

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fifth
Legislature*

OF THE

STATE OF MAINE

Volume II

May 5, 1971 to June 15, 1971

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Friday, May 7, 1971

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Roy Moody of Gardiner.

The journal of yesterday was read and approved.

Papers from the Senate Reports of Committees

Ought to Pass in New Draft

Report of the Committee on Legal Affairs on Bill "An Act relating to Electrical Inspection" (S. P. 483) (L. D. 1563) reporting same in a new draft (S. P. 567) (L. D. 1708) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed.

In the House, the Report was read and accepted in concurrence, the New Draft read twice and assigned the next legislative day.

Non-Concurrent Matter

An Act Increasing Minimum Wages (S. P. 16) (L. D. 44) which was passed to be enacted in the House on April 28 and passed to be engrossed as amended by Senate Amendment "B" on April 23.

Came from the Senate passed to be engrossed as amended by Senate Amendments "B" and "C" in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Westfield, Mr. Good.

Mr. GOOD: Mr. Speaker, I move that the House insist on its former action.

The SPEAKER: The gentleman from Westfield, Mr. Good, moves that the House insist on its former action.

The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker and Members of the House: Senate Amendment "C" S-144, increases the present Minimum Wage from \$1.60 to \$1.80. It states that we will not go up to \$2.00 until the federal wage standards do.

But it does one other thing. Minimum Wage for employees in nursing homes and hospitals are now

ten cents less than all others, and this raises them on October 15 of this year to \$1.60, and after October 15, 1972 they will be raised to \$1.80 in conformance with everybody else.

So I now move that we recede from our former action and concur with the Senate.

The SPEAKER: The gentleman from Bath, Mr. Ross, moves that the House recede from its former action and concur with the Senate.

The Chair recognizes the gentleman from Brunswick, Mr. McTeague.

Mr. McTEAGUE: Mr. Speaker and Members of the House: The House has voted in the past, strongly, I think by a margin of approximately 3 to 1, to go along with the \$1.80-\$2.00 version. We passed it through here by a significant margin. The facts have not changed; I hope the House will continue to support this.

I support the motion of our House chairman, Mr. Good, that we insist and would like to discuss with you Senate Amendment "C" and tell you why in my opinion, regardless of whatever the good intentions were behind it, that it would be very detrimental to Minimum Wage.

The Senate Amendment "C" provides that we shall go to \$2.00 when and if the Federal Minimum Wage goes to \$2.00. Look at the amendment which is under filing number S-144 and you will see that it doesn't say that if the federal goes to \$1.95 we go to \$1.95. If the federal went to \$1.95 we would stay at \$1.80, again lagging behind.

Earlier in the session I introduced a bill to tie our state Minimum Wage to the federal minimum. At that time I received a written opinion from the Attorney General's office that this was unconstitutional, to tie it in in such a way. I understand, but do not know for certain, that there now is an opinion perhaps in writing, perhaps orally, I don't know, that approves Senate Amendment "C" for constitutionality.

I would suggest that there has not been a change in the Constitution in the last two months and if a bill that I presented to tie our Minimum Wage to the federal is un-

constitutional in February, that there is grave question concerning the constitutionality of Senate Amendment "C" in May.

What has changed, because the Constitution has not, is the chance of passage of a meaningful increase in the Minimum Wage to keep us ahead and just to catch up with inflation. Perhaps the calculations were in February, that this House and the Senate would not be responsible and responsive as it was to the needs of the people. And thus the ruling was — and frankly it is based on old legal precedent, and if we accept those old cases perhaps it is all right. But thus the ruling was that we could not tie to the federal.

Now we are told that at least in regard to time we can tie to federal. Again my suggestion is that the Constitution has not changed, but the vote count has changed. I ask you, if it were really the intention of Senate Amendment "C" to be helpful to the working people of Maine, if it were really the intention to tie in to the federal, then instead of saying we stay at \$1.80 even though the federal increases to \$1.99, why did not the amendment provide for a penny to penny increase along with the federal?

And if I may be so presumptuous I will answer my own question. The reason why is because the game of non-concurrence is being played on us. Many people do not want to stand forthright and openly against Minimum Wage. I compliment the gentleman from Houlton, Mr. Haskell, that his opposition to the Minimum Wage has been forthright. He has not tried to hide the basis of his feelings.

