

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD
OF THE
One Hundred And Fifteenth Legislature
OF THE
State Of Maine

VOLUME VI

SECOND REGULAR SESSION

House of Representatives
March 10, 1992 to March 31, 1992

Senate
January 8, 1992 to March 9, 1992

Later Today Assigned

An Act to Amend the Animal Welfare Laws (S.P. 696) (L.D. 1861) (S. "A" S-647; S. "D" S-681; S. "E" S-685; H. "A" H-1247; and H. "B" H-1278 to C. "A" S-639)

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

On motion of Representative Gwadovsky of Fairfield, tabled pending passage to be enacted and later today assigned.

PASSED TO BE ENACTED

Emergency Measure

An Act to Improve Educational Public Broadcasting Statewide (S.P. 945) (L.D. 2409) (H. "A" H-1200 and H. "F" H-1290 to C. "A" S-666)

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

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Handy.

Representative HANDY: Mr. Speaker, Members of the House: It has been kind of a long process in a short period of time for the Education Committee to work out this piece of legislation for any number of reasons. For the Record, I think it is important to have the historical perspective of on how far the Education Committee has come with this bill which would cause the unification of the Maine Public Broadcasting and WCBB Channel 10 in Lewiston.

We received the bill and the bill, in my estimation and I think the estimation of a number of our colleagues, was very, very poorly drafted. In the very short period of time the Education Committee had to work on this bill with very little information and what information we had to start with and what additional information we needed was very difficult for us to obtain. We did not receive, unfortunately, the cooperation that we would normally expect from individuals involved with a particular piece of legislation but, due to the diligence of a number of the committee members, in fact all the committee members, as well as employees of both Channel 10 and Maine Public Broadcasting, we were able to get the necessary information to move this bill forward in the legislative process and bring it to the floor for you.

In the bill, we have taken what the committee deems to be necessary safeguards for those employees of Maine Public Broadcasting. I think it is important to recognize that the employees of MPBN through the sacrifices that they have made and the sacrifices that they will make to make this unification a reality. Without their dedication to public broadcasting in this state, this merger may not have taken place. I believe that we and all the citizens of the state owe them a great deal of thanks for their willingness to help improve public broadcasting in the State of Maine and help this bill come to fruition.

Unfortunately, the employees of Channel 10 in Lewiston were not afforded the same opportunity of

information and exchange with the Education Committee. What information we got from them came about through meetings with myself and other members of the Education Committee. I spoke to employees who work in any number of departments at Channel 10. I spoke to a member of the trustees, I spoke also to management at Channel 10.

Channel 10 employees were called to a staff meeting a week after the Education Committee had met on this legislation. I must say it came back to me about some information — in fact, misinformation and misrepresentations of my position particularly on this legislation by Mr. Russ Peotter, the Director of Production at Channel 10. Mr. Peotter has every right to say what he wants to say but, never during the course of our deliberations or since then, has he ever come to me to ask for clarification of my position on this. I have always encouraged the merger of these two entities as far back as 1966. At the very least, I think Mr. Peotter could have addressed his concerns to me directly instead of presenting this misinformation to his staff at a staff meeting of Channel 10. I think that is important to state for the Record that that has gone on.

I am in favor of this merger and for the Record, I think some of these safeguards have to be put into the Legislative Record because there was resistance to putting similar safeguards into the law for the Channel 10 employees, I think having on the Legislative Record will go a long way to addressing the situation.

Representative Oliver from the Education Committee wrote a letter to Mr. Rob Gardiner, the General Manager of Channel 10, asking a number of questions. I would like to read into the Record the questions and responses from him, in part, from the letter that he has responded to dated March 24, 1992.

"What is the proposed level of staffing for MPBC?" That is the Maine Public Broadcasting Corporation, the new corporation that will come into existence upon the effective date of this legislation and the merger of the two entities. "The staffing level will be the same as today's combined staffs. The current staff level at WCBB is 42 full-time and 11 regular part-time personnel; at MPBN the levels are 64 full-time and 9 regular part-time personnel. The MPBC Trustees have publicly committed to guaranteeing all of those individuals employment for the first year. This guarantee is firm and is based on the fact that the MPBN staff has been reduced by fifteen positions over the last eighteen months; that organization is now operating very short-handed.

