

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eleventh  
Legislature***

OF THE

**STATE OF MAINE**

**SECOND REGULAR SESSION**

**January 4, 1984 to April 25, 1984**

**INDEX**

**FOURTH CONFIRMATION SESSION**

**(FIRST CONFIRMATION SESSION – SECOND REGULAR SESSION)**

**May 31, 1984**

**INDEX**

**FIFTH CONFIRMATION SESSION**

**(SECOND CONFIRMATION SESSION – SECOND REGULAR SESSION)**

**July 11, 1984**

**INDEX**

**THIRD SPECIAL SESSION**

**September 4, 1984 to September 11, 1984**

**INDEX**

**HOUSE**

Tuesday, April 10, 1984

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

Prayer By Reverend Wilson L. Lyon, Retired U.S. Army Chaplain from Kennebunk.

The Journal of Tuesday, April 9, 1984, was read and approved.

**Papers from the Senate**

The following Communication:

April 9, 1984

The Honorable Edwin H. Pert  
Clerk of the House  
111th Legislature  
State House  
Augusta, Maine 04333

Dear Clerk Pert:

The Senate voted today to Adhere to its former action whereby it Accepted the Minority Ought Not to Pass Report from the Committee on Health and Institutional Services on Bill "An Act to Amend the Statute Relating to the Sale and Free Distribution of Cigarettes to Children" (H. P. 1694) (L. D. 2249).

Sincerely,

S/JOY J. O'BRIEN

Secretary of the Senate

Was read and ordered placed on file.

The Following Communication:

April 9, 1984

The Honorable Edwin H. Pert  
Clerk of the House  
111th Legislature  
Augusta, Maine 04333

Dear Clerk Pert:

The Senate voted today to Adhere to its former action whereby it Indefinitely Postponed the Joint Resolution Concerning the State Contracting for Medical Services in Competition with Private Enterprises (H. P. 1829).

Sincerely,

S/JOY J. O'BRIEN

Secretary of the Senate

Was read and ordered placed on file.

The following Joint Resolution: (S. P. 909)

**Later Today Assigned****JOINT RESOLUTION REQUESTING A STUDY OF COSTS TO MAINE TAXPAYERS FOR WORKERS' COMPENSATION**

WHEREAS, there is a growing concern among members of the Legislature over the escalating cost of workers' compensation; and

WHEREAS, increases have occurred at an alarming rate in workers' compensation, both in the public and private sectors; and

WHEREAS, evidence of this added expense to the taxpayer for fiscal year 1983 may be seen in: \$245,859.45 for the Department of Corrections; \$875,000 for the Department of Mental Health and Mental Retardation; \$90,754.57 for the Department of Human Services; and \$1,758,397 for the Department of Transportation; and

WHEREAS, there is an urgent need to study this problem and to address those concerns in order to uphold the law, to preserve the integrity of the system and to conserve any needless expenditure of taxpayers' dollars; now, therefore, be it

RESOLVED: That, We, the Members of the House of Representatives and the Senate of the 111th Legislature, authorize and respectfully direct the Department of Labor to study the full cost of the workers' compensation system to the taxpayers of this State, including, but not limited to, full disclosure of the cost to each branch and department of municipal, county and state governments, with recommendations for curtailing these costs; and be it further

RESOLVED: That the Department of Labor report its findings and recommendations to the First Regular Session of the 112th Legislature; and be it further

RESOLVED: That a copy of this order be sent to the Commissioner of Labor, as notice of this study request.

Came from the Senate read and adopted.

The Resolution was read.

On motion of Representative Diamond of Bangor, tabled pending adoption and later today assigned.

**Reported Pursuant to the Statutes Later Today Assigned**

Report of the Committee on Audit and Program Review, pursuant to Revised Statutes, Title 3, Chapter 23 ask leave to submit its findings and to report that the accompanying Bill "An Act Relating to Periodic Justification of Departments and Agencies of State Government under the Maine Sunset Laws" (Emergency) (S. P. 770) (L. D. 2077) "Ought to Pass" in New Draft (Emergency) (S. P. 899) (L. D. 2417).

Came from the Senate, with the report read and accepted and the New Draft passed to be engrossed as amended by Senate Amendments "A" (S-377) and "B" (S-382).

Report was read and accepted and the New Draft read once. Senate Amendment "A" read by the Clerk and adopted. Senate Amendment "B" read by Clerk and adopted.

Under suspension of the rules, the New Draft was read the second time.

On motion of Representative Carter of Winslow, tabled pending passage to be engrossed in concurrence and later today assigned.

**Divided Report**

Majority Report of the Committee on Labor reporting "Ought to Pass" on Bill "An Act to Increase the Minimum Wage to \$3.55" (S. P. 835) (L. D. 2236).

Signed:

Sensors:

DUTREMBLE of York

HAYES of Penobscot

Representatives:

BEAULIEU of Portland

NORTON of Biddeford

TUTTLE of Sanford

TAMMARO of Baileyville

GAUVREAU of Lewiston

SWAZEY of Bucksport

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

Signed:

Sensor:

ZIRNKILTON of Mount Desert

BONNEY of Falmouth

WILEY of Hampden

ROBINSON of Auburn

Came from the Senate with the Majority "Ought to Pass" Report read and accepted and the Bill passed to be engrossed.

Reports were read.

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

Mrs. BEAULIEU: Mr. Speaker, I move acceptance of the Majority "Ought to Pass" Report and wish to speak to my motion.

The SPEAKER: The gentlewoman from Portland, Mrs. Beaulieu, moves that the Majority "Ought to Pass" Report be accepted in concurrence.

The gentlewoman may proceed.

Mrs. BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: A similar bill was before us in the last session and we in this House passed it. I suspect that the arguments for or against have not changed much. However, I still contend, as I did then, while I was on the minority report of two, that this is a most critical issue for over one hundred thousand working men and women in this state.

We and the establishment and the bureaucrats are always in the forefront of commending the Maine worker; yet, in the debate over increasing the minimum wage, it translates into the thought that we are doing something sacrilegious.

The other side of this issue laments the fact that we would be one of only three states to exceed the federal minimum wage. May I point out that we, in the past 10 years, have exceeded the feds twice. We in Maine are only talking about

a 20 cent increase across the board; yet, nationally some eight states have provided minimum wage increases in some instances by as much as 50 to 90 cents by extending coverage to minimum wage workers. While none of them will be exceeding the federal minimum wage, they have sought to do it by extending coverage to waitresses, excluding subminimum wages for students, etc.

I see this bill as an economic development bill, improving the economy and the well-being of the Maine worker, especially that worker that never even gets a raise unless the federal government raises it.

