of the Committee in non-concurrence.

Thereupon the bill was read once and tomorrow assigned for second reading.

Senate

Mr. Stern for the Committee on Legal Affairs on Bill "An Act to Incorporate the Blood Donors donorcall Service." (S. P. 233) (L. D. 558)

Reported that the same Ought Not to Pass.

Mr. Stern for the Committee on Legal Affairs on Bill "An Act Relating to Nonprofit Blood Donor Service Corporations." (S. P. 180) (L. D. 370)

Reported that the same Ought Not to Pass.

Mr. Stern for the Committee on Legal Affairs on Bill "An Act Relating to Certification of Qualifications of Candidates for Municipal Office in City of Lewiston." (S. P. 476) (L. D. 1197)

Reported that the same Ought Not to Pass.

(On motion by Mr. Couturier of Androscoggin, tabled pending acceptance of the report.)

Mr. Stern for the Committee on Legal Affairs on Bill "An Act to Restrict the Use of L. P. Gas Containers." (S. P. 270) (L. D. 651)

Reported that the same Ought Not to Pass.

Mr. Good for the Committee on Legal Affairs on Bill "An Act Relating to Septic Tank and Cess-pool Cleaners." (S. P. 364) (L. D. 960)

Reported that the same Ought Not to Pass.

Mr. Good for the Committee on Legal Affairs on Bill "An Act Relating to Vote of Mayor of Lewiston on Board of Finance." (S. P. 286) (L. D. 666)

Reported that the same Ought Not to Pass.

(On motion by Mr. Couturier of Androscoggin, tabled pending acceptance of report.)

Mr. Good for the Committee on Legal Affairs on Bill "An Act Relating to Definition of Automomo-

ble Graveyard." (S. P. 321) (L. D. 844)

Reported that the same Ought Not to Pass.

(On motion by Mr. Anderson of Hancock, tabled until the next legislative day pending acceptance of report.)

Which reports were Read and Accepted.

Sent down for concurrence.

Ought to Pass

Mr. Stern for the Committee on Legal Affairs on Bill "An Act Relating to Cost of Living Adjustments for Retired Employees of the City of Lewiston and Their Beneficiaries." (S. P. 565) (L. D. 1435)

Reported that the same Ought to Pass.

Mr. Good for the Committee on Legal Affairs on Bill "An Act Relating to Clarification of Resident Requirements for Candidates for Aldermen in City of Lewiston." (S. P. 570) (L. D. 1440)

Reported that the same Ought to Pass.

Mrs. Sproul for the Committee on Legal Affairs on Bill "An Act Relating to Pensions for Members of the Lewiston Police Department, Lewiston Fire Department, and Their Beneficiaries." (S. P. 566) (L. D. 1436)

Reported that the same Ought to Pass.

Mrs. Sproul for the Committee on Legal Affairs on Bill "An Act Relating to Retirement Benefits for Policemen and Firemen of the Lewiston Police and Fire Departments Under the State Retirement System." (S. P. 568) (L. D. 1438)

Reported that the same Ought to Pass.

Which reports were Read and Accepted and the Bills read once and tomorrow assigned for Second Reading.

Ought to Pass — in New Draft

Mr. Berry for the Committee on Appropriations and Financial Affairs on Bill "An Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969. (S. P. 67) (L. D. 70)

Reported that the same Ought to Pass in New Draft, under same title: (S. P. 597) (L. D. 1575)

Which report was Read and Accepted. The Bill, in New Draft was read once and tomorrow Assigned for Second Reading.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President and Members of the Senate. L. D. 1575 combines in one document the current services and supplemental budgets for the next biennium for the operation of state government. The total of this appropriation for the biennium is \$226,786,789.00. The similar amount from two years ago was \$190,646,093.00, or approximately a \$36,000,000.00 increase. This represents an 18 per cent increase in the cost of running your state government for the coming biennium.

I would like to invite your attention in particular to several items in the preamble which are of significance. On Page 2, the next to the bottom paragraph; I should like to read it. This is no change, but it is important, and the Appropriations Committee believes that the spirit of this language should be followed by the budget office for the coming biennium. Your Committee has, in the course of its hearings, determined that a stricter control by the several departments in following the appropriations of the Legislature should be followed, and that it is the duty of the budget office to do this. The language says that: "The budget office shall continually review in all departments the status of their personnel with the determination that all departments are expending personnel services money within the intent of the Legislature."