Combining the staffs will result in only a few redundant positions. We believe only about six individuals will be required to assume new job assignments as a result of unification and we have plans to assign all six to closely related positions for which they are well qualified. One reason the number of redundant positions is not larger is that we plan to operate WMEA-TV (Channel 26) as the beginning of a second, unduplicated program service so that viewers will gain a choice of public television programs every hour of the day. All the positions in programming and operations will, therefore, continue to be needed. Experience in operating the unified system may lead to other changes that we cannot forecast accurately today, but we are certain that all current employees will be needed for as long as they want to stay with MPBC.

We will continue to retrain and make use of the varied talents of our existing staffs. We expect that with retirements and other losses caused by natural turnover, we will need to hire additional people within one or two years."

Another question we posed was with respect to the operating budget and how it will be broken down and I am not going to give you the breakdown but I will give you the response of Mr. Gardiner in a general way. "We have based all financial projections on FY'92 budgets, so the numbers I give you will not technically reflect a budget for FY'93. We will develop the '93 budget during the time between passage of authorizing legislation and the July 1 start date.

The total expenses are projected to be \$8,293,000. Payroll and benefits are expected to cost \$3,577,000 or 43 percent of the total."

The third question asked of Representative Oliver in his letter to Mr. Gardiner was, "Geographically, what will be the base of operation?" I might add as an aside, this is an issue of concern to both Channel 10 employees as well as those employees based at MPBN. His response was, "All existing centers of operations will be continued. Bangor and Lewiston are the major sites, and Portland is an important secondary site. Some space for production and reporters is also needed in Augusta. The Bangor and Lewiston centers will continue as production, operations and administration centers. There will be no designated "headquarters" in the foreseeable future. We have promised employees that relocation will not be required. It is possible to say this with certainty because (1) it is important in a state the size of Maine to have studios in more than one location, and (2) modern communications technology including dedicated lines for computer networks and fax machines, in addition to the microwave interconnection of our studios, allows us to spread operations among different sites and still operate in an efficient, businesslike manner."

Mr. Gardiner goes on to talk about the staffs and question seven — I will read his response to that. "On both staffs today, there are some individuals who are required to perform a wide variety of functions because the staffs are relatively small. We expect that after unification there will be more specialization. For example, while there are two "Membership Directors" now, the new entity may choose to have a "Director of Membership Renewal" and a "Director of Member Acquisition" in the new organization, thus both individuals will be able to increase their skills in some areas and continue to work productively in their current field. In all these situations, both individuals will be given responsibilities at the same level as those they now have and they will continue at the salary level."

The last issue I would like to raise with you is with respect to the bylaws. In the bylaws that were given to the committee, it was stated that telephone conferencing would be used as a method of ascertainment of a quorum at trustees meetings. I had a great problem with that as I believe that individuals who are going to serve on this board of trustees ought to be present and that ascertainment of a quorum ought to be determined by the physical presence of those individuals. That was agreed to and a side letter from the Education Committee will be forwarded to Mr. Gardiner confirming that agreement.

In the pulse, the WCBB Channel 10 program guide, Mr. Gardiner writes with respect of the unification. "Unification update. Last month I wrote about the process of unifying Maine Public Broadcasting and promised to keep you up-to-date on developments towards that goal. As the able pulse goes to press, the Maine Legislature is considering legislation which would give state endorsement of the new Maine Public Broadcasting Corporation."

This legislation, men and women of the House, is giving an endorsement by the state legislature to this new entity. The bill as it has been engrossed has included two amendments, one presented by Representative Crowley which would have the president as an ex officio, non-voting member of the board of trustees. Secondly, an amendment adopted by both bodies, presented by myself, would require this new entity to come under Maine's Freedom of Access Law. This two things go a long way to providing the kind of accountability that is expected of the people of the State of Maine and certainly this legislature.

