

# 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**

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Committee on Agriculture on Bill, "An Act to Clarify the Definition of Commercial Applicator in the Maine Pesticides Control Act of 1975" (S.P. 373) (L.D. 1115)

—In Senate, Passed to be Engrossed as Amended by Committee Amendment "A" (S-143) as amended by Senate Amendment "A" (S-172) thereto.

Tabled—May 8 by Representative Mahany of Easton.

Pending—Acceptance of the Committee Report.

On motion of Mr. Mahany of Easton, retabled pending acceptance of the Committee Report and especially assigned for Wednesday, May 13.

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

Bill, "An Act Relating to Periodic Justification of Departments and Agencies of State Government under the Maine Sunset Law" (Emergency) (H.P. 1411) (L.D. 1576) (H. "B" H-319)

Tabled—May 8 by Representative Diamond of Windham.

Pending—Adoption of House Amendment "A" (H-307)

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. McKean.

Mr. McKEAN: Mr. Speaker, Ladies and Gentlemen of the House: I think we should think very seriously before we adopt this particular House Amendment. What this is, is a route to circumvent the normal process of doing things in this House. For three years in a row, since I have been on the Transportation Committee, we have had a bill before this committee to eliminate the front license plates on motor vehicles, and for three years within the committee, the time I have been in it, the evidence has pointed toward the fact that the front license plate was a very very important law enforcement tool. I have, in fact, right here many accounts right within our very state, some of them probably within your home areas, on why this is a very important tool.

There was an Ashland incident, a hit and run accident, where the individual was apprehended because of the front license plate. In Oakland, there was a stolen car picked up because of a front license plate. In Machias, there was a robbery solved because of a front license plate. In Ogunquit, a stolen car, the same reason. Then, of course, there was the well publicized Payson murder case in Falmouth where the officer who responded to the scene of the murder happened to notice a front license plate on an automobile leaving the scene and as a result they were able to apprehend the murderer. That is just a few of the very important reasons why our committee has felt that even though there is a cost savings, a small cost savings, that the cost savings is far overridden by the importance of this as a tool to our law enforcement officials. Therefore, each time we have been able to come out of the committee with an "ought not to pass" report.

I think when a report comes out of another committee on the very same type of a bill saying it should pass, and then, on the other hand, it is not even a report out of the committee, if you will take a look at it, it is a House Amendment by an individual rather than a report out of the committee, which seems to suggest to me that this was not the consensus of the opinion of that committee. If it had been, it would have been either, number one, on the bill or, number two, a committee amendment.

I do think the purpose of the Audit and Program Review Committee is to override what other committees are doing to affect the citizens of the State of Maine. What they are trying to do is improve performance in state government, and I don't think this particular item is improving performance of state government. I believe this is overriding the desires of the citizens of Maine, expressed through our commit-

tee that heard this bill on numerous occasions.

I would hope that you would not accept this particular amendment, because if you do, stop and think what is going to happen the next time when this committee comes in with an amendment to override the considerations of your committee. I don't think it is fair to the committee or to the committee chairmen. I would hope you would not buy this amendment.

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

Mr. BAKER: Mr. Speaker, Ladies and Gentlemen of the House: While I was prepared this afternoon for some opposition to this particular amendment, I was not prepared for some opposition to the entire Audit and Program Review Committee.

One of our tasks is not simply to review the functions of state government, we review the various agencies of state government, the various departments, and we make our recommendations on whether or not a program should continue to exist.

I would like to read a little bit from an editorial which deals with this issue and I would like to throw in a few things that the good gentleman from Limestone left out. This editorial appeared in the Portland Press Herald, and I should point out that the paper, the Press Herald, has had quite a record of favoring a single plate system.

The editorial says, "A legislative oversight committee has backed away from a thoroughly reasonable proposal to eliminate the front license plate on motor vehicles; that is unfortunate. The single plate only could have saved the taxpayers \$100,000." I know that is very ironic coming from somebody like myself. It is not a small amount of money compared to what we have been arguing over this session, but \$100,000.

Now, the committee initially was going to go along with a single plate report, that was the recommendation of the subcommittee that I served on and that was our initial acceptance when this bill came out. Why did we back away? I will continue with the editorial.

"The change was also being proposed by the 3-M Corporation. Why should a Minnesota based firm care whether Maine motor vehicles have two license plates? 3-M's interest is based primarily on the fact that it sells the reflective material used in the manufacture of license plates." Isn't that marvelous, an out-of-state company coming in here and making its recommendation. So, things got a little switched around and this is where we are at today.

I would like to continue. There are approximately 25 states that operate on a single-plate system, Massachusetts included. I was down in Massachusetts recently and I took note of some of their automobiles. Occasionally, they would put a front plate on the car, "visit beautiful Cape Cod" and various other vanity plates, but Massachusetts is essentially a single-plate system. I repeat—25 states have single plates.

The area of law enforcement, I thought a bit about how this might play a role, but did you ever stop and think that there might be other items that identify that vehicle that the police might be looking for and not simply the front plate?

I think when you run across an issue or an item in which it is simply not worth the expenditure, then you recommend to discontinue its use. Ladies and gentlemen of this House, \$100,000 could probably be put to something much better than having a front plate on your car.

One other thing before I close. It was once mentioned in committee by one of my colleagues that some of us legislators might not want to give up our front plate on our own automobiles. I assure you, when you talk about the price of \$100,000 on the price of a vanity, I would gladly trade in the front plate.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mrs. Berube.

Mrs. BERUBE: Mr. Speaker and Members

of the House: I would like to refute a couple of comments that have been made by the previous gentleman. He says that it was the consensus of the committee that this single license plate concept would not be accepted. You know, you don't lie with figures, whatever the story is about figures—figures don't lie but you can lie with figures.

The initial vote that we had on this recommendation, by the way, was in favor of the single license plate, and this was on a Thursday. On a Thursday night, the bill was miraculously held in our committee and over the weekend there was a new vote taken and the vote had been reversed; it was 7 to 5, and on Monday the vote had been reversed.

Initially, when the report came out, it was a unanimous report when this came out in January as L.D. 64. My colleague on the committee has mentioned the 3-M Corporation. Perhaps the loss of a \$70,000 a year contract with the State of Maine is not a great deal of money to a corporation like 3-M, but I suspect that if there are presently 24 states who have single license plates, and Maine becomes the 25th, we then have the domino effect, and then it becomes a great deal more than a \$70,000 loss.

