

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh
Legislature*

OF THE

STATE OF MAINE

1975

KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Monday, April 28, 1975

Senate called to order by the President.
Prayer by The Honorable Charles P. Pray of Millinocket:

Let us pray, Lord, help us and guide us each day in the decisions we make. Let these people here gathered pass legislation to assure the freedom and the benefits of all in Maine. With our actions in this chamber, God save the State of Maine. Amen.

Reading of the Journal of Friday, April 25, 1975.

**Papers from the House
Joint Order**

WHEREAS, the Committee on Energy was formed to study and to propose legislation for the conservation of energy; and

WHEREAS, there is a critical need to conserve energy; and

WHEREAS, the use of heating energy in homes comprises 21 percent of the total energy consumed in Maine; and

WHEREAS, there is no standard for home construction to maximize the efficient use of energy; and

WHEREAS, there is little incentive for prospective new home owners to construct homes that will maximize the efficient use of energy; and

WHEREAS, the Federal Government is in the process of developing or helping the several states develop standards for home construction to conserve energy; and

WHEREAS, the State of Maine has not formulated a standard for home construction for energy conservation purposes; now, therefore, be it

ORDERED, the Senate concurring, that the Legislative Council be authorized, through the Joint Standing Committee on Energy, to study the subject matter of "An Act Concerning Loans Made by Savings Banks for Housing Meeting Certain Energy Conservation Standards," House Paper 603, Legislative Document 746, as introduced at the regular session of the 107th Legislature to ascertain the type of housing construction standards and bank loan policies that will best serve the energy conservation program of the State; and be it further

ORDERED, that the Maine State Housing Authority, the Office of State Fire Marshal, the Department of Health and Welfare, the Bureau of Banks and Banking and other departments and agencies be respectfully directed to provide such technical advice and assistance as the committee deems necessary to carry out the purposes of this Order; and be it further

ORDERED, that the Council report the results of its findings together with any proposed recommendations and necessary implementing legislation to the next special session of the Legislature; and be it further

ORDERED, upon passage in concurrence, that suitable copies of this Order be transmitted forthwith to said departments and agencies as notice of this directive. (H. P. 1540)

Comes from the House, Read and Passed.

Which was Read.

On motion by Mr. Speers of Kennebec, tabled, pending Passage.

Joint Order

WHEREAS, the state budgetary process

which currently extends over the biennium is no longer responsive to contemporary needs; and

WHEREAS, the state budget cycle does not currently coincide with the budgetary processes of other levels of government; and

WHEREAS, requirements of time and form have become unduly restrictive and detrimental to the overall objective; now, therefore, be it

ORDERED, the Senate concurring, that the Legislative Council be authorized, through the Joint Standing Committee on Appropriations and Financial Affairs, to study the present budget process and recommend such further changes as it deems necessary and the means by which those changes may be most expeditiously effected. The Department of Finance and Administration is directed to cooperate with the Joint Standing Committee on Appropriations and Financial Affairs in said study and to provide such assistance as may be requested by the committee. A report of the study, together with recommendations and legislation deemed necessary, is to be made to a special session of the 107th Legislature.

The study shall contain, but not be limited to, the following matters:

1. The state budget process, including the present budget cycle, when agencies are required to submit budget requests for the next biennium and when the Governor is required to submit the budget to the Legislature; and

2. The impact of the Congressional Budget and Impoundment Control Act of 1974, which makes October 1st the beginning of the federal fiscal year; and

3. The fiscal year of local communities and special districts and the information they require from the State and the state's ability to provide said information when needed; and

4. The possible further automation of the budget process, following adoption of program budgeting, to provide for qualitative analysis and long-range or life-cycle forecasting; and

5. The time allowed for the Governor-elect to prepare the budget before submission to the Legislature; and

6. The form of the budget submission to the Legislature; and be it further

Ordered, that the council report the results of its findings, together with any proposed recommendations and necessary implementing legislation, to the next special session of the Legislature; and be it further

ORDERED, upon passage in concurrence, that suitable copies of this Order be transmitted forthwith to said agencies as notice of this directive. (H. P. 1541)

Comes from the House, Read and Passed.

Which was read.

On motion by Mr. Speers of Kennebec, tabled, pending Passage.

Communications

State of Maine
One Hundred and Seventh
Legislature
House of Representatives
Office of the Clerk
Augusta, Maine 04330
April 25, 1975

Hon. Harry N. Starbranch
Secretary of the Senate
107th Legislature
Augusta, Maine 04333
Dear Mr. Secretary:

The House voted to Insist and Join in a Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, An Act Relating to Filing Requirements for Perfecting a Security Interest in Mobile Homes under the Uniform Commercial Code (S. P. 297). (L. D. 1023)

Respectfully,
EDWIN H. PERT, Clerk
House of Representatives

Which was Read and Ordered Placed on File.

Senate Papers

Mr. Collins of Knox presented the following Joint Resolution and moved its adoption:

SENATE OF MAINE

In the year of our Lord one thousand nine hundred and seventy-five
Joint Resolution commemorating Law Day, U.S.A.

WHEREAS, the first day of May of each year has been permanently designated by Congressional Resolution for national observance of Law Day, U.S.A.; and

WHEREAS, Law Day has been set aside as a special day of celebration by the American people in appreciation of their liberties and the reaffirmation of their loyalty to the United States of America; and

WHEREAS, it is a day for their rededication to the ideals of equality and justice through law in their relations with each other as well as other nations and for the cultivation of their respect with each other as well as other nations and for the cultivation of their respect for law that is so vital to the domestic way of life; now, therefore, be it

RESOLVED: By the Senate and House of Representatives of the 107th Legislature of the State of Maine, that in order to rededicate ourselves and the citizens of Maine to the principles of the democratic form of government; to emphasize that ours is a government of law and not men; and, to further the philosophy that "the welfare of the people shall be the supreme law," that the Governor of Maine is hereby requested to designate May 1 of each year as Law Day, U.S.A. and call upon all citizens of the State to join in appropriate recognition of this special day; and be it further

RESOLVED: That is not the intent of this Resolution to declare another legal holiday, but a day of rededication by the citizens of Maine to the principles of democracy, a respect for law that is so vital to the democratic way of life, and to the support of our State and Federal Courts which uphold and safeguard individual rights and liberties; and be it further

RESOLVED: That suitable copies of this resolution duly authenticated by the Secretary of State be transmitted forthwith by the Secretary of State to His Excellency, James B. Longley, Governor of the State of Maine, and to the Honorable Armand D. Dufresne, Chief Justice of the Supreme Judicial Court, in support of this worthy cause. (S. P. 505)

Which was Read and Adopted
Sent down for concurrence.

**Committee Reports
House**

The following Ought Not to Pass reports shall be placed in the legislative files without further action pursuant to Rule 17-A of the Joint Rules:

Bill, "An Act Pertaining to Junked Cars." (H. P. 169) (L. D. 207)

Bill, "An Act Relating to the Regulation of Private Detective and Watch, Guard and Patrol Agency." (H. P. 471) (L. D. 570)

Bill, "An Act to Provide for Public Rest Room Facilities in Shopping Centers." (H. P. 1472) (L. D. 1724)

Bill, "An Act Relating to Payments of Aid to Families with Dependent Children." (H. P. 1465) (L. D. 1731)

Bill, "An Act Relating to Emergency Call Facilities on the Maine Turnpike." (H. P. 106) (L. D. 124)

Bill, "An Act Relating to Relocating the Maine Turnpike Authority Toll Booth from Augusta to Gardiner." (H. P. 1121) (L. D. 1400)

Leave to Withdraw

The Committee on Energy on, Bill, "An Act Concerning Loans Made by Savings Banks for Housing Meeting Certain Energy Conservation Standards." (H. P. 603) (L. D. 746)

Reported that the same be granted Leave to Withdraw.

The Committee on Legal Affairs on, Bill, "An Act Relating to Public Rest Room Facilities in Shopping Centers." (H. P. 1241) (L. D. 1542)

Reported that the same be granted Leave to Withdraw.

The Committee on Legal Affairs on, Bill, "An Act to Change the Status of the Maine Municipal Association." (H. P. 1245) (L. D. 1546)

Reported that the same be granted Leave to Withdraw.

