

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

*One Hundred and Third  
Legislature*

OF THE

STATE OF MAINE

1967

KENNEBEC JOURNAL  
AUGUSTA, MAINE

Bill "An Act Relating to Weight and Weight Tolerance of Vehicles." (H. P. 1132) (L. D. 1608)

Bill "An Act Revising Names of Bureaus in Department of Agriculture." (H. P. 698) (L. D. 979)

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

#### House — As Amended

Bill "An Act Creating the Town of Old Orchard Beach School District." (H. P. 1082) (L. D. 1547)

Bill "An Act Appropriating Funds to Update the Surveys of Penobscot Tribal Lands." (H. P. 751) (L. D. 1098)

Which was read a second time.

(On motion by Mr. Beckett of Washington, tabled and specially assigned for Wednesday, May 10, pending passage to be engrossed.)

Bill "An Act to Enable City of Portland to Establish Sewer Service Charges." (H. P. 946) (L. D. 1377)

Which was read a second time.

(On motion by Mr. Hildreth of Cumberland, tabled pending passage to be engrossed.)

Bill "An Act to Authorize Food Stamp Program in S a g a d a h o c County." (H. P. 660) (L. D. 915)

Bill "An Act Prohibiting Hauling Lobster Pots on Sundays." (H. P. 240) (L. D. 348)

Which were Read a Second Time and Passed to be Engrossed, As Amended, in concurrence.

Bill "An Act to Relieve Elderly Persons from Increases in the Property Tax." (H. P. 953) (L. D. 1384)

Which was read a Second Time and Passed to be Engrossed, As Amended in non-concurrence.

Sent down for concurrence.

#### Senate

Bill "An Act to Share Costs in School Administrative Districts on a Basis Other than State Valuation." (S. P. 621) (L. D. 1617)

Which was Read a Second Time and Passed to be Engrossed.

Sent down for concurrence.

#### Senate — As Amended

Bill "An Act Authorizing Use of Electronic Voting Systems in

Elections and Granting Rule-making Authority." (S. P. 425) (L. D. 1079)

Which was Read a Second Time and Passed to be Engrossed, As Amended.

Sent down for concurrence.

#### Orders of the Day

The President laid before the Senate the first tabled and today assigned matter (S. P. 48) (L. D. 38) Bill, "An Act Increasing Minimum Wages." Tabled April 25, by Senator Harding of Aroostook pending the motion by Senator Sproul of Lincoln to Adopt Senate Amendment "A", Filing S-88.

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President, I now yield to the Senator from Lincoln, Senator Sproul.

The PRESIDENT: The Chair recognizes the Senator from Lincoln, Mrs. Sproul.

Mrs. SPROUL of Lincoln: Mr. President, I would first like to make a parliamentary inquiry. I would now wish to present a Senate Amendment. I think it should be "B".

The PRESIDENT: The Chair would inquire of the Senator if she wishes action to be taken on Senate Amendment "A" which she previously had offered. Senate Amendment "A" has been offered and has been read and the pending question would be on the adoption of Senate Amendment "A". If the Senator does not want Senate Amendment "A" adopted then that would have to be disposed of before we could pass on to Senate Amendment "B".

Mrs. SPROUL: Mr. President, I make a motion that Senate Amendment "A" ought not to pass and I would now present Senate Amendment "B".

The PRESIDENT: The Senator from Lincoln, Senator Sproul now moves that we indefinitely postpone Senate Amendment "A".

The motion prevailed.

The PRESIDENT: The same Senator now presents Senate Amendment "B" and moves its adoption. The Secretary will read Senate Amendment "B".

The Chair recognizes the Senator from Cumberland, Senator Good.

Mr. GOOD of Cumberland: Mr. President, I believe there is some confusion here. I believe that the good Senator from Lincoln, Senator Sproul, intends to offer Senate Amendment "A" to Senate Amendment "A". However, since Senate Amendment "A" has been indefinitely postponed, the offering of Senate Amendment "A" to Senate Amendment "A" is out of order.

The PRESIDENT: The Chair would advise the Senator from Lincoln, Mrs. Sproul, that the Amendment is Senate Amendment "A" to Senate Amendment "A" and, therefore, the action taken of indefinitely postponing Senate Amendment "A" is contrary, I'm sure, to what you wish. The correct motion would be that we reconsider our action whereby we Indefinitely Postponed Senate Amendment "A", then to move the adoption of Senate Amendment "A" and adopt thereafter Senate Amendment "A" to Senate Amendment "A". Assuming that that is the Senator's wish, I will put that motion. Is it now the pleasure of the Senate that we reconsider our action whereby we Indefinitely Postponed Senate Amendment "A"?

