

MAINE STATE LEGISLATURE

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for many years. They were in a little warehouse building. Finally MBNA offered them some money and we built a new building about three years ago. They sometimes struggle because it costs more to run this program than it does your typical high school. It is one of the first things that is looked at for some funds. This would not change what happens at what we call the B-Cope Program in District 34 except they would have additional money. I just want to remind you also that 15 out of the 20 schools have to be chartered by public school boards, public school districts, who will have charter schools within their own district. Lastly, I would urge you to think about the students. I was actually going to have on my desk but I do not, a few weeks ago there was a wonderful article in the Sunday Telegram about the high school. It said that this has now become a model for charter schools in other states. Here, if you want to go to the high school or the Camden Community School, you have to come up with the money. They are taking what we are doing and offering it to others. I spoke at a group recently about charter schools. When I left and was getting in my car a grandmother stopped me and said, 'I didn't want to say anything but Camden Community School saved my granddaughter but the only way she could go there was that other people had to help finance it.' That's what we are saying. We have great examples in our state already, as has already been said. You have to find some financing to go there. This bill brings in federal dollars and opens up those great programs to many others.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Gagnon.

Senator **GAGNON:** Thank you, Madame President. I think it's a little bit of a misnomer to think that this isn't going to cost us money. Clearly if charter schools open there are dollars that follow that student to that charter school and those are dollars that the school no longer has. Those are dollars that the school no longer has for special education, no longer has for alternative education, or whatever else they might need within that school. If a hundred kids went then maybe you could shut down a school building. You could turn off the heat or something. The reality is that it continues to cost the infrastructure for that school while certain kids are left and then we've created this other whole school. My other concern is that, in the long run, in three years when this is all over and done with and the federal money is no longer there, are we going to be asked to make sure that we continue these charter schools? Of course we are going to be asked. We're going to have a bill to pay sometime in the future. Finally, Madame President, I just wish the federal government would step up and take care of their current responsibilities, particularly with special education. If we could just receive the money from the federal government on the requirements that they already mandate on special education we'd be sitting so much better and we could be exploring charter schools and doing a lot more with alternative schools and have the money that we need to make sure our schools function efficiently. Thank you, Madame President.

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Woodcock.

Senator **WOODCOCK:** Thank you, Madame President, ladies and gentlemen of the Senate. Twenty-six years in the classroom

taught me that the attention span just before lunch is sometimes problematic, so I ask you to dig in a little bit right now, please.

This particular group of students that we are addressing with this bill has a very high percentage of drop-out rate. You'll lose your money anyways in the school district when they are taken off the register. This group of students that we are addressing need to have many alternatives for education. I do find it somewhat ironic that we spend as much time as we do on alternatives for education and we spend little or no time on gifted and talented programs. Today it's alternatives. Most of us in this Body, perhaps there is a notable exception or two, probably wouldn't have been charter school students. We wouldn't have had the chance to go through the process of inadequate family support, substance abuse, domestic violence, and other causal factors that creates the need to be an alternative student. In 26 years I've taught many students who went to alternative schools. I knew and I still know that it isn't enough. I'm not certain charter schools are enough. I'm not certain home schooling is enough. What we do need to do is not focus as much on the funding as we should on the students because it is ultimately the student we're addressing. I urge you to oppose this motion and support the bill. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Kennebec, Senator Mitchell to Accept the Majority Ought Not to Pass 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 (#331)

YEAS: Senators: BARTLETT, BRENNAN, BRYANT, COWGER, DIAMOND, GAGNON, HOBBS, MARTIN, MAYO, MITCHELL, NUTTING, PERRY, RAYE, ROTUNDO, SCHNEIDER, STRIMLING, SULLIVAN, THE PRESIDENT - BETH G. EDMONDS

NAYS: Senators: ANDREWS, BROMLEY, CLUKEY, COURTNEY, DAMON, DAVIS, DOW, HASTINGS, MILLS, NASS, ROSEN, SAVAGE, SNOWE-MELLO, TURNER, WESTON, WOODCOCK

ABSENT: Senator: PLOWMAN

18 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 1 Senator being absent, the motion by Senator **MITCHELL** of Kennebec to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, **PREVAILED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/09/06) Assigned matter:

Bill "An Act To Increase the Minimum Wage"
H.P. 174 L.D. 235
(C "A" H-725)

Tabled - March 9, 2006, by Senator **STRIMLING** of Cumberland

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-725)**, in concurrence

(In House, February 8, 2006, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-725)**.)