The Committee on Public Utilities on, Bill, "An Act to Amend the Charter of the Sanford Water District." (H. P. 352) (L. D. 445)

Reported that the same be granted Leave to Withdraw.

The Committee on Public Utilities on, Bill, "An Act Relating to Ogunquit Village Corporation and the Ogunquit Sewer District." (H. P. 879) (L. D. 1053)

Reported that the same be granted Leave to Withdraw.

The Committee on Transportation on, Bill, "An Act to Change the Definition of "Compact Area" in the Highway Statutes." (H. P. 1105) (L. D. 1384)

Reported that the same be granted Leave to Withdraw.

The Committee on Taxation on, Bill, "An Act Exempting Certain Uses of Gas and Electricity from Taxation under the Sales and Use Tax Law." (H. P. 764) (L. D. 933)

Reported that the same be granted Leave to Withdraw.

The Committee on Taxation on, Bill, "An Act to Create a Maine State Income Tax Credit for the Creation of Additional Jobs." (H. P. 1010) (L. D. 1277)

Reported that the same be granted Leave to Withdraw.

Come from the House, the reports Read and Accepted.

Which reports were Read and Accepted in concurrence.

Ought to Pass in New Draft

The Committee on Health and Institutional Services on, Bill, "An Act Amending the Lead Poisoning Control Act." (H. P. 474) (L. D. 594)

Reported that the same Ought to Pass in New Draft under Same Title (H. P. 1531) (L. D. 1847).

The Committee on Local and County Government on, Bill, "An Act Relating to the Location of Town Meetings." (H. P. 819) (L. D. 1004)

Reported that the same Ought to Pass in New Draft under Same Title (H. P. 1532) (L. D. 1848).

Come from the House, the Bills in New Draft Passed to be Engrossed.

Which reports were Read and Accepted in concurrence, the Bills in New Draft Read Once and Tomorrow Assigned for Second Reading.

Senate

The following Ought Not to Pass reports shall be placed in the legislative files without further action pursuant to Rule 17-A of the Joint Rules:

Bill, "An Act Authorizing Certain Agents of the Department of Inland Fisheries and Game to Sell Hunting Licenses to Nonresidents and to Sell Hunting Licenses During Weekends and Holidays." (S. P. 279) (L. D. 924)

Resolution, Proposing an Amendment to the Constitution to Provide for Succession in the Event of the Governor's Inability to Discharge the Powers and Duties of His Office. (S. P. 441) (L. D. 1457)

Leave to Withdraw

Mr. Collins for the Committee on Judiciary on, Bill, "An Act Relating to Car Purchases by Individuals Receiving General Assistance." (S. P. 396) (L. D. 1294)

Reported that the same be granted Leave to Withdraw.

Mr. Gahagan for the Committee on Appropriations and Financial Affairs on, Bill, "An Act to Establish a State Veterans Home." (S. P. 460) (L. D. 1513)

Reported that the same be granted Leave to Withdraw.

Mr. Collins for the Committee on Judiciary on, Bill, "An Act Clarifying the Right to Appeal from Final Decisions of the Public Utilities Commission." (S. P. 472) (L. D. 1606)

Reported that the same be granted Leave to Withdraw.

Which reports were Read and Accepted. Sent down for concurrence.

Ought to Pass

Mr. Curtis for the Committee on State Government on, Bill, "An Act to Provide for a Deputy Chief Judge of the District Court." (S. P. 410) (L. D. 1309)

Reported that the same Ought to Pass.

Which report was Read and Accepted, the Bill Read Once and Tomorrow Assigned for Second Reading.

Ought to Pass in New Draft

Mr. Graham for the Committee on State Government on, Bill, "An Act to Provide for Full-Time Administrative Officers in the Senate and House of Representatives." (S. P. 209) (L. D. 699)

Reported that the same Ought to Pass in New Draft under Same Title (S. P. 503) (L. D. 1859)

Which report was Read. On motion by Mr. Speers of Kennebec, tabled pending Acceptance of the Committee Report.

Mr. Graham for the Committee on State Government on, Bill, "An Act to Provide for Licensed Practical Nurse on the State Board of Nursing." (S. P. 107) (L. D. 375)

Reported that the same Ought to Pass in New Draft under Same Title (S. P. 504) (L. D. 1860)

Which report was Read and Accepted, the Bill in New Draft Read Once and Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Veterans and Retirement on, Bill, "An Act Relating to the Retirement Pay of Court Reporters." (S. P. 281) (L. D. 993)

Reported that the same Ought Not to Pass.

Signed:

Senator:

O'LEARY of Oxford

Representatives:

NADEAU of Sanford

USHER of Westbrook

LAVERY of Millinocket

MORTON of Farmington

POWELL of Wallagrass Plt.

THERIAULT of Rumford

LEONARD of Woolwich

KELLEY of Machias

MacEACHERN of Lincoln

CURTIS of Rockland

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass.

Signed:

Senators:

COLLINS of Knox

CLIFFORD of Androscoggin

Which reports were Read.

Thereupon, on motion by Mr. O'Leary of Oxford, the Majority Ought Not to Pass Report of the Committee was Accepted. Sent down for concurrence.

Divided Report

The Majority of the Committee on Business Legislation on, Bill, "An Act Relating to Minimum Finance Charges under the Maine Consumer Credit Code." (S. P. 219) (L. D. 718)

Reported that the same Ought to Pass.

Signed:

Senators:

THOMAS of Kennebec

JOHNSTON of Aroostook

Representatives:

BYERS of Newcastle

CLARK of Freeport

BOUDREAU of Portland

DeVANE of Ellsworth

RIDEOUT of Mapleton

PIERCE of Waterville

BOWIE of Gardiner

HIGGINS of Scarborough

PEAKES of Dexter

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

Signed:

Senator:

REEVES of Kennebec

Representative:

TIERNEY of Durham

Which reports were Read.

Thereupon, the Majority Ought to Pass Report of the Committee was Accepted, the Bill Read Once and Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Fisheries and Wildlife on, Bill, "An Act Relating to Hunting Bear with Dogs." (S. P. 311) (L. D. 1059)

Reported that the same Ought Not to Pass.

Signed:

Senators:

GRAFFAM of Cumberland

PRAY of Penobscot

Representatives:

MILLS of Esatport

DOW of West Gardiner

MARTIN of St. Agatha

MacEACHERN of Lincoln

TOZIER of Unity

USHER of Westbrook
PETERSON of Caribou
KAUFFMAN of Kittery
WALKER of Island Falls
CHURCHILL of Orland

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass.

Signed:
Senator:

McNALLY of Hancock

Which reports were Read.

Thereupon, on motion by Mr. Corson of Somerset, the Minority Ought to Pass Report of the Committee was Accepted, the Bill Read Once and Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Fisheries and Wildlife on, Bill, "An Act to Prevent Hunting in Areas Near Dumps in Unorganized Territories and Plantations of the State." (S. P. 205) (L. D. 695)

Reported that the same Ought to Pass.

Signed:

Senators:

McNALLY of Hancock
PRAY of Penobscot

Representatives:

CHURCHILL of Orland
WALKER of Island Falls
KAUFFMAN of Kittery
MILLS of Eastport
DOW of West Gardiner
MacEACHERN of Lincoln
TOZIER of Unity
USHER of Westbrook

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

Signed:

Representatives:

MARTIN of St. Agatha
PETERSON of Caribou

Which reports were Read.

Thereupon, the Majority Ought to Pass Report of the Committee was Accepted, the Bill 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 Repeal Certain Unconstitutional Provisions of the Election Laws." (H. P. 248) (L. D. 300)

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

House — As Amended

Bill, "An Act Making a Supplemental Appropriation for the Supplemental Security Income Programs for the Purpose of Increasing the Base Rate for Boarding Home Care." (H. P. 477) (L. D. 597)

Which was Read a Second Time and Passed to be Engrossed, as Amended, in concurrence.

Bill, "An Act Relating to the Shipment of Dogs and Cats and Prohibiting the Use of Dogs or Cats in Commercial Promotions." (H. P. 238) (L. D. 294)

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

Sent down for concurrence.

