

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eleventh
Legislature***

OF THE

STATE OF MAINE

Volume II

FIRST REGULAR SESSION

May 16, 1983 to June 24, 1983

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Fund for the Fiscal Year Ending June 30, 1983" (Emergency) (H. P. 810) (L. D. 1050)

Tabled—May 20, 1983 by Representative Mitchell of Vassalboro.

Pending—Acceptance of Committee Report.

Thereupon, the Report was accepted, the Bill read once and assigned for second reading later in the day.

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

An Act to Revise the composition of the Marine Resources Advisory Council (H. P. 1038) (L. D. 1363) (C. "A" H-162)

Recalled from the Governor pursuant to Joint Order H. P. 1224. — In House, Passed to be Enacted on May 9. — In Senate, Passed to be Enacted on May 9.

Tabled—May 20, 1983 by Representative Mitchell of Vassalboro.

Pending—Further Action.

The SPEAKER: There was a question as to whether or not this matter required a two-thirds vote pursuant to the Constitution. The Speaker asked for an Attorney General's opinion and the opinion has returned which indicates that this bill does not require a two-thirds vote for enactment.

Thereupon, the Bill was returned to the Governor's Desk and sent up for concurrence.

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

An Act Concerning the Admissibility in Criminal Proceedings of Statements by Minors Describing Sexual Contact (H. P. 1201) (L. D. 1595)

Tabled—May 20, 1983 by Representative Soule of Westport.

Pending—Passage to be Enacted.

On motion of Mr. Soule of Westport, retabled pending passage to be enacted and later today assigned.

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

House Divided Report—Majority (11) "Ought Not to Pass" — Minority (2) "Ought to Pass" as amended by Committee Amendment "A" (H-262) — Committee on Labor on Bill "An Act to Increase the Minimum Wage" (H. P. 884) (L. D. 1138)

Tabled—May 20, 1983 by Representative Beaulieu of Portland.

Pending—Motion of same gentlewoman to accept the Minority "Ought to Pass" as amended Report.

The SPEAKER: The Chair recognizes the gentleman from Mount Desert, Mr. Zirnkilton.

Mr. ZIRNKILTON: Mr. Speaker, Ladies and Gentlemen of the House: I would urge you not to accept the Minority "Ought to Pass" Report and to accept the Majority "Ought Not to Pass" Report. Eleven out of 13 members felt that this bill was not good. I can only say to you now that if this bill were to pass as amended by Committee Amendment "A" (H-262), we would be the only state in the 48 contiguous states in the United States to have a minimum wage which exceeded the federal minimum standard of \$3.35 per hour. Our business climate currently is 40th in the nation, give or take a few, depending on the day which you ask someone and also depending on who you ask.

It is my opinion and the opinion of many others, and I hope the opinion of the majority of this body and the other body that this would be a terrible thing to do to the State of Maine when we are in fact trying to increase our business climate so we can be more competitive with other states in this nation. The cost of transportation to Maine as opposed to our other New England states is more expensive, the cost of workers' compensation is one of the highest in the nation—we certainly hope we have been able to address that with some of the legislation this year—and our taxes are also fairly well up there in comparison. It is my opinion that this bill would do much more harm

to the people that it is intending to help, and we have all received, certainly, various correspondence from the restaurant industry, from other industries, that this would in fact put the last nail in the coffin, so to speak, to insure that no industry would even consider moving into a state which is already costly, moving into a state which would have a higher minimum wage than any other state in the contiguous U.S., and I would urge you not to accept the minority "ought to pass" report and I would request a roll call, Mr. Speaker.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: When I first came to this body, there were two leading labor people in this House that continually used to speak for the opposition party against any type of wage increases. One was the Honorable Dean Durgin from Cumberland County, one of those small towns up in that area, and the other one was the Honorable Paul Huber, the two leading labor spokesmen for the Republican party in this House, and they used the very arguments in 1969 that Mr. Zirnkilton used today—it isn't the right time, we have got to be cautious because we are at the end of the pipeline in terms of employment, the minimum wage will break the backs of the businessmen in this state—the same old useless arguments.

Now, being a Democrat and being a member of this body back then and presently today, I just cannot accept those tired, old, sick arguments that have been traditionally represented by the Republicans in this state over the years. Never once did I ever find the Republican Party, in the majority, arguing for increases in the minimum wage, it would be against their conscience. And lo and behold, 15 years later that same mentality is present again on the floor of this House.

The minimum wage is not going to break the backs of the businessmen in this state no matter how much they cry about it. We all got a letter this morning from the Maine Restaurant Association, and that same old song is being sung again today—Maine should not take the initiative to raise our minimum wage. Legislative increases would cause a rippling effect on costs. Our food service industry hires many people and we will have to let them go. Any increases passed on by the minimum wage will be reflected on the customers in increases for their meat and potatoes and everything else that they have there—who pays for it? The people, you and I that use the restaurants. The old argument is, it is not the right time. Let me tell you, the right time will never come for this opposition party of ours—wonderful people, I love you all, but sometimes I can't figure where you are coming from when you have the best benefit of the working people.

We want to raise it a few cents, and isn't it terrible that we will be ahead of the federal government. Well, I wouldn't mind the state being ahead of the federal government on this issue. And the old argument that industry isn't going to come in, well, industry is here, there are plenty of working people, and you know, it is hard for me to believe that a committee report such as this came out of the Committee on Labor with so many Democrats sitting on it, I am really shocked, I am really surprised that my brothers and sisters in the Democratic Party that are on that committee, the working people in this state whose table we have supped at a thousand times for political support, and with good reason, you are turning your backs on them right here today. Are we getting too comfortable? Is it prosperity that we're afraid of, or are we afraid the few businessmen in our community, who never support the minimum wage, are going to be a little uncomfortable when they see us walking down Main Street?

The only advantage the working people have in this state is the advantage of the Democratic

Party. Traditionally that has been the ethnics and the workers for the minimum wage, and don't buy those old songs that we have heard so many years before that it isn't the time, the economic climate is bad. You can go back to 1945 and you would hear the same arguments by the same party when they were in the minority in the Congress arguing against the minimum wage.

I urge this House to support the gentle lady from Portland, Mrs. Beaulieu's minority report, and for the love of heaven, let's not at all—and I am talking to you as Democrats—the Republicans, we know where they are going, they are not going for anything. I am asking the Democrats in this House to support the minority report and support the minimum wage bill.

The SPEAKER: The Chair recognizes the gentleman from Mount Desert, Mr. Zirnkilton.

Mr. ZIRNKILTON: Mr. Speaker and Members of the House: The gentleman is absolutely right on a number of points. First of all, the same arguments were used in the sixties and the same argument is being used today because it still holds true.