The dollars placed into the hands of the minimum wage worker is money that is and will be immediately turned back into our economy. That extra eight or ten dollars a week translated into \$20 or \$30 more per month could make an enormous difference between the eligibility in the food stamp program and the AFDC program, which is, in a manner, subsidizing by taxpayers wages for private industry.

The major outcry in many of our debates is that people will be laid off. We have checked over and over with the Bureau of Labor for statistics and that charge cannot be proven.

We see this issue as one of fairness and equity. There isn't a state or municipal worker, state official, state representative, member of management, private sector worker, AFDC worker, who has not received a raise of some sort in these past few years either on an annual or semiannual basis. Yet, the minimum wage worker has been held in abeyance to the federal increases that are few and far between.

The minimum wage has, indeed, become the maximum wage for over 100,000 workers; yet, the cost of living has increased by 15 percent.

For every dollar earned nationally, Maine stands at earning only 86 cents to that dollar, and if one takes out the pulp and paper industry, it is further reduced by several cents more. And as the national economy improves, that 86 cents is further reduced. Imagine if you can the plight of the minimum wage earner.

We are often accused of doing little or nothing for the business climate in our state, and that is not true. I have been here for eight years and I have voted many, many times with both sides of the aisle to help businesses. BIW was given \$16 million. They are now experiencing a layoff of 1,800 workers. Pratt-Whitney got a tax break in specially trained work force at taxpayers' expense. The legislature is now considering a \$5 million donation for an ethanol production plant that will create 130 jobs, a proposed legislators' and judicial pay raise, a tax conformity issue. Yet, those lobbying for those considerations in the past and present are the same ones lobbying against this bill.

It is very difficult for people like myself, who believe strongly in this issue, to restrain frustrations and anger. It is like a meeting in Washington when in one room corporate officials were pushing for restrictions on imports and then ran off to another room to ask for increases in bonded imported laborers.

I can do nothing more but to plead with you to pass this bill because it is one of equity and fairness to a majority of workers in our state.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: A short time ago before this House I arose and asked you people to send this back to committee with the intention that some of my people could be heard. We had a one-day notice and some of the people that you don't realize, like in the town of Vanceboro and some of those areas in the northern part of the state, don't have available the luxurious communications system you do have here in Augusta and so forth. Without telephones, the only thing they could use, I suspect, would be tom-toms or smoke signals. The next day was a rainy day and foggy all day, so that didn't work.

This was recommitted to the committee for

one day and that was as much of a farce as the bill itself is.

Let me tell you, I, too, would like to see people earn more money in Maine; this doesn't do it. This makes these people worse off. Many times in this House I have voted for minimum wage to see my poor people working for these small wages get a few pennies while the people around them got a few dollars. What has happened, we have increased the distance between the top and the bottom far. Our problem is in Maine, we should be narrowing the difference between the top and the bottom, but to do that we would have to raise labor to five or six dollars, not a few pennies. You are trying to deceive people, even the poor. This doesn't deceive them because they know what happens. When they get a few pennies it is like throwing them a few crumbs and you give the other people two loaves of bread.

I am not going to carry on because all you people know where you stand. I stand firmly that we would lose jobs and would have to have more welfare after these minor jobs are gone. It is better to have a job that gives you a few dollars than no job at all, and this will tend to do that.

I hope that when the vote is taken, you will vote to defeat the motion to accept the majority report and I ask for a roll call.

A roll call has been requested.

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

**THE SPEAKER:** The Chair recognizes the gentleman from Portland, Mr. Connolly.

**MR. CONNOLLY:** Mr. Speaker, Ladies and Gentlemen of the House: In the debate we had the other day, I talked about Mr. Zirnkilton in the debate of last year being left hanging out to dry, and it appears as though Mr. Dudley, or whoever, is being left out to dry again. I don't understand the members of the committee who are opposed to this legislation not presenting their arguments against it.

A couple of points I would like to make, however, if we are not going to have a debate on this issue now, I would ask you to support the motion of the gentlewoman from Portland.

The arguments have always been made against the minimum wage from the very beginning, from 1938 when it was first past in Washington to 1959 when the State of Maine first enacted a minimum wage, that if we enacted a minimum wage and then if we increased the minimum wage, that it was going to hurt the very people that we were trying to help, that people were going to lose their jobs, that in the case of the State of Maine, business were either not going to move into the State of Maine or that they were going to move out of the State of Maine, and that it was going to drive up prices and that everybody, in particular the workers who work for minimum wage, were going to be worse off. Every study that has ever been done that has analyzed the effects of an increase in the minimum wage has proven the fact that that argument just simply is not so. If you accept that argument to increase the minimum wage, and if you do workers are going to be worse off, then it would seem to me that what we should be talking about is lowering the minimum wage because then we would be offering more protection for workers, we would be creating more jobs and everybody would be better off, and I don't think anybody in this body would accept the argument that we should lower the minimum wage.

There are really two essential reasons from my way of thinking why we should support this legislation. The first is, as the sponsor of this particular bill says, it is a moral or humanitarian issue. The people who work for minimum wage spend everything, their entire paycheck, on the basic necessities of life. They are not organized, they are not unionized people, they have no protection. That is the reason that the minimum wage was first created, to provide protection for the least protected of the workers in our society. We as a legislature are the only ones that can

increase or decrease that wage. We offer them that protection. And what we do here is really an indication of what we think of a person's labor, a person's sweat, a person's work.

The poverty guidelines for a family of four in the State of Maine are \$9,900. In order for a person to make that working a full 52 weeks a year, 40 hours a week, he or she would have to be making \$4.75 an hour. This bill calls for a \$3.55 minimum wage, which works out to just about \$7,300. So even if we enact this, a minimum wage worker will still, in a family of four, be more than \$2,000 below the poverty guidelines.

The minimum wage has not been increased in the State of Maine since 1981. The cost of living has increased more than 16 percent since 1981. If this bill is passed, this will be but a 6 percent increase in minimum wage.

The other argument that I would like to leave with you is one of economics. While I am not an economist, it seems to me that it makes good economic sense to increase the minimum wage. A minimum wage worker, as I said, spends his entire paycheck for food, for clothing and for shelter. They don't put money into the bank in the form of savings. All of that money is put right back into the economy. I had one of the lobbyists for one of the big department chain stores who was out lobbying against this bill admit that the other day—hey, this will be good for me even though I am against increasing the minimum wage, this will be good for me and my business because the people in my area who work for minimum wage will spend that money.

Finally, if there has ever been an issue before this session of the legislature that is a women's issue, it is this bill here. There is a popular misconception that most of the people in the State of Maine who work for minimum wage are teenagers, but more than 60 percent of the people who work for minimum wage are between the ages of 20 and 65, and more than two thirds of those folks are women.

I would hope this House would support the majority report of the committee and the motion of the Representative from Portland, Representative Beaulieu.

