

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

***One Hundred and Twelfth
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

December 5, 1984 - June 20, 1985

HOUSE

Wednesday, April 10, 1985

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

Prayer by Father Joseph Holland, Augusta Mental Health Institute.

Quorum called; was held.

The Journal of yesterday was read and approved.

Papers from the Senate

The following Joint Resolution: (S.P. 475)

JOINT RESOLUTION RECOGNIZING

APRIL 26, 1985, AS

"NATIONAL NURSING

HOME RESIDENTS DAY"

WHEREAS, over 1,000,000 older Americans reside in nursing homes and one in 5 older Americans likely will reside in a nursing home at some time; and

WHEREAS, nursing home residents have contributed to the growth, development and progress of this Nation and the State and, as elders, offer a wealth of knowledge and experience; and

WHEREAS, the Legislature recognizes the importance of the continued participation of these institutionalized senior citizens in the life of our Nation and State; and

WHEREAS, in an effort to foster reintegration of these citizens into their communities, the Legislature encourages community recognition of and involvement in the lives of nursing home residents; and

WHEREAS, the Legislature recognizes the importance of safeguarding the rights of nursing home residents; and

WHEREAS, it is appropriate for the people of Maine to join in support of nursing home residents to demonstrate their concern and respect for these citizens; now, therefore, be it

RESOLVED: That We, the Members of the 112th Legislature now assembled in the First Regular Session, recognize April 26, 1985, as "National Nursing Home Residents Day," a time of renewed recognition, concern and respect for nursing home residents in the State and the Nation.

Came from the Senate, read and adopted.

Was read and adopted in concurrence.

Bill "An Act to End Subsidized Early Retirement Payments Under the Maine State Retirement System Laws" (S.P. 471) (L.D. 1274)

Came from the Senate, referred to the Committee on Aging Retirement and Veterans and Ordered Printed.

Was referred to the Committee on Aging, Retirement and Veterans in concurrence.

Bill "An Act Concerning a Maine Viet Nam Veterans' Memorial" (S.P. 456) (L.D. 1259)

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

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

Bill "An Act Relating to Mediation in Proceeding under the Child and Family Services and Child Protection Act" (S.P. 472) (L.D. 1275)

Came from the Senate, referred to the Committee on Judiciary and Ordered Printed.

Was referred to the Committee on Judiciary in concurrence.

Bill "An Act Relating to the Suspension of Motor Vehicle Licenses for Refusal of Chemical Test" (S.P. 473) (L.D. 1276)

Bill "An Act Relating to Absentee Balloting by Residents of Nursing Homes, Hospices and Congregate Housing Units" (S.P. 474) (L.D. 1277)

Came from the Senate, referred to the Committee on Legal Affairs and Ordered Printed.

Were referred to the Committee on Legal Affairs in concurrence.

Ought to Pass in New Draft

Report of the Committee on Education on Bill "An Act Concerning Alternatives to Attendance in Public Schools" (S.P. 212) (L.D. 570) reporting "Ought to Pass" in New Draft (S.P. 455) (L.D. 1258)

Came from the Senate, with the report read and accepted and the New Draft passed to be engrossed.

Report was read and accepted and the New Draft read once and assigned for Second Reading later in today's session.

Divided Report**Later Today Assigned**

Majority Report of the Committee on Judiciary on Bill "An Act to Amend the Laws Relating to Admission to the Bar" (S.P. 220) (L.D. 579) reporting "Ought to Pass" as amended by Committee Amendment "A" (S-40)

Signed:

Senators:

CARPENTER of Aroostook

CHALMERS of Knox

SEWALL of Lincoln

Representatives:

COOPER of Windham

MacBRIDE of Presque Isle

ALLEN of Washington

PRIEST of Brunswick

KANE of South Portland

LEBOWITZ of Bangor

DRINKWATER of Belfast

PARADIS of Augusta

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

Signed:

Representatives:

CARRIER of Westbrook

STETSON of Damariscotta

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-40)

Reports were read.

Representative Paradis of Augusta moved that the House accept the Majority "Ought to Pass" Report.

On motion of the same Representative, tabled pending his motion to accept the Majority "Ought to Pass" Report and later today assigned.

Non-Concurrent Matter

Bill "An Act to Provide Teacher Professional Time During the School Day" (H.P. 158) (L.D. 192) on which the Majority "Ought Not to Pass" Report of the Committee on Education was read and accepted in the House on April 3, 1985.

Came from the Senate with the Minority "Ought to Pass" as amended Report of the Committee on Education read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-44) in non-concurrence.

On motion of Representative Brown of Gorham, the House voted to adhere.

Messages and Documents

The following Communication:

DEPARTMENT OF PUBLIC SAFETY

36 Hospital Street, Augusta, Maine 04330

April 9, 1985

Governor Joseph E. Brennan and Members of the 112th Legislature

Transmitted herewith is the Final Report of the Maine Criminal Justice Planning and Assistance Agency (MCJPAA).

Since late 1968, the MCJPAA, through its Board of Directors, has been responsible in administering the Law Enforcement Assistance Administration (LEAA) Program for Maine. This report reviews and summarizes the major activities during this time period.

The passing of MCJPAA brings to a close an era that has had a major impact on services

provided by the criminal justice system. Maine, as the report bears out, can be proud of the accomplishments and equitable distribution of its Federal/State Funds, allocated through the Board of Directors.

The recommendations in this Final Report were developed by the Executive Board of the agency. We feel that they represent important guides in maintaining the changes and continuing the progressive, orderly growth of the criminal justice system for the benefit of Maine citizens.

Sincerely,

S/ DAVID M. COX

Chairman

Board of Directors

Was read and with accompanying report ordered placed on file.

The following Communication:

State of Maine

ADMINISTRATIVE OFFICE OF THE COURTS

P.O. Box 4820 Downtown Station

Portland, Maine 04112

April 8, 1985

The Honorable John L. Martin

Speaker of the House

State House

Augusta, Maine 04333

Dear Speaker Martin:

It is my honor and personal pleasure to transmit to you and each of the other representatives of the 112th Legislature a copy of the Ninth Annual Report of the Administrative Office of the Courts, pursuant to the provisions of 4 MRSA section 17.10.