The gentleman is also right that I, for one, will never support an increase in the minimum wage above the federal standards because of what I believe it will do to the business climate of the State of Maine.

The gentleman, however, is not right when he says he only wants to increase the minimum wage a few cents, 15 cents to be exact. Let's take a look at what that would do—a few facts compiled for the gentleman.

The average work week is 39 hours in the State of Maine, and if we multiply this times 52 weeks per year, times 15 cents, that equals roughly \$304 per employee. In addition to this, we have \$21 in additional Social Security costs, \$10 in additional unemployment insurance cost, roughly \$10—if you average out the workers' compensation cost—some \$10 for miscellaneous other items which are either taxed or pay premiums, depending upon the total salary of that employee, that comes to \$365 per employee per year and there are roughly 325,000 employees in the State in the State of Maine that make somewhere near minimum wage. You take that time \$365 per year per employee and you get \$118, 625,000, just a few cents per person.

I still believe that the arguments I stated to you earlier hold true. The gentleman and I had a conversation the other day about what would happen to our business if in fact we did raise the minimum raise 15 cents. We started talking about the corporate world which some of us, including myself, don't always understand, but I do believe the corporations are responsible to their stockholders, that's who invests in the corporations and the companies, that's who receive the dividends and in many cases, aside for the board of directors, that is who determines what the corporation is going to do. Now, if you put yourself in that room with the board of directors and you want to make some kind of expansion and you are looking for a state which is going to be receptive to your needs and desires, looking for a state that is going to help you run the business as best you possible can and provide as many job opportunities as you possible can in that state for the people of that state, those people are not going to consider, in my opinion, the State of Maine if we are the only state which has a higher minimum wage than any other state in the entire 48 contiguous states in this country.

We mentioned our other costs which exceed that of our neighboring state and many other states in this nation, and to put it bluntly, I think this would be complete and total suicide for our business climate.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. Higgins.

Mr. HIGGINS: Mr. Speaker, Ladies and Gentlemen of the House: I can't let the remarks of

the good gentleman from Bangor, Mr. Kelleher, go unanswered. I would just simply remind him and other members of this body that it is the federal government who has passed the minimum wage laws, and as I recall, up until the last couple of years anyway, that Congress has been made up predominately of Democrats. If the gentleman from Bangor is so concerned about the minimum wage, perhaps he ought to consider running for Congress himself, going down there and doing something about this instead of making Maine the one and only state in the whole nation that is going to take the forefront and be the brunt of the increase in the minimum wage. I think the gentleman from Mount Desert has hit the nail on the head when he says that it sends out a very bad message to businesses who want to come to the State of Maine and work.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: If I had an opportunity. I have no desire to answer the call that the good gentleman just made about running for the United States Congress.

But I will tell you this, I think you and I can do more and have done more in this state for the welfare of the people of this state than all the darn congresses we ever had because we are near the people. We take federal money as it comes up and we try to disburse it in the fair-fashion.

Mr. Higgins, just by his nature, and he is a wonderful guy, and I sincerely mean that, but when it comes to this issue, it is dark outside and he will never see the light. It is just contrary to his convictions, and I can appreciate him for that. But I am also sure you can appreciate the fact of where I am coming from, that this Democrat in this seat has continually supported the minimum wage every year that I have ever been here, and I will continue to do it because it is only us that will answer the call for the working people outside the halls of this House here today—no one else, his party won't. He doesn't have to apologize for it, that is the way they are and that is fine with me, but my party has always spoken for the working men and women in this state, at least on this issue, and that is to support the minimum wage. I urge my own party members, because I am not going to waste my breath on the other side, I know exactly where they are coming from and it is a nice morning and they can go out and enjoy the sunshine like everybody else, but this guy here is going to support the minimum wage.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Members of the House: I have voted for the minimum wage at least three or four times in this House and I thought I had good reason at the time. This time I think I have a good reason not to, my reason being not that I don't think the people on the bottom could stand a little raise in pay, I would like to do that, but having seen what happened the last four times I voted for minimum wage, the people on the top got 10 and 20 percent, so they ended up with \$1.80 and \$2.00 and they put us farther apart.

We can't stand any more inflation in this state. The problem in our labor forces today is the difference between the top and the bottom. If I could vote for a dollar for the bottom, I would do it this morning without increasing the top, but having seen what happened the last four times I voted for the minimum wage increase, it made us worse off because it widened the difference between the top and the bottom to the extend that the man on the bottom, his loaf of bread went up, even his haircut and everything else and we made him worse off. We tried to increase his pay and we made him worse off because the guy on the top gets 10 or 20 percent. This is ridiculous, this could go on forever and all we would be doing is kindling the fire of inflation.

I am a Democrat and I would like to support a dollar for the minimum wage if it wouldn't raise the top, but that hasn't been the case, believe me. I can prove that everytime I voted for a minimum wage in this House, I gave them a dime and the top gets \$1.80, \$2 and \$3. This is what is ridiculous about it. So if here is some way to cap it off, I would give the bottom a dollar, but this bill doesn't do that. We can absolutely not stand any inflation in this state at the present time.

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

Mr. BAKER: Mr. Speaker and Members of the House: I fully intended to debate this issue this morning. There has been a tremendous shift of wealth away from the have not's to the haves in this country in the last few years. This is a modest attempt to shift some of that wealth back into the hands of the lowest paid workers in this state.

I have heard a lot of talk about the business climate, I have heard talk about businesses not wanting to come to this state and businesses that would probably like to leave. What happens when a business leaves, they take the big corporate executives and their counsel, but the work force is still here, the resources are still here and we have the ability to put the people to work.

Ladies and gentlemen of the House, a modest increase of 15 cents an hour amounts to \$6 a week. This body has passed pay raises for judges, it has passed pay raises for all sorts of state bureaucrats—\$6 a week, is that too much to ask?

The other day I spoke to a young woman and she said to me that she was leaving Maine, she was going elsewhere in search of a better opportunity. She was tired of the minimum wage scene. We should consider our young people who desperately need the income to make ends meet. These are the people we should be considering. We have the ability, we have the resources, and if we truly wanted to, we could definitely improve the climate for the workers in this state; all we need is the will to do it.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Hickey.

Mr. HICKEY: Mr. Speaker, Ladies and Gentlemen of the House: Every year we have seen substantial increases to all of our utilities alone, and I would like to know just how many years it has been since we have increased the minimum wage?

The SPEAKER: The gentleman from Augusta, Mr. Hickey, has posed a question through the Chair to anyone who may respond if they so desire.

