

MAINE STATE LEGISLATURE

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too. I will be incredibly brief. I think it is important that we realize that all we are saying here is that the uncertainties are too great and the risks are too great and we wish to temporarily suspend catch and release fishing, angling on this species of fish. You have heard a lot of talk about people who love to fish and their desire to go angling. I understand that I know they have done a great job and helpful in the restoration of these stocks. No one is saying, as you might have inferred from some of this, that anyone saying that some member of the other body is going to have to sell off his tackle in a lawn sale somewhere because this is the end of it, there will be no more. All we are saying and all the Atlantic Salmon Commission is saying is that let's just lay off for a bit and let the dust settle. Let's figure out exactly what the facts are and what the risks are. The risks they see at this point are too great. I would like to quote from the Atlantic Salmon Federation who testified against this bill. They said, "The Atlantic Salmon Federation scientists believe that numerous studies indicate a 3 to 5 percent rate of mortality associated with catch and release fishing. Maine's salmon populations are too vulnerable to allow any mortality associated with angling." Thank you.

The SPEAKER: The Chair recognizes the Representative from Hartland, Representative Stedman.

Representative **STEDMAN**: Mr. Speaker, May I pose a question through the Chair?

The SPEAKER: The Representative may pose his question.

Representative **STEDMAN**: Mr. Speaker, Men and Women of the House. Could anyone tell me what the length of the season is? I would suggest that we may have missed it already.

The SPEAKER: The Representative from Hartland, Representative Stedman has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Lebanon, Representative Chick.

Representative **CHICK**: Mr. Speaker, Ladies and Gentlemen of the House. My involvement with this particular sport has been during my whole life. I can recall people that I was employed with that built homes on some of these rivers we are speaking about here this afternoon when the fishing was good. About the time that they completed their homes, I began to hear about the fishing was not as good. In other words, they were not catching as many fish. I have served on this Fish and Wildlife Committee during my time here. I have listened to a great deal of information about the Atlantic salmon and fishing salmon in these rivers and what rivers produce better than others. As recent as this winter when we were discussing it out at the Civic Center, I recall something that I said in a committee. I don't remember that I have ever heard anyone else say this, but I will leave you with this thought for those that believe that they can have the best of two worlds. Untouched is unharmed. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is to Indefinitely Postpone the Bill and all Accompanying Papers. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 578

YEA - Baker, Berry RL, Bolduc, Bowles, Bragdon, Brennan, Bruno, Buck, Bull, Bumps, Cameron, Campbell, Chick, Clough, Cote, Cowger, Cross, Davidson, Desmond, Dudley, Dunlap, Etnier, Foster, Fuller, Gagne, Gerry, Gillis, Glynn, Gooley, Green, Hatch, Heidrich, Honey, Jabar, Jodrey, Jones, Joy, Labrecque, Lemoine, Lindahl, Lovett, MacDougall, Madore, Mailhot, Mayo, McDonough, McKee, McKenney, McNeil,

Mitchell, Murphy T, Muse, Nass, Norbert, Nutting, O'Brien JA, O'Brien LL, Peavey, Perry, Pieh, Plowman, Powers, Quint, Richard, Richardson E, Richardson J, Rines, Samson, Savage C, Savage W, Saxl MV, Sherman, Shiah, Skoglund, Snowe-Mello, Stanwood, Stedman, Stevens, Tessier, Thompson, Tobin D, Tobin J, Townsend, Tracy, Trahan, Treadwell, Tripp, Twomey, Volenik, Watson, Winsor, Mr. Speaker.

NAY - Ahearne, Bagley, Belanger, Berry DP, Bouffard, Brooks, Bryant, Carr, Chizmar, Cianchette, Clark, Collins, Colwell, Daigle, Davis, Dugay, Duncan, Duplessie, Fisher, Gagnon, Goodwin, Jacobs, Kane, Kasprzak, Kneeland, LaVerdiere, Lemont, Mack, Martin, Marvin, McGlocklin, Mendros, O'Neal, O'Neil, Perkins, Pinkham, Povich, Rosen, Sanborn, Saxl JW, Schneider, Shorey, Stanley, Sullivan, True, Tuttle, Usher, Waterhouse, Weston, Wheeler EM, Wheeler GJ, Williams.

ABSENT - Andrews, Frechette, Matthews, McAlevey, Murphy E, Shields, Sirois.

Yes, 92; No, 52; Absent, 7; Excused, 0.

92 having voted in the affirmative and 52 voted in the negative, with 7 being absent, and accordingly the Bill and all accompanying papers were **INDEFINITELY POSTPONED** in **NON-CONCURRENCE** and sent for concurrence.

Under suspension of the rules, members were allowed to remove their jackets.

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

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment yesterday, have preference in the Orders of the Day and continue with such preference until disposed of as provided by House Rule 502.