The Chair recognizes the Senator from Cumberland, Senator Good.

Mr. GOOD of Cumberland: Mr. President, I wish to oppose the motion of reconsidering Senate Amendment "A". It has been indefinitely postponed. Senate Amendment "A" would affect the retail establishments in this state, all of those doing a gross annual business of less than a quarter of a million dollars, by retaining the hourly rate level for those employees at the present minimum wage of \$1.25. Now, in view of the fact that both the Democratic Platform and the Republican Platform call for increasing the minimum wage to \$1.40 an hour this Fall, and the Republicans to \$1.50 next year, and the fact that the Democratic Platform even called for \$1.60, I would oppose this motion to reconsider this amendment which has been indefinitely postponed.

Now, where does this leave the bill? This leaves the bill where it was when it was tabled almost a month ago on April 12, 1967 in these Senate Chambers where it had received a unanimous ought to pass report from the Committee and the unanimous vote of this Senate.

The minimum wage in Maine today is \$1.25. I think a little review at this time is in order. The first minimum wage law was passed in this state in 1959, a bill that was introduced by the then Senator Ross of Sagadahoc, and it is well and fitting that the bill that we have before us was presented by the much beloved and respected Senator from Sagadahoc, Senator Brewer. After these many years the minimum wage today is \$1.25. Originally it was \$1.00. This bill, as I have said, proposes to raise the minimum wage fifteen cents and hour beginning this Fall. Now, there is a lot of confusion as to the federal law—trying to tie the state law into the federal law. If we tie the state law into the federal law, we would exempt entirely from the minimum wage all those businesses in the state doing less than \$250,000 of business a year. So I'm sure we don't want to follow the federal line. What is the federal law at this time? Now, the federal law enacted in February of 1967, now on the books is \$1.40 for all those businesses engaged in interstate commerce, and it is going to go to \$1.60 one year hence, and time-and-a-half after 40 hours. Time-and-a-half in the State of Maine is only after 48 hours. And the federal law presently applies to all those engaged in interstate commerce of any business doing a business of in excess of a million dollars a year. That is one category of the federal law. Now, they have another category enacted to cover another group of enterprises, including retail stores which is at \$1.00 at this time, but by 1971 is going to go to \$1.60, and that covers all retail stores doing a gross annual business of over half a million dollars, and in 1969 that will reduce to a quarter of a million dollars, and in 1969 that

will reduce to a quarter of a million dollars. So the federal government has left an area there for the states, a gap that the states could fill, all those businesses that are doing a gross annual business of up to a quarter of a million dollars, and that is the bill we are talking about at this time.

There is no amendment to support, except there is a proposal that we reconsider an amendment which would retain retail establishments in the State of Maine doing less than a quarter of a million dollars of business at \$1.25. Now, what are the other states doing, the other New England states? I have some information here that was received yesterday from the other New England states: New Hampshire — their legislature is still in session — and that Committee is going to recommend an increase in the minimum wage to \$1.40 on January 1, 1968 and \$1.60 on January 1, 1969 and they have no dollar volume. This will apply to all retail establishments doing less than a gross annual business of a quarter of a million dollars and, of course, those doing in excess. The bill will be reported out of Committee in the House next week. There will be no change in coverage. Anyone employing one or more in New Hampshire is covered. Those employing less than four in Maine are not covered, but all of them are covered in New Hampshire.

Vermont, no dollar volume, all those employed are covered although they have one employee or more, and they have adopted in Vermont, effective July 1, 1967, a bill increasing the minimum in Vermont to \$1.40. The original bill that was presented in Vermont had exemptions of coverage for establishments covered by the federal wage, but this has since been eliminated in the final bill.

Connecticut reported out of Committee with an increase to \$1.40 effective July 1, 1967 and \$1.60 effective July 1, 1968. Also reported favorably in Connecticut was a 48-hour standard work week when overtime must be paid which would be reduced to 44 hours in July, 1968, 42 hours in July, 1969, and 40 hours in July, 1970. Remem-

ber the overtime provision in Maine is now effective after 48 hours.

Massachusetts - their law presently provides for \$1.40 effective in 1967 and \$1.60 effective in February, 1968.

Rhode Island - both branches have \$1.40 an hour effective in July, 1967 and \$1.60 in July, 1969, but the bill is still in the Senate and they are dickering on the amount of allowance to tip. Presently their minimum wage is \$1.25.