Further to that end, this new corporation will be expected to report back to the Education Committee of the Maine Legislature next year and in the following year. The Education Committee, I will make this commitment to you, will keep close watch on the progress of this unification and how the services of public broadcasting are offered to the people of the State of Maine and to assure that the \$8 million of state money, the taxpayers money of the State of Maine, will be duly accounted for.

I urge your support of this legislation for the betterment of public broadcasting in the State of Maine and I look forward to working with you as the years go by in assuring that that continues in a quality fashion.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative O'Gara.

Representative O'GARA: Mr. Speaker, Men and Women of the House: I had only intended to get up to make a few remarks. I am not sure — and I don't mean to offend my colleague on the Education Committee and the previous speaker, I am not sure where some of the initial comments came from. There have been some concerns but I think most of us agree that some of them are minor technical concerns and I don't believe that some of the unpleasantness that was described really did occur but that is really neither here nor there.

I do want to make sure that everybody understands that there has been some conversation that people didn't know about this. I would just like to share this with you. First of all, discussions were held with both boards back last September. These public discussions triggered a major feature story in the Maine Sunday Telegram in October. Many people read that and responded. In November, both station managers officially informed the more than 60,000 supporting members, some of which, many of which, are employees. So to suggest that the employees weren't aware, I would say is misleading. The reaction was very, very positive. Additionally, early in the process, the Governor and legislative leadership were consulted as any plan would ultimately need the approval of state government. So, I think there was quite a bit out there.

What really has happened — I must say this, I know there are going to be some people irritated with me for saying it, but some of you were here three years ago and remember the discussions we had with

the student loan program, bring it all under one umbrella. At that time, everything was sailing along fine until the chief person in that issue became the focal point and a riff divided us all over (in my judgment) not the issue but the key person, a former member of another body of this legislature and it was a personality clash. I know that there are many who have been following this that will agree with me that it is pretty much the same thing that has happened here. If another gentleman, other than Rob Gardiner, had been the spokesman, if Mr. Winchester had been the spokesman, a very quiet, calm, unassuming, unlike Mr. Gardiner who is very brash at times, very self-confident and did not make a good impression on certain members of the Education Committee, as a matter of fact, he offended one of our chairs and I think she had a right to be offended at the time, I don't think we would be where we are now. A lot of the little problems are technical problems that can be worked out. If you as legislators in the State of Maine are looking for an item that, when you look back upon your services here in the House of Representatives and want to find something that you did that made a lot of sense, was good for the State of Maine, in my judgment, this is that issue.

The proposal to unify Maine Public Broadcasting organization has been developed to further the ideal of excellence in providing this most important educational service. It will enable public television and public radio to increase public confidence in the system. It will enable them to purchase and produce higher quality programs. It will help them raise funds more effectively and operate more efficiently and help unify the people of Maine and reduce the long-term cost of service.

I agree that there are some minor technical problems that still have to be worked out. I am confident that two boards have thought all that over. I am confident that the new board will work those out.

The University itself has been brought in occasionally and some feel that they have to be protected. I talked to former Representative Lisnik, the University isn't asking to be defended here, the University understands what it is doing, knows what it is doing. When we talk about one of those agencies giving up their real property and whatever, both are giving up their real property to this new board and this new organization.

I urge you to support this as you did the other day. Mr. Speaker, I request a roll call.

The SPEAKER: The Chair recognizes the Representative from Orono, Representative Cathcart.

Representative CATHCART: Mr. Speaker, Men and Women of the House: I rise to ask you to vote against the enactment of this legislation because I believe that this is too much, too soon. I suspect that in the long run, I may believe that the merger is a good idea, but there are too many questions that have not yet been answered. I have too many concerns among my constituents for me to support this.

The employees of MPBN, as you know, were told last summer that this might happen in two year's time and now less than a year later, we are about to vote it into existence. They have had no say in this and they have not been kept informed of what is going on. They were not notified that there would be a public hearing on the bill and feel that they have had no chance to approach the legislature. So, I am trying to represent them as well as other

constituents, mostly University of Maine faculty, who have told me that they are really concerned and would like to see this studied before it is done.

