

MAINE STATE LEGISLATURE

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The SPEAKER: Is it the pleasure of the House to accept the report of the gentleman from St. Albans, Mr. Hughes?

The motion prevailed.

(Off the record, Mr. Walter of Waldoboro approached the rostrum.)

The SPEAKER: On the record, the Chair would like to thank the gentleman from St. Albans, Mr. Hughes, for his diligence in making this study but the Chair has news for the gentleman. Both of those lobsters came from Lincoln County. (Laughter) However, the Chair will continue to state that it is a known fact that at one time Hancock and Lincoln Counties were all one county, and for that reason it is not surprising that both lobsters were of excellent quality, they had the Hancock flavor but they had the Lincoln origin, so we can understand it.

The Chair recognizes the gentleman from St. Albans.

Mr. HUGHES: Mr. Speaker, I would like to make one more remark. It was not news to me that they did both come from Lincoln County, you will notice in the report I said "claimed" to have come. So, the gentleman by the name of Kenneth Grey, I believe, packed the lobsters.

The SPEAKER: The Chair compliments the gentleman.

Mr. Mayo of Bath, presented the following Order "out of order" and moved its passage:

ORDERED, the Senate concurring, that all bills and resolves referred to Joint Standing Committees, that have not been reported by such Committees by 4 P.M. Friday, May 22, be and hereby are recalled to the branch of the Legislature in which they were introduced, and the Joint Committees to which such bills were referred shall be discharged from further consideration of such bills recalled above. (H. P. 972)

The Order received passage and was sent forthwith to the Senate.

The SPEAKER: The Chair now lays before the House the first tabled and today assigned matter, Bill "An Act Establishing a Minimum Wage," Senate Paper 472, Legislative Document 1337, tabled

on May 15 by the gentlewoman from Rumford, Miss Cormier, pending further consideration. In the House the Bill was engrossed as amended by Filing Nos. 319, 338, and 354, and in the Senate engrossed as amended by Filing Nos. 319, 338, 379, 380, 381 and 382.

The Chair awaits a motion.

The Chair recognizes the gentleman from Auburn, Mr. Turner.

Mr. TURNER: Mr. Speaker, I have House Amendment "F" I wish to present.

The SPEAKER: The Chair must advise the gentleman that to present a House Amendment the gentleman must move reconsideration whereby we passed this Bill to be engrossed. Does the gentleman so move?

Mr. TURNER: I do.

The SPEAKER: The gentleman from Auburn, Mr. Turner, moves that the House recede from its former action whereby it passed this Bill to be engrossed. Is this the pleasure of the House?

(Cries of "No")

The Chair will order a division. Will those who favor the motion to recede from our former action whereby we passed this Bill to be engrossed please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred thirteen having voted in the affirmative and one in the negative, the motion to recede prevailed.

Thereupon, Mr. Turner of Auburn presented House Amendment "F" and moved its adoption.

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

HOUSE AMENDMENT "F" to S. P. 472, L. D. 1337, Bill, "An Act Establishing a Minimum Wage."

Amend said Bill by adding after paragraph C of subsection III of section 132-B the following underlined paragraph:

C-1. Any individual employed by any establishment engaged in laundering, cleaning or repairing clothing or fabrics;

The SPEAKER: Does the gentleman wish to speak to his motion? The gentleman may proceed.

Mr. TURNER: Mr. Speaker and Members of the House: This motion is an exact duplicate of a mo-

tion that is in the federal law under the Minimum Wage exemptions under the Minimum Wage, and I can't see why it is not fair if you are letting one concern put in an amendment why you shouldn't another one. Now a small business, it may mean whether they live or die on increase in wages. As you know now the small business concerns — we have been losing a lot of small business through folding up and bankruptcies, and I think unless we can go along with your federal exemptions that this bill we had better kill it altogether because you are going to have an awful mixed up mess.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I have been looking my papers over here to try to find an amendment that would exclude everybody from this bill. It is fast coming. I think every member of the House is aware of the humor of my very dear friend from Auburn, Mr. Turner, and he certainly is with this amendment, in my opinion running true to good form. This amendment here would exempt in this bill what is in my opinion are the workers working in the worst sweat shops in this state or any state. This will exempt those people who turn out shirts with the rapidity of a machine gun, surrounded with a smoke screen, the temperature well beyond a hundred, and it would protect the laundry proprietors who charge us twenty-five cents a shirt to burn our shirts at the fourth or fifth time that it hits the laundry. I am bitterly opposed to this amendment as well as others in the measure, but certainly this one we should take not two months' time in filing. I move its indefinite postponement.

The SPEAKER: The question now before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, that House Amendment "F" be indefinitely postponed.

The Chair recognizes the gentleman from Auburn, Mr. Turner.

Mr. TURNER: Mr. Speaker, one of my colleagues here just passed me a letter where the Waterville Steam Laundry, Waterville, are definitely against the Minimum Wage of one

dollar an hour. "We have about forty workers here who will be laid off about September first if this law goes through. It will be impossible for us to operate more than the allotted ninety days after the bill is passed.

"The public will not stand a 40 per cent rise in prices when they can buy washing machines. Please do not throw us all out of work."

