

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

One Hundred and Seventh Legislature

(First Special Session)

OF THE

STATE OF MAINE

1976

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, March 11, 1976

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

Prayer by Father Jackson of Readfield. The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Joint Order: (S. P. 747)

ORDERED, the House concurring, that the Appropriations and Financial Affairs Committee and the Performance Audit Committee are hereby directed to prepare for the consideration of the 107th and 108th Legislatures a report listing authorized statutory programs reviewed on a cost-effectiveness basis. This list shall be prepared for the purpose of legislative decisions that may be desirable or necessary in the elimination or revision or existing programs.

The committees are authorized and directed to work cooperatively with the Executive Department in the discharge of their duties.

The committees shall hold public hearings and submit partial and final reports to the Legislature as progress in their review may indicate.

Came from the Senate read and passed.

In the House, the Order was read.

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

Mrs. NAJARIAN: Mr. Speaker and Members of the House: I would just like to make a few comments on this joint order and how it is viewed by the legislative leadership and by the Governor.

Some of you, I think, have gotten the impression from the newspapers that these committees are just automatically going to ratify proposals for eliminating low priority programs that are suggested by the Governor. That is not the Governor's intention and it certainly is not ours.

I would like to quote to you some passages from a letter that the Governor has written to the President of the Maine Senate, in which he says, "We feel we would be making a serious mistake to regard this need and this effort as a crash program to only provide an immediate source of dollars. If we are talking about a significant amount of program dollars, we are also talking about substantial differences of opinion, both in and out of the legislature, on the value of the programs and the need to continue them. Such programs are virtually certain to have a certain number of supporters and beneficiaries. While I may support the elimination of specific programs that are not cost effective, I would not like to see these changes put through the legislature without adequate consideration and debate, and I certainly would not support such action without public hearing."

"I also feel strongly that in consideration of elimination of any programs which cut services to Maine people, that we be fully aware of all the facts and ramifications of the change before we endorse it and seek support of the full legislature for the change."

"It is difficult for me to see how programs can be identified, facts assembled, public hearings held and evaluated and legislative action completed within the time frame of this special legislative session. However, we are ready

to cooperate with you in a mutual effort, as long as we do not allow haste to preclude our need for facts, public hearings and full legislative debate."

I think this legislature would concur in all of those areas and I urge your support for passage of this joint order.

Thereupon, the Order received passage in concurrence.

Non-Concurrent Matter

Bill "An Act to Establish a Maine Community Jobs Act" (H. P. 2165) (L. D. 2293) which was referred to the Committee on Labor in the House on March 9, 1976.

Came from the Senate, referred to the Committee on Taxation in non-concurrence.

In the House: On motion of Mr. Connolly of Portland, the House voted to recede and concur.

Orders

Mr. Theriault of Rumford presented the following Joint Order and moved its passage: (H. P. 2182)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Douglas Roberts of Rumford Awarded the Vinal Trophy for Best Player of the Western Maine Class A Basketball Tournament and for Sportsmanship

We the Members of the House of Representatives and Senate do hereby Order that our congratulations and acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

The Order was read and passed and sent up for concurrence.

Mr. Theriault of Rumford presented the following Joint Order and moved its passage: (H. P. 2183)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Rumford High School Boys' Basketball Freshman Team Central Maine Freshman League Champions

We the Members of the House of Representatives and Senate do hereby Order that our congratulations and acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

The Order was read and passed and sent up for concurrence.

Mr. Theriault of Rumford presented the following Joint Order and moved its passage: (H. P. 2184)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of the Pantherettes of Rumford High School Winners of 14 of Their Last 17 Games and Competitors in the Quarterfinal Tournament

We the Members of the House of Representatives and Senate do hereby Order that our congratulations and

acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

The Order was read and passed and sent up for concurrence.

Mr. Gray of Rockland presented the following Joint Resolution and moved its adoption: (H. P. 2185)

IN MEMORIAM

Having Learned of the Death of the Honorable Richard O. Elliot Beloved Thomaston Centenarian and Former Legislator

The Senate and House of Representatives of the State of Maine do hereby extend their sincere heartfelt condolences and sympathy to the bereaved family and friends of the deceased; and further

While duly assembled in session at the State Capitol in Augusta under the Constitution and Laws of the State of Maine, do herein direct that this official expression of sorrow be forthwith sent to the family of the deceased on behalf of the Legislature and the people of the State of Maine.

The Resolution was read.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Gray.

Mr. GRAY: Mr. Speaker, Men and Women of the House: Richard Elliot, Thomaston's oldest citizen and also the oldest living alumnus of the Massachusetts Institute of Technology, died last Friday at the age of 103.

Mr. Elliot served a term in the Maine State Legislature in 1913 and a term as a Senator from Knox County in 1923. He had served as one of Thomaston's selectmen, as town moderator and as a member of the school board. He was one of the original incorporators of the Thomaston Public Library, and Mr. Elliot, as a public servant to his citizens in Thomaston, will be sadly missed.

Thereupon, the Resolution was adopted, and sent up for concurrence.

On motion of Mr. Albert of Limestone, it was

ORDERED, that Gerald Talbot of Portland be excused March 10th, 11th and 12th for health reasons.

AND BE IT FURTHER ORDERED that Neil Rolde of York be excused for the duration of his illness.

House Reports of Committees**Leave to Withdraw**

Mr. Maxwell from the Committee on Taxation on Bill "An Act to Provide Relief from the Burden of the State Uniform School Tax" (Emergency) (H. P. 2055) (L. D. 2231) reporting "Leave to Withdraw"

Report was read and accepted and sent up for concurrence.

Consent Calendar**First Day**

In accordance with House Rule 49-A, the following items appeared on the Consent Calendar for the First Day:

Bill "An Act Concerning the Administration of Medicine to Inmates of County Jails" — Committee on Health and Institutional Services reporting "Ought to Pass" as amended by Committee

Amendment "A" (S-423) (S. P. 668) (L. D. 2127)

On the request of Mrs. Tarr of Bridgton, was removed from the Consent Calendar.

Thereupon, the Report was accepted and the Bill read once. Committee Amendment "A" (S-423) was read by the Clerk and adopted and the Bill assigned for second reading tomorrow.

Bill "An Act to Amend the Medical Practices Act" — Committee on Health and Institutional Services reporting "Ought to Pass" as amended by Committee Amendment "A" (H-966) (H. P. 1919) (L. D. 2107)

No objections having been noted, the above item was ordered to appear on the Consent Calendar of March 12, under listing of the Second Day.

Consent Calendar Second Day

In accordance with House Rule 49-A, the following item appeared on the Consent Calendar for the Second Day:

Bill "An Act to Clarify the Authority of the National Guard in Providing Emergency Medical Services" (Emergency) (C. "A" H-962) (H. P. 2051) (L. D. 2226)

No objections having been noted at the end of the Second Legislative Day, the above item was passed to be engrossed as amended and sent up for concurrence.

Passed to Be Engrossed

Bill "An Act to Amend the Uninsured Motorist Law" (Emergency) (H. P. 2178) (L. D. 2298)

Was reported by the Committee on Bills in the Second Reading and read the second time.

Mr. Cox of Brewer offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-967) was read by the Clerk.

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

Mr. COX: Mr. Speaker, Ladies and Gentlemen of the House: The existing law, which is Title 24-A, Section 2902 of the Maine Revised Statutes, as amended, mandates that any person who has automobile liability insurance must carry coverage for uninsured and underinsured motorists. Since liability insurance is not mandated, it does not seem logical for the law to mandate the one who chooses to be insured must carry additional coverage.

I have been warned that this amendment has no chance, since the bill has been heavily lobbied by insurance interests. But this present law, which is on the books, is an insurance company's dream. It definitely is not a consumer's law. It is an insurance company's dream, because while they take premiums, I am told by insurance agents there seldom is a claim paid under this coverage.

I would repeat again the failure in logic of this bill which is that since automobile insurance is not mandated by law, there seems no logic to mandate the person who has the sense of responsibility to carry insurance should be told what kind of insurance he is to carry. Therefore, I would ask support for my motion that this amendment be adopted.

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mrs. Clark.

Mrs. CLARK: Mr. Speaker, I move that House Amendment "A" to L. D. 2298, under filing number H-967, be indefinitely postponed and would speak to my motion.

The SPEAKER: The gentlewoman from Freeport, Mrs. Clark, moves the indefinite postponement of House Amendment "A".

The gentlewoman may proceed.

Mrs. CLARK: Mr. Speaker, Men and Women of the House: L. D. 2298, in its new draft, is the result of a unanimous report from the Committee on Business Legislation. It is the result of the original bill, L. D. 2130.