Now, the amendment that the Senator from Lincoln, Senator Sproul, would like to have reconsidered and which I oppose reconsideration of since we have already indefinitely postponed it, would exempt or would retain at \$1.25 all retail businesses in the state doing a gross annual business of less than \$250,000 or a quarter of a million dollars. Now, we are talking about the little fellow. Under the Maine law, the little fellow is already exempt, and any employer employing less than three employees is entirely exempt from the minimum wage law, so you can pay them whatever you want to - more or less than the minimum wage. Now this group, some of them fall into another favored category and in this category you will find some of these people who are permitted under the existing law to remain open on Sunday since they occupy less than 5,000 square feet of floor space or they employ five or less employees. Now, we are not talking about a little fellow. We are talking about who is doing quite a sizeable business because I was recently contacted by two establishments on the main streets in one of our largest cities in the State of Maine and they said that they are doing less than a gross annual business of \$250,000 a year and, therefore, if this amendment is reconsidered and adopted, the wages for their employees will remain at \$1.25.

This amendment has some difficulties of administration. In the amendment that wants to be reconsidered, it says: "Every employer subject to this subchapter shall keep a true and accurate record of the hours worked

by each employee and of the wages paid and in addition" — Now, this would include all those earning a gross of less and more than \$250,000 a year — "and in addition shall submit to the commissioner a sworn statement that the gross income does not exceed the sum of \$250,000 for each retail establishment for the fiscal year in question," Now, we come to the reason why we have a minimum wage. I covered this one time. I'll briefly mention it again.

In a society, socialistic society, where there is free enterprise, competition is keen. One of the easiest ways to meet the competition is to pay your employees less. So, therefore, in the wisdom of the states all over the country they have established a minimum wage. We feel that there are other methods of competition that can be used, such as efficient use of labor itself, efficient operation of management, economy in purchasing and other things rather than use the employee as a pawn in competing with his competitors.

Now, for this employee we want to pay him wages at the minimum of \$1.25. We have here on the Appropriations Table a Current Services and a Supplemental Budget which is going to require this individual to pay two cents additional for his cigarettes—I assume some of them smoke — but we still want to retain him at \$1.25. Some of these employees it is reasonable to suppose buy liquor, and the Governor proposes that the administrative price of liquor be increased. It has also been proposed that the sales tax be applied to installations and repairs of property and this little fellow is going to have to pay that too, and we want him to stay at \$1.25. Being debated this morning over in the House is a bill that would require this fellow getting \$1.25 to pay a sales tax on the trade in of an automobile. Now, we say this is inflationary. It is a spiral. I think the fellow making \$1.25 would be the most surprised person in the world and probably flattered of being the cause of inflation because inflation is not on that level, but probably on the governmental level, state and federal, and we

are probably going to contribute a little to it ourselves. There, everyone has to give a little bit, and perhaps a little inflation is not harmful, provided the personal income of each person can be increased a little bit. Therefore, for each individual getting \$1.25 his income should increase a little bit in order to handle these additional expenses. These people are loyal people. They have their employer at heart, working for him to make a profit. If it wasn't for them, we couldn't be in business. Many of these people in the retail sales have to meet the public. They are expected to dress well and to look well.

I hope that the motion to reconsider the adoption of this amendment does not prevail.

The PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Johnson.

Mr. JOHNSON of Somerset: Mr. President, Ladies and Gentlemen of the Senate: I concur with the remarks of Senator Good and I think he did an excellent job. I would like to say that as Chairman of the Labor Committee, he has been the first one to serve the Committee and has been one of the best. However, I would feel that due to the parliamentary error, I believe, that Mrs. Sproul made that defeated her amendment, that we should allow this to be reconsidered. Her amendment basically deletes those, exempts those from the minimum wage who are dealing in a business of less than \$250,000. Her amendment to her amendment, in other words, she lost her vehicle here that she was going to use, and her amendment to her amendment increases the minimum to \$1.30 in these establishments that do business of less than \$250,000. I would feel that our vote should be taken on her amendment. I think it would be the fair thing to do.

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

Mr. GOOD of Cumberland: Mr. President, I am going to oppose the reconsideration of the motion. I think this is the issue at hand,

and I think this is the thing to decide and decide right now.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, Ladies and Gentlemen: I am a retailer. God has been good to me. I do more than \$250,000 a year. This amendment of Senator Sproul's would give aid and comfort to the enemy, being my competitors, and yet I rise in support of Senator Sproul because I think there is substantial merit to what she is saying here today. There is a very real difference between a big business man and a little business man, and I would submit that a man doing less than \$250,000 a year these days on main street is a small business man. For many years, many of those who are on main street have been competing in business on different levels as have Sears, or J. C. Penney's and Woolworth's. For a long time they have been required by federal standard to pay a greater minimum wage than we have. This has made a difference to us. They have permitted us to be competitive and to grow. And, I feel because I am also in the liquidation business, I do feel it is the small store that continually falls by the wayside and goes out of business. It is not the large store. I have consistently voted for every minimum wage bill I have had an opportunity to vote for, but today in fair conscience I can stand here and say that Senator Sproul's position has substantial merit, which I as a retailer can appreciate, and consequently I will support the motion for reconsideration and also her amendment, and I hope that you will all vote for it too.

