

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Ninth  
Legislature***

OF THE

STATE OF MAINE

**Volume I**

**FIRST REGULAR SESSION**

**January 3, 1979 to May 4, 1979**

problem with it tomorrow, you can jump on it with both feet and not take your shoes off.

The SPEAKER: A vote has been requested. The pending question is on the motion of the gentleman from Pittsfield, Mr. Wyman, that the Majority "Ought Not to Pass" Report be accepted. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

78 having voted in the affirmative and 36 having voted in the negative, the motion did prevail.

Sent up for concurrence.

The Chair laid before the House the following item of Unfinished Business:

House Divided Report — Report "A" (6) "Ought to Pass" As Amended by Committee Amendment "A" (H-48) — Report "B" (5) "Ought Not to Pass" — Report "C" (1) "Ought to Pass" Committee on Labor on Bill "an Act to Increase the Minimum Wage to \$4 Per Hour" (H. P. 26) (L. D. 43)

Pending — Acceptance of any Report.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. McHenry.

Mr. McHENRY: Mr. Speaker, I would move that we accept Report "C", which is the bill.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Morton.

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I don't quite understand sometimes what is going on around here but that is all right. I know I don't want Report C on this bill. In fact, I don't want anything about the bill and so at this point I would make the motion to indefinitely postpone this bill and all its accompanying papers.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Wyman.

Mr. WYMAN: Mr. Speaker, Ladies and Gentlemen of the House: I would hope that you would vote against the pending motion to indefinitely postpone this bill. This issue is deserving of our consideration, a full and complete debate in which both sides can be amply aired. We have a number of amendments which are going to be subsequently submitted, so I would hope that you would vote against the pending motion.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Laffin.

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: What we have before us this morning in Report C is the \$4 minimum wage. You know, it is hard for me to believe that so many intelligent people can serve on a fine committee that I was once a member of and only one member is thinking of the people of this state, the true representative and he certainly is.

This is a necessary force for the poor and the uneducated to further themselves and help them out of the depths of poverty. Many times in our lifetime, we, who have had a chance to be well educated, we, who have had our mothers and fathers sweat hard to sacrifice to give us a good education, sometimes that is not always true and, consequently, through no fault of their own, many people have to take unskilled jobs. Those on unskilled jobs, as we know, are paid the minimum wage.

What is the minimum wage? How did it start? How are we today involved in the minimum wage?

The minimum wage was enacted back in 1933 and it was a necessary force because of slave labor and the sweatshops that existed with human blood and sweat and toil. That is why the minimum wage was enacted. Barbaric employers literally whipped the people into line — that is why the minimum wage was started, nothing else.

The minimum wage today is still in effect, and I will admit, we don't have any slave shops, thank the good Lord for that, and I will admit that employees are not brow whipped, and I will thank the Lord for that. In fact, one of my very good friends who has opposed me in my

labor movements since I was on the Labor Committee and is a very good friend of mine, Mr. Bob Reny is a very good friend of mine, he carries respect and dignity with his people his employees, but they are not all like Mr. Reny. They are not all in consideration of the people that work for them.

All I am asking is that you give the people of this state a chance to make a decent living, bring them up out of poverty where people do not have a chance. All people are not well educated and all people don't hold high muck-a-muck salary jobs, and half of those aren't even worth what they are paid. We have no objections to that.

Today in our society, we have people who need our help, and I want to be a part of helping them, to let them have the respect and the dignity that they are so rightfully entitled to. That is all I am asking.

I remember when the last increase in minimum wage took effects. Oh, we had people crying and, oh, it was just brutal, our economy is going to be put down and we didn't know how we were going to survive, but, you know, the minimum wage rose from \$2.60 to \$2.90 and we are still doing all right. Everybody is going along fine, and in that period when the minimum wage rose from \$2.60 to \$2.90, big executives of this state and banks were ripping the people off right and left of millions of dollars and nothing was said about that. Nothing is ever said about those people who are taking home \$40,000 and \$50,000 a year. No one says one thing about them — that is not contributing to inflation? Well, of course, it is. You don't have to be a college student to realize that. You don't have to have brains to know that. The minimum wage people have been held down through generations and the industrial revolution was the start of that.

I say to you, my friends, if we are going to give to the rich and we are going to give in, then we might as well put our society in the hands of social welfare and forget about these type of people.

Let high school students work for \$2.90 an hour, and many of them make more than that and put all the rest on welfare and let the people that are making \$40,000 and \$50,000 a year support us, because I will be on welfare with them.