There was an editorial that I read a couple of days ago, I believe it was in the Lewiston paper and the editorial writer accused the Education Committee of this legislature of trying to block this legislation, of stalling, of holding it up and I couldn't believe that because the legislation was only printed two and half weeks ago on March 9th. I think the Education Committee has done an excellent job with a complicated piece of legislation. They insisted on having more information even though the people pushing for the merger were reluctant to give that information. It is not that I don't trust the committee, I just think that there are still questions. I have concerns, it seems like in a way it is a north/south issue. I heard that most of the fund raising money comes from southern Maine and yet the station I care about is in northern Maine. I want to be sure my people up north get equal time and equal representation in public broadcasting. So, I would urge, for those reasons, that we vote this down so it can be studied and brought back to us at a later date.

The SPEAKER: The Chair recognizes the Representative from Orono, Representative O'Dea.

Representative O'DEA: Mr. Speaker, Men and Women of the House: I would ask you to join in voting against enactment of this bill today. As my good friend Representative O'Gara from Westbrook pointed out, there are some minor technical concerns with this bill. I share some of those minor technical concerns especially since the original L.D. is three pages long. We were told that the answer to our concerns, why in the bylaws and in the articles of incorporation, I would suggest that if you look through them, you would find that there is nothing in there that is binding and that it is all subject to change at any time in the future.

The major issue here for me, as one representative, is whether or not we should be turning these assets over and they are sizeable assets, \$8 million to \$10 million worth of state assets, and a substantial appropriation to a private corporation. There is some question existing in the minds of at least a few of us as to whether or not this shouldn't have been turned over to a public corporation, a public non-profit corporation as opposed to a private one. For that reason, I would ask you to please vote against enactment of this today so that we can put this thing on the slow track and do it the right way.

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

Representative LEBOWITZ: Mr. Speaker, Ladies and Gentlemen of the House: I wish to concur with my two colleagues from Orono in what they have just said. In effect, the employees at MPBN in Orono were not aware of what was taking place until shortly before the trustees met on this matter. It seems to me that, even though it might have been discussed, it was not discussed in the light that it should have been. I really feel that it would not be in the best interests of this body to enact legislation with not enough information.

In addition to that, I think that the northern part of the state is well served by the MPBN station and I feel that it might not get the same criteria as the station in Lewiston if the merger goes through.

I really feel that it needs a lot more work before we put our stamp of approval on it. I urge you not to vote for this piece of legislation.

The SPEAKER: The Chair recognizes the Representative from Winthrop, Representative Norton.

Representative NORTON: Mr. Speaker, Ladies and Gentlemen of the House: I was on the subcommittee, let alone the committee, that worked on this legislation and from what I put together after lengthy, lengthy, lengthy discussions and wanting to know those same basic questions that the other committee members needed to know, after all was said and done, I am convinced that the employees in the public sector of this merger are in more danger of losing their jobs without the merger than they are with it because the budget situation at the University isn't exactly overflowing with money. I have known the gentlemen on both sides of the fence for years and I would trust either one with anything of importance that I have and be entirely confident of their honesty and their ability. The Director at MPBN is a long time friend of mine and he says this merger is 25 years overdue. The process is worthy of consideration.

Employees in a situation where they don't know those details are bound to be nervous and I feel that they have every right to be that way. I can't vouch for how they were dealt with or what went on but I can say that I have the utmost confidence that the public interest is also maintained in the bylaws of this organization. You do not have to worry about the public assets. The Chancellor of the University of Maine is on that board, there are other public members. This legislature can intercede if it had to. This is a law, we do not lose contact forever although we don't want to ever micromanage. I was convinced that the interest of northern Maine, where I grew up, in southern Maine where I have an interest, in central Maine where I live, are met in this legislation. I would urge passage of it with confidence.

The SPEAKER: The Chair recognizes the Representative from Easton, Representative Mahany.