Senate

Bill, "An Act Declaring the Lewiston-Auburn Water Pollution Control Authority to be a Quasi-municipal Corporation." (S. P. 316) (L. D. 1093)

(On motion by Mr. Clifford of Androscoggin, tabled and Specially Assigned for April 30, 1974, pending Passage to be Engrossed.)

Bill, "An Act to Amend the Charter of the Winthrop Water District." (S. P. 328) (L. D. 1114)

Bill, "An Act Providing for the Observance of Memorial Day on May 30th." (S. P. 371) (L. D. 1198)

Bill, "An Act Relating to Employment of Minors." (S. P. 501) (L. D. 1852)

Which were Read a Second Time and, except for the Tabled matter, Passed to be Engrossed.

Sent down for concurrence.

Senate — As Amended

Bill, "An Act to Amend the Portland Renewal Authority Law." (S. P. 389) (L. D. 1249)

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

Sent down for concurrence.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

An Act to Permit Reimbursement of Attorney General's Cost of Investigation when a Permanent Injunction is Issued. (S. P. 206) (L. D. 696)

An Act to Increase Certain Fees of Registers of Deeds. (S. P. 249) (L. D. 830)

An Act to Clarify the Definition of "Approved Alcohol Treatment Facility" and to Allow Payment to be Made Directly to the Facility. (S. P. 273) (L. D. 879)

An Act Relating to Leasing and Selling of Property Taken or Acquired for Highway Purposes. (S. P. 310) (L. D. 1058)

An Act Converting Mount Chase Plantation into the Town of Mount Chase. (H. P. 59) (L. D. 71)

An Act Relating to the Employment of Veterinarians by the Commissioner of Agriculture to Ensure Compliance with the Harness Racing Statutes. (H. P. 616) (L. D. 761)

(On motion by Mr. Huber of Cumberland placed on the special Appropriations Table)

An Act Converting Dallas Plantation into the Town of Dallas. (H. P. 578) (L. D. 713)

An Act Relating to Construction Requirements for Sanitary Facilities in School Buildings. (H. P. 942) (L. D. 1181)

An Act Relating to Minimum Group Life Insurance Premiums. (H. P. 983) (L. D. 1246)

An Act Concerning the Qualification of Persons Allowed to Vote at District Budget Meetings of School Administrative Districts. (H. P. 1108) (L. D. 1385)

Which except for the tabled matter, were Passed to be Enacted and, having been signed by the President, were by the Secretary presented to the Governor for his approval.

Resolve, Providing Funds for Clients in Special Age Groups Served by Cerebral Palsy Centers. (S. P. 327) (L. D. 113)

(On motion by Mr. Huber of Cumberland, placed on the Special Appropriation Table)

Resolve, Authorizing the Destruction of Student Fingerprint Cards Maintained by State. (S. P. 380) (L. D. 1231)

Which was Finally Passed and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

On motion by Mr. Speers of Kennebec, recessed, until the sound of the bell.

After Recess

Called to order by the President.

Orders of the Day

The President laid before the Senate the first tabled and Specially Assigned matter:

Bill, "An Act Relating to the Prohibition Against Hitchhiking." (H. P. 1474) (L. D. 1564)

Tabled — April 23, 1975 by Senator Collins of Knox.

Pending — Adoption of Senate Amendment "B" (S-80)

(In the House — Passed to be Engrossed.)

On motion by Mr. Collins of Knox, retabled and Specially Assigned for April 30, 1975, pending Adoption of Senate Admendment "B".

The President laid before the Senate the second tabled and Specially Assigned matter:

Bill, "An Act to Authorize the Board of Environmental Protection to Solicit and Receive Testimony on the Economic Effects of Proposed Developments." (H. P. 1500) (L. D. 1823)

Tabled — April 24, 1975 by Senator Conley of Cumberland.

Pending — Motion of Senator Trotzky of Penobscot to Indefinitely Postpone House Amendment "A" (H-186)

(In the House — Passed to be Engrossed as amended by House Amendment "A")

Thereupon, House Amendment "A" was Indefinitely Postponed in non-concurrence and the Bill Tomorrow Assigned for Second Reading.

The President laid before the Senate the third tabled and Specially Assigned matter:

House Reports — from the Committee on Labor — Bill, "An Act to Increase the Minimum Wage to \$2.50 an Hour." (H. P. 148) (L. D. 173) Report "A" — Ought to Pass in New Draft under same Title (H. P. 1520) (L. D. 1833); Report "B" — Ought to Pass in New Draft under New Title: Bill, "An Act to Increase the Minimum Wage to \$2.30 an Hour." (H. P. 1521) (L. D. 1834)

Tabled — April 24, 1975 by Senator Speers of Kennebec.

Pending — Acceptance of Either Report. (In the House — New Draft (H. P. 1520) (L. D. 1833) Passed to be Engrossed)

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

Mr. SPEERS: Mr. President and Members of the Senate: I think the two reports on this bill are probably better known by every member of this Senate than perhaps any other bill that we have yet discussed so far in this session, so I won't bother reviewing what the two reports accomplish. I would move the acceptance of Report "B" under a new title, Bill, "An Act to Increase the Minimum Wage to \$2.30 an Hour," L. D. 1834.

In speaking to that motion, Mr. President, I would simply like to say that the economic condition of the State of Maine and of the business in the State of Maine, and of the men and women who are in our working force in the State of Maine, are very well known to all of us in these legislative halls and are certainly very well known to the citizenry of this state as well.

It is also very obvious that none of us can

very well predict what that economic situation will be another six months from now or a year from now, or perhaps in even a shorter period of time. I think we all very well recognize that the working men and women of the State of Maine should have some relief from the current minimum wage that currently exists, because that minimum wage is certainly far below and provides for a living far below what a standard of living should be. But we should also very well recognize that the State of Maine is faced with a very high unemployment rate at the present time, and that high unemployment rate can be reduced only by a revitalized and viable economic activity in the state, and that to best represent all of the people in the State of Maine by providing for a revitalized and viable economic activity in this state that the question of raising the minimum wage must also be regarded in that light.

I would like to read a quote from Justice Louis Brandeis that very aptly brings together both the interests of labor and the interests of the business community, and I would call upon my colleagues in this body to recognize that perhaps, as seldom before in this state, with the economic conditions as they exist today, that we should regard and consider both of the interests of both of these two groups and bring them together rather than setting one off as against the other. The quote reads as follows:

"Don't assume that the interests of employer and employee are necessarily hostile, that what is good for one is necessarily bad for the other. The opposite is more apt to be the case. While they have different interests, they are likely to prosper or suffer together."

I submit, Mr. President, that that is certainly true and certainly obvious under the economic conditions that exist in the State of Maine today.

Report "B" on this bill takes into consideration both the interests of labor and the interests of the business community, so that rather than to suffer together, it would be our firm hope and our firm belief that they will indeed prosper together. I would move the acceptance of Report "B" and ask for a roll call.

The PRESIDENT: The Senator from Kennebec, Senator Speers, has moved that the Senate accept Report "B".

The Chair recognizes the Senator from Penobscot, Senator Pray.

Mr. PRAY: Mr. President, I would have to speak out against the good Senator from Kennebec, Senator Speers. Basically what we are dealing with is an economic philosophy, and there are two ways to revitalize an economy: one is to give the money to the top of the scale, to give it to business, give business the break, allow business to have the opportunity so they can expand, and in expansion they will create more jobs and the economy will work its way down, filter its way down, to the working man. The reverse of that, and I would see this in Report "A" of the Committee, which is one step further than the other report, is to give the working man, the man that is living on an existence wage — not a minimum wage, and existence wage — give this man more money and, because he is living on existence, the more money he receives the more he will spend, and it will come back to the businessman.

I am a small businessman, and I have heard it stated in the corridors and had it stated in letters that small businesses are going to suffer, and let's compromise, let's

not let both parties suffer. I know what a small businessman is going to do, and I feared this before when the minimum wage was raised. I talked of letting people go, of cutting back. But people today, in the economic situation that we are in, I think need money to spend, and by spending that money they will rejuvenate the economy.

Let's take a look presently at where the minimum wage is at \$2.10, and say an average person works, if he is lucky today, he puts in 40 hours a week, and in a year he is going to earn \$4,368. That is working 52 weeks of the year with no time off. By going to \$2.30, as both reports call for, this will give the individual \$92 a week before taxes, or \$4,700, roughly a \$400 increase over the year.

