

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eleventh
Legislature***

OF THE

STATE OF MAINE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

INDEX

FOURTH CONFIRMATION SESSION

(FIRST CONFIRMATION SESSION – SECOND REGULAR SESSION)

May 31, 1984

INDEX

FIFTH CONFIRMATION SESSION

(SECOND CONFIRMATION SESSION – SECOND REGULAR SESSION)

July 11, 1984

INDEX

THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

INDEX

HOUSE

Wednesday, September 5, 1984

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

Prayer by the Reverend David Glusker of the Green Street Methodist Church, Augusta.

The Journal of yesterday was read and approved.

Messages and Documents

The following Communication: (S. P. 924)

The Senate of Maine
Augusta

August 27, 1984

The Honorable Gerard P. Conley
President of the Maine Senate
111th Legislature
The Honorable John L. Martin
Speaker of the Maine House
111th Legislature

Dear President Conley and Speaker Martin:

Please be advised that today two bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committee on Appropriations and Financial Affairs and ordered printed on August 27, 1984 as follows:

Bill, "An Act to Authorize a General Fund Bond Issue in the Amount of \$6,000,000 for the Design, Construction and Furnishing of Court Facilities." (S. P. 922) (L. D. 2480) (Presented by Senator NAJARIAN of Cumberland) (Cosponsors: Representative JOYCE of Portland, Senator CLARK of Cumberland, Senator COLLINS of Knox)

Bill, "An Act to Authorize a General Fund Bond Issue in the Amount of \$16,500,000 for the Construction and Renovation of Higher Education Facilities at the University of Maine." (S. P. 923) (L. D. 2481) (Presented by Senator HAYES of Penobscot) (Cosponsors: Representative LISNIK of Presque Isle, Representative RANDALL of East Machias, Representative MILLS of Bethel)

Sincerely,

S/ JOY J. O'BRIEN

Secretary of the Senate

S/ EDWIN H. PERT

Clerk of the House

Came from the Senate, read and ordered placed on file.

Was read and ordered placed on file in concurrence.

The following Communication: (S. P. 927)

NATIONAL TRANSPORTATION SAFETY BOARD
Washington, D.C.

April 23, 1984

Honorable Joseph E. Brennan
Governor of Maine
Augusta, Maine 04333

Over the last several years, victims of alcohol-involved accidents and other anti-drunk driving activists have prompted legislative and program initiatives in most States to curb drunk driving. Special task forces have been created in at least 41 States to study the drunk driving problem and to revitalize State and local programs. Enhanced driving while intoxicated (DWI) enforcement programs and tougher penalties for convicted offenders are being legislated in a number of States. Yet in spite of this increase in legislative and countermeasure activity, drunk driving continues throughout this country. Roughly the same percentage (55-58 percent) of all highway fatalities each year involve alcohol. In 1982 alone, 25,600 persons died in alcohol-involved accidents. National Highway Traffic Safety Administration (NHTSA) studies of injury-producing and property-damage accidents also demonstrate the substantial role alcohol plays in these less severe accidents. Nearly 670,000 persons are injured each year in alcohol-involved crashes and some 1,200,000

alcohol-involved property damage accidents occur yearly. Without question, drunk driving remains one of our Nation's most serious public health, transportation, and safety issues.

The tragic consequences of alcohol abuse have long been of concern to the National Transportation Safety Board, an independent Federal agency charged by Congress to conduct studies pertaining to safety in transportation; to investigate transportation accidents; to determine their probable cause; and to make safety recommendations to prevent their recurrence. Throughout the Board's history, it has observed the over-involvement of alcohol-impaired drivers in fatal highway crashes. The Safety Board has issued Safety Recommendations to Federal, State, and local governments as well as to private organizations. Focusing on both the specific causes of individual accidents as well as on the general factors which lead to alcohol-involved accidents on our highways.

Recently, the Safety Board has promoted several specific actions which it believes are needed to reduce significantly the number of alcohol-involved highway accidents. The first called on the States to raise the minimum legal age for drinking or purchasing all alcoholic beverages to 21 years (NTSB Recommendation H-82-18). The second recommended the implementation of citizen awareness and drunk driver reporting programs, such as the "REDDI" program (Report Every Drunk Driver Immediately) active in six States (Safety Recommendation H-82-35).

During the Safety Board's continuing search for additional measures to address the drunk driving problem, it has examined State and local programs, studied efforts in other countries, and reviewed the writings of numerous experts in the field of alcohol in transportation and highway safety. As a result of this study, the Board has been impressed at the critical need for added measures that can reduce immediately the present danger from drunk drivers who remain on our roads in large numbers. The 70 deaths and 1,800 injuries suffered by Americans each day because of drunk drivers demand no less than the most aggressive and effective short-term countermeasures.

If drunk driving is to be reduced significantly in the short-term, motorists must be convinced that there is a strong likelihood they will be arrested and penalized if they drive drunk. Most experts agree that many drunk drivers persist in their behavior because they have a perception of low risk of arrest and penalty. These facts help explain why between 1/4 and 1/3 of the drivers who drink say they believe that the chances of being caught and punished are not great enough to deter them from driving after drinking too much.

In spite of aggressive DWI enforcement in many States and localities, estimates of the probability of arrest remain relatively low, varying from 1 in 200 drunk drivers to 1 in 2,000. Moreover, the impact of increased enforcement efforts is frequently blunted by lengthening court backlogs, particularly as the judicial system struggles to impose the toughened penalties which have recently been enacted by State legislatures. The greater the penalty, the more the defendant is provoked to resist by engaging lawyers, demanding jury trials, and other procedures which cause court delays. This increased pressure on the courts leads to compromises by prosecutors and judges which translates into plea bargaining and pretrial diversion programs. Such processes frequently result in the failure to convict on the DWI charge. Thus, even in the unlikely event of an arrest, the offender has a good chance of avoiding most of the negative consequences of his or her offense.

It has become apparent that traditional DWI arrest enforcement and sanction programs alone simply cannot arrest and penalize enough drunk drivers to reduce alcohol-related deaths and injuries dramatically. 1/

Additional measures are needed to enhance traditional enforcement and sanctioning programs in order to deter the 199 (of the 1 in 200) or 1,999 (of the 1 in 2,000) who are never arrested.

On April 3, 1984, the National Transportation Safety Board completed a study of two drunk driving "deterrence" countermeasures that have the potential to produce short-term safety improvements on our highways—sobriety checkpoints and administrative license revocations. 2/

According to a number of State and local officials and law enforcement organizations, 3/ a new technique that shows promise for deterring drunk drivers is the sobriety checkpoint or DWI roadblock, currently in use or under consideration in 21 jurisdictions and in at least 5 foreign countries. The NTSB safety study describes the experience of other countries as well as that of several States which have employed sobriety checkpoint programs. The city of Melbourne, Australia, for example, experienced significant decreases in nighttime fatal crashes and injuries involving drivers with illegal blood alcohol concentrations during a 1978 checkpoint campaign. In the U.S., the State of Delaware has reported a 32-percent drop in alcohol-related injury accidents during a period after sobriety checkpoints were in use from December 4, 1982, to August 13, 1983.