**THE SPEAKER:** The Chair recognizes the gentleman from Westbrook, Mr. Day.

**MR. DAY:** Mr. Speaker, Ladies and Gentlemen of the House: The last two speakers were Representatives from Portland and the comment was made that there is not a single study that proves that minimum wage increases have an effect on jobs. The last study I saw from the University of Chicago, and they run this every time there is a minimum wage increase, indicates that every 25 cent increase in the minimum wage results in the loss of 40,000 jobs in the United States. So, I just have to counter the fact that there are no studies, there is one study that I happen to know of that does prove it.

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

**MR. KELLEHER:** Mr. Speaker, Ladies and Gentlemen of the House: The 16 years that I have spent in this House, every single time there has been a minimum wage bill come before it, I have voted for it and the majority members of the opposition party in this House in those 16 years have voted against it. They are not even up here today defending their report. I didn't think I would live long enough to serve in this House to see Democrats arguing against Democrats over the minimum wage while my friends in the other party can sit back and laugh at all of us.

The Democratic Party has been the leader in this state and in this nation for the minimum wage, and I am beginning to get the feeling that our party is too prosperous and our numbers are too great and you are willing to stand up and be counted for an issue that has been the backbone and the bottom plank of the Democratic Party in this state and in this nation from time immemorial.

There are over 100,00 people in this state that work for the minimum wage, and the only way they get it, an increase that is, either it comes

from the national level or it comes from the Democratic Party in this House and in the other body. And as long as I am a member of this House and I can do something to increase people's wages, I will do it. We do it time and again for state employees, we are asked to do it again this year for the University of Maine employees, justifiably so, but it seems to me those worn out old arguments about loss of jobs and the space between what the minimum wage is and other wage earners, we have heard them all before, they are just excuses.

I would be shocked if someone in the other party got up and advocated to support the minimum wage this morning. I welcome them but I doubt if you will see them on their feet. They are an honorable party, they represent their interests, and I would like to think the Democrats in this House are the same Democrats that I have served with in the past 16 years and stand behind their commitment to represent the people that we like to say we are down here to represent.

We are all critical of the opposition party in representing big business and the banks and insurance companies, the large timberland owners. It is easy for us to be critical of them when we are campaigning and we are out telling the very people that we are down here supposedly representing that we are here to give them a shot, but I am afraid that there is a crack in the Democratic principles of our party in this House with the lack of united effort to support the minimum wage.

Some of you may think I am trying to make it a party issue. I am not because it has been a party issue since time immemorial. The Republicans have been on one side of the aisle, where they belong, and the Democratic Party has been on the other side. That is the way it is going to be on the minimum wage for this session and for sessions to come.

I urge you to support the majority report because it is right and it is our obligation to do so. Don't every expect the other crowd to do it because they won't. I love them all, but I disagree with them on this issue, as I am sure they do with me.

We have got a chance to do something for 100,000 people in this state who will never get an increase unless we are willing to put our shoulders to the wheel as other people who have sat in these seats representing the Democratic Party for the past 50 years have done.

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

**MR. HALL:** Mr. Speaker, Ladies and Gentlemen of the House: You know, as I walk through that lonesome valley from this House to the other side, many times you have to squeeze to get through. Now, why you have to squeeze to get through is because of the special interest groups that are being represented. I happen to belong to a couple of those, one is the Chamber of Commerce that nicks me and my company for quite a good thing until I hear what that money goes for—the Farm Bureau, the Grange, the lawyers, the bankers. But the people we are talking about right now, who do you think represents them? It is you and me, we are the only ones left that can do it. You don't see any lobbyists in that alley doing that, they have long gone because they don't get paid enough for it.

Speaking about studies, Mr. Day, I would like to tell you a couple of things about studies. You can make studies do anything you want them to do. I have seen that happen, I have seen testimony come before my committee, one on one side, you would think the world was going to be given to you, and on the other side you see what is going to be taken away from you.

We are talking about eight lousy dollars a week. I don't think anybody is going to starve whether they get it or not, I don't think it is going to make that much difference. Surely, they are not going to spend it and take it all off the food stamps, you know it and I know it. Many of them are high school students. Some of them perhaps spend it for a six pack of beer, some of them are going to spend it for their education. Many

of them have never had the ability to go to school or if they went to school they never could get above the seventh or eighth grade so they could never get in the position where they could earn more.

I think the whole thing is, as I listened to it and I talked to a lot of them when I went to 1,750 homes last time and I am prepared to do it again this time, folks, I want you to know that, I am not going to let the opposition beat me, this is what they tell me—who the heck cares about us anyway, we are not going to vote because it doesn't make any difference. All you fellows seem to think about is the pressure put on you by small business. Well, small business never put me in here, I am telling you. I could count them on my fingers and toes, and I have told them right to their face, hey, you didn't vote for me last time so what makes you think I am going to let that bother me. The people who put me in here are the people I want to protect and help get a little better chance than they have had in the past.

Here we are, many of us, and I am one of them, that want to get the ethanol plant off the ground floor and I am willing to do it. I have never turned down helping big business, never. All of a sudden we heard about Bar Harbor's need for a million dollars or they are going to leave the state. Well, I'll bet you my bottom dollar that out there will be filled with lobbyists to tell us a sob story—oh, we have got to have that million and a quarter dollars or else we are going to move to New Hampshire. But at the same time, you will hear nobody help these very same people that we can help here.

Now \$8 isn't going to make or break any business. It never broke me, I am willing to pay that and more too. As a matter of fact, we don't pay that little. But I have seen many businesses like McDonald's, like motels, hey, we cannot live on that. Now can you imagine \$8 when they are charging from \$35 to \$100 a day for the motels? Who are we kidding?

Let's do something for those people who are left out there and at least give them a break.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Jacques.

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: In 1979 when I first came to this legislature, one of the first things I was asked to do was vote on a pretty lucrative break for a company called Pratt-Whitney. I did that. Not too long after that, we had another kind of deal for an outfit called Spencer Press; I did that too. Then just recently, we voted on one heck of a nice piece of change for a huge corporation in the Bath Iron Works deal, and I did that. I did it all three times because I felt that it was an investment in the future of the people of the State of Maine and to the working man of the State of Maine. So whenever anybody from the big companies comes to me and tells me that if I vote for a 20 cent increase or 15 cent increase or whatever the case may be in the minimum wage I am doing more to ruin business in the State of Maine, you know what I tell them? I spit in their eye because I think that is the biggest crock of baloney I have ever heard in my life. I spit in their eye because I have shown that when I think something is right, I will vote for it.

Let me tell you something, when we voted for the break for Congoleum, we really took a gamble. Here it is a multi-million dollar corporation and we took a state that has a million people in it, limited resources, and we gave them a heck of a break because we thought it was worth our while.

