

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Ninth Legislature*

OF THE

STATE OF MAINE

1959

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

YEAS: Bates, Charles, Coffin, Cole, Dow, Hillman, Martin, Noyes, Parker, Rogerson, Ross, Stilphen, Weeks, Woodcock, Wyman — 15.

NAYS: Boucher, Carpenter, Dunn, Duquette, Farley, Fournier, Hunt, Lessard, Lewis, Lord, MacDonald, Pierce, St. Pierre, Thurston, Willey — 15.

ABSENT: Briggs, Brown — 2.

The PRESIDENT: The Secretary will call the name of the President.

The President answered: YEA.

Sixteen having voted in the affirmative and fifteen opposed, the motion prevailed.

Sent down for concurrence.

On motion by Mr. Bates of Penobscot, the Senate voted to take from the table the 97th tabled item being Senate Reports from the Committee on Labor: Majority Report, ought not to pass; Minority Report, ought to pass, on bill, "An Act Establishing a Minimum Wage." (S. P. 59) (L. D. 92) tabled by that Senator on April 27 pending acceptance of either report.

Mr. BATES of Penobscot: Mr. President there probably is no need for me to repeat myself. I think my position is clear to all members of the Senate. I therefore move acceptance of the Minority Report "Ought to pass in new draft, L. D. 1337."

Mr. ROSS of Sagadahoc: Mr. President, one of our partisan policies was that we pledge honest, efficient government with a minimum of cost and interference in the lives of our citizens.

Several citizens have asked me how I could sponsor such a bill and still keep faith with our basic principles. Part of the answer lies in another partisan thought. We favor legislation to prevent the unfair exploitation of skilled and unskilled labor but furthermore, if it is inconsistent to attempt to secure a barely adequate living wage to promote the welfare, health and efficiency of several thousand persons, I repeat, if that is inconsistent, then I plead guilty. We must remember that this would only affect a small proportion of the employers in the state who are now paying substandard wages. The purpose of such a law is to tidy up the ragged,

lower edge of our Maine structure. If the only way some of these businesses can meet competition is to pay these unreasonably low wages which I have mentioned before—thirty, forty and fifty cents an hour—then I maintain that this is a most unfortunate situation and basically a moral one. We have been told that such a law would effect undue hardship, that it would force lay offs and force people to close their places of business. I certainly do not believe this is so and I feel that this is a defeatist attitude. If their business is so poor; if they can't pay eighty cents an hour, they certainly should do something to correct the situation other than cut wages.

Now we certainly don't want to legislate any hardships. It is really the other way around but we will admit there must be exceptions to all rules, and in the original bill certain exemptions were included, to wit: agriculture, domestics, persons working in non-profit institutions, students, part-time workers and commercial fishermen. At the public hearing I said that I had an open mind and was willing to revise that list. I revised it to include two categories that I think the sponsor of the other bill doesn't agree on—waiters and waitresses. The way the original bill was written, waiters and waitresses would have to declare their tips. That is a very difficult situation and in talking with many of these persons throughout the state, they told me they would like to be exempt from such a law.

I have also exempted councillors and persons working in nursing homes because I believe they are just like hospital workers. I have deleted something too. Under the previous bill under agriculture, anyone working in a commercial greenhouse would have been exempt. To me that did not make sense, so I changed that so persons working in a greenhouse would be included under this.

Now, we are not placing an arbitrary market value on labor just a bare minimum living wage. Of course we would like to see everybody get over thirty-two dollars a week, and of course we would favor paying at least a dollar an hour if

our economy could stand it, but certain segments of our economy probably can't stand the dollar but should be made to pay more than forty or fifty cents.

Now the philosophy of minimum wage is well established and I believe that it is sound. Under interstate commerce I have heard of no company going bankrupt because they were forced to pay a dollar an hour, but for those who say it is poor in the State of Maine to have a minimum wage law on our statutes I wish they would look at Chapter 30 Section 133 to 147 whereby it says that a fair wage must now be paid to women and minors in the fish packing industry. And then if they would look further in the chapter it says that a minimum wage would be paid to laborers on public works. Now I maintain it is already a law for two segments of our economy and it certainly is fair for all. But I am not in favor of wage boards with arbitrary powers and excessive record keeping because I think that is fundamental interference in the lives of our citizens. Those who say that this is going to hurt their business, many of those persons are now selling the necessities of life such as food and clothing, and I say that a minimum wage law would stimulate those businesses because it would increase the purchasing of the lowest paid group in our economy.

Secondly, I say it would stabilize business because it would curtail those who now cut their prices only by paying a substandard wage. Thirdly, it would increase the worker's efficiency by giving him better food and providing him with better morale. Fourthly, which I think is most important of all, it would encourage management efficiency. I reiterate that I believe a person is entitled to a living wage. I will admit that thirty-two dollars a week is not the wage I would like to see but I think it is the wage that our economy must face up to at some time and to this end alone have I sponsored this legislation and I certainly move the acceptance of the minority report.