A new paragraph has been added, which is the third one on Page 3, that reads: "The budget office shall inform the Committee on Appropriations and Financial Affairs through the Legislative Finance Office of significant action recommended by it in the performance of budget responsibilities hereby assigned." It is the

intent of this paragraph that the Legislature be informed of significant deviations from the budget. It should be emphasized that the Legislature, after it passes this document, actually has no control or approving position over it. However, for its future guidance, and determination that state departments are acting within the intent of the Legislature, this language has been included.

The last paragraph I would call to your attention is the fourth one from the bottom, starting with the word "Whenever." "Whenever it appears to the Commissioner of Finance and Administration that the anticipated income of the State will not be sufficient to meet the expenditures authorized by the Legislature, he shall so report to the Governor and Council, and they may temporarily curtail allotments equitably so that expenditures will not exceed the anticipated income." There have been two changes in wording in this paragraph, the intent of which is this: It is rather obvious that in the financial picture for the next biennium we are going to resort to revenue estimates to balance the budget. If our actual experience during the next biennium indicates that the State revenues are not meeting these anticipated estimates it is the intent of this language that upon the determination that such a situation exists the Legislature shall be called in session as soon as possible to deal with the problem. It is also the intent of this section that there shall be no arbitrary cuts in specified departments in order to balance the budget if such revenues are not anticipated.

I want to assure you that the several members of the Appropriations Committee stand ready at any time to personally discuss any of the aspects of this budget with you and furnish you with all the information you would wish. Mr. President, I move acceptance of the Committee Report.

The PRESIDENT: The Senator from Cumberland, Senator Berry, moves that we now accept the "Ought to Pass in New Draft" Report of the Committee.

On motion by Mr. Johnson of Somerset, the Bill was tabled and specially assigned for April 12, pending acceptance of the motion by Senator Berry the Senator from Cumberland, to accept the "Ought to Pass in New Draft" Report of the Committee.

Mr. Stern for the Committee on Legal Affairs on Bill "An Act to Clarify the Motor Vehicle Laws." (S. P. 115) (L. D. 264)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-66)

Which report was read and accepted, and the Bill read once. Committee Amendment "A" Filing S-66 was read by the Secretary as follows:

COMMITTEE AMENDMENT "A" to S. P. 115, L. D. 264, Bill, "An Act to Clarify the Motor Vehicle Laws."

Amend said bill by adding after the underlined word "hearing" in the last line of section 12 the following: **'and no suspension under this section is to be construed against the minor in any manner'**

Further amend said Bill by inserting after the word and comma "Police," in the 4th line of section 26 (3rd line of L. D. 264) the underlined words and comma **'the sheriff of each county or his deputy,'**

Committee Amendment "A" was adopted, and the Bill, as amended, tomorrow assigned for second reading.

Mrs. Sproul for the Committee on Legal Affairs on Bill "An Act Relating to Constitution of Police Department of City of Lewiston." (S. P. 487) (L. D. 1343)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" S-67.

Which report was read and accepted and the Bill read once. Committee Amendment "A" Filing S-67 was read by the Secretary as follows:

COMMITTEE AMENDMENT "A" to S. P. 487, L. D. 1343, Bill, "An Act Relating to Constitution of Police Department of City of Lewiston."

Amend said Bill in the 11th line (9th line in L. D. 1343) by striking out the underlined word "charter" and inserting in place thereof the underlined word "section"

Committee Amendment "A" was adopted, and the Bill, as amended, tomorrow assigned for second reading.

Divided report

The Majority of the Committee on Labor on Bill "An Act Increasing Minimum Wages." (S. P. 48) (L. D. 38)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-68)

(Signed)

Senators:

JOHNSON of Somerset
GOOD of Cumberland
NORRIS of Oxford

Representatives:

EWER of Bangor
HOOVER of Phillips
DRUMMOND of Sidney
DURGIN of Raymond
BEDARD of Saco
COUTURE of Lewiston

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

(Signed)

Representative:

HUBER of Rockland

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Good.

Mr. GOOD of Cumberland: Mr. President and Members of the Senate: I move that the Senate accept the Majority "Ought to Pass" Report.