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

Mr. CONNOLLY: Mr. Speaker, Ladies and Gentlemen of the House: The last time that this legislature increased the minimum wage was in 1981, and we raised the minimum wage to \$3.35 an hour. This bill here is a significant watering down of the original bill that was presented to the Labor Committee. The original bill called for the minimum wage to go to \$3.50 and then next July to go to \$3.70 and then the following July to go to \$3.90. It was what I considered and many other people who have supported the minimum wage in the past considered to be a very modest, reasonable step increase in the minimum wage.

The bill that has come out of committee and yet has only two supporters, at least from this point, just stops at the \$3.50 level.

Since 1981, the last time the minimum wage was increased, the cost of living in the State of Maine has increased more than 13 percent, and based on that alone, the minimum wage should be \$3.75 an hour. The federal government determines the poverty level for a family of four in the State of Maine to be roughly \$9,900. We would have to have the minimum wage of \$4.75 an hour in order to meet what the federal government considers bare poverty levels for a family of four.

Back in 1938, the Congress of the United States, at the urging of Franklin Roosevelt, was considering the National Fair Labor Standards Act of which the minimum wage was a part, and while the bill had great support and the idea of minimum wage had great support in the Congress of the United States, it hadn't yet passed in the U.S. Senate, and the key, as far as many historical observers are concerned to the eventual adoption in 1938 was the fact that there was a somewhat obscure race for Congress going on in the state of Florida. The Democratic candidate at that time, in 1938, was Claude Pepper and he ran on the minimum wage. He was overwhelmingly elected in that election in 1938, and within two weeks after his election the U.S. Senate adopted the minimum wage.

The only people who support the minimum wage are the workers of the state of Maine. The Democratic Party, I am amazed at what I have heard some Democrats say about the minimum wage this year. The Democratic Party has always supported an increase in the minimum wage. Our own Democratic Platform says that the minimum wage should be \$4.50 an hour, and this bill is a buck less than that.

Representative Kelleher is absolutely right — the arguments that are being made against this bill have always been made. They were made in 1938 against the minimum wage. We have been ahead of, in Maine, the minimum wage in the past and we have also been behind and every time there has been an attempt to address it, the Republican Party has made the same arguments to defeat it.

We should support an increase at this time for two reasons — number one, on humanitarian grounds. The people that are protected by the minimum wage are the lowest paid workers in the State of Maine. It makes sense to give those people an increase in their paycheck. We haven't done it since 1981. The second reason is because it makes good economic sense. When a low income, low paid worker receives his paycheck, virtually every penny of that paycheck immediately goes back into the economy. It is spent on food, it is spent of clothing, it is spent of the basic necessities of life, that money is pumped back into the economy.

This legislature has been good to business in the past. Look what we did for Bath Iron Works earlier in this session. We passed a gas tax increase that hits the hardest the lowest paid people in the State of Maine and we are going to say today, even though we passed the gas tax, we are not going to allow you a 15 cent an hour increase in the minimum wage.

Members of this House, particularly Democrats in this House, I appeal to you — please support the pending motion.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Cox.

Mr. COX: Mr. Speaker, Ladies and Gentlemen of the House: I have to say that I hadn't really intended to speak on this but I have had to confront this issue because I was told last week in my town that there is an industry there that employs about 350 people that will leave the state if we increase the minimum wage beyond \$3.35 an hour. I thought about it a minute and I told the man who told me this something that I want to call to your attention now and that is, just where are we now with the \$3.35 an hour minimum wage? For 40 hours work, that is \$134. We know that no one can live on \$134 a week so how do people live? There are about three ways that I can see that they can live on this. One is, they have two jobs, either the person himself or herself has two jobs or there is someone else in the family working or the student who is getting help from parents. That leaves two other ways to make up the difference. One is food stamps, the other is local welfare. So I told this person who told me that this business would move out that I wasn't sure how much of an economic advantage a business like this was to our state

if we have got to subsidize their workers with food stamps and welfare for any of them who do not have parents to help or for some reason cannot hold two jobs.

In having seen the struggles of people on the job where I work who are making \$4 an hour and are still going behind, I am afraid that I am going to have to vote for this increase.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Willey.

Mr. WILLEY: Mr. Speaker, Ladies and Gentlemen of the House: I would like to say, and it has been mentioned here several times about the age old cliches and arguments that were used in 1945 and 1938, along there. I would suggest that if you look at the business atmosphere in the state, probably those arguments were correct. Certainly the business atmosphere has not improved and if you really want to do something to benefit the workers of the State of Maine, then I would think that it should be something to increase employment in the state, and decent employment at that. Certainly we all can't go to work for the State of Maine, which has absorbed more help than anybody else has over the years, we must have private employment and it must be decent employment. Certainly a person is better off working for a healthy company than they are for an unhealthy company. Fringe benefits have to be much better, and I would call your attention to the fact that Maine is one of the poorest states in the union and it doesn't make any sense for it to have the highest minimum wage in the nation with that relationship.

I would also call your attention to the ripple effect that anything like this has, that if you give a person on the lower end of the totem pole a 15 cent raise, then those from there on up get a percentage of increases accordingly and certainly payroll taxes of all types are based on the payroll, so that workers' comp, unemployment insurance, all these sort of things go up accordingly.

I would call your attention to the financial report of the State of Maine which indicates that the taxes on corporate taxes are down far below estimates and this should indicate, I think, that industry in the State of Maine is not doing that great and this is really a poor time to tax them a little more.

The SPEAKER: The Chair recognizes the gentleman from Durham, Mr. Hayden.

Mr. HAYDEN: Mr. Speaker, Men and Women of the House: You know, everytime we have to make a hard decision that could affect members of our family or our constituents who are working people, we always do hear the same arguments, whether it is right-to-work, job safety, industrial reform, any change that we make that is going to help the lot of the working men and women, we hear that that will be the death nail of Maine industry, they will leave the state in flocks, but it never seems to happen when we make those hard decisions. I think those are smokescreens, I think the arguments we have heard against the minimum increase are smokescreens. What concerns me is that I think a lot of us aren't listening, and a lot of us aren't listening because we are convinced that that will be the death nail for the business climate in this state because we are trying to avoid a tough decision. Right now many of our constituents are comfortable and maybe it is easier to pass something like an increase in the minimum wage when times are tough all around, you have a mass of people that you can't turn your face from that can't make ends meet. Ladies and gentlemen, most of us have hundreds of people in our districts who are trying to get by, not just for themselves but for their families, on minimum wage and they can't come near making it.