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

Mr. PLANTE: Mr. Speaker and Ladies and Gentlemen of the House: At the present time there are thirty-four jurisdictions within the United States and its territorial possessions that have some type of minimum wage law. I have had the opportunity the past week of reading the thirty-four documents and in very few instances are laundries and cleaning establishments exempted. I feel, and I might add, that as far as the interstate labor is concerned to which the gentleman referred to, the federal law, it would not affect them unless they are an outfit so large that they would be doing business with other states, and also if the establishment is so small that they employed three or less people, under the present bill coming from the other body, they are exempted anyway, so in all fairness to other types of businesses that will be included by Fair Minimum Wage Law, it is only in good conscience that we support the motion of the gentleman from Lewiston, Mr. Jalbert, and have this item indefinitely postponed.

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

Mr. HEALY: Mr. Speaker and Ladies and Gentlemen of the House: I wish to re-echo the remarks made by our good friend from Lewiston, Mr. Jalbert, regarding the laundries being one of the finest sweat shops we have anywhere it stands, and further in connection with his reference to getting the burned shirts after the fourth time, you send a two-piece suit to some of these combination laundries and tailor shops and they charge you \$1.75 and your pants come back with a double crease, and I should

very definitely wish to be opposed to our good friend, the genial Legislator from Auburn, Mr. Turner, in his amendment to this bill.

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

Mr. BROWN: Mr. Speaker, in speaking in behalf of the dry cleaners and also the laundries in the Penobscot County area, I wish to say that especially in the dry cleaning field that the employees in the cleaning establishments in Penobscot County are receiving well over a dollar per hour. In the laundry industry in our area, I am sure that the majority of the plants are receiving the same. However, there are some laundries in our city and in our county that are not to the dollar Minimum Wage. However, it would be most certain that those plants would go out of business because of that situation. In regards to the sweat shop operation, I am sure that any of the modern plants today are operating under an air-conditioned building and that we do not have, at least in the Penobscot or Bangor area, any such thing as a so-called sweat shop.

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

Mr. JALBERT: Mr. Speaker, the gentleman from Bangor, Mr. Brown, speaks of most laundries operating under air-conditioning. I am not an engineer; I would like to ask him a question through the Chair. How do you air-condition steam?

The SPEAKER: Is the gentleman actually addressing the question or is that a rhetorical question? The gentleman from Lewiston, Mr. Jalbert, has addressed a question through the Chair to the gentleman from Bangor, Mr. Brown, who may answer if he chooses.

Mr. BROWN: In answer to the gentleman from Lewiston, Mr. Jalbert, I wish to say that in air-conditioning as far as dry cleaning and laundry plants are concerned, we have a special unit that sucks in the steam from the pressers which would exhaust that out through a so-called smoke stack and that the steam is eliminated from the building under those conditions.

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

Mr. JALBERT: I am going in to the engineering field now. I would like to invite my good friend Mr. Brown from Bangor to come with me to Lewiston and Auburn, and I will take him into every laundry establishment. When that rig comes down it is about this long and about so wide. It covers the person that is doing the work with steam, air-conditioning or no air-conditioning. I would take him Monday.

The SPEAKER: The Chair recognizes the gentleman from Guilford, Mr. Dodge.

Mr. DODGE: Mr. Speaker, I am very much against this amendment. I can't see why this is going to affect any laundry or cleaning establishment to put them out of business. They will all have to pay the same amount, and what is going—they may bring up the price a little mite, but it won't be enough to put them out of business I don't believe, and these workers certainly should be able to earn — they earn a dollar now anyway. They should be paid that. Some of these amendments are all right and I would go along with many of them but this one I won't.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Turner.

Mr. TURNER: Mr. Speaker, we have gone along and passed an exemption for the hotels, restaurants and the like. Are we going to pass laws to cut the folks of one industry and build up another one? Of course the hotels and your laundry outfits they have their high priced lobbyists to operate for them. These laundry people, they are on their own. They have nobody to look out for them. The only folks they depend to look out for them is the representatives they send down to the legislature.

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

Mr. BROWN: Mr. Speaker, I simply wish to extend an invitation to the gentleman from Lewiston, Mr. Jalbert, to visit Penobscot County and the City of Bangor and see how that operates and I believe

that there is a cleaner here in Augusta that has the same system.

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

Mr. KNIGHT: Mr Speaker, Ladies and Gentlemen of the House: You all realize that if you cannot kill something with one fell swoop then you can slowly smother it to death, and one way would be as with this legislation with amendments. Now those who are genuinely interested in a minimum wage realize that they cannot achieve perfection at the first instance. Our duty, or at least the duty of those who genuinely feel that a minimum wage is necessary, and I for one so believe, realize that we must come out with a Minimum Wage bill that has as few exemptions as possible, but on the other hand certain exemptions are necessary. If you would amend this Bill to death then pass the amendments that are here. I feel that we should reach a happy medium, and I think the happy medium has been reached with the Senate Amendments that are now on the desks and no more, and for that reason I urge that you vote against this amendment that has been offered, and when the vote is taken, I ask for a division.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, that House Amendment "F" be indefinitely postponed and a division has been requested.

Will those who favor the indefinite postponement of House Amendment "F" please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-six having voted in the affirmative and thirty-three having voted in the negative, the motion to indefinitely postpone House Amendment "F" prevailed.

The SPEAKER: At this time the Chair would take great pleasure and pride in recognizing the presence in the rear of the House a former Governor of the State of Maine, the Honorable Horace Hildreth. And the Chair would request the Sergeant-at-Arms to escort the

Honorable Mr. Hildreth to the rostrum as the Speaker's guest.

