

MAINE STATE LEGISLATURE

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Legislative Record
House of Representatives
One Hundred and Twenty-Second Legislature
State of Maine

Volume III

Second Regular Session

April 7, 2006 - May 24, 2006

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Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

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TWOMEY of Biddeford

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-539)**.

READ.

Representative PIOTTI of Unity moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

Divided Report

Majority Report of the Committee on **NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-539)** on Bill "An Act To Ensure the Long-term Capacity of Municipal Landfills" (EMERGENCY)

(S.P. 712) (L.D. 1795)

Signed:

Senators:

COWGER of Kennebec
MARTIN of Aroostook

Representatives:

WHEELER of Kittery
DUCHESNE of Hudson
ANNIS of Dover-Foxcroft
EBERLE of South Portland
KOFFMAN of Bar Harbor
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ROSEN of Bucksport
THOMPSON of China

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

SNOWE-MELLO of Androscoggin

Representatives:

JOY of Crystal

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-539)**.

READ.

On motion of Representative KOFFMAN of Bar Harbor, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-539)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Tuesday, April 11, 2006.

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

Bill "An Act To Increase the Minimum Wage"

(H.P. 174) (L.D. 235)

Which was **TABLED** by Representative SMITH of Van Buren pending the motion to **RECEDE AND CONCUR**. (Roll Call Ordered)

The SPEAKER: The Chair recognizes the Representative from Farmington, Representative Mills.

Representative MILLS: Mr. Speaker, may I pose a question through the Chair?

The SPEAKER: The Representative may pose her question.

Representative MILLS: I just want to ask for clarification. The motion to Recede and Concur would essentially defeat the amendment that this body passed last, I believe it was Thursday evening. Is that correct?

The SPEAKER: The Representative from Farmington, Representative Mills has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Van Buren, Representative Smith.

Representative SMITH: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. The motion to Recede and Concur deals with the House accepting the original bill as it was originally presented. The other body has stripped the amendment that had been presented by Representative Mills. We now are dealing with concurring with the other body, which is a minimum wage of \$6.75 coming in October of 2006 and going to \$7.00 in October, 2007.

The SPEAKER: The Chair recognizes the Representative from Cumberland, Representative McKenney.

Representative MCKENNEY: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. The answer to Representative Mills' question is yes.

The SPEAKER: A roll call has been ordered. The pending question before the House is to Recede and Concur. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 475

YEA - Adams, Ash, Babbidge, Barstow, Beaudette, Blanchard, Blanchette, Bliss, Brannigan, Brautigam, Brown R, Bryant, Burns, Cain, Canavan, Clark, Craven, Cummings, Driscoll, Duchesne, Dudley, Dugay, Dunn, Duplessie, Eberle, Eder, Faircloth, Farrington, Finch, Fischer, Fisher, Gerzofsky, Glynn, Goldman, Grose, Hanley S, Harlow, Hogan, Hutton, Jackson, Jennings, Koffman, Lerman, Makas, Marley, Marraché, Mazurek, Merrill, Miller, Norton, O'Brien, Paradis, Patrick, Percy, Pilon, Pineau, Pingree, Piotti, Rines, Schatz, Simpson, Smith N, Smith W, Thompson, Tuttle, Twomey, Valentino, Walcott, Watson, Webster, Wheeler, Mr. Speaker.

NAY - Annis, Austin, Berube, Bierman, Bishop, Bowen, Bowles, Browne W, Bryant-Deschenes, Campbell, Carr, Cebra, Churchill, Clough, Collins, Cressey, Crosby, Crosthwaite, Curley,

Curtis, Daigle, Davis G, Davis K, Duprey, Edgecomb, Emery, Fitts, Fletcher, Flood, Greeley, Hall, Hamper, Hanley B, Jacobsen, Jodrey, Joy, Lansley, Lewin, Lindell, Marean, McCormick, McFadden, McKane, McKenney, McLeod, Millett, Mills, Moody, Moulton, Muse, Nass, Nutting, Pinkham, Plummer, Rector, Richardson D, Richardson E, Richardson M, Richardson W, Robinson, Rosen, Saviello, Seavey, Sherman, Shields, Sykes, Tardy, Trahan, Vaughan, Woodbury.

ABSENT - Hotham, Kaelin, Lundeen, Moore G, Ott, Perry, Sampson, Stedman, Thomas.

Yes, 72; No, 70; Absent, 9; Excused, 0.

72 having voted in the affirmative and 70 voted in the negative, with 9 being absent, and accordingly the House voted to **RECEDE AND CONCUR**.

Representative EDER of Portland moved that the House **RECONSIDER** its action whereby the House voted to **RECEDE AND CONCUR**.

Representative DUDLEY of Portland **REQUESTED** a roll call on the motion to **RECONSIDER** whereby the House voted to **RECEDE AND CONCUR**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Waldoboro, Representative Trahan.

Representative **TRAHAN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I ask that you allow the Representative to reconsider this issue. It is a courtesy that's allowed to the membership when they would like to do certain things like allow amendments and things. Since the time I've been here I've seen very few of these motions to not allow a person to reconsider. I hope this chamber would give the courtesy to the gentlemen from Portland and let him have his opportunity. Thank you.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Bliss.

Representative **BLISS**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I agree with my good friend, the Representative from Waldoboro. It's just common courtesy to give a Representative an opportunity. I believe we should give him that chance.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Dudley.

Representative **DUDLEY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. You know, the courtesies and the traditions of the House are very important. I will remind members of this House that there was a roll call on a tabling motion that I made last week, where just about every member of the minority party voted against me. I would hope that in the future that these traditions would be universally honored and not just when they're particularly politically convenient. Therefore, Mr. Speaker, I withdraw my motion.

Subsequently, Representative DUDLEY of Portland **WITHDREW** his request for a roll call.

Subsequently, the House **RECONSIDERED** its action whereby the House voted to **RECEDE AND CONCUR**.

On motion of Representative EDER of Portland, the House voted to **RECEDE**.

On further motion of the same Representative, **House Amendment "D" (H-916) to Committee Amendment "A" (H-725)** was **INDEFINITELY POSTPONED**.