To hold down unskilled workers is a total disgrace, because the minimum wage is the only force that they know.

I am predicting today that within six or eight years, you are going to see the little guy who saw the Democratic party as his weapon against big business and the rich will soon have a change of heart and will go to the Republican party. I wouldn't be a bit surprised that in six or eight years Representative Connolly will probably be chairman of the State Republican Committee, as soon as I correct him on a couple of his other ways of thinking.

Do you know that Maine, being a very cold state, we rank 45th in manufacturing wages? Can you imagine 45th, and that is based on the average pay of \$193.36 a week. Think of the thousands of people that are taking home less than \$100 a week. We must be right at the bottom.

The people in the south don't pay what we pay for fuel. The people in the south don't have to supply their children with warm clothing, boots and things that they have to wear to keep warm. We are a captive part of this country whether we like it or whether we don't. We cannot control our long, cold winters and when working people take home less than welfare, then the system is wrong and we are to blame.

If we don't stand up for the uneducated and help those people, we are going to be forced into a situation where the Republican Party will come to their aid. The Democrats have had their chance and they muffed it and it showed when we had one good Democrat on that committee who gave me a vote for my \$4 minimum

wage. Only one, a true representative of the people, and if the members of that committee cannot see what we are faced with today in the line of unemployment, in the line of welfare, and try to help the people to bring them to their feet, we can do it, but we cannot do it on \$116 a week, that is below the poverty level. My church would donate more than that to poor people. Yet, we sit here, we say no, we don't need a minimum wage, we don't want the minimum wage because it causes inflation. Now, isn't that pitiful?

I guess I have been talking too long because I see that the House is almost empty and I wouldn't want the Speaker to have to put the bell on to call them all back, so I will sit down.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. McHenry.

Mr. McHENRY: Mr. Speaker, Ladies and Gentlemen of the House: I am probably the only Democrat who voted for \$4 but I voted for the \$4 because I went into the committee with the idea of compromising and the R's did not want to compromise one inch, so therefore I didn't compromise.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Morton.

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I promise not to talk very long. My argument for the indefinite postponement of this bill stems from only one source and has really nothing to do with the dollars involved. My concern is with getting out of phase with the federal government. We have done that in the past; it was extremely annoying and a problem. I can remember when we had a double-out-of-phase when the federal government had a lower minimum wage than the State of Maine but a lower requirement for overtime hours, so, the State of Maine people had to adhere to the highest standard in each case that was difficult and it put a burden on the State of Maine businesses.

My only concern is getting out of phase with the federal government. This puts minimum wage increases in prior to that of the federal government. I don't see any reason in the world why Maine should be attempting to be the tail that wags that great big federal dog. Therefore, I am opposed to this bill. I feel that we should track the federal government and that it is going to be the one that sets the wages all over the country and keep Maine in step with the rest of the nation.

The SPEAKER: The Chair recognizes the gentleman from Cumberland Mr. Garsoe.

Mr. GARSOE: Mr. Speaker and Members of the House: I stand to applaud the remarks of my good friend, the gentleman from Westbrook, Representative Laffin. He certainly is telling the future in a way that I am sure is going to be more and more apparent every day.

However, my real reason in standing is to commend the gentleman from Farmington, Mr. Morton, on his motion today, and to welcome him to that small circle of those who have moved indefinite postponement of the minimum wage over the years, and as his charter member, I want him to know that I am going to join that thin green line and stand with him today.

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

Mr. CONNOLLY: Mr. Speaker and Members of the House: Very briefly, it is too bad that the Representative from Cumberland didn't make the motion to indefinite postponement, because he usually had made that in the past, at least since I have been here.

The question, and I will put it to you now and you can feel free to respond later if you want to because you haven't answered it before — would you work for the minimum wage if that had to be the sole way that you supported your family and if you had no opportunity to have that wage increased? If you feel that you would like to answer that at some point after I finish, I would like to hear your answer.

The Representative from Farmington, Mr. Morton, says that this particular bill has nothing at all to do with dollars, but I would submit that is what the minimum wage legislation is all about. It is how much money we are going to pay to the people at the lowest rung of our wage scale.

The people who work for the minimum wage are not represented by unions. They serve at the good graces and their salaries are set at the good graces of their employers, employers who pay their employees a decent salary have nothing at all to fear with this particular \$4 minimum wage bill because they would pay their people a decent salary. It is only those people who would take advantage of the sweat and the toil and the labor for people who can find employment nowhere else and are forced to work in this case now for \$2.90 an hour.