Thereupon, the Sergeant-at-Arms escorted the Honorable Mr. Horace Hildreth to his seat on the rostrum amid the applause of the House, the members rising.

The SPEAKER: The House will be in order.

The Chair recognizes the gentleman from Cumberland, Mr. Call.

Mr. CALL: Mr. Speaker, I would like to ask a question of anybody in the House that understands this Bill thoroughly.

The SPEAKER: The Chair understands that the gentlemen requests unanimous consent to briefly address the House. Is there objection? The Chair hears none and the gentleman may proceed.

Mr. CALL: If we pass all these amendments what industries left would take use of this Minimum Wage Law? If we pass all these amendments, what is left? What good is it?

The SPEAKER: The gentleman from Cumberland, Mr. Call, has addressed a question through the Chair to anyone who may answer if he or she chooses.

The Chair recognizes the gentleman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker, I have here a list of the amendments and what they exempt. For example, Amendment 338 exempts home workers, those who work at home hooking rugs and knitting, etc. Amendment 354, which we passed, would include candling workers, but it was defeated in the other body. Amendment 379 exempts employers who have three or less employees. Amendment 380 exempts private hospital employees. Amendment 381 exempts waitresses, waiters and any service employees working for gratuity, and Amendment 382 includes, it puts back, the people who work twenty-four hours or less.

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

Thereupon, Mr. Haughn of Bridgton presented House Amendment "I" and moved its adoption.

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

HOUSE AMENDMENT "I" to S. P. 472, L. D. 1337, Bill, "An Act Establishing a Minimum Wage."

Amend said Bill by striking out all of paragraph E of subsection III of section 132-B and inserting in place thereof the following underlined paragraph:

'E. Any individual employed as a counselor or junior counselor in summer camps for boys and girls and those individuals who are regularly enrolled as students in an educational institution, or who are on vacation therefrom;'

The SPEAKER: The pending question is the motion of the gentleman from Bridgton, Mr. Haughn, that the House adopt House Amendment "I".

The Chair recognizes the same gentleman.

Mr. HAUGHN: Mr. Speaker and Ladies and Gentlemen of the House: As you know you have filing 398 on your desks, which I did not offer. I am substituting therefor filing number 401 in its place which was adopted and passed by this House when it left here, and at the other end of the corridor somehow it got a semicolon in between there which changed the aspects and the meaning of what we had passed here. So therefore, this amendment now puts back into the Minimum Wage Bill what was originally in it when it left here, and when the vote is taken I request a division.

The SPEAKER: The Chair recognizes the gentleman from Southport, Mr. Rankin.

Mr. RANKIN: Mr. Speaker, I would like to ask a question of the gentleman from Bridgton, Mr. Haughn, through the Chair, and my question, in the form of an example: If a woman, a mother, grandmother should apply for employment in a hotel as a chamber maid, would she receive the minimum wage and would a college student applying for a position in a hotel as a chambermaid be excluded from the minimum wage?

The SPEAKER: The gentleman from Southport, Mr. Rankin, has addressed a question through the Chair to the gentleman from Bridgton, Mr. Haughn, who may answer if he chooses.

Mr. HAUGHN: Mr. Speaker, in reply to my good friend, Mr. Ran-

kin from Southport, I would say as it specifies in the amendment filing 401 that it says that "any individuals who are regularly enrolled as students in an educational institution," that is what this amendment applies to. If those persons he refers to were students they would come under this amendment. If not, they would come under the Minimum Wage Law.

The SPEAKER: The Chair recognizes the gentleman from Southport, Mr. Rankin.

Mr. RANKIN: This would mean that in the district which sends me up here the women who have families, some of them grandmothers, would not be employed if college students could be employed without being under the Minimum Wage. I move the indefinite postponement of this amendment.

The SPEAKER: The question now before the House is the motion of the gentleman from Southport, Mr. Rankin, that House Amendment "I" be indefinitely postponed.

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

Mr. PLANTE: Mr. Speaker, I would like to clarify something. The question which was asked concerned two specific occupations and under service employees working for gratuities which would include chambermaids which was one of the questions, under the present Bill they would be exempted so I don't think it would affect any of those grandmothers desiring that type of a job.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Turner.

Mr. TURNER: Mr. Speaker, it seems so my good friend from Old Orchard is talking out of both sides of his mouth. He did not want to clutter up that Bill with any new amendments.

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

Mr. HAUGHN: Mr. Speaker, Ladies and Gentlemen of the House: I think this needs some explanation as to actually what it means. I think my good friend from Southport, Mr. Rankin, is a little confused and probably from the an-

swer I might have given. I hope the gentleman from Old Orchard, Mr. Plante, has clarified it as mine, but this is something that the students work only in summer months. They are able through their earnings to return to school and colleges in the fall.