We have heard talk, another smokescreen, the fact that corporate taxes are down and that is an indication that our industrial economy is limping along and this would be just one

more arrow in its back. Ladies and gentlemen, the corporate taxes are down because business isn't paying that much tax. They have a fantastic tax law that has come through the federal government that the states piggy-backed on in part of and corporations are paying less taxes, not because they are working less but because the government, our government, the state government and the federal government, has given them a free ride or an easier ride, in some cases a free ride.

This is a modest increase and it is a hard decision. I know a lot of you have been lobbied like I have been lobbied. Towns are against it, businesses are against it, restaurants are against it, but look at the economy in this state. The economy in this state is really on the rise. There are still pockets where people have to depend on the minimum wage and I think we have to have the courage to protect those people and to protect those pockets of people so they are not forgotten, because everybody doesn't have the chance to work at Bath Iron Works or work in the construction trades. All your constituents don't, all your family doesn't. It is the right vote, I believe, and I think we have to have the courage of our convictions, and I urge you to accept the Minority Report so we can stand up for the convictions that we have held truth to in the years past.

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

Mr. DILLENBACK: Mr. Speaker, Ladies and Gentlemen of the House: I have been sitting here very quietly listening to this and I am not going to go into the corporate setup or any of these other setups, but who is in control up here? The Democratic Party is in control up here and you people continually have been raising taxes, 5 percent on the gas tax, excise taxes, fishing license taxes and all those things—who pays for these things? Who is going to be hurt if you raise this minimum wage? Who is going to pay for it? The retail sales are going to cost you more, the food stuffs are going to cost you more. I can pay it and probably most of you can, but the fellow on the minimum wage is the fellow who is going to be hurt. I would love to see that man get more money, but the only way he is going to get any more money is for business to stay in this state.

I can leave the state, as all my friends do on Sebago Lake, they retire, they go to Florida, they pay their income tax, they don't have it here in the state, and that is what business people will do too. They are not going to come into this state if you raise the minimum wage higher than any other state. They are not going to invest their money here if your income tax is higher than any other state. They are not going to come into a state where this rate proportion of your money is being spent this way. You are the people who have done this and now you are pleading for the poor fellow who is on the minimum wage. The only way he will get off the minimum wage is to get a good job and the way he gets a good job is to have business in this state and you are not going to get it under the procedure that you are following.

The SPEAKER: The Chair recognizes the gentlewoman from Vassalboro, Mrs. Mitchell.

Mrs. MITCHELL: Mr. Speaker, Men and Women of the House: It is no secret to members of my party, particularly to members on the Labor Committee, that I have agonized long and hard over this decision because yes, Democrats do think, they don't simply knee jerk to raising the minimum wage. We have been agonizing over whether or not it is the right time, and even though those arguments are tried and true, they are still appropriate for us to ask ourselves when making difficult decisions.

I can't sit here any longer and listen to Representative Dillenback ask "who pays the taxes?" Who benefits from those taxes, Representative Dillenback? As long as I have been here, we have given many tax benefits. The 5

cent gas tax is certainly going to help the construction industry a great deal, the people who own those firms, the sand and gravel crowd as they have been fondly called in years past. Since you and I have been in this legislature, we have given benefits to Pratt-Whitney, to Spencer Press, the Bath Iron Works and the list goes on and on, and I get a little sick of hearing about welfare benefits to the working men and women when we certainly give plenty of them to corporate structure. I see that every day and the longer I sit in leadership, the more I see it. Frankly, it is time that we stopped talking in those terms. We are here together, Republicans and Democrats.

I talked to an economist about this and, of course, standard wisdom is that when you raise the minimum wage, you do hurt the people on the lowest rung of the ladder because those people get shuttled out of positions, but in this case, in Maine, where do they work? They are in service-related industry. Who are they? They are women, women who change the sheets in these motels around the state and clean the floors, they are women who work in restaurants, and men too, of course, who have not gotten the benefit of a good education and even many of the men who have gotten good educations who simply cannot find jobs. We are talking very minimum money.

As Representative Cox pointed out, who can live on an extra \$6 a week that we are talking about putting in their pockets. I really think that having listened to the debate this morning, having talked with economists, we talk about incentives to work, we want people to get off welfare and go to work and many of us have sponsored bills trying to help AFDC recipients get jobs through apprenticeship programs. On your committee, Mr. Dillenback, we have worked with that area. What incentive is there to work if you work 8 to 10 hours a day at minimum wage and you still can't feed your family.

It seems to me that it is time we stand up and be counted and I would encourage you to vote for the Minority "Ought to Pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Sangerville, Mr. Hall.

Mr. HALL: Mr. Speaker, Ladies and Gentlemen of the House: Just a couple of points. Can any of you here answer if there is any industry here that is paying as low as the minimum wage, any good, viable industry? If you can name some, are they something that we need in this state?

Let me ask you another question. As I read over this letter from the Restaurant Association—big deal, look who the Directors are—McDonald's, have you ever seen what their report is, for crying out loud, on the stock market? I assure you that 15 cents an hour isn't going to break those fellows by a long shot. Don't be so naive to accept what Mr. Dillenback said. I apologize here, he is trying to give you a snow job on this because that is not so. The industry that you are going to try to protect here are certainly not the ones that we want for my children or my grandchildren to be a part of. They are the ones you are subsidizing and you know how they are doing it? They are doing it through the work, the sweat and the blood and the toil of these people that don't have any other way to turn.

Mr. Speaker, when this vote is taken, I hope you take a roll call.

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

Mr. BRANNIGAN: Mr. Speaker, Men and Women of the House: When I came to the House and got involved with the Business Legislation Committee, I began to read more about business than I ever had before. I read the trade journals that come to me because of my position on that committee and newspapers—I just began to pay a lot more attention to business. Invariably, when people were moving to Maine, businesses, small businesses

and large businesses, one of the major reasons that they said they were coming to Maine is because we had a good work force. I can't believe that that good work force is only in the highly skilled areas. Relatively speaking, our good work force is as good in the minimal jobs and the lower paying jobs.

It makes me very angry when people say and complain because our work force has a good workers' comp, one of the best in the country—why not? We have one of the best work forces, so why shouldn't they? It makes me angry this morning when people say we can't be a leader. I say we give a vote of confidence to that work force that brings people into this state by being a leader in this very small area of giving increase to those people who are making nothing.

I urge you to go with this unbelievable Minority Report.

The SPEAKER: The Chair recognizes the gentleman from Canton, Mr. McCollister.

Mr. MCCOLLISTER: Mr. Speaker, Ladies and Gentlemen of the House: When I got home Friday, I had an envelope from a Maine bank—I wish I had brought it with me so I could have read from it. It contained about six leaflets from different corporations around the state. All through that financial report, these brochures, were glowing reports of the economy in Maine. They weren't saying things were bad, they were saying things were good, invest your money, the economy is going up.