The same Representative, **PRESENTED House Amendment "I" (H-969) to Committee Amendment "A" (H-725)** which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Eder.

Representative **EDER**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I wanted to have the opportunity to offer some amendments to this bill. I offer, first for you, House Amendment "I" (H-969). What this amendment would do, it would provide an increase in the minimum hourly wage to \$7.25 per hour and \$8.00 per hour effective October 1, 2006 and that as of October 1, 2007, and on every October 1st thereafter, this amendment would provide that the Commissioner of Labor shall adjust the minimum hourly wage by any positive percentage change in the National Consumer Price Index for all urban wage earners and clerical workers in the previous year. Thank you Mr. Speaker.

Representative **SMITH** of Van Buren moved that **House Amendment "I" (H-969) to Committee Amendment "A" (H-725)** be **INDEFINITELY POSTPONED**.

The SPEAKER: The Chair recognizes the Representative from Van Buren, Representative Smith.

Representative **SMITH**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I certainly agree with the motives of the Representative from Portland in wanting to improve the wages that the citizens of Maine are paid, however, I believe this is about all we can do at this time. It would be best left to future legislators to make decisions on the minimum wages for future years. For that reason, I am moving Indefinite Postponement of this amendment and ask that you join me in voting green on this.

Representative EDER of Portland **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "I" (H-969) to Committee Amendment "A" (H-725)**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Waterboro, Representative Jacobson.

Representative **JACOBSEN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I hope everybody here considers what they are going to do to the economy of this state. Plain and simple. That's the whole thing. Our state is made up of small businesses who are struggling to survive because of what we do in this house. I hope everybody considers what they are doing to their neighbors and friends who operate these businesses.

The SPEAKER: The Chair recognizes the Representative from Falmouth, Representative Davis.

Representative **DAVIS**: Mr. Speaker, may I pose a question through the Chair?

The SPEAKER: The Representative may pose his question.

Representative **DAVIS**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Do you realize that the very people you are going to tax extra here are corner grocery stores whose marginal profits are very small? Do you realize this?

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "I" (H-969) to Committee Amendment "A" (H-725). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 476

YEA - Annis, Ash, Babbidge, Barstow, Beaudette, Berube, Blanchette, Bowen, Bowles, Brannigan, Brautigam, Brown R, Browne W, Campbell, Canavan, Carr, Churchill, Clark, Clough, Craven, Cressey, Crosby, Cummings, Curley, Curtis, Daigle, Davis G, Driscoll, Duchesne, Dudley, Dugay, Dunn, Duplessie, Duprey, Eberle, Edgecomb, Faircloth, Farrington, Finch, Fischer, Fisher, Fitts, Fletcher, Flood, Gerzofsky, Goldman, Greeley, Grose, Hall, Hamper, Hanley B, Hanley S, Hogan, Jackson, Jacobsen, Jennings, Jodrey, Joy, Koffman, Lerman, Lewin,

Marean, Marraché, Mazurek, McCormick, McFadden, McKane, McLeod, Merrill, Miller, Mills, Moody, Moulton, Muse, Nass, Norton, Nutting, O'Brien, Paradis, Patrick, Percy, Pilon, Pineau, Pingree, Pinkham, Piotti, Rector, Richardson D, Richardson E, Richardson W, Rines, Schatz, Sherman, Shields, Simpson, Smith N, Smith W, Sykes, Tardy, Thompson, Trahan, Tuttle, Valentino, Watson, Webster, Woodbury, Mr. Speaker.

NAY - Adams, Austin, Bierman, Bishop, Bliss, Bryant, Bryant-Deschenes, Burns, Cain, Cebra, Collins, Crosthwaite, Davis K, Eder, Emery, Glynn, Harlow, Hutton, Lansley, Lindell, Makas, Marley, McKenney, Millett, Plummer, Richardson M, Robinson, Rosen, Saviello, Seavey, Twomey, Vaughan, Walcott, Wheeler.

ABSENT - Blanchard, Hotham, Kaelin, Lundeen, Moore G, Ott, Perry, Sampson, Stedman, Thomas.

Yes, 107; No, 34; Absent, 10; Excused, 0.

107 having voted in the affirmative and 34 voted in the negative, with 10 being absent, and accordingly **House Amendment "I" (H-969) to Committee Amendment "A" (H-725) was INDEFINITELY POSTPONED.**

Representative LINDELL of Frankfort **PRESENTED House Amendment "A" (H-807) to Committee Amendment "A" (H-725)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Frankfort, Representative Lindell.

Representative LINDELL: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. The amendment...

Representative SMITH: Point of Order.

The **SPEAKER**: The Representative will defer. The Chair recognizes the Representative from Van Buren, Representative Smith and inquires as to why he rises.

Representative SMITH: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I ask for a ruling from the Chair as to whether the amendment which seeks to develop a tax credit is germane to the pending bill.

Representative SMITH of Van Buren asked the Chair to **RULE if House Amendment "A" (H-807) to Committee Amendment "A" (H-725) was GERMANE to the Bill.**

The **SPEAKER**: The Chair understands that the Representative from Frankfort, Representative Lindell has offered an amendment. The amendment summary is read as follows, "This amendment allows an employer, who hires a person who has been unemployed for a year or more, or who has an unskilled laborer, a tax credit equal to the difference between the federal minimum wage and the state minimum wage multiplied by the number of hours worked by that person. The tax credit is for the first 12 months of the employment only. The tax is applicable to the tax years beginning on or after January 1, 2007. The Department of Labor is directed to establish rules to define unskilled laborer." The Chair rules that House Amendment "A" is not germane, therefore, not properly before the body. The checklist to test germaneness deals specifically with, does the amendment deal with a different topic or subject? The Chair has ruled that the minimum wage is what is properly before us. The issue of a tax credit is something which changes the topic and subject which if before us. Does the amendment unreasonably or unduly expand the subject of the bill? In the Chair's opinion, the matter is a tax credit which is being offered by the Representative from Frankfort, Representative Lindell and therefore, as a result, it would expand the subject of the bill beyond the scope to which both public hearing and notice were provided and beyond which the subject matter of the bill itself, initially, that is the minimum wage, had been offered. Would the amendment introduce an independent question? In the Chair's opinion, it would, in that it would be a tax credit as opposed to an up or down, meaning an increase or a decrease in the minimum

wage. For those reasons, the Chair has determined that House Amendment "A" is not germane.

