

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

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Legislature*

OF THE

STATE OF MAINE

Volume II

May 5, 1971 to June 15, 1971

KENNEBEC JOURNAL
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The Chair laid before the House the eighth tabled and today assigned matter:

Bill "An Act Increasing Minimum Wages" (S. P. 16) (L. D. 44) — In Senate, passed to be engrossed as amended by Senate Amendment "B" (S-96) and Senate Amendment "C" (S-144) in non-concurrence.—In House, passage to be enacted reconsidered; receding and concurring reconsidered.

Tabled — May 21, by Mr. Donaghy of Lubec.

Pending — Motion of Mr. Ross of Bath to indefinitely postpone Senate Amendment "C" (S-144)

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: This much belabored piece of legislation, of course, is our minimum wage bill. Most of us made up our minds, and weeks ago we passed it with an excellent vote. But then the lawyers in their inimitable way got into the act and started a legal donnybrook on constitutionality.

The chief questioner in the House was the gentleman from Brunswick, Mr. McTeague. And he and I drew up a House amendment; but then he and I were in agreement with this but the Attorney General's office was split. And I had House Amendment "B" drawn up under 289. It is now completely cleared with both Mr. Erwin and all his staff. But I would like to read a quote that I read yesterday by the very famous Clarence Darrow, that "The only trouble with the law is lawyers."

The amendment I hope to present raises the minimum wage from \$1.60 to \$1.80, with a provision that if the federal government goes higher than \$1.80, we will go higher than \$1.80 at the same time, but not in excess of \$2.00.

I now move the indefinite postponement of Senate Amendment "C".

Thereupon, Senate Amendment "C" was indefinitely postponed in non-concurrence.

On further motion of the same gentleman, the House voted to recede from the adoption of Senate

Amendment "B", and indefinitely postponed same in non-concurrence.

The same gentleman offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-289) was read by the Clerk.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. ROSS: Mr. Speaker and Members of the House: Republicans over the years have been falsely accused of being against the working man, in favor of big business. This may be so for a few, but it is not so for the average. And we have only to point to our accomplishments in the fields of labor and management.

Since I came here 16 years ago great strides have been made in Workmen's Compensation, employment security, safety standards, working conditions, and the Minimum Wage. In our party platform, Article V, under the section of Labor and Management, we recommended that Workmen's Compensation apply to all persons. Already that has passed this body with one exception.

We recommended that unemployment compensation be extended. Thirteen weeks has already been added to that, even as an emergency. Surely we as a group could have blocked that if we had no compassion for the working man.

The first Minimum Wage Law was sponsored by me as a Republican. Increases since have been sponsored by Republicans. And I would like to specifically quote the section of this year's platform.

"We recommend an increase in the Minimum Hourly Wage for all workers including state employees." And affirmative action on this will prove without the slightest doubt that our promises are not made up of hollow, empty words only to attract votes.

Thereupon, House Amendment "B" was adopted.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker and Members of the House: I am extremely pleased that the amendment has been added. I am

extremely pleased to agree with the gentleman from Bath, Mr. Ross, in supporting the amendment. I welcome him into the fold, and would like to get him the reregistration and reenrollment card at his earliest convenience.

Thereupon, the Bill was passed to be engrossed as amended by House Amendment "B" in non-concurrence and sent up for concurrence.

The Chair laid before the House the ninth tabled and today assigned matter:

Bill "An Act relating to Preference to Maine Workmen and Contractors" (S. P. 163) (L. D. 485) — In Senate, passed to be engrossed as amended by Committee Amendment "A" (S-158) and Senate Amendment "A" (S-172) — In House, Committee Amendment "A" Adopted and Senate Amendment "A" Adopted.

Tabled — May 21, by Mr. Finemore of Bridgewater.

Pending — Passage to be engrossed.

On motion of Mr. Good of Westfield, under suspension of the rules, the House reconsidered its action of May 18 whereby Senate Amendment "A" was adopted. And on further motion of the same gentleman, Senate Amendment "A" was indefinitely postponed in non-concurrence.

On further motion of the same gentleman, under suspension of the rules, the House reconsidered its action of May 18 whereby Committee Amendment "A" was adopted. And on further motion of the same gentleman, Committee Amendment "A" was indefinitely postponed in non-concurrence.

The same gentleman then offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-301) was read by the Clerk and adopted.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Haskell.

Mr. HASKELL: Mr. Speaker, I would like to, through the Chair, ask the gentleman from Westfield if he would explain the effect of the amendments that we have removed on the bill.

The SPEAKER: The gentleman from Houlton, Mr. Haskell, poses a question through the Chair to the gentleman from Westfield, Mr. Good, who may answer if he chooses; and the Chair recognizes that gentleman.

Mr. GOOD: Mr. Speaker and Members of the House: The purpose of this amendment is not to change the definition of public authority under the present law, and that is all.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Haskell.

Mr. HASKELL: Mr. Speaker, I was interested in the effect of the Senate Amendment that was removed and the Committee Amendment that was removed. I am sorry I don't have them at hand.

The SPEAKER: The gentleman from Houlton, Mr. Haskell, poses a further question through the Chair to anyone who may answer if they choose.

The Chair recognizes the gentleman from Houlton, Mr. Haskell.

Mr. HASKELL: Mr. Speaker and Ladies and Gentlemen of the House: I am more or less debating in the dark, but the basic principle of this bill opposed—I think what Mr. Martin plans to dispense with, at all readings—and I am going to continue to oppose it.

I am going to give you an example, and I think perhaps you will recall the debate. Mr. McTeague indicated in response to my information that I gave the House that at the federal level this Davis-Bacon Act was removed by executive order, and that in rebuttal Mr. McTeague indicated that it had been—the executive order was later rescinded.

I would like to point out at this juncture that the reason the executive order had to be implemented was the fact that the Davis-Bacon Act at the federal level tends to create an artificially high rate of wage schedule in the construction industry. It finally became so bad and so aggravated, and created such a highly artificial structure of wages, that it became almost a national scandal. And for this reason the executive order came out.