HOUSE REPORT - **Ought to Pass as Amended by Committee Amendment "A" (H-1004)** - Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Create a New Category of Liquor License and to Exempt Pool Halls, Bowling Alleys and Off-track Betting Facilities from the Prohibition Against Smoking"

(H.P. 1807) (L.D. 2533)

TABLED - April 3, 2000 (Till Later Today) by Representative TUTTLE of Sanford.

PENDING - ACCEPTANCE OF COMMITTEE REPORT.

Representative KANE of Saco **REQUESTED** a roll call on the motion to **ACCEPT** the Committee Report.

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

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Kane.

Representative **KANE**: Mr. Speaker, Men and Women of the House. Today and all this week we have celebrated Public Health Week. We continue to educate and sensitize our citizens about the benefits of exercise, diet and the threat to our health of alcohol and tobacco. It is ironic that today we find ourselves once again debating the issue of expanding smoking in public places. It is one of the greatest threats to public health. You have read and heard all of the statistics associated with this.

Men and women of the House, we are often reminded that Maine leads the nation in low infant mortality, but sadly we also lead the nation in teenage smoking. During the past several years, we have launched a comprehensive effort to discourage smoking among our youth and our adults, and will be spending millions of dollars to achieve that goal. Progress will be slow and difficult, but we must maintain our commitment and consistency in goals, strategies and messages to our citizens, adult and youth. That message has involved change in the way that public places operate and may represent some inconvenience for operators and customers who smoke.

We have determined in our public health policy to date, that the benefits of a smoke-free service and employment environment, more than offsets the inconveniences involved in protecting our citizens from the adverse effects of second-hand smoke.

When one considers the potential savings to taxpayers for the treatment of smoking related illnesses, the benefits are even more dramatic. I didn't expect that we would have to defend this Legislature's courageous action of a year ago, in passing the ban on smoking in restaurants. It is a law, which has been extremely successful with on three cases on non-compliance. The bill before us, ladies and gentlemen, would not only turn back the clock on our public health commitment to protect our citizens from the ravages of smoking, but it would allow smoking in public places that have been smoke free for a year.

The action of the 119th Legislature in 1999 was predicated to bring financial disaster to restaurants. The reality is that restaurant revenues have gone up 4.5 percent between 1998 and 1999. The 44,000 employees of the establishments to which we have extended protection from second hand smoke, have been unanimous in their gratitude for our boldness. Last year at this point, almost all employees in Maine are assured of a smoke-free environment. Statewide editorial opinion has reflected in the material before you this afternoon. It has been almost universal in pleading with us to protect our employees and children.

LD 2533 would create a very uneven playing field for those restaurants that do not have the square footage or financial resources to separately enclose a smoking room. In other words, it discriminates against mom-and-pop restaurants. Last year, these restaurants pleaded with us not to create this discriminatory policy and to support a total ban if, in fact, we are going to pass a ban. In fact, the wording of this bill is nearly identical to a 1997 restaurant bill that was opposed by the Maine Restaurant Association because of its uneven playing field effect.

The 1999 law created as even a playing field as possible until and unless smoking is banned in all public indoor places. It creates a smoke-free environment for all restaurants except those that according to their license requirements cannot serve minors under 21 years of age. Out of Maine's 900 existing establishments, there are about 325 that are currently exempt since they have one of these licenses.

I appreciate the Legal and Veteran's Affairs Committee and my good friend, the chairman from Sanford, to accommodate the pool halls. I cannot agree with this extension to bowling centers and restaurants. I cannot agree with the exposure of employees to second hand smoke and I cannot support exposure of children to second hand smoke, with or without their parents. Of even greater difficulty is my understanding of their proposed prohibition on our ban in restaurants. All of this is occurring

while we are still planning to commit millions of dollars to persuade our citizens not to smoke, to entice children not to smoke, to help our youth to stop if they are already smoking. It is a complete contradiction in public policy and in our message to you to spend \$47,000, as required in this bill, to facilitate smoking while we spend millions of dollars to discourage it.

While the committee may genuinely feel that they are only tweaking the smoking ban, I see this as a crack in the dike that threatens to wipe out all the progress that we have made in recent years. It sends a very confused message to our children and youth and changes the equation of our public health policy by placing operators and smokers convenience over the public health of employees and other customers. Dr. Dora Mills, Director of the Bureau of Health, in her testimony opposing this legislation and I spoke to her personally this afternoon to confirm that she did indeed oppose this bill. She urges us not to make any changes in an act where the ink is barely dry on the paper. She says, "We feel at this point that we should give time for businesses, patrons and employees to adjust to a smoke free environment in an establishment before taking any new steps. We implore you not to consider making any new or wider loopholes in the law since to do so would set us backward and eliminate much of the laws impact. However, if you do feel compelled to make any changes in the current law, we recommend strengthening it, rather than weakening it."

Let's celebrate Public Health Week by reaffirming our commitment to our smoking prevention campaign by voting against the pending motion. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Tuttle.