This bill is my bill, and I sponsored it at the request of the Independent Insurance Agents Association Incorporated of Maine. What this bill does is to eliminate the section which makes uninsured motorist coverage not less than the amount of coverage for liability for bodily injury or death unless the purchaser rejects such amount. This will put the uninsured motorist law back to what it originally was, for example, minimum 20-40. Higher limits may be offered if desired.

The amendment presented by the gentleman from Brewer, Mr. Cox, does not follow the intent or the reason or the impetus for the introduction of the bill into special session and it violates the bill which was unanimously reported out by the Committee on Business Legislation during the regular session of the 107th.

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Bowie.

Mr. BOWIE: Mr. Speaker, Men and Women of the House: I don't consider this an insurance bill and I don't think it has been lobbied by the insurance industry.

This bill came about by accident last summer when I was at my agents, and he said, "Can't you people do something about the limits?" People don't have to have this higher limit, but policies would come through the insurance agent with the higher limits and then in turn the customer would have to put in writing that they wanted the lower limit, which is 20-40, and it was causing a great deal of trouble between the agents and the parent company, due to the computers they use and so forth and so on. So I talked to the good lady from Freeport, Mrs. Clark, and she said that she had had some problems with agents complaining about the same problem that I had. And all this would do would be put it back to 20-40, and if the customer wanted higher limits, he could have them.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. Higgins.

Mr. HIGGINS: Mr. Speaker and Members of the House: Following the good gentlewoman from Freeport, Mrs. Clark's, motion, I was wondering if the Chair might rule on the germaneness of the amendment, since the bill itself deals with amending the motorist law and this in fact does repeal it, since at the public hearing we had no testimony as to the fact that it should be repealed. I wonder if then this is really quite diametrically opposed to the intent of the legislation?

The SPEAKER: The Chair would answer in the negative, since the bill which was introduced in fact dealt with the uninsured motorist law and to repeal it, and therefore the amendment would be germane even though the redraft does not do that.

The Chair recognizes the gentlewoman from Portland, Mrs. Boudreau.

Mrs. BOUDREAU: Mr. Speaker and Members of the House: I support the motion before you as presented by Representative Clark. I believe that all motorists who carry liability should have

the uninsured motorist coverage. It costs about \$3 for a year.

I will tell you of an experience that happened to me before this was a law. I had a car that was three months old, a person ran a red light, hit the car right on the side, I had several hundred dollars worth of damage, the person who ran the red light had no insurance, was an uninsured motorist and the very best that I could do was at least I had to pay the first \$50. I think it is worth spending \$3 to save a considerable amount of money.

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

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: I would like to draw attention to the remarks made by the sponsor of this amendment. If I understood them correctly, our law, as it is written now, requires not that you carry liability insurance but that if you carry liability insurance, then you have to insure the fellow who doesn't have the responsibility to carry any insurance. This is just so illogical that it defies mental process. Run it by your mind again. We are not requiring people to carry liability insurance, but if you are responsible enough to carry liability insurance, then under our law we have to insure those who don't have this responsibility.

In the insurance field, boy, it is just something else, now, don't you doubt it. Someone said here this morning, I didn't know what they were talking about, but I overheard it, they said, "everything having to do with insurances is written by insurance companies" and that is so close to the truth that it is ridiculous. It isn't for the protection of the people, it is whatever is convenient for the insurance company and what their interest is.

Think about it again, we don't require them to carry liability insurance, but if you carry it, you have got to insure yourself and the other guy too. Think about it.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to ask a question through the Chair of the young lady from Portland, Mrs. Boudreau. I wish she would explain to me how she saved money by having this insurance if she already had collision insurance.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, poses a question through the Chair to the gentlewoman from Portland, Mrs. Boudreau, who may respond if she so desires.

The Chair recognizes that gentlewoman. Mrs. BOUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: I am sorry that I wasn't listening to the question.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to know if you had collision insurance, which you must have had, how you would save insurance under this special act if you already had collision because collision is what would pay for your repairs, \$50 deductible?

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

Mrs. BOUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: I would have saved my first \$50 or \$100, whatever I had for deductible.

The SPEAKER: The pending question is: on the motion of the gentlewoman from Freeport, Mrs. Clark, that House Amendment "A" be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

Thereupon, Mr. Tierney of Durham requested a roll call vote.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those 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 Chair recognizes the gentleman from Durham, Mr. Tierney.

Mr. TIERNEY: Mr. Speaker, Ladies and Gentlemen of the House: I am standing up this morning to tell you that my good friend from Pittsfield, Mr. Susi, is dead wrong and I am going to tell you why. The gentleman stated that this was a bill somehow written to protect the insurance industry or something akin to it. I think if there is anybody in this House who has been labeled as anti-insurance industry, I would guess it has got to be me. Last time I ran, there was an insurance agent at every polling place working against me and a sign in every storefront. Those of you poor souls who ran for office were probably dragged off the street and asked if you were for the Tierney bill or not, because if you were for the Tierney bill no insurance agent would ever vote for you. This is all ancient history, but I am saying this to demonstrate to you that I am certainly not going to be one to stand up and vote in favor of a special interest bill or a bill that doesn't help the consumers and the drivers of this state.

Let me try to describe what happens if you get rid of this uninsured motorist coverage and you decide you don't want to carry it. You get run into by an uninsured motorist and you suffer a great deal of harm, maybe the guy is drunk, maybe he stole the car, but you and your family are seriously injured and you suffered a severe loss. Now, Mr. Susi is technically correct in the sense that your insured motorist protects or insures that uninsured motorist, but he didn't go any further. Sure, you can go ahead and sue that uninsured motorist if you want, but I will tell you something. If a driver on today's roads can't afford automobile insurance, and that is why he doesn't have it, believe me, you can sue him all you want but you are not going to collect anything because chances are he is flat broke and you can sue and get a judgment for \$100,000 and you are not going to collect the first penny. What that uninsured motorist coverage does is to protect you when you drive, your wife and the kids in the car with you, because it gives you a source against which you can sue and against which you can be sure you are going to get some amount of money when you get hit by one of these yo-yo's out there driving without any insurance.

I think it would be foolish, foolish, if this House just without any thought and without any hearing made such a major change in our motor vehicle laws, without any thought or any hearing. I certainly hope that you oppose the gentleman and I hope you indefinitely postpone this amendment.

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

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: I agree with everything that the gentleman has said, Mr. Tierney. I believe it is completely accurate, every element of it. Still my amazement exists, that we allow a situation where those who are responsible have to carry the load, not only for themselves but for everyone who is irresponsible. Now, that fact still remains. I understand that it doesn't have to do particularly with this bill, but I think we are doing a service to Maine to become acquainted with this a little bit and perhaps impress ourselves even more.

I know that many of us already understand this, that when it comes to the field of insurance, the companies completely dominate legislation in this field, there is no doubt whatsoever in my mind about this, that this legislation is by and large to the benefit of those who are in the industry. This is their primary concern. Obviously, as the sponsor of this amendment said when he first got up, you aren't going to turn this around right away but, still, there is an area that someday this legislature is going to address and deliver a higher element of equity in. Again, I endorse everything that Mr. Tierney has said, it is absolutely true.

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

Mr. COX: Mr. Speaker, Ladies and Gentlemen of the House: I would like to address myself to some of the remarks that have been made in opposition to my motion and in favor of the motion to indefinitely postpone. These arguments are all valid, they are all valid arguments for someone to carry this insurance. We are not telling people in this amendment which I propose that you shall not carry this insurance, we are just simply saying that you shall have your choice. The bill that we have before us is something like telling a motorcyclist that he doesn't have to buy a helmet but he has got to buy the chin strap.

The SPEAKER: The Chair recognizes the gentlewoman from Freeport, Mrs. Clark.

Mrs. CLARK: Mr. Speaker, Men and Women of the House: I would urge your support of the pending motion of indefinite postponement. I am the sponsor of L. D. 2130 and will tell you most candidly how I happened to introduce it into this special session of the legislation.

The Committee on Business Legislation met just before Christmas, December 21 I believe it was, and we were discussing some of the problems, as Mr. Bowie alluded to, of the uninsured motorist law and the manner in which it had been implemented. This body, I would remind you, passed the uninsured motorist law during the regular session. Cloture date was before me and time was short, and I came to Augusta on the day of cloture and talked with Legislative Research and had some problems with the necessary wording to seek the goal that I sought, which we find in the redraft, 2298.

So, I composed a paragraph for Legislative Research indicating what I intended to do. Legislative Research said, because you are having problems with the wording, Nancy, and the Insurance Department isn't able to produce that within the cloture time, then we will put in a title that read "An Act to Repeal the Uninsured Motorist Law."