Report "A" also calls for \$2.50 in January. That would put the people up to \$100 a week. As I look around, I wonder how many of you people know what it is like to live on a \$100 a week. I can tell you, because I live on just a little bit above \$100 a week. That is \$5,200 a year for working the full year.

I can remember early in the session the Portland Sunday Telegram did kind of a little story or little report on the legislature, and one of the things they stated was the financial status of some of the members here. Well, I happened to be mentioned in that report, and I am not ashamed of it for being an individual who the state considers a low income person. And I consider myself pretty well off, damn well off, but I know a lot of people in my district who are working one and two jobs trying to make ends meet, trying to pay the rent, the electricity, the food to feed their kids, and to keep their houses lit and heated.

I can see as I look around that perhaps a lot of party lines are being drawn. The issue of minimum wage is something that comes up and we stop and consider the people. Let's consider the people. I don't think that \$2.50 is asking too much, and I am speaking also as a small businessman.

The PRESIDENT: The Chair recognizes the Senator from Hancock, Senator McNally.

Mr. McNALLY: Mr. President, probably you ought to hear from one other Labor Committee member. As you all know, I am a general contractor and I belong to a national organization that tries to keep themselves alive perhaps by looking over very carefully legislation all over the country, and we have a meeting once in a while and decide what would be best for our interests, perhaps to vote for certain bills. And the Legislative Committee in this case came out with this idea, that the Legislative Committee has agreed that the Associated General Contractors would not take a definite stand on these issues; that is, the three bills that we heard on labor at the same time, since generally speaking construction wages are higher than the minimum anyway.

However, it was felt that the Labor Committee should be made aware of the fact that the alignment of the national minimum wage and the automatic cost of living adjustments which would come at different times of the year — this is in the federal government — would make it very difficult for construction bidding, and none of these bills have been reported out of the Labor Committee at this date.

Now, to get into it a little bit more, since I come from a small community that has a pretty good trade through their markets, through their different stores, I realize how they all talk with me when we get into

this idea of raising the minimum wage beyond the national standard. Now, we heard in committee as opponents the Maine State Chamber of Commerce, who were opposed to raising it beyond the federal; we had the Bath Chamber of Commerce; the Bangor Chamber of Commerce; the Greater Portland Chamber of Commerce; and the Associated Industries of Maine testified that although, like the Associated General Contractors, they paid more than that, they felt that it was going to be a case, if this was raised, as to a choice of jobs or pay to a less number of people.

Now, you had also testifying people like the Value House, the Holiday Inn, Ira Turner for the Maine Innkeepers Association, Peter Barker, the City Manager of Old Town, and these are people who are all against it. And then we had given to us a fair idea of what would happen to the State of Maine alone. Let's take the state employees; you would have a raise of \$1,680,000 to fund. And in Highway alone you would have a raise of \$1,300,000, providing you have this raise immediately.

Now, all of the people I have talked with in retail allow that if they may have a period, which Report "B" would give them, to adjust to their wages and to their prices of their goods that they buy and the goods which they will buy in the future, that they could live with a \$2.30 wage a couple months ahead of the time that it would become necessary anyway. And then, of course, me being a little bit old, and my teeth kind of bother me once in a while now, I find that one of the worst things for the elderly like me is that you are cheating anybody that is on a fixed income.

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

Mr. CONLEY: Mr. President and Members of the Senate: I would first like to move the indefinite postponement of Report "B". And secondly, Mr. President and Members of the Senate, the arguments against a substantial minimum wage are the arguments of the past.

This morning I came across the classical economic statement: the higher the minimum wage, the greater will be the number of workers who are discharged. The learned economist went on to say many voices are now taking up the cry for a higher minimum, say of 60 or 75 cents per hour. That quotation was made in 1946, and the minimum wage has not destroyed our economy in the past 30 years. But there are still those who do not learn from history. There are those who now support the minimum wage; the lower the minimum the better.

I would like to read from the debate on this subject in this body in the last session. "The reason for the minimum wage is to protect those people most in need of protection", said one Senator. "I can't visualize any single family with two children being able to exist on \$100 a week under the economy that we presently have", said another. And might I remind you that inflation has brought one tremendous increase in the cost of living. "The minimum wage is a concept. God help us if many people are at that minimum. I hope as few as possible are, but let us go on to other things, said a third Senator. After these statements of compassion and support for the minimum wage, the above three Senators all voted

for the lowest possible wage alternative, and all three are no longer with us.

The point I am making is this: Maine people know the difference between lip service and wholehearted support, and they know that if it was hard to exist on \$100 a week a year ago it is much harder now. And that is all we are talking about, a minimum wage of \$100 a week. Maine people deserve this protection.

The U.S. Department of Labor classifies Maine workers as among the most trainable and productive in the United States, and at the same time the cost of living in Maine is fifth from the lowest in the nation. In fact, the cost of living in Maine is higher than in most states, \$38 a year for a family of four on an intermediate budget, to be exact. Our citizens deserve a better deal.

If we had gone to a \$2.50 minimum wage two months ago, we would still be only keeping the minimum wage even with the inflation which has occurred in the last three years. In other words, passing anything less than \$2.50 an hour is a step backwards for thousands and thousand of Maine workers. They will know the difference between lip service and the support in this body today.

In addition, Mr. President, I wonder how many here present have shopped in some of our larger department stores within our communities, and can you remember that but a couple of years ago one could purchase a nice brisk Arrow or any other trade name shirt for approximately \$7 or \$7.50? Today you go in to purchase it and it costs you \$12, and you are still on the short end because it is generally a short sleeve shirt. I wonder how many people have gone into the grocery store today. And I know the good Senator from Oxford, Senator O'Leary, has related to me an experience he had yesterday morning in going down to pick up some milk and bread, and found out he had enough change from a \$2 bill — he still had one — to purchase a cup of coffee.

I wonder how a family of 14, such as myself, gets by on less than \$2.50 an hour, or \$100 a week.

I wonder how many people today, even under the \$2.50 minimum wage per hour, if passed, would still be eligible under the federal guidelines to receive food stamps. I can tell you there would be thousands.

I also wonder how many people today, if they are not going to receive a living wage, are going to have to return to the AFDC roles in this state.

So what I am saying primarily is that regardless of how you look at it, we must remember that the economies of the country have always passed it on and on and on to the consumer, so it makes no difference whether we pay \$2.50 or whether we pay \$3, it still comes back to the guy who is unprotected in many ways, because as inflation rises so does the cost of everything else rise, but the fellow that is trapped in at \$2.10 an hour just can't compete with that kind of inflation and those kinds of raises that are made on the products.

I think the only thing we can do for Maine citizens today is to adopt Report "A". If so, tomorrow I guarantee that there would be an amendment on the floor to make Report "A" a little more palatable. Mr. President, I again move the indefinite postponement of Report "B".

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

Mr. KATZ: Mr. President, in opposition

to the motion for indefinite postponement, I would like to cover three different areas covered by the previous speaker.

In the first place, the report which he supports has an immediate effect on the entire business community. I think even the proponents of that point of view would raise some questions as to how responsible it is to thrust a significant increase in the cost of doing business overnight on Maine's business community in its present form.

Second, I would imagine that the Senator from Cumberland, Senator Conley, when he talked about an amendment, might be talking about an amendment to increase the minimum wage and perhaps, I understand, there was a bill for \$3 before us earlier in the session.

Is there anybody here, pushing aside the feeling of compassion we all feel, which has been so carefully documented by two of the previous speakers, is there anyone here who really, really feels that the Maine Senate can do away with personal suffering by a single legislative act? Do you really feel that the Maine Senate, by raising the minimum wage to \$3 an hour or \$3.25 an hour, can do away with that large and faceless suffering group of low income people in the state? Do you really feel this is so? If you really feel this is so, why does Report "A" only go to \$2.30 on May 5th and \$2.50 on December 31st? What do you really, really feel about the strength and the ability of the Maine Senate to contribute to the prosperity and human needs of our people?

Finally, the third point I would like to make is that every time there is a minimum wage increase some business reacts and talks about decrease in employment, and this argument is struck down all the time because some of the claims are outrageously inaccurate and scary, but is there an impact on employment? The Senator from Kennebec, Senator Reeves, is in the middle of identifying the level of unemployment.