Now, most of the people who live in my district, thankfully, work for good companies. Most of my people work for Scott, Keyes, Maine Central Railroad and I am not going to sit here and say that they are underpaid because they are not, but the way I look at it, these companies came to Waterville, Maine because there was something there for them. We can argue about what that was but when these companies tell us if you vote for an increase in minimum wage we

are going to close up shop and pull out of here—baloney—because if this 20 cent increase in the minimum wage makes them close up shop and pull out of here, they are on very unstable ground to start off with.

I am pretty proud of the work ethic that I represent because they are not all a bunch of bums like some people like to have us believe—welfare cases, useless people that bleed off the system. I have got people who go to work every day, work their hearts out for their company, and if they didn't, Scott Paper wouldn't be where it is today, Keyes Fibre wouldn't be where it is today and Maine Central Railroad wouldn't be one of the only railroads that is in the black. They are all very well paid so this bill isn't going to affect them.

I probably have a few out of that 100,000 that gets minimum wage and the thing that really burns me is when I get a fellow from Hathaway Shirt who writes me a note that says he is really surprised at my vote to allow this bill to go to a hearing because he felt that I understood the issue. Well, when I see him, I am going to tell him that I understand the issue very clearly. Unfortunately, he doesn't understand the issue.

I still pay \$30 or \$40 for a Hathaway shirt whether they are made in Taiwan or Waterville, Maine. They haven't given us a break by this so-called cheap labor and we have certain people in this country that use this cheap labor to put people on their knees.

We had a meeting last week about the shoe industry and what certain people in this country have done to that and what they have done to the work ethic, the proud people who made those shoes and I have never worked in a shoeshop but the people that I talk to, if you want to talk about a job, I guess that is a job where you would appreciate work.

These very same companies have been writing me and calling me and their lobbyists have been roaming these halls telling us how much harm it was going to do to their company if we give a man \$8 more a week. Well, I wasn't really sure how I was going to vote on this issue until the last couple of days and I was sitting in the Speaker's office listening to my good friend, the gentleman from Bangor, Mr. Kelleher, and I have got to tell you that it struck home and I decided to come out here and put my two cents in because I intend to vote for this.

Any company that moves out of here because of this wasn't worth staying here in the first place, because sooner or later we would be back here voting for a break to bail them out if they are in that much trouble. I think we have done that quite a few times.

The only thing that bothers me is that in this state, in this country today, there are still 100,000 people in the State of Maine that are working for minimum wage, that is the only thing that bothers me. At certain times, and I know that it is not practical, I feel like voting for a \$1 increase in the minimum wage and would not have any qualms about it, but politics being as they are and practicality being as it is, I know that we can't do that but I intend to vote for this bill today. I hope those boys at Hathaway realize that Paul Jacques certainly does know what the issues are and I understand them all too well.

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

Mr. DIAMOND: Mr. Speaker, I would like to pose a question through the Chair to the gentleman from Mt. Desert, Mr. Zirkilton. I would like to ask Mr. Zirkilton why he signed the "Ought Not to Pass" Report on this particular piece of legislation.

The SPEAKER: The gentleman from Bangor, Mr. Diamond, has posed a question through the Chair to the gentleman from Mt. Desert, Mr. Zirkilton, who may respond if he so desires.

The Chair recognizes that gentleman.

Mr. ZIRKILTON: Mr. Speaker, Ladies and Gentlemen of the House: As the gentledady from Portland said a while ago, Representative Beaulieu, the arguments for the pros and cons

on this particular piece of legislation haven't changed at all since last year.

We have heard a number of people stand here this morning and say that they don't believe it is going to make that much difference, they say they believe it is going to help the poor, those that working for the minimum wage and yes, it will help some. But now that you have managed to get me up, which obviously was your intention, I will make some remarks to some of the comments that have been made.

Mr. Jacques said a minute ago that any business in the State of Maine that leaves because the minimum wage increase isn't worth having anyway, he said they probably would be back here for some sort of taxbreak anyway. He said he has done a number of things to help business in the State of Maine. Look what we have done for Bath Iron Work, he mentioned the Pratt & Whitney vote in 1979—these aren't the companies that pay people minimum wage. I think you would be hard pressed to find many people at Bath Iron Works making minimum wage.

The businesses that pay minimum wage in the State of Maine are the 85 to 90 percent of the businesses we have, the small business, the people who don't have high paid lobbyists standing here in the hall trying to tell you what it is going to do to the State of Maine if this bill passes, and I ask you, what have you done for those people? What have you done for the small business of the State of Maine? You have given them one of the highest costs of workers' compensation in this country, you have given them an unemployment compensation plan that continually skyrockets with no real end in sight.

What have you done taxation wise? You didn't go along with the accelerated depreciation at the corporate level. What have you done for small business in the State of Maine? You have managed to ensure that it is darn near impossible for them to compete with the rest of New England. You have seen the reports in the papers, we already have one of the highest, I think the highest, rate of unemployment in all of New England, and for the comments that you have made here today, it would appear, fairly apparent, that some jobs will be lost. I think anyone here would be hard pressed to say that no jobs will be lost if this bill passes so you will succeed in helping some people make a few dollars more than the minimum wage and you will also succeed in truly, truly hurting the very people you are trying to help, those that will lose an opportunity for a job that they otherwise might have had, even at minimum wage, now won't have that opportunity at all. If a company consolidates, perhaps reduces its work force or reduces the number of hours that their employees are working, what have you done for them? Nothing, nothing at all.

To me it just seems to be common sense, I am really sorry to say it. I respect the opinions that you have because you certainly are entitled to them but we obviously have a major disagreement here and the entire reason for trying to get me up was turn this into a partisan issue, which I will ask you again, as I did last year, not to let that happen because this is an issue that is just so important that it should never succumb to being as low as a partisan issue. I just hope that you really, really think about it; I know that you all will so we will see what happens.

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

Mr. DIAMOND: Mr. Speaker, Ladies and Gentlemen of the House: Thank you, Mr. Zirkilton, for responding to my question. You are right, I did want to get you up, I also wanted to wake you up and I think after hearing your defense of your position, I think we have done just that.

You asked several questions—what have we done for the small businesses, that 80 to 85 percent of Maine businesses that are low on the ladder, not the Bath Iron Works, not the paper companies, not the biggies that you referred to. We have done quite a bit for it and for that reason I think we have to pass this particular piece of legislation.

Last session, if you will remember, we passed a corporate tax reform that gave tax breaks to 80 percent of the corporations in this state; that certainly is significant. We are about to enact tax conformity, something that the businesses in this state have been clamoring for; that certainly is significant. We have done so much for businesses, big and small, it is about time that we looked at the other side. We have been dealing with the top of the ladder for so long and yet we have been ignoring those people at the bottom of the ladder.