I am glad that Representative Kelleher reminded me that I was a Democrat and that I should speak on this issue and I should vote for the Minority Report.

Mr. ZIRNKILTON of Mount Desert was granted permission to speak a third time.

Mr. ZIRNKILTON: Mr. Speaker, Ladies and Gentlemen of the House: I have sat here, after not being so quiet a little bit earlier, and I have listened to the arguments presented by the other side and I have heard a lot of people shoot down our arguments but I haven't heard them shot down with logic. I have heard them shot down with—that is the same argument you used 20 years ago—no reason why the argument wasn't any good.

You are talking about raising the minimum wage here by 15 cents. If you do so, maybe the businesses won't leave the State of Maine, maybe they will stay, obviously the majority of them will, but what do you think they are going to do. You think they are going to say, "Okay, we will just suffer that percentage of losses on our profits that we would have otherwise had"—they are not going to do that. They are going to raise the profit margin, and you know who is going to pay for it? All of us and all of the people who just got the 15 cent raise, only they are going to pay for it in clothing, they are going to pay for it in every different type of business that you can possibly imagine, everywhere that it is going to affect them. Now, is that in the best interest of the people.

You are talking about an economy here, I have heard people say that our economy is getting better—oh yes, it is getting better, our unemployment rate is now down to 10 percent, or should I say up to 10 percent. Raising the minimum wage is not going to lower the unemployment rate and if you think it is, you are sadly mistaken. I think almost anybody could tell you that.

If you really think this is the way to go about it, then try it. I don't believe it is the way to go about it and I am on record as saying that and I can only hope that you won't, and I can also stand here and say to my fellow Republicans that I hope that you are not voting against a minimum wage bill just because you are Republican. I hope this is something that everyone is going to use their head for and not fall for the arguments of some of the people in here to turn this into a partisan issue. Democrats this, Democrats that, Democrats have stood for this; Republicans stand for that—vote your conscience, vote what you feel, not what you

feel your party thinks you should do.

In committee, it was not a partisan vote. We sat there and listened to reason and logic, something I wish people would do and I would ask if the Clerk would please read the Committee Report.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Bott.

Mr. BOTT: Mr. Speaker, Men and Women of the House: If you want to increase the number of people working in the state and earning a living, you want to increase business coming into this state and creating jobs, if you want to increase the tax base that is necessary to fund continued necessary social programs, then you don't vote for legislation like this.

I would hope that you would go along with the Majority "Ought Not to Pass" Report and give this bill the deep six it deserves.

Thereupon, the Committee Report was read by the Clerk.

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

Mr. MCHENRY: Mr. Speaker, Ladies and Gentlemen of the House: If this House had the opportunity to vote for an industry which would pump \$118 million into the economy, I honestly believe if it were the Workers Incorporated, we would all vote for it. We would say: 'hey, great, \$118 million in our economy'—well, that is exactly what we are doing by increasing the minimum wage, because of all of those dollars are spent in the State of Maine, not outside the State of Maine, not like a person like myself who works for a paper industry, who receives, counting all our benefits, close to \$20 an hour, I spend a lot of my money outside the state but the people on minimum wage spend all their money in the state, I would venture to say 95 percent at least.

We in the legislature say that we are not well paid. If our constituents who are on minimum would know that if I worked 12 hours a day, I would be receiving \$5.40 an hour for serving in the legislature, plus expenses, I assure you, I work for a paper industry and my wages over here come to almost the same thing and we are always telling the people of the State of Maine we are underpaid.

As far as the jobs, this is going to do away with jobs, do you honestly believe that any employers in the state are keeping people employed out of the goodness of their hearts? If they can do away with a job, they will. As a matter of fact, most all companies are computerized, they are automizing, they are getting machines to replace human beings and we are always yelling—why are people on welfare? Why are people unemployed? They are lazy. They are not lazy, there are no more jobs. We are going to be at a point where people won't have to work for a living because there won't be any jobs. Let's pay them, let's have people working.

You are suggesting that we should cut the minimum wage in half so we will employ more people, that is ridiculous, I don't believe that and you know it, because that loaf of bread will cost my people on minimum wage the same thing it would cost me who is making \$20 an hour, close to it. How do you help these people? I really believe that we should give them a dollar an hour.

I had a bill that would have given those people increases according to the inflation rate, at least keep up with inflation. But I also had in the Labor Committee a lobbyist against this, Mr. Bob Reny, that suggested, well enough, you know darn well that the people who are on minimum wage, they know what they have to do, go on local welfare, food stamps, AFDC. Who pays for that? We still do. At least I would rather pay a higher food price, I would rather pay more for my shoes than going through the welfare program which is degrading to the people of the State of Maine, and most people always use it and yet here we are shutting the door and saying, go on welfare.

The SPEAKER: The Chair recognizes the

gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, Members of the House: I think more than anything else the soft spoken young man from Mount Desert, Mr. Zirkilton, a Republican, got me on my feet, as well as one of my dearest friends from Durham, Mr. Hayden.

The first time an official of as bigger a corporation as there is in Maine and very shortly will be one of the biggest corporations in New England, and when the gentleman from Durham, Mr. Hayden, makes a statement that the reason we are in the dilemma we are in now is because of what Washington has done to us and that they are on the way up, that there is almost prosperity in Maine, I wish he could have followed me on several occasions when I have gone around noontime to the railroad yards and I usually sit around with the men in the railroad yards while they are eating their lunch out of their lunch buckets and watch the expression on their face when sometimes, 23, 40, 53 people are told, I am sorry fellas but as of Monday morning you are off base, not permanently, but you are going to have to use the bumping system which is now completely gone and those are high paying jobs and they are out. I don't know if the young gentleman from Durham, who is one of my dearest friends here, has ever seen half a hundred people eating their lunch at the same time with tears rolling down into their lunch buckets. I have and it hurts. I didn't get a pay cut.

As far as partisan politics is concerned, my position is this, I certainly can understand the gentleman from Mt. Desert, Mr. Zirkilton, because he happens to live in an area that possibly proportionately is one of the wealthiest areas in this country. Houlton, Maine used to be but then came that big fire in Mt. Desert and Bar Harbor and that knocked that out a little bit.

Fifteen cents an hour, 15 cents an hour, I can remember just a couple of years ago here that you could buy a hot chocolate for 15 cents, try it now—30 cents. I can remember when you could buy peanut butter nabs, six little peanut butter nabs for 15 cents, try it now—32 cents. Go over to the cafeteria and buy a hamburger with a few french fried potatoes and see what it makes \$2.50 look like.