Mr. WOODCOCK of Penobscot: Mr. President and members of the Senate: For the fifth time since I

have been a member of the State of Maine Legislature I shall vote to support a minimum wage bill. It seems to me that if this Legislature can go home with the eighty cent principle enacted upon their books they will have done a pretty good job as a start to bring up from any level below that the workingman of the State of Maine. After all, we would be doing four-fifths as much minimum-wagewise as the Federal government, which is a much larger governmental organization.

I want to say here too that I hope that opposition to the eighty-cent bill does not develop here in the Senate, in view of the fact of what has happened a little bit earlier this morning in the acceptance of the "Ought not to pass" report on the one-dollar minimum wage proposition, for we have a chance here to stand up for the principle of minimum wages to the extent of eighty cents and to thereby call to the attention of anybody who cares to read it that the State of Maine stands for at least that much minimum wage. I certainly do not think that one dollar is any magic number either. What may happen in days to come I cannot predict, but I do want to emphasize my support of this eighty-cent bill as a recognition to people who work by the sweat of their brows and who should be able to turn to the laws of the State of Maine and say, "I have something to at least bring me up to an eighty cents an hour wage, low though it may be."

Mr. LESSARD of Androscoggin: Mr. President and members of the Senate: I wish that the able and distinguished Senator from Sagadahoc, Senator Ross, had made his speech before the last vote, because much of his speech was in favor of the arguments for the previous bill, and I am sure it was worth the extra four dollars a week to be given to the working men and women of Maine.

I for one am not going back to my city and county and tell the working men and women of Maine that thirty-two dollars a week is what I think their standard of living should be. I said that anything less than one dollar was an insult to the working men and women of

Maine, and I still feel the same way and I am not going to be compromised in such a situation. You have got to give the working man a decent standard of living, and God knows forty dollars a week is not enough. I therefore oppose the motion, and when the vote is taken I request a roll-call.

Mr. HUNT of Kennebec: Mr. President, apparently everyone here this morning wants to be known as a friend of labor, but I want to definitely go on record as a friend of labor on the one dollar an hour basis.

I refrained from speaking on the other bill. I think if we want to be known as friends of labor we certainly want to be known as friends on a wage scale which will allow them to live and support their families. I voted against the previous motion because it was my feeling that one dollar an hour is the least we should do for laboring men here, and I shall oppose the present motion on the basis that I do not feel that eighty cents is going to give them an adequate or living wage. If we want to be known as the friends of labor here let us give them at least some substantial help and not just a pittance. For that reason I will oppose the present motion.

Mr. MacDONALD of Oxford: Mr. President, I am certainly not going back to my county and tell the people there that all they are worth is eighty cents an hour or thirty dollars a week. I am not going to, by any act or word, directly or by influence, try to fool the people of the State of Maine with a sop of eighty cents an hour. I am not a candidate for Governor, I am not a candidate for anything any more, but, nevertheless, that is the position I take, and if the proponents of the eighty cents an hour want to shoulder that burden that is up to them.

Mr. CHARLES of Cumberland: Mr. President and members of the Senate: Two years ago I supported a minimum wage of seventy-five cents an hour and I was in the minority. I believe in the principles that were expressed in the debates at that time. We are discussing an eighty cents an hour wage, which

is five cents more than was fought for two years ago.

My concern with the one dollar minimum is that it is going to affect our small businesses. I know several of what we call "mama and papa" stores, and we have two or three thousand of them in our State which employ two or three people in their stores, and I know what a hardship it is for these people to maintain high wages. I know the type of people they employ, a certain type of people who cannot receive employment elsewhere. They are not probably as educated as they should be but they are able to do the work in some of the grocery stores, drug stores and retail stores which employ them. The manual work is not what I consider a highly educational type. If we are to impose a higher minimum wage than the eighty cents I am afraid we are going to be in a very difficult economic situation so far as small businesses are concerned. The terrific competition that these fellows are facing right now is something you should be aware of. Big business is able to meet this kind of competition because they have the capital to meet it, but when the small business man tries to meet these prices on things which are sold below cost by the bigger stores, I can tell you right now that if we continue to increase prices to these small businesses we are going to lose them. We are losing them at the rate of about ten or fifteen per cent a year right now. I have records to prove that. Less than five years ago we had four thousand individually-owned retail stores; today we have less than three thousand. That is a serious situation. If we let this continue we are going to be in trouble. I am going along with the eighty cents an hour.

Mr. BOUCHER of Androscoggin: Mr. President, if a seventy-five cents minimum wage was supposed to be the right thing two years ago, eighty cents is not the proper minimum today. You do not even give the working man or woman enough to pay the increases in taxes in these two years, let alone the increase in the cost of living. An eighty cents an hour wage will mean that the person who is employed is getting about what the person who

is unemployed gets weekly. Nobody wants to be unemployed that I know of except some rare exceptions, possibly one in a thousand, but the incentive to work at a minimum wage of eighty cents an hour would be destroyed. If a person who is unemployed gets the same as a person who is employed, I would say that is an incentive for him not to seek employment at a minimum wage of eighty cents an hour.