At the public hearing there was not one proponent for the total repeal of the uninsured motorist law. The committee deliberated. I was very candid with them in sharing with them the purpose of the introduction, and the introduction of the measure was, number one, to change the method of implementing the law. As it currently exists, Maine insurees will have their uninsured motorist coverage to the same extent as the limits of the liability. Unless they sign a notice which accompanies their bill from the insurance agent, the uninsured motorist coverage will be to those liability limits. They must sign their name, date it and return it to the insurance agent.

The insurance agents in this state had some problems with the legal position that they found themselves in and requested that we change the process. Instead of extending to the limits of liability, we are now decreasing it to the minimum limits of liability, the minimal limits of \$20,000-\$40,000. In other words, insurance agents, if they did not get a signature to protect themselves from the insured when the higher limits were rejected, were open to suit. In other words, it was sort of a negative dues check-off concept and not a positive dues check-off, not dues, I apologize, but payment.

Uninsured motorist coverage in this state is essential because not all motorists in this state are covered by insurance, and it is the public who is paying. The people who are involved in accidents who have no recourse to recovery.

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

Mr. PIERCE: Mr. Speaker, Ladies and Gentlemen of the House: After yesterday morning, I feel compelled to join Mrs. Boudreau and Mrs. Clark and try to get a winner.

I think one point which has not been brought out this morning is just — and I think there is a great misunderstanding, especially after the dialogue between Mr. Finemore and Mrs. Boudreau, is just what uninsured motorist coverage covers. If someone hits you who is uninsured, uninsured motorist coverage does not pay for that property damage, so it really has nothing to do with collision insurance or anything like that. Uninsured motorist coverage only would pay you for any bodily injury.

The question here today is whether or not this uninsured motorist coverage should be mandated at as high a level as your liability insurance is. In other words, if you have \$100,000 liability, should you be mandated to have \$100,000 uninsured motorist? I don't think that is a good idea. This bill was passed last time. This would require you only to have the minimum amounts and I think that is a good idea and does protect the public.

It is, as I say, only for bodily injury. Most people in the State of Maine, I am sure, don't understand it. It is a very, very low cost item on your insurance policy and, therefore, I hope you will support the gentlewoman from Freeport, Mrs. Clark, in her motion to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentleman from Dexter, Mr. Peakes.

Mr. PEAKES: Mr. Speaker, Ladies and Gentlemen of the House: After we passed this bill, I was in one of our local insurance agent's office and he was in the process of sending out notification to all of his insurers that he was going to increase their

insurance to the amount in their own policy. This wasn't really the intent; however, it did come out that way. This new bill establishes the minimum coverage which I think they really were trying to address at the time and I strongly support this.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: This is a question that did create a lot of ill feeling with the insurance people and also with customers. This was one of those bills in the last session that was apparently ill thought of and came out with the idea that caused problems for everyone. The people that I talked with said to me, "What are you people trying to do over there, you have passed another law that creates letters going back and forth and making determinations."

I think that the gentlelady from Freeport, Mrs. Clark's, bill is a fine bill as far as it goes, as far as it goes. It goes to a point, but I would think that the people of this state should be allowed to make their own determination. This is a question of freedom of choice. If they want to buy this supplementary insurance along with the liability insurance, they should be allowed to do it. If we repeal this law and do away with it, they can do just that in any amount that they want to, in any amount that they want to. If they are \$103,000 and they want to buy \$103,000 of uninsured motorist coverage, that is their prerogative. If they want to buy \$10,000 and \$20,000 that is their prerogative.

If they want to underwrite, if their budget is such that they feel they want to underwrite their own coverage and not buy any, that is their right, and that is exactly what my colleague from Brewer is offering them the chance to do this morning. The law as it is written is fine as far as it goes, but his takes care of the problem very nicely. I would urge you to vote against the indefinite postponement of this amendment.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentlewoman from Freeport, Mrs. Clark, that House Amendment "A" be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

The Chair recognizes the gentleman from Winslow, Mr. Carter.

Mr. CARTER: Mr. Speaker, pursuant to Rule 19-A, I wish to be excused from voting.

The SPEAKER: Mr. Carter of Winslow is excused from voting pursuant to House Rule 19.

The Chair recognizes the gentleman from West Gardiner, Mr. Dow.

Mr. DOW: Mr. Speaker, for the same reason and the same rule, I would like to be excused from voting.

The SPEAKER: Mr. Dow of West Gardiner is excused from voting pursuant to House Rule 19.

ROLL CALL

YEA — Ault, Bachrach, Bagley, Bennett, Berry, P. P.; Boudreau, Bowie, Bustin, Byers, Carpenter, Chonko, Churchill, Clark, Connolly, Cooney, Curran, P.; Davies, DeVane, Drigotas, Dyer, Farley, Farnham, Fenlason, Flanagan, Fraser, Garsoe, Goodwin, H.; Goodwin, K.; Greenlaw, Hall, Hewes, Higgins, Hinds, Hobbins, Hughes, Hunter, Hutchings, Immonen, Jackson, Jacques, Jensen, Joyce, Kany, Kelleher, Kelley, Kennedy, Laffin, LaPointe, Laverty,

LeBlanc, Littlefield, Lovell, Lynch, MacEachern, MacLeod, Mahany, Martin, A.; Martin, R.; Maxwell, McMahon, Mills, Miskavage, Mitchell, Morton, Nadeau, Najarian, Peakes, Pelosi, Peterson, T.; Pierce, Powell, Raymond, Rideout, Saunders, Silverman, Smith, Snow, Sprowl, Stubbs, Tarr, Teague, Theriault, Tierney, Tozier, Truman, Tyndale, Usher, Wagner, Wilfong.

NAY — Albert, Berry, G. W.; Berube, Birt, Blodgett, Burns, Carey, Connors, Cote, Cox, Dam, Doak, Dudley, Durgin, Finemore, Gould, Gray, Henderson, Hennessey, Ingegneri, Kauffman, Leonard, Lewin, Lewis, Lizotte, Lunt, Mackel, McBrearty, McKernan, Norris, Pearson, Perkins, S.; Perkins, T.; Peterson, P.; Post, Quinn, Rollins, Shute, Snowe, Susi, Torrey, Twitchell, Walker, Webber, Winship.

ABSENT — Call, Carroll, Curran, R.; Curtis, Faucher, Gauthier, Jalbert, Morin, Mulkern, Palmer, Rolde, Spencer, Strout, Talbot.

EXCUSED — Carter, Dow.

Yes, 89; No, 45; Absent, 14; Excused, 2.

The SPEAKER: Eighty-nine having voted in the affirmative, forty-five in the negative, two being excused and fourteen absent, the motion does prevail.

Thereupon, the Bill was passed to be engrossed and sent up for concurrence.

Bill "An Act to Establish the Belfast and Moosehead Lake Railroad Authority" (S. P. 741) (L. D. 2292)

Were reported by the Committee on Bills in the Second Reading, read the second time, the Senate Paper was passed to be engrossed in concurrence and the House Paper was passed to be engrossed and sent up for concurrence.

Amended Bill

Bill "An Act Concerning Ice Fishing on Sebago Lake" (Emergency) (H. P. 1918) (L. D. 2106) (C. "A" H-961)

Was reported by the Committee on Bills in the Second Reading, read the second time, passed to be engrossed as amended and sent up for concurrence.

The following paper from the Senate appearing on Supplement No. 1 was taken up out of order by unanimous consent: (Item 1) The following Joint Order: (S. P. 749)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Kim Gilman and David Witham of Lawrence High School Novice Debating Champions of the 1976 University of Maine Tournament and the Only Undeclared Novice or Varsity Team of that Tournament

We the Members of the Senate and House of Representatives do hereby Order that our congratulations and acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

Came from the Senate read and passed and ordered sent forthwith.

In the House, the Order was read and passed in concurrence. (Applause)

Orders of the Day

The Chair laid before the House the first

tabled and today assigned matter:

House Divided Report — Majority (11) "Ought Not to Pass" — Minority (2) "Ought to Pass" — Committee on Transportation on Bill, "An Act Concerning Single Motor Vehicle Registration Plates and Placement of Motor Vehicle Inspection Stickers" (H. P. 2009) (L. D. 2191)

Tabled — March 9 by Mrs. Najarian of Portland.

Pending — Motion of Mr. Fraser of Mexico to Accept Majority "Ought Not to Pass" Report.

The SPEAKER: The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: This is probably one of the good cost-saving measures that we have before us this session. It came together through discussions between myself and the Secretary of State, and he had initially done some preliminary work on this prior to my discussions with him.

From the information that I have from him, it costs about \$100,000 a year for the issuance of plates for new cars that are registered and the elimination of one plate would save about \$50,000 annually.