Representative TUTTLE: Mr. Speaker, Men and Women of the House. I would hope that in the deliberation on this issue that we would apply commonsense to this issue. I was a member of this institution a year ago when I did vote for this as many of you did. In all honesty, ladies and gentlemen, having been a member of this institution for over 20 years, I voted for a bill that I thought affected class A restaurants and class A restaurants alone. I have been an EMT for the last 25 years as many of you know and I am very aware of the ravages of smoking. I deal with patients on day-to-day basis. I do take this subject very seriously. I have always been one to believe that regulation works and prohibition does not. I would like to repeat that, regulation works and prohibition does not. By regulating it, I think we do solve those problems that we want to address by a total prohibition. If anything, history shows us that it defeats the purpose and many times does not solve the problem and sometimes makes it even worse. The present proposal before you, this proposal addresses what I call the unintended consequences of the smoking law, which passed last year. As many of you know, pool halls and bowling alleys have been adversely affected because they are not licensed as lounges and taverns. Lounges and taverns are exempt from the ban on smoking. The inequity that exists between different types of liquor licenses under Maine Statutes has resulted in lost business and jobs. That is why I think the Committee on Legal and Veterans Affairs has gotten involved with this issue from the liquor licensing aspect and it is something that if I would have known a few years ago, I hope that we would have been more active, but unfortunately it did not occur.

When the smoking ban was passed, those who moved the issue, in my opinion, did not fully understand the liquor laws or realize the impact upon certain establishments by the decision to

ban smoking. Proprietors that were concerned about the ban were assured last year and many of us remember this by the Department of Health officials and a committee that the smoking ban only applied to restaurants, not their lounges. These businesses were very surprised and I am sure many of you got calls like I did to learn that smoking was indeed banned in the lounges. Billiard halls and bowling centers are family places that we all know about. The businesses have been lost because a parent can no longer smoke there. This is a great loss to this type of family centered activity. The establishment could change that license to a class A lounge, but then minors would not be prohibited so they are sort of in a catch 22. Billiard rooms and bowling center proprietors have been forced between two options, which each result in lost revenues. To change the license to allow smoking and prohibit minors or to keep their current license complying with the smoking ban and losing their customers.

The law passed with an exception for tavern and lounges. This proposal does nothing to alter that legislative intent. In a class A restaurant or lounge a grandparent, aunt or uncle can not take a person under 21 out for a Sunday brunch because they are not a parent or a legal guardian and because the establishment was forced to change its license in order to stay in business. If I would have known that last year, Mr. Speaker, I believe a lot of us would not have voted for that bill. We have legitimate concerns.

Most pool halls do about 10 percent of their sales in food and 20 percent of their sales in alcohol and 70 percent in pool. They do not consider themselves restaurants. Typically a pool hall sells hamburgers, hot dogs and potato chips. As far as some of the arguments that say that the Maine restaurants revenues are up 4.5 percent in the last quarter. Well, from my figures it is great news, but, in my opinion, it does mask the fact that many customers simply took their business to lounges and to private clubs and to continue the detriment of a number of Maine companies that simply cannot compete under Maine state law.

It is my hope, Mr. Speaker, that once again we use commonsense. I think that many of us have received communications from different individuals throughout the state on this issue. I hope that commonsense will prevail. For that reason, I would ask that you would support the unanimous report of the Committee on Legal and Veterans Affairs. Thank you Mr. Speaker.

Representative THOMPSON of Naples assumed the Chair.
The House was called to order by the Speaker Pro Tem.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Portland, Representative Quint.

Representative QUINT: Mr. Speaker, Men and Women of the House. I rise to strongly encourage you to vote against the pending motion. I think the good Representative from Sanford stated that there were some unintended consequences and I think one of the things that lots of us will remember about last fall was getting phone calls from pool halls and bowling alleys. For me, as a legislator who sat on the Health and Human Services Committee, I had not even thought about pool halls and bowling alleys when we passed this law last year. At that time, I said, we really need to think about what we did because for me, that was an unintended consequence. When I saw this bill title and the

bill title said "An Act to Amend Liquor Laws to Define Bowling Center Lounges and Self-Contained Lounges and Create a New Category of Licensing for Pool Halls and Exempt them from the Prohibition Against Smoking," I said great. We are going to deal with bowling alleys and pool halls and we are going to have a real good discussion about entertainment establishments.

Was that the legislative intent to prohibit smoking from entertainment establishments? I think it is important that when you make your decision today that there is a difference in my mind between entertainment establishments and eating establishments. As a consumer, when you think of a bowling alley and you think of a pool hall, immediately if we were to consider lifting the prohibition on smoking in those places, you, as a consumer, would know that you would have to negotiate second hand smoke, which we all know has a detrimental impact on your health, the health of your family and whoever attends that establishment. If you so choose and want the choice to participate in the entertainment of bowling or playing billiards or pool halls, then you can make that choice. I think, quite frankly, if that was the only thing that we were considering today, then I would perhaps support that.