Sincerely,

S/ DANA R. BAGGETT

State Court Administrator

Was read and with accompanying report ordered placed on file.

Orders

On motion of Representative McSWEENEY of Old Orchard Beach, the following Order:

ORDERED, that Representative Rufus E. Stetson, Jr., of Damariscotta be excused April 9 for the duration of his illness.

Was read and passed.

Passed to Be Engrossed**Later Today Assigned**

Bill "An Act to Amend the Maine Consumer Credit Code" (S.P. 438) (L.D. 1214)

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

On motion of Representative McHenry of Madawaska, tabled pending passage to be engrossed and later today assigned.

As Amended

Bill "An Act to Increase the Limit on New School Bus Purchases" (H.P. 390) (L.D. 539) (C. "A" H-62)

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

Representative Brown of Gorham offered House Amendment "A" (H-66) and moved its adoption.

House Amendment "A" (H-66) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended by House Amendment "A" and sent up for concurrence.

(Off Record Remarks)

On motion of Representative Callahan of Mechanic Falls.

Recessed until five o'clock in the afternoon.

After Recess

5:00 P.M.

The House was called to order by the Speaker.

The following item appearing on Supplement No. 1 was taken up out of order by unanimous

consent:

Consent Calendar First Day

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

(H.P. 777) (L.D. 1098) Bill "An Act Related to the Observance of Memorial Day" (Emergency) Committee on State Government reporting "Ought to Pass"

There being no objections, the above item was ordered to appear on the Consent Calendar of Thursday, April 11, 1985 under the listing of Second Day.

The following items appearing on Supplement No. 2 were taken up out of order by unanimous consent:

Papers from the Senate

Unanimous Leave to Withdraw

Report of the Committee on Labor reporting "Leave to Withdraw" on Bill "An Act to Provide Retraining Opportunities to Persons Whose Employment Terminates as a Result of a Plant Closing" (S.P. 354) (L.D. 962)

Report of the Committee on Labor reporting "Leave to Withdraw" on Bill "An Act to Provide for Prompt Dispute Resolution under Maine's State Bargaining Law" (S.P. 359) (L.D. 980)

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

Non-Concurrent Matter

Bill "An Act to Require that all Checks Issued to a Recipient of State Aid to Pay Local Real Estate Taxes be Issued Jointly in the Name of the Municipality and the Name of the Recipient" (S.P. 463) (L.D. 1266) which was referred to the Committee on Taxation in the House on April 9, 1985.

Came from the Senate with that body having insisted on its former action whereby the Bill was referred to the Committee on Human Resources in non-concurrence.

On motion of Representative Higgins of Portland, the House voted to adhere.

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

Non-Concurrent Matter

Bill "An Act to Provide for Licensing of Companies Who Apply Pesticides as Custom or Commercial Applicators" (S.P. 133) (L.D. 372) which was passed to be enacted in the House on April 9, 1985.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-41) in non-concurrence.

The House voted to recede and concur.

Petitions Bills and Resolves Requiring Reference

The following Bills and Resolves were received and, upon the recommendation of the Committee on Reference of Bills, were referred to the following Committees, Ordered Printed and Sent up for Concurrence:

Aging, Retirement and Veterans

Bill "An Act to Establish Registers for Maine Veterans Exposed to Herbicides and Nuclear Radiation" (H.P. 892) (Presented by Representative DELLERT of Gardiner) (Cosponsor: Representative JALBERT of Lisbon)

(Ordered Printed.)

Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act to Provide an Office of Advocate in Cases of Child Abuse and Selection of and Operation of Children in Foster Homes" (H.P. 893) (Presented by Representative ROLDE of York)

(Ordered Printed.)

Sent up for concurrence.

Business and Commerce

Bill "An Act to Require Medical Practitioners to Warn Patients of Possible Side Effects for Prescription Drugs" (H.P. 894) (Presented by Representative MacBRIDE of Presque Isle) (Cosponsor: Representative SEAVEY of Kennebunkport)

Bill "An Act Concerning Conversion of Mutual Financial Institutions" (H.P. 895) (Presented by Representative HILLOCK of Gorham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

(Ordered Printed.)

Sent up for concurrence.

Education

Bill "An Act to Provide for Identification and Application to Appropriate Accounts of School Reimbursement Funds" (H.P. 896) (Presented by Representative RIDLEY of Shapleigh) (Cosponsors: Representatives LAWRENCE of Parsonsfield and LORD of Waterboro)

Bill "An Act to Strengthen Education in Maine" (H.P. 897) (Presented by Representative WEBSTER of Cape Elizabeth) (Cosponsors: Representatives ZIRNKILTON of Mount Desert and FOSS of Yarmouth)

(Ordered Printed.)

Sent up for concurrence.

Energy and Natural Resources

Bill "An Act Concerning an Oil Booming Exception for Oil Transfer Vessels in Searsport Harbor" (Emergency) (H.P. 898) (Presented by Representative CROWLEY of Stockton Springs) (Cosponsors: Senator SHUTE of Waldo, Representative DRINKWATER of Belfast, and SWAZEY of Bucksport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

(Ordered Printed.)

Sent up for concurrence.

Judiciary

RESOLUTION, Proposing an Amendment to the Constitution of Maine Relating to Salaries Received by Judges Who have been Relieved of Their Duties (H.P. 899) (Presented by Representative CARRIER of Westbrook)

(Ordered Printed.)

Sent up for concurrence.

Legal Affairs

Bill "An Act Concerning Blood Tests for Certain Drivers Involved in Motor Vehicle Accidents" (H.P. 900) (Presented by Representative BROWN of Livermore Falls) (Cosponsor: Representative DAVIS of Monmouth)

(Ordered Printed.)

Sent up for concurrence.

State Government

Bill "An Act Concerning Appeals to the Governmental Ethics Commission" (H.P. 901) (Presented by Representative SPROUL of Augusta)

(Ordered Printed.)

Sent up for concurrence.

Taxation

Bill "An Act Concerning the Property Tax Lien Process" (H.P. 902) (Presented by Representative INGRAHAM of Houlton)

(Ordered Printed.)