But in spite of whatever smoke is raised by Senate Amendment "C," the issue today in reality is clearly before us as it was when we approved this measure by a vote of over 3 to 1 — and incidentally I should say on a bipartisan basis. If my recollection is correct, although proudly the Democratic party stood almost to a man behind Minimum Wage, the majority of the Republican party also stood with them.

I ask you to recall the names not only of the working people of Maine but recall the very incisive political judgment of Mr. Good in his statement in this House about two weeks ago, directed to members of his party, the Majority Party. The reason that the majorities of the Majority Party have been changing — if I may paraphrase Mr. Good, is not merely because the Democrats have outstanding candidates like Senator Muskie; it is also because some few, and I suspect and hope the minority in the Republican Party, feel compelled to have a knee-jerk reaction against things to help the working people.

This should not be a partisan issue. There are poor people who are Republicans as well as Democrats. Don't be taken in by this smoke screen of Senate Amendment "C" and ask yourself once more the question — if it really was a good faith effort to tie us in with the federal then why if we go along with Senate Amendment "C" do we stay at \$1.80 when the federal wage goes up to \$1.99?

Let us inspect and characterize, after reflection, Senate Amendment "C" for what it is, an attempt to do by indirection what could not be done by direction, what could not be done directly. It is simply an attempt to defeat a meaningful increase in our Minimum Wage. Mr. Speaker, when the vote is taken I ask for a roll call.

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

Mr. NORRIS: Mr. Speaker and Ladies and Gentlemen: I would like to compliment my good friend Mr. McTeague on a fine political speech this morning and now I will try to address myself to the bill. With the feeling of my constituents I have repeatedly voted against this bill, but with this amendment on it I now find that I feel that it is palatable to me and would be palatable to my constituents. So I would hope that you would go along with the motion of Mr. Ross to recede and concur with the Senate.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Haskell.

Mr. HASKELL: Mr. Speaker and Ladies and Gentlemen of the House: I am not going to bore you by repeating arguments I have already made against this bill. However, Mr. McTeague does raise a new argument in his presentation; namely, that it is necessary to constantly increase wages in order to keep up with inflation. I think that many of you are familiar with the fact that the constantly increasing wage structure is a very significant causative factor of inflation.

In fact we have a situation here almost analogous to a dog chasing his own tail, an attempt to keep our wages up with inflation which is caused by wage increases. At some point we are going to have to grab the dog and have him sit down for a little while. Which in my view is the thing that is necessary if this country is going to solve an extremely serious inflationary issue.

Another point which has been made in reference to an increase in wages in nursing homes, I have made the argument here that we are going to substantially increase welfare costs. Now if you think that it isn't going to very substantially affect the total costs for the State of Maine for welfare costs, you think in terms of the impact of this wage increase on the cost of nursing home care and convalescent care for welfare cases in the state, and project this over a period of time and I think you will begin to see that this does indeed have an extremely important effect on the welfare costs of the state indirectly, through increased prices for welfare in this situation, in addition to the fact that you are, and constantly do screen out of the labor market the very people that you are purporting to try to help.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Cote.

Mr. COTE: Mr. Speaker and Ladies and Gentlemen of the House: Today being May 7, which is a day of all days probably in this state, I would like to say that my colleague from Lewiston, Mr. Jalbert, who had a similar bill introduced on the Minimum Wage Law, this morning would stand up

here and voice his sentiments along with Mr. McTeague and Mr. Good. So I would like to put myself on record and Mr. Jalbert as supporting the position as taken by the gentleman Mr. Good.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Binnette.

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of the House: I shall be rather brief, but after hearing my good friend Mr. Haskell state about the dog chasing around, I don't know, we haven't got to worry much about that, we have a dog leash law. We did, I think we still have it, haven't we?

So I really believe that Representative McTeague has brought out a very important factor in regard to that amendment, and I would like to have that defined once again, please.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: The gentleman from Brunswick, Mr. McTeague, inferred that Republicans were sometimes against labor. I must remind this House again that a Republican sponsored the first Minimum Wage bill. Since then Republicans have sponsored all of the increases. I spoke and voted for the original bill, but I now support this amendment in fear of losing the entire thing.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: First let me comment on one comment made by the gentleman from Houlton, Mr. Haskell, and that is the costs of the welfare if the increase of \$2.00 should take place. It ought to be pointed out that in both the amendment that we accepted and the amendment that is presently before us, the maximum for nursing homes is \$1.80, and at no time would there have been an increase to \$2.00 in that particular field.