Another technique which the Safety Board believes shows promise as a deterrent to drunk driving is the administrative license revocation. While motor vehicle administrators have historically had ample statutory authority to revoke or suspend the licenses of drivers who pose a threat to the public, these administrators traditionally have been conservative in the use of that power. The result has been that most motor vehicle departments take no action to suspend licenses of drivers who violate drunk driving or implied consent laws until they receive a formal notice from the court of the conviction of the individual for a drunk driving or implied consent offense. Moreover, many of those who take a chemical test and produce a result over the legal limit will also fail to lose their licenses because of court procedures which permit reduction in charges or pretrial diversion.

Under administrative license revocation laws, when a driver is stopped by a police officer who has probable cause to arrest the driver for a drinking/driving offense, the officer will ask the driver to submit to a breath test. The driver is warned that refusal of the test will result in a license suspension and is further warned that if he or she takes the test and is over the specified BAC limit, this will also result in a suspension. If the driver either refuses the test or takes the test with a result which is over the limit, then the police officer will then take the driver's license. The offender is then provided with a notice which serves both as a temporary driving permit (typically for 7 to 30 days) and as a notice that the driver has a right to request both an administrative

1/The National Highway Traffic Safety Administration (Nichols, Gundersheimer) has estimated that if every drunk driver arrested was prevented from driving impaired for 1 year, deaths would only decrease by a few percentage points. This is because (1) there are so many other motorists driving drunk so frequently and (2) the probability that one individual offender will be subsequently involved in a fatal crash is very small, therefore, removing a relative few would not appreciably reduce future crashes.

2/Safety Study: "Deterrence of Drunk Driving: The Role of Sobriety Checkpoints and Administrative License Revocations," NTSB/SS-84/01, April 3, 1984.

3/A 1983 International Association of Chiefs of Police, Resolution 4R-1 endorsed the use of sobriety checkpoints.

and, ultimately, a judicial review of the suspension. The driver is, of course, not allowed to drive from the scene and is held in custody for specified period of time or released to a sober driver.

Since administrative revocation laws have only recently been enacted in most States, only a limited amount of data are available on their effectiveness. However, for those States, such as Minnesota, Iowa, and Delaware, which have used the procedures for several years, some pertinent information is available.

While a number of States are using the sobriety checkpoint enforcement system and also have administrative revocation laws, these elements were not enacted at the same time. Therefore, it is difficult to determine what the combined effect of these two countermeasures has been on accidents. However, Delaware's experience provides the best opportunity currently available in the United States for evaluation of the combined effects of these programs.

The change in accident statistics in Delaware following the initiation of the checkpoint and administrative revocation legislation is encouraging. Between 1982 and 1983, there was a 13.8-percent decline in total fatal accidents and a 17.3-percent decline in alcohol-involved fatal accidents. The impact appeared to be even greater among injury accidents where the total decline was only 3.5 percent from 1982 to 1983 but the decline in alcohol-involved accidents was 21.9 percent. These declines occurred despite an 8-percent increase in sales of fuel in Delaware, indicating that the reduction could not be explained by reduced travel. In addition, between 1982 and 1983, there was only a small decline in fatal accidents nationwide.

Perhaps the most impressive indication of the potential impact of these two countermeasures—sobriety checkpoints and administrative license revocation—in Delaware is the number of drinking drivers involved in fatal accidents. Delaware is one of the few States which test nearly all fatally injured drivers for alcohol. When the number of drivers who are fatally injured and tested for alcohol is added to the number of surviving drivers in fatal accidents who were charged by the police with drunken driving (and also tested for BAC), the number of drinking drivers (BAC greater than .05 percent) in fatal accidents decreased by 19.1 percent from 1982 to 1983. This reduction is based on known BAC levels and is not subject to the biases which sometimes occur in police judgements regarding whether a driver was drinking. While more detailed analysis of accident data over a number of years will be required to confirm that this change can be attributed to the new law, this reduction in the number of accident-involved drinking drivers is impressive.

Based upon our review of the current literature and recent experience in national and international efforts to control drunk driving, the National Transportation Safety Board believes that general deterrence programs afford the most promising approach for the short-term reduction in alcohol-related deaths and injuries on our highways. Further, upon consideration of the information presented in its report, the Safety Board believes that the sobriety checkpoint and administrative license revocation procedures are potentially effective deterrent measures that warrant broader application by the States.

As a result of its Safety Study, "Deterrence of Drunk Driving: The Role of Sobriety and Checkpoints and Administrative Revocation," the National Transportation Safety Board has concluded that sobriety checkpoints and administrative license revocations should be an integral part of a State's comprehensive alcohol and highway safety program.

The Safety Board is aware of the use of administrative license revocation in your State.

Therefore, the National Transportation

Safety Board recommends that the Governor of Maine:

Institute the use of sobriety checkpoints on a periodic and continuing basis by the appropriate enforcement agencies under your jurisdiction as part of a comprehensive Driving While Intoxicated enforcement program. These checkpoints should be conducted according to accepted procedures and constitutional safeguards. (Class II, Priority Action) (H-84-22)

Encourage local law enforcement agencies within your State to institute sobriety checkpoints on a similar basis. (Class II, Priority Action) (H-84-23)

Evaluate the effectiveness of sobriety checkpoints and administrative license revocation procedures implemented. (Class II, Priority Action) (H-84-24)

The National Transportation Safety Board is an independent Federal agency with the statutory responsibility...to promote transportation safety by conducting independent accident investigations and by formulating safety improvement recommendations (P.L. 93-633). The Safety Board is vitally interested in any actions taken as a result of our safety recommendations and would appreciate a response from you regarding action taken or contemplated with respect to the recommendations in this letter.

BURNETT, Acting Chairman, GOLDMAN and GROSE, Members, concurred in these recommendations. BURSLEY, Member, did not participate.

By: S/ JIM BURNETT
Acting Chairman

Came from the Senate, read and ordered placed on file.

Was read and ordered placed on file in concurrence.

The following Communication: (S. P. 926):

State of Maine
Department of Audit
State House Station 66
Augusta, Maine 04333

May 29, 1984

To the President of the Senate and the Speaker of the House of Representatives

In accordance with Title 5, Section 243, Maine Revised Statutes Annotated of 1964, as amended, an audit has been conducted of the financial records of the Judicial department for the fiscal year ended June 30, 1983.

The examination was made in accordance with generally accepted auditing standards and the Standards for Audit of Governmental Organizations, Programs, Activities, and Functions, promulgated by the U.S. Comptroller General and, accordingly included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances.

Within the scope of the examination, the financial transactions were appropriately handled, with such exceptions as may be noted in the accompanying commentary.