Sent up for concurrence.

Transportation

Bill "An Act Relating to the Reporting of Highway Statistics" (H.P. 903) (Presented by Representative NELSON of Portland)

(Ordered Printed.)

Sent up for concurrence.

Reports of Committees

Unanimous Leave to Withdraw

Representative JACQUES from the Committee on Fisheries and Wildlife on Bill "An Act

Concerning the Deer Hunting Season for Cumberland County" (H.P. 33) (L.D. 35) reporting "Leave to Withdraw"

Representative THERIAULT from the Committee on Transportation on Bill "An Act Concerning Public Access to Rest Facilities on Interstate Route 95" (H.P. 542) (L.D. 769) reporting "Leave to Withdraw"

Was placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for 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. 417) (L.D. 583) Bill "An Act to Increase the Annual Public Utilities Commission Regulatory Fund Assessment and to Clarify the Current Statutes" (Emergency) Committee on Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (H-67)

There being no objections, the above item was ordered to appear on the Consent Calendar of Thursday, April 11, 1985 under the listing of Second Day.

Passed to Be Engrossed

Bill "An Act Concerning Alternatives to Attendance in Public Schools" (S.P. 455) (L.D. 1258)

Was reported by the Committee on Bills in the Second Reading, read the second time and Passed to be Engrossed in concurrence.

The following items appearing on Supplement No. 3 were taken up out of order by unanimous consent:

Reports of Committees

Unanimous Ought Not to Pass

Representative CARTER from the Committee on Appropriations and Financial Affairs on Bill "An Act to Increase Contributions from the General Fund for Support of Education" (H.P. 252) (L.D. 306) reporting "Ought Not to Pass"

Representative CONNOLLY from the Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Increases of Salaries for District Attorneys and Assistant District Attorneys" (Emergency) (H.P. 265) (L.D. 361) reporting "Ought Not to Pass"

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

Unanimous Leave to Withdraw

Representative BELL from the Committee on Appropriations and Financial Affairs on Bill "An Act to Establish a Children's Emergency Shelter in the Rockland Area" (H.P. 214) (L.D. 248) reporting "Leave to Withdraw"

Representative McGOWAN from the Committee on Appropriations and Financial Affairs on Bill "An Act to Require the State to Administer and Finance a General Assistance Program for Migrant Workers" (H.P. 292) (L.D. 381) reporting "Leave to Withdraw"

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

Consent Calendar First Day

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

(H.P. 742) (L.D. 1052) Bill "An Act to Make Additional Allocations from the Federal Expenditure Fund for the Fiscal Year Ending June 30, 1985" (Emergency) Committee on Appropriations and Financial Affairs reporting "Ought to Pass"

There being no objections, the above item was ordered to appear on the Consent Calendar of Thursday, April 11, 1985 under the listing of Second Day.

Orders of the Day

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

Bill "An Act Concerning the Distribution of Atlantic Salmon Smolts and the Conservation of Atlantic Salmon" (Emergency) (H.P. 836) (L.D. 1180)

TABLED—April 4, 1985 by Representative VOSE of Eastport.

PENDING—Passage to be Engrossed.

The SPEAKER: The Chair recognizes the Representative from Eastport, Representative Vose.

Representative VOSE: Mr. Speaker, Ladies and Gentlemen of the House: I now move indefinite postponement of this bill and all its accompanying papers.

In the process of attempting this bill, I finally realized that this bill itself, since it was permissive, was unnecessary in that the United States Department of Fisheries and Wildlife did, in fact, own the salmon smolt until such time as they allocated the smolt to the state for stocking of the rivers. Once the salmon smolt were in possession of the state, it was obvious that, yes the bill was necessary because it was the property of this state. But, in effect, the company was able to convince the service that they should allocate some smolt toward aquaculture purposes, then we do not need this bill. However, Mr. Pierce, the general manager of Ocean Products went to Boston on Tuesday and the service indicated that because they were trying to negotiate certain rules and regulations as far as the Atlantic Salmon is concerned with Canada that they would not allocate any smolt whatsoever for aquaculture purposes since it may jeopardize their position.

However, the good news, which I am very happy to report, is that they found that there were approximately anywhere from 200,000 to 250,000 smolt available in New Hampshire for purchase. We were very elated. Mr. Pierce is now in New Hampshire talking with the people and the only thing that we have to be sure of is that they pass the biological test which is necessary to have them transferred into the State of Maine.

I want to thank those of you who supported me in this effort. It was a short effort and I want to congratulate those friendly opponents and the fine job they did even though I didn't agree with them. They sure did put up a battle that I found was really formidable. Therefore, I would like to say that I am pleased to stand here and say that my friends who supported me, I am letting you off the hook and I am sure that it has been agreed upon by my very good friend, Representative Carter, and my other good friend, Representative Ruhlin, they will be tickled to death to cut the line.

The SPEAKER: The Chair recognizes the Representative from Freeport, Representative Mitchell.

Representative MITCHELL: Mr. Speaker, Ladies and Gentlemen of the House: Before this issue is finally put to rest in this House, I would like to share some thoughts I have on this issue and the lengthy debate we had the other day.

In the last three years that I have been here, we have had a request from the Bath Iron Works Corporation for a major grant of public money to build a facility in the City of Portland and we went along with that grant. It was probably a competitive request. They opened up a plant there and, although they are not hiring quite as many people as I think some of us were led to believe, it is a project that is going ahead.

We also voted a \$4 million tax break to a non-competitive ethanol project that was to be built in the City of Auburn that was never built.

We have given a tax break of \$400,000 to a company called Bar Harbor Airlines, who couldn't competitively operate in the State of Maine and who were threatening to leave to

go to New Hampshire, and we have tabled unassigned in this House a bill that would give a tax break to the Keyes Fibre Co., which is a company that cannot competitively operate in the State of Maine because of high labor costs and energy costs and has threatened to leave the state.