Subsequently, the Chair **RULED that House Amendment "A" (H-807) to Committee Amendment "A" (H-725) was not GERMANE to the Bill.**

Representative EDER of Portland **PRESENTED House Amendment "H" (H-968) to Committee Amendment "A" (H-725)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Portland, Representative Eder.

Representative EDER: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. This amendment would provide that starting on October 1, 2003 and every October 1st thereafter, the Commissioner of Labor shall adjust the minimum hourly wage by any positive percentage change in the National Consumer Price Index for all urban wage earners and clerical workers in the previous year. What this would do would take whatever we pass here today, whatever the wage is after we pass it out of this body today, it would here forward attach that wage to the Consumer Price Index. This would provide stability all around. Stability for workers so that just like when you get a cost of living increase in your Social Security check you'll know that you'll have more money to meet the needs of the upcoming year. It will also have an element or predictability for employers in that they would know what the increase was going to be. Thank you Mr. Speaker.

Representative SMITH of Van Buren moved that **House Amendment "H" (H-968) to Committee Amendment "A" (H-725) be INDEFINITELY POSTPONED.**

Representative EDER of Portland **REQUESTED a roll call on the motion to INDEFINITELY POSTPONE House Amendment "H" (H-968) to Committee Amendment "A" (H-725).**

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER**: The Chair recognizes the Representative from Berwick, Representative Burns.

Representative BURNS: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. In the context of this debate I just want to share some food for thought with you. There's a quote that I want to give to you that comes from the Honorable Republican President Abraham Lincoln. He said within his emancipation proclamation many things. One of which was, "That we should labor faithfully and for reasonable wages." Here we are today talking about a minimum wage and during this session we've spoken about a living wage, or a liveable wage or however you want to refer to it. It occurs to me that we need to ask the question and the question has been asked and answered in the context of the debate about a liveable wage, what is it? Also, as these words were spoken by Abraham Lincoln in the context of the abolition of slavery, it makes it that much more imperative that we ask, "What is meant by a reasonable wage?" Another honorable President of ours, Franklin Delano Roosevelt, proposed that we engage in a second bill of rights. An economic bill of rights. He quotes an old English judge who suggests that necessitous men are not free men. Liberty requires opportunity to make a living, a decent living according to the standard of the time. A living, which gives a man, not only enough to live by, but something to live for. I have engaged in discussion with small business and medium sized business people about the wages that they pay their employees and the high turnover related to the minimum wage. Some of us can agree that if you pay somebody a liveable wage versus a minimum wage, the decision that they might make to leave that employment is going to be a far greater and more difficult decision for them to make. FDR goes on to say that, and this is over 62 years ago, "It is our duty to establish an

American standard of living higher than ever before known. We cannot content ourselves, no matter how high that general standard of living may be, if some fraction of our people are ill fed, ill clothed, ill housed and insecure." I recently read in the *Capital Weekly* an article by a gentleman whose wages are probably in the high hundreds of dollars per hour. He was a lawyer, I might add, and I have nothing disparaging to about lawyers. Here's a man earning hundreds if not thousands of dollars per hour talking about the fact that we don't need a minimum wage increase. How does somebody living in that income bracket speak for those among us who work hard for minimum wage? What are we asking for? At the end of the day, we're talking about quarters. At the end of an eight-hour workday, we are talking about a half gallon of milk and here we are believing that this burden is too much for business community to bear. I think that that's not so. FDR goes on to say, "In our day," over 60 some-odd years ago, "these economic truths have become accepted as self-evident. We have accepted, so to speak, a second bill of rights under which a new basis of security and prosperity can be established." These rights are simple. I think we all agree with them. The right to a respectable wage in the industries and shops or farms or mines of our nation. The right to earn enough to provide adequate food and clothing and recreation. The right of every farmer to raise and sell his produce at a return which will give him and his family a decent living. The right of every business man, large or small, to trade in an atmosphere of freedom from unfair competition and domination by monopolies at home or abroad. Here we are living in an age where we've passed trade agreements, in our Capitol in D.C., permitting the undermining of the American economy. The undermining of the American political and social system. That's what we're talking about here today. We're talking about those among us who work hard. Mainers have a strong work ethic. We're talking about a half gallon of milk at the end of the day for these hard working folks. The success of the American corporation owes a debt to these people, to all people in the State of Maine and across the nation. Their success has little to do with someone's ability to pull themselves up by their bootstraps. It has everything to do with the people of this nation and their ability to have provided a business friendly environment in which they can flourish. What do we get in exchange for it? They've grown from successful corporations to multi-nation corporations with absolutely no loyalty to any of us, whether we're Democrats or Republicans. The impact that we pay for this is powerful. It has had an adverse affect on all small business in this state. It's time that we started thinking differently. It's time that we started thinking in terms of providing for the people of this state and not just the business community. Although, as a small business owner, two businesses, I have a powerful concern for the small business community in the State of Maine. Look locally. Right here, we've lost. We used to have Statler Tissue, Hathaway Shirt, Dexter Shoe, Healthtex, Scott Tissue, Carlton Woolen Mills, Maine Polyplastics and others. These were once the foundation of our economy. Today they're gone. They're gone as a result of the decisions that we've permitted to happen to our national economy. The pursuit of happiness has been replaced by uncertainty and the pursuit of subsistence. This isn't a partisan issue, it's an American issue. Partisan politics has been the obstacle to the attainment of this greater standard of living espoused by, not only FDR, but by Lincoln and others. Government, in a modern civilization, has certain inescapable obligations to its citizens, among which are the protection of the family and the home. The establishment of a democracy, of opportunity.

Representative **BOWLES**: Point of Order.

The **SPEAKER**: The Representative will defer. The Chair recognizes the Representative from Sanford, Representative Bowles.

Representative **BOWLES**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I believe the issue before us is indefinite postponement of House Amendment 968.