We must remember that an amendment of this nature protects the year-round employees, and they should be particularly kept apart from each other, and I think the gentleman from Eastport, Mr. Rankin, knows I have been an advocate of a dollar an hour, but I myself employ in another state, high school and college students in the summer months who without that employment could not go back to school because they would not have sufficient funds. I am not in business in Maine. This bill does not mean anything to me personally except in the interest of the Minimum Wage Law, but I have year-round employees who receive a higher fee and I am certain that you people in business in this state who have temporary employees, such as students, who are benefiting by summer employment that you certainly want to help them, not gyp them, and also to protect the year-round employees that there should be some differential in pay. Or if not, you would not keep the year-round employees. It is quite a long, lengthy picture probably to be explained and I think everybody fully understands the meaning of it as much as I do, and I will move that you reinstate what we have passed once before in this House, this same amendment without the semicolon in it, and as I say I request a division on the adoption of this filing number 401.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Mayo.

Mr. MAYO: Mr. Speaker, Members of the House: I am a little confused on this amendment. We have had so many of them come in here with colons, commas, semicolons added and taken out. I would like to ask a question through the Chair of the gentleman from Bridgton, Mr. Haughn, in regard to students. Does his amendment exclude students employed in any type of summer work from the Minimum

Dollar Wage? I am referring to students who work in many of the summer hotels as bus boys, bellhops, driving the station wagon to and from in running errands for the hotels, etc. Those are the students that I am interested in. We have many hotels who hire these students during the summer. The students need the work, want the work, but I am afraid that if they are going to have to get a dollar an hour minimum wage, they are not going to be hired.

Mr. SPEAKER: The gentleman from Bath, Mr. Mayo, has addressed a question through the Chair to the gentleman from Bridgton, Mr. Haughn, who may answer if he chooses.

Mr. HAUGHN: Mr. Speaker, to the gentleman from Bath, Mr. Mayo: I think that the issue is clearly written here: "enrolled students in an educational institution." In other words, if they were students, they would not come under the Minimum Wage Law. Then you have another amendment which takes care of those who receive tips, and what have you, for their pay, that would still mean their earnings. But this one, this particular amendment does apply to whatever type of work they may do, who are on vacation and enrolled as students in an educational institution. I hope that clarifies the question.

The SPEAKER: Does the gentleman consider the question answered?

Mr. MAYO: It does, but not being an English professor or anything of that sort, as I read the amendment, it refers to counselor or junior counselor in summer camps for boys and girls and then it just goes on to keep right on talking about "individuals who are regularly enrolled." It still referring back to summer camps only. I think that something should be in there to clarify that.

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

Mr. HAUGHN: I hope that I can clarify that once again because that is the reason for this amendment coming back to you because it was the unmentionable body and these are the same words that we used in our amendment before. They

in their wisdom saw fit to put after the word counselor I believe "in summer camps for boys and girls and;" which any phrase thereafter resorted back to the original part of "Any individual employed as a counselor or junior counselor in summer camps for boys and girls." This deletes that and carries on to another statement. There it has made it all into one statement the part after "for boys and girls" reverted back to the original part, and we delete that so it now covers all phases of occupation for summer employment.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker, Members of the House: First I want to say that I am opposed to this Amendment 401 in case I talk so much and confuse you so bad that you don't know where I do stand, and I would like to say I employ a lot of these students, quite a few during the summer and they are certainly worth a dollar. If they are not worth a dollar, there is no man ever worked for me worth a dollar, and I would like to do something to help these children get their education, I would like to see them earn more than a dollar. However, I don't think we should attempt to pay them less than a dollar if we want them to go through the schools, at the price of tuition, the price of books and all the things that they have to buy today. I think we should encourage these children, have at least a dollar minimum wage, and I for one am very pleased to pay them that.

The SPEAKER: The Chair recognizes the gentleman from Union, Mr. Heald.

Mr. HEALD: Mr. Speaker: I would like to address a question to the gentleman from Bridgton, Mr. Haughn, in regard to his amendment, would it prevent a person, an adult, from enrolling in a correspondence course and getting a job anywhere and using the correspondence course as a guide?

The SPEAKER: The gentleman from Union, Mr. Heald, has addressed a question through the Chair to the gentleman from Bridg-

ton, Mr. Haughn, who may answer if he chooses.

Mr. HAUGHN: Mr. Speaker: The only way I can reply to the gentleman from Union, Mr. Heald, is if they classify that particular thing he is speaking of as an educational institution I would say yes, if it so qualifies as an educational institution.

The SPEAKER: The Chair recognizes the gentleman from Southport, Mr. Rankin.

Mr. RANKIN: Mr. Speaker: As I suspected, this amendment has nothing to do with the summer business. As I now see it, a man who wished to hire a male to drive one of his trucks in business could reject a citizen of Maine who was not in school, say "I will not pay you a dollar," in which case the man would not be working. He could hire a student for fifty cents an hour and on fifty cents an hour no student can pay his way through college today, even though he gets a great deal of scholarships. My son is a junior at Bowdoin and his way is paid by the family but I know many working students there, and they certainly couldn't stay in Bowdoin or Colby or Bates or the University of Maine by working during the summer for less than a dollar.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Pert.

Mr. PERT: Mr. Speaker and Ladies and Gentlemen of the House: It seems to me as though this amendment will be quite inconsistent. You take, for example, an individual graduates from high school, goes out to work to earn enough money to go to college, maybe a year or two after he gets out of high school, then he decides to enter college and he forfeits his right to make a dollar an hour. I hope the motion to indefinitely postpone prevails.

The SPEAKER: The Chair must remind the gentleman from Bridgton, Mr. Haughn, that he has already spoken at least twice to his motion.

