

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Tenth  
Legislature***

OF THE

STATE OF MAINE

***Volume II***

**FIRST REGULAR SESSION**

**MAY 4, 1981 to JUNE 19, 1981**

**INDEX**

**FIRST SPECIAL SESSION**

**AUGUST 3, 1981**

**INDEX**

**FIRST CONFIRMATION SESSION**

**AUGUST 28, 1981**

**INDEX**

**SECOND SPECIAL SESSION**

**SEPTEMBER 25, 1981**

**INDEX**

**THIRD SPECIAL SESSION**

**DECEMBER 9, 1981**

**INDEX**

speaking on behalf this morning, would prefer that abuses in this area be solved through an educational process, internally within the organized associations representing Maine's business community. Whether it be through news letters, direct mail letters, conferences, workshops, yes, even conventions, to inform violators, current violators, and maybe even inadvertent potential violators within the membership of Maine's business community of ethical, acceptable, collection practices.

If this could be done effectively, and to date, it has not been effective, then future abuses could be kept at an absolute minimum. All of these laudable efforts have not worked thus far. For those businesses in Maine, few, I acknowledge, who persist in continually engaging in what is acknowledged by all members of our community to be unconscionable.

L. D. 1599, in New Draft, makes needed corrections in correcting Maine's law and regulations for the collection of debts. While most Maine creditors do not engage, as I have mentioned, in these kinds of practices, this Bill was introduced as a direct result of complaints by Maine citizens concerning debt collection practices.

I'm not going to share with you this morning numbers of stories that are offensive probably to you, would be offensive to you, and were offensive to members of the Committee. Some of these practices include calling people other than the debtor, those in the neighborhood, not related even. Calling the consumer at his or her place of business, even after the debtor has told the creditor that they couldn't take telephone calls at their place of business, that their jobs might be in jeopardy and in fact, many debtors lost their jobs as the result of this practice.

No one is denying businesses, or the creditors in Maine, the right to collect debts. I would not be standing here advocating for that position. Maine business creditors have, we all agree, the right to collect their debts. Creditors have the right to repossess their collateral. Maine citizens who are debtors, not only have the responsibility to pay their debts, but they also have the right to be free from undue, unwarranted harassment, and extreme invasion of their privacy.

This does not affect other than Maine creditors, for debt collection agencies are already licensed by the Bureau of Consumer Protection. The law under which we operate was mutually arrived at by that segment of the business community in Maine. It is working well. They can not, Maine's debt collection agencies, do practices contained or engaged in practices contained in LD 1599, because it would be in violation of current law. This Bill is only for Maine creditors.

I would ask you to please seriously consider the pending motion, and invite you to join with me in support of that.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Sutton.

Senator SUTTON: Just one little word. The good Senator from Cumberland mentioned several times about how well, in most cases, our current law is working. I would remind you that this whole program is not broken enough to try and fix every business in the State of Maine.

If it's in order, and proper, Mr. President, I'd move that this Bill and all its accompanying papers be Indefinitely Postponed.

The PRESIDENT: The Chair would advise the Senator his motion is in order.

Is the Senate ready for the question?

The Chair will order a Division.

Will all those Senators in favor of the motion by the Senator from Oxford, Senator Sutton, that LD 1599 and all its accompanying papers be Indefinitely Postponed, please rise in their places to be counted.

The Chair recognizes the Senator from Oxford, Senator Sutton.

Senator SUTTON: Mr. President, I request a

#### Roll Call

The PRESIDENT: A Roll Call has been requested. Under the Constitution, in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of those Senators present and voting.

Will all those Senators in favor of ordering a Roll Call, please rise and remain standing until counted.

Obviously more than one-fifth having arisen a Roll Call is ordered.

The Chair recognizes the Senator from Cumberland, Senator Clark.

Senator CLARK: Thank you, Mr. President. A very brief reminder, Members of this Chamber, that this does not affect every mom and pop store in the State. It affects only about the 1800 creditors in the State of Maine who are licensed under the Bureau of Consumer Protection, which does include merchants and banks, etc., who are formal grantors of credit, and are considered, because they are licensed, creditors.

Again, this does not apply to every mom and pop, and small business in the State. I would ask that you defeat the pending motion.

The PRESIDENT: The pending question before the Senate is the motion by the Senator from Oxford, Senator Sutton, that LD 1599 and all its accompanying papers be Indefinitely Postponed.