The other fact that we have coming in why this is a good measure to introduce at this time, plus this annual savings, is that it takes about three years lead time to procure the necessary stock, the reflector material and start developing the plates for reissue that is due to come up in 1980. So they have to have this lead time.

They did last year put in a request for the money to start developing the reissuance of plates, and this was deleted from the budget, which caused them to do some thinking that possibly they should go into the single plate, which would reduce the cost of that by half.

The cost of issuing a new set of plates, the amount of money that they would save by only having to issue one plate instead of two, according to their estimates, would be in the neighborhood of \$600,000.

At the time of the hearing, and there really was strong opposition generated from only two areas. One of them was a chief of police who had stirred up quite a bit of opposition among the police chiefs. Interestingly, prior to that, the Secretary of State had submitted a questionnaire to chiefs of police all over the state as to what their feelings were, and much of this is borne out in two papers that have been put on your desks — one is some comments from the Secretary of State and another one that was just recently submitted on some surveys that were done in some other states as to how the reaction had been.

He was one of only two people who spoke extensively against the bill. The other opposition really came from the 3-M Company, which hired one of our leading lobbyists in the state. They flew him out to Minnesota and then he came there with one of the people from 3-M, and their big objection was that they were going to lose some business, because this was a pretty sizable order to them. It must have been quite sizable when they would go to the cost that they have to try to continue to sell the material for just the single plate. They were not going to lose the sale altogether, but they were going to lose the sale of material for the one plate.

If we look at something that is presently going on in the State of Maine, we authorized three or four years ago the use of a front plate in place of the front number plate recognizing the Sesquicentennial. At

the present time, we have a Bicentennial plate. Dealers do not use a front plate. That was authorized to eliminate that quite some time ago. Trucks only use one plate. So we have gone a long way down this road with this single plate. In the wintertime, if you look, you will find many times that the front plate is pretty well obliterated with silt because of the splashing that you get from cars that you come up behind.

They have checked with county clerks and clerks of courts as to how many violations have actually been brought before the courts for plates being eliminated or left off or covered up. In many cases we will find plates that are covered by a trailer hitch. There have been very, very few violations brought before the courts over quite some period of time that they have checked.

There is some question about the vanity plates, and this can be corrected by an amendment if they want to keep the vanity plate on.

To go into what has gone on in other states in the paper that has just recently been circulated, there are some 15 states that already have this, and they contacted 13 of them. The experience in all of those states has been successful. There is only one state that ever considered going back and went back for one year and they found no value in it and went back to the single plate, and that is Indiana. Connecticut has gone to the single plate.

There doesn't appear to be, at least from what I can determine, any valid reasons why we should necessarily keep this front plate, or the second plate, and the cost savings, at a time when we are in the financial problems that we are in, seem to be well merited, and I would hope you would not support the majority "ought not to pass" report and then we can move to accept the "ought to pass" report.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Nadeau.

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: With such an unfavorable report from the Committee on Transportation, I wish someone on the committee who signed the "ought not to pass" report would please explain what the strong objections are, because right now, I don't see what is wrong. We have the Bicentennial plate in front, and unless I can see some concrete facts why we shouldn't have a single plate, I am going to go with this all the way.

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Fraser.

Mr. FRASER: Mr. Speaker, Ladies and Gentlemen of the House: I didn't intend to really debate this issue too much, because my feeling toward it is probably 55 percent against 45 percent.

I signed it "ought not to pass" because I was contacted by the sheriff of our county. He definitely opposed this for enforcement purposes, because they find that they trace cars more from the front plates than they do the rear ones. The rear ones in the summertime are often covered up with trailer hitches, so if they only have the one in the back, they really don't show any license plate. It is covered by a trailer hitch. My local police, too, told me that they would rather not have it. So the record will now show that I didn't go along with it and I will let it go at that.

The SPEAKER: The Chair recognizes the gentleman from Kittery, Mr. Kauffman.

Mr. KAUFFMAN: Mr. Speaker, Ladies

and Gentlemen of the House: I was one who signed the "ought not to pass" report. The reason I did, since this bill came before us, I took particular notice coming up to Augusta on the Turnpike of rear license plates, and the majority of those that had trailer hitches on, you could not read the rear plate.

The Maine State Police, Motor Vehicle Inspection Manual, states that a rear license plate shall be clean, legible and not obliterated by anything that would prevent it from being legible. That, evidently, is not being enforced by inspection stations. There is nothing to prevent an individual from taking two bolts, taking that trailer hitch off, go down and get their car inspected, put it back on.

As far as the dirt on the front plate is concerned that Representative Birt mentioned, I think you will find out that the front plate gets very little dirt on it and the rear plate, this time of year, usually is covered up by mud or sand or whatever is splashed due to the way the vehicle is built.

That was my objection. I think the Chief of the Maine State Police is in favor of two plates. From a law enforcement opinion, I think it is necessary that we have two plates and I hope that you vote on the "ought not to pass."

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

Mr. MacEACHERN: Mr. Speaker, I would like to pose a question to anybody who might want to answer it. I am just wondering what effect this bill would have on the unemployment rate at the State Prison?

The SPEAKER: The Chair recognizes the gentleman from Rangeley, Mr. Doak.

Mr. DOAK: Mr. Speaker and Members of the House: I will not propose to answer that question, but I do think perhaps we may be approaching this problem from the wrong end of the car. Perhaps, and I say this with fear and trepidation, because from what has been happening in the House lately on certain bills here this morning, I probably hadn't ought to even mention this but I see that if the front plate is that important and we have trailer hitches and mud covering up the back plate, perhaps we should amend this law to put lights on the front plate and take the back plate off and just have a front plate. I would make that as a suggestion. Perhaps somebody will make it a law and the automobile makers will have a great deal of trouble with us, but the fact is, if there is that much importance attached to that front plate, I would suggest they had better light it.

The SPEAKER: The Chair recognizes the gentlewoman from Madison, Mrs. Berry.

Mrs. BERRY: Mr. Speaker and Members of the House: Being a signer of the "ought not to pass" report, perhaps I should say a little something.

We have on our desks some of the reasoning that we heard during the hearing, but I would like to say, and I think I could prove that perhaps this doesn't show the whole picture. With much respect to the Secretary of State, when he has told of the response that he had, in the first instance, he said he wrote every police chief in the state asking them for their reaction. He said he received three negative responses out of 118 sent. How many did he receive? He said, I have contacted the clerks of courts under the same reasoning, and out of the 32

contacted only 4 could remember even a single conviction. How many did he receive otherwise? He hasn't told the whole picture.

He talks about other states, 15 other states that have this. I like to think that Maine is a little unique and I think they are, perhaps not to their good in the crime situation that we have, but we are a rural state and we are having a lot of crime here in the state and I think that two plates on our automobile is reasonable. Perhaps I am a little stupid in identifying cars, but I can identify a car much better by a number plate than I can by the type of car that it is. I think there are a lot of people in my same shoes. I don't know as if I found a car setting in my yard that I might not always be able to go around to the back to see what the number plate is, but I sure would take the front number plate, or whichever way it was.

We have been told that the cost of making these plates is less than a dollar a plate and they are anticipating that the durability of the plates will be eight years, and that is eight cents a plate. Are we going to deny the people of our state the privilege of identifying a car by a plate for eight cents? I think this is ridiculous.

I think perhaps we should insist if the people or public safety are not doing their job in insisting that the cars display the number plates that they should.

The gentleman from Millinocket said that trucks do not have two plates. I am sure that you might identify a truck much easier than you could a car, even though it only does have one plate. Generally you know who they belong to, it is written on the side and quite identifiable. Therefore, I think that what the plate costs the state, I think the citizens in our state should have the privilege of being able to identify a car in an instance of crime or any other instance which you may want to identify it.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Laffin.

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: This is one bill that I am not going to get upset with or involved with too much this morning, but there are several things that were brought to my attention. Number one is, I heard the other day from my good friend across the aisle about advertising for Maine, and to a point I agree with that. How many times have we been in Florida, we are traveling along the highway and we see a Maine car coming toward us and we wonder, gee, I wonder where they are from in Maine? Advertisement for the state, a situation where you travel out of state, you see a Maine car coming toward you many, many more times than you would see one passing the car, so I think that it might help. We have "vacationland" on the front of our plates. I think that is a valid point.

They speak about the State of Florida having one plate, and that is true, they do, but you will notice the State of Florida does not give up any advertising for their state one bit. The front plate says, "Arrive Alive, Florida." They always get that on there, and that is extra, to be sure, but every car that you see from the State of Florida coming towards you will have that on there. You will not see a bare fender with no license plate number on it, you see it in other states because they don't push for advertising.