Ladies and gentlemen, that is not the only thing we are considering today. This bill was broadened in the committee process to include class A restaurants that also happen to have a lounge. To me, that steps over the line of what I knew exactly what I was doing when I voted last year. When I voted last year, my intention when I cast my vote was to prohibit smoking from eating establishments and class A restaurants in the State of Maine. There was no question in my mind that that is what I was doing. However, I had not thought about pool halls and bowling alleys because in my mind they are not eating establishments, they are entertainment establishments and there is a clear difference between the two, in my mind. I would ask you to think about that for a second.

If this bill passes and if you vote for this change and in my mind a setback, the only separation that is required in this new law is a doorway. What the law says is that the consumer need not pass through the lounge or pass an open entrance of that lounge. That is all that says. It is true. My recollection when you used to have smoking in lounges and when some restaurants said no smoking in the restaurants, I remember very clearly breathing second hand smoke. There is nothing in this bill that regulates the doorway, that provides for a proper ventilation and that prohibits second hand smoke from going from that lounge into the eating facility. There is absolutely nothing. What you will hear, some people will say, well, there is nothing in the law that requires ventilation now. Well, of course not. You cannot smoke in restaurants so there is no need for ventilation other than ventilation for proper working standards. When we passed the law last year, it did not include ventilation because there was no smoking in restaurants. It was prohibited.

If you want to consider broadening this to include smoking in restaurants that have lounges, then we need to seriously consider about ventilation. We need to consider how the doorways are supposed to be closed. Can they be propped open? What kind of doorways are they? This is much bigger than you can imagine.

I am just going to close. Yesterday both committees met together and I had somebody who was shadowing me. We were sitting in the audience because the Health and Human Services Committee was sitting in the audience and the Legal and Veteran's Affairs Committee was sitting around the table. It was

interesting. The person who was shadowing before was talking about how loopholes get created and how we talk about unintended consequences. Let me tell you right now that if we pass this the way it is, it is not an unintended consequence and we are knowingly committing a loophole for restaurants to create lounges to permit smoking in their establishments so that we will be exposed to second hand smoke. That was one of the strongest premises for passing the smoking ban on restaurants last year and this is a major setback. Once again, I would strongly encourage you to vote against the current motion. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Winterport, Representative Brooks.

Representative BROOKS: Mr. Speaker, Ladies and Gentlemen of the House. This may seem to many of you, it does to me, seem like déjà vu all over again. I was one of the people who stood last year and predicted some of these unintended consequences. Here we are back a year later dealing with some of these things that we should have dealt with last year. I think we ought to pass this bill, as my good friend, the Representative from Sanford, Representative Tuttle suggests, let's accept the committee report.

Earlier this year we dealt with the bill in Health and Human Services that would have banned smoking practically everywhere. It was a step too far. It was rejected unanimously. Now we have an opportunity to face a bill that will allow us to clean up our act from last year. As a matter of fact, this bill was dealt with as an economic bill. It went to a committee other than Health and Human Services. I think that was very appropriate. I have a friend who runs a bowling alley in Brewer. There was a statement made on one of the yellow sheets that were handed out to you today that says they have been smoke free since 1994. He can attest to that. He claims he has lost \$50,000 a year, every year, since 1994 because the people who come and recreate at the bowling alley in Brewer have diminished significantly in numbers. Last year he worked with me a lot and we tried to figure out a way that we could continue to allow people to smoke in his establishment in his lounge. That didn't work. The law prohibited it. He spent another \$50,000 to renovate his place and he has a cubicle there that two people can fit in, it looks like the sound proof booth on Who Wants to be a Millionaire. It is all glassed in. I guess it is, Who Wants to be a Smoker. I have never been in that room, by the way, because I don't smoke. There are patrons who do go there and between games of bowling would like to be able to go into his lounge and have a beer and have a cigarette and they are not allowed to. This cleans up our act from last year. This will allow my friend to begin to recover some of the losses that he has experienced since 1994.

That is the argument that I tried to make last year. This is a small business decision to be made. This is an argument that we need to put forward to make sure that our pool halls and bowling alleys are able to survive. I haven't heard the number today, but there are numbers out there that will tell you how many have closed. I know of a couple of restaurants that closed. I know three restaurants in my district who were threatened by significant loss of business because of what we did last year, but we didn't want to exempt them. I know of one restaurant that hung up the roll call from this body and wrote on it that anybody who voted for this ban is not welcome in my restaurant, please leave. She catered to truckers and transient traffic. It was a decision that significantly affected her business. That is not

being dealt with today, but what is being dealt with is really restoring what is a level playing field in some of our entertainment business.

My good friend Representative from Portland, Representative Quint, talks about the door between the class A lounge and the restaurant where you can go in and have a cigarette. If you are sitting outside that door, you might likely be affected by the second hand smoke. Well, I don't like it any better than he does. Let's deal with that under some rule changes. Let's deal with that in another place and another time. If there are airlocks and I don't mean to say that this sounds like some science fiction movie, but if there is some way to block the air and not exchange the smoke filled air from the lounge to the restaurant, maybe we can figure out a way to do that. Let's not continue to punish the businesses that cater to these people. There is a place for this. I think we ought to follow the lead of Representative Tuttle. My light will follow his and I hope yours will too, not to create an unlevel playing field, but to put it back where small business people in communities that rely upon this kind of business can start to make some of that money back. Thank you Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Bath, Representative Mayo.