The main reason we originally incorporated this recommendation was, first of all, it is a cost effective proposal, it is \$104,000 for the first year, \$140,000 for the second, and when the day comes, and that is very soon, that the State of Maine must replace the license plates, it will be at a savings of one half a million dollars for the single license plate. So, if you replace the two plates, it would be one million dollars.

Over and above that, we are all very environmental conscious, energy conscious, this would save, of course, our scarce resources, aluminum, reflectorized materials which, unfortunately or fortunately, 3-M furnishes to the State of Maine.

We have heard a comment about the crime rate increase. Well, there are no valid statistics which exist. What you have heard through the corridors is a report from the National Transportation Highway Safety Committee in Washington, which has given out opinion questionnaires, which is entirely different from actual statistics.

I have even heard the complaint or the comment in the corridors and the halls of the third floor that the insurance company rates would go up. Well, I took it upon myself to check with the Maine Bonding in Portland, I checked with the Bureau of Insurance, I checked with various sources, and not one said that insurance rates would increase, so that is totally false.

Not one of the states which has the single license plate has ever rescinded its action and reversed its position, so I don't think that some of the arguments are very convincing.

We presently have in the State of Maine 11,000 vehicles which drive around the state with a single license plate, those are dealer plates, 11,000 of those. Half of the tourist plates which come into the State of Maine are single license plates. In 1976, if you will recall, during the Bicentennial we all drove around with single license plates and there were no adverse reports from the police departments back in those days.

I do ask that you accept this amendment. It is a huge cost savings and I think the taxpayers will be delighted by your action.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mrs. Martin.

Mrs. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I would pose a question to Mr. McKean. I have been wondering for a long, long time how dealers get away with one plate in the back and their own plate on the front. Isn't that against the law?

The SPEAKER: The gentleman from Brunswick, Mrs. Martin, has posed a question through the Chair to the gentleman from Limestone, Mr. McKean, who may answer if he so desires, and the Chair recognizes that gen-

tleman.

Mr. McKEAN: Mr. Speaker, Ladies and Gentlemen of the House: No, it is not against the law to have a dealer's plate, because that automobile is for sale, and being for sale, that particular plate won't stay on that car for any substantial period of time.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mrs. Martin.

Mrs. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I think it is not fair that somebody can drive with just one plate and get away with it and the rest of us have to pay for the two plates. If the dealers are so darn important, I think they should have to have two plates, too. I go up and down this road here, and that is all I see, one plate on the back and the dealer's company plate on the front. I don't know how they get away with it, we can't get away with it, so how can they get away with it? This is what I don't understand; it is not fair.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Rolde.

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the Audit and Program Review Committee, I rise today and would like to speak on this bill, first, to agree with the gentleman from Limestone, Mr. McKean, that this amendment should be defeated, but I would disagree with one of the things that he has said, that this particular measure was an attempt to circumvent normal procedures. I would just briefly like to explain how the Audit Committee works so you can understand.

In the last session, the committee was given the responsibility of doing a sunset review of the Transportation Committee. They broke into subcommittees and this was one of the recommendations, to have a single plate, that came out of that subcommittee.

At the beginning of this session, the committee held hearings on these recommendations. During the hearings on this particular measure, I was impressed by the testimony of a police chief from one of the small towns who was opposed to going to single license plates, so when the committee came to vote on it, I voted against the recommendation for a single license plate.

There were other proposals that were made to deal with this question that would raise as much money as going to a single license plate would, and we tried to deal with that in the committee but we were not able to come up with a consensus. So, finally it came down to a single vote on a single license plate or to leave things the way they are, and the committee eventually, by a majority, voted to leave things the way they are, although we had agreed that members could propose amendments to the entire bill, which deals with many, many issues, and this is what our chairman has just done.

I personally take the position that I buy the argument the police have that this is a very vital tool to them and we should stay with the two license plate system. I am sure the others on the other side are making eloquent arguments for their point of view, but I do want to emphasize that there was no attempt to circumvent any normal procedures. This is the way the Audit Committee works, everybody worked in good faith.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Gillis.

Mr. GILLIS: Mr. Speaker, Ladies and Gentlemen of the House: Very briefly, some of the comments made by Representative Baker and Representative Berube I am afraid left an impression with members of this House that certain members of the Audit and Program Review Committee responded and reacted to a letter from the 3-M Company. I don't know about the others. I don't believe they did, but I know I didn't. I don't even recall receiving a letter from 3-M Company. I do recall receiving

several letters from the various police agencies throughout the state, and these are the boys that have to work with the one or two plate deal. So I urge you to defeat the present amendment.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Peterson.

Mr. PETERSON: Mr. Speaker, Ladies and Gentlemen of the House: In response to one of Mrs. Berube's statements where she said it would save the consumer the money, I don't think it is going to make the price of the registration go down; I think it will save the state some money.

I move the indefinite postponement of this amendment and would request a division.

The SPEAKER: The gentleman from Caribou, Mr. Peterson, has moved that House Amendment "A" be indefinitely postponed. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Whereupon, Mrs. Berube of Lewiston requested a roll call vote.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Caribou, Mr. Peterson, that House Amendment "A" be indefinitely postponed. All those in favor will vote yes; those opposed will vote no.

The Chair recognizes the gentleman from Bangor, Mr. Tarbell.

Mr. TARBELL: Mr. Speaker, I request leave of the House to pair my vote with the gentleman from Cape Elizabeth, Representative Masterton. If she were here, she would be voting no and I would be voting yes.

#### ROLL CALL

YEA—Aloupis, Armstrong, Beaulieu, Bell, Benoit, Boisvert, Bordeaux, Brodeur, Brown, K.L.; Cahill, Carrier, Clark, Conners, Cox, Crowley, Curtis, Davies, Diamond, J.N.; Drinkwater, Dudley, Erwin, Foster, Gavett, Gillis, Gwadosky, Hall, Hanson, Hickey, Higgins, L.M.; Hunter, Hutchings, Ingraham, Jacques, Jalbert, Jordan, Joyce, Kany, Kiesman, Kilcoyne, Lisnik, Livesay, MacBride, MacEarchern, Macomber, Manning, Masterman, Matthews, McCollister, McKean, McPherson, McSweeney, Michaud, Moholland, Murphy, Nelson, A.; Norton, Paradis, E.; Perry, Peterson, Post, Reeves, J.; Reeves, P.; Richard, Ridley, Roberts, Rolde, Salsbury, Sherburne, Small, Smith, C.W.; Soulas, Stevenson, Stover, Strout, Theriault, Treadwell, Tuttle, Twitchell, Vose, Webster, Wentworth.