The PRESIDENT: The Senator from Cumberland, Senator Good, moves that we accept the "Ought to Pass as Amended" Report of the Committee.

The Chair recognizes the Senator from Cumberland, Senator Good.

Mr. GOOD: Mr. President and Members of the Senate: This L.D. 38 would increase the minimum wage from \$1.25 effective October 15th of this year to \$1.40, and on October 15, 1968 to \$1.50. This would apply to employers having four or more employees. Substan-

tially these provisions are in both political platforms.

The federal law on February 1st of this year increased the minimum wage to \$1.40, and on February 1st of next year, 1968, the federal minimum wage will be increased to \$1.60. The federal law provides for time-and-a-half after 40 hours. Basically, with some exceptions, the Maine law provides for time-and-a-half after 48 hours. Now, the federal law applies to all those businesses engaged in interstate commerce and doing an annual gross business of in excess of \$1,000,000.00. It is interesting to note that under the federal law that students are subject to the minimum wage law. That is not so in Maine as yet. Although there will be a bill before this Legislature, Legislative Document 172, which, if passed, would cover students under the age of 19. For example, in the anti-poverty program of the federal law students working around high schools, and so on and so forth, receive \$1.40 an hour.

The other day I was in a supermarket in Portland and I introduced myself to an employee who appeared to me as a student, and he said that he was at Westbrook High School, and I told him who I was, and he volunteered the information that he was receiving \$1.40 an hour. I began to think that over a little bit and then I began to realize that he was in a supermarket that was doing an annual business in excess of a million dollars and, therefore, was entitled to, under the federal law, a minimum wage of \$1.40.

I talked to a boy working in a filling station the other day in Auburn. I introduced myself and told him what my position was in the Legislature, Chairman of the Committee on Labor, and he said that he was 15 years old. And he volunteered that he was being paid at the rate of \$1.30 an hour. Well, he is not subject to any law, neither the federal law or the state law. But a lot of these employers are paying their students anywhere from \$1.25 to \$1.40 an hour, whether they have to pay them or not.

Now, the federal law as enacted as amended in 1966 covered a whole new group of categories, and at different rates. The laundries and dry cleaning establishments, hospitals and nursing homes, retail and other businesses doing a gross business in excess of \$500,000.00. That figure will be reduced to \$250,000.00 on February 1, 1969. And for the first time covered under the federal law are hotels, motels and restaurants. However, under the federal law hotels, motels and restaurants were exempt from the overtime provision. Now, that law provides for \$1.00 an hour, effective February 1, 1967. However, on February 1, 1971, after several intervening steps, that will be increased under the federal law to the \$1.60 figure. And it provides for time-and-a-half after 44 hours with the exception, of course, as I said, of hotels, motels and restaurants, which are exempt from the overtime provision.

L. D. 38, the document that is now before you, also has a provision for increasing the minimum wage for those employed in nursing homes and hospitals. For the first time, the last session of the Legislature covered these people under the minimum wage law, and it covered them as a dollar to begin with. Now, on October 15th of this year these employees, under the state law, their minimum will be increased from \$1.15 to \$1.25. And on October 15, 1968, under the present bill now before you, that will be increased to \$1.40. And L.D. 38 on October 15, 1969 will increase the minimum wage for these employees in nursing homes and hospitals to \$1.50.

L.D. 38 is also in line with the federal law in that there is an amendment to this bill which would also exempt the hotels, motels and restaurants from the overtime provision. In Maine a great many of these hotels, motels and restaurants run a seasonal business and, for instance, during the months of May and June they have to maintain a staff, and they may work shorter hours, but they have to be paid a full week's wages nevertheless. And then in July and August when they of necessity

must make a great deal of money they have to work longer hours, so it was felt that we would exempt them from the overtime provision. However, they are going to have to pay \$1.40, if this bill is passed, and then they are going to have to go to \$1.50. And when L.D. 172 is passed they will then have to pay their students a certain percentage of the minimum wage law also.