Representative MAYO: Mr. Speaker, Ladies and Gentlemen of the House. This is going to be, I would suspect a rather long and difficult debate. It is going to be a difficult decision for many in this chamber. I would like to start off as saying I am a former smoker, reformed person. Thank God I no longer smoke. I realize its problems and I did vote previously for legislation under which today we are operating. However, I personally feel that with regard to pool halls, bowling alleys and some restaurants that we did create an uneven playing field. Today, in the State of Maine all dining rooms are smoke-free. With the passage of this bill and its implementation, all dining rooms in the State of Maine will continue to be smoke-free. Today, in the State of Maine, there are lounges attached to restaurants that allow smoking within the law and within the current licensing provisions that are and have been in effect. They are self-contained. They have been self-contained and in the future they will be self-contained. They must have walls. They must have doors. In the pending legislation, the must not admit accompanied minors. The only change that is being made with regard to restaurants by this particular piece of legislation is that it will allow in the future in those dining rooms, which are smoke-free. It will allow a minor unaccompanied by his or her parent or guardian to have dinner in said restaurant.

Those of you who happen to represent college communities or communities where there is a prep school may have been called, as I have been, because in my community we have Hyde School, which is a private secondary school or prep school. Three weeks ago this coming Sunday, I had a father call me on a Sunday night. He is a New York City lawyer, practically screaming over the telephone at my stupidity as a legislator in the State of Maine for ever allowing the current legislation to have been passed. In attempting to calm him down and to find out the problem, I learned that his son who is 18 years old, a senior at Hyde, had taken his girlfriend, who is also 18, out to dinner at a restaurant in my community. They had been seated and subsequently someone realized that they might be under the age of 21 and asked them. They said that they were 18. They were asked to leave and explained why. The girl quickly was in tears. The gentleman was embarrassed. Later that evening after having eaten at a fast food restaurant fairly near the school,

he called his father and subsequently his father called me. That is a very hard thing to explain to a father why these two young people who had the money and the desire to eat out at a good restaurant were not allowed to do it.

This bill, which I hope you will pass this afternoon and follow my light and that of the good Representative from Sanford and the good Representative from Winterport and many others, deals with restaurant portion of it and it is entirely legal. The title of the bill has been changed, as is noted in the amendment. The self-contained lounge, I would repeat, must have walls and a door and it must be so constructed that you will not have to pass through that lounge to reach the dining room or to go to the restrooms.

It has not been an easy road for the Legal and Veterans Affairs Committee to travel in the last two months with regard to this legislation. Those of you who have followed the reports of the committee are fully aware of the fact that it does not often have a unanimous vote. However, this bill, which was worked long and hard by the committee, does have a unanimous report today. I would hope that the people in this body would respect the work that has gone into this bill, would respect the committee process and would support and follow this report. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Rockland, Representative McNeil.

Representative **MCNEIL**: Mr. Speaker, Ladies and Gentlemen of the House. I would like to echo the sentiments of the Representative from Bath, Representative Mayo. I voted for the ban last year, but I have since found out that people in my district are having a lot of trouble keeping their restaurants open because of it. Could I ask a question through the chair, Mr. Speaker? If the conditions of the door and how the door was fashioned and ventilation are important, then did the committee discuss that and is that something that can be put on this bill for the protection of our people that are suffering in their business?

The SPEAKER PRO TEM: The Representative from Rockland, Representative McNeil has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Bath, Representative Mayo.

Representative **MAYO**: Mr. Speaker, Ladies and Gentlemen of the House. In answer to the question of the good Representative from Rockland, the committee did discuss the question of ventilation. The current statute, which under the liquor restaurant licensing does allow for lounges, did not contain any provisions for ventilation. The committee chose not to add that within the current bill that is before you today. It was not in the previous. It was not in what we operate under and the committee chose not to include it at this time.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Cumberland, Representative McKenney.

Representative **MCKENNEY**: Mr. Speaker, Ladies and Gentlemen of the House. We heard from the Representative from Saco, Representative Kane that we shouldn't be concerned about the inconvenience of pool halls. I would submit to you folks that is pretty darn inconvenient to go out of business. I don't believe that any of you that voted for that smoking ban would have voted for it if you knew these people were going out of business. Some of them have and more of them will and it is an ongoing process. We heard and the good Representative from Rockland, Representative McNeil mentioned, we have heard a laundry list of various equipment that might be added to this to make it more palatable. I say enough is enough. We shouldn't go down the road of trying to micro-manage Maine's

restaurants and pool halls. We have banned smoking in restaurants. That is enough. Let these businesses decide how to best reconfigure their property in a way that allows them to stay in business and compete with other lounges. This bill requires walls and doors. How much more enclosed can that be? That is enough. Let the Restaurant Association work with their members to come up with a way to control the way lounges and restaurants work. They need to satisfy their customers. We shouldn't be hampering them with complicated hurdles to jump through with a plethora of equipment and things to use. Restaurant owners know full well that if they don't make a substantial and good faith effort in this regard, someone will force the next Legislature to act. Let's accept this unanimous committee report. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Harpswell, Representative Etnier.