Mr. HAUGHN: That is why I have concerned myself, in order just to reply to the questions asked me, that is why I want to ask the

Chair, if he rules I have spoken twice in reply to several—

The SPEAKER: The Chair will rule that the gentleman has spoken twice and must have the consent of the House to speak again. Does the gentleman wish that?

Mr. HAUGHN: I request that.

Mr. Haughn of Bridgton was granted permission to speak again by a viva voce vote.

Mr. HAUGHN: Mr. Speaker, I thank you and the Members of the House for the courtesy. I think in fairness to the gentleman from Southport, Mr. Rankin, and to Mr. Pert, the gentleman from Bath, that I should defend some of the replies that were made here. As has been stated that one young man who may go through high school and graduate and then earn money enough to go to college, he is not an enrolled student during that time. Therefore he would come under the Minimum Wage Law. So I don't think that would hold water, that type of debate, on this particular issue, as stated in his amendment.

The gentleman, Mr. Rankin, has stated that they can hire them for fifty cents. If he reads the remainder of this amendment, they either have to be on vacation, which naturally wouldn't be in school then for then they would be working under this amendment. If they are in school, studying, they certainly couldn't be out working, so therefore I don't know where his theory in thinking applies to this because it says they have to be on vacation to come under this amendment if they are under the Wage Law.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Turner.

Mr. TURNER: Mr. Speaker. I have one question I would like to ask the gentleman from Bridgton, Mr. Haughn, a lot of these summer camps have laundries and I was wondering how the boys were going to go into the laundry business for work?

The SPEAKER: The gentleman from Auburn, Mr. Turner, has addressed a question through the Chair to the gentleman from Bridgton, Mr. Haughn, who may answer if he chooses.

Mr. HAUGHN: Mr. Speaker: There is not much reply to give, I think we have just disposed of the laundry issue and this concerns enrolled students of schools on vacation in the summer months.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Southport, Mr. Rankin, that House Amendment "I" be indefinitely postponed. The Chair will order a division.

Will those who favor the indefinite postponement of House Amendment "I" please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-five having voted in the affirmative and forty-three having voted in the negative, the motion to indefinitely postpone House Amendment "I" prevailed.

The SPEAKER: The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker, I offer House Amendment "G" and move its adoption.

The SPEAKER: The gentleman from Friendship, Mr. Winchenpaw, offers House Amendment "G" and moves its adoption.

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

HOUSE AMENDMENT "G" to S. P. 472, L. D. 1337, Bill, "An Act Establishing a Minimum Wage."

Amend said Bill, in that part designated "**Sec. 132-H**," by inserting in the first line of subsection I, after the underlined word "**representative**" the underlined words and figure '**upon written complaint setting forth the violation of section 132-C**'

Further amend said Bill, in that part designated "**Sec. 132-H**" by adding at the end of subsection II the following underlined sentence:

'Such rules and regulations affecting any particular class of employees and employers shall be made and promulgated only after a duly held public hearing with notice and opportunity to be heard to those employees and employers affected.'

The SPEAKER: The question before the House is as to the adoption of House Amendment "G".

The Chair recognizes the gentleman from Southport, Mr. Rankin.

Mr. RANKIN: Mr. Speaker, I would like to ask a question of any member of the House—what would this amendment mean?

The SPEAKER: The gentleman from Southport, Mr. Rankin, has addressed a question through the Chair to any member of the House who may answer if he chooses.

The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker and Members of the House: In simple language this amendment means that, as the law stands now, the employer would have no protection or no recourse against the Department of Labor and Industry providing there was some violation in his plant or in his store concerning the Minimum Wage. And under this amendment the employee and the employer both would have a chance to state their side or their case before the Commissioner of Industry and Labor here at the State House at a public hearing, after the public hearing has been advertised in the daily newspapers.

The SPEAKER: Is the House ready for the question? The question before the House is on the adoption of House Amendment "G". The Chair will order a division.

Will those who favor the adoption of House Amendment "G" please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred six having voted in the affirmative and fourteen having voted in the negative, the motion to adopt House Amendment "G" prevailed.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Call.

Mr. CALL: Mr. Speaker, is this bill still debatable?

The SPEAKER: There is nothing before the House at the moment. Does the gentleman request unanimous consent to address the House?

Mr. CALL: I do.

The SPEAKER: Is there objection? The Chair hears none and the gentleman may proceed.

Mr. CALL: Mr. Speaker and Ladies and Gentlemen of the House: You now have just heard your eighth or ninth amendment, you see what a farce it is. What is left for anybody to receive a Minimum Wage Law? We have watered this bill down until it doesn't amount to the paper that it is written on. I now propose that Bill "An Act Establishing a Minimum Wage Law" be indefinitely postponed and all its accompanying papers.

The SPEAKER: The Chair must advise the gentleman from Cumberland, Mr. Call, that the House has before it three amendments from the other branch and a motion to amend, or a question of amendment, takes priority over a motion to indefinitely postpone. So the gentleman's motion is not in order at this time.

The pending question now is the matter of the amendments from the other branch.

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

Mr. KNIGHT: Mr. Speaker, at this time I would move through the proper mechanics to accept the amendments so mentioned, and I would like to speak if I may.

The SPEAKER: The Chair understands the gentleman from Rockland, Mr. Knight, to move that the House concur in the adoption of Senate Amendments B, C, D and F, and the gentleman may proceed.