Representative MAHANY: Mr. Speaker, Men and Women of the House: I had originally no intention of speaking on this piece of legislation. I would simply like to point out that this is a perfect example in my judgment of why we should not say one thing to the employees, as evidently management did, telling them at first it would be two years and then going ahead and disregarding that statement to them and creating all kinds of uneasiness and maybe some mistrust by simply (in a sense) not taking a promise to them which at least they perceived as a promise, not taking it seriously and pushing ahead to get this piece of legislation passed sooner than they had expected. They probably feel left out of the process.

While I probably will vote for this piece of legislation, I am going to listen to the rest of the debate, I think that is a practice, namely the practice of kind of placating employees and then proceeding to ignore them, that is a practice which gets us into a situation like this, which we really need to avoid.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Boutilier.

Representative BOUTILIER: Mr. Speaker, Men and Women of the House: I just want to state that I am in favor of this bill and I think the title is

implematic of what is being done here and it is an Act to Improve Educational Public Broadcasting Statewide. I think that is going to happen, it is going to involve a better and more efficient use of existing resources and the elimination of duplication of services, fact fund raising and all of those improvements will be done to the betterment of public educational television in the State of Maine. I urge you to vote in favor of this measure.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative O'Gara.

Representative O'GARA: Mr. Speaker, Ladies and Gentlemen of the House: First of all, I want Representative Mahany to know that I agree with her. I thought it was handled badly, it was an unfortunate situation, it shouldn't have been done that way. I do hope that will not serve to cause her or anybody else to vote against this.

Two things I want to make sure you understand about going from public to private. First of all, this new board will be subject to the FCC and all other regulatory boards that the two boards now serving you are subject to. So, I don't believe there is any concern over how that board will be run, it will have to follow those particular guidelines.

One of the questions that I don't recall Representative Handy addressing when he went on with the length of items from the letter back to Representative Oliver. Perhaps he just forgot to mention this one. I would like to share a bit of it with you. "Would there be any problem with studying this and putting together a comprehensive proposal for unification to be submitted to the legislature next January?" The question was answered thusly. "We are both extremely concerned" (both, the board that we are talking about) "that extended discussion of such a major change would have a severe negative effect on our contributors. By putting the future of both stations in question for another year, we would undermine the viewers sense of commitment. Reduced revenues would be an inevitable result."

Second, WCBB was on the verge of launching a major capital campaign when the unification agreement began to come together last summer and fall. WCBB's Board of Trustees" (if this doesn't go through) "will probably want to launch their campaign this spring. Because capital campaigns of this magnitude normally takes three years to complete, unification would have to wait until 1995 or later.

Another problem with delay" and this has to do with staff that you have been hearing about today, "we know our employees are concerned about change - understandably, since they have devoted their career to these organizations. We are also concerned for their welfare. Recently, some staff have expressed concern that a one year study would stretch out the process and make their lives more difficult. A study would create significant uncertainty for them and they recognize that there could be serious negative effects on the fundraising efforts. Most of the staff are coming to realize that the employment assurances are sufficient protection and, as you saw at the work session when the MPBN staff members were asked what they thought of unification in general, there is very broad support for what we are proposing."

The SPEAKER: The Chair recognizes the Representative from Stockton Springs, Representative Crowley.

Representative CROWLEY: Mr. Speaker, Ladies and

Gentlemen of the House: I hesitate to get up here because I spoke to this the other day and we had complete agreement on it and I thought we were moving along finally.

Just to assure you of one thing — we are going to take Channel 10 and Channel 12 and we are going to put them together and make them the Maine Public Broadcasting Corporation. This is what the bill does, something that should have been done years ago to have competing educational television stations in Maine is not sensible. New Hampshire doesn't do it and we shouldn't do it either.

As for the idea on the thoughts on the personnel, we met with some of the personnel, I met with personnel from both sides and to say that they weren't considered — we even wrote an amendment to take care of the personnel so that they would be assured of their jobs. It is right here in the bill if you read Section 4 of the amendment. So, I think we have covered all the ground.