NAY—Austin, Baker, Berube, Boyce, Branigan, Brenerman, Brown, A.; Brown, D.; Callahan, Carroll, Carter, Chonko, Connolly, Damren, Davis, Day, Diamond, G.W.; Dillenback, Fitzgerald, Gowen, Hayden, Higgins, H.C.; Hobbins, Holloway, Kane, Kelleher, Ketter, Lancaster, Lewis, Lund, Mahany, Martin, A.; McGowan, McHenry, Mitchell, E.H.; Mitchell, J.; Nadeau, Nelson, M.; Paradis, P.; Paul, Pearson, Perkins, Pouliot, Prescott, Racine, Randall, Smith, C.B.; Swazey, Telow, Thompson, Walker, Weymouth.

ABSENT—Conary, Cunningham, Dexter, Fowlie, Huber, Jackson, LaPlante, Laverriere, Locke, Martin, H.C.; Michael, O'Rourke, Soule, Studley, The Speaker.

PAIRED—Masterton-Tarbell.

Yes, 81; No, 52; Absent, 15; Paired, 2; Vacant, 1.

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

Mr. Conners of Franklin offered House

Amendment "C" and moved its adoption.

House Amendment "C" (H-324) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Franklin, Mr. Conners.

Mr. CONNERS: Mr. Speaker, Ladies and Gentlemen of the House: The issue I wish to address today is the recommendation in L.D. 1576 which suggests a motor vehicle inspection program from the Maine State Police to the Secretary of State's Office. I would like to offer an explanation as to why the proposed change would not, in my opinion, be in the best interest of the people of Maine. The following information which I am about to share with you is based on evidence provided by the Department of Public Safety.

Twenty years ago, the legislature transferred motor vehicle inspection to the state police, where, in my opinion, it should remain. At that time, the legislature authorized two clerical positions and five uniformed officers to be paid by a portion of the money collected from the sale of the inspection stickers. The state police added six officers for better statewide coverage, for a total of eleven. Today, even though the number of registered vehicles has increased by 45 percent, the state police are operating with two less inspection officers and the same number of clerical.

It has been stated that a more cost-effective approach is the reason for transferring the inspection program back to the Department of Motor Vehicles, which will utilize civilian personnel rather than police to perform these tasks. But in terms of efficiency, the present record is one that even private industry would be proud of.

The recommendation also mentions a one-time start up cost in the Department of Motor Vehicles of \$50,900 to purchase vehicles. However, there are several additional start up costs that were not taken into consideration, such as two-way communication systems for each vehicle, 5,000 mechanic licenses, 3,000 newly printed inspection manuals, as well as 1,800 station licenses and outside signs for each inspection station. If the primary reason for the transfer is cost savings, then we should make certain, prior to going to the expense of transfer, that the move is, in fact, cost effective, which by all evidence it hardly seems to be.

The recommendation under consideration would result in a loss of funding for the nine state police troopers whose duties consist of licensing, administration and enforcement of the motor vehicle inspection program. These fully trained officers are on call 24 hours a day, and while performing duties relating to motor vehicle inspection, they also investigate accidents, rendering aid and assistance to the injured when necessary. Each officer is trained and certified in first aid, CPR and cardiac care. The inspection officers are directly responsible for the investigation of theft of improper uses of inspection stickers which, on many occasions, lead to other criminal activities.

Last year, the inspection officers issued 168 non-inspection arrests and convictions, resulting in over \$6,500 in fines. They also issued over 2,700 defective equipment warnings to motor vehicles. These services cannot be provided by non law enforcement personnel.

The nine state inspectors also had special training and are knowledgeable concerning the mechanics, laws, rules and regulations concerning school bus inspection. Whoever becomes responsible for motor vehicle inspection should also assume responsibility for school bus inspection, which is currently an important and time-consuming function of the inspection division.

The Department of Public Safety receives numerous requests each year for speakers on safety programs in schools, civil and private organizations, military and other public agencies. Last year, the men assigned to the inspection program performed over 770 hours of

public speaking engagements related to bicycle safety, defensive driving, home security, motor vehicle law and inspection, alcohol and drug related defenses and their prevention. The inspection officers are assigned these duties because they have the training and the experience necessary to perform this public service.

Furthermore, if the inspection program is indeed transferred to the Department of Motor Vehicles, there exists a possibility that legislation would eventually be proposed to authorize the civilian personnel sudden enforcement powers which are normally authorized to only sworn, full-time police officers. Otherwise, there will be times when civilian inspectors will need to call on the assistance of the law enforcement personnel.

Let me cite an example for you. In the course of responding to inspection complaints, there may be occasions when it will be necessary to stop a vehicle on the roadway as the only means of conducting an investigation. The civilian inspector will undoubtedly become frustrated in his desire to enforce the violation, because he will not have the authority necessary to carry out his responsibilities.

Also, there will be times when an investigator finds stolen inspection stickers on a motor vehicle or in the possession of an individual. He will need to know all the laws and rules regarding search and seizure, which, in some cases, requires an arrest prior to seizure. In these instances, and in the event of other misdemeanors, the civilian investigator will need to call on the assistance of law enforcement officers to issue a summons or make an arrest. However, doing so would hardly be practical, let alone cost efficient, since under the present system one man can handle the entire operation. Some of you may not be aware that a similar situation has recently occurred in Massachusetts where registered personnel now have the authority not only to stop vehicles and issue processes, but to make arrests and carry weapons as well. Their authority is, in some areas, as strong as that of any law enforcement agency in the entire state. It is hard to believe that that was the original intent of the Massachusetts legislature.

I find it hard to believe that the Maine Legislature and the people we represent would want to create the possibility of another state law enforcement agency. I firmly believe that the Maine state vehicle inspection program should remain with the jurisdiction of the Maine State Police and not be transferred to the Secretary of State's Office, as recommended in L. D. 1576.

I urge you to vote with me on this matter for the reason I have outlined here today, and your support will be appreciated.

The SPEAKER: The Chair recognizes the gentlewoman from Lewiston, Mrs. Berube.

Mrs. BERUBE: Mr. Speaker and Members of the House: I would like to speak against acceptance of this amendment, and I would also like a roll call.

I would like to counter some of the remarks that have been made by the previous speaker. He says that the number of motor vehicle inspections has gone up by 45 percent and yet they are operating with fewer enforcement people. Well, the Department of Public Safety, the state police, do not inspect the vehicles, they inspect the station not the vehicles, and the number of stations has definitely not gone up by 45 percent.