Mr. KINGHT: As I stated before, one way to kill a bill is to slowly squeeze the life out of it, which apparently is what is being attempted to be done here. I do believe though that a fair compromise can be reached by adopting these amendments. Now there are those who would say that it would be a supreme insult to the working man if this bill with its amendments were to pass. I say it would be a greater insult to the intelligence of the voters of Maine if we were to kill this bill and give the reason for our killing it, that it had too many amendments. No matter how it comes out, if it passes it will be a hundred per cent better than what we have now, because now we have nothing. And as I stated, it is our duty to give the people of Maine a Minimum Wage bill with as few exceptions as possible. However, this bill can-

not become perfection in its first instance.

Two weeks ago the papers carried the headlines, "The House Passes the Dollar Minimum Wage." I need not tell you what the headline last week concerning this measure was. Now the people of Maine are not cognizant of the gymnastics that are possible in this Legislature, and if we were to reverse our previous decision whereby we passed this bill I for one could not go home and justify it with the voters. I now request that when the final vote is taken here it be taken by a roll call.

The SPEAKER: Does the gentleman desire a roll call on his motion to concur in the adoption of Senate Amendments B, C, D and F?

Mr. KNIGHT: Not at this time, Mr. Speaker.

The SPEAKER: The gentleman withdraws his request for a roll call. The pending question is the motion of the gentleman from Rockland, Mr. Knight, that the House concur in the adoption of Senate Amendments B, C, D and F. Is the House ready for the question?

Will all those who favor the adoption of these Senate amendments in concurrence, please say aye; those opposed, no.

A viva voce vote being taken, the motion to accept the Senate amendments prevailed.

The SPEAKER: Is it now the pleasure of the House to recede from the adoption of House Amendment "E" and indefinitely postpone it in concurrence? Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair recognizes the gentlewoman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker, if it would be in order I would like to move the indefinite postponement of this bill and all of its accompanying papers, and speak briefly to the motion.

The SPEAKER: The Chair would advise the gentlewoman that the motion is now in order and the Chair understands the gentlewoman to move the indefinite postponement of this Bill and all accompanying papers; and the gentlewoman may speak to her motion.

Mrs. SMITH: I would like to read to you an editorial in the Kennebec Journal of Friday, May 15, which I think says better than I can what I would like to say to you. It says,

"Shouldn't Maine's two political parties compete for the responsibility rather than the credit for minimum wage legislation?"

"Of course everyone who stands to get a raise will love it.

"But many other serious questions have been raised by those who will pay the bills. One is a rather serious claim that many people of limited or handicapped capacities working for modest pay in retail and service establishments would be raised right out of their jobs.

"Another is that the legislation now shaping up would be so extremely 'liberal' that Maine would be placed at a great competitive disadvantage with other states.

"Quite disturbing are provisions that would allow the Department of Labor and Industry to examine all of an employer's books. Can it be that staid old Maine has moved this far off its bedrock of free enterprise?"

"On the other side of the coin are proponents' claims that Maine is far behind the times in wage legislation, and that its representatives are out of touch with the people in this respect.

"It would seem a great deal more debate is needed on these and other counter claims before taking the plunge. If it is to be taken, perhaps a great deal more work needs to be done, especially in behalf of those who might be hurt by legislation they think will help them.

"As for the bandwagon scramble, aren't the great majority of Maine voters serious minded people who place responsibility above expediency?"

And I am sure that there are enough members in the House this afternoon who may well take this to heart and I hope you will go along with my motion to indefinitely postpone, and I ask for a roll call when the vote is taken.

The SPEAKER: The Chair recognizes the Gentleman from Rumford, Mr. Aliberti.

Mr. ALIBERTI: Mr. Speaker, may I ask a question through the Chair, please, of the gentlewoman from Falmouth, Mrs. Smith?

The SPEAKER: The gentleman may proceed.

Mr. ALIBERTI: Would you be kind enough to tell me who wrote that article?

The SPEAKER: The gentleman from Rumford, Mr. Aliberti, addresses a question through the Chair to the gentlewoman from Falmouth, Mrs. Smith, who may answer if she chooses.

Mrs. SMITH: I would not be able to tell you the name of the person but I am sure it could be obtained from the Kennebec Journal editorial staff.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: A great many of the people in my area take the K.J., but none of them have ever told me that they thought that they sent me up here to do what the K.J. wanted done or what the editorial writers thought should be done. They sent me up here to do what I thought was best inasmuch as I have served them in several different ways in my home area, and I am quite surprised that we are going to try and have the newspapers continue to run the affairs of this Legislature. I am sure that you ladies and gentlemen who are sent here, your people expected you to decide this on its own merits, and I hope when the vote is taken that you do decide it on the merits as you feel and vote as you do feel. I hope this indefinite postponement does not prevail, because it surely will make us look real silly to our people back home if we indefinitely postpone it at this time.

The SPEAKER: The Chair recognizes the gentlewoman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker, I only wish to correct the gentleman from Bowdoinham, Mr. Curtis. I did not ask him to vote as the newspaper printed, I only reminded him that they had said the way I felt much nicer than I would be able to say it.