Now, there seemed to be a little opposition, surprisingly, to L. D. 38, increasing the minimum wage from the present \$1.25 to \$1.40 and then to \$1.50. I won't say that we didn't have some opposition, because we did. There are those who would abolish all wage controls. And then I was put in the embarrassing position of having to defend the Democratic platform when someone suggested that we follow the federal law and exempt all those enterprises in the State which were doing a gross annual business of less than \$500,000.00, as does the federal law. Someone said that this apparently was the intention of the platform in the Democratic Party, in that the words were used in there "follow the federal lines." I pointed out to them that I didn't think the Democrats would expect to take out from under the minimum wage all the hotels, motels, business of under \$500,000.00 a year. What they meant was to follow the federal lines as far as the minimum wage was concerned to \$1.40 and then to \$1.60.

The Labor Committee has had very understanding cooperation from representatives of labor, from representatives of industry, and also good cooperation from the Department of Industry and Labor. I think that one of the greatest duties a legislator can show to his state, to the legislature, and to his constituents back home, at this time of the year, it is his duty to his committee. We have been fortunate on the Labor Committee on having two outstanding Senators, Senator Norris of Oxford and Senator Johnson from Somerset, who have lent great support to this Committee. You would think that perhaps Senator Johnson

would have an excuse for not attending the sessions in that he is tied down with his duties as Majority Floor Leader, but he has been there surprisingly often. And Senator Norris, I don't think has ever been absent from a meeting.

Now, you may ask "Why do we have a minimum wage?" But in a free enterprise system of government industry is in intense competition with other industries of a similar nature, and if we did not have a minimum wage there could be an attempt to use labor as a pawn to reduce their costs of production to meet competition by lowering the wages. We believe there are other ways of meeting competition, such as the efficient use of labor, the efficiency in management, efficiency in buying, modernizing the plant, and efficient methods of marketing, rather than to use labor as a pawn, and that is why we have a minimum wage law below which the minimum wage cannot go.

Also in Maine we are in competition with the other states for labor, and at the present time, under the present law, we are very well situated as far as the rest of New England is concerned. We have a present minimum wage of \$1.25. The other New England States also have a minimum wage of \$1.25, with the exception of Massachusetts, which is \$1.40 and \$1.60. All of the other legislatures in New England have bills before them to increase their minimum wages from \$1.40 to \$1.60, so we must stay in line and compete with these states, as well as with the federal government.

There is another reason for a minimum wage, we hope that it will establish a strong middle class society, without which any state or any government cannot expect to be great. Thank you.

The PRESIDENT: The pending question is on the motion of the Senator from Cumberland, Senator Good, that we accept the "Ought to Pass as Amended" Report of the Committee. As many as are in favor of the motion will say "Yes." Those opposed, "No."

A viva voce vote being taken, the motion prevailed, and the Bill was given its first reading.

Committee Amendment "A" read by the Secretary as follows:

COMMITTEE AMENDMENT "A" to S. P. 48, L. D. 38, Bill, "An Act Increasing Minimum Wages."

Amend said Bill in the last line (same in L. D. 38) by inserting after the word "hospitals" the underlined words and punctuation 'nor to hotels, motels and restaurants'

Committee amendment "A" was adopted and the bill, as amended, tomorrow assigned for second reading.

Second readers

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

House

Bill "An Act Relating to Quality of Inspection Stickers for Motor Vehicles." (H. P. 1102) (L. D. 1569)

Bill "An Act Requiring Trucks Carrying Explosive or Inflammable Cargoes to Stop at Railroad Crossings." (H. P. 1101) (L. D. 1568)

Bill "An Act Relating to Definition of Elevator Under Board of Elevator Rules and Regulations." (H. P. 100) (L. D. 1567)

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

House — As Amended

Resolve to reimburse Wayne Smith of East Dixfield for Loss of Sheep." (H. P. 735) (L. D. 1058)

Bill "An Act to Allow the State of Maine to Arbitrate Disputes in Contracts." (H. P. 517) (L. D. 804)

Which were Read a second time and Passed to be Engrossed As Amended in concurrence.

Senate

Bill "An Act to Revise Utility Location Permits in Public Highways." (S. P. 594) (L. D. 1572)

Which was Read a second time and Passed to be Engrossed.

Sent down for concurrence.

Enactors

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

An Act to Provide a Council Manager Charter for the Town of Cumberland. (H. P. 195) (L. D. 284)

An Act to Establish and Appropriate Funds for a Youth Community Activities Section in the Department of Mental Health and Corrections. (S. P. 221) (L. D. 484)

On motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table.)