The PRESIDENT: The Chair recognizes the Senator from Lincoln, Mrs. Sproul.

Mrs. SPROUL of Lincoln: Mr. President, Members of the Senate: I would support the motion for reconsideration for the following reasons: The retail industry has unique problems that are not taken into consideration by the bill, unless this amendment is passed.

It is interesting to note that the following total exemptions are

already in force, and these exemptions are not changed:

1. Any individual employed in agriculture.

2. Any individual employed in domestic service in or about a private home.

3. Any individual employed as a waiter, waitress, carhop, doorman, bellhop, chambermaid or persons whose earnings are derived in whole or in part from commission sales.

4. Taxicab drivers.

5. Employees of non-profit organizations.

6. Counselors or anybody under 19 who are regularly enrolled in an educational institution.

7. Fishing industry as a whole including catching, harvesting, packing, propagating, processing, marketing, freezing, curing, storing, smoking or distributing these products.

8. Switchboard operators of exchanges less than 750 stations.

9. Homeworkers doing piece-work at home.

10. Members of family of the employer.

11. Executives, administrative or professional workers.

12. Concerns with less than 4 employees.

The individuals covered under these exemptions are completely exempt from any coverage at any rate by the present and proposed law. There are excellent reasons for this. However, I feel that the retail industry also has valid reasons for being entitled to an exception regarding the increased rate.

It should be noted that only three states have a higher minimum wage than our \$1.25. Also only ten states have the same minimum that we have here under the present law. Thus, 36 states have no minimum or lower wage minimums than does Maine. Maine minimum wage law at the present time exceeds that of the federal government in regards to small and medium retailers in the under \$500,000 category and will continue until 1969.

A district supervisor of a national chain of variety stores called me this last weekend. He has twenty branches in Maine and New Hampshire and he has personally in-

formed me that his company, while not affected by this bill as all of their units are under the federal law, felt the legislature should be advised that they are closing all units doing less than \$750,000 as soon as leases expire as being unprofitable under the \$1.40 federal minimum. This makes this amendment more imperative than ever.

We must remember an increase in minimum wage is not just an increase at the bottom, but an increase across the board as wage differentials must be maintained in order to keep good employees.

The retail industry does a real service to the marginal worker. This I have seen many times. The unskilled, the very young and the older workers have always found a haven in retailing. This individual's right to work must also be protected. This amendment will do much towards insuring that job opportunities are available to them.

My amendment will not deprive one single individual now covered by the law from the protection of minimum wage legislation. Rather it will give protection to many, many individuals whose skill, ability, age, and temperament lends most all to the retail industry.

I feel that we are most short-sighted right now if this amendment were not passed.

I also would like to say something about what the good Senator has talked about. He said the competition is keen. It is keen and I know why. I spend many hours in the store, and I know exactly what goes on. Now, if they if the Senators have the picture in mind that the salesman is one who stands behind the counter, and takes in the profits and it's an easy job, I can assure you it isn't. I have seen many people come in the store and the first thing they do, they want to buy, that's true, but if you are selling stockings then they will finally find a snag in the stocking. If they are looking at furniture, they always manage to find a scratch or something and so they want a little off on discount. All those things, the storekeeper must compete with.

And then also there is the sales tax. How many times do you gentlemen Senators realize how many people go in the store and say, "I know it's not legal, but will you absorb the sales tax"? These are all things that have to be considered. The storekeeper has his profit to make. We'll get along even with this minimum wage which is proposed, but the answer to it will be that he will just fire some of the men and women that he has hired and here again I know of where I speak. In the Town of Damariscotta we have a man who owns a variety store which is a five and ten. In the summer he hires five employees. He says if this wage goes through he will not hire five employees. I know another who owns a woman's shop in Damariscotta which is another town in my area. He says that "In the Town of Boothbay Harbor I maintain a store in the winter and hire a girl and keep the store open all winter long." If this bill goes through he will not keep the store open in Boothbay Harbor all winter long, and I know why he won't. I have campaigned in Boothbay Harbor many a time and I have been down there before this store was purchased by this particular gentleman and the store was not open in the winter because there is not enough profit there in Boothbay Harbor to keep the store open.