The **SPEAKER**: The Representative is correct. The motion before us is the indefinite postponement of this particular House Amendment. The matters of debate should be limited to why, or why not, this particular amendment ought to be adopted or ought to be defeated. The Representative may proceed.

Representative **BURNS**: Yes Mr. Speaker. I understand that. What this amendment is, is an effort to move the State of Maine towards a liveable wage. Towards a reasonable and a respectable wage. Therefore, I do believe that this is extremely germane because we're talking about a quarter per hour and the amendment speaks to a higher increase in the minimum wage. Again, it's inescapable, this obligation to its citizens, according to FDR, the protection of the family and the home, the establishment of a democracy of opportunity. What opportunity is inherent in a minimum wage? He further says that, "Aid to those overtaken by disaster." Look at us today, still can't get out of the Katrina mess. Denial is a luxury that one must be able to afford. Poverty is a reality seemingly inescapable by those victimized by it. When we talk about minimum wage, we're talking about a wage that at the end of a 40 hour week is still below the federal poverty level. Again, I ask you to think about this. Thank you very much.

The **SPEAKER**: The Chair recognizes the Representative from Biddeford, Representative Twomey.

Representative **TWOMEY**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. These are words that need to be said. Some of you might feel uncomfortable and say, "Let's get on with this. We've got the votes." When we stand up and speak for the poor, we're supposed to shut up and we're supposed to take the crumbs and be happy and go home. I really would like to compliment Representative Eder for his amendments. I think these words are important because when I went home and talked about the amendment, my people said, "What is going on up there?" When we do a corporate tax break for Merrill Lynch, we don't have to jump through hoops. When we talk about minimum wage for the poor, and it's not the poor, it's working families who can't make it, who go to the gas station this morning and have to pay \$30 for their gas. Corporate greed. We have done a study on living wages. A family of four needs \$16 per hour and they still don't make it. That means two children, their rent, a car payment, not a new car. They can't go to the movies. To live in the State of Maine, or anywhere, they need at least, just to pay their minimum, their rent, \$16 per hour and we're supposed to be happy with crumbs of \$6.75 and we're trying to lower that. I can't sit here quietly. I want to thank Representative Eder. Representative Burns, your words need to be spoken. They need to be heard because what they tell me is, "Joanne, the words, if you say them often enough, people will get it." Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Newfield, Representative Campbell.

Representative **CAMPBELL**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I hear a lot about the poor. I wonder why the good Representative from the other side of the aisle voted to attach Social Security at the state level a few years ago, if she's so worried about the poor.

Representative **TWOMEY**: Point of Order.

The **SPEAKER**: Will the Representative defer. The Chair recognizes the Representative from Biddeford, Representative Twomey.

Representative **TWOMEY**: Mr. Speaker, the Representative's statements are out of order.

The **SPEAKER**: The Chair will simply remind members that before us, right now, is the indefinite postponement of House Amendment "H" with a filing number of H-968. A roll call has been ordered.

The Chair recognizes the Representative from Portland, Representative Eder.

Representative **EDER**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I just wanted to clarify because the question was put to me. This increase by the CPI would pertain only to positive increase every October 1st and hereafter, beginning in 2008 and hereafter. Should the CPI go down, it would freeze to the previous positive percentage.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "H" (H-968) to Committee Amendment "A" (H-725). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 477

YEA - Annis, Ash, Austin, Babbidge, Barstow, Beaudette, Berube, Blanchard, Blanchette, Bowen, Bowles, Brannigan, Brown R, Browne W, Cain, Campbell, Carr, Churchill, Clark, Clough, Collins, Craven, Cressey, Crosby, Curley, Curtis, Daigle, Davis G, Driscoll, Duchesne, Dugay, Dunn, Duplessie, Duprey, Eberle, Edgecomb, Emery, Farrington, Finch, Fischer, Fisher, Fitts, Fletcher, Flood, Goldman, Greeley, Grose, Hall, Hamper, Hanley B, Hanley S, Hogan, Jackson, Jacobsen, Jennings, Jodrey, Joy, Koffman, Lerman, Lewin, Marean, Marraché, Mazurek, McCormick, McKane, McLeod, Merrill, Miller, Millett, Mills, Moody, Moulton, Muse, Nass, Norton, Nutting, O'Brien, Paradis, Patrick, Percy, Pilon, Pineau, Pingree, Pinkham, Piotti, Rector, Richardson D, Richardson E, Richardson M, Richardson W, Rines, Rosen, Sampson, Schatz, Seavey, Sherman, Smith N, Smith W, Sykes, Tardy, Thompson, Trahan, Tuttle, Valentino, Webster, Woodbury, Mr. Speaker.

NAY - Adams, Bierman, Bishop, Bliss, Brautigam, Bryant, Bryant-Deschenes, Burns, Canavan, Cebra, Crosthwaite, Cummings, Davis K, Dudley, Eder, Faircloth, Glynn, Harlow, Hutton, Lansley, Lindell, Makas, Marley, McFadden, McKenney, Plummer, Robinson, Saviello, Shields, Simpson, Twomey, Vaughan, Walcott, Wheeler.

ABSENT - Gerzofsky, Hotham, Kaelin, Lundeen, Moore G, Ott, Perry, Stedman, Thomas, Watson.

Yes, 107; No, 34; Absent, 10; Excused, 0.

107 having voted in the affirmative and 34 voted in the negative, with 10 being absent, and accordingly **House Amendment "H" (H-968) to Committee Amendment "A" (H-725) was INDEFINITELY POSTPONED.**

The **SPEAKER**: The Chair recognizes the Representative from Caribou, Representative Edgecomb.

Representative **EDGECOMB**: I rise for a Parliamentary Inquiry.

The **SPEAKER**: The Representative may proceed.

Representative **EDGECOMB**: Mr. Speaker, after we had a roll call vote on Representative Mills' motion, the motion to reconsider was allowed. Then amendment "I" was defeated, it was postponed indefinitely, amendment "H" was defeated by indefinite postponement. Since Representative Mills' motion is up for consideration, shouldn't we be taking another vote on Representative Mills' motion, and if so I request a roll call vote.