It was a very unhappy experience the way the bill came to us and they tried to ram it through because they didn't understand the process, probably. We straightened all that out and I think now with the amendment that I put on and that Representative Handy put on and the Committee Amendment, this bill is in very good shape. I hope you will vote for it.

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

Representative OLIVER: Mr. Speaker, Ladies and Gentlemen of the House: This was one of those situations which was very difficult before the committee. A major transition, a major merger was taking place. We had a bill that was not too thick and not too complicated. There certainly was a percentage of elitism in the presentation from the management end and all of us recognized, as we do in other bills, that there was a slowness in presenting information that was needed. We had to go back and ask for transitional plans, the Charter, the bylaws, flow charts, but that doesn't negate the fact that the concept was correct, that personalities were getting in the way as they do sometimes, that some of the presenters did not know the process, that one of the presenters even insulted our distinguished chair, Representative Crowley. But, as you saw, Representative Crowley has gone past that and is supporting this legislation. Crucial and important questions had to be asked, especially on protection and guarantee to workers and they were asked. I had written a letter, we had a subcommittee formed, management and labor got together and came back with new suggestions. So, I am satisfied because I am satisfied with the concept. In talking to the workers and the management, everyone is buying in to the inevitable need to consolidate and save money, to consolidate and combine technology — just the cost of programming — two public broadcasting entities in the State of Maine paying duplicative costs for national programming makes no sense. So, I am hoping with the slowness of getting information, some of the elitism, some of the factors that had to be asked, that we go beyond that because what we have now, thanks to asking additional questions, thanks to the union negotiating very strongly with management and coming back with new plans and thanks to the amendments offered in this body, we have a very tight plan, a merger that makes sense.

I would also remind you that we are a committee that takes labor to heart. When it comes to the

working person, we ask a lot of questions and we demand answers. We got a guarantee from labor, MTA negotiating a one year guarantee that would guarantee the workers' jobs for a year but more than that would guarantee a 20 percent benefit package that could be negotiated up but could not be negotiated down. I hope you can support this merger.

The SPEAKER: The Chair recognizes the Representative from Bethel, Representative Barth.

Representative BARTH: Mr. Speaker, could the Clerk please read the Committee Report?

Subsequently, the Report was read by the Clerk in its entirety.

Representative O'Dea of Orono requested a roll call vote.

The SPEAKER: The Chair recognizes the Representative from Easton, Representative Mahany.

Representative MAHANY: Mr. Speaker, Men and Women of the House: I am going to support this piece of legislation because I have been convinced by the arguments in favor of it here today, but I am somewhat uneasy. I have heard here today something that comes very close to arrogance on the part of some members of management, I assume it is management, involved in getting this piece of legislation passed.

First of all, the employees were rendered uneasy and mistrustful by the fact that the schedule that they thought was going to be held to was ignored and they were not part of the process evidently. In addition to that, I have heard the House Chair of the Education Committee say that they came in and tried to ram through a piece of legislation because they didn't understand the process. Well, that may be a partial excuse for them but I don't think it excuses them entirely. My concern is this, have they learned their lesson or will they continue to try and push their will over on other entities that are there supposedly to keep them (in a sense) in line and under control? Will the board, in other words, simply rubber stamp the will of management in the future or will the board really scrutinize what is going on? I would hope that the board would take its responsibility very seriously and be very careful to make sure that management does not do something because it thinks it knows better, something that might work to the disadvantage, for example, in my area of the state or anybody else's area of the state.

The SPEAKER: The Chair recognizes the Representative from Fryeburg, Representative Hastings.

Representative HASTINGS: Mr. Speaker, Men and Women of the House: As an avid listener of MPBN and both public stations, no matter where I am in Maine because I find it the most delightful station we have on the radio dial, it amazes me that this hasn't occurred a long time ago. From my thinking from just reading the bill and the amendments that have come out of the Education Committee, it seems to me the issues that I hear being debated today are taken care of as to what happens to the property in the event of dissolution, what happens to the employees and how this is going to be managed. To my thinking, it's something too late, long needed, and hopefully, will give to all of us better listening and better viewing. I am for this and hope that all of you are.