The thing that I am trying to say to the gentlemen of the Senate is that I feel that the amendment which I am trying to introduce is a legitimate one. I have talked with many, and it seemed a little wise at this stage to introduce the minimum at \$1.30 and that is what I am doing. I am also glad that the bill was introduced by the much beloved and respected, Senator Brewer, and I am sure I can go along with that, but it also leaves me in the position where I feel I am in the way and that is public enemy number one.

The PRESIDENT, The Chair recognizes the Senator from Sagadahoc, Senator Brewer.

Mr. BREWER of Sagadahoc: Mr. President, I feel I can appreciate



the pressure my good friend from Lincoln, Senator Sproul, has been under, and I likewise can remember the same pressure. However, at this particular time I would agree with the Senator from Somerset that we should reconsider our action to allow this amendment to be put on the floor and I would make a subsequent motion after that.

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

Mr. GOOD of Cumberland: Mr. President, I will be happy to vote to reconsider the action of the Senate whereby we indefinitely postponed the amendment of the Senator from Lincoln, Senator Sproul. I hope that everyone else will vote for reconsideration, then we can make the necessary motions after that.

However, the Senator from Lincoln, Senator Sproul, mentioned about the exemptions; waiters, waitresses, bellhops, chambermaids; yes, they are exempt under the present law, but we are going to report out of the Committee unanimous "Ought to Pass" that these people be classified as service employees and for the first time come under the minimum wage, and also this bill which we're going to report out of Committee that Senator Sproul said that the students were not subject to the minimum wage will provide coverage for the first time for students under the age of 19 at the rate of 75 per cent of the minimum wage. Furthermore, the amendment that we are going to reconsider here, and I hope we reconsider it, does not apply to hotels, motels and restaurants. All we are talking about here, and all we are trying to give a special privilege to is retail stores.

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

Mr. HILDRETH of Cumberland: Mr. President, Ordinarily I would have waited to speak later, but since we seem to be debating this matter, I might as well speak. Even though I am going to vote for reconsideration, I want to make it clear that I am opposed to Senate Amendment "A" and the pro-

posed Senate Amendment "A" to Senate Amendment "A" which has been printed and distributed.

The arithmetic of the minimum wage is both simple and depressing. The proposed amendment at a 40-hour week. If you base this \$1.25 an hour — it is very easy to do the necessary calculations and come out with a gross wage of \$50 per week if you base it on a 52 week year, you get a gross annual income of \$2,600 a year. Moving up to the amount suggested by the Senate Amendment "A" to Senate Amendment "A" of \$1.30, we come out at \$52 per week or for a year a gross wage of \$2,712. At the level proposed by the bill as written, endorsed by the Labor Committee, you are still only talking a wage of \$56 per week or a total gross pay of \$2,912 per year. Now the gross wage is considerably higher than the actual take home pay to these individuals. Definitions are sometimes thrown around as to what constitutes poverty. I don't necessarily agree with this definition, but it is one we can certainly look at when comparing what gross wage would be under the present law with the \$2,600 under the proposed amendment and compare with it what the federal government considers a \$3,000 a year minimum.

The Republican Party, I think, made the commitment. Reading from the platform of the Republican Party it says: "We advocate increasing the present minimum wage to \$1.40 per hour to be raised to \$1.50 per hour in the second year of the biennium." This is a commitment that we made with our eyes open and I think that we should honor it. Thank you very much.

The PRESIDENT: The Chair recognizes the Senator from Lincoln, Mrs. Sproul.

Mrs. SPROUL of Lincoln: Mr. President, I appreciate the remarks the gentleman made to the platform. I opposed the platform in this respect, although I was glad to support it in other respects. Not everyone in the state has been in on the platform committee nor have they been to

conventions, and I feel that I have a commitment to people, both Republicans and Democrats alike, and just briefly I am not going to read all this, there are only 39,320 employees in all retail establishments in Maine. The U. S. Department of Census advised us the following figures: In 1963 the retail establishments in Maine were 10,093 doing a volume of \$1,185,000,000. Since that time according to the Director of the Bureau the volume has increased 20 per cent, but the number of establishments remained the same. Later on, I have facts and figures, I don't know if I can find them just now, but Dun and Bradstreet shows just how many of the establishments are not surviving the competition. These are the things I'm worrying about. These small businesses are the backbone of our society and they need this exemption. There is no point of my saying any more. I feel very sincerely, and I hope that the Senate adopts the motion for reconsideration.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Penobscot, Senator Stern.

Mr. STERN of Penobscot: Mr. President and Members of the Senate: This is another subject that I don't know anything about, but I have been listening to the debate and I couldn't resist getting up in support of Senator Sproul and Senator Katz.

