

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

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OF THE

STATE OF MAINE

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Which bill, being an emergency measure, and having received the affirmative vote of 27 members of the Senate, was Passed to be Enacted.

At this point, the President resumed the Chair, Mr. Woodcock retiring amidst the applause of the Senate.

The PRESIDENT: The Chair certainly wants to thank Senator Woodcock of Penobscot for his very excellent services presiding this morning as President pro tem.

Knowing the shortness of the time between now and the period voted upon earlier for the Joint Convention, at this time the Chair will declare a recess until ten minutes to eleven at which time the Chair will request each Senator to be back in his or her seat preparatory to forming the Joint Convention.

After Recess

The Senate was called to order by the President.

The Senate retired to the Hall of the House for a Joint Convention.

(For proceedings of Joint Convention, see House Report.)

In The Senate

The Senate was called to order by the President.

Mr. WYMAN of Washington: Mr. President, I would like to ask if L.D. 92 is in the possession of the Senate?

The PRESIDENT: It is, having been held at the request of the Senator from Washington, Senator Wyman.

Mr. WYMAN: Mr. President, I now move that the Senate reconsider its action of yesterday whereby we refused to accept the minority ought to pass report of the committee on this bill.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Washington, Senator Wyman, that the Senate reconsider its action of yesterday whereby it accepted the ought not to pass report on S.P. 59, L.D. 92 bill, "An Act Establishing a Minimum Wage".

Mr. WYMAN: Mr. President, when the vote is taken I move that it be by roll call.

A division of the Senate was had, and obviously a sufficient number of Senators having voted in the affirmative, the roll call was ordered.

Mr. CHARLES of Cumberland: Mr. President, in order that there may not be any error, I would like to know if we are voting for the eighty cents an hour bill or the one dollar minimum.

The PRESIDENT: Does the Senator request that the Secretary read the bill?

Mr. ROSS of Sagadahoc: Mr. President, I can answer that question. This is a vote to reconsider our action on the eighty cent minimum wage bill and this is a roll call just to reconsider our former action. If it is reconsidered, I gather there will be some further remarks made.

The PRESIDENT: Does the Senator from Cumberland or any other Senator wish to have the bill read?

Mr. BOUCHER of Androscoggin: Mr. President I think we ought to vote first on the motion to reconsider.

The PRESIDENT: That is correct: The question before the Senate is on the motion of the Senator from Washington, Senator Wyman, that the Senate reconsider its action of yesterday whereby it accepted the majority ought not to pass report of the committee on L.D. 92, bill, "An Act Establishing a Minimum Wage", and so that there will be no confusion, the Chair will state that this is the eighty cents an hour bill.

The roll call having been ordered,

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

YEAS: Bates, Carpenter, Charles, Cole, Dow, Duquette, Hillman, Lord, Martin, Noyes, Parker, Pierce, Rogerson, Ross, Stilphen, Weeks, Woodcock, Wyman - 18

NAYS: Boucher, Coffin, Dunn, Farley, Fournier, Hunt, Lessard, Lewis, MacDonald, Thurston - 10

ABSENT: Briggs, Brown, St. Pierre, Willey - 4

Eighteen having voted in the affirmative and ten opposed, the motion to reconsider prevailed.

Mr. WYMAN of Washington: Mr. President, I now move the acceptance of the minority ought to pass report.

For three sessions I have consistently voted against a minimum wage bill because I have not believed in it.

According to the debate yesterday there are only some nineteen thousand persons who are not covered by the Federal Minimum Wage Act, although to listen to the debate one would think that practically all of the workers in Maine are working for thirty or forty cents an hour.

My reasons for opposing this have been that a large majority of the workers in Maine, including my own, who during the summer number some two or three hundred employees, are covered by the Federal Wage and Hour Act but that there should be a place left for those many older people and others who are incapable of holding better paying jobs.

Four years ago the elevator operator at the Augusta House told me he hoped the minimum wage bill would not pass as the hotel would install an automatic elevator and he would be out of a job. Right now we have two elderly gentlemen operating the elevator at the Augusta House. They realize that at a dollar an hour the hotel would install an automatic elevator. Therefore they are happy to work for less. It gives them something to do and enables them to have the dignity and self respect that comes from work, instead of being idle and a burden on their relatives.

Again, in my home town I recently talked with a widow who is working in a variety store for somewhat less than a minimum wage, but who is happy to have the opportunity to work and keep her mind occupied. Or another instance is the wife of an insurance agent who works in our drug store and is glad to have the opportunity.

There, members of the Senate, make up the majority of the people who are working for less than one dollar per hour. Although the opponents of this bill yesterday would have you believe that there are many men with wives and five or six children living on less than a

minimum wage, that I believe is the exception by far.