The **SPEAKER**: I'll try to explain it like this. What we did in backing the bill up to allow suspension of the rules for purposes of allowing an amendment, we receded. That opened the bill up, then, for amendments. If the body wishes to concur, now, with the actions of the other body, that would put you in the position of receding and concurring with \$7.00 per hour. If the body, however, wants to adhere to House Amendment "D", then an adhere motion would be in order, but first, you would have to defeat the motion to concur, which is a higher motion to get, then, to the motion to adhere.

Representative **MILLS** of Farmington **REQUESTED** a roll call on the motion to **CONCUR**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER**: The Chair recognizes the Representative from Van Buren, Representative Smith.

Representative **SMITH**: Point of order.

The **SPEAKER**: The Representative may state his point of order.

Representative **SMITH**: Thank you Mr. Speaker. When this bill came back to us from the other body, it came back to us with the other body having stripped out Representative Mills' amendment. Therefore, we were voting on the original bill, which was recede and concur. I question why we need to revoke the same bill which has come back from the other body.

The **SPEAKER**: If we concur, at this state Representative Smith, we will then be in line with what the Senate action did. The Senate action stripped the House Amendment "D". The House, however, did not. The Chair recognizes the Representative from Van Buren, Representative Smith.

Representative **SMITH**: The initial motion, Mr. Speaker was to recede and concur with the action of the other body, which this body has already voted in. I question why we need to vote on it twice.

The **SPEAKER**: Representative Smith, because we reconsidered our actions whereby we did recede and concur in order for Representative Eder to offer an amendment, and also for an amendment which the Representative from Frankfort, Representative Lindell also offered as well. The Chair recognizes the Representative from Hampden, Representative Duprey.

Representative **DUPREY**: Thank you Mr. Speaker. Mr. Speaker I have a parliamentary inquiry.

The **SPEAKER**: The Representative may proceed.

Representative **DUPREY**: Mr. Speaker, in backing the bill up, did you indefinitely postpone House Amendment "D"?

The **SPEAKER**: The Chair recognizes the Representative from Hampden, Representative Duprey.

Representative **DUPREY**: Mr. Speaker, would a motion to reconsider our actions whereby House Amendment "D" was indefinitely postponed be in order?

The **SPEAKER**: The posture we find ourselves in at this stage is, having indefinitely postponed that amendment; we have two ways to go. Your motion would not be properly before the body. The two motions that would be properly before the body are the motion to concur, which would then put us in a posture of being in conformity with the Senate, or the motion to adhere, which would then mean that we'd be back with our prior actions before we send it down to the Senate. The Chair recognizes the Representative from Hampden, Representative Duprey.

Representative **DUPREY**: Thank you Mr. Speaker. Mr. Speaker, one further question, and I appreciate your indulgence. How would we get to a motion to reconsider House Amendment "D"? What posture would we have to be in to be able to reconsider our actions?

The SPEAKER: You have to defeat the motion to concur. Once you've defeated the motion to concur, you can adhere, which would put in the posture of, in fact, being at \$6.75 per hour. Let me just explain. The motion to concur means you are going to be in conformity then with the Senate, meaning that you're going to be at \$7.00 per hour. If you want to vote against the motion to concur, meaning you don't want \$7.00 per hour, you want \$6.75, you're going to be voting red on the motion to concur. If you want \$7.00 per hour, you're going to be voting green. If the motion to concur fails, then the motion to adhere would be properly before us, somebody would have to make that motion. That would mean, if you voted green, you'd be voting for \$6.75. I hope that answers the question. The Chair recognizes the Representative from Van Buren, Representative Smith.

Representative SMITH: Mr. Speaker, is not a correct understanding that if the motion to concur is defeated, this bill will now be dead in non-concurrence?

The SPEAKER: The question is, if the House votes to concur, the matter will then move to the Senate. If it's defeated, I'm assuming there'll be a motion to adhere, and that motion would kill this bill. The Chair recognizes the Representative from Van Buren, Representative Smith.

Representative SMITH: Then, Mr. Speaker, if the motion to concur is defeated, then there will be no minimum wage increase at all. Is that correct?

The SPEAKER: If a motion to adhere prevails, then the answer would be in the affirmative. The Chair recognizes the Representative from Van Buren, Representative Smith.

Representative SMITH: I think we need to be very clear on this Mr. Speaker. What is before the body is the question of concurrence with the action of the other body, and a motion to concur takes priority over a motion to adhere. Now, if the House defeats the motion to concur, that kills the entire bill. That's my understanding of it.

The SPEAKER: The Chair recognizes the Representative from Van Buren, Representative Smith.

Representative SMITH: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. My assessment of this is that if we don't concur with the action of the other body, we are essentially laying the groundwork for this entire minimum wage bill. If you're concerned about being able to bring to the people a minimum wage increase, please support the motion to concur. Thank you.

The SPEAKER: The Chair recognizes the Representative from Arundel, Representative Daigle.

Representative DAIGLE: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I'm not going to belabor this point except that, we're all playing fast and loose here with referring to the actions of the other body. I think the motion before us, right now, should be restricted to what we feel is the best policy here, in this body, and leave matters elsewhere where they belong. There was a previous amendment that received widespread support because people felt that was the right course of action. To get there, we must defeat this concur motion and I encourage us to, therefore, vote red on this vote. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Faircloth.

Representative FAIRCLOTH: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I think we should address the merits of this issue and that's why I strongly support the concurrence motion. There are some who have argued that the minimum wage increase should be very slow and very low. The implication of that argument is that that is better economic