I ask you, why does the State of Florida push so much for their advertising? Well, I am pretty sure that you all know the

reason for that, it is because they want the Yankee dollar down there in the wintertime and they want us northerners to go down there and enjoy that warm sun, so they advertise on their license plates. And when the gentleman says they have one license plate, that is true, but the license plate that they have on the front of their cars is a promotional gimmick for the State of Florida. They don't have a license number that says 62347 or whatever it is, but they do have a plate on that car because they want the publicity and the advertising for Florida. Maybe we should do the same, I don't know. Maybe we would be better off with one plate, maybe we wouldn't, but I only bring these points up because I feel that we know we rely on tourists in the summer in this state. I would debate the four seasons, but definitely during the summer season we have a lot of people here and naturally we make a lot of money on tourists, and we want them to come to Maine, we want the tourists to come into this state, we want them to spend their money here in the summer like the State of Florida wants us to spend our money there in the wintertime.

I think if you are going to weigh the two out, it would be very important to consider whether we are going to save \$50,000 and lose X-number of dollars, that is your decision. I don't have the answer to that one, but I do feel that it should be given every consideration when we are talking about traveling and advertising for the State of Maine. Maybe it is not worth anything, I don't know.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: I would submit that the good gentleman from Westbrook, Mr. Laffin, has answered his own question. If you have got to have two plates, if you have got to have a registration plate on the front and on the rear, you don't have a chance for a cosmetic plate which would advertise the state. So I would go along when he says that perhaps to limit it to one plate on the rear and then let an individual put on the front, a state plate that you could buy or an advertisement for the state.

But the point that I wanted to make this morning in regards to this bill, we had an order that passed a little while ago to have the Appropriations and Performance Audit study low priority programs and I would submit that this is a \$50,000 saving on a low priority item. This extra number plate is a low priority item and we are concerned here with dollars and cents and believe me, as we go along, we are going to find that the sheriff's departments and the police departments and all the departments of the state and all the citizens are going to have to suffer a little bit if we do cut out some low priority items, there is no question about it. We would like to provide a utopian atmosphere for everyone, but here is your chance to start this morning to save \$50,000 a year without hurting too much.

It is going to make it a little harder for the police, all police departments possibly, because they certainly know their business and I am sure that their objections are reasonably well founded. But they, like everyone else, if we are going to turn back the tide, they, like everybody else, are going to have to work just a little bit harder.

I would hope that this would be the first

measure, the first step that we take to start to reduce the cost of state government.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Laffin.

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: I certainly have the greatest respect for the gentleman that just stood up. However, I would hate to think that I was up here for two years and this being our first step to save money up here. Now that I certainly do not agree with but I do feel the first question that he asked that was directed to me was the point that, yes, if I am to be pinpointed down, I would like to have the front license plate, regardless of what it says for numbers or someone has their name on it or their code or whatever they may have, to have Maine on it. If I am to be pinpointed down, yes, I would rather drive through the State of Maine and see a Maine car coming towards me. I would like to see that because I know that Maine is getting publicity. I know that there is a reason that we in this state must spend on publicity and I don't question that, but I do question that as long as we have two plates now and to save \$50,000 after being here a year and a half, I would feel that I hadn't done justice to try to serve the people of this state after saving \$50,000 at this time.

The SPEAKER: The Chair recognizes the gentleman from Falmouth, Mr. Snow.

Mr. SNOW: Mr. Speaker, Ladies and Gentlemen of the House: I have had few opportunities to agree with the gentleman from Westbrook during this session, this is one where I find his arguments are very compelling. I also liked the arguments presented by the lady from Madison, Mrs. Berry.

I would like to add that if we do remove one plate, and this is a matter which will affect everyone in the state, we will be perhaps denying ourselves the pleasure of reading some of the status plates about which Mr. Quinn spoke to us so eloquently during the regular session. I think we might like to see the cars which come towards me saying, lover, lonely, pet, milk and some of the other combinations which he suggested to us. Therefore, I hope we support the "ought not to pass" report of the committee.

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

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: I would make three points here, the first point being the fiscal note that passage of this bill would create a \$54,000 saving in materials alone annually, which would be a saving of approximately \$270,000 before the next plate issue and using current costs to saving in material for the new plate issue would be approximately \$375,000.

I would then point out that we are now paying \$6 a plate, for Bicentennial plates on the front of a car, they don't say anything about Maine. Some of them say Go Navy, some of them say various things, they sell them in my local hardware store. I would then point out that I wonder how many state policemen and other policemen are presently trying to trace down cars with the Spirit of '76 and this is what they saw flashing by, and beyond that I think the state certainly needs the money and I think if we want to vote this money for tourist use and for promotion, we should do that, but I think any savings like this should certainly be grabbed at.

The SPEAKER: The Chair recognizes

the gentleman from Ellsworth, Mr. DeVane.

Mr. DEVANE: Mr. Speaker, I would direct a question to anybody on the Transportation Committee. If this act passes as it is, could not then anybody who wished a second plate buy one?

The SPEAKER: The gentleman from Ellsworth, Mr. DeVane, has posed a question through the Chair to any member of the Transportation Committee who may care to answer.

The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker, I am not trying to jump ahead of my good friend Mr. Fraser, he may have noticed the same thing.

I think that this could be optional, it could be written into the bill if we do accept the minority "ought to pass" report. Interestingly enough, if you would look on one of the two papers that are in front of you, the State of Delaware does allow this, if they want to put on a front plate and want to purchase it, they can. It is the only state that does that, most of the states just operate on one plate, but it can be done if so desired.

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

Mr. GOULD: Mr. Speaker, Ladies and Gentlemen of the House: I was in law enforcement 38 years and my kids said I was the best policeman that money could buy.

I would like to speak on this plate business. We had those many years ago, I couldn't tell you how many years, I was on the force then, and it didn't make one bit of difference about having one plate or two, so I think this bill is a good bill and probably it is the best thing since the Trac-II razor. This has nothing to do with the plates, but I would urge you to support the one plate business on this deal.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Mexico, Mr. Fraser, that the House accept the Majority "Ought not to pass" Report. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

21 having voted in the affirmative and 90 in the negative, the motion did not prevail.

Thereupon, the Minority "Ought to pass" Report was accepted, the Bill read once and assigned for second reading tomorrow.

The Chair laid before the House the second tabled and today assigned matter:

Bill "Ac Act Relating to Residency for the Purposes of Municipal Relief of the Poor" (S. P. 738) (L. D. 2288) — In House, read a second time March 10.

Tabled — March 10 by Mrs. Najarian of Portland.

Pending — Adoption of House Amendment "A" (H-965)

On motion of Mr. McMahon of Kennebunk, the Bill and all its accompanying papers were recommitted to the Committee on Judiciary and sent up for concurrence.

The Chair laid before the House the third tabled and today assigned matter:

An Act Concerning the Identification by Fingerprints of Past Offenders. (H. P. 1833) (L. D. 2061)

Tabled — March 11 by Mr. Palmer of Nobleboro.

Pending — Passage to be Enacted.

The SPEAKER: The Chair recognizes

the gentleman from Stockton Springs, Mr. Shute.

Mr. SHUTE: Mr. Speaker, Ladies and Gentlemen of the House: Yesterday, I had this bill tabled for several reasons. One, my sheriff had some objections to it. However, this morning, I had the good Representative from Portland, Mr. Joyce, talk to my sheriff about the measure and they are in agreement and I am in agreement with Mr. Joyce and I would now move passage of this bill.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The Chair laid before the House the fourth tabled and today assigned matter:

House Divided Repott — Majority (8) "Ought to Pass" — Minority (5) "Ought to Pass" as Amended by Committee Amendment "A" (H-949) — Committee on State Government on Bill, "An Act to Provide for More Effective Debt Management and for More Effective Administration of the State's Development Financing Capability" (H. P. 1816) (L. D. 1974)

Tabled — March 10 by Mrs. Najarian of Portland.

Pending — Motion of Mr. Cooney of Sabattus to Accept Majority "Ought to Pass" Report.

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

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: This seems to be a pretty weighty subject. It has an appealing title, "More Effective Debt Management," but I would like to have someone from the State Government Committee explain this measure to my satisfaction, because I read in here that it puts the state in the banking business to the tune of \$100 million, and I would suggest that this would perhaps be one of the worst things that we could consider at this time and it is possible that I have a misunderstanding of the measure but I would like an explanation.

The SPEAKER: The gentleman from Cumberland, Mr. Garsoe, has posed a question through the Chair to any member of the State Government Committee who might care to answer.

The Chair recognizes the gentleman from Sabattus, Mr. Cooney.

Mr. COONEY: Mr. Speaker, Ladies and Gentlemen of the House: I would be happy to respond to Representative Garsoe's questions and I have some remarks prepared.