There are some workers in the state who are drawing small unemployment compensation checks, and many of these would be glad to have employment which would enable them to earn more than their unemployment compensation even though it be less than the federal minimum wage.

These, fellow members of the Senate, are some of my reasons for consistently opposing a minimum wage in the State of Maine.

However, after listening to the debate yesterday and the strong arguments for a minimum wage by my good friends, the Senator from Oxford, Senator MacDonald, and the Senator from Sagadahoc, Senator Ross, it would appear that under the Ross bill for eighty cents per hour with the exemption as listed; these people about whom I have worried are for the most part provided for, and that in spite of my reasons for voting against the minimum wage in the past, the Ross bill provides better reasons for a minimum wage now.

I don't like to be stubborn and if you will permit me I would for a moment like to be nostalgic. My good father sat in this very seat as a State Senator from Washington County exactly fifty years ago, and he always told me "Hollis, wise men change their minds." With respect to this bill, I like to think I am following the wise course and I am sure that he would approve when I tell you that after three sessions I have changed my mind consider this a beginning of a sound minimum wage program for Maine.

Mr. LESSARD of Androscoggin: Mr. President, I rise in opposition to the motion of the Senator from Washington, Senator Wyman. I am not going to enter into any lengthy debate. I think perhaps all that could be said was said yesterday. I am sure it is still fresh in your minds and it is not necessary for me to belabor the points that were made. However, I do think that the nineteen thousand working men and women of Maine who are not under the federal wage-hour standard surely are entitled to have the same provisions for them as others.

In other words they should have the same wage scale as their working neighbors. I cannot see that because of the fact that they are not employed in industry which is covered under our federal wage and hour statutes that they should be penalized. I think that they eat the same food, live in the same quarters and have the same obligations to meet, and I am sure that the dollar which the other people who are covered receive will mean as much to them even though they are in a minority of 19,000. So, rather than repeat the points that were made yesterday, I will say that I think we feel we should still stick to the one dollar and not the eighty cents.

I am glad to hear that the good Senator changed his mind, and perhaps before the session is over this morning he will again change his mind and come up with one dollar. I hope that the good Senator will do that, because he says that minds can be changed. However, I have my doubts.

When the vote is taken I request the roll call.

Mr. MacDONALD of Oxford: Mr. President and members of the Senate: Like Senator Lessard of Androscoggin, I stand in the same position I did yesterday. I am not going to cheapen labor by saying they are worth only eighty cents an hour.

There are more than nineteen thousand people involved in this. While there may be nineteen thousand workers, they have families. And so far as the old man, the same as the man who runs the elevator down to the Augusta House, he wouldn't have to have any. As I understand, he comes from my county, from Norway; he is the father of the manager and he could almost buy the Augusta House and not worry, although he is working.

Mr. ROSS of Sagadahoc: Mr. President, I spoke at length yesterday on my philosophy concerning the minimum wage. I will not repeat that. I certainly will also not try to influence the thinking of those who oppose the principle of minimum wage. I respect their sincere convictions. But I fail to see how those who favor the principle of minimum wage but wish that the

figure be set at one dollar are not willing to compromise when the larger amount has been defeated, and they do this under the guise that they will not condone anything less than a living wage of forty dollars. Certainly I will admit that that extra eight dollars a week would help the working person, but it would not bring up what they call the thirty-two dollar disgracefully low wage to a satisfactory high; but certainly something is better than nothing. In this world as we go through it many things in life are give and take, and as I look at this program it would seem to me that eighty per cent of the whole is a great deal better than nothing. Now those who favor the passage of a minimum wage bill but speak against this one, knowing full well that at the present time we have no law on our books, are giving lip-service only and speaking in platitudes for the benefit of something and not their stated purpose of the passage of a minimum wage bill. I fail to see how these proponents in their conscience can go home and tell the working men and women who are not covered now that because they could not get the whole they refused to give them any part of it.

We have never said a man is worth only eighty cents, but we maintain that at least he is worth consideration, and by their firm stand they are not willing to consider the man now not covered.

Mr. HUNT of Kennebec: Mr. President, it appears from the talk and debate we had yesterday and today that everyone is interested in helping labor, and it apparently turns out that there eighty cents an hour friends of labor and one dollar an hour friends of labor. As has already been said, the one dollar per hour, giving only forty dollars a week seems to be the very minimum that we can go and face our constituents with and feel that we have done our duty, so, for myself, I want to still be listed as a dollar an hour friend of labor.

Mr. MacDONALD of Oxford: Mr. President and members of the Senate: I am not actuated in my position by any personal reasons, but I have talked with as many people who do not come under the federal

law as anybody in the State of Maine.