So this bugaboo about the cost that we would have to pay em-

ployees in nursing homes is kind of ridiculous, because it is nonexistent. For those of you who know anything about nursing homes, perhaps you would be interested to know that it is very difficult to get people to work there, because of the type of work that they have to do. I would be willing to take \$3.00 out of my own pocket to pay them for an hour's work rather than my receiving \$1.60 or even \$2.00 I can assure you.

My personal reaction about the remark made by the gentleman from Bath, Mr. Ross, is that he is worried about losing the whole thing. Well I honestly don't believe that a serious attempt has been made in the other body to get it through. I believe that we ought to give them that chance, and for that reason I would agree with the motion made by the gentleman from Westfield, Mr. Good, that we insist. If that should fail in the other body, then it would come back to us; and then the motion of the gentleman from Bath could be entertained.

I think at this point when we really don't know whether or not it can be gotten through anywhere else but here, I think we are kidding ourselves and we are really selling the working man down the drain. I consider this amendment nothing more than a sellout and I do not think that we ought to endorse it. So I would hope that we would vote against the motion to recede and concur, and then we would vote yes on the motion to insist.

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Lawry.

Mr. LAWRY: Mr. Speaker and Members of the House: I don't pretend to be an economist. However, as a small businessman I must of necessity come in contact with people in situations which do affect my thinking. So far in this session we have been bombarded with L. D.'s which would liberalize Workmen's Comp. benefits and Unemployment Compensation benefits, and it does seem to me that if an employer is to survive he

must have some control over the cost per unit of whatever he sells. To do this either he increases his volume or reduces his costs. He enjoys little control over the market of how much volume he can obtain.

So I feel he must look elsewhere to reduce his cost per unit, and I submit that this is in the area of payroll primarily. And to reduce his payroll in this day of inflation means only one thing, a reduction in the number of employees. And I feel that to add this two-step increase in the Minimum Wage would not only be unwise at this time, but detrimental to the working man we are trying so hard to protect. I hope that we do recede and concur with Mr. Ross's motion.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Dam.

Mr. DAM: Mr. Speaker and Members of the House: I will be very brief. I merely want to go on record as disagreeing with my seatmate. I do not agree with his philosophy at all.

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: The gentleman from Bath I think possibly has misconstrued or perhaps possibly also to the gentleman from Bath I have misstated or not accurately, entirely with accuracy, stated what I intended.

First, I believe like Mr. Ross I am concerned primarily not with the creation of partisan issues but with the enactment of legislation. I think this has been the tenor generally of this session and I hope it continues. I would suggest that the motion before us to insist was made by the gentleman who is the House chairman of the Labor Committee. I would suggest that a majority of the members of both parties on the Labor Committee has supported this legislation. We do not seek in any way a partisan issue; we seek assistance for people that need it.

Speaking of cutting costs and helping people find employment, and helping the economy generally, I find it ironic that we think

that the belt tightening that is to be done, it is to be done by the thinnest of all, those who make \$1.60 or less than \$2.00 an hour. Within this week there have been announcements that banks are again skyrocketing their interest rates. Do we allow the bankers to go ahead and do this because they have the power? And are we to deny the right to keep up with inflation to the working people?

The issue again is—and I would try to reply to Mr. Binnette who raised the question, and I would like to make this clear. There was a bill put in near the beginning of the session to tie our Minimum Wage automatically, both to dollars and cents and as to timing to the federal wage. The Attorney General's office in a written opinion by an Assistant Attorney General ruled that matter unconstitutional. If anyone has knowledge of a written opinion of the Attorney General's office sustaining the constitutionality of Senate Amendment "C", which is really the issue today, I and perhaps some other members of the House would be interested in it. Perhaps it came from a different Assistant Attorney General. Perhaps the Constitution has changed, perhaps the political count has changed.

But I suggest to you that Senate Amendment "C" is much weaker than that. Remember, look at it yourself, read it, and ask yourself this question after reading it. If the federal Minimum Wage goes to \$1.95, will Maine still be fifteen cents behind? If the answer to that question is yes, I think it follows that this amendment is a smoke screen to defeat and diminish the concept of the Minimum Wage.