We have heard that there would be start up costs. Well, there shouldn't be start up costs. For example, two-way radios are not mandatory. It is not necessary for someone going into a filling station to inspect the garage to have a two-way radio. Granted, it is important that a law enforcement officer have a two-way radio, but not to go in and inspect a station.

The inspection manual would remain the same, and they could only be replaced as they expired. There is no need to change that.

We have heard said that the outside signs would have to be removed and printed. The outside signs are merely an indication, a status symbol, if you will, that a station is authorized to inspect a motor vehicle. Again I stress that this is not inspection of the motor vehicle but of the premises, to see how many of the stickers they have on hand, to see how many they need, to see if there are any problems with violations, this sort of thing. They run a check-off list in the garage.

I would also point out that presently the Secretary of State, the Motor Vehicle Division, inspects car dealers, many of whom are also inspection stations. So while they are on the premises, they can very well handle the inspection of the mechanical division. It is a cost saver.

We have heard that the state troopers are on duty 24 hours a day. Fine, so will the other people be on call. They say that they could not investigate accidents. Of course they could, because their services would be utilized in what they were trained for; namely, to be law enforcement officers. This is the purpose of this recommendation for a saving of \$124,513 the first year. We would be returning nine law enforcement officers to what they were trained for. Presently, those people only inspect stations, and if they catch a speeder on the way, they can still catch the speeder, because they will be doing what they were trained for.

We say that nine law enforcement officers should no longer continue to inspect stations, and it is fiscally unsound, I think, and so did the committee think, to continue to have these highly trained individuals doing that.

Public speaking engagements — they can continue to address groups, they don't have to be highly trained for that. I think in public speaking assignments, they spend 5.1 percent of their time doing that. We have heard tell about the school bus inspection. They spend 10.5 percent of their time, and they spend 28.2 percent of their time inspecting stations. Again I stress, it is the inspection of the station itself. And they patrol — patrol hours, 1.3 percent of their time.

I would briefly touch on the school bus issue. It is my understanding that presently the Motor Vehicle Division under the Secretary of State's Office gives the exams, the driver exams, for the school bus drivers, and at the same time, they go over the buses, the school buses, and inspect the buses to make sure that they do, indeed, pass the inspection.

What do they do? They do exactly what the law enforcement officials are doing, test for the visible signs of defect, lights, to make sure that the seats are well secured, that there is no broken glass, that the exhaust system extends beyond the bumpers to make sure the fumes don't come in. Those are all things that other individuals can do. So again I stress, there is a huge cost savings in this area. The service will continue to be done, and equally as well, and at the same time we will be increasing by nine people protection of the citizens of this state by returning law enforcement officers to what they were trained for originally.

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

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the Audit and Program Review Committee, I rise to support the comments made by my House Chairwoman, Representative Berube.

Some of the comments made by the previous gentleman regarding some of the activities that would continue under the auspices of the Motor Vehicle Division are a little incorrect. For example, the contention that motor vehicle personnel will, at some point in the future, require additional enforcement capability is totally false. We discussed that at length in committee, making a conscious decision as to whether or not we wanted the Motor Vehicle Division personnel to have these additional en-

forcement capabilities and decided against it. The department clearly knows our feelings on that. We discussed it with them, and after great debate, we determined that we would not go that route.

Presently, the state police, again I would reinforce what Representative Berube said, are inspecting the inspection stations only, it has got nothing to do with inspecting automobiles on the road. As a matter of fact, most of that is done at the local level. Primarily what happens in a case like that is, a police officer will stop an automobile for a speeding violation or some other kind of check and check the sticker at the same time, or if the police officer happens to spot that the sticker is invalid for some reason, that is another cause to stop the automobile. That is mostly done at the local level anyway. Of course, it is done on the highway by the state police on routine patrol. It has nothing to do with the inspection division doing this particular task.

Therefore, ladies and gentlemen, I would encourage you to support what is a provision in the sunset bill, that was a unanimous committee recommendation, that would, in a nut shell, save the State of Maine \$126,000, roughly, while at the same time freeing up state police personnel, which the commissioner has testified in other committees that he needs additional personnel. I think there is a request in the Part II Budget for certain positions. These positions could be utilized for those needs, and at the same time, the Motor Vehicle Division is more than capable of handling the job, it is not that difficult. They are more than qualified to handle the task.

Therefore, Mr. Speaker, I would move for indefinite postponement of House Amendment "C".

The SPEAKER: The Chair recognizes the gentleman from Brooksville, Mr. Perkins.

Mr. PERKINS: Mr. Speaker, Ladies and Gentlemen of the House: I come from a rural area, and this weekend I checked with many of our inspection stations. There isn't one that wants to change and go under the Secretary of State.

We also get a plus by having these police officers in our area. We do not have many law enforcement officers. In fact, our sheriff department does not have, in three of my towns, even a deputy. Therefore, may I suggest, as they said to me, let's not transfer a professional system to a political system.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Peterson.

Mr. PETERSON: Mr. Speaker, Ladies and Gentlemen of the House: In answer to Representative Perkins' statement about none of the inspection stations wanting to have their system changed, I believe he is correct in saying what he said, because when word got out that the Audit and Program Review Committee was planning this change, or asking for it at least, the troopers made their rounds, they were indoctrinated very fast. We had a lot of pressure from the stations.

A state trooper is not needed to inspect these inspection stations. They are well trained people, they earn enforcement pay and they should be doing that work. They can retire in 20 years and they should use their talents in enforcement.

I hope you will vote to kill this amendment.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Rolde.

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I also urge you to indefinitely postpone this amendment. As I said on the previous amendment, I had come down on the side of the law enforcement establishment. We also had a proposal before us by one of our subcommittees to take the state police out of the inspection of games of chance. Our committee defeated that, but I think this is one area where we can go along with the recommendation.

As has been said to you, there are nine state troopers involved in this program. Those are state troopers who have gone through the expensive training procedures that all state police go through. They receive the salaries of state police. In the testimony in the gentleman from Franklin, Mr. Conners; prepared speech, he said that they had come up with 168 violations and brought in \$6500 in fines — nine positions. Our committee feels that we can go to a much cheaper way of doing this, of bringing this \$13,000 into this state for a biennium. We could save close to \$250,000 by going to the Secretary of State, and I urge you very strongly to go along with the unanimous committee recommendation in this regard.

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

Mr. MacEACHERN: Mr. Speaker, Ladies and Gentlemen of the House: I didn't intend to speak on this bill, but I have heard some things said on the floor that I know are true.