The proposal in Eastport, as I understand it, was a request for a loan and not a grant. It was an economically sound concern, it was a business in which Maine had an absolute competitive advantage. That business can't take place in any other state on the East Coast because no other place has water as clean as Eastport or water temperature of Eastport. It is a competitively environmentally sound business. We, in Maine, have very little to offer in this country, we have our people and we have our natural resources. What we did in this House the other day was we turned around and said that we weren't going to support an environmentally sound business in which we had an absolute competitive advantage over every state in the East Coast. I think that is really sad. I think it is foolhardy for us to go out and support these marginal businesses that are coming to us and asking us for breaks and then turning our backs on a wonderful business like the one that was proposed in Mr. Vose's district.

Those salmon that have been raised in Mr. Vose's district are sold in my district at a large mail order company, and I think you all know who that is, they sell those salmon in pound and a half or two pounds of smolt salmon are sold in the catalog for \$39.00 and it is a good market. I hope that Mr. Vose's business can continue. I really think what we did was terrible. I just wanted these statements on the record before we dispatched this issue.

The SPEAKER: The Chair recognizes the Representative from Winslow, Representative Carter.

Representative CARTER: Mr. Speaker, Ladies and Gentlemen of the House. I had no intention of speaking on this issue this afternoon but the door has been opened and I think I ought to set the record straight. The issue of economic development has been brought up and what the legislature did was unfair. Well, I would like to remind the good gentleman from Freeport that this firm had received all kinds of help from the state. It got an SBA Loan, it got a CDBG Loan, it got a UDAG Loan, got money from the Eastern Maine Development Fund, got money from the Eastern Maine Development Corporation and then came to the legislature for its raw material. Now the firms that you mentioned are in existence and none of them came to the legislature for raw materials to operate after they leveraged their firm with more public funds than private funds.

Now let me point out something else about economic development and the value of the resources that we have in this state that we have totally ignored. Let me read to you what the Canadian Ministry of Fisheries says and it really rankles the commercial fishermen in saying so. I quote from the Canadian Press: "The Minister of Fisheries and Oceans, John Frazier, has disturbed maritime commercial salmon fishermen with some remarks attributed to him by a Canadian press story." Mr. Frazier is quoted as saying that the Atlantic Salmon Fishery should become a major tourist industry. The story quotes him saying, "there are thousands and thousands of U.S. fishermen who would come to the East Coast if they had a reasonable expectation of catching salmon." You heard me say the other day, if you were listening, that the value of an Atlantic salmon is somewhere around \$1,000 each in the type of activity. It goes on to say that, "experience in Mr. Frazier's home province of British Columbia has shown that the salmon earns much more per kilo as a tourist attraction than it does in commercial fisheries."

Now there is one thing that I would like to

get on the record that I didn't have an opportunity to do the other day because somebody moved the question. The man's name that I take issue with has been mentioned by my good friend from Eastport, Representative Vose. I know he is not responsible for what the gentleman says or others. He really got my hair to stand on end. He states in a letter and I have it before me and it says: "The Salmon anglers who oppose this bill are generally upper middle class to elite citizens who expect the federal and state governments to subsidize their hobby." Now I would like to remind that gentleman, if we can call him a gentleman, that the smolts that he was after came in part from funds that were levied by a specialized tax on sporting goods equipment and not from the General Fund. Those salmon actually belong to the people who support the program and should not be used as a raw material for some firm who is not allowed to locate in Canada but came to Maine.

Now I am more than pleased to cut the line and allow this thing to go back to the deep six where it belongs and I hope it doesn't surface again.

The SPEAKER: The Chair recognizes the Representative from Eastport, Mr. Vose.

Representative VOSE: Mr. Speaker, Ladies and Gentlemen of the House: It is most unfortunately we would have to end this on that note. I happen to know Peter Pierce has been a fine honorable gentleman. If, in his anger, he felt that way, that is his right. Never once did I, or anybody else, except Mr. Pierce in his anger, try to belittle a salmon fisherman.

I hope that you understand that I have to fight for my hometown and I have to do what I think is right to protect my people. I want to, once again, thank those of you that supported my efforts and also end on a note that the legislature did, in fact, vote in favor to accept the Majority "Ought to Pass Report."

Thereupon, on motion of Representative Vose of Eastport, the House voted to indefinitely postpone the bill and all its accompanying papers.

Sent up for concurrence.

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

An Act Concerning Eligibility to Hunt Moose (H.P. 52) (L.D. 65) (C. "A" H-36)

TABLED—April 9, 1985 by Representative CLARK of Millinocket.

PENDING—Motion of Representative ERWIN of Rumford to Indefinitely Postpone Bill and accompanying papers. (Roll Call Requested)

The SPEAKER: The Chair recognizes the Representative from Rumford, Representative Erwin.

Representative ERWIN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to remind the members of the House of some of my comments made yesterday. At the hearing on this bill, the Deputy Commissioner of the Department of Inland Fisheries and Wildlife, stated that there was no biological reason for this bill. This is a social issue or matter of perception in the thrust of the of the legislation. He stated that the probability of reselection was too small to warrant the problems and costs associated with accurately keeping track of past permittees and effectively controlling the reallocation of permits to ineligible individuals. This bill will deny a person who has obtained a moose hunting permit from participating in the moose lottery for two years. As I said yesterday, a lottery is a lottery. If we go for this type of legislation, we should probably present legislation so that if I win \$10,000 on the Maine State Lottery that I should be denied the opportunity to participate in that lottery for two years.

This bill has a fiscal note on it. It means a loss of revenue of \$5,500 the first year and \$11,000 every year thereafter. In addition to this revenue loss, there will be additional ex-

pense to the Department to set up a computerized listing by social security numbers to avoid re-selection. The repeaters are so few as to be insignificant. In 1984, there were 60,881 applications purchased. Of this number, 1,000 were drawn and there were only eleven repeats from the previous year.

Last session, the Audit and Program Review Committee finalized a full year of study of the department which culminated in a comprehensive bill to increase efficiency, accountability and to seek additional funding for a financially troubled department.

Finally, I would ask you this question. Does it make sense to pass a bill that would create a loss of revenue of \$16,500 in the first two years and \$11,000 each year thereafter for a department with a known financial problem?

The SPEAKER: The Chair recognizes the Representative from Mechanic Falls, Representative Callahan.