When I came to the United States I went to work in the paper mill and they have been my friends ever since and I know them around through that part of the country. I have talked with some of my friends about this bill long before this legislature opened, and my instructions from them, the people who are earning less than one dollar, is to get a dollar an hour. They say they won't accept a sop, so that is my reason.

Mr. FARLEY of York: Mr. President and members of the Senate: It has been interesting listening to the debate, but being just a small fellow in a small business, I think if you put upon the statute books this eighty cent law you are going to send a lot of people chasing for help at eighty cents an hour. In my trucking business, when we hire anyone outside to haul a carload of cement or a carload of pipe the least we pay them is \$1.50. If you are going to give some people in the State of Maine an opportunity to bid on jobs you cannot pay eighty or ninety cents when the rest of us are giving the man something for his family.

I think there is something that has been overlooked by some of the members here. Today a man who has a family, a man who has any intention of sending his children to college, the Lord knows that he will never be able to send any of his children to college on eighty cents which will probably be worth only thirty-seven cents by that time. I think the least we should put on the books is that the business man would have to pay one dollar an hour anyway and if they want to pay more they should do that for themselves. I am not in favor of the eighty cents an hour.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate: According to what I can see, this seems to have become a party measure. The Lord knows why it was made a party measure. I think there are people working for small wages, Republicans as well as Democrats. Apparently this bill wants to go back instead of going ahead. The Senator from Sagadahoc is just twenty years behind the times.

At that time that might have been the proper amount, eighty cents an hour, but apparently he does not know what has happened to industry. I can recollect when I sold houses in 1932 for \$1500 and today those same houses are selling for \$15,000. Apparently the good Senator does not realize the march of time and does not realize that employment wages should go along with the times.

I can recollect when I was a boy I worked for ten dollars a month, and today a boy working for me gets ten dollars a day. Times have changed. We are now in 1959.

It has been stated many times in this Legislature that the State of Maine under Republican rule was still fighting the Civil War. I wonder if we are trying to make a minimum wage fitting the prices of a hundred years ago? To me a dollar is little enough. That is a compromise. It should be \$1.50 an hour. Now in place of compromising in between those figures we are talking about going down. I stated yesterday and I want to repeat, that two years ago the lowest wage mentioned in this Senate was seventy-five cents an hour and that was defeated. I ask you, in your own conscience and mine, if an increase of five cents an hour in those two years is a fair increase? How many of you would want to go back to the wages of two years ago.

In my business, those wages have increased twenty to twenty-five per cent for labor; and a five cent increase, if my arithmetic is right, would be about a six per cent increase on that seventy-five cents an hour wage.

I think the Senate has made up its mind. Apparently it has been made on party lines. I am glad I am going to be on the Democratic side this time because I am warning the Republican Party that you are just driving another nail in your coffin.

Mr. BATES of Penobscot: Mr. President, this is not as complicated as it might appear to be, and as some of these other abstract measures that have been brought into the situation.

In the first place, you either do believe in the principle of a minimum wage law or you do not believe in it. If you do believe in it, you attempt to produce a floor for consideration of the impact at that time on all big business, small business, the young, the old, the handicapped, the city areas, the rural areas, full-time workers, part-time workers, and all of the other aspects of our economy.

To me this is a day of special significance; it is a day which will help prove to me whether or not there is any flexibility on the part of a group in this Senate and whether or not that lack of flexibility is going to be a pattern for the rest of the session.

Mr. ROSS of Sagadahoc: Mr. President, just very briefly may I say that I hope that the conservative members of the Republican Party read the remarks of the honorable Senator from Androscoggin, Senator Boucher where he said I was thirty years behind the times, because I think this is the first time that I have been called an ultra-conservative.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Wyman, to accept the minority Ought to pass report on L. D. 92, in new draft, L. D. 1337, and a roll call has been requested.

Mr. HILLMAN of Penobscot: Mr. President, I ask permission of the Senate to be excused from voting. My good friend, Senator Briggs of Aroostook asked me to pair with him. If he were voting, he would vote Yes and I would vote No.

The PRESIDENT: The Senator may be excused.

Mr. PARKER of Piscataquis: Mr. President, it is my understanding that were Senator Brown of Washington here, he would vote Yes and I shall vote No. I ask the privilege of pairing my vote with the vote of Senator Brown.

The PRESIDENT: The Chair grants that request.

Mr. FARLEY of York: Mr. President and members of the Senate, I hope that the Senator from Penobscot County, Senator Bates, did not mean that I was one of those when he said we should forget some things. I would like to remind the

Senator that there are increases in a lot of other things, even when you go into a drug store to buy a capsule you pay .75 or .80 and if you're going to give a man a dollar, how many capsules is he going to be able to buy when he has pneumonia, which is about the way I feel this morning.