They say that corporations have no conscience, but I say that the State of Maine should have one. I say to you, Mr. President and members of the Senate, that no married person can raise a family on eighty cents an hour, thirty-two dollars a week. They can hardly support themselves, let alone their family. Therefore I shall oppose the motion for the eighty-cents an hour minimum wage.

Mr. ROSS of Sagadahoc: Mr. President, as I mentioned previously, I favor the principle but I believe this amount of eighty cents is all our economy can stand. Certainly nobody has mentioned here as a proponent of this bill that the eighty cents an hour is all a person is worth, and when people talk about wanting to go home and tell their laboring friends, remember our industrial laboring friends are already getting much more than eighty cents or one dollar an hour.

I hate to get personal, but I work in a small company where the present minimum wage is \$1.91 and we were not forced into that and we were not legislated into that. That is my business, and when we legislate for other businesses in the state we certainly must take into consideration their individual economy. I am terribly sorry that some of my friends today are not willing to admit that something is better than nothing, because when they go home and tell their friends they can't go home and tell them they wouldn't vote for anything for anything less than a living wage, they must go home and tell them they voted against putting on the statutes of the State of Maine a minimum wage law, because we have none there now.

Mr. ROGERSON of Aroostook: Mr. President, it just occurs to me that somebody should probably point out that it is a splendid thing to stand on principle, but to stand on principle at the expense of the working man, as we would be doing in this case if we vote against this bill, does not seem to me to be the desirable thing to do. Eighty cents an hour would correct some of the evils which now exist and would be a step in the right direction, and to deny the working people who would be benefitted under this law those benefits for the sake of principle seems to me to be questionable.

Mrs. LORD of Cumberland: Mr. President and members of the Senate. Two years ago I introduced a bill that started with a dollar an hour, but I was advised by many people that the bill could never be passed at that price so I changed it to seventy-five cents. Well, I found it could not be passed at that price either. So I will go along with the one dollar an hour. I think that is the minimum.

Mr. PARKER of Piscataquis: Mr. President, I wish to make very clear to the members of the Senate my reasons for not only opposing the one dollar an hour minimum wage but also this one for eighty cents.

Now I may be the only one who believes that we will be hurting hundreds of elderly people and citizens in our State who will be out of employment if we attempt to establish even this minimum wage of eighty cents. I know that there are certain jobs, certain positions that are now being filled by wage-earners in the State of Maine that if they are required to pay even on the basis of eighty cents an hour they are going to be forced to either ask others to increase their labors or the jobs will have to be filled by the owners or in some other way.

I just want to make my position clear. I voted against the other bill and I shall have to vote against this one.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Bates, that the Senate accept the minority "Ought to pass" report. A roll call has been requested.

Thereupon, a division of the Senate was had.

Obviously more than one-fifth the members having risen, the roll call was ordered.

The Secretary called the roll, and the Senators answered as follows:

YEAS: Bates, Charles, Cole, Dow, Martin, Noyes, Reed, Rogerson, Ross, Stilphen, Weeks, Willey, Woodcock—13.

NAYS: Boucher, Carpenter, Coffin, Dunn, Duquette, Farley, Fournier, Hillman, Hunt, Lessard, Lewis, Lord, MacDonald, Parker, Pierce, St. Pierre, Thurston, Wyman—18.

ABSENT: Briggs, Brown.

Thirteen having voted in the affirmative and eighteen opposed, the motion did not prevail.

Thereupon, the Majority "Ought not to pass" report was accepted.

Sent down for concurrence.

On motion by Mr. Dow of Lincoln, the Senate voted to take from the table House Report from the Committee on Judiciary: Ought to pass, on bill, "An Act Relating to Discrimination at Places of Public Resort or Amusement." (H. P. 560) (L. D. 846) tabled by that Senator on April 22 pending motion by Senator Thurston of Oxford for Acceptance of the report in concurrence.

Mr. DOW of Lincoln: Mr. President and members of the Senate, many times when a bill gets tabled

there are those who think it is done for the purpose of creating opposition or animosity. I want to state for the record that I have no animosity or prejudices toward any man regardless of race, creed or color. I tabled this bill because I was requested to do so by those who were not fully aware of the results and the consequences of this act. Most of these people now find that their fears are unfounded. If I were to oppose this bill it would be entirely on the premise that I have never liked legislation that dictates how any person shall operate his own private business except when it endangers the health and safety of the public. Today I am not even going to do this.

I once read a quotation above the portals of a famous New England institution, which expresses my feeling on this measure. It goes something like this:

"Any good that I may do or any kindness I can show to any human being, let me do it now for I shall not pass this way again."

With that philosophy, Mr. President, I move the pending question.

The motion prevailed and the ought to pass report was accepted, the bill read once and tomorrow assigned for second reading.

On motion by Mr. Farley of York.

Adjourned until tomorrow morning at nine-thirty o'clock.