You know, I ought to have another amendment and I ought to include myself in it. Lately there is such a thing as carrying this minimum wage much too far. There was a time when I had to engage help to do something around the house; I couldn't even pound a nail. Everything I had to do, I would get someone. After a while when I was able to get someone to come in they said, "Well, Mr. Stern, the minimum wage is so much." I said "Well, that isn't a problem; I want someone to take off my storm windows." After a while, this went on, and then I couldn't find anyone to do anything. Everybody wants to be a executive. I have to do this myself, and I can't take storm

windows off. As a result my golf game is being affected. My wife won't let me play golf. Now, there is such a thing as carrying this too far, and I mean it. There is no base to it now; everyone is getting more than the minimum wage. No one wants to do any work. The executives have to do their own work, and I am not an executive. But I do just want to point out my own personal problem. There is such a thing as carrying this too far. I think there should be exemptions, and I think the one proposed by Senator Sproul is valid, and I certainly am strongly in support of her position.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Lund.

Mr. LUND of Kennebec: Mr. President and Members of the Senate: I hesitate to debate this issue any longer for fear that I will be holding the good Senator from his golf game. I do think we have serious questions to consider today.

We have heard discussion here today about things and people being the backbone. I would suggest to you that the people who are going to be affected by this amendment, if it is adopted, are the backbone of many of our small towns and communities here in Maine. If we adopt this amendment we will be drafting into our law a new exemption, and I think all of us who have watched legislation over the years know how difficult it is to root out a new exemption once it finds its place in the law. I don't think anybody here knows how many thousands of people will be kept at either \$1.25 or \$1.30, whatever it might be. Assuming it is the \$1.30 we are talking about, we don't know how many thousands will be kept at that wage rather than the proposed new minimum wage of \$1.40. However good - and I am convinced of the good intentions of the sponsor of this amendment - I would point out that the amendment is attempting to masquerade as help for the small stores the larger stores, if you will. As has been pointed out, these stores don't need exemptions because they already have them. As this amendment

is drawn it will affect chains, no matter how many dozens of stores they may have, provided the outlet of the establishment in question, each individual store, does not earn over the gross of a quarter million. I would point out to you that benefitting from this exemption will be a number of chains that enjoy the economy and the large buying power inherent in larger establishments. I would suggest to you that if this amendment is adopted it will be going far beyond what the intents are of providing exemptions for the smaller stores.

I would also like to remind the members of the Senate, if I may, that, when it is time to celebrate the benefits of the business community, merchants are often fond of talking about how much money they inject into the community economy each year. I would point out to you that these people who are making \$1.25 or \$1.40, they are not banking very much of this money. I think if you will do a little arithmetic you can see that they are not. So that every nickel and every dime that they receive is not going to be salted away; it is going back into the community. I say to you that if we defeat this amendment we will be striking a blow for a stronger economy in our Maine communities.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Farley.

Mr. FARLEY of York: Mr. President and Members of the Senate: In fair play I am going to vote with the lady from Lincoln, Senator Sproul, for reconsideration. I would like to say to the members of the Senate, coming from the community of Biddeford, and also representing York County, I have only gotten one letter against this bill, and that came from a laundry in Kennebunk. When the vote is taken, when we reach this bill, I will vote for the bill.

The PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Sproul.

Mrs. SPROUL of Lincoln: Mr. President, I would ask permission to speak a third time. I know I have spoken twice already.

The good Senator from Kennebec has spoken about stores and the little fellow — these weren't just his words — but he feels that the small storekeeper is not under consideration here, but I do not feel that a store hiring five employees is a large store.

Let me point out what I say here: During the winter it is customary to keep people standing around when we don't really need them. The thought is that they are there, they are used to working, they like to come to work, and so the retailer keeps them around. Certainly he can send them home for a few hours and still manage to comply with the law but, as I say, he keeps them around, and it makes a better relationship. And this is one thing that I want to point out to you.

Another thing the good Senator brings out is the benefits it brings the storekeeper. He no doubt pictures in his mind his being on the main street, or wherever the particular store is, as one who stays in his store and reaps all the benefits. But he is also in a very good position for every single drive, every single project that comes up, every beano, every hospital drive, every single thing that comes along in the town. They say, "Now, the first thing we will do is go right down town and we will ask so and so for a donation." If this is one of the benefits of being a storekeeper, I will still support my motion.

The PRESIDENT: Is the Senate ready for the question? The pending question is on the motion of the Senator from Lincoln, Mrs. Sproul, that we reconsider our action whereby the Senate indefinitely postponed Senate Amendment "A".

As many as are in favor of the motion will say "Yes." Those contrary-minded, "No."

A viva-voce vote being taken, the motion to reconsider prevailed.

