

# 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**

"Ought not to pass" of the Committee on State Government in non-concurrence on April 20.

Came from the Senate with that body voting to insist on its former action whereby Report "A" was accepted and the Resolve passed to be engrossed, and asking for a Committee of Conference, with the following Conferees appointed on its part:

Messrs. NOYES of Franklin  
ERWIN of York  
PORTEOUS of Cumberland

In the House: On motion of Mr. Dennett of Kittery, the House voted to adhere.

#### Non-Concurrent Matter

Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act to Reimburse Town of Thomaston for Cost of Municipal Services Provided for the State" (H. P. 705) (L. D. 983) which was accepted in the House on March 29.

Came from the Senate with the Report and Bill recommitted to the Committee on State Government in non-concurrence.

In the House: On motion of Mr. Dennett of Kittery, the House voted to recede and concur with the Senate.

#### Non-Concurrent Matter

Resolve Authorizing Study of Road from Allagash Plantation to the Canadian Border (H. P. 746) (L. D. 1032) on which the House accepted the Minority "Ought to pass" Report of the Committee on Highways and passed the Resolve to be engrossed on April 12.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Gallant of Eagle Lake, the House voted to insist and ask for a Committee of Conference.

#### Non-Concurrent Matter

Bill "An Act Declaring Abandoned Cellars to be Nuisances" (S. P. 348) (L. D. 1081) which was indefinitely postponed in non-concurrence in the House on April 20.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed

to be engrossed as amended by Committee Amendment "A" and Senate Amendment "A" and asking for a Committee of Conference, with the following Conferees appointed on its part:

Messrs. FARRIS of Kennebec  
BOARDMAN of Washington  
MAYO of Sagadahoc

In the House: On motion of Mr. Hardy of Hope, the House voted to adhere.

#### Petitions, Bills and Resolves Requiring Reference

The following Bills, approved by a majority of the Committee on Reference of Bills for appearance on House Calendar, less than one-tenth of the members present objecting, were received and referred to the following Committee:

#### Sea and Shore Fisheries

Bill "An Act relating to Taking of Alewives in Waters Leading to Winnegance Lake." (H. P. 1129) (Presented by Mr. Schulten of Woolwich)

Bill "An Act Regulating the Taking of Alewives in East Machias". (H. P. 1130) (Presented by Mr. Dennison of East Machias)

(Ordered Printed)

Sent up for concurrence.

#### Orders

On motion of Mr. Brown of Fairfield, the House voted to reconsider its action whereby on April 21 it passed to be engrossed Bill "An Act Revising Minimum Wage Law," House Paper 1115, Legislative Document 1537.

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Brown.

Mr. BROWN: Mr. Speaker, I now move that the House reconsider its action whereby on April 21 it adopted House Amendment "A."

The SPEAKER: The gentleman from Fairfield, Mr. Brown, moves that the House reconsider its action of April 21 whereby it adopted House Amendment "A." Is this the pleasure of the House?

The Chair recognizes the gentleman from Rockland, Mr. Knight.

Mr. KNIGHT: Mr. Speaker, I would debate this amendment if it is permissible—

The SPEAKER: Is the gentleman debating the reconsidering motion?

Mr. KNIGHT: I am.

The SPEAKER: The gentleman may proceed.

Mr. KNIGHT: The amendment that was offered last Friday only clarified the law in that it accepted—or rather it took from the—

The SPEAKER: Will the gentleman from Rockland, Mr. Knight, and the gentleman from Fairfield, Mr. Brown, approach the rostrum, please. The House will be at ease.

(Conference at rostrum)

The SPEAKER: The House will be in order.

The Chair recognizes the gentleman from Rockland, Mr. Knight.

Mr. KNIGHT: Mr. Speaker, I withdraw my objections and wish that my remarks be stricken from the record.

The SPEAKER: The question before the House is the motion of the gentleman from Fairfield, Mr. Brown, that the House reconsider its action whereby on April 21 it adopted House Amendment "A." Is this the pleasure of the House?

The motion prevailed.

Mr. Brown of Fairfield then offered House Amendment "A" to House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to HOUSE AMENDMENT "A" to H. P. 1115, L. D. 1537, Bill, "An Act Revising Minimum Wage Law."

Amend said Amendment by striking out all of the 8th line and inserting in place thereof the following:

'the violation of section 132-C, shall have authority to enter'

The SPEAKER: Is it the pleasure of the House that House Amendment "A" to House Amendment "A" shall be adopted?