policy. Better macro-economic policy and better micro-economic policy. I haven't really heard the support economic evidence on that point. I think we need to support a solid increase in the minimum wage because it's good economics and good for business. The Economic Policy Institute did an analysis of minimum wage increases in states that went above the federal minimum wage. They found very clear results in four ways. In those states that increased above the minimum wage, at the federal level, the number of businesses established were more and better. The number of jobs created, more. The annual payroll, more. The annual payroll per worker, more. Whatever the perception might be, the economic reality was that those states that increased their minimum wage above the federal level did better. Better for small business. Also, five additional ways they were better, at a micro-economic level, was higher productivity, lower recruiting costs, lower training costs, decreased absenteeism and increased worker morale. So if you are pro-business, you see macro-economic and micro-economic reasons why this is a good idea. I've left for the end, the one big reason, both macro-economic and micro-economic, is most important. It increases the quality of life for all people, not just for those receiving that minimum wage increase, but for others above them. In 1968, the minimum wage, if we inflated to current dollars, would be \$9.09 adjusted for inflation. We heard a lot of talk recently and saw a lot of flyers recently about the Reverend Dr. Martin Luther King, but I often note that we are supposed to keep Dr. King on his pedestal without actually to what he really said. We're not supposed to listen to Dr. King regarding economics, for example, because, well, that might sometimes make us feel uncomfortable. If we keep it safe, back in the Rosa Parks discussion, everybody can feel ok. What Dr. King was saying back in 1968, and I quote him, is that, "We know of no more crucial civil rights issue than the need to increase the minimum wage and extend its coverage, a living wage should be the right of all working Americans." As it turns out, not only was he a great speaker, he was right on the economics because when the economists study it, it turns out that it's actually better for the people in those states, and better for the businesses in those states. You hear the old argument, the tired argument, go very slow and very low with minimum wage increases, but the economic development argument, the pro-business argument is for increasing this minimum wage and increasing it solidly and doing so right now. I thank the men and women of the House.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Cummings.

Representative CUMMINGS: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I want to concur with the good comments of the Representative from Arundel, Representative Daigle who said, "We ought to judge something on its merits." As the Representative from Bangor, Representative Faircloth has pointed out for us, there are strong, good, policy arguments for why this makes sense. It seems to me that this body ought to look at those people who are trying to get ahead and are working hard, and give them the break that they need. I do not think we should put this decision in an ambiguous posture with the other body. We should vote on this motion as a statement for what good policy is because people are asking, "Can I buy that extra gallon of milk, that extra loaf of bread, when I'm working hard to make it happen." That's what they're asking. I ask you not to get caught up in a set of procedural motion that could defeat minimum wage at a time when Maine people are asking us for at least some bit of help in the work that they're putting forward for Maine employers.

The SPEAKER: The Chair recognizes the Representative from Farmington, Representative Mills.

Representative MILLS: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I certainly, for one, do not suggest that the federal minimum wage is an adequate wage, or a liveable wage, or anything close to it. I do not applaud the federal government for not having addressed this issue in many, many years. To suggest that those states who have the minimum wages the same as the federal minimum wage have poor economies is simply erroneous. Among the 43 states that follow the federal minimum wage level on their statutes are Maryland, Michigan, New Jersey, Virginia, Pennsylvania and North Carolina. I would love to have their economic level in this state, their economy in this state. I would love to have the numbers of jobs, and the good paying jobs that any one of those states has, for the State of Maine. I would suggest to you, the motion to concur says we agree with the other body. We agree with a \$7.00 minimum wage, that we agree with annual increases for another two years after we have had, and imposed, annual increases for five years straight. I would suggest that that level of minimum wage would put us at the top six states in the country when our economy does not necessarily support that kind of a boost. If this kind of an increase in the minimum wage is good for small businesses, why have the small businesses, the merchants, the retailers and other businesses been lobbying so hard against that increase. I suggest to you that a more moderate posture is available if we defeat the motion to concur. The so-called Mills' amendment will be revived, I hope. I would ask you to vote against this motion. It is not a procedural motion, it is quite substantive. Thank you.

The SPEAKER: The Chair recognizes the Representative from Van Buren, Representative Smith.

Representative SMITH: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This has been much debated, but let me just remind everybody what this bill seeks to do. It would raise the minimum wage to \$6.75 in October of this year and to \$7.00 in October of 2007. Who's it going to affect, it's going to affect the people on the bottom of our scale, of our economy. It affects the women. There are more women employed at minimum wage than men. It affects the elderly who are looking for jobs to supplement their income. It affects the people who are holding several jobs trying to make a go of it. These are the people affected. Raising the minimum wage has not caused the pulp and paper industry to shut its doors or anything of that nature. I know from the small businesses in my area, none of them have complained about it. Most of them pay more than that anyway. What we're trying to do is put a baseline in our economy for the people of our state. Raising it can only help improve their conditions and can only create more money to go back into the merchant sector so they can sell their goods. I ask you to support this, it's the right thing to do for the people of Maine. Thank you.

The SPEAKER: The Chair recognizes the Representative from Waterboro, Representative Jacobson.

Representative JACOBSEN: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. The way to raise wages is to increase the demand for workers, not force something upon employers. What we need to do is create jobs and create the demand for workers. That will automatically increase the wages. The State of New Hampshire, the minimum wage is \$5.15 per hour; average income is almost \$9,000 more than the State of Maine. Job opportunities in New Hampshire, I believe they have them. That is what raises the value of a man's labor; have people bidding on getting them to go to work.

The SPEAKER: The Chair recognizes the Representative from Skowhegan, Representative Richardson.

Mr. Speaker, may I pose a question through the Chair?

The SPEAKER: The Representative may pose his question.

Representative RICHARDSON: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I listened to people who are willing to take money from somebody and give it somebody else and I will happily vote for this if you can tell me, logically, how they are going to get the money to increase the wages. Just give me the scenario of how they're going to raise the necessary money to pay the higher wages on the minimum wage side.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Faircloth.

Representative FAIRCLOTH: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I actually didn't rise to answer that question, but I will. The Economic Policy Institute referred to it in their studies, increased worker productivity, decreased absenteeism among their workforce and increase work satisfaction. In the studies of those states which, and I notice that the good Representative from Farmington, Representative Mills mentioned some of the states, but some of those states that also raised their minimum wage included those that were economically challenged in the Northwest, in the upper Midwest and in the South that also raised their minimum wage. This study specifically studied, not just those states that were doing very well economically, but also those states that were doing less well economically. What they found is the facts. The number of established businesses, a 3.1% increase in those states that increased above the federal level compared to only 1.6% for those states that did not. Annual payroll and annual payroll per worker, again, a higher increase for those states where they increased above the federal level. The economic facts that have come in say, "More business, higher wages per capita, and including, in states that did less well economically." I return to my point that it turns out Dr. King was backed up by the economists by supporting a strong increase in the minimum wage. Thank you.