Representative **ETNIER**: Mr. Speaker, Men and Women of the House. Forgive me for being up so much today, salmon, smoking and I don't know what will be next. I am glad that my good friend the Representative from Bath has returned to the chamber because I didn't want him to miss my soliloquy. If the Representative from Bath really wanted to change and alter the existing restaurant smoking law, which is a very legitimate thing to want to do, then the thing for him to have done would have been to put in a bill that offers to do that and have a public hearing on a bill that has that in it and then let the public come and comment on it to perhaps address the concerns that were raised by the bill and have restaurants actually in the bill that the public hearing is held on. That is what I would suggest that the good Representative do if he wants to alter Maine's restaurant smoking laws. The bill that they held the public hearing on, I will read the title to you, "An Act to Create a New Category of Liquor License and to Exempt Pool Halls, Bowling Alleys and Off-Track Betting Facilities from the Prohibition Against Smoking," there certainly were not restaurants in the title. In the original bill there was not mention of restaurants anywhere. Had there been, I suggest the public hearing might have gone a little bit differently.

There was a mention earlier about the phone calls people have gotten regarding pool halls and bowling alleys. I got some of those last fall and I respect their concerns. I think that is a very legitimate issue that we should be dealing with. Remember a year ago the many, many calls that a lot of us got regarding support for the restaurant smoking ban, well those came in and that is why we voted the way we did because the public felt strongly that this was the right thing to do and they weighed in because they knew there was a bill before the Legislature that allowed them to do so. They contacted folks throughout the state and urged them to support the bill at that time. I suggest that the good Representative from Bath talked about respecting the committee process, I have a great deal of respect for the committee process. It is the heart and soul of the Maine State Legislature. I also have a great deal of respect for the public process and the idea of having committee amendments that relate to the bill that is before them, I know this is Committee Amendment is germane to the title, I am not going to fight that, but put all the issues of second hand smoke and pool halls and bowling alleys and restaurants to one side and think if we need to make this change at this time since this law has been in effect since September, the restaurant smoking law, for seven months. Do we need to make this change now without adequate public input and without any public participation in the public hearing regarding a change in the restaurant law because there was

public notice that there was going to be any changes? I call that, with all due respect, a lack of respect for the public participation and I urge that we don't accept the committee report for that very same reason.

I think the issue about the pool halls and the bowling alleys, I think that is a legitimate concern. That is way inadvertent and that is what this bill was meant to change. That is what the bill should change and that change alone. Since it has restaurants in it, I have to address that point too. Forgive me for being so long. I remember back in 1997 when I first had a bill in this Legislature to prohibit smoking in restaurants. That bill had in it language that said that smoking was only allowed in a separate, enclosed and separately ventilated section of a restaurant. Other than that, it was off limits. I don't think they spoke out at the public hearing, they even sort of pretended not to oppose it, but they worked very diligently to defeat that bill. The argument against it was that it was not a level playing field. That was our friends in the Maine Restaurant Association. They had legitimate concerns. They fought hard to defeat that bill. Why? Because they said it would create an unlevel playing field. Why? Because a lot of restaurants would not have the space, let alone the money to do what is suggested by this Committee Amendment and that is to construct a separate, enclosed area. That was the argument that the Maine Restaurant Association and restaurants around the state made in 1997 that this was an unlevel playing field that was going to be created by my bill that helped to defeat it. Yet, today, all of a sudden it is not so bad after all. So, I ask you if that is the right approach either?

There is a lot of talk in this building, in this House, on either side of the aisle about concern for worker's health. I think it is a tremendously important debate that we have on a day-to-day basis about workers in the state and that they work in a safe working environment. That is a large part that often gets neglected in the discussion about one of the important parts about the smoking ban. Those are my primary reasons for supporting that and bringing the bills forward two years in a row was the concern for the workers in those facilities and their health. We have this law on the books. It is a ban on smoking in public places and all other public places throughout the states, except until last year, restaurants.

I think the issue about worker's health is a very real one and the issues about second hand smoke are documented and to pretend that restaurant employees should not be covered by the same protection we offer all other public people who work in public places is a fallacy. Along those lines getting back to my good friend from Bath, I couldn't resist his sad story about the Hyde School students and their disappointing dinner. The only real solution to that is to not roll back the law that we passed last year in a hasty fashion. The only real way to deal with their dilemma is to put a statewide no smoking ban on all restaurants and taverns. The liquor laws in this state are frankly a mess. That is why we had to do the bill we did last year because there was no clean way to do what we wanted to do. It was a very awkward situation. That is why we are in the mess we are in and that is how pool halls and bowling alleys got swept in here inadvertently. Let's not roll back the clock on what we did last year. Let's allow the law to continue. If someone wants to put in a bill next time to change the smoking ban, let them do so and let's have a full public participation in the process. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Pittsfield, Representative Jones.

