

MAINE STATE LEGISLATURE

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One Hundred and Twenty-Second Legislature

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The Chair laid before the Senate the following Tabled and Later (5/3/05) Assigned matter:

JOINT STUDY ORDER - To Establish the Commission To Study Long-term Funding for Department of Inland Fisheries and Wildlife

H.P. 1136

Tabled - May 3, 2005, by Senator **GAGNON** of Kennebec

Pending - **PASSAGE**, in concurrence

(In House, April 28, 2005, **READ** and **PASSED**.)

(In Senate, May 3, 2005, **READ**.)

On motion by Senator **GAGNON** of Kennebec, placed on the **SPECIAL STUDY TABLE**, pending **PASSAGE**, in concurrence.

The Chair laid before the Senate the following Tabled and Later (5/3/05) Assigned matter:

HOUSE REPORTS - from the Committee on **LABOR** on Bill "An Act To Require That All Public School Employees Be Paid a Livable Wage Rate"

H.P. 368 L.D. 493

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-187)** (6 members)

Tabled - May 3, 2005, by Senator **STRIMLING** of Cumberland

Pending - motion by same Senator to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE**

(In House, April 28, 2005, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, May 3, 2005, Reports **READ**.)

On motion by Senator **NASS** of York, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Snowe-Mello.

Senator **SNOWE-MELLO:** Thank you, Madame President, ladies and gentlemen of the Senate. I ask that you oppose the current motion that is on the table. I really believe this legislation would have a very uneven, yet significant, impact on the school systems and school budgets across the state. In poor regions of the state, which have the most difficulty raising tax dollars, the burden on the school budget would be remarkable. Ladies and gentlemen, this would really have a significant financial impact on our local school systems and will cause our property taxes to go up. I ask you not to support this bill. Thank you very much.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Strimling.

Senator **STRIMLING:** Thank you, Madame President. I would encourage my colleagues to vote for the motion in front of them. This is a bill for us to be able to walk the walk, for us to be able to say to people in the State of Maine that we do believe in bringing up the wages of the people who are our lowest paid employees. Yes, there will be some cost, certainly at the local level, but we know that will be put back into the economy to help spur the State of Maine as we move forward. Again, I would just say that this is for us to stand forward and say we believe in paying people a livable wage, a wage on which they can support their families, and an opportunity for us to walk the walk this afternoon. Thank you very much.

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Dow.

Senator **DOW:** Thank you, Madame President. I'd like to ask a question through the Chair?

THE PRESIDENT: The Senator may pose his question.

Senator **DOW:** Thank you, Madame President. I would like the definition of a livable wage.

THE PRESIDENT: The Senator from Lincoln, Senator Dow poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Cumberland, Senator Strimling.

Senator **STRIMLING:** Thank you, Madame President. As defined in the bill, that you can see right in front of you there, the minimum hourly wage rate required by this section is equal to 185% of the annual poverty line wage level for a family of two, as established by the United States Department of Labor, divided by 280 hours, which is as all of us know, is a full time position. There is a little more detail in here about the consumer price index. As you can see, 185% of the annual poverty line is not a lot of money. We're trying to make sure we can take care of people.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Bartlett.

Senator **BARTLETT:** Thank you, Madame President. Just wanted to point out that the minority Ought to Pass as Amended report does not pass cost onto municipalities. I have been consistently opposed to any effort to put unfunded mandates onto municipalities, particularly given the current budget difficulties that they are facing. This would require the state to fund any increase in the livable wage so it is not transferred through the municipalities. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Snowe-Mello.

Senator **SNOWE-MELLO:** Thank you, Madame President, ladies and gentlemen of the Senate. Remember that this bill will effect our rural communities that are already have been hit hard by L.D.

1. I'd be really careful where you go in this area. Those school units in the rural communities are going to have a really difficult time with this. For those school units are below the proposed minimum, the increase would dramatically affect the ability to deliver educational and support services. In one way it will increase the pay but in another way they will have to take away from necessary and critical services they need. Hourly increases in excess of \$4 per hour will undoubtedly produce financial burdens that will be impossible to meet. To me this is more or less a mandate and it's an unfunded mandate. I'd be really careful where we go here. Thank you very much.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Cumberland, Senator Strimling to Accept the Minority Ought to Pass as Amended Report. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#94)

YEAS: Senators: BARTLETT, BRENNAN, BRYANT, GAGNON, MARTIN, SCHNEIDER, STRIMLING, THE PRESIDENT - BETH G. EDMONDS

NAYS: Senators: ANDREWS, BROMLEY, CLUKEY, COURTNEY, COWGER, DAVIS, DIAMOND, DOW, HASTINGS, HOBBS, MAYO, MILLS, MITCHELL, NASS, NUTTING, PERRY, PLOWMAN, RAYE, ROSEN, ROTUNDO, SAVAGE, SNOWE-MELLO, SULLIVAN, TURNER, WESTON, WOODCOCK

EXCUSED: Senator: DAMON

8 Senators having voted in the affirmative and 26 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **STRIMLING** of Cumberland to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE, FAILED**.

The Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

The Chair laid before the Senate the following Tabled and Later (5/3/05) Assigned matter:

Bill "An Act To Reduce Tobacco Use and Improve Health" (EMERGENCY)

H.P. 1140 L.D. 1617

Tabled - May 3, 2005, by Senator **GAGNON** of Kennebec

Pending - motion by Senator **PERRY** of Penobscot to **REFER** to the Committee on **TAXATION**, in concurrence

(In House, May 3, 2005, **REFERRED** to the Committee on **TAXATION** and ordered printed.)

(In Senate, May 3, 2005, **REFERRED** to the Committee on **TAXATION** and ordered printed, in concurrence. Subsequently, on motion by Senator **GAGNON** of Kennebec, **RECONSIDERED**.)

Senator **PERRY** of Penobscot requested and received leave of the Senate to withdraw his motion to **REFER** to the Committee on **TAXATION**, in concurrence.

On further motion by same Senator, **REFERRED** to the Committees on **TAXATION** and **HEALTH AND HUMAN SERVICES**, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (5/5/05) Assigned matter:

HOUSE REPORTS - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Encourage Cooperation between School Districts"

H.P. 328 L.D. 443

Majority - **Ought Not to Pass** (8 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-147)** (5 members)

Tabled - May 5, 2005, by Senator **MITCHELL** of Kennebec

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**

(In House, May 3, 2005, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-147)**.)

(In Senate, May 5, 2005, Reports **READ**.)

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Turner.

Senator **TURNER:** Thank you, Madame President, ladies and gentlemen of the Senate. I would ask that you vote against the pending motion before us and would like to explain my reasoning. We currently have a commission that is looking at increasing efficiencies for municipalities, county governments, and our school systems. Members of this commission came before us and indicated that their work was being totally consumed by the focus on municipalities and county governments and asked that this bill be supported so that its attention could be directed specifically to school systems. There was no testimony in opposition to the bill. I'm quite frankly surprised that we did not get a unanimous Ought to Pass report out of the committee. I think it warrants your consideration. I think such a commission would serve us as we try to extract efficiencies from our school systems. Thank you very much, Madame President.