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

Mr. MILLER: Mr. Speaker, now that we are reading and quoting the editorial writers, I would like to put into the records of the House an editorial by James Keller of the New York Mirror on Monday, April 27, 1959: "The annual income of the nation's nearly 44 million families during 1957 may interest you. Here are the Census Bureau figures:

"Four million families received \$10,000 or more;

"Eighteen million had incomes from \$5,000 to \$10,000;

"Fifteen million were in the \$2,000 to \$5,000 range;

"Six and one half million received less than \$2,000 annually.

"Note that while 22 million families received \$5,000 or more in income, approximately the same number took in less than \$5,000 annually.

"If you are blessed with more than the average of worldly goods, help those less fortunate. If you do you will contribute to the economic stability of everyone. Standards of living that include more than the bare essentials of life benefit one and all alike.

"It is a Christlike service to show the same reasonable concern for the economic improvement of the poor that you would expect if you were in their place."

The SPEAKER: Is the House ready for the question?

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

Mr. KENNEDY: Mr. Speaker and Ladies and Gentleman of the House: I rise in support of the motion of the lady from Falmouth, Mrs. Smith. I am sure you all know how I feel about minimum wage. I expressed it on the floor of this House some time ago, and I am still not clear, and I do not believe that we can legislate prosperity in the State of Maine. We tried it in the nation and we did not become successful even then. I am more opposed to this Minimum Wage Bill now with its various amendments than I was in the beginning. I think the machinery of this and the many exemptions is going to be a tremendous tax burden to the people of the State of Maine. We will have

to set up a bureau in the State Department to take care of this thing that will cost I know from \$15,000 to \$20,000. I don't see how it can be helped.

I notice in here too in the declaration of policy it says this: "to provide adequate maintenance and to protect their health and to be fairly commensurate with the value of the services rendered." I think that is quite an important thing, commensurate with the value rendered to the employer. I said this before on the floor of this House that a dollar minimum is not needed in the State of Maine because those who are able to earn a dollar an hour are being paid one dollar an hour, and I think some many more. I think a dollar minimum is too little. That is why I oppose this Minimum Wage Law, and I speak about the women who are not able to earn one dollar an hour but they are able, under the present laws, to earn some money because they don't come under the federal bill.

I hope the ladies and gentlemen of this House will give serious consideration to the cost of administering this Bill if it becomes effective with its various amendments. This should deserve your serious consideration.

The SPEAKER: The Chair recognizes the gentleman from Readfield, Mr. Dumaine.

Mr. DUMAINE: Mr. Speaker, I have become just a little bit confused. I would like to have the Clerk read off by file number the amendments that have been attached to this Bill.

The SPEAKER: The Clerk will read the filing numbers of all the amendments.

The Chair recognizes the gentleman from Kennebunk, Mr. Emmons.

Mr. EMMONS: Mr. Speaker, I am curious, does that mean just the amendments that have been actually adopted?

The SPEAKER: The gentleman from Kennebunk, Mr. Emmons, has addressed a question through the Chair to the gentleman from Readfield who may answer if he chooses.

Mr. DUMAINE: Actually adopted. The ones actually adopted, that have been adopted here today and

those of the members of the other body that are added to this. In other words, all of the filing numbers attached now for becoming law.

The SPEAKER: The Clerk will read the filing numbers of the amendments actually adopted in addition to those which were adopted in the other branch.

The CLERK: House Amendment "A" with filing number 319 adopted in the House on May 7, adopted in the Senate in concurrence on May 14. House Amendment "C" filing number 338 adopted in the House on May 7 and in the Senate on May 14. House Amendment "G" adopted in the House today, May 20 and will be sent up for concurrence, filing number 383. Senate Amendment "B" filing number 379 was adopted in the Senate on May 14 and has been adopted in the House on May 20, and on the same date Senate Amendment "C" with filing number 380 was adopted by the branches, and on the same date Senate Amendment "D", filing number 381 adopted in both branches, and Senate Amendment "F" with filing number 382 also adopted by each branch on the dates given, May 14 in the Senate and May 20 in the House.

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

Mr. KNIGHT: Mr. Speaker, on the amendments I would like to read the Senate ones and make a brief statement. Filing number 379 exempts any individual employed in a business or service establishment which has three or less employees in any one location. Filing number 380 or employed in a private hospital. Filing number 381 exempts any individual employed as a waiter, waitress or service employee who receives the major portion of his remuneration in the form of gratuities, and filing number 382 exempts those employees of summer camps for boys or girls under the age of 19 who are counselors or junior counselors or are regularly enrolled in an educational institution, or are on vacation therefrom.

Originally we had a Bill that quite a few felt that there were not enough exemptions. Others felt

there were too many exemptions, but this has been compromised down to a point where it is time to say stop, and I do not believe that anyone can justify voting against this if they sincerely believe in a minimum wage with the excuse that it has too many amendments, and I hope that when the vote is taken that the motion to indefinitely postpone does not prevail.

The SPEAKER: The Chair will state the pending question. The pending question is the motion of the gentlewoman from Falmouth, Mrs. Smith, that the Bill and all accompanying papers be indefinitely postponed.

The Chair recognizes the gentlewoman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker, has a roll call been requested?

The SPEAKER: A roll call has been requested.

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

Mr. JALBERT: Mr. Speaker, I am not going to make a motion to reconsider, but I intend to vote for this Bill, but I would like to inform the membership in my opinion House Amendment "G" which was passed absolutely nullifies the intent of this Act. I do hope, however, that we have got recourse somewhere else to take care of this one.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentlewoman from Falmouth, Mrs. Smith, that Bill "An Act to Establish a Minimum Wage" and all accompanying papers be indefinitely postponed. A roll call has been requested.