A Yes vote will be in favor of the Indefinite Postponement of LD 1599.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

#### ROLL CALL

YEA — Ault, Collins, Devoe, Emerson, Gill, Huber, McBreairty, Minkowsky, Perkins, Pierce, Redmond, Sewall, C.; Sutton, Teague, Trotzky, The President J. Sewall.

NAY — Brown, Bustin, Carpenter, Charette, Clark, Conley, Dutremble, Kerry, Najarian, O'Leary, Pray, Trafton, Usher, Violette, Wood.

ABSENT — Hichens, Shute.

A Roll Call was had.

16 Senators having voted in the affirmative and 15 Senators in the negative, with 2 Senators being absent, the motion to Indefinitely Postpone LD 1599 in concurrence does prevail.

The Chair recognizes the Senator from Oxford, Senator Sutton.

Senator SUTTON: Mr. President, having voted on the prevailing side, I move reconsideration and hope you vote against me.

The PRESIDENT: The pending question before the Senate is the motion by the Senator from Oxford, Senator Sutton, that the Senate Reconsider its action whereby it voted to Indefinitely Postpone LD 1599.

Will all those Senators in favor of Reconsideration, please say "Yes."

Will all those Senators opposed, please say "No."

A Viva Voce Vote being had, the motion to Reconsider does not prevail.

The President laid before the Senate the second Tabled and specially assigned matter:

Bill, "An Act to Facilitate the Leasing of Existing Subsidized Housing Units." (H. P. 809) (L. D. 970)

Tabled — May 14, 1981 by Senator COLLINS of Knox.

Pending — Passage to be Engrossed.

On motion by Senator Perkins of Hancock, Retabled for 1 Legislative Day.

The President laid before the Senate the third Tabled and specially assigned matter:

SENATE REPORTS — from the Committee on Transportation — Bill "An Act Relating to Vehicle Size and Weights." (S. P. 302) (L. D. 846) MAJORITY REPORT Ought to Pass as Amended by Committee Amendment "A" (S-198); MINORITY REPORT Ought Not to Pass.

Tabled — May 14, 1981 by Senator COLLINS of Knox.

Pending — Acceptance of Either Report.

On motion by Senator Emerson of Penobscot, the Minority Ought Not to Pass Report of the Committee Accepted.

(See Action Later Today)

The President laid before the Senate the fourth Tabled and specially assigned matter:

Bill, "An Act to Adopted Standards for Access by the Handicapped to Certain Buildings." (S. P. 495) (L. D. 1395)

Tabled — May 14, 1981 by Senator SUTTON of Oxford.

Pending — Enactment.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Sutton.

Senator SUTTON: Mr. President, thank you, Ladies and Gentlemen of the Senate, I just had a couple of questions, and was a little concerned about the direction this Bill was taking us in last year. We had the access bill, which certainly had all the beautiful merits to it, but was going to constitute a real problem to the business community of the State of Maine.

I just wondered whether this Bill is going to do the same thing as far as the, I see a lot of discussion about public accommodations. I'm just wondering if the motels and hotels, and other type places in the State of Maine are going to have to spend a lot of money providing access in this Bill, and whether we're expanding the present laws in this regard.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Gill.

Senator GILL: Mr. President, what this Bill does is it upgrades the American National Standards, Institute Standards, known as the ANSI standards. We have been operating under the ANSI standards of 1971. What this Bill does is upgrade them to the new, revised, 1980 standards.

We have now in effect the Public Safety Law, which is Title 25 in the Human Rights Act. It does require that certain public and private buildings have structural features. We have always gone by the ANSI standards. We are not expanding it any further except upgrading the standards to the newer, revised 1980 standards, which are nationally recognized and adopted. We're not expanding any more than what we've already had in the past.

There are portions that are underlined, or in black type, which I know Senator Sutton was concerned about. What we're doing is saying in there, that any remodeling or enlarging done before January of 1982, and it's simply because we're putting January of 1982 in there, that changing the dates that we're, it's in black print. There is no, what we're just trying to do is update those standards, and have them apply to buildings that are leased by the State.

Which was Passed to be Enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

The President laid before the Senate the fifth Tabled and specially assigned matter:

Bill, "An Act Creating the Maine Clean Indoor Air Act." (H. P. 347) (L. D. 395)

Tabled — May 14, 1981 by Senator COLLINS of Knox.

Pending — Motion of Senator SUTTON of Oxford that Bill and Accompanying Papers be Indefinitely Postponed.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Collins.