You made reference to the particular industries that pay minimum wage. I don't think you accurately reflected what those industries are—the paper companies, Bath Iron Works, those corporations don't pay minimum wage. Big industries tend to pay above minimum wage. It is the service industries of this state, the restaurants, the motels, the hotels, the Seven-Eleven's, the little shops, McDonald's is the best example, they are the ones that pay minimum wage and they don't base their wage on profitability. Certainly if you look at McDonald's, that isn't the case. They locate in areas not because of the business climate, they locate in areas because of the market for their products. Restaurants go where the people are. McDonald's again is a prime example of that. We have in my area of Bangor five McDonald's, a community of about 50,000 in the Greater Bangor area. They are not there because of the business climate of Bangor as much as the fact that there are a lot of people who go through Bangor and live in Bangor and they want to service them. They can get away with paying minimum wage because there are people there who will work for it.

We passed laws several years ago establishing a policy for minimum wage in this state. We talked about and if I could quote the statute, it says: "Workers employed in any occupation should receive wages sufficient to provide adequate maintenance and to protect their health and to fairly compensate them for the values of their services." That is the purpose of minimum wage but it goes beyond that, it goes beyond what is in the statute of this state. We are trying to establish a base for the workers of this state and, unfortunately, that base is much larger in Maine than it is nationwide.

If you look at minimum wage nationwide, you will find that 6 percent of the workers of this country earn minimum wage. In Maine, that number is 20 percent. One out of every five working people in this state makes minimum wage; that is atrocious. We are their only hope to improve that standard for them.

We have done many things, as we have mentioned, to help a variety of special interests and we could go on and on, Representative Connolly, Kelleher, Hall, all the previous speakers have outlined that for you. But I think we have a real responsibility here and it is a responsibility we have been ignoring. We have looked at every concern in the last two years that could possibly be presented before this body and this is one that we haven't fairly addressed in my opinion, people who really deserve a chance to better their standing, to better their lifestyle.

We have a poverty level of \$9900 for a family of four; yet, those people who are fortunate enough to work for 40 hours a week at minimum wage are almost \$3,000 below that.

Government does more than simply establishing a minimum wage and ask employers to pay it, we are subsidizing these employers who pay minimum wage. Do you realize that those people who are below that poverty level qualify for food stamps and it comes out of the tax dollars that the middle income families, the corporations, everybody else, because we don't establish a basic level of compensation for those people that is adequate? Food stamps on the local level, general assistance, we could do a lot by increasing minimum wage to bring those figures down in the cost of government, it is fiscally responsible. That ought to ring a bell with some people in here.

We have so much we can do if we only have the guts to act and I think it is very important for us to recognize our responsibility today.

I also recognize that there is a philosophical disagreement between those on this side of the aisle, for the most part, and those on that side of the aisle. Those over there, especially their leadership in Washington, has been very generous to the concerns of those at the top of the ladder I mentioned earlier. We have done all kinds of things to help them because they believe in a philosophy, they believe that if you help those at the top, that eventually it is going to trickle down to those at the bottom. Our party looks at it the opposite way. For the most part, we believe if you reinforce those at the bottom of the ladder, it is going to help and spread throughout society and we are all going to benefit. I believe in that and I think most of the Democrats in here do. So there is a philosophical difference between us and I can understand why some on the other side would take the position they have on this issue. But it goes beyond that, there are other considerations you have to look at and I probably should direct my arguments more to those people who share our philosophy than those who share the other philosophy I just mentioned.

We have an obligation here, we have a responsibility to strengthen that base that Maine's economy is built on and strengthen the personal and financial base of the individuals of this state who unfortunately have to work for minimum wage. If you believe we have that responsibility; if you believe it has been too long since we have increased that level, then I think you have an obligation to go along with us and support the motion of the gentleness from Portland and help move this down to the other body.

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

Mr. WILLEY: Mr. Speaker, Ladies and Gentlemen of the House: Yes, I guess there are philosophical differences here and I hoped there wouldn't be because it seems to me that the arguments will affect us all. I think probably it is the most important bill you may have before you this year, I really do insofar as the economics of this state are concerned, and I think the main question is, and you can put it in perspective by saying, can one of the poorest states in the union have the highest minimum wage? I don't think so, I honestly don't.

For instance, we already have one of the highest workers' comp rates, we already have one of the highest rates of taxation, and that philosophy that Representative Diamond just talked about is one of the contributing factors to the fact that we also have one of the poorest business climates in the nation.

For instance, what will happen if we raise the minimum wage? Well, a number of things, of course, are going to happen, not the least of which are companies in this state who have branches in the state and also have branches in other states, one would be Kent Incorporated up in Fort Kent who hires 200 or 300 people, they also have a plant in South Carolina. If their wages are 6 percent higher up here than they are down there, that could be the factor that determines them to move the rest of their operation to South Carolina. It is the same way with Hathaway Shirts. They have a plant in Puerto Rico. They hire 600 people down there currently, they hire 1200 in the State of Maine. Now if they can make shirts cheaper in Puerto Rico than they can in Maine, is there any logical reason that they shouldn't go to Puerto Rico? Heaven sake, they would be stupid if they didn't.

Another thing, a factor that has crept in because of our poor business climate is the fact that Maine, last year, was the only state in the nation whose unemployment rate went up. It is currently the highest in New England. Does that speak of a good business climate? Is that what we are trying to do to this state?

The U.S. has priced itself out of competition in almost every nation in the world as far as

automobiles, steel and, yes, even shoes. Why do people build shoes and import them from foreign countries. Simply because we are not competitive and we are getting less competitive every day. Do you want that to happen to the State of Maine in the national level? Can't we be competitive with other states? Do we have to have the highest minimum wage?

Another question you might ask yourself is, why are the unions pushing this thing so hard? They don't have anybody who makes the minimum wage, not a soul. AFL-CIO doesn't, they told us so at the meeting, so why are they pushing it? If you push the bottom up, physics tell you the top has got to go up too, every single pay scale along the way will go up accordingly.

Why is MSEA interested in this thing, why are they pushing so hard? Why have they stalled on settling their contract? Because if they get an increase in the minimum wage, every pay scale in the 1400 categories is going to go up accordingly, not three and half percent but at least 6 percent.

I think this whole thing is ridiculous, I honestly do. I think it is the worst thing that could happen to the state, it puts us out of competition.

One thing they would have you believe, these people who have talked before me, is that the same 100,000 people are stuck on the \$3.35 minimum wage. That is not true at all. In the first place, a good part of that 100,000 people get tips. They work in restaurants and positions where they get tips on top of their minimum wage. Also, many of them get commissions. Now, if somebody has been working for years at the minimum wage, you have got to know that something is wrong. Why didn't they get promoted? Virtually, everybody does. Certainly there are a few that have gotten \$3.35 for a long time and I would suggest that probably that is all they are worth because they haven't gotten anywhere. If they wanted to, they could get another job, they could certainly do something in a productive fashion to increase their worth and there are a few in the category but most come and go, most start at a minimum wage, and if they prove themselves to be worth more than that, they certainly do and therefore get more.