The SPEAKER: The Chair recognizes the Representative from Hampden, Representative Duprey.

Representative DUPREY: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I know the hour is late and I know we want to vote. I would like to answer the question from the Representative from Skowhegan from a guy who signs the front of a paycheck. There are two things that are going to happen, at least at my business, and many businesses, and I don't pay minimum wage, but of course everybody's going to get bumped up and I know that's what the intent of the bill is. There are two people that are going to get punished, the consumer and the employee. Because, number one, the consumer's going to be hit with a rate increase. The same people we're helping with a minimum wage increase are the same people that we're going to toss around and raise our prices to. We're going to take a little bit of that hard earned minimum wage increase, and take a little back, to pay that out. The second place is the employee. I will bet there are a lot of people out there that would rather make \$5.15 per hour and have their health insurance paid for than \$7.00 per hour and not get health insurance. That's one of the first things that goes, is these nice benefits that are slowly disappearing because we're raising the rates. We're giving them that raise, but we're taking away the benefits on the other side. So, are we really helping people, or are we hurting people. Actually, at the end of the day I guarantee, no I'm not going to guarantee because that's too finite, I bet most of these people have less money in their pocket at the end of the day if we pass

this increase because we are going to have to pay more at the pump, we're going to have to pay more at the store, we'll have to pay more for child care, we're going to get less benefits when it comes to retirement plans and lessen their health insurance plan. Did we really do them a service?

The SPEAKER: The Chair recognizes the Representative from Manchester, Representative Moody.

Representative **MOODY**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I appreciate the comments from my colleague from Bangor, Representative Faircloth, with whom I have stood many, many times on contentious issues. I understand him to have said that studies have shown that those who have higher minimum wage than the federal government, their economies are booming. Unless I've missed the mark, I believe that the State of Maine has had higher minimum wage than the federal minimum wage for sometime. I would encourage all those that believe that the economy of the State of Maine is booming to vote in favor of concurrence and all those who think otherwise to vote against it. Thank you.

The SPEAKER: The Chair recognizes the Representative from Allagash, Representative Jackson.

Representative **JACKSON**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. To the comments made by the good Representative from Hampden, Representative Duprey I think it has been 21 years now that I've been employed full time and nowhere did I ever receive health insurance. I never was offered that and the idea that raising the minimum wage is going to pull away these health insurances, I imagine that could be a possibility in some cases, but most of the places I know don't offer it to begin with and never had. So, I don't think that's going to be an issue. One thing that, while I'm sitting here I'm thinking about, is about two months ago we debated this bill and we had a long debate just like we are today, and I'm adding to that, but, I sat here in my chair and never said a word. Later on that night, I was rushed to Portland Hospital to get a pacemaker implanted. It's only because I'm in this chamber that I was really given the opportunity to have that. I'm not sure how it would have happened regardless, but because we get health insurance here, my problem was taken care of. I spoke in this chamber before about friends that didn't have that same privilege and never lived through experiences like I had a couple of months ago. That's some of the things that I think about. I don't have statistics like you've heard about and I'm not trying to pull any emotional bull on anyone, but I do remember when I was young. My mother was divorced and working, and evenings nervous about running out of oil. Whatever it was, but very concerned at a young age. Now I have kids of my own and I've laid down at night and wondered how things are going to go. I'm certainly not any worse off than anyone else now. I'm probably doing quite a lot better, but I've been there. I just think that when you rise up, when you climb that ladder of success, you shouldn't pull it up behind anyone. I'd ask you to support the concur motion.

The SPEAKER: The Chair recognizes the Representative from Kennebunk, Representative Babbidge.

Representative **BABBIDGE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I think it's our job, also, to put a face on the policies that we support and pass here. The face that comes to my mind is a fellow named Joe. Now, I'm going back, I don't know, 32 years maybe. I was making \$2.10 per hour driving truck for a soft drink company. After I had come in, after 11 hours, Joe came in and had cashing up to do. He had a harder job than I did. He worked with both returnables and non-returnables, back in those days if you recall that. My point is that I remember getting sick to my stomach when I realized that

he was making \$2.35 per hour, a quarter more than I was, after having worked 17 years for the company. Joe had four kids. It's the Joes of Maine that I'm thinking about when I look employers who are not going to raise their minimum unless they get some encouragement from us. I ask you to think of the Joes. I ask you to think of all those women who are going to be disproportionately affected by this legislation and vote green. Thank you.

The SPEAKER: The Chair recognizes the Representative from Waterboro, Representative Jacobsen.

Representative **JACOBSEN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. We're talking about a 25 cent per hour raise. It doesn't sound like much. In my small business, 25 cents per hour equals approximately \$31,000 at the end of the year. \$31,000. That will be \$31,000 that's going to cost the consumer. How is that going to help the consumer.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Bowles.

Representative **BOWLES**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. The most relevant portion of the good Representative from Berwick, Representative Burns' testimony is when he was reciting the litany of businesses that have left the State of Maine. I think any one of us here could add on to that list by a half-a-dozen or more just from our own communities. I'm really intrigued by this proposition that the states that have higher minimum wages, or increase their minimum wage, somehow improve their economy, as has been put before us by the good Representative from Bangor, Representative Faircloth. Given the fact the Maine has raised its minimum wage each year for the last five years, the fact that our minimum wage is \$1.35 above the federal minimum wage currently, given the fact that the FDIC, just last week, said that Maine lost 600 jobs during the year 2005, a net loss of 600 jobs, one would wonder how it could possibly be true that raising our minimum wage yet again is going to improve our economy.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Tuttle.