(In Senate, March 9, 2006, **READ A SECOND TIME**.)

On motion by Senator **DOW** of Lincoln, Senate Amendment "B" (S-482) **READ**.

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

Senator **DOW:** Thank you, Madame President, ladies and gentlemen of the Senate. This is just a simple little amendment that asks that you consider allowing employers to employ 16 or 17 year olds at the current minimum wage for 90 days, and 90 days only, uninterrupted. If they hire them for a week and they are on vacation for the next many weeks and come back at the end to finish the last few days of the 90 days it's still 90 days. It still goes into effect and they would go up to the new minimum wage if that bill passes. It's been said that this would somehow discriminate against retired people. For the life of me, I can't see how. I would never insult a retired person that has 40 or 45 years of experience with even a minimum wage. This amendment is just asking that, as I see it, 90 day summer vacation jobs for 16 and 17 year olds. After that amount of time, if they continue to work, they would go up to the minimum wage and they would be worth it because they would have some more experience. I would ask your consideration of this amendment. Thank you.

Senator **STRIMLING** of Cumberland moved to **INDEFINITELY POSTPONE** Senate Amendment "B" (S-482).

On motion by Senator **DAVIS** of Piscataquis, 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 Cumberland, Senator Strimling.

Senator **STRIMLING:** Thank you, Madame President. Just quickly on this simple amendment, as they all are. Unfortunately, the ramifications of this simple amendment are very deep. It creates a second class of citizens. More fundamental is the Maine Human Rights Act is very clear; we may not discriminate against people on the basis of age. What this amendment does is, basically, it tries to put into statute that we are allowed to do that. You have a letter in front of you from some of the elderly groups who are fundamentally opposed to this because often these jobs are being competed for by our elderly and by our youth. This will create a discriminatory factor in which they will be hiring the young people over the elderly and it will be discriminatory against our young people because they will be

paying them less money. I strongly urge my colleagues to support the motion in front of you to Indefinitely Postpone.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Cumberland, Senator Strimling to Indefinitely Postpone Senate Amendment "B" (S-482). 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 (#332)

YEAS: Senators: BARTLETT, BRENNAN, BROMLEY, BRYANT, DAMON, DIAMOND, GAGNON, HOBBS, MARTIN, MAYO, MITCHELL, NUTTING, PERRY, ROTUNDO, SCHNEIDER, STRIMLING, SULLIVAN, THE PRESIDENT - BETH G. EDMONDS

NAYS: Senators: ANDREWS, CLUKEY, COURTNEY, COWGER, DAVIS, DOW, HASTINGS, MILLS, NASS, RAYE, ROSEN, SAVAGE, SNOWE-MELLO, TURNER, WESTON, WOODCOCK

ABSENT: Senator: PLOWMAN

18 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 1 Senator being absent, the motion by Senator **STRIMLING** of Cumberland to **INDEFINITELY POSTPONE** Senate Amendment "B" (S-482), **PREVAILED**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-725), in concurrence.

The Chair laid before the Senate the following Tabled and Later (3/21/06) Assigned matter:

SENATE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT**, on Bill "An Act To Strengthen the State Purchasing Code of Conduct Laws"

S.P. 686 L.D. 1769

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-499)** (6 members)

Tabled - March 21, 2006, by Senator **SCHNEIDER** of Penobscot

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

(In Senate, March 21, 2006, Reports **READ**.)

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