The measure before us is probably the most comprehensive pro-business and pro-development bill before the 107th Legislature. It addresses the problems of an unsuccessful and outdated Maine Guarantee Authority. It addresses the problem of not having adequate supplies of capital for new business and expanding businesses. It addresses the needs of communities who seek to develop or redevelop their commercial situations but lack the capital and management capabilities to do it. Finally, to meet the needs of an ever more complex situation with regard to state debt and its management, it creates the debt management committee.

The reports before you are fairly simple. The majority report, a bipartisan report, favors the bill. The minority report, signed by some of my Republican colleagues, favors only the debt management

committee portion of this bill. They are evidently content with continuing problems of the Maine Guarantee Authority and are evidently also satisfied with the business climate in Maine. I am not. The sponsor of the measure, the Speaker of the House Martin is not, I am sure, and I hope a majority of this House is not.

Under our present Maine Guarantee Authority structure, we use a loan procedure that requires the inclusion of a private bank as the actual loan grantor. We back that loan with the general obligation bonding power of the state. The interest rates on these loans are extremely high. Banks charge dearly and new ventures are immediately at a disadvantage because of the bank's high interest rates, thus, the state's liability with regard to its guarantee is also much greater. This bill does away with this process and replaces it with a process that reduces the state's exposure and reduces the interest rate the new business must labor under as it begins with a new loan.

This is achieved by a creative combination of the state's borrowing powers, using both revenue bonds and general obligation bonds and our right as a state to grant tax exemptions on these bonds, thus drastically lowering the costs of money to new and expanding businesses and communities who wish to develop or redevelop commerce in their area.

To explain further, the state uses the mechanism of creating what we call a Maine Industrial Finance Bank to raise the capital that can be used in several ways. This is money that is raised at lower interest rates, as I have said before. First, and I emphasize this by answer to the previous question, it can be used in a cooperative venture with private lenders if the private lenders are interested. But all too often the problem is that they are not.

So, second, in the case that no private capital is available, the Maine Industrial Finance Bank can provide loans or guarantees to private projects. This will be relatively low-cost money which greatly increases the chances of new businesses success, a nice change for the Maine Guarantee Authority system.

Finally, the bank can be utilized through the community industrial assistance program, also part of the bill, to provide financial assistance to communities who want to develop their resources but lack the necessary capital supply.

The bill calls for a creation of a Debt Management Committee, which will consist of a State Treasurer, the Commissioner of Finance Administration, the Commissioner of Business Regulation, the Chairman of the Maine Development Authority, the Chairman of the State Housing Authority and the Chairman of the Maine Municipal Bond Bank. Their duties are broad and they shall review all legislation and bond issues and other financial situations of the state and may make recommendations to the Governor, to the legislature and to the public.

It is my hope that we will accept the majority report, that we will then move this bill to second reading. This will give each of you who might not have had a chance to look at the measure thoroughly a chance to study it, and I am sure that some possible amendments might occur. I know that I plan to offer two amendments at second reading if we accept the majority report today.

I urge your support of one of the most

important pro-business and pro-development bills before this session, a bill that will at the same time improve our capabilities of serving new and expanding commerce and a measure that will, for the first time, provide an overview of our total debt situation. I urge your support of the majority report and I would request a roll call.

The SPEAKER: The Chair recognizes the gentlewoman from Auburn, Mrs. Snowe.

Mrs. SNOWE: Mr. Speaker, Ladies and Gentlemen of the House: I have many misgivings about this bill to create a Maine Development Authority, and I would like to relate them to you. The bill seeks to expand an area in which the state has already proved to be unsuccessful. I would like to call your attention to the record of failures of the MGA.

At the present time, the MGA has guaranteed loans to a number of companies, and there are 12 companies experiencing financial difficulties. If these companies should fail, the state would be obligated to repay close to \$14 million, and again, of course, cost us a lowering of our credit rating. Very simply, then, in my opinion, the state can't afford to further extend itself in a high risk venture.

This bill would permit the state agency to make direct loans to businesses who couldn't secure loans from any other financial institutions. The MGA at the present time only insures payment of loans. This sort of venture capital will be expensive for the state to obtain because it will be utilized for loans to companies who probably had questionable prospects.

In addition, this bill would create a Maine Development Authority, the Maine Industrial Finance Bank, and the Maine Debt Management Committee. The Maine Development Authority will be empowered to guarantee loans up to \$35 million, while the Maine Industrial Finance Bank can issue revenue bonds not in excess of \$100 million and here again the state is legally bound to finance the debt in the case of default.

I don't think it would be too pessimistic to assume that it would be most difficult to find buyers for \$135 million worth of bonds which are high risk issuances. Therefore in order to make these issues attractive to bond buyers, the state either would have to have a high yield of interest or sell these bonds at a discount price.

I don't think that the limitation of \$1 million will serve any vital purpose. It is still a high capital venture. If you are talking about getting into small business loans then reduce the amount to \$100,000. However, then again small businesses are more likely to fail than larger businesses, oftentimes because they can't weather the economy as well, are the least well financed and have the least amount of capital behind them.

I am also concerned about the amount of expertise which would be required to analyze all the evidence submitted by an applicant on the feasibility of a project. If we don't have this expertise to sufficiently and thoroughly review the data, then we are just increasing the probability for default, and I seriously question whether the state could even begin to do an adequate job unless we plan to spend millions of dollars doing it, which at this point we can't afford.

This bill requires \$550,000 for seed money to get this operation underway. I think this money could be better spent on promoting what we have already.

A report to former Governor Kenneth Curtis on the credit rating of the state included a statement made by Moody's investors as to the reasons why the state's credit rating was lowered: "In recognition of the growth of debt and commensurate burden, the extension of credit to agencies over which the state does not have direct control, and the mediocre economic prospects, the rating of the general obligation bonds of the State of Maine has been revised to AA. It appears from this statement that the three most contributing factors to a lowered credit rating were an expansion of credit which has tripled in the last decade here in Maine, by the state's general revenue bond agencies, static population and Maine's mediocre economic prospects. These factors or indicators should be analyzed before we proceed into more high risk ventures.

I think it is inappropriate timing for the state to create such an agency. We are not in the best of financial situations, and our fiscal picture is bleak and unpredictable at the moment. In my opinion it would be sheer folly to obligate the state to increase its potential debt picture. The motivation for such a bill is understandable, but it is neither feasible nor pragmatic. As I understand it, Moody's investors at the present time is undertaking a major review of the state's credit rating which should be completed this month or next. I think certainly it would be incumbent on us to wait and see what sort of review and rating Maine will receive by Moody's. If we seek to jeopardize our present credit rating, then we must be prepared to pay a high interest rate for our money.

It was also noted in the report on the State's credit which I feel is worthy of mention and I quote: "Moody's ascribes more stability and weight to property taxes than it does to other types of general tax revenues as security for bond issues. While this practice by Moody's may be foolish in light of the current trend to raise more revenues through other means than the property taxes it is nevertheless the real case and it would behoove Maine to explain to Moody's the relationship of property tax burdens to the state's general ability to raise taxes and finance education". This statement is particularly pertinent in view of the fact that we passed major legislation last week which shifts from the property tax to the income tax.

The state should proceed with caution when it is expanding the parameters of a lending agency. The second report, which I support, repeals the entire bill except the section which creates the Maine Debt Management Committee. This bill actually reflects one of the recommendations in the credit rating report which suggested that the legislature should require by statute comment from the state treasurer or other appropriate financial officer on any bill pending before it which might affect Maine's credit. Information of this nature would prove to be indispensable to the legislature in its evaluation of extending bonded indebtedness. This type of watchdog committee is essential if we are to carefully scrutinize legislation which may have a potential impact, directly on the credit rating. This is at least one step in the right direction in managing the direction and exposure of Maine's debt. No longer can we afford to pass legislation without a careful legislative audit of the fiscal condition of all such quasi indep. authorities.

I also noticed an article in yesterday's

paper about Connecticut, and they have just had their credit reduced to "A". I hope that we don't find ourselves in a similar predicament by enacting this sort of legislation. The reason in this newspaper article and it quotes the reason why Connecticut's rating was dropped, it said one of the two major rating agencies, Moody's Investors Service downgraded Connecticut's credit rating Friday saying chronic budget balancing difficulties make this states bonds less attractive as a secure investment, and Governor Grasso was enroute to New York with other state officials to convince bond buyers that their investments were secure.

