

# MAINE STATE LEGISLATURE

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# LEGISLATIVE RECORD

OF THE

**One Hundred And Fifteenth Legislature**

OF THE

**State Of Maine**

**VOLUME II**

**FIRST REGULAR SESSION**

House of Representatives  
May 20, 1991 to July 10, 1991

RESOLVED: That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to each Member of the Maine Congressional Delegation.

Came from the Senate, read and adopted.

Was read and adopted in concurrence.

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Bill "An Act to Provide Compensation for Certain State Employees" (EMERGENCY) (S.P. 718) (L.D. 1908)

Came from the Senate, referred to the Committee on **Appropriations and Financial Affairs** and Ordered Printed.

Was referred to the Committee on **Appropriations and Financial Affairs** in concurrence.

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Bill "An Act Concerning Smoking in the Workplace" (S.P. 716) (L.D. 1907)

Came from the Senate, referred to the Committee on **Human Resources** and Ordered Printed.

Was referred to the Committee on **Human Resources** in concurrence.

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**Unanimous Ought Not To Pass**

Report of the Committee on **Housing and Economic Development** reporting "**Ought Not to Pass**" on Bill "An Act to Amend and Extend the Fuel Assistance Reserve Fund" (S.P. 703) (L.D. 1874)

Was placed in the Legislative Files without further action pursuant to Joint Rule 15 in concurrence.

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Representative McHenry of Madawaska moved that the House reconsider its action whereby Bill "An Act Concerning Smoking in the Workplace" (S.P. 716) (L.D. 1907) was referred to the Committee on **Human Resources** in concurrence.

Representative Manning of Portland requested a Division.

The SPEAKER PRO TEM: The pending question before the House is the motion of Representative McHenry of Madawaska that the House reconsider its action whereby L.D. 1907 was referred to the Committee on **Human Resources** in concurrence. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

65 having voted in the affirmative and 45 in the negative, the motion did prevail.

Subsequently, Representative McHenry of Madawaska moved that the Bill be referred to the Committee on **Labor** in non-concurrence.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Portland, Representative Manning.

Representative MANNING: Mr. Speaker, Ladies and Gentlemen of the House: For eleven years I have been here and for eleven years these issues have been coming to my committee, the Committee on Human Resources. This bill deals with legislation that came out of the Committee on Human Resources a few years ago. The Committee on Human Resources is the area that this should be handled, not the Committee on Labor. I would hope that this legislature and this body would go along with the Committee on Human Resources to handle this as we have done in the previous years.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Madawaska, Representative McHenry.

Representative MCHENRY: Mr. Speaker, Ladies and Gentlemen of the House: This bill deals with collective bargaining, grievance procedures, and I don't think it belongs in Human Resources at all. It belongs in Labor where it should be. It deals with grievance procedures and collective bargaining. If you look at the bill, that is what it deals with.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Millinocket, Representative Clark.

Representative CLARK: Mr. Speaker, Men and Women of the House: I find myself in an awkward position to get up to speak against two committees but I cosponsored the bill and would like to see this bill go to the Committee on Labor. I think the good Chairman of the Committee on Labor explained it very well in why it should go there. I ask the delegation tonight, when you do vote, vote to have it sent to the Committee on Labor because that is where I think it belongs.

On motion of Representative Gwadosky of Fairfield, tabled pending the motion of Representative McHenry of Madawaska that L.D. 1907 be referred to the Committee on **Labor** and later today assigned.

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**Ought to Pass as Amended**

Report of the Committee on **Utilities** reporting "**Ought to Pass**" as Amended by Committee Amendment "A" (S-205) on Resolve, to Establish the Commission on Electric Utilities and Long-range Energy Production Planning (EMERGENCY) (S.P. 292) (L.D. 774)

Came from the Senate, with the report read and accepted and the Bill Passed to be Engrossed as amended by Committee Amendment "A" (S-205) as amended by Senate Amendment "A" (S-220) thereto.

Report was read and accepted, the bill read once. Committee Amendment "A" (S-205) was read by the Clerk.

Senate Amendment "A" (S-220) to Committee Amendment "A" (S-205) was read by the Clerk and adopted.

Committee Amendment "A" (S-205) as amended by Senate Amendment "A" thereto was adopted and the Bill assigned for second reading Tuesday, June 4, 1991.

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**Ought to Pass**

**Later Today Assigned**

Report of the Committee on **Aging, Retirement**