Representative CALLAHAN: Mr. Speaker, Ladies and Gentlemen of the House: I have a little cold, if you would bear with me, I will try to explain why I introduced this bill. In the first place, this is the only state in the nation that has a limited hunt without some kind of restriction. In Wyoming, there is a five year waiting period on grizzly bear, elk and moose. In Montana, there is a three year waiting period for moose. In Utah, the big horn sheep, it is once in a lifetime. In Arizona, they have two animals, the buffalo, the big horn sheep, there are only 500 permits for the buffalo, but if you get one that is once in a lifetime.

One of the most outstanding areas is our neighbor in the Province of New Brunswick. They very recently adopted a five year waiting period and it was because...I have some literature here from Arnold Boar, Wildlife Biologist from New Brunswick. It is very interesting, not only the letter but the statistics. They started with 400 permits and they got an 80 or 90 percent kill. Now that went along for a few years and then they raised it to 1,000 and the percentage of kill still dropped. In 1970, they went to 2,000 and it was about 50 percent kill. In 1974, they had 39,000 applications and they started then with 6,000 permits a year. Within five years, it had dropped 15,000, that is the applications, because so many people had got repeat permits. They started then to consider adoption of some kind of restriction. Last year, they adopted this restriction five year waiting period and they sold their largest number since they started, 45,000 applications. They had never gone over 1,344. They tried to kill at least 1,200 to 1,500. Now with 6,000 permits they are getting less than 25 percent kill. That means one big thing, the moose isn't the dumb cow that you see in the pasture. After he is hunted a while, he is hard to find.

We speak of \$11,000 a year. The state department said they didn't do this as a lottery although they use this vehicle as a lottery to allot the limited number of people to hunt. It really isn't a lottery as far as I am concerned, it is a permit for all the people in Maine that want to hunt. This \$11,000, with a \$12 million budget is less than 100th of one percent. It has been said this is a social bill. How true, it really is, it is not a moose bill. I have hunted and fished all over the state and spoken to many people over the last four years because four years ago I introduced this bill and they told me to hold it up because of the referendum. I have never spoken to anyone but what they said that was a very good bill.

This vote came from the committee ten to three "Ought to Pass." It is true that in the last year there has only been, I think, 12 but the last two years have not been recorded. I tried this morning, I tried last week to find out what the total was in 1973 and 1974 and they said they had no reason to count them but there was 12 the year before. Now, that isn't many but I would say, now is the time to make the

system fair to eliminate the same problem that the Province of New Brunswick got into.

Back on track now, by having a five year waiting period whereby they sold a record number of 45,000 applications, I say this \$11,000 will be peanuts compared to what we will lose if we let this go the way it is. I hope you will vote not to indefinitely postpone.

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

Representative CLARK: Mr. Speaker, Ladies and Gentlemen of the House: I hope you don't go along with the Minority Report on "Ought Not to Pass." We took a lot of time on this bill when we had it in the work session. There was not a group that came out and spoke opposing this bill. The Sportsman Alliance of Maine was in favor of it and everybody that came and testified was in favor of this bill. I beg to differ with my good friend, Representative Erwin from Rumford, on how she believes the department feels because I think in the opposite way.

I took a little bit of time when I did my survey and questionnaire at home and one of my main parts of the questionnaire was part of this bill. A lot of the sportsmen out there feel there ought to be something done even though there is a very few amount of people in repetition of being drawn, they don't see this as a lottery as such like the Maine Lottery, they see this as dealing with the Maine species of moose here in the State of Maine. A lot of thought went into this bill, even though it has been amended for two years, this is the part that I put in for a two year amendment, I think a lot of the sportsmen out there feel this is necessary. I think if we went to a two year period where we would have to wait for the lottery, and maybe an increase on the people out there wanting to put in for the application — I hope you give it some thought, I hope you go with the Majority Report because I think it is a good report and it would be beneficial for all the sportsmen out there.

The SPEAKER: The Chair recognizes the Representative from Rumford, Representative Erwin.

Representative ERWIN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to respond to some of the comments by my good friend from Millinocket, that in that hearing we had three proponents, one opponent and one, neither for nor against and that neither for nor against, was the department.

I also would like to respond to my good friend from Mechanic Falls, Representative Callahan, to correct one thing that he said. In Montana, they have a computerized lottery system for moose, antelope, big horn sheep, antlerless elk — the moose permit holder is not kept out of the lottery in future years. Other people can accompany a moose permit holder on hunt and carry firearms but only the permit holder can kill a moose.

We have a sub-permittee program too. The sub-permittees are not going to be curbed at all so someone who gets a permit this year will be able to go out and hunt as a sub-permittee next year for their friend or relative. This last year 23 permit holders, the previous year were sub-permittee holders so I am saying to you that I think if we are going to do this, maybe we ought to do away with the sub-permittees on this.

The comment was made that, the five year waiting period increased the sales — I would like to tell you how many were sold in the four years that we had it, the experimental season, 36,636. In 1982, 60,150; 1983, 54,825; 1984, 60,881; it is increasing even though there is some comment out there about the re-selection but the number is so few that it is insignificant. I hope you will go with the Minority Bill.

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

Representative McHENRY: Mr. Speaker,

Ladies and Gentlemen of the House: I sponsored the same bill two years ago and Representative Callahan was on the bill with myself and they wouldn't deal with the issue because of the referendum but the whole idea behind the bill was that my people, the hunters, were upset getting the permit twice so they no longer participated in the lottery and that is why the lottery has been going down. It is like this all over the state. They didn't want to put money in there because they don't feel they stand a chance. With this, they will stand a chance. It is sort of like the Public Utilities — when you had your oil surcharge on the bill, people were upset. We took that out, put it in the base, it is still there, and people are pleased so I think it is just a matter of good public relations and I think it will increase the revenues through the department.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Duffy.

Representative DUFFY: Mr. Speaker, Ladies and Gentlemen of the House: Believe me, the sportsmen out there that buy these permits do not think it is insignificant that 12 or 24 or perhaps 36 in three years might have had a chance to shoot a moose twice or might have had two moose two years running. These sportsmen are the people who are paying for this program. They are the ones that want to make this a square deal for everybody. This is not a question of simple mathematics, this is a question that this was set up to be a harvest to be fair and equitable and if it is not fair and equitable, I believe you will see the permit applications decrease.