Let's go to that department store that the Senator from Cumberland, Senator Conley, just mentioned, and instead of looking at the shirt and the price on the shirt, try to get a sales person to help you with your selection. What do you find? At one time retailing in Maine was a labor intensive industry. But go into Zayres, go into any of the mass merchandizers, and you know them in your communities better than I, and what do you find? It is a very lonesome feeling to be a customer in there trying to get somebody to help you. Because of the cost of labor, mass merchandizers have again and again and again reduced that portion of their budget that goes for people on the floor. It is a fact. This is not a prognosis; I am looking backward over my shoulder now. There are so few people on the floor of mass merchandizers that stealing is epidemic. And if you don't know that presently there are little groups of high school kids forming little informal clubs, and the name of the game to be initiated is to steal something from Laverdières or steal something from Grants or steal something from Zayres, you are not aware of what is going on.

Now, I am not suggesting that a significant loss of employment will occur, but I am saying that there isn't anybody here who can deny this statement: that as we raise minimum wage every employer in the state will make a conscious decision,

even as I do in my business and even as Senator Pray does in his business; in my case, in one department shall I have two sales people on today or three? It is a decision I make every day. We are all going our own way on this one, and I hope it doesn't break down completely to Republicans and Democrats, but I plead with you do not feel that the Maine Senate can reduce human suffering and create prosperity without any impact on any other facets of our existence by the use of an increased minimum wage. It just simply is not true.

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

Mr. MERRILL: Mr. President and Members of the Senate: I don't think any minds are going to be changed on this so I will speak very briefly. I would like to concur completely with the analysis of this problem that was put forth by the Senator from Penobscot, Senator Pray.

I agree with the Senator from Kennebec, Senator Speers, that ultimately employer and employee suffer together. I think that the experience of the last 30 or 40 years of the economy in this country proves that point. But I think there is a philosophic division that is evidenced here today, as Senator Pray, the Senator from Penobscot, points out, as to how you go about having both sides prosper together, because that is the goal of us all. And I think that the experience of the last 30 or 40 years evidences the fact that if you want this economy to prosper you have got to keep spending power at the bottom of the economy. And when we move away from that philosophy, as we have in national leadership over the last six or seven years, we head right towards the form of economic disaster that we have here today.

It is no surprise to the members of my party where the Republican leadership has led this nation. It is no surprise that we stand in this economic problem because they followed that philosophy to put more at the top, put more at the top, and let it trickle down until there is nothing at the bottom, there is no spending power left in this nation, and we stand where we stand today. So I think there is a philosophical difference here, and I think the only way to restore the economy is put the spending power back with the people that have it. Henry Ford sold a lot of Fords. One of the things he did is that he paid his workers enough so they could afford to buy one. I think that is what we are talking about here today.

You know, when I was in school and we studied economy one of the big debates that we used to have all the time was whether or not the wages were pushing up the prices or whether the prices were pushing up the wages, or whether it was both. We have had an interesting indication on that one in the last four or five years because the working people in this country and in this state have shown remarkable restraint, have shown remarkable restraint, in their negotiations in their push for wage increases, and because of that they have fallen behind steadily. The working people in this nation have fallen behind steadily over the last four or five years, and have we seen inflation come under control? Has that restraint paid off in the fact that they can buy their goods for not much more than they paid for them four or five years ago? Has that been the result? I think what we are talking about here is

how to just keep those people that are at the bottom, people that for the most part aren't represented by organized labor, trying to keep them up with things enough so that they can survive.

Now, obviously we aren't going to end human suffering with the passage of this. I think the Senator from Kennebec, Senator Katz, is absolutely right, that there is no way we are going to do it. But what we are talking about, I think, is a fairly minor thing, and that is just trying to keep people having enough money so they can hold themselves together.

Now, we are talking here, if we accept the other report, if we postpone this one, about \$100 a week. \$100 a week, after they have had their money taken out, will probably be about as much as we get for expenses alone if we attend the Senate for three days. That is leaving aside our check. That is just the money they give us to come here and the \$25 per diem while we are here. Now, how many people in this Senate could live on that? How many in this Senate feel that they could sit at home and look at their family and their children and feel some pride that their 40 hours of work for the week had paid off in something so that they could provide what they ought to be able to provide to their family? That is what we are talking about here. When all the rhetoric is done, that is what we are talking about. Any member of this Senate that thinks he could sit in his home and feel that he had done a week's work and gotten what he deserved for it, when he got that much money and that's all, not the paycheck we get here and not what money we make from our businesses, but that's it, then I think in good conscience he can vote for the report that has been moved by the Senator from Kennebec, Senator Speers. I think the rest of us ought to vote for the motion to indefinitely postpone.

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

Mr. SPEERS: Mr. President and Members of the Senate: I would like to correct perhaps a couple of implications that have been made in the debate by members of the minority party of this body. The implications have been, of course, that in moving to accept Report "B" we are opposed to raising the minimum wage or opposed to bringing the minimum wage into a closer relationship with the cost of living or the cost of a subsistence wage or income in the State of Maine.

The Minority Leader has suggested that there is a great deal of lip service being paid to benefitting the working men and women of this state. Well, I would like to point out very clearly, Mr. President, that the majority party of this body is supporting Report "B", which does indeed raise the minimum wage or advance the effective date of the minimum wage to \$2.30 an hour, which is precisely what Report "A" does; it talks about \$2.30 per hour.

Now, the Senators of the minority party of this body have suggested that perhaps that is not enough. Well, if we are talking about lip service, Mr. President, why aren't the amendments coming forth to increase that to \$2.50 or to \$3 or \$3.50, or whatever it is that they do feel should be mandated by the people of this state as a subsistence wage. Well, the reason, of course, is because there is some line of responsibility at some point that is reached. And I would submit, Mr.

President, that this is not a philosophical division that we are talking about here, but rather a division on the concept of responsibility and on the concept as to the question of what point should be reached or can be reached before there are indeed diminishing returns.

Now, the suggestion has been made that the arguments that are being discussed here are old arguments, arguments that have been used time and time and time before. Well, again in pointing out, Mr. President, that Report "B" and Report "A" do go to \$2.30 an hour, both of them, I would suggest that the only arguments are those arguments that the good Senator from Cumberland, Senator Conley, the Minority Leader of this body, has referred to in quoting debates that have been made in prior years in this body. Well, this is not a prior year. This is here today, and the majority party is supporting Report "B" which increases the minimum wage to \$2.30 an hour.

I feel compelled as well to suggest to the good Senator from Cumberland, Senator Merrill, who has made reference to the administration in Washington, and ask the question who it has been for the past 25 years who has been in control of Congress in Washington? And what does the federal minimum wage mandate? \$2.30 an hour beginning January 1 of next year. And if the feeling is that this is so minute, so irresponsible, then why is it that the party which controls Congress by such overwhelming odds has not gone beyond that mandated minimum wage, and if we are talking about the economic problems that this nation faces today.

Let me relate a memory which I think does and should burn in the minds of all of us, and take you back ten years ago to 1965 when the nation awaited with great anxiety and great question the state of the union message of President Lyndon Baines Johnson, and the burning question, as to whether this nation would opt for guns or butter, and the President strode into Congress and faced the nation squarely in the face and stated we can have both guns and butter. And Mr. President, we are paying that price today. We had great prosperity for a few years but, as with all questions of economics, the price has been paid and is being paid with rampant inflation which can be directly traced to that philosophical question that this nation could have everything at any time that it wished.

Bringing this back again to the State of Maine, Mr. President, the question that we face here, the question of responsibility, is whether or not the State of Maine is to mandate diminishing returns for our working men and women and for our business community, and for our entire economic activity, by placing us far out in front of the rest of the nation when one of the crying needs of this state is to bring industry into the State of Maine, to revitalize our economic activity, to do everything we can to increase the employment of this state, whether it is wise and responsible to pass measures which would tend to compel anyone considering coming into this state to set up an industry to move elsewhere and to deny those jobs to the people of this state, the working men and women of this state. It is not a philosophical difference, Mr. President; it is a question of responsibility of bringing the two interests together so that all of the people of the state can move forward.

The PRESIDENT: The Chair recognizes

the Senator from Penobscot, Senator Pray.