Remember that in spite of what Mr. Haskell has said about our inflationary pressures, whenever we talk about inflation we always seem to talk about the working man who is causing inflation. You know bank interest rates, to build your own home or to buy a home, were not too many years ago, perhaps three or three and a half years ago, six per cent. I now understand that they are in the neighborhood of eight per cent. Gentlemen, that is a 33% increase.

If we were to increase the Minimum Wage proportionately to the increase in the interest rates at banks, we would be increasing it to about \$2.15.

Why do we always seek to blame those who are without power and at the bottom of the economic scale? Let us give them a hand, and I would like to respond to the philosophy of Mr. Lawry and say I too am a small businessman in town where there are some people prosperous and some not quite so prosperous, and I know ultimately that my prosperity is dependent upon the prosperity of the average man. I think that is true of every member of this House.

We can't have a society of a few kings and many paupers. If we are all to have a fairly good living, each, we must try to extend opportunity, we must have a broad based rather than a narrow based economy. Perhaps we come back today to the very basic philosophical difference mentioned by Mr. Haskell. He says you will increase welfare rolls. He repeats the argument made in 1935 or thereabouts when the 25 cent Minimum Wage was put through in the midst of the worse depression in our country's history, and it wasn't true then and it didn't work that way, and it isn't true now.

I say, on the contrary, that in order for any of us to be prosperous we all must be at some minimum level of prosperity, and that is why it is called the Minimum Wage.

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Shaw.

Mr. SHAW: Mr. Speaker and Ladies and Gentlemen of the House: To answer Mr. Binnette's question on the leash law, it is on the table in the Senate for lack of money at the present time; and that is where it seems to me a lot of people who are now working are going to be if we boost the price as much as some people would like to increase it.

The other day we had a hearing of the Appropriations Committee on the University of Maine. They want \$200,000 to bring their

lower paid people up to where the other states employees are, and one of the things that they mentioned was—I think they are paying \$1.60 now, and the increase in wages would force them to increase their expense. So they came to us for more money.

I was called by a member, a fellow who runs a nursing home, and he said in his nursing home he has a certain number of patients. He is compelled by state law to hire a certain number of people to work in that home, and if we put this Minimum Wage bill through it is going to increase his cost about \$400 a week, and he expects us to increase the Health and Welfare Department's appropriation to take care of this measure.

Everywhere you turn you run into the same situation. When you increase your beginners in a job a flat amount, then the ones at the top get three or four times as much of an increase. This is really a ballooning aspect.

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 members desiring 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 pending question is on the motion of the gentleman from Bath, Mr. Ross, that the House recede from its former action and concur with the Senate on Bill "An Act Increasing Minimum Wages," Senate Paper 16, L. D. 44. If you are in favor of receding and concurring you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEAS — Ault, Bailey, Baker, Bartlett, Berry, G. W.; Berry, P. P.; Birt, Bither, Bragdon, Brown, Brown, Bunker, Carey, Crosby, Cummings, Curtis, A. P.; Curtis, T. S., Jr.; Donaghy, Dudley, Emery, D. F.; Evans, Finemore, Gagnon, Gill, Hall, Haskell, Hawken, Hayes, Henley, Hewes, Hodgdon, Immonen, Kelley, K. F.;

Kelley, R. P.; Lawry, Lee, Lewin, Lincoln, Littlefield, Lund, MacLeod, Maddox, Marstaller, McNally, Millett, Mosher, Norris, Page, Parks, Payson, Porter, Pratt, Rocheleau, Rollins, Ross, Scott, Shaw, Silverman, Simpson, L. E.; Stillings, Susi, Trask, Tyndale, White, Wight, Williams, Wood, M. W.; Woodbury, The Speaker.

NAYS — Albert, Barnes, Bedard, Bernier, Berube, Binnette, Boudreau, Bourgoin, Bustin, Call, Carrier, Carter, Churchill, Clemente, Collins, Conley, Cooney, Cote, Cottrell, Curran, Cyr, Dam, Dow, Doyle, Drigotas, Dyar, Emery, E. M.; Farrington, Faucher, Fecteau, Fraser, Genest, Good, Goodwin, Hancock, Herrick, Jutras, Kelleher, Kelley, P. S.; Keyte, Kilroy, Lebel, Lessard, Lynch, Mahany, Manchester, Mars h, M a r t i n, McCormick, McKinnon, McTeague, Mills, Morrell, Murray, Orestis, Pontbriand, Sheltra, Shute, Slane, Smith, D. M.; Smith, E. H.; Starbird, Theriault, Vincent, Webber, Wheeler, Whitson, Wood, M. E.