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 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 passage to be enacted. This being an emergency measure, a two-thirds vote of all the members elected is necessary. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 409

YEA - Aikman, Aliberti, Anderson, Anthony, Ault, Bailey, R.; Barth, Bell, Bennett, Boutillier, Butland, Cahill, M.; Carleton, Cashman, Chonko, Clark, H.; Coles, Constantine, Cote, Crowley, Daggett, DiPietro, Dore, Erwin, Farnsworth, Farnum, Farren, Foss, Gean, Gould, R. A.; Graham, Greenlaw, Gwadosky, Hale, Handy, Hastings, Heeschen, Heino, Hepburn, Hichens, Hوجلund, Holt, Jacques, Jalbert, Joseph, Kerr, Ketover, Ketterer, Kilkelly, Kontos, Larrivee, Lawrence, Lemke, Libby, Lipman, Lord, Luther, MacBride, Macomber, Mahany, Manning, Marsano, Marsh, Martin, H.; Mayo, McHenry, McKeen, Melendy, Michael, Michaud, Mitchell, E.; Mitchell, J.; Morrison, Nadeau, Nash, Norton, Nutting, O'Gara, Oliver, Ott, Paradis, J.; Parent, Paul, Pendexter, Pendleton, Pfeiffer, Pineau, Pines, Plourde, Poulin, Pouliot, Powers, Rand, Reed, G.; Richards, Ricker, Rotondi, Ruhlman, Rydell, Saint Onge, Salisbury, Savage, Simonds, Skوجلund, Spear, Stevens, A.; Stevenson, Strout, Townsend, Tracy, Treat, Vigue, Waterman, Wentworth, Whitcomb, The Speaker.

NAY - Adams, Carroll, J.; Cathcart, Duffy, Dutremble, L.; Garland, Gray, Hanley, Hussey, Lebowitz, Look, Merrill, Murphy, O'Dea, Reed, W.; Stevens, P.; Tamaro, Tardy, Tupper.

ABSENT - Bailey, H.; Bowers, Carroll, D.; Clark, M.; Donnelly, Duplessis, Goodridge, Gurney, Hichborn, Kutasi, Paradis, P.; Richardson, Sheltra, Simpson, Small, Swazey.

Yes, 116; No, 19; Absent, 16; Paired, 0; Excused, 0.

116 having voted in the affirmative and 19 in the negative with 16 absent, the bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

An Act Regarding Advisory Boards and Occupational and Professional Licensing Boards (H.P. 1664) (L.D. 2341) (H. "B" H-1288 to C. "A" H-1180)

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. 112 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.

The Chair laid before the House the following matter: An Act to Amend the Animal Welfare Laws (S.P. 696) (L.D. 1861) (S. "A" S-647; S. "D" S-681;

S. "E" S-685; H. "A" H-1247; and H. "B" H-1278 to C. "A" S-639) (Emergency) which was tabled earlier in the day and later today assigned pending passage to be enacted.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 120 voted in favor of the same and 1 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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 item appeared on the Consent Calendar for the First Day:

(H.P. 1531) (L.D. 2160) Bill "An Act to Maintain the Functioning of the Uniform Commercial Code and Corporate Sections of the Department of the Secretary of State" (EMERGENCY) Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-1310)

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

PASSED TO BE ENACTED

Emergency Measure

An Act Concerning Technical Changes to the Tax Laws (H.P. 1716) (L.D. 2401) (C. "A" H-1184; H. "A" H-1283; and H. "B" H-1291)

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

The Chair laid before the House the following matter: Bill "An Act to Establish Economic Recovery Tax Credits" (EMERGENCY) (S.P. 960) (L.D. 2430) which was passed to be engrossed as amended by House Amendment "A" (H-1299) in the House on March 27, 1992; came from the Senate with that Body having insisted on its former action whereby the Bill was