In our opinion, the exhibit and schedules contained in this report present fairly the financial position of the various funds of the Judicial Department at June 30, 1983, the results of operations and the changes in fund balances of such funds for the fiscal year then ended, in conformity with generally accepted accounting principles applied on a basis consistent with that of the preceding year.

S/ GEORGE J. RAINVILLE
State Auditor

Came from the Senate, read and with accompanying report ordered placed on file.

Was read and with accompanying report ordered placed on file in concurrence.

The following Communication: (S. P. 928)

SPECIAL STUDY COMMISSION
ON
WORKERS' COMPENSATION

June 30, 1984

The Honorable Gerard P. Conley
President of the Senate
State House
Augusta, Maine 04333
The Honorable John L. Martin
Speaker of the House
State House
Augusta, Maine 04333

Dear President Conley and Speaker Martin:

We are pleased to submit to you the findings and recommendations of our study of workers' compensation insurance issues set forth in Chapter 479, Public Laws of 1983. We are also submitting to you a copy of the report of our consulting actuary whose work informed much of our study.

We believe we have conducted a most thorough study of the issues included in our mandate. Furthermore, we believe our recommendations will lead to a more rational and efficient system of establishing prices and delivering workers' compensation insurance to Maine employers for the protection of their workers. Finally, we have suggested an area for further study which may lead to other improvements in the overall workers' compensation system in Maine.

Please be assured that we stand ready to assist you, the Legislature and the Governor in any way we can to see that this study leads to meaningful changes for the people of Maine.

Sincerely,
S/ JOHN E. MENARIO
S/ FLOYD HARDING
S/ H. ALAN TIMM

Came from the Senate, read and with accompanying report ordered placed on file.

Was read and with accompanying report ordered placed on file in concurrence.

Consent Calendar

First Day

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

(H. P. 1875) (L. D. 2477) Bill "An Act to Fund and Implement Certain Collective Bargaining Agreements and to Offset Salary and Benefit Costs for Employees of the Maine Maritime Academy" (Emergency) Committee on Appropriations and Financial Affairs reporting "Ought to Pass".

Under suspension of the rules, Second Day Consent Calendar notification was given, the House paper passed to be engrossed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

House at Ease

The House was called to order by the Speaker.

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

Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-741) on Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$10,035,000 for Construction and Renovation of Correctional Facilities" (H. P. 1877) (L. D. 2479)

Signed:

Senators:

BROWN of Washington
NAJARIAN of Cumberland
PERKINS of Hancock

Representatives:

JALBERT of Lewiston
CARTER of Winslow
KELLEHER of Bangor
CHONKO of Topsham
LISNIK of Presque Isle
SMITH of Mars Hill
MASTERTON of Cape Elizabeth

ARMSTRONG of Wilton
BELL of South Paris

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

Signed:

Representative:

CONNOLLY of Portland

Reports were read.

On motion of Mr. Carter of Winslow, the Majority "Ought to Pass" Report was accepted and the Bill read once.

Committee Amendment "A" (H-741) was read by the Clerk and adopted.

Under suspension of the rules, the Bill was read a second time, passed to be engrossed as amended and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Consent Calendar First Day

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

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$6,000,000 for the Design, Construction and Furnishing of Court Facilities" (S. P. 922) (L. D. 2480) Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-441)

Under suspension of the rules, Second Day Consent Calendar notification was given, the Senate Paper was passed to be engrossed as amended in concurrence.

By unanimous consent, ordered sent forthwith to Engrossing.

Reports of Committees Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-742) on Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$12,900,000 for Capital Improvements, Construction, Renovations, Equipment and Furnishings for Vocational-Technical Institutes" (H. P. 1876) (L. D. 2478)

Signed:

Sensors:

BROWN of Washington
NAJARIAN of Cumberland

Representatives:

CHONKO of Topsham
JALBERT of Lewiston
LISNIK of Presque Isle
CARTER of Winslow
KELLEHER of Bangor
CONNOLLY of Portland

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "B" (H-743) on same Bill.

Signed:

Sensor:

PERKINS of Hancock

Representatives:

BELL of Paris
SMITH of Mars Hill
MASTERTON of Cape Elizabeth
ARMSTRONG of Wilton

Reports were read.

On motion of Mr. Carter of Winslow, the Majority "Ought to Pass" Report was accepted and the Bill read once.

Committee Amendment "A" (H-742) was read by the Clerk and adopted and the Bill assigned for Second Reading later in today's session.

Papers from the Senate Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-442) on Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$16,500,000 for the Construction and Renovation of Higher Education Facilities

at the University of Maine" (S. P. 923) (L. D. 2481)

Signed:

Sensors:

NAJARIAN of Cumberland
BROWN of Washington

Representatives:

KELLEHER of Bangor
CHONKO of Topsham
CARTER of Winslow
LISNIK of Presque Isle
JALBERT of Lewiston
CONNOLLY of Portland

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

Signed:

Sensor:

PERKINS of Hancock

Representatives:

BELL of Paris
SMITH of Mars Hill
MASTERTON of Cape Elizabeth
ARMSTRONG of Wilton

Came from the Senate with the Majority "Ought to Pass" as amended Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-442).

Reports were read.

On motion of Mr. Carter of Winslow, the Majority "Ought to Pass" Report was accepted in concurrence and the Bill read once.

Committee Amendment "A" (S-442) was read by the Clerk and adopted and the Bill assigned for Second Reading later in today's session.

Passed to Be Enacted Bond Issue

An Act to Authorize a General Fund Bond Issue in the Amount of \$6,000,000 for the Design, Construction and Furnishing of Court Facilities (S. P. 922) (L. D. 2480) (C. "A" S-441).

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. In accordance with the provisions of Section 14 of Article IX of the Constitution, a two-thirds vote of the House being necessary, a total was taken. 128 voted in favor of same and 8 against, and accordingly the Bond Issue was passed to be engrossed, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith to the Senate.

Passed to Be Enacted Bond Issue

An Act to Authorize a General Fund Bond Issue in the Amount of \$10,035,000 for Construction and Renovation of Correctional Facilities (H. P. 1877) (L. D. 2479) (C. "A" H-741)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

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

Mr. CONNOLLY: Mr. Speaker, Members of the House: I don't intend by rising to speak on this issue to initiate any extended debate, but there is another point of view that is not reflected in the Committee's Majority Report that I think is important at least to put on the record concerning this particular bond issue.

I oppose this bond issue and will oppose it when it goes out to the voters in November for their vote and I oppose it for three reasons.

In 1979, inmates at the prison at Thomaston initiated a class action suit because of the conditions that existed then at Thomaston.

In 1983, last year, Judge Gignoux ruled finally on that lawsuit and, according to everyone, both the state and the inmates, the state escaped by, in the words of Commissioner Don Allen, "by the skin of its teeth." Judge Gignoux in that decision spoke of the conditions at the prison in terms of the facility being antiquated, conditions being harsh and stopped just short of calling conditions at the prison, and particularly in the east wing of the prison, those that would constitute cruel and unusual punish-

ment. Everybody that has any dealings at all with the situation at Thomaston agrees that there is a serious problem with that section of the prison that is known as the east wing. The east wing is the largest part of the prison and it houses 210 inmates and the conditions, to be polite, are oppressive.

