

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Fifth

Legislature

OF THE

STATE OF MAINE

1971

KENNEBEC JOURNAL
AUGUSTA, MAINE

"Yes" vote will be in favor of accepting the Minority Report; a "No" vote will be opposed.

The Secretary will call the roll.

ROLL CALL

YEAS: Senators Bernard, Carswell, Clifford, Conley, Danton, Graham, Harding, Kellam, Marcotte, Martin, Minkowsky, Violette and President MacLeod.

NAYS: Senators Anderson, Berry, Chick, Dunn, Fortier, Greeley, Hichens, Hoffses, Johnson, Katz, Levine, Moore, Peabody, Quinn, Schulten, Sewall, Shute, Tanous and Wyman.

A roll call was had. Thirteen Senators having voted in the affirmative, and nineteen Senators having voted in the negative, the motion did not prevail.

Thereupon, the Majority Ought Not to Pass Report of the Committee was Accepted.

Sent down for concurrence.

The President laid before the Senate the seventh tabled and specially assigned matter:

Bill, "An Act Prohibiting the Turning Back of Speedometers or Odometers on Motor Vehicles." (H. P. 1244) (L. D. 1553)

Tabled—April 15, 1971 by Senator Levine of Kennebec.

Pending — Adoption of Senate Amendment "A" Filing S-74 to House Amendment "A" Filing H-102.

Thereupon, Senate Amendment "A" to House Amendment "A" was Adopted and House Amendment "A", as Amended by Senate Amendment "A" thereto, was Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate the eighth tabled and specially assigned matter:

Bill, "An Act Increasing Minimum Wages." (S. P. 16) (L. D. 44)

Tabled — April 15, 1971 by Senator Tanous of Penobscot.

Pending — Adoption of Senate Amendment "A" Filing S-68.

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

Mr. KATZ of Kennebec: Mr. President, it has been a while since

I presented Senate Amendment "A". It is a very simple amendment, if you will notice under Filing S-68. What it does is increase the minimum wage in the State of Maine from \$1.60 to \$1.75. I would request a division and urge its adoption.

The PRESIDENT: A division has been requested.

The Chair recognizes the Senator from Penobscot, Senator Tanous.

Mr. TANOUS of Penobscot: Mr. President and Members of the Senate: I don't enjoy standing up here and opposing my good friend from Kennebec, Senator Katz, especially after he was recognized by the Calumet Club here in the area. I am told that because of his efforts on this bill they may want the award back. I hinted to them they should consider such an action.

In all seriousness, I am opposing his proposed amendment, and I am opposing it because I have prepared another amendment, which is before you on this bill, which has scaled down the minimum wage to \$1.80 starting next October, and \$2.00 a year and a half from now. I did this because I feel that by amending the bill it will be acceptable to a greater majority of my fellow members in the Senate and the other branch as well.

I also called Washington, and I am told that the federal government is going to increase the minimum wage to \$1.80 in January of '72, which is ten weeks after we will have adopted ours, and to \$2.00 in January of '73, again which will be ten weeks after this one is adopted, if we do so adopt this minimum wage. So I ask all of you to defeat the motion of Senator Katz and permit me to introduce my amendment on a scaled-down version and allow this bill to go along to the other branch for debate over there.

Now, I have debated this bill and I have told you of the need for such legislation. I am not going to repeat myself, except that I only want to mention that I was very pleased to see the vote on that small loan bill this morning, because all of you are aware that the small loan companies have the best lobbyists in the state working for them on that bill, and the Senators, through their

own feeling of responsibility toward the people of this state, killed that bill. And I feel that way about this bill, because the opponents of the \$2.00 minimum wage, so to speak, are here in force to oppose this bill, and I certainly hope that my good friends in the Senate, with a feeling of duty towards the people, that we will pass this bill in spite of all the strong opposition to it by strong lobbyists. I ask your support.

Mr. President, am I in order at this time to make a motion to indefinitely postpone Senator Katz's proposed amendment?

The PRESIDENT: The motion would be in order.

Mr. TANOUS: I so move, and I request a division.

The PRESIDENT: The Senator from Penobscot, Senator Tanous, now moves that Senate Amendment "A" be indefinitely postponed. A division has been requested.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: The heavy hand of a motion to indefinitely postpone strains my cordial feelings this morning.

I just wanted to clear up the implication as to a heavy lobby. The only lobbyist who has approached me on the question of minimum wage asked me not to introduce any amendments because of the confidence, and the confidence I shared, that Senator Tanous's bill in its original, rigid shape would have been defeated. I agree with that conclusion, but I have a feeling, a completely unilateral feeling, that a minimum wage increase this session is warranted and that both parties should support it.