The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker, due to these maneuverings I feel that the House deserves an explanation, and I hope that the gentleman from Rockland, Mr. Knight, and the gentleman from Fairfield, Mr. Brown, will explain this situation.

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Brown.

Mr. BROWN: Mr. Speaker, the reason for my offering this amendment is this, that under the present amendment before the adoption of this one, it makes it mandatory for the Commissioner of Labor to enter into a plant on any complaint. This simply gives her discretionary powers; she does not have to enter the plant on every complaint. She has the authority to, but she doesn't necessarily have to do it.

For example, all interstate commerce and business is controlled by the Wage and Hour and if a complaint is received from a business doing business in interstate, it wouldn't be necessary for the Commissioner to enter that place of business and inspect the records. So therefore she would have discretionary power not to do it in those instances. That is my primary reason.

The SPEAKER: The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker, it would be most helpful to me—whether it would any of the other members, to know what is the number of these amendments, and I do not have amendment 214 and this other amendment, they didn't give us any number and I don't know just what they are talking about.

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

Mr. PLANTE: Mr. Speaker, those numbers are filing number H-214 and filing number H-207.

The SPEAKER: Will the gentleman from Rockland, Mr. Knight, approach the rostrum please.

(Conference at rostrum)

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Knight.

Mr. KNIGHT: Mr. Speaker, Ladies and Gentlemen of the House, and Representative from down east, Mr. Kennedy of Milbridge: The amendment that I offered last Friday limited the records that could be examined to those records that will now be required by law to be kept. The original L. D. 1537 made it manda-

tory, however, that any complaint whether it is scrutinous or not, received by the Commissioner of Labor, be investigated. This might possibly mean added personnel would be needed.

This amendment, as I understand it, to my amendment, strikes out that mandatory part and gives the Commission discretion as to whether or not investigation is needed on a complaint. And after it was explained to me in the well of the House here, I feel at first blush that it is a good amendment and I am in favor of it.

The SPEAKER: The question before the House is the motion of the gentleman from Fairfield, Mr. Brown, that House Amendment "A" to House Amendment "A" be adopted. Is it now the pleasure of the House that this Amendment be adopted?

The motion prevailed and House Amendment "A" to House Amendment "A" was adopted.

House Amendment "A" as amended by House Amendment "A" thereto was adopted.

Thereupon, Bill "An Act Revising Minimum Wage Law" was passed to be engrossed as amended by House Amendment "A" as amended by House Amendment "A" thereto in non-concurrence and sent up for concurrence.

On motion of Mrs. Harrington of Patten, it was

ORDERED, that Mrs. Smith of Falmouth be excused from attendance today because of business.

On motion of Mr. Edwards of Stockton Springs, it was

ORDERED, that Mr. Wade of Skowhegan be excused from attendance today and tomorrow because of business.

On motion of Mrs. Baker of Orrington, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

On motion of Mr. Wheaton of Princeton, it was

ORDERED, that Mr. Maddox of Vinalhaven be excused from at-

tendance this week because of business.

### House Reports of Committees Leave to Withdraw

Mrs. Smith from the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Automobile Travel by State Employees" (H. P. 540) (L. D. 784) reported Leave to Withdraw

Mrs. Baker from the Committee on Towns and Counties reported same on Bill "An Act Exempting Town of Alfred from Apportionment of County Tax" (H. P. 364) (L. D. 516)

Reports were read and accepted and sent up for concurrence.

### Ought Not to Pass

Mr. Bragdon from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Bill "An Act Reestablishing Western Maine Sanatorium in Hebron" (H. P. 87) (L. D. 127)

Report was read and accepted and sent up for concurrence.

### Tabled and Assigned

Mr. Bragdon from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Bill "An Act Repealing Appropriation for Tuberculosis Hospital Building at Community General Hospital in Fort Fairfield" (H. P. 788) (L. D. 1266)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Norway, Mr. Chapman.

Mr. CHAPMAN: Mr. Speaker, I would like to have this item tabled until May 3.

The SPEAKER: The gentleman from Norway, Mr. Chapman, moves that L. D. 1266 be tabled until May 3 pending acceptance of the Committee Report.

Mr. Hopkinson of Fort Fairfield then requested a division.

The SPEAKER: A division has been requested on the tabling motion. All those in favor of the tabling motion please rise and remain standing until the monitors have made and returned their count.

A division of the House was had. Sixty-seven having voted in the affirmative and fifty-two having