As most of you know, I am a graduate of the state police, and I have been involved with these people who do the inspections. First of all, I heard a figure given a little while ago, I don't know how many it was, but there were quite a few hundred defective equipment cards issued by these people. Now, they don't issue those to inspection stations, they issue them to vehicles. Lots of times in the course of their investigation of an inspection station, they might stop cars on the road to check them to see if they were properly inspected by that station, and they do it as a police officer, they don't do it as a member of the Secretary of State's office.

I think it would be an injustice to take these duties away from the state police. You are just creating another bureaucracy within state government, and I do feel that if it was done, eventually we would have another agency similar to the registry in Massachusetts, they are actually another state police department. So, I would urge you to kill this amendment.

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

Mr. BRANNIGAN: Mr. Speaker, Men and Women of the House: I have been interested in this issue by my own constituents and by the people I have worked with on other bills from the Pine State Retail Gas Dealers Association, and the disturbing thing is what has just been said here, anyone I have talked to on the committee, I said, what about the dealers, the dealers are talking to us and they say don't listen to the dealers, they have been organized by the state police. Everywhere I have turned it just seems that the dealers have not been listened to, the people that have to use this service, the people that have to be hacked up, the people that are involved in this have been just disregarded because it has been believed that the state police have organized them in their favor.

People that I have talked to and trusted, leaders of this association, say this is not true, and I have been talking with them for about a year on this issue.

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

Mr. NADEAU: Mr. Speaker and Members of the House: In response to my good friend from Portland, Mr. Brannigan, yes, the inspectors of service stations around the state did organize, did appear before the committee and have corresponded with us for a long time. I do respect what they are trying to do. They are very concerned about proper inspection. They take their trade and profession very seriously, and many of the people we talked to, as I said, we were very impressed with them because they do have a real concern for what they do, but the committee took that into consideration, and for whatever reason, many of the inspection stations were convinced that with Motor Vehicle some drastic change would come about and that the same job wouldn't be done. That just simply isn't so.

The state police do it presently for more money than the Motor Vehicle Division can do it, and that is the bottom line, that is the issue. State police officers are specially trained at great expense to the State of Maine. Motor Vehicle Division personnel simply do not require that kind of training to do this specific task. So for whatever reason, I think the inspection stations were simply steered wrong in some cases. I think that initially they may not understand, but once the Motor Vehicle Division is inspecting the stations, once they have gotten into the scheme of things, I am sure they will get along famously and a year from now everyone will be happy as punch.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mrs. Berube.

Mrs. BERUBE: Mr. Speaker and Members of the House: One point. We were told by the gentleman in the other corner that they issue summons to vehicles which are doing something illegal or whatever. They can still do that. Although nine positions will be removed from the inspection stations, there will be nine additional troopers, because the Appropriations Committee, in Part I, in their wisdom, has given them 12 new positions and they can continue to issue summons to the vehicles that are doing something that is not right.

Mr. Speaker, I would request a roll call.

The SPEAKER: The Chair recognizes the gentleman from Newport, Mr. Reeves.

Mr. REEVES: Mr. Speaker, Ladies and Gentlemen of the House: I rise this afternoon very reluctantly. I do not wish to prolong this debate, the hour is late, the workload is heavy on our desks, but there are a few things that I feel I must point out and hope to correct some of the things that have been mentioned by previous speakers.

A short time ago, Representative Berube mentioned that the inspection manuals would not have to change, they would continue with the same manual, the same rules and regulations. I submit to you that that is not the case. The manual would have to be changed because the manual was put together, authorized, and it is a document of the Chief of the Maine State Police. If this inspection is transferred, the orders and directions of the Chief of the State Police would no longer be in effect. The manual will have to be changed. It would have to be the direction of the Secretary of State.

She further stated that the inspection signs only authorized an inspection station. This also is incorrect. The inspection sign on all of these garages that inspect says, "inspection station authorized by the Chief of the Maine State Police." That would have to be changed. It was mentioned that dealer applications are processed by the Secretary of State's Office; that is correct. She says that they can check the inspection stations at the same time. I submit that the number of dealer stations in this state compared to the number of inspection stations is a smaller portion of the pie. Many of these inspection stations do not sell used cars or new cars, either one.

She said they only inspect these stations. I submit to you that they inspect and check out the stations, they issue the station license. It, too, is signed by the Chief of the State Police. I didn't hear anybody mention the fact that the State Police also authorize and license the inspection mechanics. Their certificate is also signed by the Chief of the Maine State Police. All of these licenses are issued under the chief's name. They would all have to be changed.

Someone mentioned the fact that if this was transferred from the State Police to the Secretary of State's Office, these nine troopers would be out there doing the job that they were hired to do, protecting the public. Ladies and gentlemen, I submit to you that these nine troopers are doing that today. Inspection is part of their responsibility, and I hope you were listening when my friend Representative Con-

ners was talking about his amendment and the reason for it. He pointed out that they do several other functions besides inspecting motor vehicle inspection stations.

I am glad that Mrs. Berube brought it up, she says that these nine troopers will be freed up to do the work on the road and that there would be nine more troopers on the road. I submit that this is in total error. This isn't freeing up nine troopers to be available on the road. I submit that these nine troopers are now available on the road. She further mentioned that the Appropriation Committee has authorized 12 new troopers for the state police. Ladies and gentlemen, I submit to you if this bureau is transferred from the Department of Public Safety to the Secretary of State's Office, those 12 new troopers probably will not be hired. If any are hired, it will be much, much smaller than the 12, because we are going to lose the funding for a good portion of these nine, so it is not going to leave money to hire 12 more troopers.

I submit that you should not vote to indefinitely postpone House Amendment "C". I wholeheartedly ask you to support this amendment.

The SPEAKER: The Chair recognizes the gentleman from South Portland, Ms. Benoit.

Ms. BENOIT: Mr. Speaker, Men and Women of the House: I don't really want to speak to the amendment per se, but for some of those of you who are new here and perhaps not as familiar with the sunset process, I would like to explain it a little.

I was a member of the committee last year and the past two years. It is a very long, a very arduous process. There is, first of all, a review of the department, there is the hearing, the first bill is printed, then there is another hearing on this bill and then the final bill, which is before us, is printed. This involves many, many hours of hard, deliberate work. This was a unanimous committee report.