An Act Relating to the Board of Water Commissioners of the Town of Boothbay Harbor." (H. P. 374) (L. D. 521)

An Act Providing for a Council-Manager Charter of Town of Gorham. (H. P. 529) (L. D. 769)

An Act Relating to Eminent Domain Under Urban Renewal Proceedings. (H. P. 585) (L. D. 816)

An Act to Amend the Charter of the York Sewer District. (H. P. 614) (L. D. 856)

An Act Relating to Importation of Bottled Wines by Licensed Maine Bottlers. (H. P. 636) (L. D. 892)

An Act Relating to Source of Supply of the Brewer Water District. (H. P. 912) (L. D. 1322)

Which 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 Creating a Hospital Administrative District No. 1 in Penobscot County. (H. P. 278) (L. D. 398)

This being an emergency measure and having received the affirmative vote of 28 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 Amending the Charter of the Augusta Sanitary District. (S. P. 195) (L. D. 429)

This being an emergency measure and having received the affirmative vote 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 Reconstitute School Administrative Districts Numbers 9, 17, 27, 46, 47, 48, 49, 55 and 61. (S. P. 399) (L. D. 1071)

This being an emergency measure and having received the affirmative vote of 31 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 Relating to Board of Trustees of and Increasing Indebtedness of Eagle Lake Water and Sewer District. (H. P. 952) (L. D. 1383)

This being an emergency measure and having received the affirmative vote of 31 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.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the table the 7th tabled and unassigned matter (S. P. 210) (L. D. 473) Bill, "An Act Relating to Reimbursement for Additional Professional Work by Teachers." Tabled March 15 by Senator Berry pending enactment.

Then the same Senator moved enactment.

Which was passed to be Enacted, and having been signed by the President, was by the Secretary presented to the governor for his approval.

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

Mr. MacLEOD of Penobscot: May I inquire if the Senate is in possession of L. D. 1031, Bill "An Act to Provide for Practical Nursing Course at Central Maine Vocational Technical Institute."

The PRESIDENT: The Chair will reply in the affirmative, this

matter having been held at the request of the Senator from Penobscot, Senator MacLeod.

On motion by Mr. MacLeod of Penobscot, the Senate voted to reconsider its action whereby it voted to recede and concur with the House. On further motion by the same Senator, House Amendment "A" was indefinitely postponed. Then on further motion by the same Senator, the Senate voted to reconsider its action whereby Committee Amendment "A" was adopted, and Committee Amendment "A" was indefinitely postponed. Then on motion by the same Senator, the bill was tabled pending passage to be engrossed.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Ferguson.

Mr. FERGUSON of Oxford: May I inquire if L. D. 873 Bill, "An Act Relating to Abandonment of Highways" is in the possession of the Senate?

The PRESIDENT: The Chair will reply in the affirmative, this matter having been held at the request of Senator Ferguson.

On motion by Mr. Ferguson of Oxford, the Senate voted to reconsider its action whereby it voted to recede and concur with the House. On further motion by the same Senator, Committee Amendment "A" was indefinitely postponed. Then, on further motion by

the same Senator, House Amendment "A" was adopted and the Bill, as amended, by House Amendment "A" was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Hoffses of Knox, the Senate voted to take from the table the 27th tabled and unassigned matter (H. P. 220) (L. D. 310) House Report Ought to Pass in New Draft (H. P. 1088) (L. D. 1555) under same Title from the Committee on Inland Fisheries and Game on Bill, "An Act Relating to Use of Power Boats on Big Nesowadnehunk (Sourdnahunk) Lake, Piscataquis County." Tabled April 6 by Senator Hoffses pending acceptance of report.

On further motion by the same Senator, the Senate voted to accept the Ought to Pass in New Draft report of the Committee. The Bill was read once, and tomorrow assigned for second reading.

Mr. GOOD of Cumberland was granted unanimous consent to address the Senate.

Mr. GOOD of Cumberland: Mr. President, I have an important announcement, and that is that the ice left the great bay of Sebago Lake yesterday.

On motion by Mr. Ross of Piscataquis,

Adjourned until tomorrow morning at ten o'clock.