I am not talking about myself and I am not going to talk about the Democrats, they have their reasons. I would have to agree with my leader, I just don't understand this other than to say this: I have told many of you, in the last few years it is not that the steam has gone out of me because of age, I have just, by my own wanting to, I have just kind of cooled down a bit, I find myself better off and you get less tired, but by the same token, I don't understand for the life of me an 11 to 2 report on a thing like this; to me it just doesn't make sense.

I think we ought to really think things over, act and be reasonable. What difference does it make if another state, and I hear it so often, 33 states do this, we should do it. Why should we do it because 33 states do it? When I was first here in 1945, I put in a bill changing the election date; we were only two states in the union that voted in September and then again in November. It took 20 years to change it. The argument then was used, two states are doing it so we are going to follow the other then 45 or 46 states. Personally, I think we are spending a great deal of time on something that we should not spend a great deal of time on. A lot of good arguments have been presented on both sides of the aisle, but for heaven's sake, will you please tell me, any of you, what 15 cents an hour means to any of you?

As far as some of the people that speak and leave their seats after the water gets a little hot, that doesn't please me too much. It is when the water gets hot that I like to sit in my seat.

To the Republican Party, I say this—somewhere along the line you are going to have to change your ways of doing things and this is

just a kindly piece of advice, because if you don't, you are going to keep on going down.

As far as my party is concerned, I have always said we couldn't stand prosperity. In 1911, we organized the House, the Senate and the Governor; in 1913, the House, Senate and Governor wound up Republican. In 1965, we had over 100 members in the House, 29 in the Senate, Democrats. In 1967, we went back to 41 Democrats in the House and 3 Democrats in the Senate. I don't know what is going to happen this time but somewhere along the line my remark that we can't stand prosperity may hold true. I lay it to discipline, I don't think we have too much of that, but I am not here at a Democratic caucus.

I really think you should think it over. I am not going to stand up here — yesterday I happened to be out driving, as a matter of fact, I drove by Representative Davis's house, I lost my way and wound up looking at that big 20 by 20 sign.

I certainly am not going to start getting up here and raising my arms and doing this and doing that. I have my good friend that has replaced me doing that, he has been doing a pretty good job in the last few years, so I am not going to start doing that after I saw that. I just found out what the thing really cost, I am not going to turn around and start blasting Tom, Dick or Harry, it is getting too late in the session anyway, then you make enemies and they stay with you, and I don't want to do that.

But for heaven's sake, please think it over, be reasonable, 15 cents an hour is not going to break anybody and 15 cents an hour is not going to make too many industries go by. By raising the corporate tax, that would make them leave, make no mistake about that, but you can't say that business in this state is that good and that we are on a prosperity kick. If we were, why did we wind up with \$7.4 million in hock last month, and believe me, when you see May, you might get another little surprise.

The SPEAKER: The Chair recognizes the gentleman from Winslow, Mr. Matthews.

Mr. MATTHEWS: Mr. Speaker, Members of the House: I just rise today as one member of this House who happens to be a Democrat, and happens to be very proud of that fact, in support of this bill, the Minority Report. I think members of this House should just remember that we are not getting very much leadership from Washington for the unemployed and for the working class men and women out there and I would just ask the members of the House in this state to give some leadership.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Bost.

Mr. BOST: Mr. Speaker, Men and Women of the House: I was not planning to address this issue but after listening to some of the half truths in debate today, I feel that I must.

We have a tremendous responsibility today. The Democratic Party has been given a majority and in turn a trust by the laboring men and women in this state. There is a difference on this issue between the two parties and I, for one, am proud of being a member of the Democratic Party on this one.

We are constantly under pressure to grant tax break after tax break to big corporations throughout the state, and they have been doing pretty well for themselves this session. The climate is good at present and they are not going to leave the state because of this legislation, that is the biggest red herring I have heard so far.

Today we have an opportunity to speak for those who can't afford to take much time off to lobby and cannot afford to set up letters on elaborate letterheads. We have a chance to make not only a statement but a difference, be it however small. I am proud to be able to vote for the Minority "Ought to Pass" Report and I echo the dismay of many that this was not a solid majority report.

The SPEAKER: The Chair recognizes the

gentleman from Fryeburg, Mr. Kiesman.

Mr. KIESMAN: Mr. Speaker, Ladies and Gentlemen of the House: I guess it is regrettable that this has become a political issue, but obviously the Democratic Party has seen fit to make it so. This is the kind of thing that allows a lot of rhetoric and hopefully brings in some votes. We have heard the businesses being whipped about here, that they have come for tax benefits. Well let me tell you why, we have brought businesses into this state, why did we get Spencer Press in here? We gave them benefits, we went out and recruited them, we went out and searched for them to get them in here because it provided some good paying jobs, and what did we do on Bath Iron Works? It was the leadership of this legislature that went out and recruited them in here. We went out and competed for them and we said, come in because you will bring in some good paying jobs, and now we will whip them because they are getting some benefits. They got it because we went out and recruited them and what did we do on Bath Iron Works? We recruited them, we went and competed for their business to get them in here and we made a lot of sacrifices for them to get them in here to provide jobs, but still it is very popular to take the political whip and say, maybe if I whip on these people a little bit, it will gain me another vote, it will buy me a vote. Well, that is great, but let me tell you one thing, when you start tinkering with the minimum wage, you don't just tinker with the minimum wage itself, you get a lot of support on this issue by organized labor because it is a trickle up system. If you raise the minimum wage by 15 cents, let me tell you, the spread gets bigger as it gets closer to the top. The gentleman from Enfield laid it right out for you and nobody listened — the spread gets bigger. It is the spread that hurts the guy at the bottom and that is what happens and that is why he is pushed and don't be deluded by it.

The SPEAKER: The Chair recognizes the gentleman from Yarmouth, Mr. Ainsworth.

Mr. AINSWORTH: Mr. Speaker, Ladies and Gentlemen of the House: I have been waiting all morning and finally it came, we mentioned organized labor. The gentleman who just spoke has been the first one this morning to mention organized labor. I am glad he did because that gives me a chance to talk about the 20 percent that are organized. We are talking about the 80 percent now. There isn't one organized person that is getting less than \$3.50 an hour, that is for sure. So all we are talking about is the unorganized people at \$3.35 an hour.

Who is going to fight for these people? It certainly isn't anybody that I know of except the legislature. The legislature is the only people that is going to be able to fight for these people that are down in the 80 percent bracket that we are talking about, 80 percent of the people who are unorganized.

I am glad he mentioned Bath Iron Works too, the previous speaker. Bath Iron Works doesn't have to worry about a thing and the workers don't have to worry about a thing. They are getting a good salary and they will always get a good salary because they are organized.