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

Mr. FARNHAM: Mr. Speaker, Ladies and Gentlemen of the House: You heard a very interesting discourse on this bill from the gentleman from Sabattus, Mr. Cooney. Most of the time he was talking, all I could think of was a little rhyme that we used to have that said "Cover it all over with roses," cover it any way you want, it just puts the state into more bad loans. We should change the name of the Maine Guarantee Authority to the MBL—more bad loans. What we propose now is 100 million more bad loans. Let's put this thing to sleep while the time is right.

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

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Sabattus, Mr. Cooney, confirmed my worst fears. He speaks of creativity and I think this is the time to protect the state from this type of creativity, because if you read the bill, you will see that the Maine — I am going to call it the Maine Guarantee Authority, they refer to it as the Maine Development Authority — has still the same limits that are imposed upon it now and the bill also refers to the constitutional limits on bonding. But when you begin talking the Maine Financial Bank, they are empowered to issue revenue bonds of up to \$100 million, and then as you continue to read the section in the Maine Development Authority, they are empowered to pledge the full faith and credit of the State of Maine behind any obligation that the Maine Finance Bank enters into. This, I think is the hazard. I don't think this is the time to even give the indication that we propose to branch out into a situation where the State of Maine is now going to start loaning money directly, backed up by bonds of any kind, for any purpose whatsoever, pro-business or not.

The SPEAKER: The Chair recognizes the gentleman from Sabattus, Mr. Cooney.

Mr. COONEY: Mr. Speaker, Ladies and Gentlemen of the House: With regard to the state pledging its full faith and credit using general obligation bonds to back the revenue bonds, it might very well be possible that something could be worked out to lower our exposure on that to meet Mr. Garsoe's objections. I, too, have that concern. I am also rather concerned at some of the inferences of my good colleagues remarks from Auburn, Mrs. Snowe, that those of us who are in the majority and signed "ought to pass" on this bill, in some way do not have a strong feeling for improving our credit rating. In fact, the very idea of a Debt Management Committee is part of this bill, as is the doing away with the Maine Guarantee Authority.

I would pose some questions through the Chair to the gentlelady and ask her, if, in fact, the Maine Guarantee Authority is not one of the most detrimental aspects of our bond rating, and should we not either do something about it or do away with it. Depending on our answer to that question, I would ask her how she is going to continue to stimulate business or a method of stimulating business growth in the state at this same time?

The SPEAKER: The gentleman from Sabattus, Mr. Cooney, poses a series of questions to the gentlewoman from Auburn, Mrs. Snowe, who may respond if she so desires.

The Chair recognizes that gentlewoman.

Mrs. SNOWE: Mr. Speaker, Ladies and Gentlemen of the House: First of all, I don't know if this is the question of really improving the Maine Guarantee Authority. If I had anything to do with it, I would probably abolish the Maine Guarantee Authority.

The only part of the bill that I think would improve our credit rating would be the Maine Debt Management Committee, and that is what I support. I am not making any inferences that you are not concerned about the credit rating in this state but I do not think that it is going to seek to improve it. There are perhaps ways of encouraging industry to this state, but I don't think that this is one approach.

Mr. Cooney of Sabattus was granted permission to address the House a third time.

Mr. COONEY: Mr. Speaker, Ladies and Gentlemen of the House: I am not sure that the gentlelady has really answered the questions. If you look at the Moody's Report, the thing that has happened to Maine is that in terms of our total worth as a state, what we produce, the employment, the growth factors of our state, our bonded indebtedness has increased. That is the problem, the basic problem with the reason that we were downgraded. If we had been growing at a better rate, then I think Moody's would have said that our value as a state could have sustained the debt which we have managed to run up over the past few years.

So, I think we have to address ourselves to some kind of a meaningful way of improving our economic situation because you and I both know that there is no way that we can turn our backs on some of the needs of this state, whether they be schooling and bonding for that, whether they be highways and bonding for that, whether they be any of the other needs, we have to meet them. We can try to keep our belt tight but we still have to meet those needs. So, we have to address ourselves to the other side of the coin and that is encouraging economic growth. The Maine Development Authority proposal is a major proposal and what it does more than anything else is that it reduces the likelihood of failure of a new business that gets one of these loans or a community that is included in the proposal and you have to read it to understand that, by using the tax exempt status of the state to lower that interest rate. I think those of us who are in business know that the thing that has been hurting businesses more than anything else is the cost of money. If a business man goes into a bank today, he will be told that it can cost him anywhere from 10 to 15 percent for money. So, nobody is going into business. The answer is cheaper money. I think you would find all kinds of people going into business if they could buy money for 7 or 8 or 9 percent, but they can't

do it. Well, that is what the Maine Development Authority seeks to do, is to provide cheaper money to increase the possibility of success for new ventures, to give the Governor and this state, a tool to use as it goes out and talks to businesses who are thinking about coming to Maine and some of them are high quality businesses and we could offer them a very, very good piece of aid by saying, we can help you get fair interest rates if the banks won't give them to you. I think that is a meaningful kind of proposal. To drag the red herring across the trail of this bill of our bond rating, I think, is just unfortunate, because there is much on both sides of this bill, on the development side and on the debt management side that work in the general interests of this state.

I might just comment that we have had other bills, I can remember — I am sorry that Mr. Palmer is not in his seat because we referred back to committee an aid to dependent railroad bill that sought to use the very bonding powers that we are proposing in this bill just for the railroads. My, there was support for that. Good old special interest legislation. But, here we have some good general interest legislation to support all businesses who are in the state or coming to the state or communities who wish to develop their business and we get all of this opposition. I urge your support of the majority report again.

The SPEAKER: The Chair requests the Sergeant-at-Arms to escort to the rostrum the gentleman from Stonington, Mr. Greenlaw, for the purpose of presiding as Speaker pro tem.

Thereupon, Mr. Greenlaw assumed the Chair as Speaker pro tem and Speaker Martin occupied his seat on the floor of the House.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I think it is rather indicative that part of the problem which this bill attempts to address is the very problem of credit rating. I didn't sponsor this bill lightly last year and I don't again this year. I am not saying that it is a cure-all, but I am frankly concerned about some of the problems that we face in this state.

I would attempt to answer the questions or the remarks of the gentlewoman from Auburn, Mrs. Snowe, in reference to the credit rating because I think it is an important question which should be addressed head on. One of the reasons why Moody lowered our credit rating is, in part, created by the fact that the Maine Guarantee Authority created the situation of loaning to industries which failed. I don't think we have to stand here and direct them to you and list them by name. In two areas primarily, in the industrial field, and, of course, in the recreational. The recreational, of course, one of those is presently on the auction block. The state will probably take a substantial loss, and that loss, if I need remind you, will be close to \$8 million of loss which resulted from Maine Sugar, was paid by the previous legislature which had a direct effect upon our credit rating. That is one of the things which I think we have to address and this bill attempts to do that. Let me illustrate how. One of the ways that it can be handled is to make sure that when the money is loaned, whether it be loaned through the MGA or any other organization, that the

state is not out the money. This bill is an attempt to provide that, and if it doesn't provide it enough, I can assure you can provide amendments to the bill to make it in that direction.

The last thing I want is a vehicle which is going to create an organization worse than the Maine Guarantee Authority. I think all of us understand those problems and all of us want to make sure that it doesn't occur again.

I think when we take a look at what has happened in this state, it is obvious to me that we need to do something about the Maine Guarantee Authority.

Let me talk about a second problem. The problem that we face in this state of attempting to provide industrial dollars to provide some additional money to come into this state for industrial projects. And place yourself in the hand of the industrialist, who attempts to come into the state and says or is in this state and tries to develop an existing industry and he goes to the local bank, and the local bank says "Oh fine, I have just the organization on the state level that will pick up our money, our investment, put together a package. And the bank puts together a package and then they sell it to the Maine Guarantee Authority. Now, why should the bank take on this interesting package, they have nothing to lose because the interest is going to be somewhere between 12, 13 or 14 percent. Then, of course, the Maine Guarantee Authority will add on an additional 1 or 2 percent. If 13 percent wasn't bad enough to bring any new industry down, the additional 12 percent imposed by the Maine Guarantee Authority is going to achieve that potential burden of creating the situation where the industry is going to fail, and that is the problem that we have.

We talk about high venture areas that the gentlewoman from Auburn who, I think, pointed out where the Maine Guarantee Authority has brought us through in the last five or six years, the MGA and its predecessors and I think this is the very thing which this bill attempts to stop. When the bank takes it to the MGA, it's high venture, when the MGA takes it, it is still high venture, it doesn't change it. It makes it worse because the interest is so high.

Let's take a look at where the oppositions come from. The opposition, basically, to this bill has come from one source, the banking community. It has come primarily because they will not get the interest, the high interest that they can get when they sell their bonds to the Maine Guarantee Authority. I can understand their concern, since I happen to own 63 shares in Casco Northern, which pays me very little money. I can understand their concern to generate additional dollars to be expended to those people who own shares. By the way, they are selling for about \$13 a share if any of you are interested, you can have mine.