Representative **TUTTLE**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. As I mentioned before, I think someone once said that the welfare of the people is the highest law. I believe that this change, in the law, fits that criteria. It is long overdue. The federal government has not raised the minimum wage since 1997. Currently, 15 states have a higher minimum wage than that's set by the federal wage and more are considering the increase. Most minimum wage jobs are in the retail, agricultural and service industries. Many of Maine jobs are in these sectors and the people employed in them deserve to have their paycheck keep up with inflation. There is a ripple effect when the minimum is raised. People earning the dollars, spend them, sending the money directly back into the community. Increasing the minimum wage puts money in the pockets of working families. It will help reduce reliance on welfare benefits and government assistance. More than half of the minimum wage earners are adult workers and many of them, as we've here today, are breadwinners in the family. Who are the low wage workers? According to the report, and the information I get nationally, 61.7% of people earning minimum wage are women. Children will benefit from a raise in minimum wage. 70% of the minimum wage earners are adults age 20 and older. Someone working fulltime at a minimum wage is earning about \$13,520, 30% below the poverty level. Business will benefit from a raise in minimum wage. The research that I've been given shows that the overwhelming claim that the minimum wage increases job loss or acts as a disincentive to do business in Maine, is not

accurate. An increase in the minimum wage will benefit business by increasing loyalty, retention and the caliber of work. Those people that will be spending it will go directly into helping those mom and pops that we're talking about today. Therefore, I would ask that you would support the present motion.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative Burns.

Representative **BURNS**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. Those lists of employers, that I mentioned earlier, that have left our state, they haven't left our state because of the wages that we pay or don't pay, they left our state because we can't compete with the kind of slave wages that we're exploiting in other parts of the globe. We can't compete with it. Freedom, to speak to the burden imposed on consumers by an increase in the minimum wage, freedom, we all know, isn't free. Personally, the pennies that it might cost me for the additional expense for the ice cream that I might get at the good Representative's store is well worth the stimulation in the economy that we would experience by paying a living wage to all those that are working hard for poverty wages. Consumers are not only consumers, they're wage earners. I ask you to keep that in mind when you vote on this motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Van Buren, Representative Smith. Having spoken twice now requests unanimous consent to address the House a third time. Is there objection? Chair hears no objection, the Representative may proceed.

Representative **SMITH**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I will be very brief on this. Just a few points. Think about the minimum wage. If anybody is trying to equate paper mill closings with the minimum wage, I think you had better think twice about it. That has had no effect. I don't think anybody here who can point to any small employer who says, "I've got to go out of business because now I have to pay \$4.00 per week more to somebody who's working 40 hours per week for me." Think about our restaurant industry who says, "We can't find enough workers," and they are importing foreign workers every summer. That becomes a big issue. Think about our woods industry importing foreign workers too saying, "We can't find people to work here." Think about this myth that somehow if you're on a minimum wage you get all kinds of state benefits. I can assure you, there are many people working for minimum wage that do not get state benefits like MaineCare or anything like that. So, don't get lulled into thinking somehow our state taxpayers are providing all kinds of a benefits system for our low paid workers. It doesn't exist like that. Try and do something to give these people a chance to earn enough money so they won't be working two or three jobs just to make due. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Concur. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 478

YEA - Adams, Ash, Babbidge, Barstow, Beaudette, Blanchard, Blanchette, Bliss, Brannigan, Brautigam, Bryant, Burns, Cain, Campbell, Canavan, Clark, Craven, Cummings, Driscoll, Duchesne, Dudley, Dugay, Dunn, Duplessie, Eberle, Eder, Faircloth, Farrington, Finch, Fischer, Fisher, Gerzofsky, Glynn, Goldman, Grose, Hanley S, Harlow, Hogan, Hutton, Jackson, Jennings, Koffman, Lerman, Makas, Marley, Marraché, Mazurek, Merrill, Miller, Norton, O'Brien, Paradis, Patrick, Percy, Pilon, Pineau, Pingree, Piotti, Rines, Schatz, Simpson, Smith N, Smith W, Thompson, Tuttle, Twomey, Valentino, Walcott, Watson, Webster, Wheeler, Mr. Speaker.

NAY - Annis, Austin, Berube, Bierman, Bishop, Bowen, Bowles, Brown R, Browne W, Bryant-Deschenes, Carr, Cebra, Churchill, Clough, Collins, Cressey, Crosby, Crosthwaite, Curley, Curtis, Daigle, Davis G, Davis K, Duprey, Edgecomb, Emery, Fitts, Fletcher, Flood, Greeley, Hall, Hamper, Hanley B, Jacobsen, Jodrey, Joy, Lansley, Lewin, Lindell, Marean, McCormick, McFadden, McKane, McKenney, McLeod, Millett, Mills, Moody, Moulton, Muse, Nass, Nutting, Pinkham, Plummer, Rector, Richardson D, Richardson E, Richardson M, Richardson W, Robinson, Rosen, Sampson, Saviello, Seavey, Sherman, Shields, Sykes, Tardy, Trahan, Vaughan, Woodbury.

ABSENT - Hotham, Kaelin, Lundeen, Moore G, Ott, Perry, Stedman, Thomas.

Yes, 72; No, 71; Absent, 8; Excused, 0.

72 having voted in the affirmative and 71 voted in the negative, with 8 being absent, and accordingly the House voted to **CONCUR. ORDERED SENT FORTHWITH.**

The following item was taken up out of order by unanimous consent:

**REPORTS OF COMMITTEE
Ought to Pass Pursuant to Joint Order**

Representative **PINGREE** for the **Joint Standing Committee on Health and Human Services** on Bill "An Act To Address Potential Shortages of Influenza Immunizing Agents in Maine" (EMERGENCY)

(H.P. 1496) (L.D. 2106)

Reporting **Ought to Pass** pursuant to Joint Order 2006, H.P. 1488.

Report was **READ** and **ACCEPTED**. The Bill was **READ ONCE** and assigned for **SECOND READING** later in today's session.

The House recessed until 4:00 p.m.

(After Recess)

The House was called to order by the Speaker.

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

HOUSE REPORT - Ought to Pass as Amended by Committee Amendment "A" (H-974) - Committee on TAXATION on Bill "An Act To Make Minor Substantive Changes to the Tax Laws "

(H.P. 1218) (L.D. 1711)

Which was **TABLED** by Representative **CUMMINGS** of Portland pending **ACCEPTANCE** of the Committee Report.

Subsequently, the **Unanimous Ought to Pass as Amended** Committee Report was **ACCEPTED**.

The Bill was **READ ONCE. Committee Amendment "A" (H-974)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Tuesday, April 11, 2006.

The following items were taken up out of order by unanimous consent:

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Friday, April 7, 2006,