In my mind, I have thought that this process ought to be compared to the appropriation process, that if the bill comes out unanimous, that is the way it ought to stay, that we should not amend things out of the sunset bill. If we do, we are going to make a sham out of the process and the sunset process will be worth nothing, and all the time and effort that the committee members put into the process will be for naught.

I would ask you to vote for the indefinite postponement of this amendment.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: I am Representative George Carroll, I am from Limerick, Maine. Coming from that little town out there, we are what we call the rural folk, but I will tell you, folks, there is one thing that they develop out there and that is the ability to stand up and be counted against odds.

I was invited last winter or early this spring to go to a meeting in Biddeford, to the Southern Maine Automobile Inspection Association. I called the motor vehicle and I said I would like to have two of their people go with me. We went down to listen to these people and when I walked in I said, I forgot to tell you, you didn't invite anyone from motor vehicle, I knew you would be well represented with the state police, so I thought where this was going to be a discussion that we ought to have somebody here to present both sides of the silver coin. You know, we have a head and a tail on the silver dollar and I want to hear us talk about both sides of it.

So, we proceeded, introduced the gentleman and myself and sat down at the head table and they said they would like to throw out some questions. I said, go ahead, fire at will, I will answer them one way or another, and we proceeded. One man in the audience said that they were going to destroy the automobile inspection system, that we are going to take and put



on people that didn't know what they were doing, that cars would be going down the road with inspection stickers on them and children would be falling through the floorboards of these cars. They were going to do this and they were going to do that and I said, the first thing I have to ask you gentlemen, before we go any further here, I want to know who "they" are. Who are "they"? That committee in Augusta. What committee? Peter Danton perked up and said, the Audit and Review Committee, that is who they are talking about. Oh, I said, we are talking about the Audit Committee. Now we won't say "they" anymore, we will say Audit Committee. I want to know who I am talking about.

Well, they fired away and I answered them right straight from the shoulder. I didn't hide, I have nothing to hide. I laid it right on the line with what was going on in my area and they had been told in a round about way that I had a vendetta against the Maine State Police having the auto inspection business because it closed a lot of inspection stations in my town. To get an inspection on my truck I had to drive 18 miles. In an urban town that I represent, there were too many school bus inspection stations so they closed that and the excuse they gave him was, there were too many in this town, you don't need so many, that is what you call free enterprise, close up some of them because you have too many doing that job.

But as we went along, we lost some and we won some in that discussion. We called them as we saw them, no hard feelings. They gave it to me and I gave it back. But before the evening was over, I think we all understood each other and we all respected each other just a little bit more.

I praise the state police for their work, I think they are a highly trained, highly skilled organization and I think it is a shame to waste their talents going around inspecting garages when I have seen what they have done when there has been shootouts. I saw in Limerick many years ago where there was a cowboy and Indian show, and it just happened recently in my community again, where they performed in a highly skilled and efficient manner. The man surrendered and they did their job. They continue to do their job and they deserve praise. Manytimes their lives are on the line and I say to you, I don't have a vendetta against them. But I want them to be out there doing their job that they are trained for and they are highly skilled at. I don't think we need them going around inspecting gas stations, giving the mechanics a written test on automobile inspections and those things.

I think we need them out there on the highways investigating crimes, especially throughout rural Maine. I have no objections to funding them for these duties, but I do object to funding them for a 20 year retirement on the auto inspection business, and the majority of their time, those that are assigned to it, is spent performing that task.

I want you all to know right now that these automobile inspection stations were organized. I asked them who organized them. I said, I answered your question here for about two hours, I gave it to you straight from the shoulder and I answered them as truthfully as I could because there were two state troopers sitting out in that audience in civilian clothes watching us. I said, I would just like to know who organized all these gas stations into an association. The president of it said, I want you to know that I organized it. I said, come on now, let's have the truth. I know that you are a nice fellow and I just want to lay it on the line. He said, "I organized them" and I said, "thank you very much."

I said I have a station operator who has been getting letters asking him to join your association and those letters were of a nature that I didn't like. He just as much told me that if he didn't belong to the association in the future, he probably wouldn't have an inspection license

on his garage. He was worried because he had been in the business for years and I said, every letter you get, you forward it to me. I would like to be kept posted on just what is going through the mail. They would send in for auto stickers and out would go a copy of a letter with the auto stickers about this southern Maine association.

When I went home the next day, I happened to have a client on insurance who came up to see me. He said, I got a call this morning. I said, I suppose they asked me if you knew me and he said, yes. He said they told me that they had a lot more respect for you after last night than what they had before and things that they had heard about you. Well, I said, that is probably one for the road then, isn't it? They also told me that the state police were treating them a lot better since that meeting, that they weren't flexing their muscles with them anymore, that they were coming and treating them with a little more dignity and respect. I said, maybe we all learned something at that meeting last night and maybe the state police learned something and maybe I did.

I want you to know right now that the state police are needed out fighting crime, which they keep telling they need more people for, not being in garages in full uniform, with 20 years retirement, I call it combat pay, for inspection and licensing automobile mechanics. I will tell you, I don't have an axe to grind nor am I conducting a vendetta against the Maine State Police.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. 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 having expressed a desire for a roll call, a roll call was ordered.

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

Mr. MacEACHERN: Mr. Speaker, Ladies and Gentlemen of the House: I will be very brief. I debated for the amendment a little while ago and then I asked you to kill the amendment and I would like to clear that up. I don't want you to kill it, I want you to pass it.

The SPEAKER: The pending question is on the motion of the gentleman from Lewiston, Mr. Nadeau, that House Amendment "C" be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA—Aloupis, Austin, Baker, Benoit, Berube, Brodeur, Brown, A.; Carroll, Chonko, Connolly, Cox, Crowley, Curtis, Davies, Davis, Dexter, Diamond, G.W.; Dillenberg, Fitzgerald, Gillis, Gowen, Hall, Hickey, Joyce, Kane, Lund, Macomber, Manning, Martin, A.; McCollister, McGowan, McHenry, McKean, Mitchell, J.; Moholland, Nadeau, Nelson, M.; Norton, Paradis, P.; Paul, Peterson, Post, Pouliot, Reeves, P.; Rolde, Swazey, Theriault, Thompson, Vose, Weymouth.