The point, I think, is obvious, because that is where it is, because that is the problem that we face today. The more interest that they can charge, which is guaranteed by the Maine Guarantee Authority, the more money they can return on their investment, and I admire them for doing that. But, let me point out, that \$8 million, Maine Guarantee Authority guaranteed on the States investment of Maine Sugar Industries in Easton, Maine went to an insurance company and I believe it was Aetna, and the

State of Maine simply took the dollars and gave it to the insurance company. Now, if that is what we want to do, then please vote against the bill, but if we believe that the way to go is to try and solve our problem of one, increasing and improving our credit rating, which I think this vehicle will do, and, secondly, attempt to provide industrial climate which is going to be more beneficial in this state, then I ask you to vote for the pending motion.

The SPEAKER pro tem: The Chair recognizes the gentleman from Cumberland, Mr. Garsoe.

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: Frankly, when I came in here this morning I thought I was the only one that didn't like this bill. No one had lobbied me on it. I don't own any bank stock and no banker, to my knowledge, has raised it to me. I think there is enough in the bill to call for its defeat without any lobbying. I don't consider what I am doing lobbying.

I am going to take the Speaker's advice and vote against this.

But, in regard to the gentleman from Sabattus, Mr. Cooney's remarks, about a red herring on the states credit rating, please don't accept that. If there is one thing, one fact, I think that we can bring onto the floor here today and ask you to believe it, is that our bonded indebtedness is a factor in our credit rating and if we learned anything from history, we are smarting now from the loss of our previously high rating and one more penny of bond floating over and above what we have on the books now, is going to be of further cost to this system. We budgeted for bonds going out at 5½ percent the last sale came in at 6½, directly as a result of Moody's recommendations. Their recommendations don't say that our problem is that we haven't directed our concern to the industry in this state, they are downgrading us because we continue to raise the per capita bonded debt on an economy that is flat, a stagnant economy, and they are just saying, you are getting into deep water, you are getting into a bad area. I submit there is enough information as to what that can do to a state or a city so that we should take very serious recognition of it.

I just want to leave with you the fact that I think I have as much concern for the prosperity and the best interests of this state and I suggest today that we have a chance to prove that by not accepting this piece of legislation because the business of putting the State of Maine into the loaning business, which is unlike what we have done in the past, we have only guaranteed loans and those that fly never call on the credit of the state, but this puts us in the business of putting cash into high risk ventures on what I think is a faulty assumption that the somewhat lower interest rate which this act will probably increase to, is going to spell the difference between success and failure. I hope we could defeat this motion to accept the majority report and then continue to accept the minority report.

The SPEAKER pro tem: The Chair recognizes the gentleman from Sanford, Mr. Lovell.

Mr. LOVELL: Mr. Speaker, Ladies and Gentlemen of the House: I would like to speak in favor of this bill. As you may know, I spent 12 years in Sanford Industrial Development and was chosen to go to Africa by the Department of Foreign Commerce, to Europe and Africa in

industrial development too. You cannot get industry in the state or in the country without meeting competition and without giving them a great deal of help. The industries that we have gotten in Sanford that brought in employment to some 2,500 people, after we had lost 3,500 working there, was because of the fact we met competition, we got loans from the Small Business Administration and we got loans to get industry in.

I don't care if this drops our rating from double A to single A, which means about one percent. If we just get in one industry by helping a loan which employs 200 people, it will give us a payroll of \$4 million a year, and that turns over three or four times before it leaves the area and the state tax is biting it all the way down through, all the way from where you go out to buy a package of cigarettes to a pint of whiskey or whatever you might want to get. Your state is going to bite it, so, consequently, we can afford it if this bill will bring us in new industry and get some of the 42,000 people in the State of Maine that are out of work back to work. And the 10,000 people, young people mostly, that are leaving the State of Maine every year to go to other states to get work, if we can keep them in Maine by getting new industry here, I certainly am going to vote for this bill and I think every good Maine citizen will vote for it.

The SPEAKER pro tem: The Chair recognizes the gentleman from Waterville, Mr. Carey.

Mr. CAREY: Mr. Speaker, I would like to ask a question of anyone who may be able to answer. The Statement of Fact, whether intentional or unintentional, quite conveniently left out the fact that municipalities are involved in this thing, that you are going to have another state agency telling the municipalities whether or not they are in a position to borrow or not, and I as a municipal official would take some exception to that, seeing as to how we are already limited in some of the things that we can do.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I think the gentleman from Waterville, Mr. Carey, has posed an excellent point. That particular amendment is on the minority report that the gentleman from Auburn, Mrs. Snowe, would have you accept. I am opposed to that. That is one of the reasons why obviously, if you will note, on the back of the amendment it says "sponsored by the committee as a minority report." I think that this reflects the other position.

There are some problems with the bill which we will attempt to correct in second reading tomorrow if majority report is accepted.

I cannot help but read a couple of things which come to light in reference to the gentleman from Cumberland, Mr. Garsoe's comment about this earlier. I think it is interesting, obviously, because it deals with the Evergreen Valley default for \$3.6 million, and the question is asked in a statement, actually, in part by this particular individual who wrote to me. He said, "Perhaps one of the things that we ought to consider is that the Maine Guarantee Authority should simply be put in receivership itself. Someone with substantial financial ability should be hired, not on the state's payroll but as an independent trustee, out of the Maine Guarantee funds to lay out the graveyard

and purchase the coffin. The legislature could then inter the remains along suggested lines that will cost us no more money."

We are talking about the problems of the Maine Guarantee Authority, and those are the things that I hope we can resolve with this type of legislation. So I certainly hope that you will vote for this bill today. If you have some amendments, we certainly think they ought to be included, and I have some which we hope will be offered if the House accepts the majority report.

The SPEAKER pro tem: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those 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.

At this point, Speaker Martin returned to the rostrum.

SPEAKER MARTIN: The Chair would thank the gentleman from Stonington, Mr. Greenlaw, for having acted as Speaker pro tem.

Thereupon, the Sergeant-at-Arms escorted Mr. Greenlaw to his seat on the floor, amid the applause of the House, and Speaker Martin resumed the Chair.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Sabattus, Mr. Cooney, that the House accept the Majority "Ought to pass" Report. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Bachrach, Bennett, Berry, G. W.; Berry, P. P.; Boudreau, Burns, Bustin, Carpenter, Carter, Chonko, Clark, Connolly, Cooney, Cote, Cox, Curran, P.; Davies, Doak, Dow, Drigotas, Durgin, Farley, Fenlason, Finemore, Flanagan, Fraser, Goodwin, H.; Goodwin, K.; Greenlaw, Hall, Henderson, Hennessey, Hobbins, Hughes, Ingegneri, Jacques, Jensen, Joyce, Kany, Kauffman, Kennedy, Laffin, LaPointe, Laverty, LeBlanc, Leonard, Lovell, Lynch, MacEachern, Mahany, Martin, R., Maxwell, McBreairty, Mills, Mitchell, Nadeau, Najarian, Peakes, Pearson, Pelosi, Peterson, P.; Peterson, T.; Post, Powell, Quinn, Rollins, Saunders, Silverman, Smith, Snow, Teague, Theriault, Tierney, Tozier, Usher, Wagner, Walker, Webber, Wilfong, The Speaker.

NAY — Ault, Bagley, Berube, Birt, Blodgett, Bowie, Byers, Carey, Churchill, Conners, Dam, DeVane, Dyer, Farnham, Faucher, Garsoe, Gould, Gray, Hewes, Higgins, Hinds, Hunter, Hutchings, Immonen, Jackson, Kelleher, Kelley, Lewin, Lewis, Littlefield, Lizotte, Lunt, Mackel, MacLeod, Martin, A.; McKernan, McMahon, Morton, Norris, Perkins, S.; Perkins, T.; Pierce, Raymond, Rideout, Shute, Snowe, Sprowl, Stubbs, Susi, Tarr, Torrey, Truman, Twitchell, Tyndale.

ABSENT — Call, Carroll, Curran, R.; Curtis, Dudley, Gauthier, Jalbert, Miskavage, Morin, Mulkern, Palmer, Rolde, Spencer, Strout, Talbot, Winship.

Yes, 81; No, 54; Absent, 16.

The SPEAKER: Eighty-one having voted in the affirmative and fifty-four in the negative, with sixteen being absent, the motion does prevail.

Thereupon, the Bill was read once and assigned for second reading tomorrow.

(Off Record Remarks)

On motion of Mr. Kauffman of Kittery, Adjourned until twelve o'clock noon tomorrow.