ABSENT — Clark, Gauthier, Hanson, Hardy, Jalbert, Lewis, Lizotte, Lucas, McCloskey, O'Brien, Rand, Santoro, Simpson, T. R.; Tanguay.

Yes, 69; No, 68; Absent, 14.

The SPEAKER: Sixty-nine having voted in the affirmative, sixty-eight in the negative, with fourteen being absent, the House has voted to recede and concur.

The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Mr. Speaker, I move that we reconsider our action whereby we receded and concurred and hope that you will vote against me.

The SPEAKER: The gentleman from Pittsfield, Mr. Susi, moves that the House reconsider its action whereby we receded and concurred.

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

Mr. MARTIN: Mr. Speaker, I move that this be tabled for two legislative days and I ask for a roll call.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, moves that the reconsideration motion be tabled and specially assigned for Tuesday, May 11. A roll

call vote has been requested on the tabling motion. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All members 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 gentleman from Eagle Lake, Mr. Martin, that the motion of the gentleman from Pittsfield, Mr. Susi to reconsider receding and concurring be tabled and specially assigned for Tuesday, May 11. All in favor of tabling will vote yes; those opposed will vote no.

ROLL CALL

YEAS — Albert, Bedard, Bernier, Berry, P. P.; Berube, Binnette, Boudreau, Bourgoin, Bustin, Call, Carrier, Carter, Clemente, Conley, Cooney, Cote, Cottrell, Curran, Cyr, Dam, Dow, Doyle, Drigotas, Dyar, Emery, E. M.; Farrington, Faucher, Fecteau, Fraser, Genest, Good, Goodwin, Hancock, Jutras, Kelleher, Kelley, P. S.; Keyte, Kilroy, Lawry, Lebel, Lessard, Lynch, Mahany, Manchester, Marsh, Martin, McCormick, McKinnon, McTeague, Mills, Murray, Orestis, Pontbriand, Rocheleau, Sheltra, Slane, Smith, D. M.; Smith, E. H.; Starbird, Theriault, Vincent, Webber, Wheeler, Whitson, Wood, M. E.

NAYS — Ault, Bailey, Baker, Barnes, Bartlett, Berry, G. W.; Birt, Bither, Bragdon, Brawn, Brown, Bunker, Carey, Churchill, Collins, Crosby, Cummings, Curtis, A. P.; Curtis, T. S., Jr.; Donaghy, Dudley, Emery, D. F.; Evans, Finemore, Gagnon, Gill, Hall, Haskell, Hawkens, Hayes, Henley, Herrick, Hewes, Hodgdon, Immonen, Kelley, K. F.; Kelley, R. P.; Lee, Lewin, Lincoln, Littlefield, Lund, MacLeod, Maddox, Marstaller, McNally, Millett, Morrell, Mosher, Norris, Page, Parks, Payson, Porter, Pratt, Rollins, Ross, Scott, Shaw, Shute, Silverman, Simpson, L. E.; Stillings, Susi, Trask, Tynedale, White, Wight, Williams, Wood, M. W.; Woodbury.

ABSENT — Clark, Gauthier, Hanson, Hardy, Jalbert, Lewis, Lizotte, Lucas, McCloskey, O'Brien, Rand, Santoro, Simpson, T. R.; Tanguay.

Yes, 65; No, 71; Absent, 14.

The SPEAKER: Sixty-five having voted in the affirmative and seventy-one in the negative, with fourteen being absent, the motion does not prevail.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: It seems odd to me that this afternoon, without knowing whether or not this particular amendment is in itself constitutional, in view of the decision that has been handed down by the Attorney General's Department earlier, that we are going to ram this thing through for an obvious political reason. If the Attorney General's office can decide at one point that something is unconstitutional for one individual, it ought to be unconstitutional for everyone else. That was the reason why I made the motion to table. Obviously that did not prevail.

I personally think that, for an obvious reason, there is no intention of giving anyone an opportunity to table it. I don't understand what is going on. Perhaps I am being politically naive, and maybe I am not.