Mr. PRAY: Mr. President and Members of the Senate: Just a little bit on Report "B", which has been moved by the Majority Leader. Report "B" calls for a 20 cent increase on our present federal minimum wage. Report "A" calls for a 20 cent increase on minimum wage. And in January when it goes to \$2.30, Report "A" continues to call for a 20 cent increase over and above the federal minimum wage. If it is as I understand the good Senator from Kennebec, Senator Speers, stated, that they are asking for an increase to go above the federal minimum wage, then why not carry that philosophy on through January when the federal government goes up to \$2.30?

Why is it that the federal government is \$2.30 and Maine wants it a little bit higher? You know, there are a lot of situations around this country, a lot of variables, to be taken into consideration, especially when you go into the southern part of the country where the overhead and expenses of living aren't as high as they are here in the northeast. I can remember being in the service and living in the south, and the expenses of living are an awful lot lower than they are here in Maine. You can buy your trailers without insulation down there because they don't need it. We have got a lot of factors to be taken into consideration as to why Maine people need more.

I have read it before and I have heard it stated here again today that Maine workers are highly trainable. Go down to Connecticut and ask Pratt and Whitney, and they will tell you they like Maine people. This is why a lot of these people find it easy to get jobs elsewhere, because we have a labor force that those people are willing to pay for. I am not talking about going down to Connecticut and picking up a common minimum wage or existence wage scale, but skilled scale, skilled labor.

Earlier I gave you the figures as to what on a yearly basis this would pay. I wish each member in this chamber would take a pen in their hand at this time and write these figures down. Presently at \$2.10, \$84 a week; \$84 a week before taxes, \$4,368 a year. At \$2.30 on a 40 hour week, \$92 a week before taxes, \$4,700 a year. And if Report "A" were accepted, it would be \$2.50 after January on 40 hours a week, \$100 a week before taxes, \$5,200 a year.

I have heard it mentioned about the pay we get here in the legislature. You know, I have never made so much money before in my life. Of course, it has cost me a lot to come down here and to stay here. I have never received so much money before in my life in one week. I look around here and I can see a few smiles. I see a lot of people here that perhaps can receive this for a couple days work in a week. We have got an awful lot of Maine people that don't receive it. We have an awful lot of Maine people that need it.

It is true as it has been stated, this isn't going to solve the suffering in Maine. And it is true why the Democratic Party as well as the Republican Party has set a limit as to how high an increase they have asked, because of the responsibility and compassion for both sides of the story, for the consumer and for the retailer, for the businessman and for the laborer. So I think this is necessary, but I have a good idea and a good indication as to how the vote will come out. But I hope that each one of you, in all seriousness, can go home tonight and say that you have done something good for the State of Maine.

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

Mr. REEVES: Mr. President, I rise in support of the motion of the good Senator from Cumberland, Senator Conley. I would like to just pass on this one point. At a recent hearing of the new Committee on Jobs, all the witnesses appearing before the Committee urged a substantial raise in the minimum wage. This included the Commissioner of Health and Welfare, officials of Manpower Affairs, city officials, town managers, and members of the general public, and I think their reasoning is worth our consideration. It was this: that our low minimum wages are taking away the incentive to work. They were warning that in comparison with unemployment insurance benefits, food stamps, and other such programs, there is little incentive to work at our low minimum wages, and the result is an incredible pressure on our public assistance programs.

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

Mr. CURTIS: Mr. President and Members of the Senate: I am a little disturbed this morning by some of the statements that have been made here in the Senate in what I feel is an attempt to politicize and polarize this issue. I am particularly concerned about the remarks made by the Senator from Cumberland, Senator Merrill, in trying to, as I understand it, place the blame for the present economic crisis of the country on one political party. Like the Senator from Kennebec, Senator Speers, I would like to point out that in recent years on the national level, of course, we have had a Democratic Congress and a Republican President, and in recent years in the State of Maine we have had a Democratic Governor and a Republican Legislature. While these things change around, the fact remains, that the employment and inflation problems we have are a result of a large number of economic as well as political factors.

I thought there was also some humor to the suggestion that State Senators ought to be able to look back on their work week after spending 40 hours and feel that they had done something good for the pay they had received. I don't think there is anybody here, including the good Senator from Cumberland, Senator Merrill, who has done anything since they have been in the Senate except spend a lot more than 40 hours working for the people of the state, as we feel we should be. Perhaps we would be wise in one of those amendments that was predicted earlier to post one to this bill that would provide for a minimum wage for state legislatures.

My primary concern here is to try to be positive rather than partisan, and I guess my greatest concern is the employment. Having been unemployed myself in the past, I can assure you that to the unemployed person who cannot find a job, the unemployment rate is 100 percent.

We have a situation in which the inflation is great and it eats at paychecks. We have a situation in which the people who are working to earn a minimum wage and being paid at that low level of pay are probably also supplementing their income, especially if they have families, to a great level with food stamps or with some other kind of public assistance. I am not sure of the factors here, but as I understand it, if their salaries go up, their wages go up,

then the amount of public assistance to which they would be entitled would go down. So I am not sure that we have a panacea in raising the minimum wage for everyone, but I think it would help.

Let me point out a couple of specific examples — and I spent a long time Saturday afternoon talking with a gentleman from Bradley who is a leader in the AFL-CIO in the local area, and we discussed this at great length. I am concerned, for example, about the effect of any increase in the minimum wage on the retail business just before Christmas, and that is probably what we are talking about here in Report "B". What is going to happen when the college students, of whom I represent a great many, or the people who work part-time in the year, widows or people who try to supplement their income, social security income perhaps, go looking for a job in the department stores as sales clerks. Will they be able to find the jobs? These people count on that income to supplement their existence so that they will be able to provide some Christmas presents and so that they will be able to pay for the tuition for the next semester.

The next thing I would like to have everyone think about is the problem of our industries which are competing both with other states in the United States and with other countries. Maine is not an island, and when we raise our minimum wage we ought to remember the fact, as I understand it, unless somebody contradicts me, that we not only will be higher than the federal minimum wage, but we will be higher than any other state except Alaska. As I understand it, only Alaska has a minimum wage higher than the federal, and that is, I believe, fifty cents an hour, and that is because of some particular situation that exists in that area of the country.

It has been mentioned that Report "B" will provide time to plan for the businesses, so perhaps we won't hurt those students who are looking for the part-time jobs this summer, and perhaps we won't cut down on the retail clerk business that will be available, and perhaps we will enable our companies to continue to compete with other states and other nations. Like most compromises, this one does not satisfy everyone; it certainly does not satisfy me, but lacking a crystal ball and an ability to predict into the future, I suppose it is about as good a piece of legislation as we are going to have and be able to enact to solve all the problems. So, Mr. President, somewhat reluctantly, I am going to be supporting Report "B".

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Carboneau.

Mr. CARBONNEAU: Mr. President and Members of the Senate: I would like to point out a few things that haven't been mentioned, or at least I didn't hear mentioned, and that is about the small manufacturer in this state. Having been involved with some industrial development group in my home town for quite a number of years, and having been involved in trying to get new industry to move into Maine, the biggest problem these people found was the transportation handicap.

When you have to move the natural resources or whatever you need to manufacture goods here in Maine, located in the northeastern part of the country, and then after it is manufactured take it

back to the market centers, you have quite a cost of operation there that other states that are located close to these centers do not have. Now, the manufacturers here have to compete with others from elsewhere, and if their goods are costing us on the average of twenty cents an hour more, you can just imagine how much more that merchandise has to cost the buyers. And of course, the buyers are not going to buy it. So what happens? Well, the little manufacturer does not have the orders that he should have to keep his people going, so he lays off. One thing that we have to bear in mind is that competition is stiff in all market areas, and if we are going to price ourselves out of existence, we are going to price ourselves out of jobs.

I would like to read to you a letter that I got here this morning from the Executive Director of the Maine State Grocers Association. In substance, he says a provision noted in L.D. 1833 would make a \$2.30 an hour rate effective May 5th, and \$2.50 on January 1st. This would impose considerable hardship on our retailers on holding down the consumer price and in some cases, due to the hard core competition, actually discourage smaller outlets from survival. We also look for extra summer help in the student college area, but if labor costs become a factor in the heavy competitive field of doing business, stores will have to decide which course to take.