The minimum wage, in effect, becomes the maximum wage for all employees who receive that particular salary, and I would point out that if we do have a \$4 minimum wage, that the total gross yearly salary, assuming that you get a vacation that you are paid for, would come out to slightly over \$8,000 a year. In 1977, the Department of Labor said that it took in Maine a minimum for a family, a husband and a wife and one child to meet basic minimal subsistence levels, between \$10,000 and 11,000 gross salary per year. A \$4 minimum wage would be some \$2,000 under that.

It is interesting to note that the people who will vote against increasing the minimum wage will also go on to say that they do support the concept of the minimum wage, but what they are really saying is that the lower the minimum, the better.

I would hope that you would vote against the motion for indefinite postponement. If you don't feel that you can support the \$4 or Report C from the committee, there is another majority position which would call for a \$3.10 minimum wage to go into effect in October, three months before the next increase in the federal.

So, I would hope that you would vote against the motion for indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Lisbon Falls, Mr. Tierney.

Mr. TIERNEY: Mr. Speaker, when the vote is taken, I would request the yeas and nays.

The SPEAKER: The Chair recognizes the gentlewoman from Auburn Mrs. Lewis.

Mrs. LEWIS: Mr. Speaker and Members of the House: I would respond to the gentleman from Portland, Representative Connolly. I would agree that it would be very difficult to live on the minimum wage, the reason being that inflation has taken its toll and things are too expensive. At one time, probably \$120 a week was not a bad wage at all. It depends entirely upon the buying power of the dollar.

If the people who support the increase to \$4 an hour can say that the dollar will be worth what it is now or worth a little bit less, fine, but we have no guarantee that it will and if the minimum wage goes up and the cost of living goes up too, where are we? If there is any way we can possibly keep prices down so the dollar would mean more, it might make some sense. Otherwise, we increase the minimum wage and then the cost of living goes up and up and up and finally people won't have pocketbooks big enough to hold their money because they would need so much to buy probably a loaf of bread.

The SPEAKER: The Chair recognizes the gentlewoman from Brunswick, Mrs. Martin.

Mrs. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: What I am going to inject in here is that I am going to tell Representative Laffin that there are educated people who are working for less than the minimum wage. I know of teachers, substitute teachers, that are working for \$20 a day and they are educated, so don't put it all on the poor people — the educated, people, too sometimes, work at a

very low wage.

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

Mr. CONNOLLY: Mr. Speaker, Ladies and Gentlemen of the House: In response to the remarks of the gentlewoman from Auburn, Mrs. Lewis, I would just point out that in 1955, the Congress passed an amendment to the Fair Labor Standards Act, which is the minimum wage legislation, and they required the Secretary of Labor to prepare a report annually for the Congress on the effects of the minimum wage, and every time there has been a report, it has gone back to the Congress. Under both Democratic and Republican legislation, they have consistently refuted the ripple or bumping effect argument that you put forward.

I would also point out that almost half of the children in the United States who grow up in poverty come from families where the principal source of income is the minimum wage.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of one fifth the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The Chair recognizes the gentleman from Lisbon Falls, Mr. Tierney.

Mr. TIERNEY: Mr. Speaker and Members of the House: Just so the record is absolutely clear, the motion in front of you will kill any chance for a minimum wage increase by state action. I just want everyone to know that when you vote against this bill, you are not only voting against an increase in wage to \$4, but you are increasing any chance of increasing the minimum wage to \$3.75 or the \$3.50 or the \$3.25 or the \$3.10 just a few weeks earlier than the federal people would require it anyway. So, I just want it completely clear so there is no question in anyone's mind that those of you who vote yes on this motion are voting against any increase in the state minimum wage other than that which would be required by federal law.

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

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: On an equally informative basis only, I want to emphasize that voting for indefinite postponement says we are going to maintain the posture we achieved about two years ago of finally getting the Maine minimum wage in sync with the federal minimum wage, and the Maine minimum wage will continue in that posture.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. McHenry.

Mr. McHENRY: Mr. Speaker and Members of the House: Just to make it a little more clear, in my way of thinking, if you are going to vote yes, you are saying that you can make it on \$4 an hour, less than \$4 an hour, you can make it at \$2.90 an hour if you are voting yes; I say no.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Farmington, Mr. Morton, that this Bill and all its accompanying papers be indefinitely postponed. All those in favor will vote yes; those opposed will vote no.