As far as the dollars, that is a worse scenario we are talking about — \$11,000. We do not know if the perception will be that it will increase to make up for that and we also don't know if the people who did get a permit in this previous year would have their wives or someone else take out a permit application for them the next year.

I do know that I signed the Majority Report. I had sceptical questions about it but, throughout the hearing, and from my district, they asked this to be fair, if you want to call it a lottery or a harvest, but they want it fair and they wanted it even.

I would request a roll call.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Jacques.

Representative JACQUES: Mr. Speaker, Men and Women of the House: I have a couple of different reasons for supporting the Majority Report. It was mentioned about sub-permittees — well, a sub-permittee is picked by the permittee and you are right, it could be the same person a couple of years if you are lucky enough to have a good friend that chooses to pick you. Due to the fact that I have a camp on Moosehead Lake in one of the areas where there probably is more moose than any part of the State of Maine, the chances are pretty good that if any of my friends got picked, they probably would be asking me to be a sub-permittee and maybe I might do that a couple of years in a row.

I have gone on a couple of moose hunts but I did so, neither as a permittee or a sub-permittee, I was kind of a gopher that did most of the work.

When we sold the original moose bill to the people of the state and the people of this legislature, we told that since 1935, this very valuable resource had been protected by the people of the State of Maine. Our biologists had determined that the moose herd was at a situation where they could be harvested on a limited basis. Now we kept the price down to \$25.00 so that it would be fair to everyone. You didn't have to be a millionaire, you didn't have to be that rich doctor or lawyer that somebody talked about when they referred to the Atlantic Salmon fisherman the other day during

debate, you could be just a regular run of the mill guy and for \$25.00 plus your \$5.00 application fee, you would have the opportunity to hunt moose. Now, to go a little further, we limited that to 900 residents. I would be perfectly content to have the law state that for two days anybody could hunt moose because I guarantee you that I would get my moose every year without many exceptions. If you don't believe that, all you have to do is spend a little time with me up north and I will show you but that is not the way it is, we are limiting to 900 permits. I didn't feel real strongly about this until last Spring when something happened that really made me go the other way—at the last moose drawing that I attended at the Augusta Armory, along with Representative Martin from Eagle Lake, last year about the 10th or 12th person drawn was a young fellow that was in the front row and he got up and everybody clapped and applauded and were very happy for the kid and then the kid announced to Bud Leavitt that he had been drawn the year before. Bud Leavitt announced that and when he did, I kind of saw the whole crowd kind of turn the other way and you can call it jealousy or whatever you want, but all of a sudden, they weren't happy for that kid anymore and it caused a little bit of a problem at that time. There was a little bit of jealousy or ill feeling or whatever the case may be.

I have had many opportunities to speak at Fish and Game Clubs in the past couple of years and I campaigned this last November, even though I was fortunate enough not to have an opponent, I still go out and campaign, and probably the fact that I serve on this committee, people talk to me about fish and wildlife matters more than they would with someone who serves on education but almost everywhere I went in the district, when they started talking about moose, they would ask me, when are you going to do something to keep somebody from getting picked two years in a row? I told them that it doesn't happen that often, probably ten or twelve times, and they said, that doesn't matter. If somebody gets picked twice, if it is only one person, then that is taking away from somebody else who misses that opportunity and we don't think that it is fair. That is why I went with the Majority Report. It is a matter of fairness, it is not a matter of dollars and cents because I think sometimes fairness overrules dollars and cents. Not to say if I wasn't really concerned about dollars and cents that I wouldn't go against this bill, but when I did ask Deputy Commissioner Trask, he did say that for the amount of money involved and the possible ill feelings and hard will that are caused and could be caused, we don't see it as a major issue and that was enough to convince me.

I hope you will go along with the Majority Report.

The SPEAKER: The Chair recognizes the Representative from Standish, Representative Greenlaw.

Representative GREENLAW: Mr. Speaker, Ladies and Gentlemen of the House: If I had heard the word fairness said once more, I would have been up earlier but do you realize the embarrassment this is going to cause the department? We found out just two days ago, they are not sure who works over there and here we are running a moose hunt and a lottery. They already acknowledged that if you sent your \$5.00 in, there is no arrangement for ever returning this until they find out that you have been drawn. Then on the floor of the Armory, they are going to tell you you violated a state law, you entered twice in two years and are not going to refund any money to anyone. If you can call that fair and just, I don't.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Jacques.

Representative JACQUES: Mr. Speaker, Men

and Women of the House: I am sure that Representative Greenlaw didn't mean to misrepresent himself but it was made very clear at the hearing that the Department will, from this day forward, have on the applications written that—if you get picked, you would not be eligible for doing so for two more years and if you chose to disregard that and apply anyway, you would forfeit your money, which is standard procedure in most of state government. So it is not like we are out there trying to cheat anybody because it is going to be made very clear, if this bill passes, if you apply hoping that you are going to sneak by and you get caught, you are going to lose your \$5.00 and well you should.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of more than one-fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and, obviously, more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The Chair recognizes the Representative from Island Falls, Representative Smith.

Representative SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I, too, signed the "Ought Not to Pass" Report for all the reasons given. This bill does nothing to address the issue. The people in my district feel that if a person gets a moose, they should not be allowed to get another one, ever. This bill does not address their concerns. The department will lose money and for the number of people that receive the second permit, only 12, the department cannot afford it. This is a lottery. If one is a winner, should he be denied to play again? I think not.

I hope that you will support the motion before you.

The SPEAKER: The Chair recognizes the Representative from Franklin, Representative Conners.

Representative CONNERS: Mr. Speaker, Ladies and Gentlemen of the House: That 12 figure is for the second year of the moose season and there are no figures in for the third and fourth year. There are a lot of hunters out there, a lot of sportsmen. I had attended a hearing here when we had the moose referendum and we asked them to hold off and this is the results of this and you have a lot of sportsmen out there that do not like this business of getting the second permit.

I hope that you won't go along with indefinite postponement.