I would just like to cite here a little example of what I did when I was in business back a few years ago when the State of Maine decided to go ahead of the federal government's minimum wage. You know, in the grocery business, especially if you have a fairly good size operation, you hire people, especially bundle boys, to work in the front of the stores for the last three days of the week. At that time I had six boys working for me, and these boys were working for me because their parents would plead with me to get them off the streets, to hire them. "Don't pay them anything, just keep them in the store so they won't become juvenile delinquents." Well, occasionally you would find a place for one. Well, at that time the wages, I think, went to \$1.90 here in the State of Maine, and the federal wage was \$1.60, believe. What I did, instead of having six I got four. I let two of them go to take over the extra money that I had to spend to try to keep competitive. That is the name of the game; you have to compete with your next door neighbor. If you sell any higher than he does, my friend, he is not going to come to see you, no matter how nice a guy you are.

I would like the Senate to remember these thoughts. Thank you.

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

Mr. CONLEY: Mr. President and Members of the Senate: I am sorry that the good Senator from Penobscot, Senator Curtis, says apparently it came to his mind that this issue had been polarized. I believe it became polarized, Mr. President, when the presiding officer recognized the majority floor leader of the Senate for him to make his motion to accept Report "B". However, I think the good Senator from Androscoggin, Senator Carboneau, has cleared the air a little as to polarization.

Another thing I would like to discuss in a few words to the Senate this morning is to

mention perhaps the public utilities of this state, and how over the last several years we have seen headline after headline of the various utilities who have come before the PUC asking for increases to be able to continue to provide the services that we are so accustomed to receiving, the fact that the rising costs of utilities demand the PUC to acknowledge higher rates so that these utilities companies can continue to survive. How many of us were so shocked perhaps a year ago when our heating bills doubled annually with the cost of residual fuel oil. How many of us were shocked when the federal government, through the gasoline shortage and the crisis in Eastern Asia, shot gasoline prices soaring along with the oil to move our automobiles. Then the good Senator from Androscoggin, Senator Carbonneau, has made reference to the high cost of transportation. How many people are there in your area, particularly those in the rural areas of this state, who have to set up car pools in order to get to work and try to economize amongst themselves as neighbors so that in some way they can have a little additional spending money for their families.

I think there are many things here to be considered today, and I think we all know one thing, that if the minimum wage is raised, some way or another it is going to be passed down to the little guy or to the big guy or to the medium sized guys, but the little guy always is going to get it in the neck. At least this will help him somewhat, and I again urge the Senate to reject Report "B". And Mr. President, when the vote is taken, I would ask for a roll call.

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

Mr. JOHNSTON: Mr. President, I have heard a lot of talk this morning in this very fine debate about whether or not raising the minimum wage here in Maine will discourage industry from coming to Maine. Nobody feels any more strongly than I do about attracting industry to Maine. I am told that if I wanted to return to this body that I may have sacrificed any possibility of so doing because of a stand that I took and fought for with relation to revitalizing the sugar industry in this state. If that is the truth, so be it, but the interest is there.

While I was doing that, in talking to the giants of that industry, they didn't talk to me about coming to Maine because labor was cheap. They talked to me about coming to Maine because of the strength and quality of the labor force in Maine and because they wanted to live and work in Maine with that industry.

I don't deny that there are small businesses and large businesses and small industries and large industries in this state today that are hanging by a thread. Well, we are going to turn it around; these industries and these small businesses are going to survive. But we are not going to do it behind a smoke screen of a minimum wage, and we are never going to do it by stripping the hide from the back of the little guy. I just had a telephone call — we have referred to this now as a polarized issue — from a small businessman in Aroostook County who is a Republican, and who suffers along with the rest of us, and he said, "Peter, vote for \$2.50 and do it now."

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

Mr. BERRY: Mr. President and Members of the Senate: This morning we have seen a problem that we have all known has been coming for a long time. And since we have had it on the floor this morning, we have seen it located in the State of Maine, it has gone to Washington, it has come back to the State of Maine, it has gone to individual municipalities, and now we find it back to the State of Maine. But I think several things that we have to keep under consideration is the fact that — and I will use my own district as an example — as projected by the state, we have 11 percent unemployment. Yet I got up this morning and was watching television before coming to the Senate, and the good Senator from Kennebec, Senator Reeves, there was a quotation on there by him that he projected that unemployment in the State of Maine was 16 percent. The editorialists seemed to agree with Senator Reeves over this projection for the State of Maine.

While serving on our local municipal body, I have seen our general assistance and welfare rolls doubling over the past year, and in some cases more than doubled. There has been much mention about bringing large industry into the State of Maine, and that if a \$2.50 wage was passed it would be a deterrent. I don't believe that, because we negotiated with many large companies; we have negotiated with companies such as Allied Container on the national level, Tampax, General Electric, Pioneer Plastics, and we never once have sold these companies on our low minimum wage. We sold these companies to come into Maine because of the facilities we could offer to them, we have sold our people and our talents. Going back to these same companies, I find that all the companies I mentioned pay well above our minimum wage.

We have seen Allied Container, a relatively new company, just leaping forward in their field. Tampax came to Maine with one plant. They have had an expansion and we are now their largest plant in the world. Pioneer Plastics came to Maine with one small plant and have gone through several expansions, where we now have their largest plant in the world. So I think there is more to it than the minimum wage. We do have the talent, we do have the people to provide service to these companies, and I think it just goes much deeper than what we are actually saying here.

When I look around from serving on a fair hearing board and see many of our people in our municipality who are out working 40 hours a week, because that is the amount of work that they can actually produce for one employer, taking on a second job and still not being equivalent to someone who is on general assistance, ADC and other welfare rolls in the State of Maine, then I think it is time that we did something to bring these people to a livable minimum wage.

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

Mr. CIANCHETTE: Mr. President and Members of the Senate: I would just like an opportunity to clarify my position. I strongly support the motion to indefinitely postpone which is before us, and I would like to say in answer to the Senator from Kennebec, Senator Katz, about what may be coming forth for amendments, that I will see to it there is at least one amendment before us, if we accept Report

"A", that says we defer the time the \$2.30 takes precedent. I think it is necessary, and I think putting the \$2.30 into effect May 5th would impose a real hardship, so I will see to it that there is an amendment before the body to take care of that situation.

I have heard it said that if \$2.50 is good, then why not go to \$3.00. I would like to see it go to \$3.00, but it is impractical at this time, in my opinion, and I am not going to try for something that is impractical. I think \$2.30 somewhere along about October 1st, coupled with \$2.50 January 1st, would give a significant improvement to the hopeless feeling that many of the workers here in the State of Maine have. They are in over their heads, they can't see any way out of it, there is no financial way they can pay their bills, and they are in a state of complete hopelessness. I don't say that this is going to solve their problem, but I do firmly and sincerely believe that it will be a spark of encouragement for those people to continue, and to continue to earn the reputation that the Maine workman is the best in the nation.

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

Mr. PRAY: Mr. President and Members of the Senate: I would just like to relate to you a little about the committee hearing. I am pretty sure everybody has pretty well made up their mind on the issue and everything, but being on the Labor Committee and sitting there and seeing the two sides, the business people coming in and saying that they cannot live with an increase in the minimum wage, that it is going to hurt them, and also at the same time having the people coming in that are living on minimum wage — I would rather refer to it as an existence wage — and coming in and explaining the things that they had to give up, the things that they had to do without, I felt compassion for them; I know how they feel. My youngest son is two years old in March, he is ours now, we have paid him up, the hospitals bills.

I know there are many people in this country, especially in this state and especially in my senatorial district, in which I have some communities with an excess of 20 percent unemployment, and these people that are working, a lot of people say well, you are from Millinocket, you have the Great Northern Paper Company up there and they pay a good wage, \$3.60-plus an hour — well, I have two parts to my district; I have Piscataquis County, which has very little industry and labor force. A lot of these guys work in the woods at minimum wage or get paid by the amount of wood they cut. They go home on weekends and see their wives, two and three kids, maybe more, and try and live on that. I would just like to know how many people here really believe they could live on \$100 a week before taxes. Just think about it, \$100 a week.