The Chair recognizes the gentlewoman from Lewiston, Mrs. Berube.

Mrs. BERUBE: Mr. Speaker, I would like to pair my vote with Representative Hutchings. If she were here, she would be voting yea and I would be voting nay.

#### ROLL CALL

YEA — Alopis, Austin, Berry, Blodgett, Bordeaux, Bowden, Brown, D., Brown, K. L., Bunker, Carter, F., Conary, Cunningham, Damren, Davis, Dexter, Drinkwater, Fillmore, Garsoe, Gavett, Gould, Gray, Huber, Hunter, Jackson, Kiesman, Leighton, Leonard, Lewis, Lougee, Lund, MacBride, Marshall,

Masterman, Masterton, Matthews, Maxwell, McPherson, Morton, Nelson, A., Norris, Payne, Peltier, Peterson, Reeves, J., Rollins, Roope, Sewall, Sherburne, Silsby, Small, Smith, Sprowl, Stetson, Stover, Torrey, Whittemore.

NAY — Bachrach, Baker, Barry, Beaulieu, Benoit, Birt, Boudreau, Brannigan, Brenerman, Brodeur, Brown, K. C., Call, Carrier, Carroll, Carter, D., Chonko, Churchill, Cloutier, Connolly, Cox, Curtis, Davies, Dellert, Diamond, Doukas, Dudley, Dutremble, D., Elias, Fenlason, Fowle, Gillis, Gwen, Gwadosky, Hall, Hanson, Hickey, Higgins, Hobbins, Howe, Jacques, E., Jacques, P., Jalbert, Joyce, Kane, Kany, Kelleher, Laffin, Lancaster LaPlante, Lizotte, Locke, Lowe, MacEachern, Mahany, Martin, A., McHenry, McKean, McMahon, McSweeney, Michael, Mitchell, Nadeau, Nelson, M., Nelson, N., Paradis, Paul, Pearson, Post, Prescott, Reeves, P., Rolde, Simon, Studley, Tarbell, Theriault, Tierney, Tozier, Tuttle, Twitchell, Vincent, Violette, Vose, Wentworth, Wood, Wyman, The Speaker.

ABSENT — Brown, A., Dutremble, L., Immonen, Soulas, Strout.

PAIRED — Berube-Hutchings.

Yes, 56; No, 86; Absent, 7; Paired, 2.

The SPEAKER: Fifty-six having voted in the affirmative and eighty-six in the negative, with seven being absent and two paired, the motion does not prevail.

Thereupon, on motion of Mr. McHenry of Madawaska, Report C was accepted, the Bill read once and assigned for second reading tomorrow.

The Chair laid before the House the following items of Unfinished Business, which appeared on the Consent Calendar, First Day:

(H. P. 354) (L. D. 450) Bill "An Act to Amend the Per Diem Rate for Persons Serving on the State Board of Nursing." — Committee on Business Legislation reporting "Ought to Pass"

(H. P. 57) (L. D. 66) "An Act to Change the Date on Which the Annual Sessions of the County Commissioners are held in Sagadahoc County" — Committee on Local and County Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-59)

(H. P. 252) (L. D. 297) Bill "An Act to Permit Performing Arts Centers to Serve Alcoholic Beverages" — Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-60)

(H. P. 315) (L. D. 421) Bill "An Act Relating to the Wholesale Sale of Malt Liquor and Wine" — Committee on Legal Affairs reporting "Ought to Pass"

(H. P. 54) (L. D. 63) Bill "An Act Increasing Borrowing Capacity of Mars Hill Utility District and Extending the Time Which That District has to Take Over Mars Hill and Blaine Water Company" (Emergency) — Committee on Public Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (H-61)

No objections having been noted, the above items were ordered to appear on the Consent Calendar of March 7, under listing of Second Day.

The Chair laid before the House the following items of Unfinished Business, which appeared on the Consent Calendar, Second Day:

(H. P. 337) (L. D. 436) Bill "An Act Relating to the Fiscal Year of Hospital Administrative District No. 4 in Piscataquis, Somerset and Penobscot Counties" (Emergency)

(H. P. 189) (L. D. 239) Bill "An Act to Specifically Define what Constitutes a Law Enforcement Officer's Signal to a Motorist to Stop"

(H. P. 253) (L. D. 298) Bill "An Act to Allow the Trustees of the Portland Ministry at Large to Seek Changes in its Articles of Incorporation" (Emergency)

No objections having been noted, the above