The SPEAKER: A roll call has been ordered. The pending question before the House is the motion of the Representative from Rumford, Representative Erwin, that this bill and all its accompanying papers be indefinitely postponed.

The SPEAKER: The Chair recognizes the Representatives from Athens, Representative Rotondi.

Representative ROTONDI: Mr. Speaker, I request permission to pair my vote with the Representative from Saco, Representative Nadeau. If he were present and voting, he would be voting yes; I would be voting no.

The SPEAKER: The pending question before the House is the motion of the Representative from Rumford, Representative Erwin, that this bill and all its accompanying papers be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 32

YEAS:—Beaulieu, Bell, Brodeur, Brown, A.K.; Brown, D.N.; Crouse, Erwin, Greenlaw, Harper, Hillock, Holloway, Ingraham, Jackson, Kimball, Martin, H.C.; Masterman, Melendy, Michael, Mitchell, Moholland, Murphy, E.M.; Murray, Nelson, Paradis, E.J.; Perry, Reeves, Rolde, Ruhlin, Small, Smith, C.B.; Smith, C.W.;

Tammaro, Taylor, Vose, Walker, Webster

NAYS:—Aliberti, Allen, Armstrong, Begley, Bonney, Bost, Bott, Boutillier, Bragg, Cahill, Callahan, Carroll, Carter, Cashman, Chonko, Clark, Coles, Cooper, Conners, Cooper, Cote, Crowley, Daggett, Davis, Dellert, Descoteaux, Dexter, Diamond, Dillenback, Drinkwater, Duffy, Farnum, Foster, Gwadosky, Hale, Handy, Hayden, Hickey, Higgins, H.C.; Higgins, L.M.; Hoglund, Jacques, Jalbert, Joseph, Lacroix, Lander, Law, Lawrence, Lebowitz, Lord, MacBride, Macomber, Manning, Matthews, Mayo, McCollister, McHenry, McPherson, McSweeney, Michaud, Mills, Murphy, T.W.; Nadeau, G.G.; Nicholson, Nickerson, O'Gara, Paradis, P.E.; Parent, Paul, Pines, Pouliot, Priest, Racine, Randall, Rice, Richard, Rydell, Salsbury, Seavey, Sherburne, Simpson, Soucy, Sproul, Stevens, A.G.; Stevenson, Swazey, Tardy, Telow, Theriault, Warren, Wentworth, Weymouth, Whitcomb, Willey, Zirkilton

ABSENT:—Baker, A.L.; Baker, H.R.; Branigan, Carrier, Connolly, Foss, Hepburn, Hichborn, Kane, Lisnik, McGowan, Ridley, Rioux, Roberts, Scarpino, Stetson, Stevens, P.; Strout, The Speaker

PAIRED:—Nadeau, G.R.—Rotondi

36 having voted in the affirmative and 94 in the negative with 19 being absent and 2 paired, the motion did not prevail.

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

The Chair laid before the House the following matter: HOUSE DIVIDED REPORT—Majority (7) "Ought to Pass"—Minority (6) "Ought Not to Pass"—Committee on Human Resources on Bill "An Act to Amend the Municipal General Assistance Law" (H.P. 576) (L.D. 847) which was tabled earlier in the day and later today assigned pending the motion of the Representative from Kennebunkport, Representative Seavey, that this Bill and all its accompanying papers be indefinitely postponed.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Nelson.

Representative NELSON: Mr. Speaker, Men and Women of the House: I hope you will vote against the motion to indefinitely postpone this bill.

This bill will assist in reducing the administrative costs for operating general assistance programs by the state and the municipalities. Now the beauty of this bill is that the department has authorized to reward the grants to the municipalities if the project were (1) keep accurate records; (2) improve efficiency of the application process; (3) assist in verifying information; (4) coordinate data and most importantly, reduce fraud and reduce general assistance costs to the state. Now these grants are not automatic, the department is not required to reward any if the grant criteria is not met so each dollar spent will automatically improve the overall, general assistance program. The bill will not pay the entire cost of establishing a computer system in a municipality. It will pay an amount equal to 20 percent of the total general assistance cost of that municipality for the previous year. This amount will be used to establish an automated system but not to maintain or operate it.

The bill is an incentive, a boost, a shot in the arm, for municipalities to help improve the administration of the general assistance program.

I hope you will vote no on the pending motion.

The SPEAKER: The Chair recognizes the Representative from Kennebunkport, Representative Seavey.

Representative SEAVEY: Mr. Speaker, Ladies and Gentlemen of the House: The word municipalities is thrown around here like every one of the 496 municipalities is going to get some grant money. While it is true that every

one of our towns and cities can apply for the grant, I don't think that will be the case.

Let's take another look at the fiscal note, which is only \$100,000 but the bill says that the Department of Human Services can award a grant for 20 percent of a town's general assistance amount. Take the City of Portland, for example, which pays \$3 million a year in general assistance—well, 20 percent of that is \$600,000 that blows a pretty good hole into a \$100,000 appropriation, that doesn't leave a lot of money for the rest of us.

I think the good Representative from Portland has what she thinks is a good bill and I would love to give a \$100,000 to every one of our pet projects if we could but I really don't think the state can afford it. This bill isn't necessarily wasteful but I don't think it falls into the category of what we call careful spending. You know, \$100,000 here and \$100,000 there—you know the rest of the story.

I just don't believe that the entire state has to subsidize one or two of the large cities for them to buy computers to modernize, if you will, their general assistance programs. I think that they should do it themselves.

The SPEAKER: The Chair recognizes the Representative from York, Representative Rolde.

Representative ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: If you will look at the committee report on this bill, you will see that I signed it against the bill, signed "Ought Not to Pass." Basically, what happened was I was not at the hearing and I went into the committee room and was asked to sign the jacket. I asked some questions about the bill and I think the reason I originally signed against it was, after listening to what the bill was like, it seemed to me it was like that horrors of horrors, a Portland bill. I began to think about it afterwards and I said, what is wrong with that? In the testimonies that we are hearing about general assistance, Portland has certainly borne the brunt of many people moving into the city and seeking assistance. I thought, well, maybe I would change my position and then I saw something else that concerned me and that was in an area where Commissioner Petit is planning to deappropriate some money and he will be taking \$400,00 out of the general assistance fund which means that he's got some additional money there. I guess where I finally stand is, I would be willing to go along and keep this bill alive, but I would like to see a specific amount written into the bill—right now it is open-ended even though there is a fiscal note. That is a note that came from the department, there is nothing in the bill. I would also like to see written into the criteria that small towns could be eligible for this and make that specific.