Senator COLLINS: Mr. President, I move this be Tabled 1 Legislative Day.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Devoe.

Senator DEVOE: I request a Division on that motion.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of the motion by the Senator from Knox, Senator Collins, that LD 395 be Retabled for 1 Legislative Day,

please rise in their places to be counted.

The Chair recognizes the Senator from Cumberland, Senator Gill.

Senator GILL: Could I request a Roll Call on that Tabling motion?

The PRESIDENT: A Roll Call has been requested. Under the Constitution, in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of those Senators present and voting.

Will all those Senators in favor of ordering a Roll Call, please rise and remain standing until counted.

Obviously more than one-fifth having arisen a Roll Call is ordered.

The pending question before the Senate is the motion by the Senator from Knox, Senator Collins, that LD 395 be Tabled for 1 Legislative Day.

A Yes vote will be in favor of the motion to Table LD 395 for 1 Legislative Day.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

#### ROLL CALL

YEA — Brown, Bustin, Carpenter, Clark, Collins, Emerson, Gill, Kerry, McBreairty, Perkins, Pierce, Teague, Trafton, Trotzky, Wood.

NAY — Ault, Charette, Conley, Devoe, Durtremble, Huber, Minkowsky, Najarian, O'Leary, Pray, Redmond, Sewall, C.; Shute, Sutton, Usher, Violette.

ABSENT — Hichens.

A Roll Call was had.

15 Senators having voted in the affirmative and 16 Senators in the negative, with 1 Senator being absent, the motion to Table LD 395 for 1 Legislative Day does not prevail.

The pending question before the Senate is the motion by the Senator from Oxford, Senator Sutton, that LD 395 and its accompanying papers be Indefinitely Postponed.

Will all those Senators in favor of the Indefinite Postponement of LD 395, please rise in their places to be counted.

The Chair recognizes the Senator from Knox, Senator Collins.

Senator COLLINS: I request a Roll Call.

The PRESIDENT: A Roll Call has been requested. Under the Constitution, in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of those Senators present and voting.

Will all those Senators in favor of ordering a Roll Call, please rise and remain standing until counted.

Obviously more than one-fifth having arisen a Roll Call is ordered.

The pending question before the Senate is the Indefinite Postponement of LD 395.

The Chair recognizes the Senator from Cumberland, Senator Gill.

Senator GILL: Mr. President, I know that an awful lot of work has been done in this Body by that lobby. I really hate to use that word, but they really have been working hard. The other side, the people who were in favor of clean air, have not been working as effectively, apparently, I don't know.

It just bothers me so that we've got people who can not attend public meetings. They just can not attend them, because of the smoking issue. Here we are, at the Senate Body, saying, well, we don't care whether you come or not. We want to smoke and we're going to prevail no matter what.

I just don't think that's right for the State of Maine and for this Senate Body to vote that way. We would not think of individually picking someone out and throwing them out of a public meeting, and yet we're doing the very same thing by not allowing them in, by having smoking in the public meeting.

I think we really should consider what we're doing here. I would please ask the Senate to vote against Indefinite Postponement of this Bill.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Buštin.

Senator BUSTIN: Mr. President and Members of the Senate, unlike my colleagues in this Body, I would like to commend the other Body, or the third Body, for the excellent job they have done in lobbying this Bill. I respect their ability. I hope that eventually, mine will be as good, if I'm here for any length of time.

What I would like to bring to your attention is that if you don't go for this Bill, what you are in effect saying is that you're disenfranchising those voters who choose not to be in a room where public matters are being discussed and voted on, because there is smoking there. One thing I'd like you to keep in mind, that the smoker can choose to go outside the meeting room to smoke. I can't choose to go outside the meeting room to discuss the issue, to hear the issue discussed, or to vote. If they want to set up a separate anteroom for me, or for all of the people who do not want to be involved in the smoking in a public meeting place, and put a loudspeaker there, give me the ability to speak to the congregation that's gathered in the other room, and let me vote in that other room, which I think is a very cumbersome kind of process, then probably you ought to defeat this Bill.

I don't think that's what any of us intend. The other things is, I'm kind of wondering why the third Body is even lobbying this Bill. We're not doing anything about cutting down the amount of tobacco that's going to be bought. Nobody's saying, don't smoke. All they're saying is, please don't smoke where public meetings are taking place, because that's where public policy is being discussed and voted on. Nobody is telling anybody not to buy cigarettes.