NAY—Armstrong, Beaulieu, Bell, Boisvert, Bordeaux, Boyce, Brannigan, Brenerman, Brown, D.; Brown, K.L.; Cahill, Callahan, Carrier, Clark, Conners, Damren, Day, Diamond, J.N.; Drinkwater, Dudley, Erwin, Foster, Gavett, Gwadosky, Hanson, Hayden, Higgins, H.C.; Higgins, L.M.; Hobbins, Holloway, Hunter, Hutchings, Ingraham, Jalbert, Jordan, Kany, Kelleher, Ketover, Kiesman, Kilcoyne, Lancaster, Lewis, Lisnik, Livesay, MacBride, MacEachern, Mahany, Masterman, Matthews, McPherson, McSweeney, Michaud, Mitchell, E.H.; Murphy, Nelson, A.; Paradis, E.; Pearson, Perkins, Perry, Prescott, Racine, Randall, Reeves, J.; Richard, Ridley, Roberts, Salsbury, Sherburne, Small, Smith, C.B.; Smith, C.W.; Soulas, Stevenson, Stover, Strout, Tarbell, Telow, Treadwell, Tuttle, Twitchell, Walker, Webster, Wentworth, The Speaker.

ABSENT—Carter, Conary, Cunnigham,

Fowlie, Huber, Jackson, Jacques, LaPlante, Laverriere, Locke, Martin, H.C.; Masterton, Michael, O'Rourke, Soule, Studley.

Yes, 50; No, 84; Absent, 16; Vancant, 1.

The SPEAKER: Fifty having voted in the affirmative and eighty-four in the negative, with sixteen being absent, the motion does not prevail.

Thereupon, House Amendment "C" was adopted.

Mr. Hickey of Augusta offered House Amendment "D" and moved its adoption.

House Amendment "D" (H-329) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Hickey.

Mr. HICKEY: Mr. Speaker, Ladies and Gentlemen of the House: I regret imposing upon your time but I feel my amendment is of the utmost importance to our city. The future operation of the Augusta Airport is in jeopardy if the recommended funding is eliminated. Unfortunately, the state, up to this point, has required full funding to provide the necessary service. In the event they are called upon to continue running the airport on the money provided, they would only be able to provide a marginal schedule. With our airport handling the third largest passenger load, it would have a drastic effect, especially on our tourist business. Air travel is also constantly used by the state and the business people conducting business for and with the state and it is vital to our transportation system.

The Augusta airport was started by the state in the early 30's. For a number of years, it was a marginal operation. Prior to World War II, a considerable amount of federal money was provided for its development. For many years, the Airport Advisory Council, composed of local trained aeronautic people, have given fully of their time and talent to promote our airport. Our present ongoing expansion is a helpful product of their efforts. In the present construction, the city has also provided over a million yards of gravel to assist in the runway expansion program.

The Performance Audit Committee, in its hearing, asked the city of Augusta to take over the Augusta State Airport. A committee from the city council is presently studying the feasibility of this plan. The Augusta City Council is to report back to the Performance Audit Committee by January 1. There are many reasons to believe that the city council will be unable to assume these costs.

Living in the capitol city has many advantages, also many disadvantages. As a city, we are supportive of the state and provide them with all the municipal services with no remuneration.

We have also found that many of the state's demands have a long time drastic effect upon our property tax base. I speak of the development of the capitol complex. It started with the building of the main office and the years following, the other buildings constructed were the Archives Building, the Manpower Affairs Building, the Transportation Building, the State Parking Garage and the acquisition of the Human Services Building. In the process of building, a parking area was constructed for each of these buildings.

I will concede that the state is to be commended for the orderly construction of the area around the capitol. Unfortunately, the 240 families who had their homes taken by eminent domain made the most substantial contribution to the construction of our capitol complex. The loss of these many pieces of taxable property created an erosion in our tax base and an increase in our property taxes for many years. It is easy to appreciate how seriously our property tax is affected when you observe how badly all our referendums, pertaining to vital needs are defeated.

In the past week, I have talked to many former Senators and Representatives whose

careers of service to the Maine Legislature covered a span of 30 years. They have all related that the Augusta Airport was always recognized as a gratuity to the city of Augusta for the many services rendered.

I ask your support of my amendment to help provide continued air service.

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

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: I really don't have too many doubts about what is going to happen to this particular amendment. The Augusta City Council has asked for another year to study the feasibility of this, and I can tell you that their conclusion is going to be that it is not feasible. It is not feasible in Old Town, it is not feasible in Presque Isle and it is not feasible in Machias, it is not feasible in Caribou and it is not feasible everywhere to run their own airport, but everybody else does.

The Representative from Augusta, Mr. Hickey, indicated that this was built by the state in the early thirties, the airport in Old Town was built by the government as a WPA project in the early 30's, but we now maintain it.

I realize that there are many buildings in Augusta that are not taxable and the city of Augusta provides a lot of services for the state, fire protection, police protection and so forth, but I don't think that anybody could argue that having the seat of government here in Augusta is not an asset to Augusta, that any town in Maine would find it to be something desirable in their town. I would love to have the capitol of Maine in Old Town. I suppose it would be nice if it were in Dover-Foxcroft, if you came from Dover-Foxcroft. I think that Mr. Hickey is going to be successful, but I hope that Augusta will seriously think about this in the future because every other town pays for their own airport.

Thereupon, House Amendment "D" was adopted.

The SPEAKER: The Chair recognizes the gentlewoman from Lewiston, Mrs. Berube.

Mrs. BERUBE: Mr. Speaker, I ask that this be reconsidered.

The SPEAKER: The gentlewoman from Lewiston, Mrs. Berube, moves that the House reconsider whereby House Amendment "D" was adopted.

The gentlewoman may proceed.

Mrs. BERUBE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to give the reasons why we made this recommendation. I would say, first of all, that this is a unanimous committee report including the gentleman from Augusta. We took, by the way, a vote on each recommendation, and on February 25, there were 11 people present in our committee and 11 people voted on this recommendation. The reason we voted on this recommendation unanimously, including the gentleman from Augusta, was because we had just accepted his amendment, the amendment which had been given to him at the request of the government of Augusta. The amendment said, and we accepted it verbatim, and that is what is incorporated in this document: "The purpose of this proposed amendment is to defer any legislative action in the first year of the biennium by this legislation. By doing this, the City Council of the City of Augusta will have a reasonable time period, until the next session of the legislature, for the Augusta City Council to complete studies which will enable the Council to take a comprehensive position on the position as indicated under Resolve 607, which was unanimously voted by the City Council on November 17, 1980."

I take it back, it was on the 12th of February that we had the vote in our committee.