I know that I started a lot less than minimum wage but I sure as the devil didn't stay there and I don't think most of you do either.

I hope you will vote to defeat the motion.

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

Mrs. BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: I have been patiently sitting in my seat listening to the debate. I have to agree with Mr. Zirkilton that the minimum wage issue should not be a party issue. I concur, there are Democrats and Republicans working for minimum wage but unfortunately the report that is brought to you from the Labor Committee is along party lines and that is unfortunate.

As for the large layoff quotation from Chicago, I say to you that the research in Maine did not show that there were large layoffs when the federal minimum wage went up.

As to the issue of what have we done for the small businesses—I think we have done a lot. In our committee, we did something even this year to try to pick up negative balance workers to reduce costs in the unemployment compensation fund. That will help all businesses in Maine. We have increased over the years restrictions on eligibility for unemployment compensation. We revamped and realigned the workers' compensation process in trying to help the small businessmen. We took two years to put together a discount bill on workers' comp premiums for small businesses to try to help them. In other areas, there has been economic assistance to the small business loan program. In economic development programs, thousands of dollars have been spent in some form of monetary assistance in businesses.

Our business climate in this state is good. Our Governor says so, he may not always be right but I concur with him on that point and it is



getting better. The last figure is that in a one-year period there has been a 43 percent increase in either new businesses or expansions of businesses in our state. Our national unemployment rates have been down and they have held consistently compared to the rest of the country. At certain times of the year, they go up, but we have not been far out of line on our unemployment compensation issues.

There are a lot of people exempted from the minimum wage in our state, quite a few categories—waitresses are exempt from the minimum wage; domestic services are exempted; students are exempted and am I glad to see the students in the balcony and the back of the hall because our vote today is going to determine their future. Are they, when they are ready to go to work, going to be restricted for five and six years at a time before they can get a raise if they wind up working in a job that is a minimum wage job?

I am sorry that Mr. Dudley feels there wasn't time enough for his people to come and testify at the hearing. Where was Mr. Dudley? He did not come to the hearing. He could have represented his people as I do mine.

The question is raised as to why is the AFL-CIO and MSEA and other unions out in the halls lobbying for us to do this for 100,000 people? It is because those people have no representation. Somebody has got to serve as their spokesperson and, ladies and gentlemen, the Labor Committee is not just a committee that entertains issues of workers versus management, unionized workers versus management, or vice versa. We are a committee in this body to represent all workers in this state.

I am proud to move this report today and I hope that more than just the Democrats in this body would vote for this bill. I am not expecting it but this is an issue that is critical. If it had not been deemed critical to so many people in our state, it would not be before us today.

I ask you to vote in the positive for the Majority "Ought to Pass" Report.

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

Mr. HAYDEN: Mr. Speaker, Fellow House Members: I want to share with you a little bit why the calm and soothing tones of the gentleman from Mt. Desert and the gentleman from Hampden, neither of whom I notice are in the hall right now, I found so inspiring.

First of all, let's start with the gentleman from Hampden and he is a very calm fellow. To listen to him is to feel that our life is going to be secure, but when I think about what he says, I am not so sure that his advice as I hear it, which is that the future of this state lies in competing with the labor market in North Carolina, competing with the labor market in Mississippi, being able to have workers get the same amount, I suppose, as the workers in Taiwan that make Hathaway shirts is the way for us to go. Ladies and gentlemen, that will save our economy, that will make Maine a great place to be for its citizens. Respectfully—bunk!

Now the gentleman from Mt. Desert, he is a wonderful speaker and he does have just about the most soothing tones of anyone I think I have ever had the pleasure of hearing, and I have to pinch myself once or twice, maybe twice, to listen real carefully to what he said. One of the things that he said, he made me feel ashamed, he made me feel ashamed for standing up here and speaking for the minimum wage because, first of all, I have no common sense and second of all, I guess because I am a Democrat if I ask my fellow Democrats to go along with me because that has always been the family that has voted for this type of legislation, I would be sinking lower than the low.

After all, we haven't done anything for business, we haven't done anything to help that poor businessman, and how could we think of leaving him high and dry at a time like this when he is in such dire need? No disrespect whatsoever, but the only word that can come to my mind is

"bunk."

One of the arguments that we heard the last time this was debated, and we heard it this time too, is after all, if this is such an important issue, why didn't the U.S. Congress pass the minimum wage, why didn't they increase it? Why should we want to stand out in front, we who are not the richest state in the union?

Well, I look at the U.S. Congress and I know that we have people who are friends, near and dear to me, who are interested in entering different bodies of that U.S. Congress. I think they are going to have their work cut out for them when they get there. I have a lot more faith in our ability to do what is right, in our ability to have common sense. It is that same U.S. Congress that voted for the tax exemptions, the tax breaks unequal to the American history in order to help everyone, in order to help the little guy. It is that same U.S. Congress who for the first time in control of the parties to which the two gentlemen have allegiance that has delivered more to the have's, has delivered more to the dinner tables of those big industries and those small businessmen than we have ever dreamed.

Minimum wage, right now, \$6,968 a year. I am happy to say that I don't have very many constituents of mine that earn that much a year. I have some, more than I would like to see, that are below the poverty level, but probably if I vote against this I will come back. Twenty percent of the people in this state earn the minimum wage. Probably if you vote against this bill, you'll come back.

It is not that we are being pressured into doing this, it is not that we are going to lose our elections, it is not going to be that we are going to lose the chance to do the job that I think most of us really like doing, and I like associating with the gentleman from Mt. Desert, I think he is a wonderful guy and I would hate to lose the chance to work together with him. I don't think I am going to lose it one way or the other here. But I am going to think real carefully about what is the right thing for me to do—\$6,968 a year, and maybe that fellow doesn't even vote, maybe he is a Republican and is waiting for it to trickle down from above—\$6,000 a year.

One thing we talked about, and it is not very fashionable, I know that, it is not very fashionable to talk about parties anymore. We have all gotten an awful lot alike and the differences between us, they have been sort of watered down and our parties aren't very strong anymore, but it is interesting that this is one issue that still remains a party issue. I guess it is one issue, I have to concede, even though this isn't very fashionable, it is one issue that makes me real proud I am a Democrat, because one of the things it does, it takes those people that aren't going to put you in office, that aren't going to take you out of office, maybe some of those people that even don't vote very well, and it tries to give them some of the crumbs off the table, some of the crumbs off those small struggling businesses, McDonald's, Wendy's, they get the beef, we just want some of the roll.