That particular bond issue does not deal with that situation in any way whatsoever. This particular bond issue deals primarily with the situation at Windham. Commissioner Allen, when he testified before the committee at the hearing last week, said that if this \$10 million bond issue passes in referendum this November, that he will come back to the next session of the Legislature and ask for another \$7 million to \$10 million to deal with the conditions at the east wing at Thomaston.

In my opinion, when you deal with matters of corrections and you are asking for money, you are only going to be able to go to the well so often before it is dry. The conditions at Thomaston are, in my opinion, of the utmost priority and should be the matter that is before this Legislature when we are talking about expenditures of \$7 million to \$10 million.

The second objection that I have to this bond issue is more on philosophical grounds. Everybody, myself included, agrees that there is a problem with overcrowding at Windham and at Thomaston, but the solution that is proposed by the Department of Corrections is simply to build more cells, to provide more space to warehouse men and women who are sentenced to the Department of Corrections. There are people, myself included, not just in the State of Maine but across the country who have begun to propose, and in some other states implement, a wide variety of alternatives other than simply putting men in a place like Thomaston or a place like Windham. There are alternatives that deal with ways to shorten the time that people spend in prison and alternative punishments that in many cases mean that people don't have to go to prison at all.

The Department of Correction's people that you talk to will tell you that they agree, that there are other alternatives but that, that is something that we should discuss down the road in the future.

This past session of the Legislature, at the request of the Governor, appropriated \$25,000 to establish a blue ribbon commission to deal with these alternatives. Commissioner Allen testified at the hearing last week that the members of that Commission have not even yet been appointed. I think there is a question of commitment and a question of leadership dealing with the entire range of problems that we are faced with by our correctional institutions.

The final objection that I have about this bond issue, and it may seem funny coming from me, is one of money. In my opinion, this is simply spending an extraordinary amount of money in perhaps not the wisest or the most cost-effective way to solve a serious problem.

This bond issue is for \$10 million. The interest with this bond issue is \$9 million. Next year there will be another bond issue of between seven and ten million dollars with the interest that calls for. The annual cost in terms of operation, maintenance, and personnel, if this bond issue passes, will be between two and five million dollars. Every year, beginning next year, the Legislature will be asked to appropriate out of the General Fund between two and five million dollars to meet the extra costs that are associated with this bond issue.

Perhaps it is the best thing that this bond issue go out and be voted on by the people. This very same bond issue was voted down in 1983. It is the strategy of the Governor's Office and the Department of Corrections to—the last time it was voted on it was part of a larger bond issue, there were many other bond issues that were associated with it, this time it will be isolated. There will be a great deal written between now and voting day in November about

the situations in Windham and at Thomaston and it will be dramatized very effectively. Their strategy is that because it is isolated it stands by itself and the dramatics that are associated with it are that it will pass. I am not sure if that is going to happen, but if the bond issue is defeated in November and there are no other alternatives that are in place for the Legislature or anybody else to consider, then I think the State of Maine is going to be faced with a very serious problem.

At least for the Record I wanted to get those points of view made before you. I don't think that this is a wise choice that is being placed before us. If the same attention that has been given to education in the past year to a year and a half were given to corrections and the correction problems that we have in the State of Maine, this would not be the solution that would be proposed.

Mr. Speaker, I would ask for a roll call.

The SPEAKER: A roll call has been requested.

The Chair recognizes the gentleman from Auburn, Mr. Brodeur.

Mr. BRODEUR: Mr. Speaker, Members of the House: I went to the hearing on this bill and some of the questions I asked were: "How does this compare with the total need?" One of the concerns that I have is that the Commissioner answered that the total need in a rough guess is between \$30 million and \$40 million, not counting interest costs as far as I could gather. So this represents somewhere between 20 percent and 35 percent of what the Commissioner would consider to be the total need for the prison situation.

I have been here six years and have served as a member of the Health and Institutional Services Committee for all of that time and every single time we were given a solution that dealt with—we need for more space, we can't deal with our problem the way it is, that was always the first consideration. Nowhere has some of the other solutions that are available been brought as a priority—there have been some but it hasn't been given the dollar priority that this one has.

We have a situation now with overcrowding and it has been that way since I can remember and the existing capacity, even the projection for this new, expanded facility will always be overcrowded until we build even more and more beds.

Another concern that I have had, and I hope that this bond issue will address it, although it is not the intent but there may be some dollars available, is that it is the belief of the Commissioner and other people in the department that if there is adequate programs that will have a long term effect on people not returning to the prison and that this will be a solution, at least in the long run, for correction's policy.

In this particular bond issue that we have before us, it has been projected that this could build a 110 extra beds to the 837 that already exist but that the program space that would be built would only be for 60 people who are at the correctional center. This would be a step backwards in providing programs that would hopefully get people in a situation where they would not have to come back to the correctional program.

I would hope that if there is any money available at all or any possibility that there will be a change in need projected, that some of this money will be used for additional program facilities and to deal with the issue of trying to get people in a situation where they can cope with their lives and be citizens that are productive and not violating the law, not making mistakes in judgment.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Manning.

Mr. MANNING: Mr. Speaker, Ladies and Gentlemen of the House: As prime sponsor of this measure for the third time, I would like to respond to some of the things that have been said

here on the floor of the House today.

I am quite well aware and I think most of us are aware of the problems at Thomaston, but I think what we have to look at today is the real problem, that the state's correctional facilities need to be addressed in the near future, and that is not the maximum security facility at Thomaston but the minimum and medium security units throughout the state.

When Commissioner Allen was also questioned at that Appropriations Committee hearing the other day, he indicated that their need down the road is not for maximum but for minimum and medium security units. That is where they feel, from the census that they have been taking over the last few years, the population will be going in the next few years, not to Thomaston but to places like Windham, places like Charleston and, as most of you have heard, maybe places like Buck's Harbor.

The question was asked at that committee hearing about how many people at Windham and at Charleston are first time offenders. Both the Commissioner and the Superintendent at Windham indicated that many of those, many—probably if you looked at the statistics, I would intend to say all of them that go to Windham have had a second bite of the apple. When I say a second bite of the apple, what I mean is, that have gone through the alternatives, the alternative of probation has already probably been given to them. They have probably been given a warning also. When people get to Windham today, they have been through the criminal justice system a couple of times, and that is why they are going to Windham. The first time they didn't learn their lesson and the second time the judge had no alternative but to send them to Windham and the alternative of probation had gone down the tubes for them.

The Superintendent at Windham was asked, "How many of those who are at Windham had to be transferred to Thomaston because of the fact of overcrowding?" He indicated that in an eighteen month period that about 150 of those inmates who were at Windham had to be transferred to Thomaston simply because of overcrowding.

