

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

Volume II

May 10 to June 15, 1967

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Re-election" sub-title. The sample ballot which has been distributed was copied from the so-called Massachusetts ballot, where candidates for re-election can have that, and do. That is why this is typed on here. This bill does not provide that. Of course, as incumbents, I am sure that we all see the value of having the people know that we are up for re-election.

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

Mr. STERN of Penobscot: Mr. President, if my name started with an "A" I probably would be for this bill.

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

Mr. SNOW of Cumberland: Mr. President and Members of the Senate: I should say that my name starts with "S", as does Senator Stern's and I favor this bill. Two years ago when it was my pleasure to introduce a measure eliminating the big box at the top of the ticket we considered this type of legislation, but did not feel it would have the opportunity for enactment, so I favor this one. I would support everything that the Senator from Hancock, Senator Anderson, said. I would note that Senator Berry remarked that this had been copied from the Massachusetts ballot, and in Massachusetts I have not noted any diminution of party interest as a result of this.

The PRESIDENT: The pending question is on the motion of the Senator from Hancock, Senator Anderson, that we accept Report "A", Ought to Pass.

As many as are in favor of accepting the Ought to Pass Report of the Committee will stand and remain standing in their places until counted. Those opposed to the motion will now stand and remain standing until counted.

A division was had. 20 Senators having voted in the affirmative, and 11 Senators having voted in the negative, the Ought to Pass Report of the Committee was accepted in concurrence.

Senate

Ought Not to Pass

Mr. Hoffses for the Committee on Inland Fisheries and Game on Bill, "An Act Increasing all Resident Fish, and Game Licenses." (S. P. 299) (L. D. 738) reported that the same Ought Not to Pass.

(On motion by Mr. Hoffses of Knox, tabled pending acceptance of the Committee report.)

Mr. Hoffses for the Committee on Inland Fisheries and Game on Bill, "An Act to Increase Resident Hunting and Fishing Licenses." (S. P. 300) (L. D. 739) reported that the same Ought Not to Pass.

(On motion by Mr. Hoffses of Knox, tabled pending acceptance of the Committee report.)

Mrs. Sproul for the Committee on Towns and Counties on Bill, "An Act Relating to Penalty for Exceeding Appropriation for Economic and Recreational Development in Oxford County." (S. P. 514) (L. D. 1227) reported that the same Ought Not to Pass.

(On motion by Mr. Ferguson of Oxford, tabled pending acceptance of the Committee report.)

Ought to Pass

Mr. Hildreth for the Committee on Industrial and Recreational Development on Bill, "An Act to Preserve and Enhance Scenic Values in the State of Maine." (S. P. 500) (L. D. 1215) reported that the same Ought to Pass.

Mr. Curtis for the Committee on Liquor Control on Bill, "An Act Directing Review of the Liquor Laws." (S. P. 274) (L. D. 654) reported that the same Ought to Pass.

Which reports were Read and Accepted, the Bills read once and tomorrow assigned for Second Reading.

Ought to Pass As Amended

Mr. Good for the Committee on Labor on Bill, "An Act Revising the Minimum Wage Law." (S. P. 91) (L. D. 172) reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-127)

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

Mr. GOOD of Cumberland: Mr. President, I move that the Senate accept the unanimous Ought to Pass report of the Committee, and I would like to speak to that motion.

The PRESIDENT: The Senator from Cumberland, Senator Good, moves that the Senate accept the unanimous Ought to Pass, As Amended, report of the Committee.

The Chair recognizes that Senator.

Mr. GOOD: Mr. President and Members of the Senate: This bill, briefly, does two things. The present law exempts from the Minimum Wage Law all students under the age of 19 who are attending school or are on vacation therefrom. Now, this bill, which we are highly in favor of, would for the first time bring students under the age of 19 under the Minimum Wage Law at 75% of the prevailing minimum wage at that time. As I have cited before here in the Senate, there are many students now who are in federal employment who are receiving the federal minimum wage of \$1.40. If the Maine minimum wage goes to \$1.40, and we are all in hopes that it will, the students' minimum wage will only be \$1.05, but it will be better than what we have now.

There has been information compiled by the Department of Industry and Labor in this State, and I can quote from the figures, where we have students being paid as low as 40 cents or 50 cents an hour.

The second thing that this bill does: the present law reads that waiters, waitresses, chambermaids, bellhops, doormen now in certain instances are exempt from the minimum wage, and in some instances are underpaid. Of course, in many instances they are being adequately paid by the employer. But the purpose of this is to bring all of those people into a category known as "Service Employees," and they would be, briefly speaking, guaranteed a minimum wage, if it goes to \$1.40, they would be guaranteed \$1.40. However, the employer can credit towards that \$1.40, up to 50% of \$1.40, if

the service employee actually receives 50% of his wages in tips. If that service employee only receives 30 cents an hour in tips, and the minimum wage is \$1.40, then the employer would have to pay the difference, or \$1.10. Thank you.