Representative JONES: Mr. Speaker, Men and Women of the House. I would like to echo what the good Representative from Winterport, Representative Brooks, had to say. I have a similar story and I would like to say a few words on behalf of one of my constituents. He and his father before him have operated a bowling alley in my town for well over 60 years. They have paid thousands and thousands of dollars in local taxes. They are excellent citizens and an excellent family. They do a lot for the community. They sponsor leagues for little fellas, Little League age right up through high school. They have the senior league and they have the couple's league and they just do a lot. It is a great place full of activity in the Town of Pittsfield. He is very much concerned about what this smoking ban has done to his business. It may not put him out of business, but it could well put him out of business. He has a separate lounge. He also has a separate laundromat. Again, it is a very active place for folks to go to participate at the laundromat. In his lounge he recently spent around \$5,000 to put in this little booth. It is a little bigger than Representative Brooks talked about. He said only two, but ours in Pittsfield, four can fit comfortably in there and have their smokes. He would like now to tear that out. He has already closed in his lounge area and there is a door. Young folks can come into the bowling area of all ages and they cannot smoke out there, but they can go through this door into the lounge and smoke, drink or whatever. It causes no problem at all. Never once has this family been involved with the law. They are just good abiding citizens. The Representative from Bath referred to that this was going to be a difficult decision. Not for me, folks. I am going to represent my constituent and vote with the committee and press that red button. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Portland, Representative Quint.

Representative QUINT: Mr. Speaker, Men and Women of the House. I can't resist addressing the good Representative from Bath and his constituents from New York State and their children. I think one of the things that is important to note is I don't even know what establishment these constituents from New York were in, but they were not in a restaurant that was licensed as a restaurant. I think that is a clear distinction. What you need to know also is that when the smoking ban went into effect, establishments had a choice. They could keep the restaurant license and have no smoking in their establishment, this is all strictly a business decision, that business owners had the opportunity of doing or they could change their licensing and become a bar or a tavern and allow smoking in their facility. That was a decision that we made when we voted on the bill last year. It was to ban smoking in restaurants, but not to ban smoking in taverns or lounges. I think it is 98 or 105 restaurants in the State of Maine that made a business decision based solely on their own will that they wanted to change their licenses from a restaurant license to a bar or tavern. When they did that, it was possible for them to allow smoking in that facility, but the consequence of that, by changing their license, was to not allow unaccompanied youth under the age of 21 in that facility. That is what happened. It is not because this individual went into a restaurant that was a licensed restaurant.

I think there are some nuances here, but you can be a restaurant if it is a tavern. If you are a tavern, many taverns license themselves as a tavern, lounge, bar, which also serves food. It does not meet the licensing requirements of a restaurant because they have made a decision in order to allow smoking in their establishments to choose a lounge or a bar license, which

allows them to do that, but once you make that business decision, you cannot allow unaccompanied youth under the age of 21.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Oxford, Representative Heidrich.

Representative **HEIDRICH**: Mr. Speaker, May I pose a question through the Chair?

The **SPEAKER PRO TEM**: The Representative may pose his question.

Representative **HEIDRICH**: Mr. Speaker, Men and Women of the House. Is an enclosed hotel lounge, which is now allowed, any different from the proposed restaurant lounge?

The **SPEAKER PRO TEM**: The Representative from Oxford, Representative Heidrich has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Bath, Representative Mayo.

Representative **MAYO**: Mr. Speaker, Ladies and Gentlemen of the House. I will attempt to answer what I think is the Representative from Oxford's question. Two of the exclusions, there were more than two, in the legislation under which we currently operate dealt with taverns, which are really bars and lounges in motels. Both of which were allowed to have smoking. There is still, and I think there has been for at least a year, some confusion over the liquor licensing. I can appreciate the confusion in this regard because I have been on the Legal and Veterans Affairs Committee now for two years and I have to go back to the rulebook. I have asked on more than one occasion, the good Representative True, who served on the committee for a lot longer than I have or will. What the good Representative from Portland was referring to a minute ago, I wish he was here to receive the clarification, he is talking about a class A restaurant/lounge license that some establishments in this state made the change to. That was a decision of theirs. In many instances the reason for the change from a class A restaurant to a class A restaurant/lounge license was because of competition of taverns and bars within a stone's throw of these class A restaurants where food could be served, smoking could take place and liquor could be served. With the bill that you have in front of you, LD 2533, with regard to the issue of restaurants, there will be no change, even those that have gone to class A restaurant/lounge license situation. The restaurant portion currently is and will be in the future smoke free. It makes no change.