Commissioner Allen was also asked, "Commissioner, if a lawsuit was filed on behalf of the inmates at Windham, would we pass?" Commissioner Allen indicated that he didn't think we could win in court at this present time if a lawsuit was filed against the state for overcrowded conditions at Windham.

Granted, we passed, and I agree that we passed by the skin of our teeth at Thomaston, but as I said before, the future inmates will be going to medium and minimum security facilities, not the maximum facility such as Thomaston.

To address Representative Brodeur's question on programs, out of the bond issue there is \$750,000 in it for program space at the correctional center at Windham. I also, being on the Health and Institutional Services Committee for the last four years, know the problems that idleness has presented to the people in the correctional facilities and I think this is part of the reason why that \$750,000 is in there, because they know they need more program space.

So I would hope that we would pass this bond issue. I think that the Department has looked at it with a real hard look and I think their heart is in the right place. They understand the problems at Thomaston but the real problem today lies in the minimum and medium security units.

The SPEAKER: Representative Connolly requested a roll call on passage to be enacted.

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

The pending question before the House is on passage to be enacted. In accordance with the provisions of Section 14 of Article IX of the Constitution, this Bond Issue requires a two-thirds vote of the House. All those in favor will

vote yes; those opposed will vote no.

ROLL CALL NO. 506

YEA—Ainsworth, Allen, Anderson, Armstrong, Beaulieu, Bell, Bost, Bott, Brannigan, Brown, A.K.; Brown, D.N.; Cahill, Callahan, Carroll, D.P.; Carroll, G.A.; Carter, Cashman, Chonko, Clark, Conary, Connors, Cooper, Cote, Cox, Crouse, Crowley, Curtis, Daggett, Davis, Day, Dexter, Diamond, Dillenback, Drinkwater, Erwin, Foster, Gauvreau, Greenlaw, Gwadosky, Hall, Hayden, Hickey, Higgins, H.C.; Higgins, L.M.; Hobbins, Holloway, Ingraham, Jackson, Jacques, Jalbert, Joyce, Kane, Kelleher, Kelly, Ketover, Kiesman, Kilcoyne, LaPlante, Lebowitz, Lisnik, Livesay, Locke, MacEachern, Macomber, Mahany, Manning, Martin, A.C.; Masterman, Masterton, Matthews, K.L.; Matthews, Z.E.; Maybury, Mayo, McCollister, McGowan, McHenry, McPherson, McSweeney, Melendy, Michaud, Mills, Mitchell, E.H.; Mitchell, J.; Moholland, Murphy, E.M.; Murphy, T.W.; Murray, Nelson, Norton, Paradis, E.J.; Paradis, P.E.; Parent, Paul, Perkins, Perry, Pines, Pouliot, Racine, Randall, Reeves, J.W.; Richard, Ridley, Roberts, Robinson, Roderick, Rolde, Rotondi, Salsbury, Scarpino, Seavey, Sherburne, Smith, C.B.; Smith, C.W.; Soucy, Soule, Sproul, Stevens, Stover, Strout, Swazey, Tammara, Telow, Theriault, Thompson, Tuttle, Vose, Walker, Webster, Wentworth, Weymouth, Willey, Zirkilton, The Speaker.

NAY—Andrews, Bonney, Brodeur, Connolly, Handy, Joseph, MacBride, Michael, Reeves, P.; Stevenson.

ABSENT—Baker, Benoit, Carrier, Dudley, Lehoux, Martin, H.C.; Nadeau, Small.

113 having voted in the affirmative and 10 in the negative, with 8 being absent, the Bond Issue was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith to the Senate.

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

Passed to Be Enacted Emergency Measure

An Act to Fund and Implement Certain Collective Bargaining Agreements and to Offset Salary and Benefit Costs for Employees of the Maine Maritime Academy (H. P. 1875) (L. D. 2477)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 136 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith to the Senate.

Passed to Be Engrossed As Amended

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$12,900,000 for Capital Improvements, Construction, Renovations, Equipment and Furnishings for Vocational-Technical Institutes" (H. P. 1876) (L. D. 2478) (C. "A" H-742)

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

On motion of Miss Bell of South Paris, the House reconsidered its action whereby Committee Amendment "A" was adopted.

The same gentleman offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" (H-744) to Committee Amendment "A" (H-742) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from South Paris, Miss Bell.

Miss BELL: Mr. Speaker, Men and Women of the House: In this whole discussion of bonding, what the minority members of Appropriations have intended to do is to recognize the total

bonding that we are being asked to consider. The total package is around \$45 million. That figure would be 130 percent of the bonds that are being retired in this biennium. Recognizing that, we have tried to balance some very serious needs in this state and also to be concerned about that bonding limit.

You have seen today our support for courts, corrections, and to some concern for the higher education bond. We are supporting the total package, but what we are trying to do is to separate some of that money in this biennium and the following biennium.

The amendment before you at this time supports monies in this biennium based on priorities through the department. The total, as was read, is \$4.5 million in this biennium and \$8.84 million in the next biennium.

We will have another issue before us shortly where we will propose another amendment to fund part of the needs of the university system in this biennium, the remaining in the next biennium.

Let me share with you some of our concerns. In the next ten years, we will be retiring a high proportion of our bonds. What we are trying to do is fit into that schedule of retiring bonds other needs that are before state government. That is one concern. As we are retiring bonds, we are willing to do more bonding.

The second issue is when these bonds will be needed. This winter very few of these buildings can be started. Our feeling was that there would be a need for proper planning, engineering, and that this would fit the time limit of the needs of both the university and the vocational systems.

The other concern that we had was the visiting committee, which is more pertinent to the next bond issue that we will talk about. We invested last Spring about \$75,000 to assess the needs of the university system. Hopefully, we can broaden that somewhat to take a look at the vocational-technical institutes, how we can combine those. Today, I would ask your support for the amendment being proposed so that we can keep within a 100 percent guideline. We recognize we are moving from that 90 percent agreement that was established back in the 70's. What we would be doing, our total package would be 100 percent and that figure is \$23.6 million.

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

Mr. KELLEHER: Mr. Speaker, I move that this amendment be indefinitely postponed and I request the yeas and nays.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, moves the indefinite postponement of House Amendment "A" to Committee Amendment "A".

Representative Kelleher requested a roll call on the motion that House Amendment "A" to Committee Amendment "A" be indefinitely postponed.

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

The SPEAKER: The Chair recognizes the gentleman from Wilton, Mr. Armstrong.

Mr. ARMSTRONG: Mr. Speaker, Ladies and Gentlemen of the House: There was very little disagreement among the members of the Appropriations Committee on the merit or the urgency of the various capital projects that are being proposed by these bond issues.

There is only one real issue here, and that is how deep we as legislators want to put the state into debt during any one fiscal year.