I am going to vote today to keep the bill alive to see if the proponents of this will come up with an amendment to meet my concerns.

The SPEAKER: The Chair recognizes the Representative from Limestone, Representative Pines.

Representative PINES: Mr. Speaker, Ladies and Gentlemen of the House: Some of the testimony offered at the hearing on this bill stated that obviously an appropriation would be necessary for this. One municipality has indicated interest in automating their system and have indicated that the cost would be \$100,000. If that is the estimate, the actual cost would probably be higher. It should be understood that because a municipality has a computer, that municipality will not have access to all the records described in the bill. Some tape to tape matches might be possible, periodically again, at a cost but people could not just go to a terminal and tap into our system or anyone else's. Tape to tape matches cost money. Every time we run a match in one of our programs, it costs approximately a \$1,000. Does a municipality pay for this or do we? As indicated, the program would be used

selectively on a competitive basis by one or a few municipalities; however, there are literally hundreds of municipalities that have only part-time coverage for a program that by a law is to be available to all people. Couldn't these funds be better used?

The SPEAKER: The Chair recognizes the Representative from Kennebunkport, Representative Seavey.

Representative SEAVEY: Mr. Speaker, Ladies and Gentlemen of the House: On a spending bill like this, I would request a roll call.

The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of more than one-fifth of the members present and voting. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and obviously, more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question before the House is the motion of the Representative from Kennebunkport, Representative Seavey, that bill and all its accompanying papers be indefinitely postponed.

The Chair recognizes the Representative from Mt. Desert, Representative Zirnkilton.

Representative ZIRNKILTON: Mr. Speaker, I request permission to pair my vote with the Representative from Bangor, Representative Stevens. If she were present and voting, she would be voting no; I would be voting yes.

The SPEAKER: The Chair recognizes the Representative from Eliot, Representative McPherson.

Representative MCPHERSON: Mr. Speaker, I request permission to pair my vote with the Representative from Auburn, Representative Michael. If he were here and voting, he would be voting no; I would be voting yes.

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Higgins.

Representative HIGGINS: Mr. Speaker, I request permission to pair my vote with the Representative from Portland, Representative Connolly. If he were here and voting, he would be voting no; I would be voting yes.

The SPEAKER: The pending question before the House is the motion of the Representative from Kennebunkport, Representative Seavey, that this bill and all its accompanying papers be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

ROLL CALL No. 33

YEAS:—Armstrong, Begley, Bell, Bonney, Bott, Bragg, Brown, A.K.; Brown, D.N.; Cahill, Callahan, Carter, Connors, Daggett, Davis, Dellert, Dexter, Dillenback, Drinkwater, Farnum, Foster, Greenlaw, Harper, Hillock, Holloway, Ingraham, Jackson, Kimball, Lander, Law, Lawrence, Lebowitz, Lord, MacBride, Masterman, Matthews, Murphy, E.M.; Murphy, T.W.; Nicholson, Nickerson, Paradis, E.J.; Parent, Pines, Randall, Rice, Salsbury, Seavey, Sherburne, Small, Smith, C.W.; Sproul, Stevens, A.G.; Stevenson, Tardy, Taylor, Telow, Theriault, Webster, Wentworth, Weymouth, Whitcomb, Willey.

NAYS:—Aliberti, Allen, Beaulieu, Bost, Boutilier, Brodeur, Carroll, Cashman, Chonko, Clark, Coles, Cooper, Cote, Crouse, Crowley, Descoteaux, Diamond, Duffy, Erwin, Gwadosky, Hale, Handy, Hayden, Hickey, Higgins, H.C.; Hoglund, Jacques, Jalbert, Joseph, Lacroix, Macomber, Manning, Martin, H.C., Mayo, McCollister, McGowan, McHenry, McSweeney, Melendy, Michaud, Mills, Mitchell, Moholland, Murray, Nadeau, G.G.; Nelson, O'Gara, Paradis, P.E.; Paul, Perry, Pouliot, Priest, Racine, Reeves, Richard, Rolde, Rotondi, Ruhlin, Rydell, Simpson, Smith, C.B.; Soucy, Swazey, Tammara, Vose, Walker, Warren, The Speaker.

ABSENT:—Baker, A.L.; Baker, H.R.; Branigan, Carrier, Foss, Hepburn, Hichborn, Kane, Lisnik, Nadeau, G.R.; Ridley, Rioux, Roberts,

Scarpino, Stetson, Strout.

PAIRED:—Connolly-Higgins, L.M.; McPherson-Michael; Stevens, P.-Zirnkilton

61 having voted in the affirmative and 68 in the negative with 16 being absent and 5 paired, the motion did not prevail.

Thereupon, the Majority "Ought to Pass" Report was accepted, the bill was read once and assented for Second Reading tomorrow.

The Chair laid before the House the following matter: Majority Report of the Committee on Judiciary on Bill "An Act to Amend the Laws Relating to Admission to the Bar." (S.P. 220) (L.D. 579) reporting "Ought to Pass" as amended by Committee Amendment "A" (S-40) and Minority Report of the same Committee reporting "Ought Not to Pass" Report on same bill which was tabled earlier in the day and later today assigned pending the motion of Representative Paradis of Augusta that the House accept the Majority "Ought to Pass" Report.

Subsequently, the House accepted the Majority "Ought to Pass" Report and the bill read once.

Committee Amendment "A" (S-40) was read by the Clerk and adopted and the Bill assigned for Second Reading tomorrow.

The Chair laid before the House the following matter: Bill "An Act to Amend the Maine Consumer Credit Code" (S.P. 438) (L.D. 1214) which was tabled earlier in the day and later today assigned pending passage to be engrossed.

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

(Off Record Remarks)

On motion of Representative Carroll of Gray. Adjourned until nine-thirty tomorrow morning.