I long ago learned that you can't legislate morality. There's no way that I would even try to legislate that. I understand that the lobbying effort has been with the selectmen, with the small mom and pop groceries. They're calling like crazy to tell the people that this is a foot in the door. A foot in the door to what, to less tobacco sales? Is that what we're really talking about here? I can't believe that the Members of the Body would go for that kind of lobbying. I would hope that I could have put those lobbyists on a better, having to make a better justification for their position than that issue.

All we're asking for is to allow the voter to make public decisions, to hear public policy, to vote in a smoke-free environment. I am not saying that the smoker has to go without smoking. He can go out every five minutes. You can call recesses. You can do anything.

As far as the selectmen issue is concerned, the selectmen are all sitting there, and they all want to smoke, they can sit there and smoke to their hearts' content. Under the bill, all they have to do is vote unanimously to do that.

I would ask you to give serious consideration to the fact that what you're voting on is disenfranchisement. The only justification that I've heard from the lobbyists is that the municipalities should have the right to make their own decision.

I can go along with that argument. That argument can stand something for me. That makes some kind of sense to me. When you're talking about public meeting places, and you're saying the municipalities should control that, fine. We're talking about voting. It seems to me that the State of Maine controls voting and voter registration, and everything to do with voting in one way, shape, or form. We don't allow the municipalities much leeway in that. I don't know why we would when we're talking about the meeting place where that vote is taken place, or that public policy is being decided. Please vote against the pending motion.

The PRESIDENT: The Chair recognizes the Senator from Washington, Senator Brown.

Senator BROWN: Mr. President, Men and Women of the Senate, I vacillate a great deal on this issue. I come from originally from a

state where if you don't smoke by the time you're thirteen years old, you're not patriotic. There's a lot of tobacco that's raised in the State of Kentucky.

I vacillated a lot on this, because I believe, too, that local control is very important, that we shouldn't be legislating from Augusta concerns like this in a local community. I also think back and I know we're not supposed to be terribly personal. I think about an 11 year old daughter that I have that's very much affected by cigarette smoke. I think of the fact that she will be excluded from public meetings where smoking is taking place. Despite all the efforts on the good friends or lobbyists that have also worked on me, I'm going to go with Senator Bustin and the other group today, to whatever the pending motion is before us, not to Indefinite Postponement. I urge you to do the same. Thank you.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Collins.

Senator COLLINS: Mr. President, ten years ago, or twenty years ago, the argument about local control would have had much more validity than it has today. Today medical science has demonstrated to us through years and years of research, that second hand smoke has a definite affect on human health.

I can testify to this out of very personal experience, because I am extremely allergic to smoke. I have been in situations where it was so bad that I had to leave the room because it caused me to vomit.

This sort of medical situation has never in the history of this State been considered something that ought to be strictly a matter of local control. We have state-wide laws about immunization from disease. The children in our schools are vaccinated for small pox, or diphtheria, or whatever the disease may be. As the years have passed, we've been able in this way to cure some diseases so we no longer have to vaccinate or inoculate.

This has basic public health implications in addition to the fact that it is only a matter of providing equal access to public activity for all our citizens. That's all that this Bill is asking for. Equal access. We hear a lot of high-flamed rhetoric, and sometimes very intelligent rhetoric in this Chamber about the right of every citizen to have access to public participation in the political system. That is part of what this is all about. Political access to the system for everybody, not just the people with strong lungs, but everybody.

We passed an act a few minutes ago that had to do with access for the handicapped. Access for the handicapped. I wonder if you realize that the cost to the State of Maine in public buildings is more than 40 percent extra these days because of what we're doing to provide access for the handicapped. Ramps, bars on toilets, wider corridors, wider toilets, wider doors, the whole thing. We're spending millions and millions of dollars to help a very, very few people who have to go in wheelchairs, or with other aids to locomotion.

We're doing very little for people who suffer from second hand smoke. I think it's time to remember a rather big segment of population, in fact a majority of our population, who finally have been vindicated in the fact that they're not just a bunch of sissies, but there is definite medical evidence that this second hand smoke affects human health.

I'm asking you to consider your fellow citizens' health. I'm asking you to elevate your thinking to a level of do unto others as ye would have them do unto you.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Senator MINKOWSKY: Mr. President and Members of the Senate, those of you who were here two years ago remember quite well that I steered this Bill into oblivion. I've been doing a lot of soul searching since that segment of

time. Even though the lobbyists group has been brought up consistently and persistently relevant to this issue, I think the remarks this morning made by the good Senator from Kennebec, Senator Bustin, the good Senator from Knox, Senator Collins, and my very good friend, Senator Brown, have really made me think a little more indepth relevant to this issue.