The PRESIDENT: The pending motion before the Senate is the motion of the Senator from Cumberland, Senator Conley, that Report "B" be indefinitely postponed. A roll call has been requested. In order for the Chair to order a roll call, it must be the expressed desire of more than one-fifth of those Senators present and voting. Will all those Senators in favor of a roll call please rise in their places until counted.

Obviously more than one-fifth having arisen, a roll call is ordered. The pending motion before the Senate is the motion of

the Senator from Cumberland, Senator Conley, that Report "B" be indefinitely postponed. A "Yes" vote will be in favor of indefinite postponement; a "No" vote will be opposed.

The Secretary will call the roll.

ROLL CALL

YEAS: Senators Berry, E.; Cianchette, Clifford, Conley, Danton, Graham, Johnston, Marcotte, Merrill, O'Leary, Pray, Reeves.

NAYS: Senators Carbonneau, Collins, Corson, Cummings, Curtis, Cyr, Gahagan, Greeley, Hichens, Huber, Jackson, Katz, McNally, Speers, Thomas, Trotzky.

ABSENT — Senators Berry, R.; Graffam, Roberts, Wyman.

A roll call was had. 12 Senators having voted in the affirmative, and 16 Senators having voted in the negative, with four Senators being absent, the motion did not prevail.

The PRESIDENT: Is it now the pleasure of the Senate to accept Report "B"?

The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President, I would request a roll call.

The PRESIDENT: A roll call has been requested. In order for the Chair to order a roll call, it must be the expressed desire of more than one-fifth of those Senators present and voting. Will all those Senators in favor of ordering a roll call please rise and remain standing until counted.

Obviously more than one-fifth having arisen, a roll call is ordered. The pending motion before the Senate is the motion of the Senator from Kennebec, Senator Speers, that the Senate accept Report "B".

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, I would pose a question through the Chair as to whether or not the bill is still debatable?

The PRESIDENT: The Chair would answer in the affirmative.

Mr. CONLEY: Mr. President, I would urge the Democratic members of the Senate to vote for acceptance of the report.

The PRESIDENT: The pending motion before the Senate is the motion of the Senator from Kennebec, Senator Speers, that the Senate accept the Ought to Pass in New Draft Report "B" of the Committee. A "Yes" vote will be in favor of acceptance of Report "B"; a "No" vote will be opposed.

The Secretary will call the roll.

ROLL CALL

YEAS: Senators Berry, E.; Carbonneau, Clifford, Collins, Conley, Corson, Cummings, Curtis, Cyr, Danton, Gahagan, Graham, Greeley, Hichens, Huber, Jackson, Johnston, Katz, Marcotte, McNally, Merrill, Pray, Reeves, Speers, Thomas, Trotzky.

NAYS: Senators Cianchette, O'Leary.

ABSENT: Senators Berry, R.; Graffam, Roberts, Wyman.

A roll call was had. 26 Senators having voted in the affirmative, and two Senators having voted in the negative, with four Senators being absent, Report "B" of the Committee was Accepted in non-concurrence, the Bill in New Draft Read Once and Tomorrow Assigned for Second Reading.

The President laid before the Senate the fourth tabled and Specially Assigned matter:

Bill, "An Act Creating Kennebec County Commissioner Districts." (H. P. 929) L. D. 1174)

Tabled — April 24, 1975 by Senator Katz of Kennebec.

Pending — Passage to be Engrossed.

(In the House — Passed to be Engrossed as amended by Committee Amendment "A" (H-179)

(In the Senate — Committee Amendment "A" Adopted)

Mr. Katz of Kennebec then moved the pending question

Thereupon, the Bill was Passed to be Engrossed in concurrence.

The President laid before the Senate the fifth tabled and Specially Assigned matter:

Bill, "An Act Relating to a Close Corporation Under the Unemployment Compensation Laws. (S. P. 493) (L. D. 1822)

Tabled — April 24, 1975 by Senator Speers of Kennebec.

Pending — Enactment.

On motion by Mr. Speers of Kennebec, retabled and Tomorrow Assigned, pending Enactment.

The President laid before the Senate the sixth tabled and Specially Assigned matter:

Bill, "An Act to Provide Excise Tax Refund for Construction and Operation of Breweries within the State." (H. P. 369) (L. D. 463)

Tabled — April 24, 1975 by Senator Katz of Kennebec.

Pending — Motion of Senator Merrill of Cumberland to Reconsider Action whereby the Bill was Indefinitely Postponed.

(In the House — Passed to be Engrossed.)

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

Mr. JOHNSTON: Mr. President, the Chairman of the Taxation Committee isn't present today, and I know that he has a deep and abiding interest in this problem, and is trying to resolve a couple of other matters with respect to this problem, I would ask if somebody might table this for a couple of more days.

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

Thereupon, on motion by Mr. Marcotte of York, tabled and Tomorrow Assigned, pending the motion by Mr. Merrill of Cumberland to Reconsider Indefinite Postponement.

The President laid before the Senate the seventh tabled and Specially Assigned matter:

Bill, "An Act Relating to Maternity Benefits for Unmarried Women Health Insurance Policyholders and Minor Dependents of Health Insurance Policyholders." (S. P. 121) (L. D. 407)

Tabled — April 24, 1975 by Senator Conley of Cumberland.

Pending — Passage to be Engrossed.

On motion by Mr. Conley of Cumberland, retabled and Specially Assigned for May 2, 1975, pending Passage to be Engrossed.

The President laid before the Senate the eighth tabled and Specially Assigned matter:

Resolution, Proposing an Amendment to the Constitution to Provide for Annual Sessions of the Legislature and to Change the Date of Convening of the Legislature. (H. P. 1510) (L. D. 1827)

Tabled — April 25, 1975 by Senator Curtis of Penobscot.

Pending — Passage to be Engrossed.

(In the House — Passed to be Engrossed)

On motion by Mr. Curtis of Penobscot, retabled and Tomorrow Assigned, pending Passage to be Engrossed.

Mr. Katz of Kennebec was granted unanimous consent to address the Senate:

Mr. KATZ: Mr. President and Members of the Senate: About half an hour ago there was quite a mob of young people in this Chamber. As I understood it, as announced by the President, they were educable youngsters from Camp Waban. I would like to tell you just a little bit about educable youngsters.

A handful of years ago these youngsters were not served by the education system of this state. Very frequently they were relegated to their families' back bedrooms. Over the years we have begun to identify our abilities to give education to these youngsters. It is expensive.

We also are now living up to our responsibilities towards trainable youngsters, which is another category with a lower IQ. We are now providing services to trainable youngsters. And as we get into the question of how much we should spend for education, and as we read in the editorial pages of our major dailies about the soaring cost of education, I want the Senate to understand that living up to our responsibilities to this large segment of Maine population, these human beings who are retarded, who are educable, and who are trainable, that this is expensive education and this is part of the cost of our increased educational bill. I just don't want the Senate to feel in reading the editorial pages that we are a bunch of spendthrifts blowing all kinds of taxpayers' money for no useful purpose. I think the Senate has got to make up its mind whether this is a useful purpose.

Mr. Berry of Androscoggin was granted unanimous consent to address the Senate:

Mr. BERRY: Mr. President and Members of the Senate: Not to be repetitious of my good friend from Kennebec, Senator Katz, but we have had several buttons going around the Senate from time to time, and one of them, as you probably realize, that I have become quite closely associated with is one that shows a large St. Bernard dog and it says "Moose Power" on it. If you look at the back, and many of you have purchased these buttons, on the back it says "Your purchase of this product helps Waban Association for Retarded Children, Sanford, Maine." So, I think that many of us outside, even though we are involved in the educational process, feel that this is one area the Senate does have to look at, and it seems there has to be a better means of educating these children than doing it through items such as this.

Mr. Hichens of York was granted unanimous consent to address the Senate:

Mr. HICHENS: Mr. President and Members of the Senate: I want to thank both of these gentleman who have preceded me, and draw to your attention that these students from Waban and from the Wells special education classes are having a display either on the third floor or in the second floor Hall of Flags, I am not sure, but I would like you to meet them and look over their display, and to give them your full support in the bills that are before us in this legislative session. Thank you very much.

On motion by Mrs. Cummings of Penobscot, Adjourned until 10 o'clock tomorrow morning.

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