Thereupon, the roll call having been requested, a division of the Senate was had, and a sufficient number of Senators having obviously voted in the affirmative, the roll call was ordered.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Washington, Senator Wyman, that the Senate accept the minority ought to pass report on L. D. 92.

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

YEAS: Bates, Carpenter, Charles, Cole, Dow, Lord, Martin, Noyes, Pierce, Rogerson, Ross, Stilphen, Weeks, Woodcock, Wyman — 15.

NAYS: Boucher, Coffin, Dunn, Duquette, Farley, Fournier, Hunt, Lessard, Lewis, MacDonald, Thurston — 11.

ABSENT: Briggs, Brown, St. Pierre, Willey - 4.

PAIRED: Senators Hillman and Briggs
Senators Parker and Brown.

Fifteen having voted in the affirmative and eleven opposed, the motion prevailed, the ought to pass report was accepted and the bill in new draft read once.

Mr. MacDONALD: Mr. President, I move that the bill be laid upon the table pending assignment for second reading.

Mr. WOODCOCK: Mr. President, may I inquire of the President what the pending motion is?

The PRESIDENT: The pending question is on the motion of Senator MacDonald of Oxford that L. D. 1337 be laid upon the table pending assignment for second reading.

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

The PRESIDENT: The question is on the motion of the Senator from Oxford, Senator MacDonald, that L. D. 1337 be laid upon the table pend-

ing assignment for second reading, and a division has been requested.

A division of the Senate was had.

Eleven having voted in the affirmative and seventeen opposed, the motion to table did not prevail.

Thereupon, the bill was tomorrow assigned for second reading.

Mr. COFFIN of Cumberland: Mr. President, I would like to inquire if you have S. P. 82, L. D. 154 in the possession of the Senate.

The PRESIDENT: The Chair would state that L. D. 154 Bill, "An Act Relating to Minimum Wages," is in the possession of the Senate having been held at the request of the Senator from Cumberland, Senator Coffin.

Mr. COFFIN of Cumberland: Mr. President, I would like to ask for reconsideration of our action of yesterday on this particular bill. I voted in the affirmative and I have reason to believe that I will vote in the negative today.

A viva voce vote being doubted by the Chair

A division of the Senate was had.

Twenty-three having voted in the affirmative and none opposed, the motion prevailed and the Senate voted to reconsider its former action on L. D. 154 whereby it accepted the Majority Ought not to pass report.

Mr. COFFIN of Cumberland: Mr. President and members of the Senate: I offer my humble apologies here today for causing all this paradox.

Thousands of words were spoken here yesterday and today relative to these two bills, and I am not going to add too much more because I think probably everyone has made up their minds regardless of who talks today. However, I only mentioned one three-letter word yesterday and I brought the State of Maine down on my shoulders.

We have talked about the economy of the State of Maine, and one of the reasons which was advanced yesterday that we could not have a minimum wage here of one dollar was because the economy of the State of Maine would not stand it. Well, if we had a one dollar minimum wage our economy would be a whole lot better.

I feel that most of us should think of the other fellow, that is put yourselves in the shoes of the person who is working for a wage under the minimum. I think most of you people, if you were put in the position where you were asking to be employed and if you really seriously thought of this thing — because there are none of us here today but know that possibly that time might come—when certainly you would like to be used as you use others.

I move that the Senate accept the minority "Ought to pass" report of the committee.

Mr. LESSARD of Androscoggin: Mr. President and members of the Senate: Again I am going to repeat that I am not going to belabor this thing around any longer. I see where the well-oiled machinery of the Republican Party closed caucus, I may add, worked out very well, and therefore I am not going to attempt to belabor the point, as I said before. However, so far as the arguments made in debate yesterday, I still feel like my good friend, the Senator from Kennebec, Senator Hunt, that I am a friend of labor to the tune of one dollar an hour and I do not want to be considered as one who favors giving eighty cents an hour to the underpaid workingman and workingwoman.

I do not recall whether any senator has requested it, but when the vote is taken I would like a roll call vote.

Mr. WOODCOCK of Penobscot: Mr. President, I just want to say that I am pleased to accept the compliment of the minority floor leader of the Senate. He just informed that Senate that he thought we had a well-oiled machine over here. After reading the press comments for the last day or so I was getting the impression that the machine was rather creaky and not well-oiled, so I am pleased to accept that compliment. Furthermore, I am pleased at the action that the Senate took this morning in supporting a minimum wage law through the Legislature of the State of Maine. Although it is not all that some people wish it were, I think that the action that has been taken heralds a new day for the State if