For the Chair to order a roll call, the Chair must have an expression of a desire for a roll call on the part of one-fifth of the Members of the House.

Will those who favor a roll call please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously more than one-fifth having arisen, a roll call is ordered.

Mr. Sanborn of Gorham, who would have voted "yes" had he voted, was excused from voting as he

paired his vote with the gentleman from Biddeford, Mr. Caron, who was absent but would have voted "no" were he present.

Mr. Dudley of Enfield, who would have voted "no" was excused from voting as he paired his vote with the gentleman from South Portland, Mr. Danes, who was absent but would have voted "yes" were he present.

Mr. Bragdon of Perham, who would have voted "yes" was excused from voting as he paired his vote with the gentleman from Brunswick, Mr. Lacharite, who was absent but would have voted "no" were he present.

The SPEAKER: The question before the House is the motion of the gentlewoman from Falmouth, Mrs. Smith, that Bill "An Act Establishing a Minimum Wage" Senate Paper 472, Legislative Document 1337, and all accompanying papers be indefinitely postponed. If you favor the indefinite postponement of this Bill you will say "yes" when your name is called, and if you oppose the indefinite postponement, you will say "no." The Clerk will call the roll.

ROLL CALL

YEA — Bacon, Baker, Brockway, Brown, Bangor; Brown, Ellsworth; Call, Carter, Carville, Caswell, Chapman, Norway; Clark, Cousins, Dumaine, Dunn, Edmunds, Ervin, Good, Graves, Hancock, Hanson, Bradford; Hardy, Harrington, Hobbs, Hodgkins, Jewett, Kennedy, Knapp, Lindsay, Linnell, Mathieson, Monroe, Morse, Perry, Easton; Philbrick, Rollins, Smith, Exeter; Smith, Falmouth; Turner, Walter, Whitman, Williams, Winchenpaw.

NAY — Aliberti, Beane, Briggs, Brown, Cape Elizabeth; Cahill, Chapman, Gardiner; Cormier, Cote, Couture, Cox, Coyne, Crockett, Curtis, Cyr, Augusta; Cyr, Fort Kent; Davis, Calais; Davis, Westbrook; Dean, Dennett, Dennison, Desmarais, Dodge, Dostie, Dow, Dufour, Dumais, Earles, Edgerly, Edwards, Raymond; Edwards, Stockton Springs; Emmons, Frazier, Gallant, Hanson, Lebanon; Harris, Haughn, Heald, Healy, Hendricks, Hendsbee, Hilton, Hughes, Jacques, Jalbert, Jewell, Johnson, Karkos, Kilroy, Kinch, Knight, Lancaster,

Lane, Lantagne, Lebel, Lemelin, Letourneau, Lowery, Maddox, Mathews, Maxwell, Mayo, Miller, Moore, Nadeau, Pert, Pike, Pitts, Plante, Porell, Prue, Rankin, Reed, Rowe, Madawaska; Saunders, Storm, Tardiff, Treworgy, Trumbull, Wade, Walls, Walsh, Weston, Aheaton, Whiting, Young.

ABSENT — Barnett, Baxter, Berman, Boone, Caron, Choate, Christie, Danes, Doyle, Hutchinso, Jones, Kellam, Lacharite, Parsons, Perry, Hampden; Rowe, Limerick; Russell, Stanley, Warren.

EXCUSED — Bragdon, Dudley, Sanborn.

Yes 42, No 86, Absent 18, Excused 3.

The SPEAKER: Forty - two having voted in the affirmative, eighty-six having voted in the negative, with eighteen absent and three excused, the motion to indefinitely postpone does not prevail.

Thereupon, the Bill was passed to be engrossed as amended by House Amendments "A", "C", "D" and "F" in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the second tabled and today assigned matter, House Report "Ought to pass" in New Draft, House Paper 967, Legislative Document 1373, New Title, Bill "An Act to Revise the Maine Housing Authorities Act," House Paper 68, Legislative Document 106, tabled on May 15 by the gentleman from Portland, Mr. Miller, pending acceptance; and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the "Ought to pass" Re-

port was accepted, the Bill read twice and tomorrow assigned.

The gentlewoman from Portland, Mrs. Hendricks, presented the following order out of order and moved its passage:

WHEREAS, the members of the House have learned that yesterday was the birthday of Henry "Hank" Magnusen, TV Cameraman of WCSH-TV,

BE IT ORDERED, that the members of the House extend belated birthday greetings to this fine, young man and their best wishes for the entire year.

The Order received passage. (Applause)

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

Mr. KNIGHT: Mr. Speaker, at this time I would move to reconsider item number one, Bill "An Act Establishing a Minimum Wage" and our action whereby we passed it to be engrossed with the various amendments, and I strongly urge all here to vote against me.

The SPEAKER: The gentleman from Rockland, Mr. Knight, moves that the House reconsider its action whereby it passed to be engrossed Bill "An Act Establishing a Minimum Wage" as amended. Will those who favor the motion to reconsider please say aye; those opposed, no.

A viva voce vote being taken, the motion did not prevail.

On motion of Mr. Perry of Easton,

Adjourned until nine o'clock tomorrow morning.