I would pose a very simple question to any member of the House who cares to answer as to whether or not they hold a decision from the Attorney General ruling whether this amendment is constitutional, and if they do, I would like them to tell us about it. And if someone can't, then obviously it ought to be tabled so we can find out.

The SPEAKER: The pending question is on the motion of the gentleman from Pittsfield, Mr. Susi, to reconsider whereby we receded and concurred.

The Chair recognizes the gentleman from Brunswick, Mr. McTeague.

Mr. McTEAGUE: Mr. Speaker, is a motion to table for two days in order at this time?

The SPEAKER: The motion is not in order at this time.

Mr. McTEAGUE: Mr. Speaker, is a motion to table for a lesser time in order?

The SPEAKER: A motion to table for a lesser time would be in order at this time.

Mr. McTEAGUE: Mr. Speaker, I move this matter be tabled for one legislative day.

Whereupon, Mr. Ross of Bath requested a vote on the motion.

The SPEAKER: A vote has been requested on the tabling motion. All in favor of tabling this for one legislative day will vote yes; those opposed will vote no.

A vote of the House was taken. 65 having voted in the affirmative and 70 having voted in the negative, the motion did not prevail.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I hate to be persistent in the question of whether or not this is constitutional, but obviously the gentleman from Bath knows the answer, and I would like him to tell us because he asked for a division on the tabling motion.

Thereupon, Mr. Susi of Pittsfield requested a roll call on the reconsideration motion.

The SPEAKER: A roll call has been requested on the reconsideration motion. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All members 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 gentleman from Pittsfield, Mr. Susi, that the House reconsider its action whereby it receded and concurred on An Act Increasing Minimum Wages, Senate Paper 16, L. D. 44. All in favor of reconsideration will vote yes; those opposed will vote no.

ROLL CALL

YEA — Bedard, Bernier, Berry, P. P.; Berube, Binnette, Boudreau,

Bourgoin, Bustin, Call, Carrier, Carter, Clemente, Conley, Cooney, Cote, Cottrell, Curran, Cyr, Dam, Dow, Doyle, Drigotas, Dyar, Emery, E. M.; Farrington, Faucher, Fecteau, Fraser, Genest, Good, Goodwin, Hancock, Jutras, Kelleher, Kelley, P. S.; Keyte, Kilroy, Lebel, Lessard, Littlefield, Lynch, Machester, Martin, McCormick, McKinnon, McTeague, Mills, Murray, Orestis, Pontbriand, Sheltra, Shute, Slane, Smith, D. M.; Smith, E. H.; Starbird, Theriault, Vincent, Webber, Wheeler, Whitson, Wood, M. E.

NAY — Albert, Ault, Bailey, Baker, Barnes, Bartlett, Berry, G. W.; Birt, Bither, Bragdon, Brawn, Brown, Bunker, Carey, Churchill, Collins, Crosby, Cummings, Curtis, A. P.; Curtis, T. S., Jr.; Donaghy, Dudley, Emery, D. F.; Evans, Finemore, Gagnon, Gill, Hall, Haskell, Hawkens, Hayes, Henley, Herrick, Hewes, Hodgdon, Immonen, Kelley, K. F.; Kelley, R. P.; Lawry, Lee, Lewin, Lincoln, Lund, MacLeod, Madrox, Mahany, Marsh, Marsteller, McNally, Millett, Morrell, Mosher, Norris, Page, Parks, Payson, Porter, Pratt, Rocheleau, Rollins, Ross, Scott, Shaw, Silverman, Simpson, L. E.; Stillings, Susi, Trask, Tyndale, White, Wight, Williams, Wood, M. W.; Woodbury.

ABSENT — Clark, Gauthier, Hanson, Hardy, Jalbert, Lewis, Lizotte, Lucas, McCloskey, Obrien, Rand, Santoro, Simpson, T. R.; Tanguay. Yes, 62; No, 74; Absent, 14.

The SPEAKER: Sixty-two having voted in the affirmative and seventy-four having voted in the negative, with fourteen being absent, the motion does not prevail.

Non-Concurrent Matter Tabled and Assigned

Bill "An Act relating to Requirement of Schools of Barbering and Training for Registration as a Barber" (H. P. 740) (L. D. 1002) which was indefinitely postponed in the House on May 4.

Came from the Senate passed to be engrossed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Machias, Mr. Kelley.