The PRESIDENT: Is it now the pleasure of the Senate to accept the Ought to Pass as Amended Report of the Committee?

The motion prevailed, and the Bill was read once.

Committee Amendment "A", Filing No. S-127, was read by the Secretary as follows:

COMMITTEE AMENDMENT "A" to S. P. 91, L. D. 172, Bill, "An Act Revising the Minimum Wage Law."

Amend said Bill by striking out all of section 2.

Further amend said Bill by renumbering sections 3 to 8 to be section 2 to 7.

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

Mr. GOOD of Cumberland: Mr. President, I wanted to speak in favor of the adoption of the amendment, and I would like to say what the amendment does. We have been wrestling with the amendment for weeks.

This amendment would continue to exempt students who are working for summer camps such as dishwashers, and those who are working on the grounds, so that they would continue to be exempt from the minimum wage, and the camp owners would not have to pay them the minimum wage. As I say, we struggled with this for a long time, and we felt for the time being they should continue to be exempt.

I think the thing that convinced me was that a lot of these students who are working in summer camps are there 24 hours a day — they are not working 24 hours a day, but they are there 24 hours a day — and the camp owner, of course, has the responsibility for them day and night. And there was some evidence presented at the hearing which would point up that they were being paid the minimum wage. In some of these camps they were taking into consideration that the board and room

amounted to \$16.50 a week. So, what I am trying to say is that this amendment would continue to exempt students working in summer camps, but nowhere else. And, of course, the counselors would continue to be exempt and, therefore, I move the adoption of the amendment.

The PRESIDENT: Is it now the pleasure of the Senate to adopt Committee Amendment "A"?

The motion prevailed, and the Bill, as Amended, was tomorrow assigned for second reading.

Ought to Pass — in New Draft

Mr. Snow for the Committee on Education on Resolve, Appropriating Funds for Operation of Advisory Committee on Education. (S. P. 387) (L. D. 1021) reported that the same Ought to Pass in New Draft (S. P. 645) (L. D. 1651).

Which report was read and accepted and the Bill, in New Draft, tomorrow assigned for Second Reading.

Divided Report

The Majority of the Committee on Towns and Counties on Bill, "An Act to Authorize Lincoln County to Raise Money for Court House Capital Improvements." (S. P. 485) (L. D. 1206) reported that the same Ought to Pass.

(Signed)
Senators:

COUTURIER
of Androscoggin
SPROUL of Lincoln
MILLS of Franklin

Representatives:

FARRINGTON of China
CROMMETT
of Millinocket
WIGHT of Presque Isle
MEISNER
of Dover-Foxcroft

The Minority of the same Committee on the same subject matter, reported that the same Ought not to Pass.

(Signed)

Representatives:

ROBERTSON of Brewer
SNOWE of Auburn
NADEAU of Sanford

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

Mrs. SPROUL of Lincoln: I move that the Majority Ought to Pass report of the Committee be accepted.

The PRESIDENT: The Senator from Lincoln, Mrs. Sproul, moves that we accept the Majority Ought to Pass report of the Committee.

The Chair recognizes the Senator from Androscoggin, Senator Couturier.

Mr. COUTURIER of Androscoggin: Mr. President, I would only like to say that I know personally that those members who signed the Ought Not to Pass report on this bill did so very reluctantly because they have great respect for the Chairman of our Committee.

The PRESIDENT: Is it now the pleasure of the Senate to Accept the Majority Ought to Pass report of the Committee?

Thereupon, the Senate voted to Accept the Majority Ought to Pass report of the Committee. The Bill was read once and tomorrow assigned for second reading.

Second Readers

The Committee on Bills in the Second Reading reported the following:

House

Bill, "An Act to Incorporate the Town of Richmond School District." (H. P. 1052) (L. D. 1526)

Bill, "An Act Relating to Publication of Notice for Public Hearing for Applications for Liquor Licenses." (H. P. 854) (L. D. 1267)

Which were read a second time and Passed to be Engrossed in concurrence.

House—As Amended

Bill, "An Act Relating to Aid for Persons Injured in Hunting Accidents." (H. P. 272) (L. D. 472)

Bill, "An Act Relating to Disposition of District Court Funds." (H. P. 1000) (L. D. 1462)

Bill, "An Act Relating to Licensing and Regulation of Use of Explosives." (H. P. 107) (L. D. 134)

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