Two years ago, I felt it was of significant value to allow the municipalities to make its own decision relative to ordinances. In the case of my municipality, we did have an ordinance regarding public smoking. It has been enforced. Unfortunately, most municipalities will not enforce a smoking ban for the benefit of the general public at public hearings.

For the Record, Mr. President and Members of the Senate, I intend to vote against the Indefinite Postponement of this measure on behalf of my constituents, most of which have been opposed to this particular Bill by looking at it from the broader perspective. I feel that their health, at least with all the evidence that's been brought forth, is more of paramount importance to me than the good friends that we have in a lobby that projected that point of view.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Bustin.

Senator BUSTIN: I request a Roll Call.

The PRESIDENT: The Chair would advise the Senator that a Roll Call has previously been ordered.

The pending question before the Senate is the motion by the Senator from Oxford, Senator Sutton, that LD 395 and all its accompanying papers be Indefinitely Postponed.

A Yes vote will be in favor of Indefinite Postponement of LD 395.

A No vote will be opposed.

The Chair recognizes the Senator from Kennebec, Senator Ault.

Senator AULT: Mr. President, I wish permission to pair my vote with the gentleman from York, Senator Hichens. If he were here, he would be voting Nay and I would be voting Yea.

The PRESIDENT: The Senator from Kennebec, Senator Ault, requests Leave of the Senate to pair his vote with the gentleman from York, Senator Hichens. If he were here, he would be voting Nay and the Senator from Kennebec, Senator Ault, would be voting Yea.

Is it the pleasure of the Senate to grant this Leave.

It is a vote.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

#### ROLL CALL

YEA — Conley, Devoe, Dutremble, Huber, Kerry, Najarian, O'Leary, Pray, Sewall, C.; Shute, Sutton, Usher, Violette.

NAY — Brown, Bustin, Carpenter, Charette, Clark, Collins, Emerson, Gill, McBreairty, Minkowsky, Perkins, Pierce, Teague, Trafton, Trotzky, Wood.

ABSENT — Redmond.

A Roll Call was had.

13 Senators having voted in the affirmative and 16 Senators in the negative, 2 Senators having paired their votes, with 1 Senator being absent, the motion to Indefinitely Postpone LD 395 does not prevail.

Which was Passed to be Enacted.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Collins.

Senator COLLINS: Mr. President, having voted on the prevailing side, I move Reconsideration.

The PRESIDENT: The pending question before the Senate is the motion by the Senator from Knox, Senator Collins, that the Senate Reconsider its action whereby LD 395 was Passed to be Enacted.

Will all those Senators in favor of Reconsideration, please say "Yes".

Will all those Senators opposed, please say

"No".

A Viva Voce Vote being had, the motion to Reconsider does not prevail.

The Bill, having been signed by the President, was by the Secretary presented to the Governor for his approval.

The President laid before the Senate the sixth Tabled and specially assigned matter:

HOUSE REPORTS — from the Committee on Appropriations and Financial Affairs — Bill "An Act to Establish a Statewide Cancer-Incidence Registry." (H. P. 807) (L. D. 967) MAJORITY REPORT Ought Not to Pass; MINORITY REPORT Ought to Pass as Amended by Committee Amendment "A" (H-378)

Tabled — May 14, 1981 by Senator NAJARIAN of Cumberland.

Pending — Acceptance of Either Report.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Najarian.

Senator NAJARIAN: Mr. President, I move the Senate Accept the Minority Ought to Pass Report.

The PRESIDENT: The Senator from Cumberland, Senator Najarian, now moves that the Senate Accept the Minority Ought to Pass, as amended, Report of the Committee.

Is this the pleasure of the Senate?

The Chair recognizes the Senator from Penobscot, Senator Trotzky.

Senator TROTZKY: Mr. President, the Majority was Ought Not to Pass Report on this. I wonder if one Senator who's on the Ought Not to Pass Report might describe what this Bill does.

The PRESIDENT: The Senator from Penobscot has posed a question through the Chair to any Senator who may care to answer.

The Chair recognizes the Senator from Cumberland, Senator Huber.