With respect to the reference of the impending immediately effective federal legislation, my I urge the Senate never, never to hold your breath while you are waiting for federal legislation that is just around the corner. I understand that some of us who entered into a program of sewage treatment about four sessions ago on the predication that federal money would flow are still holding our breath, and it is getting a little painful.

Completely on the merits of the situation, ladies and gentlemen, a minimum wage increase is in order this session. And Maine is one of the few states that in recent years has tried to keep up with the facts of life as they exist. Some states, you will notice, have minimum wages that are something like \$.90 an hour, and these states have almost abrogated their responsibility to take care of the welfare of the people. I think a \$1.75 increased minimum wage now can get the votes to accomplish something and, as far as I am concerned, that is the name of the game this session.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I support the position of Senator Tanous of Penobscot, but I am sure that he did not mean to indicate in his debate that those who have honest opinions on this were taking these opinions as a result of heavy lobbying. I know and have talked a great deal with members of the Senate who have very sincere feelings that an increase of significance in the minimum wage will cause hardship around the state. I think that there was no intention made here that these people have arrived at their decision other than on an honest appraisal of the facts.

I hope you will vote for the defeat of the present amendment and support the one which Senator Tanous will offer.

The PRESIDENT: The pending question before the Senate is the motion of the Senator from Penobscot, Senator Tanous, that Senate Amendment "A" be indefinitely postponed. A division has been requested. As many Senators as are in favor of indefinite postponement of Senate Amendment "A" will please rise and remain standing until counted. Those opposed will please rise and remain standing until counted.

A division was had. Twenty Senators having voted in the affirmative, and eleven Senators having voted in the negative, the motion prevailed.

Mr. Tanous of Penobscot then presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A", Filing No. S-96, was Read.

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

The Chair recognizes the Senator from Kennebec, Senator Katz.

Thereupon, on motion by Mr. Katz of Kennebec, a division was had. Nineteen Senators having voted in the affirmative, and ten Senators having voted in the negative, the motion prevailed.

Whereupon, the Bill, as Amended, was Passed to be Engrossed.

Sent down for concurrence.

The President laid before the Senate the ninth tabled and specially assigned matter:

HOUSE REPORTS — from the Committee on Labor on Bill, "An Act Relating to Size and Construction of Railroad Caboose Cars." (H. P. 348) (L. D. 457) Majority Report, Ought Not to Pass; Minority Report, Ought to Pass as Amended by Committee Amendment "A" Filing H-119.

Tabled — April 16, 1971 by Senator Levine of Kennebec.

Pending — Motion by Senator Tanous of Penobscot to Accept the Majority Ought Not to Pass Report.

Thereupon, the Majority Ought Not to Pass Report of the Committee was Accepted in concurrence.

The President laid before the Senate the tenth tabled and specially assigned matter:

SENATE REPORTS — from the Committee on Fisheries and Wildlife on Bill, "An Act Regulating Catching Lobsters for Noncommercial Home Consumption Use." (S. P. 474) (L. D. 1494) Majority Report, Ought Not to Pass; Minority Report, Ought to Pass.

Tabled — April 20, 1971 by Senator Levine of Kennebec.

Pending — Motion by Senator Hoffses of Knox to Accept the Majority Ought Not to Pass Report.

On motion by Mr. Hoffses of Knox, retabled and specially assigned for April 23, 1971, pending the motion by that same Senator

to Accept the Majority Ought Not to Pass Report of the Committee.

The President laid before the Senate the eleventh tabled and specially assigned matter:

SENATE REPORTS — from the Committee on State Government on Resolution, Proposing an Amendment to the Constitution to Provide for the Selection and Duties of a Lieutenant Governor (S. P. 203) (L. D. 588) Majority Report, Ought to Pass in New Draft (S. P. 545) (L. D. 1678) Minority Report, Ought Not to Pass.

Tabled — April 20, 1971 by Senator Johnson of Somerset.

Pending — Motion by Senator Berry of Cumberland to Accept the Minority Ought Not to Pass Report.

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

Mr. LEVINE of Kennebec: Mr. President and Members of the Senate: I would oppose the motion of the good Senator from Cumberland, Senator Berry. I introduced this legislation and the committee changed it a little bit. I am not too happy about some of the changes, but I think it is a step in the right direction.

My idea was when I introduced this legislation to help the state economically by creating the office of Lieutenant Governor. I think if we pass this legislation, even if the wording in the bill is changed a little bit, I think it will still do the job.

I mentioned before the committee that I would like to see either the Governor or the Legislature assign special duties to the Lieutenant Governor, and the duties would be that he would head the Department of Economic Development, and he would also head the Environmental Improvement Commission. We need industry in the State of Maine, and we need clean industries. By having the Lieutenant Governor as head of the two departments it would give them more prestige and it would help bring new industries into the State of Maine.

I can give you an example of what happened concerning myself. We outgrew our place here in the