Another thing I want to talk about is the fact that during the course of this legislature we certainly haven't had any trouble in taking care of the banks. Every time an issue comes on the floor about the banks, boy, the old flag is waving.

I would just like to say this morning that I wish all the people in here had probably checked with their priests, ministers, or their rabbis before they took off over the weekend and came down here and asked their advice, because I am sure I know what it would be. They would certainly be saying — for heaven sake, give those people \$3.50 an hour. The priests, rabbis and ministers don't have anybody pressurizing them. They don't have any lobbies hanging over their shoulder, they can

talk from their hearts and they do talk from their hearts and it is a shame that we don't listen to them.

This morning I am saying, think a little bit, think for that little guy who doesn't have anybody to think for him except you, the members of the legislature.

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

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

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Beaulieu.

Mrs. BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: Listening to the debate, both sides making their points clear, I hope that everybody in this room can appreciate the horrendous situation I have been in for over two months. I have taken those arguments from both sides, from fellow Democrats and from friends of the opposition party, and I have had to live with my decision to sign out, all by myself, from this Democratic House, a report that has created this kind of debate. I am glad I did, but I ask you to respect the kind of situation and the kind of horror, so to speak, that has been imposed on me from the point of view that I was taking an irresponsible action. I am going to share with you the reasons why I signed out this report.

I am a Democrat, I am probably one of those few left kinds of Democrats that still believes in the party platform and as a participant year after year after year, I see my party with no dissenting debate put in writing that the minimum wage should be \$4.50. If I am to hang onto the principle of what my party means to me, I felt an obligation to take some action and I did.

I live in a district of minimum wage workers; there are some 300,000 of them in our state, or just barely above minimum wage. Most of them are from the larger communities, the larger towns and the larger cities. The minimum wage has become the maximum wage. The most a person can earn, if they are fortunate enough to work a 40 hour week, is \$140 a week before deductions. They live in areas where landlords are coming with notices of \$40 and \$60 a month rent increases on a one month notice, where the lights and the phone bills go up at least twice a year, where the corner stores charge more than the large supermarkets but these people don't have cars to get to the larger supermarkets, where mothers must now go to work and we have the gall to decry the fall or the decline of the family life — they go to work because they have to.

The cost of living goes up, their salaries never do. We look at the news of this weekend where the post office, with a \$100 million surplus wants more. Because I know that staff and work force cutbacks are putting minimum wage workers in the position of doing the work of two people for the cost of one at minimum wage; because I know of employers who are laying off Maine workers in order to hire Taiwanese, Cambodian and Haitian workers because they can get tax credits or pay cost sharing minimum wages with a variety of federal programs for the hiring of minorities. That is occurring. I have reported two companies in Portland who have laid off Maine workers and hired the minority worker at a cheaper price and the Bureau of Standard Working Hours wouldn't do a thing about it.

I did it because I stood on the floor of this House and I asked all of you to kill a bill that could have helped waiters and waitresses stating very clearly that the best way to help low wage earners in our state was to raise the minimum wage, because I know that raising the

minimum wage for those at the bottom will upgrade those at the top just ahead through the ripple effect and I am not scared of it. It is a lot better than some of the trickle down stuff we are forced to eat.

I know that the \$5 or \$6 a week increase will be money going back into the economy because this isn't money that will go in the bank, this is money that will be spent immediately because these people need it just to make ends meet. I speak for the working poor who cannot get assistance of food stamps and housing assistance.

I know of a family in my city who were \$1.41 over the federal guidelines to get some help and I couldn't help them because I have to live with those rules — \$1.41 — the husband laid off, the wife working 15 hours a week and that is what they have to live on with no assistance.

I know and I gave Representative Connolly the data that shows that five states have raised their minimum wage levels by as much as 30 and 55 cents just to bring their workers up to the federal minimum wage, despite the horror stories you have heard if we go 15 cents above. Maybe some of us should opt to live in those states.

I don't want economic development in this state dependent upon low wages. I want the claims of Maine exceptional work force to be backed up by the affirmative action of giving the lowest paid worker a few more bucks in his or her paycheck, not just a pat on the back.

I am willing to trust that the employers of this state still have integrity and that they will lay off if they have to lay off maybe the doctor's wife who is working four hours a day for pin money or because she is bored and give that 15 cent an hour increase to the employee with a family or the student working his or her way through school or the AFDC mother or single parent who wants to get off the local welfare roles. I did it because I know that if states do not have the guts to take action independently, nothing will happen at the national level. Social Security taxes, personal taxes and our own state gas taxes will continue to go up and, remember, minimum wage workers also pay those taxes and that leaves them a heck of a lot less in their take-home pay.

There is a fiscal note to this bill, I just signed it, it wasn't prepared in printed form and it just came to me, so I think you should be aware that because there is an impact on wages paid to the boarding home employees and reimbursed by the Department of Human Services, that in the first year it would cost \$43,842 to pass this bill, and next year \$58,000. I am right up front with you. What a terrible cost for the state to have to bear. But let me again state my point of view—I am not concerned about the fiscal impact on the state, let a few executives go without raises or maybe one less piece of road will be fixed this year, or let somebody's pet project go unfunded, including one of my own if need be, and let's pass some bills around here to reduce property taxes so more money can be used to pay decent wages to our workers in these institutions.

I believe in cost containment, but I also believe that fair wages for institutional workers would probably result in less problems because we are paying them a decent wage.

Finally, I guess the biggest response, or the greatest criticism, has been, why would you opt to put your people, your fellow Democrats, on this kind of a spot? You are forcing Democrats to vote on an issue knowing that if they do or if they want to but feel they can't, the double-edged sword could mean they won't get re-elected. Well, I run for office as a Democrat, it is a party that is known to support working people of this country, including the State of Maine. I chair the Joint Standing Committee on Labor where I have witnessed Maine's industries' downright refusal and almost constant negative stance in the area of increasing the benefits or a better working condition

change for Maine workers.

While I personally, and almost a majority of the time, vote for economic development programs and for industry assistance, the bottom line for all of us here is that no one need or should avoid this issue. It is before us in a legitimate manner, as is every other bill introduced, and if anyone opts to vote yes or no for political reasons or for economic reasons, I contend that it is their individual responsibility as to what the consequences are, but at least I trust my party, my fellow Democrats, to have the courage to vote and not ignore the issue.

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

Mr. McHENRY: Mr. Speaker and Members of the House: I, for one, believe if this question were put on a ballot, I know how my people would vote, so I am the Representative, supposedly we are all Representatives of the people and I have no problem voting for this.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentlewoman from Portland, Mrs. Beaulieu, that the Minority "Ought to Pass" as amended Report be accepted. All those in favor will vote yes; those opposed will vote no.