I am proud I am a Democrat and a lot of you Democrats have voted against this and you have voted against this because times have changed. Well, they have changed. I think you feel that times have changed enough so that I can still be a Democrat and not vote for an increase in the minimum wage. It doesn't make any difference because that constituency is getting smaller and smaller. Well, I am proud it is getting smaller and smaller, but it costs more and more to live. I wouldn't want to try to support my daughter—I have to look down at the paper every time to make sure I get this right, I can't believe it is so low—I wouldn't want to support my daughter on \$6,968. The gentleman from Hampden reassures me that it really doesn't happen that much because I would probably get tips and I would get commissions. If I worked real hard, I would make something of myself and I would make more. Well, that's not very much. I am just starting out right now, my daughter, she is just start-

ing out, maybe by the time I made myself she would have suffered more than necessary.

Where are those businesses that are going to go away—the tourist industry, motels—bumper year because everybody likes to come to Maine; McDonald's, fast food—bumper year, not because everybody likes to buy cheap food, because they want to buy fast food. They hire young kids because young kids don't have a voice and a lot of you kids don't vote. Unfortunately, a lot of you kids won't vote when you are 18 either and earn the minimum wage. So one reason I am proud I am a Democrat is because we have a tradition of doing what is responsible and doing what is right.

Mr. Zirkilton, the gentleman from Mount Desert, I am proud to have sunk that low, because maybe if I get that low I can still remember what it is like to see what the crumbs at the table taste like and where I can taste it in my mouth when I think about this issue, and I think if you think about this issue long enough, you can too. I am glad I don't earn the minimum wage. I don't think anybody in Maine should earn the minimum wage that brings them \$6,968 a year. I think we will squeak by with an increase and maybe we will be a little prouder that we are doing our job up here tomorrow. That is why I urge you to vote for the "ought to pass" report.

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

Mr. DILLENBACK: Mr. Speaker, Ladies and Gentlemen of the House: I think that was a very passionate speech and I am not going to debate this issue at all. I am going to read to you a letter that I received from a constituent. I don't know whether he is a Republican or a Democrat. His name is David C. Reynolds. He says: "Dear Mr. Dillenback: I am writing to express my deep concern over the minimum wage bill that is currently before the legislature to make Maine's minimum wage the highest in the United States. The actual legislation will not affect my company because we do not have any positions that pay the minimum wage. However, the message it will send to the business in general is a bad one. I will not argue the fact that the minimum wage should be increased, because I believe it should. However, I feel very strongly that if the minimum wage is raised, it should be done on the national level."

"To place Maine in the position of having the highest minimum wage in the United States, along with an already very expensive workers' compensation system, an extremely high corporate tax rate and a lack of conformity with the federal income tax laws, would be extremely shortsighted on the part of our elected officials."

"I fully understand the pressures to increase the minimum wage and the arguments that are extremely persuasive and politically popular with most voters. Sometimes it is important for elected officials to look beyond the present political gain and take a look at the long-term consequences to Maine's working people."

"Historically, anytime there has been an increase in the minimum wage, it has meant a loss in the number of minimum wage jobs. While there can be no debating the fact that it is extremely difficult to exist on minimum wage jobs, it is more difficult to exist on no jobs."

"I ask that you take into consideration the negative image and message Maine will project to current businesses in Maine struggling to exist and to possibly new businesses looking to settle in Maine before you can vote to increase Maine's minimum wage."

This is just a citizen speaking to you people.

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

Mr. AINSWORTH: Mr. Speaker, Ladies and Gentlemen of the House: I understand there is a bill laying in the wings waiting to hit the floor of this House to raise the salaries of Representatives. I am only sorry that it hasn't come up to be voted on before this minimum wage hit the floor. I feel sure that vote would have given me a wonderful wedge to use in the defense of the

minimum wage here today.

To pick up on what Representative Kelleher said in relation to the difference in parties, the Maine party head said a few weeks ago that Republicans were complacent, fat and lazy. One thing he forgot was that they do not have a heart. That certainly holds true when it comes to the minimum wage.

Representative Willey mentioned the business climate and our chances of losing business. I am not at all worried about losing business because of that. If one were to leave this state, you will find that other states welcome our workers to their state with open arms; I mean that sincerely. They can't get enough of our people. Why? Because they are terrific workers. They produce, so that \$3.55 figure certainly isn't the right figure. I am telling you right now, that is not the figure because that is a producing figure, our workers really produce.

How can 20 cents an hour hurt when the production is so much greater? Will the industries leave this state? I think not.

Ladies and gentlemen, let's get on with the business at hand this morning and vote for these people. Let's give them a break, \$3.55 an hour.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Brown.

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I usually don't get involved in these issues, but Mr. Ainsworth, the gentleman from Yarmouth, brought me to my feet. It doesn't matter a particle to me, Mr. Ainsworth, whether we vote on this before or after we vote on our pay raise because when that issue comes up, you just follow Darryl Brown's light and you will be able to sleep at night.

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

Mr. DUDLEY: Mr. Speaker, Ladies and Gentlemen of the House: I will be very brief. First of all, I don't think you really want to hear what I have got to say anyway, so I can afford to be very brief. I want to answer a question. Representative Beaulieu would like to know where I was on a certain day and I don't remember myself, but I did look at the hearing room and I was of the opinion that this was a public hearing and if every legislator went to the room, only a third of us could have gotten in, so I was making this space available for the public that I thought would be there.

I just wanted to make a couple of predictions. My predictions would be like this—I have been around here quite awhile and I am getting rather old and I might not be here two years from now to say I told you so, so I wanted to put a couple little things on the record.

First of all, I want to tell you this for the record. The people that want this bill admit that there are about 100,000 people in this state working for minimum wage. I predict that next year there will be a lot less than that, maybe 50,000. I also predict that the difference I want to correct between the top wage earner and the low wage earner will be greater, and if I am around, I will sure tell you so. I might not be around because my age might not allow it.

I had my Democrat colleagues tell me I said this would raise welfare costs, no doubt, and they said they didn't care because industry would pay it anyway. These are just a few things that I wanted on the record seeing as I am getting old and might not be here to tell you "I told you so."

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

Mr. MATTHEWS: Mr. Speaker and Members of the House: I just want to add one little point here. I happened to be reading the New York Times on Sunday and we have talked briefly about the administration in Washington—I will try to be nice here—and their decent and fair tax breaks for the American people.

The Congressional Budget Office of Washington did a little research—we have talked about studies—as to the effect of President Reagan's tax policy. That tax policy has meant

for those people in this country who make \$80,000 and more a tax saving upwards of \$10,000 a year. For those people in the United States who make \$8,000 and less, it meant a tax increase and a loss of earning for those people of about \$400 a year—just for the record.