One financial analyst, if I may quote him, says: "Interest costs on past borrowing is an extremely high burden on Maine taxpayers." For the \$300 million outstanding as of June 30, 1983, the total interest paid will amount to \$138 million through the year 2006, or \$6 million per year. This is a significant sum that could be used for other purposes.

The minority members on Appropriations

felt that these projects were all worthy of consideration but we did feel that the fiscally prudent approach was to defer part of the borrowing until next July. Now very little would be lost. Consider these things. In Maine, construction pretty much comes to a halt in the winter months. These projects would be approved even though bonds would not be floated for the second half of the program until after next July, but project and preplanning design work could proceed, specs could be developed and the projects could go out to bid. The only thing that we are asking is that half of the \$45 million that is being proposed by the Governor in all of these bond issues not be put on the books, not increase the state's total overall bonded indebtedness until July 1, 1985, next summer. We feel that this is a fiscally responsible approach at this time.

Based on bonds already approved, some which have not been issued but have been authorized, I would predict that the state's bonded indebtedness will be somewhere around \$331 million by the end of this fiscal year, June 30, 1985. We ask, since no project is going to be hurt, that you consider this amendment, our proposal, to wait six or seven months or whatever it is to float the second half of the bond issues.

Thank you for your consideration.

The SPEAKER: The Chair recognizes the gentleman from Easton, Miss Mahany.

Miss MAHANY: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the Aroostook County delegation, I am very concerned that this project be delayed any further. Last Spring in Aroostook County, some of the members of the Aroostook delegation were given a tour of the Northern Maine Vocational-Technical Institute and I, for one, was shocked at the deplorable conditions of the buildings there. In one case, this was a lab building, the building was in such a state of dilapidation that the safety of students, as I understood it, could be in jeopardy. Moreover, the overcrowding that must take place in some of the classrooms inevitably must interfere seriously with the ability of students to concentrate and of teachers to teach as effectively as they could.

I think, on the basis of what I saw there last Spring, that this school, the Northern Maine Vocational-Technical Institute, needs funding as soon as it can possibly get it in order to address those very real, in some cases, as I indicated, threatening needs.

Moreover, it seems to me that the longer we wait, the worse the deterioration will become, and I wonder if rising costs of interest rates and of materials will not ultimately increase the cost of improving the facilities there.

Consequently, I would ask all of you in this House, and especially the men and women of the Aroostook County delegation, not to participate in delaying or denying the benefits to the Northern Maine Vocational-Technical Institute that the immediate implementation of this bond issue will bring to that school and to those students who attend it.

This is a school, after all, which is equipping the young people that attend it to go out and get jobs around the state, good jobs, and in Aroostook County as well, and Aroostook County has a very high rate of unemployment. It would seem to me that the vocational-technical institute up there should get priority if there is to be any differentiation in terms of time.

I, for myself, am firmly convinced that the need for putting this bond issue into immediate effect, and the project as it pertains to all of the VTI's around the state has been demonstrated at the Appropriations Committee hearing with no one testifying against at that time. At that time the support was there, the need was recognized and, for this reason, I ask again that the House members support this Majority Report.

The SPEAKER: The Chair recognizes the gen-

tleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: With due respect to all of the people who have spoken and they have spoken very well, the very words of the lady from South Paris, Miss Bell, when she said the "Statement of Fact"—she laid it all out right then and there loud and clear. I was looking around and you could have heard a pin drop in this room. I wouldn't want to vote the previous question, not these days I wouldn't. Why prolong this any longer, we are not changing any minds? The gates are up for a roll call, why not vote?

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mrs. Masterton.

Mrs. MASTERTON: Mr. Speaker, Ladies and Gentlemen of the House: In deference to my Appropriations Committee seatmate, Representative Jalbert, I would like to very briefly answer the concerns of Representative Mahany.

The delay for your institution would really be minimal. We are talking about your bond being floated as of next July 1985, and in the meantime your institution can begin planning, drawing up engineering plans, providing planning for contracts, even going out to bid. You just can't spend the money, the bond can't be issued until July 1st.

I do want to mention also that the two institutions that were identified by the Department as being of the highest priority of the two that would be addressed in 1984, those are the Kennebec Valley VTI and the Washington County facility, so those are the two that we are talking about immediately.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: When the Appropriations Committee heard the VTI bill, the presentation was there by the presentors of the needs which were immediate. The shopping list that was presented was presented in good faith on their behalf on what they felt we in this Legislature and the people of Maine could afford at this time. They had other concerns but, nevertheless, it was pared down to the document that you see here today, and I am sure that with reluctance, any participation of the VTI's on what is an emergency in their regard was done very reluctantly.

Over the years, as a member of this body and particularly as a member of the Appropriations Committee, I have seen that when we delay, for whatever reason, additional requests are generally made for equipment or the general costs of contracting a particular building or buildings in regard to bonds in this state.

I would urge the House to reject the amendment. I appreciate that it was offered in good faith. I think that we would be far better off if we put the bond issues out in total, and total means that each one of them that are presented on the ballot will be addressed at the same time.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Bangor, Mr. Kelleher, that House Amendment "A" to Committee Amendment "A" be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 507

YEA—Ainsworth, Allen, Andrews, Beaulieu, Bost, Bott, Brannigan, Brodeur, Brown, A.K.; Carroll, D.P.; Carroll, G.A.; Carter, Cashman, Chonko, Clark, Connolly, Cooper, Cote, Cox, Crouse, Crowley, Daggett, Diamond, Erwin, Gauvreau, Gwadosky, Hall, Handy, Hayden, Hickey, Higgins, H.C.; Hobbins, Jacques, Jalbert, Joseph, Joyce, Kane, Kelleher, Kelly, Ketover, Kilcoyne, LaPlante, Lisnik, Locke, MacEachern, Macomber, Mahany, Manning, Martin, A.C.; Matthews, K.L.; Matthews, Z.E.; Maybury, Mayo, McCollister, McGowan, McHenry, McSweeney, Melendy, Michael, Michaud, Mills, Mitchell, E.H.; Mitchell, J.; Moholland, Murray, Nadeau, Nelson, Norton, Paradis, P.E.; Paul, Perry, Pou-

liot, Racine, Reeves, P.; Richard, Roberts, Rolde, Rotondi, Smith, C.B.; Soucy, Soule, Stevens, Swazey, Tammamo, Telow, Theriault, Thompson, Tuttle, Vose, Weymouth, The Speaker.

NAY—Anderson, Armstrong, Bell, Bonney, Brown, D.N.; Cahill, Callahan, Conary, Conners, Curtis, Davis, Day, Dexter, Dillenback, Drinkwater, Foster, Greenlaw, Higgins, L.M.; Holloway, Ingraham, Jackson, Kiesman, Lebowitz, Livesay, MacBride, Masterman, Masterton, McPherson, Murphy, E.M.; Murphy, T.W.; Paradis, E.J.; Parent, Pines, Randall, Reeves, J.W.; Ridley, Robinson, Roderick, Salsbury, Scarpino, Seavey, Sherburne, Smith, C.W.; Sproul, Stevenson, Stover, Strout, Walker, Webster, Wentworth, Willey, Zirkilton.