The PRESIDENT: The Senator from Lincoln, Senator Sproul, now offers Senate Amendment "A" to Senate Amendment "A" and moves its adoption.

Senate Amendment "A", Filing No. S-111 to Senate Amendment

"A", Filing No. S-88, was read by the Secretary as follows:

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

Amend said Amendment by striking out in the last line of the 3rd paragraph the underline figure "\$1.25" and inserting in place thereof the underlined figure \$1.30'

The PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Brewer.

Mr. BREWER of Sagadahoc: Mr. President, I would move the indefinite postponement of Senate Amendment "A" to Senate Amendment "A".

The PRESIDENT: The Senator from Sagadahoc, Senator Brewer, now moves that we indefinitely postpone Senate Amendment "A" to Senate Amendment "A".

The Chair recognizes the Senator from Sagadahoc, Senator Brewer.

Mr. BREWER of Sagadahoc: Mr. President and Members of the Senate; This is as good a time as any, I suppose, to make a few remarks. I can appreciate the remarks of the good Senator from Cumberland, Senator Good, in respect to the legal aspects of the amendment. As to the good Senator from Penobscot, I can also appreciate his remarks, although I do not agree with the compassion that he showed yesterday on one particular bill that he should have less compassion for the number of employees that are involved in this bill.

I would like to discuss the human aspects of what we are doing here. What we are doing is watering down our minimum wage bill in an area that we shouldn't do. Now, no one knows the exact number of employees that this will affect. I have talked with the Labor and Industry Department of the State, and I can't come up with any firm figures, although they do say that it will affect seven to ten thousand people. Now, we all know the costs of the State Government. We have been here long enough, and those of us who have been here for more than one session know full well that our current services budget for the last 12

or 14 years has gone up from \$75,000,000 to over \$200,000,000. And that is not all due to the cost of living, but a good portion of it is. Now, the people that will be paid under the minimum wage \$1.25, we can hardly blame them for inflationary measures. I think we can hardly blame the Legislature either. I think it goes right back to the federal level where the wage guide lines are broken every day, which tends to make our economy inflationary.

Now, these people have to live. And, as the Senator from Cumberland, Senator Hildreth, has stated — he gave you the figures which I had intended to use, of what these employees get over a year's time. Now, our own state agency sets our poverty level at \$3,000, and it goes downward. Well, when we go to \$1.50 it will be just about what the poverty level is now. Two years hence, who knows, the poverty level may be \$4,000.

Now, in this session of the Legislature we are considering exempting elderly people from increased real estate property tax up to \$4,000. These are people that have their families grown up. They may be individuals and they may be just husband and wife. If we don't consider increasing our minimum wage, surely we will have to consider exemptions for these people somewhere along the line.

I had it advanced to me yesterday by a businessman that a dishwasher who was worth \$1.00 an hour eight years ago is still only worth \$1.00 an hour. Now, I can't buy this philosophy, because we have people in other brackets like mechanics and welders - we have welders that ten years ago were worth \$1.50 an hour that are getting over \$3.00 a hour now. If we were to apply that philosophy we would pay them \$1.50 an hour. A dishwasher is just as good a hardworking employee, and he or she should have an increase according to the cost of living.

The good Senator from Lincoln, Senator Sproul, has brought up the problem of people hanging around the store and not working. We are not concerned with the problem

of an individual storekeeper in relation to hiring and firing or laying off if business is no good. What we are basically interested in is what we should work towards to give our people a wage so they can at least have a good standard of living or a fair standard of living. I would hope that the motion to indefinitely postpone would prevail.

The PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, when the vote is taken, I would respectfully request that a roll call be had.

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

Mr. GOOD of Cumberland: Mr. President and Members of the Senate: I support the motion of the Senator from Sagadahoc, Senator Brewer, to indefinitely postpone Senate Amendment "A" to Senate Amendment "A". Senate Amendment "A" would provide that these retail stores pay their employees 10 cents an hour less than the bill itself provides for other establishments.

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I rise to support the motion of the Senator from Sagadahoc, Senator Brewer for indefinite postponement of Senate Amendment "A" to Senate Amendment "A".

I would mention that the good Senator from Penobscot, Senator Stern, and the good Senator from Kennebec, Senator Katz, have both shown so much compassion on so many other items. I noticed in particular, so far as the good Senator from Kennebec is concerned, Senator Katz, he is interested in increasing teachers' pay, and I am too, and I hope the Senator will change his mind and vote with us on this particular item, as well as the good Senator from Penobscot, Senator Stern. I would like to see a good vote for the working man of Maine.

The PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Sproul.

