

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

1st Special Session

OF THE

*One Hundred and Sixth
Legislature*

OF THE

STATE OF MAINE

Volume II

MARCH 7, 1974 TO MARCH 29, 1974

Index

Legislative Ethics Committee Report

D. F.; Evans, Farley, Farrington, Faucher, Ferris, Finemore, Fraser, Gahagan, Garsoe, Genest, Good, Goodwin, K.; Greenlaw, Hamblen, Hobbins, Hunter, Immonen, Jackson, Kauffman, Kelleher, Kelley, Kelly, R. P.; Keyte, Kilroy, LaPointe, Lawry, Lewis, E.; Lewis, J.; Littlefield, Lynch, MacLeod, Maddox, Mahany, McCormick, McHenry, McKernan, McMahon, Merrill, Mills, Morton, Mulkern, Murchison, Murray, Norris, O'Brien, Palmer, Parks, Perkins, Pratt, Ricker, Rollins, Ross, Shaw, Shute, Silverman, Simpson, L. E.; Snowe, Soulas, Sproul, Stillings, Strout, Theriault, Trask, Trumbull, Tyndale, Walker, Wheeler, White, Willard, Wood, M. E.; The Speaker.

NAY — Connolly, Cooney, Crommett, Curran, Dow, Farnham, Goodwin, H.; Hancock, Herrick, Jacques, Jalbert, LaCharite, LeBlanc, Martin, Maxwell, McTeague, Morin, V.; Najarian, Peterson, Pontbriand, Susi, Talbot, Tierney, Whitzell.

ABSENT — Briggs, Brown, Conley, Cote, Donaghy, Fecteau, Flynn, Gauthier, Hoffses, Huber, Knight, McNally, Morin, L.; Rolde, Santoro, Sheltra, Smith, D. M.; Smith, S.; Tanguay, Webber.

Yes, 105; No, 25; Absent, 20.

The **SPEAKER**: One hundred five having voted in the affirmative and twenty-five in the negative, with twenty being absent, the motion does prevail.

Thereupon, the Resolution was finally adopted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act Relating to Applicability of Workmen's Compensation Law to Employers (S. P. 802) (L. D. 2296)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

An Act Offering Alternative Arrangements for Funding of Students Living on Federal Establishments (H. P. 2040) (L. D. 2574)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith.

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

Mr. **MARTIN**: Mr. Speaker, I would ask if the House is in possession of House Paper 1801, L. D. 2321, Bill "An Act to Increase the Minimum Wage?"

The **SPEAKER**: The Chair would answer in the affirmative.

Mr. **MARTIN**: Mr. Speaker, I would move we reconsider our action of yesterday whereby this body voted to insist.

Mr. Shaw of Chelsea requested a vote on the motion.

The **SPEAKER**: The Chair recognizes the gentleman from Brunswick, Mr. McTeague.

Mr. **McTEAGUE**: Mr. Speaker and Members of the House: I believe that we have had printed and distributed to us the amendment that I understand the gentleman from Old Town, Mr. Binnette, intends to offer. As you know, the House has been resolute at \$2.20, and the Senate has stuck with \$2 on the minimum wage. As I understand the amendment to be proposed by the gentleman from Old Town, it would propose a phase in from \$2 to \$2.10 to \$2.20. So I hope that the House will reconsider this so that Mr. Binnette may have the opportunity to offer that amendment.

The **SPEAKER**: The pending question is on the motion of the gentleman from Eagle Lake, Mr. Martin, that the House reconsider its action of yesterday whereby it voted to insist. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

91 having voted in the affirmative and 22 having voted in the negative, the motion did prevail.

On further motion of Mr. Martin of Eagle Lake, the House voted to recede from passage to be engrossed.

Thereupon, Committee Amendment "B" (H-745) was read by the Clerk.

On motion of Mr. Martin of Eagle Lake, Committee Amendment "B" was indefinitely postponed.

Mr. Binnette of Old Town offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-765) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

Orders of the Day

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

Bill "An Act Relating to Initial Changes in the Penal System of the State and the Rights and Duties of Convicted Persons" (H. P. 2015) (L. D. 2556)

Tabled — March 14, by Mr. Perkins of South Portland

Pending — Motion of Mr. Farrington of South China that the House recede and concur with the Senate. (In the Senate the Bill passed to be engrossed as amended by Senate Amendment "A" (S-394) (Amendment ruled not germane to Bill in the House))

The SPEAKER: The pending motion was made by the gentleman from China, Mr. Farrington, that the House recede and concur. Subsequent thereto, the reading of Senate Amendment "A" and the Chair ruled that Senate Amendment "A" was not germane to the bill. Therefore, the motion to recede and concur cannot stand. It is not in order.

The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker, I move we recede and I will speak briefly to my motion.

The SPEAKER: The gentleman from Standish, Mr. Simpson, moves that the House recede.

The gentleman may proceed.

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: I think the Speaker has pretty well expressed exactly where we do stand on this thing. The reason why I moved to recede is the fact that I do know that some people would like to debate the issue to try to save the bill that came out of Judiciary Committee, I think 11 to 2 "ought to pass." Should you recede, the motion then would be to reconsider our action whereby the bill was indefinitely postponed. And if that were done, you would be back in the position we were originally in, and that was passage to be engrossed. Should we not recede, then your motion cannot be to recede and

concur. It has got to be either to insist or adhere.

The SPEAKER: The pending question is on the motion of the gentleman from Standish, Mr. Simpson, that the House recede. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

82 having voted in the affirmative and 21 having voted in the negative, the motion does prevail.

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: I move we reconsider our action whereby this Bill was indefinitely postponed.

The SPEAKER: The gentleman from Standish, Mr. Simpson, moves the House reconsider its action whereby the Bill was indefinitely postponed.

The Chair recognizes the gentleman from Westbrook, Mr. Carrier.

Mr. CARRIER: Mr. Speaker and Members of the House: If we don't reconsider, what is the next motion?

The SPEAKER: If we fail to reconsider indefinite postponement, then that would stand firm, that we had indefinitely postponed. There would be no other motion in order in this body.

Mr. CARRIER: Mr. Speaker and Members of the House: I want to speak briefly today and hope that you vote against reconsideration of the indefinite postponement motion. I feel we took a very decisive decision the other day, a good one and a true one wherein it concerned the people of the state in their protection.

This bill was discussed many times before. I could speak very lengthy against it, but all I would do is bring back just what I said in the past and many of the other things that I didn't note before but which I have done now.

I suggest to all of you who have voted for indefinite postponement that you vote against the reconsideration motion at this time.

The SPEAKER: The Chair recognizes the gentleman from China, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the House: To say the least, I have a great deal of respect for the decision of the Speaker.