ABSENT—Baker, Benoit, Carrier, Dudley, Lehoux, Martin, H.C.; Perkins, Small.

91 having voted in the affirmative and 52 in the negative, with 8 being absent, the motion did prevail.

Thereupon, Committee Amendment "A" was adopted. The Bill passed to be engrossed as amended and sent up for concurrence.

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$16,500,000 for the Construction and Renovation of Higher Education Facilities at the University of Maine" (S. P. 923) (L. D. 2481) (C. "A" S-442).

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

On motion of Miss Bell of South Paris, the House reconsidered its action whereby Committee Amendment "A" was adopted.

The same gentlewoman offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" (H-745) to Committee Amendment "A" (S-442) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentlewoman from South Paris, Miss Bell.

Miss BELL: Mr. Speaker, Ladies and Gentlemen of the House: I will be very brief this time because basically this follows with the debate we presented on the last issue. However, there are a couple of things that are different.

Our feelings here was to support the \$3 million in this biennium and the \$13.5 million in the next biennium. The major reason for this was because of the visiting committee that the Legislature endorsed in the spring. We allocated \$75,000 to have an independent study group go out and assess the needs of the university system. Pending their report and decisions, we felt more secure of beginning a major capital construction plan. Testimony before Appropriations indicated that the university was beginning a \$57 million five-year capital planning program and we felt that we needed more information before we invested in that degree.

I would ask your support for the amendment that is before you.

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

Mr. CARTER: Mr. Speaker, I move the indefinite postponement and would request a roll call.

The SPEAKER: The gentleman from Winslow, Mr. Carter, moves the indefinite postponement of House Amendment "A" to Committee Amendment "A".

The gentleman may proceed.

Mr. CARTER: Mr. Speaker, Ladies and Gentlemen of the House: Briefly, I would like to respond to the gentlelady from South Paris, Representative Bell. She indicated to us that we ought to know what the visiting committee will do before we undertake any major capital improvement program. I suggest and submit to you that once the bond issue is voted on by the electorate of the state, it will not be changeable unless it goes back out to referendum. I think all this would serve to do is delay and delay.

For example, it has been stated previously that this would not necessarily delay any aca-

demic advantages any longer than necessary. Well, I would suggest that you take a look at the issues. There is an item there of \$3 million for computers that applies to all of the campuses, and this can be put into effect immediately once ratified by the voters of the state. To postpone this until July 1st of 1985 I think is really unnecessary.

While we were taking testimony on these bond issues, we were fortunate to hear from people from the bonding houses out of Boston. I also have in my possession several letters from bonding firms and they both deal with questions of the 90 percent rule, so-called.

Let me read briefly from one of them. This is a special report from Prudential-Bate, a municipal bond research department, and it deals with Maine's debt ratios in the 90 percent rule. "Currently Maine's debt ratios are roughly average among the states, falling within the range with the Triple A states are much lower than the ratios for a number of Double A states. However, continuation of the 90 percent debt issuance 'build-down' could sooner or later lead to deterioration of public infrastructure magnifying future capital costs and threatening Maine's Triple A rating."

I would ask you to think about this. I believe that what the Appropriations Committee, the majority, elected to do by putting out the bond issues as presented, which represent all the top priorities of the department's concern, should be put out to the electorate as presented and I would urge you to vote against this amendment.

The SPEAKER: Representative Carter of Winslow requested a roll call on the motion to indefinitely postpone House Amendment "A" to Committee Amendment "A".

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

The Chair recognizes the gentleman from Harrison, Mr. Jackson.

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: I have been listening this morning with great interest, particularly to the last two debates concerning the VTI's and the University of Maine.

I think one thing we must not lose sight of, ladies and gentlemen, it is my understanding a bond issue for the University of Maine has not been approved in the last 15 years. I don't know how many have been sent to the voters for ratification. If we are really and truly concerned about approval of a bond of this magnitude for reconstruction and capital construction and facilities and whatever the case may be at those institutions throughout the state in bringing our schools into what is called the 20th century era with computers and improvements in high technology and economic environment, I think we should heed what some members of this body are saying this morning.

I think that the attempt that was made on the previous amendment was a valid attempt. It kept this Legislature and would keep the voters of the State of Maine in a general agreement that we shouldn't be issuing more bonds than we are retiring at the present time.

I think another thing that people lose sight of—it might also enhance the possibility of the voters to ratify these bonds in November so we could issue these bonds and get these much needed repairs and expenditures out there so that we could take advantage of them.

I am a firm believer that in November, if these bonds do go to the voters for ratification, the total package, that there will be several of them defeated. I think by breaking these apart, authorizing the issuance of these in 1984-85, 85 and 86, has merit. I think that the voters out there understand that. They can read, ladies and gentlemen, and they understand I think quite well. I think that one shot, with that total package, will have a detrimental effect. I don't know where it will be, whether it will be on the University of Maine, the VTI's the prison system

or the court system, but I do believe that it will have a detrimental effect on some of those bonds.

I wish when the vote is taken this trip that you might listen to what has been said here this morning and if we are really and truly interested in improving the educational climate, the economic climate of this state, I think it would be wise to accept this amendment at this time.

The SPEAKER: The pending question before the House is the motion of the gentleman from Winslow, Mr. Carter, that House Amendment "A" to Committee Amendment "A" be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 508

YEA—Ainsworth, Allen, Andrews, Beaulieu, Bost, Bott, Brannigan, Brodeur, Brown, A.K.; Carroll, D.P.; Carroll, G.A.; Carter, Cashman, Chonko, Clark, Connolly, Cooper, Cote, Cox, Crouse, Crowley, Daggett, Diamond, Erwin, Gauvreau, Gwadosky, Hall, Handy, Hayden, Hickey, Higgins, H.C.; Hobbins, Jacques, Jalbert, Joseph, Joyce, Kane, Kelleher, Kelly, Ketover, Kilcoyne, LaPlante, Lisnik, Locke, MacEachern, Macomber, Mahany, Manning, Martin, A.C.; Matthews, K.L.; Matthews, Z.E.; Maybury, Mayo, McCollister, McGowan, McHenry, McSweeney, Melendy, Michael, Michaud, Mills, Mitchell, E.H.; Mitchell, J.; Moholland, Murray, Nadeau, Nelson, Norton, Paradis, P.E.; Paul, Perry, Pouliot, Racine, Randall, Reeves, P.; Richard, Roberts, Rolde, Rotondi, Smith, C.B.; Soucy, Soule, Stevens, Swazey, Tammamo, Theriault, Thompson, Tuttle, Vose, The Speaker.