The Chair recognizes the gentleman from Washington, Mrs. Allen.

Mrs. ALLEN: Mr. Speaker, I request permission to pair my vote with the gentleman from Saco, Mr. Hobbins. If he were here and voting, he would be voting yea; if I were voting, I would be voting nay.

ROLL CALL

YEA—Ainsworth, Andrews, Baker, Beaulieu, Benoit, Bost, Brannigan, Brodeur, Carrier, Carroll, D.P.; Cashman, Chonko, Clark, Connolly, Cox, Crowley, Diamond, Erwin, Gauvreau, Hall, Handy, Hayden, Hickey, Higgins, H.C.; Jalbert, Joyce, Kelleher, Kelly, Ketover, Lisnik, Locke, Macomber, Manning, Martin, A.C.; Matthews, Z.E.; McCollister, McHenry, McSweeney, Melendy, Michael, Michaud, Mitchell, E.H.; Mitchell, J.; Murray, Nadeau, Nelson, Paradis, P.E.; Paul, Perry, Racine, Reeves, P.; Richard, Smith, C.W.; Stevens, Theriault, Thompson, The Speaker.

NAY—Anderson, Armstrong, Bell, Bonney, Bott, Brown, D.N.; Brown, K.L.; Cahill, Callahan, Carroll, G.A.; Carter, Conary, Cooper, Cote, Curtis, Daggett, Davis, Day, Dexter, Dillenback, Drinkwater, Dudley, Foster, Greenlaw, Gwadosky, Higgins, L.M.; Holloway, Jackson, Jacques, Joseph, Kiesman, Kilcoyne, LaPlante, Lebowitz, Lehoux, Lewis, Livesay, MacBride, MacEachern, Masterman, Masterston, Matthews, K.L.; Maybury, McGowan, McPherson, Moholland, Murphy, E.M.; Murphy, T.W.; Norton, Paradis, E.J.; Parent, Perkins, Pines, Pouliot, Randall, Reeves, J.W.; Ridley, Roberts, Roderick, Salsbury, Scarpino, Seavey, Sherburne, Small, Smith, C.B.; Soucy, Soule, Sproul, Stevenson, Stover, Strout, Swazey, Tamaro, Telow, Vose, Walker, Webster, Wentworth, Weymouth, Willey, Zirnkilton.

ABSENT—Brown, A.K.; Conners, Crouse, Ingraham, Kane, Mahany, Martin, H.C.; Rolde, Rotondi, Tuttle.

PAIRED—Allen—Hobbins.
Yes, 57; No, 81; Absent, 10; Vacant, 1; Paired, 2.

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

Representative Lewis of Auburn moved that the Majority "Ought Not to Pass" Report be accepted.

Mr. Kelleher of Bangor requested a roll call vote.

The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call vote will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one fifth of the members present having

expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentlewoman from Auburn, Miss Lewis, that the Majority "Ought Not to Pass" Report be accepted. All those in favor will vote yes; those opposed will vote no.

The Chair recognizes the gentlewoman from Washington, Mrs. Allen.

Mrs. ALLEN: Mr. Speaker, I request permission to pair my vote with the gentleman from Saco, Mr. Hobbins. If he were here and voting, he would be voting nay; if I were voting, I would be voting yea.

ROLL CALL

YEA—Anderson, Armstrong, Bell, Bonney, Bott, Brown, D.N.; Brown, K.L.; Cahill, Callahan, Carroll, G.A.; Carter, Conary, Cooper, Cote, Curtis, Daggett, Davis, Day, Dexter, Dillenback, Drinkwater, Dudley, Foster, Greenlaw, Gwadosky, Higgins, L.M.; Holloway, Jacques, Joseph, Kiesman, Kilcoyne, LaPlante, Lebowitz, Lehoux, Lewis, Livesay, MacBride, MacEachern, Masterman, Masterston, Matthews, K.L.; Maybury, McGowan, McPherson, Moholland, Murphy, E.M.; Murphy, T.W.; Norton, Paradis, E.J.; Parent, Perkins, Pines, Pouliot, Randall, Reeves, J.W.; Ridley, Roberts, Roderick, Salsbury, Scarpino, Seavey, Sherburne, Small, Smith, C.B.; Soucy, Soule, Sproul, Stevenson, Stover, Strout, Swazey, Tamaro, Telow, Vose, Walker, Webster, Wentworth, Weymouth, Willey, Zirnkilton.

NAY—Ainsworth, Andrews, Baker, Beaulieu, Benoit, Bost, Brannigan, Brodeur, Carrier, Carroll, D.P.; Cashman, Chonko, Clark, Connolly, Cox, Crowley, Diamond, Erwin, Gauvreau, Hall, Handy, Hayden, Hickey, Higgins, H.C.; Jackson, Jalbert, Joyce, Kelleher, Kelly, Ketover, Lisnik, Locke, Macomber, Manning, Martin, A.C.; Matthews, Z.E.; McCollister, McHenry, McSweeney, Melendy, Michael, Michaud, Mitchell, E.H.; Mitchell, J.; Murray, Nadeau, Nelson, Paradis, P.E.; Paul, Perry, Racine, Reeves, P.; Richard, Smith, C.W.; Stevens, Theriault, Thompson, The Speaker.

ABSENT—Brown, A.K.; Conners, Crouse, Ingraham, Kane, Mahany, Martin, H.C.; Rolde, Rotondi, Tuttle.

PAIRED—Allen—Hobbins.
Yes, 80; No, 58; Absent, 10; Paired, 2; Vacant, 1.

The SPEAKER: Eighty having voted in the affirmative and fifty-eight in the negative, with ten being absent and two paired, the motion does prevail.

Sent up for concurrence.

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

HOUSE DIVIDED REPORT — Majority (9) "Ought to Pass" in New Draft (H. P. 1241) (L. D. 1653) — Minority (4) "Ought Not to Pass" — Committee on Education on Bill "An Act to Insure State Enforcement of Equal Opportunity in State-supported Educational Programs" (H. P. 841) (L. D. 1091)

Tabled—May 20, 1983 by Representative Locke of Sebec.

Pending—Motion of same gentlewoman to accept the Majority "Ought to Pass" in New Draft Report.

Thereupon, the Majority "Ought to Pass" Report was accepted and the New Draft read once. Under suspension of the rules, the New Draft was read the second time, passed to be engrossed and sent up for concurrence.

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

An Act to Standardize the Disciplinary Proceedings of Health Profession Licensing Boards (S. P. 561) (L. D. 1618)

Tabled—May 20, 1983 by Representative Mitchell of Vassalboro.

Pending—Passage to be Enacted.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the