Mrs. SPROUL of Lincoln: Mr. President and Members of the Senate. Now I am on my feet again, and I assure you that this is my last stand on this. We are talking about compassion and we are talking about the elderly workers and so on, but the thing I am trying to say to you is that in retailing we have a place for the elderly workers. You see them in the stores, you see them in the five and tens. We can absorb them. The retailer can absorb them at a price he feels he can pay. I, for one, feel that is being more compassionate than having them stay home with no job at all. I will still support my motion.

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

Mr. STERN of Penobscot: Mr. President and Members of the Senate: Just briefly, as I hear more of this debate I am more strongly in support of Senator Sproul's position. It seems to me, just as she says, that we would be much more compassionate in permitting an exemption to these stores of under \$250,000. I know my own personal problem, just as I have stated to you, and it seems to me that these small stores are going to have their problems getting anyone to work for them unless they approach this minimum wage. Because all around us they are paying this minimum wage and much more. Unless this job is suitable to their needs — unless this is something where they couldn't do anything else — they would not work in these small retail stores. I think by passing this amendment we would give them an opportunity under particular circumstances to work where they want to work, knowing full well that they could get a job in any area surrounding them for much more, so I feel all the more strongly that there should be an exemption for all retailers doing under \$250,000.

The PRESIDENT: Is the Senate ready for the question?

The pending question is on the motion of the Senator from

Sagadahoc, Senator Brewer, that we indefinitely postpone Senate Amendment "A" to Senate Amendment "A". The Senator from Franklin, Senator Mills, has requested a roll call. In order for a roll call there must be an expressed desire of at least one-fifth of the members present. Those in favor of a roll call will stand and remain standing until counted.

Obviously enough Senators having stood for a roll call, we will take the vote by the "Yeas" and "Nays." Those in favor of the motion to indefinitely postpone Senate Amendment "A" to Senate Amendment "A" will answer "Yes"; those opposed to the motion "No." The Secretary will call the roll.

#### Roll Call

YEAS: Senators Albair, Berry, Boisvert, Brewer, Campbell, Couturier, Curtis, Duquette, Farley, Ferguson, Girard, Good, Harding, Hildreth, Hoffses, Johnson, Lund, Mills, Norris, Sewall, Young.

NAYS: Senators Anderson, Barnes, Beckett, Greeley, Katz, MacLeod, Reny, Ross, Snow, Sproul, Stern, Viles, Wyman.

21 Senators having voted in the affirmative, and 13 Senators having voted in the negative, the motion prevailed and Senate Amendment "A" to Senate Amendment "A" was indefinitely postponed.

Thereupon, on motion by Mr. Brewer of Sagadahoc, the Senate voted to indefinitely postpone Senate Amendment "A", and the Bill as amended by Committee Amendment "A" was passed to be engrossed.

Sent down for concurrence.

The President laid before the Senate the second tabled and today assigned matter, (H. P. 910) (L. D. 1320) Bill, "An Act Relating to Survey of Private Sewage Disposal Systems by Department of Health and Welfare." Tabled April 28 by Senator Viles of Somerset, Pending Passage to be Engrossed.

The PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Viles.

Mr. VILES of Somerset: Mr. President, I yield to the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: This bill provides for a statewide survey by the Sanitary Engineering Division of the Department of Health and Welfare of all private sewer systems. This would include isolated septic tanks and any form of water treatment plant any time and any place. I think that the philosophy of the bill is very good and I do want to, at the outset, make my peace with the Natural Resources Committee, but I do feel that this is a huge task, and it would require far more money than is provided in the bill.

I believe we have no trouble with the present law which provides that our local plumbing inspectors handle problems like this within the organized community, and the Division of Sanitary Engineering handle otherwise. I think the philosophy is fine, but I don't believe, quite frankly, that we even need it nor are approaching it in a practical manner. Accordingly, I would move that this bill be indefinitely postponed.

The PRESIDENT: The Senator from Cumberland, Senator Berry, moves that we indefinitely postpone House Paper 910, L. D. 1320.

The Chair recognizes the Senator from Kennebec, Senator Lund.

Mr. LUND of Kennebec: Mr. President, I move that this bill be placed on the table until the next legislative day.

The PRESIDENT: The Senator from Kennebec, Senator Lund, moves that this item be retabled and specially assigned for the next legislative day, pending the motion of the Senator from Cumberland, Senator Berry, that the bill be indefinitely postponed.

The motion prevailed, and the Bill was retabled and tomorrow assigned.

The President laid before the Senate the third tabled and today assigned matter, (S. P. 50) (L. D. 40) Bill, "An Act Relating to Membership of State Soil and Water Conservation Committee." Tabled April 28 by Senator Hoffses