NAY—Anderson, Armstrong, Bell, Bonney, Brown, D.N.; Cahill, Callahan, Conary, Conners, Curtis, Davis, Day, Dexter, Dillenback, Drinkwater, Foster, Greenlaw, Higgins, L.M.; Holloway, Ingraham, Jackson, Kiesman, Lebowitz, Livesay, MacBride, Masterman, Masterton, McPherson, Murphy, E.M.; Murphy, T.W.; Paradis, E.J.; Parent, Pines, Reeves, J.W.; Ridley, Robinson, Roderick, Salsbury, Scarpino, Seavey, Sherburne, Smith, C.W.; Sproul, Stevenson, Stover, Strout, Telow, Walker, Webster, Wentworth, Weymouth, Willey, Zirkilton.

ABSENT—Baker, Benoit, Carrier, Dudley, Lehoux, Martin, H.C.; Perkins, Small.

90 having voted in the affirmative and 53 in the negative, with 8 being absent, the motion did prevail.

Thereupon, Committee Amendment "A" was adopted and the Bill passed to be engrossed as amended in concurrence.

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

Passed to Be Enacted Bond Issue

An Act to Authorize a General Fund Bond Issue in the Amount of \$16,500,000 for the Construction and Renovation of Higher Education Facilities at the University of Maine (S. P. 923) (L. D. 2481) (C. "A" S-442)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. In accordance with the provisions of Section 14 of Article IX of the Constitution, a two-thirds vote of the House is necessary.

Representative Higgins requested a roll call on Enactment.

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

The SPEAKER: The pending question before the House is on passage to be enacted. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 509

YEA—Ainsworth, Allen, Anderson, Andrews, Armstrong, Beaulieu, Bost, Bott, Brannigan, Brodeur, Brown, A.K.; Brown, D.N.; Callahan, Carroll, D.P.; Carroll, G.A.; Carter, Cashman, Chonko, Clark, Conary, Connolly, Cooper, Cote, Cox, Crouse, Crowley, Daggett, Day, Dexter, Diamond, Dillenback, Drinkwater, Erwin, Foster, Gauvreau, Greenlaw, Gwadosky, Hall, Handy, Hayden, Hickey, Higgins, H.C.; Hobbins,

Holloway, Ingraham, Jacques, Joseph, Joyce, Kane, Kelleher, Kelly, Ketover, Kilcoyne, LaPlante, Lebowitz, Lisnik, Locke, MacBride, MacEachern, Macomber, Mahany, Manning, Martin, A.C.; Masterman, Masterton, Matthews, K.L.; Matthews, Z.E.; Maybury, Mayo, McCollister, McGowan, McHenry, McPherson, McSweeney, Melendy, Michael, Michaud, Mills, Mitchell, E.H.; Mitchell, J.; Moholland, Murphy, E.M.; Murray, Nadeau, Nelson, Norton, Paradis, E.J.; Paradis, P.E.; Parent, Perry, Pines, Pouliot, Racine, Randall, Reeves, P.; Richard, Ridley, Roberts, Rolde, Rotondi, Salsbury, Seavey, Smith, C.B.; Soucy, Soule, Stevens, Stevenson, Stover, Strout, Swazey, Tammaro, Telow, Theriault, Thompson, Tuttle, Vose, Webster, Weymouth, Willey, The Speaker.

NAY—Bell, Bonney, Cahill, Conners, Curtis, Davis, Higgins, L.M.; Jackson, Kiesman, Livesay, Murphy, T.W.; Paul, Reeves, J.W.; Robinson, Roderick, Scarpino, Sherburne, Smith, C.W.; Sproul, Walker, Wentworth, Zirkilton.

ABSENT—Baker, Benoit, Carrier, Dudley, Jalbert, Lehoux, Martin, H.C.; Perkins, Small.

120 having voted in the affirmative and 22 in the negative, with 9 being absent, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

House at Ease

Called to order by the Speaker.

Passed to Be Enacted Bond Issue

An Act to Authorize a General Fund Bond Issue in the Amount of \$13,425,000 for Capital Improvements, Construction, Renovations, Equipment and Furnishings for Vocational-Technical Institutes and to Provide Funds for the Procurement of a Tugboat to be Used for Training Purposes at the Maine Maritime Academy (H. P. 1876) (L. D. 2478) (C. "A" H-742).

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. In accordance with the provisions of Section 14 of Article IX of the Constitution, a two-thirds vote of the House is necessary.

Representative Higgins of Scarborough requested a roll call on passage to be enacted.

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

The SPEAKER: The pending question before the House is passage to be enacted. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 510

YEA—Ainsworth, Allen, Anderson, Andrews, Armstrong, Beaulieu, Bonney, Bost, Brannigan, Brodeur, Brown, A.K.; Brown, D.N.; Cahill, Callahan, Carroll, D.P.; Carroll, G.A.; Carter, Cashman, Chonko, Clark, Conary, Conners, Connolly, Cooper, Cote, Cox, Crouse, Crowley, Daggett, Davis, Day, Dexter, Diamond, Dillenback, Drinkwater, Erwin, Foster, Gauvreau, Greenlaw, Gwadosky, Hall, Handy, Hayden, Hickey, Higgins, H.C.; Higgins, L.M.; Hobbins, Holloway, Ingraham, Jacques, Joseph, Joyce, Kane, Kelleher, Kelly, Ketover, Kilcoyne, LaPlante, Lebowitz, Lisnik, Locke, MacBride, MacEachern, Macomber, Mahany, Manning, Martin, A.C.; Masterman, Masterton, Matthews, K.L.; Matthews, Z.E.; Maybury, Mayo, McCollister, McGowan, McHenry, McPherson, McSweeney, Melendy, Michael, Michaud, Mills, Mitchell, E.H.; Mitchell, J.; Moholland, Murphy, E.M.; Murray, Nadeau, Nelson, Norton, Paradis, E.J.; Paradis, P.E.; Parent, Paul, Perry, Pines, Pouliot, Racine, Reeves, P.; Richard, Ridley, Roberts, Robinson, Rolde, Rotondi, Salsbury, Scarpino, Seavey, Sherburne, Smith, C.B.; Smith, C.W.; Soucy, Stevens, Stevenson, Stover, Strout, Swazey, Tammaro, Telow, Theriault, Thompson, Tuttle, Vose, Weymouth, Willey, Zirkilton, The Speaker.

NAY—Bell, Jackson, Kiesman, Livesay, Murphy, T.W.; Reeves, J.W.; Roderick, Sproul, Walker, Wentworth.

ABSENT—Baker, Benoit, Bott, Carrier, Curtis, Dudley, Jalbert, Lehoux, Martin, H.C.; Perkins, Randall, Small, Soule, Webster.

127 having voted in the affirmative and 10 in the negative, with 14 being absent, the motion did prevail.

Signed by the Speaker and sent to the Senate.

By unanimous consent, all matters having been acted upon requiring Senate concurrence were ordered sent forthwith.

On motion of Mr. Day of Westbrook,

Adjourned until Friday, September 7, at nine o'clock in the morning.