Senator HUBER: Mr. President and Members of the Senate: There are Majority Reports against passage of this item, Tabled item number six, and also the succeeding item. Those voting against these bills, I believe, are motivated by an awareness of our financial situation. I think it's inevitable that these bills will go to the Appropriations Table and will be considered there, rather than delay the course of this Session, I did not intend to discuss this further.

On motion by Senator Najarian of Cumberland, the Minority Ought to Pass, as amended, Report of the Committee Accepted in concurrence and the Bill Read Once. Committee Amendment "A" Read and Adopted, in concurrence. The Bill, as amended, Tomorrow Assigned for Second Reading.

The PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Redmond.

Senator REDMOND: Mr. President, Item Three on the Tabled items of today's calendar, LD 846, the Senate having Accepted the Minority Ought Not to Pass Report, I would ask for Reconsideration.

The PRESIDENT: The Senator from Somerset, Senator Redmond, now moves that the Senate Reconsider its action whereby it Accepted the Minority Ought Not to Pass Report of the Committee, on Bill "An Act Relating to Vehicle Size and Weights."

Is this the pleasure of the Senate?

The Chair recognizes the Senator from Penobscot, Senator Pray.

Senator PRAY: Mr. President and Members of the Senate: This is a Bill which will increase the truck weight allowance on the State highways from 80,000 pounds up to 90,000, plus a 10 percent allowance, which would increase the maximum up to 99,000 pounds.

The highway budget has received a lot of concern and debate in this session, a lot of press, the conditions of the highways throughout the State. It is my feeling that one of the reasons for the detrimental conditions of our highways

is the weight allowance, which is presently being used on the highways. It's a weight allowance which I had supported, a weight increase which I had supported when the Legislature addressed that issue a couple of years ago.

I would oppose any attempt to Reconsider whereby we adopted the Minority Ought Not to Pass Report. I don't think that our highway system can withstand an additional weight allowances on the highways.

I'd ask for a Division.

The PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Redmond.

Senator REDMOND: Mr. President, Ladies and Gentlemen of the Senate: there are 2077 trucks registered for the 80,000 pounds now. They have five axles under them. There are many other trucks who have six axles now also. It's not feasible for them to be able to transport only 80,000 pounds.

This Bill will bring an increase of around \$1 million a year in money for the State Highway Fund. I don't have to tell you how important that is this year. More important than this is the fact that it would help stimulate economic activity among Maine business and industry. We all know how very much our State needs this. The cost of transporting Maine goods, Maine made goods, to market is among the highest in the nation.

The present load limit laws impose an unfair burden on the small businessman in our State. Logging operators, many in debt to over \$1 million each are continually stopped by officers and enforcing the existing laws. Overweight fines of \$500 or \$600 dollars are common.

The present laws are outdated. They have got to be tailored to meet the changing times and the needs of the modern Maine economy. A fine of \$500 is hard money to a small Maine businessman, when he has payments of over \$2000 a month for his equipment.

Our Department of Transportation has opposed this Bill because of anticipated damage to roads and bridges. This Bill is written so that truck loads would be better distributed than they are now. Damage to roads and bridges could be less than at present, not more. We are in an energy crisis. We're spending millions of dollars each day to develop ways of conserving energy. A little bigger load simply means that we use less fuel to keep the economy moving. This has got to be a major consideration.

The primary opposition to this Bill comes from the railroads and the Department of Transportation. As you vote on this Bill, I ask you to think of the needs of your constituents, Maine industry and the small businessman who are the very foundation of our State's economy. You think about them. There are not many incentives for development of business and industry in our State. Property and sales taxes are high. Taxes on the Workers' Compensation and Unemployment Compensation are among the highest in the nation. State environmental laws are in many cases more strict than the federal laws, because of our heavy winters, it costs businesses more to operate in our State than it does elsewhere.

In matters of rail and highway transportation, we are at the end of the geographic line. So, it costs us more to move our goods to market than it does in most other states.

I'm appealing to you now to vote for passage of this Bill. It's a moneymaker at the time when our highways need this money more than ever before. It's also designed to cause little damage to our roads and bridges. I hope that you will vote for Reconsideration of this matter. I would ask for a Roll Call.

The PRESIDENT: A Roll Call has been requested.

The Chair recognizes the Senator from Penobscot, Senator Emerson.

Senator EMERSON: Mr. President and Ladies and Gentlemen, probably the greatest dilemma facing this Legislature is how we're going to find the funding to maintain our high-