Now, at the request of the Representative from Augusta, Mr. Hickey, and as a result of the pleas from other members of the delegation from Augusta, including my seatmate, and

Representative Mitchell and Mr. Paradis, we adopted their recommendation. We gave them a one-year delay to get their act together and come before the legislature in January, which is exactly what we did with the people from Vinalhaven and Rockhaven relative to the ferry fee and schedule. We delayed for one year also, which is a courtesy that we extended.

The appropriation of \$79,000 is for fiscal year 1983, so that when the City of Augusta, if, indeed, they show good faith and have started to negotiate with the Department of Transportation, as they said they would, if, indeed, they come before the committee in January, by then there would be no reason not to deappropriate at the time.

The intent of the report is to compel the airport in Augusta to exist solely on its revenues. The first year savings we deleted, we gave in to the people from Augusta, would have resulted in a savings of \$66,900 from the first year of the General Fund. The costs now run at \$137,000 a year; that is the way they have been running for the past two years, and the revenues come out at \$85,000 per year, so the difference is paid in by the General Fund.

It was the feeling of our committee that if other communities can support their airports with their own property taxes, plus putting money in the General Fund to support the Augusta Airport, perhaps it was time that we looked at the situation and realized full well that this could create a problem, at their request and their insistence, we delayed for one year.

I would ask that this amendment be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Ms. Lund.

Ms. LUND: Mr. Speaker and Members of the House: The reason I didn't get up before was that I hoped to give Mrs. Berube a chance to rest and us a chance to get to dinner sooner.

I rise to support House Amendment "D"; Mrs. Berube is absolutely right. The Audit and Program Review Committee listened to the plea from the City of Augusta and did just exactly what we asked them to do. However, the City of Augusta now admits that it was wrong. We were shortsighted. We knew before we started that it was going to take more than from now until January to look into the tangled financial aspect of the airport, the fact that the National Guard is up there, the fact that we have federal money in the airport, and the requirements that go along with that, as well as state money. It is going to be a lawyer's game for the next year at least. I simply do not think that the City of Augusta will be ready by January 1 to know what we can do.

Our concern is that if the money is removed from the budget at the present time, the state has actually assumed the outcome of the study when we have only just begun the study. We do not want to come to the legislature next year with our hats in our hands begging for funds. We think it would be better fiscal planning for the state to maintain the money in the budget now, not to prejudice us, and to leave the money in the budget.

I urge you to adopt House Amendment "D".

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Hickey.

Mr. HICKEY: Mr. Speaker, Ladies and Gentlemen of the House: I would like to clarify one point. Mrs. Berube has made a point that I voted for it. We met with the city council and we agreed to postpone it for a year, which I did, I agreed with Mrs. Berube, and that was the one point that I voted on, not withdrawing the money as they have presently done.

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

A vote of the House was taken, and more

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

The SPEAKER: The pending question is on the motion of the gentlewoman from Lewiston, Mrs. Berube, that the House reconsider its action whereby House Amendment "D" was adopted. All those in favor of reconsideration will vote yes; those opposed will vote no.

#### ROLL CALL

YEA—Aloupis, Armstrong, Austin, Baker, Benoit, Berube, Bordeaux, Brenerman, Brodeur, Brown, A.; Brown, D.; Cahill, Callahan, Chonko, Conners, Connolly, Cox, Curtis, Damren, Davies, Davis, Day, Dillenback, Foster, Gavett, Gwadosky, Holloway, Hutchings, Ingraham, Kany, Kiesman, Lancaster, Lewis, Lisnik, MacBride, Martin, A.; Masterman, McCollister, McGowan, McHenry, McKean, Mitchell, J.; Nadeau, Nelson, A.; Nelson, M.; Norton, Paradis, E.; Paul, Pearson, Peterson, Racine, Rolde, Salsbury, Sherburne, Small, Smith, C.W.; Stover, Swazey, Thompson, Twitchell, Walker, Wentworth, Weymouth.

NAY—Beaulieu, Bell, Boisvert, Boyce, Brannigan, Brown, K.L.; Carroll, Clark, Crowley, Dexter, Diamond, G.W.; Diamond, J.N.; Drinkwater, Erwin, Fitzgerald, Gillis, Gowen, Hall, Hanson, Hayden Hickey, Higgins, H.C.; Higgins, L.M.; Hobbins, Hunter, Jacques, Jalbert, Jordan, Kane, Kelleher, Ketover, Kilcoyne, Livesay, Lund, MacEachern, Macomber, Mahany, Manning, Matthews, McPherson, McSweeney, Michaud, Mitchell, E.H.; Moholland, Murphy, Paradis, P.; Perkins, Perrv, Post, Pouliot, Prescott, Randall, Reeves, J.; Reeves, P.; Richard, Ridley, Roberts, Smith, C.B.; Soulas, Stevenson, Strout, Tarbell, Telow, Theriault, Treadwell, Tuttle, Vose, Webster.

ABSENT—Carrier, Carter, Conary, Cunningham, Dudley, Fowlie, Huber, Jackson, Joyce, LaPlante, Laverriere, Locke, Martin, H.C.; Masterton, Michael, O'Rourke, Soule, Studley, Yes, 63; No, 68; Absent, 19 Vacant, 1.

The SPEAKER: Sixty-three having voted in the affirmative and sixty-eight in the negative, with nineteen being absent, the motion does not prevail.

Thereupon, the Bill was passed to be engrossed as amended by House Amendment "B", House Amendment "C" and House Amendment "D" and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

The following papers appearing on Supplement No. 6 were taken up out of order by unanimous consent:

#### Leave to Withdraw

Representative Hickey from the Committee on Aging, Retirement and Veterans on Bill, "An Act Concerning Payment to the State Retirement System by Elected or Appointed State Officials" (H. P. 1227) (L. D. 1446) reporting "Leave to Withdraw"

Representative Boisvert from the Committee on Public Utilities on Bill, "An Act to Prohibit the Burning of Oil by Utilities for the Generation of Electricity after January 1, 2000" (H.P. 854) (L.D. 1017) reporting "Leave to Withdraw"

Representative Boisvert from the Committee on Public Utilities on Bill, "An Act Concerning the Method of Decommissioning Nuclear Power Plants" (H.P. 728) (L.D. 861) reporting "Leave to Withdraw"

Representative Boisvert from the Committee on Public Utilities on Bill "An Act to Prohibit the Export of Hydroelectric Power" (H. P. 1236) (L. D. 1461) reporting "Leave to Withdraw"

Representative Vose from the Committee on Public Utilities on Bill "An Act to Establish and Implement an Electrical Energy Budget for the State" (H. P. 1129) (L. D. 1346) reporting "Leave to Withdraw"