I agree with those in this House who said on the record that this should not be a partisan issue and I commend the gentleman from Mt. Desert making that evident, it should not be. This should be a people issue. The minimum wage increase is a people issue and I support it.

The SPEAKER: The Chair recognizes the gentleman from Thomaston, Mr. Mayo.

Mr. MAYO: Mr. Speaker, Ladies and Gentlemen of the House: I feel compelled to rise today. It is a very difficult question, one that I have weighed very carefully in my mind. I sent a questionnaire out to my constituents, and you might expect, coming from Knox County, a very conservative area, that my constituents would tell me no, Joe, don't vote for that bill. Well, my questionnaire came back divided, very evenly divided. I received almost 400 responses; a hundred sixty some odd said yes, vote for it; a hundred sixty some odd said no. I feel compelled to vote for this bill and I just wanted to tell you that.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mrs. Joseph.

Mrs. JOSEPH: Mr. Speaker, Men and Women of the House: I would like to get back to the minimum wage question and I would like to pose a question through the Chair. I would like to know which states in the United States do have a higher than federal minimum wage.

The SPEAKER: The gentleman from Waterville, Mrs. Joseph, has posed a question through the Chair to anyone who may care to answer.

The Chair recognizes the gentleman from Portland, Mrs. Beaulieu.

Mrs. BEAULIEU: Mr. Speaker, I hope I am accurate. I think it is Hawaii and Alaska and Maine, maybe Connecticut, I really don't know.

Representative Jalbert moved the previous question. The pending question was "Shall the main question be put now?" A vote was taken. 76 having voted in favor of the same and 33 against, the main question was ordered.

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

The Chair recognizes the gentleman from Madison, Mr. Richard.

Mr. RICHARD: Mr. Speaker, I request permission to pair my vote with the gentleman from Lewiston, Mr. Telow. If he were here, he would be voting no and I would be voting yes.

#### ROLL CALL NO. 460

YEA—Ainsworth, Andrews, Baker, Beaulieu, Benoit, Bost, Brannigan, Brodeur, Carroll, D.P.; Carroll, G.A.; Carter, Cashman, Chonko, Clark, Connolly, Cox, Crowley, Diamond, Erwin, Gauvreau, Hall, Handy, Hayden, Hickey, Higgins, H.C.; Jacques, Jalbert, Joyce, Kelleher, Kelly, Ketover, Kilcoyne, Lehoux, Lisnik, Locke, Mahany, Martin, A.C.; Matthews, Z.E.; Mayo, McCollister, McHenry, McSweeney, Melendy, Michael, Michaud, Mills, Mitchell, E.H.; Mitchell, J.; Murray, Nadeau, Norton, Paradis, P.E.; Paul, Perry, Racine, Reeves, P.; Rolde, Rotondi, Stevens, Swazey, Tammara, Theriault, Thompson, Tuttle, Vose, The Speaker.

NAY—Allen, Anderson, Armstrong, Bell, Bonney, Bott, Brown, A.K.; Brown, D.N.; Cahill, Callahan, Carrier, Conary, Connors, Cooper, Cote, Crouse, Curtis, Daggett, Davis, Day, Dexter, Dillenback, Drinkwater, Dudley, Foster, Greenlaw, Gwadosky, Higgins, L.M.; Holloway, Ingraham, Jackson, Joseph, Kiesman, LaPlante, Lebowitz, Livesay, MacBride, MacEachern, Macomber, Manning, Masterman, Masterton, Matthews, K.L.; Maybury, McGowan, McPherson, Moholland, Murphy, E.M.; Murphy, T.W.; Nelson, Paradis, E.J.; Parent, Perkins, Pines, Pouliot, Randall, Reeves, J.W.; Ridley, Roberts, Robinson, Roderick, Salsbury, Scarpino, Seavey, Sher-

burne, Small, Smith, C.B.; Smith, C.W.; Soucy, Soule, Sproul, Stevenson, Stover, Strout, Walker, Webster, Wentworth, Weymouth, Willey, Zirkilton.

ABSENT—Hobbins, Kane, Martin, H.C.

PAIRED—Richard, Telow.

66 having voted in the affirmative and 80 in the negative, with 3 being absent and 2 paired, the motion did not prevail.

Thereupon, the Minority "Ought Not to Pass" Report was accepted in non-concurrence and sent up for concurrence.

#### Non-Concurrent Matter

Bill "An Act Concerning the Maine Land Use Regulation Commission" (H. P. 1837) (L. D. 2430) which was Passed to be Engrossed in the House on April 6, 1984.

Came from the Senate Passed to be Engrossed as Amended by Senate Amendment "A" (S-386) in non-concurrence.

Thereupon, the House voted to adhere.

#### Non-Concurrent Matter

RESOLVE, to Establish a Select Committee Concerning Forest Practices in the State (Emergency) (H. P. 1776) (L. D. 2354) which Failed of Final Passage in the House on April 3, 1984.

Came from the Senate Passed to be Engrossed as amended by Senate Amendment "B" (S-381) in non-concurrence.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. MacEachern.

Mr. MacEACHERN: Mr. Speaker, I move we recede and concur.

The SPEAKER: The gentleman from Lincoln, Mr. MacEachern, moves that the House recede and concur.

The Chair recognizes the gentleman from Woolwich, Mrs. Cahill.

Mrs. CAHILL: Mr. Speaker, I would like to pose a question to the gentleman from Lincoln, Mr. MacEachern. When I was reading over this amendment, and what the amendment basically does is amend the composition of the Select Committee on Forest Practices, it says in Line 22 of the amendment "A representative from the University of Maine, Department of Forestry." My question is, did you intend to have the University of Maine, College Resources of Forestry, and to include a member from the Maine Forest Service?

The SPEAKER: The gentleman from Woolwich, Mrs. Cahill, has posed a question through the Chair to the gentleman from Lincoln, Mr. MacEachern, who may answer if he so desires, and the Chair recognizes that gentleman.

Mr. MacEACHERN: Mr. Speaker, yes.

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mrs. Cahill.

Mrs. CAHILL: Mr. Speaker, this amendment is not doing that and I wish someone would table it so we could correct it, please.

Thereupon, the motion of Representative Higgins of Scarborough, tabled pending the motion of Representative MacEachern of Lincoln that the House recede and concur and later today assigned.

#### Communications

The following Communication:

COMMITTEE ON MARINE RESOURCES

April 9, 1984

The Honorable John L. Martin

Speaker of the House

111th Legislature

Dear Speaker Martin:

We are pleased to report that all business which was placed before the Committee on Marine Resources during the second regular session of the 111th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received	18
Unanimous reports	12
Leave to Withdraw	2
Ought to Pass	3