While I am on my feet, if I may, Mr. Speaker, I would like to answer a couple of the comments of the good Representative from Harpswell, whom I appreciate sitting in the chamber at this time. Having served for six years on the Banking and Insurance Committee and only two on Legal and Veteran's Affairs Committee, I am aware that many times in the six years that I have been in this body that the Banking and Insurance Committee after a public hearing has either deleted or added to the bill before us. It is not something that is new and this is the first time in the history of this body that we have seen such action. I would suspect that the good Representative from Harpswell has seen it on the committees on which he serves. At the public hearing on this particular LD, 2533, at least two people from the restaurant community who own restaurants testified. The American Cancer Society was in the audience and testified. Dr. Dora Mills was in the audience and she testified. This did not come as a great surprise to anybody. I am interested in hearing from the Representative from Harpswell and the Representative from Portland that the way to solve this issue is to prohibit

smoking in all public accommodations. I believe there was a bill before the Health and Human Services Committee this year to do, in fact, that particular thing. I may be wrong and if I am, I would appreciate somebody correcting me. It is my understanding from committee members and from the individual herself that Dr. Mills testified neither for nor against that particular piece of legislation. That may have been ahead of its time. I suspect we will see similar legislation in the future. Until that time, let's level the playing field. Let's correct the mistakes that were made previously and move on. I urge your support of the unanimous committee report. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Scarborough, Representative Lovett.

Representative **LOVETT**: Mr. Speaker, Ladies and Gentlemen of the House. I really feel that this is a great discussion for Maine to have during Health Week. I have heard about how they had a hearing. I have heard from my constituents that they did not know about this bill. I look at the title and I just want to share with you the title of the bill that was advertised in the paper is "An Act to Create a Category of Liquor License and to Exempt Pool Halls, Bowling Alleys and Off-Track Betting Facilities from the Prohibition Against Smoking." I don't see anything in that that says restaurants. We had taken care of that problem last year. It was a health problem and that is why it came to Health and Human Services. I am very concerned how this thing snuck in and how we have repealed something that we didn't intend to and the people have not had a chance to voice their opinion. I am going to tell you that the polls that have been taken, an overwhelming amount of Maine people are in favor of having smoke-free restaurants. The way to correct this imbalance, ladies and gentlemen, is not to change the law in a way that it will cost more Mainers their lives. Remember, this bill does not kill business. It kills people and those are our constituents and our friends. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Fryeburg, Representative True.

Representative **TRUE**: Mr. Speaker, Ladies and Gentlemen of the House. I wasn't going to speak and I sincerely mean that because my voting record on trying to get people to stop smoking is perfect, because I have never voted to make them stop. I am a little upset about some of the things that have been said. One was saying that the public wasn't invited or the words of that nature. I have only been here eight years, but I can think of a lot of times when we didn't have the public to make a decision. Number two, it was set that there were meetings and everyone spoke against it. What does everyone mean, five, six, 100 or 1,000?

As far as the amendment is concerned, I don't know, take a look at your desks right now. All though the eight years that I have been here, we have had all sorts of amendments that didn't come before the committee that were passed off here. Now all of a sudden we are upset about it. As I read the amendment, it is taking the type of restaurant that perhaps would do harm to people and trying to straighten it out. Therefore, if they do this, isn't that what we are looking for? I have been around long enough to remember when we passed something for drug-free schools, which included cigarettes and smoking. I haven't seen anything said and yet 98 percent of the schools you go to, you can see all sorts of people, young people or students, smoking outside, but they are over the boundary. People will tell you they can't be touched. If I remember correctly, we have two laws other than the drug-free schools and it states any student who

rides in school buses or rides in cars and they come onto the school grounds, then the schools are responsible for those kids, young students, until they get back home. Just a couple of years ago we passed, I believe, a law that said there were certain young people at a certain age should not have in their possession cigarettes. Why shouldn't people call their Town Police or whomever and pass out a few tickets because they are breaking the law? I believe that the committee acted in good faith in trying, again, to do what is best. I felt when we started with some of these laws regulating, I thought the idea was that it would not harm the businesses economically. We find that there have been sections of some of those other particular things other than restaurants and we made a mistake, why not right that wrong? I thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Standish, Representative Mack.

Representative **MACK**: Mr. Speaker, Right Honorable Men and Women of the House. I urge you to vote in favor of the pending motion. There is a great inequity out there. There is a pool hall in my district that has lost over 40 percent of their business since this law has been put in place. The inequity is that someone can go to a bar with a pool table, have a cigarette and play a game of billiards. If they are a smoker, they cannot go to a billiard hall to have a game of billiards and smoke their cigarette. Not only is this unfortunate because a business in my district will be going other if this law is not put in, but there is not much to do in Limington, Maine, at night and there is a lot of kids out there in Limington and Standish who go to this billiard hall. They are not out on the road causing trouble. They are at a safe place. It is one of the local hangouts for the high school kids. I fear that these kids may be off causing trouble and doing other things if this billiard hall goes out of business. This smoking ban is the difference between this establishment staying in business or going out of business. Already a few miles from my home in Windham, there is a restaurant that has gone out of business because of the smoking ban. Let's try to help the few we can. The smoking will be separated and, as I said, there is a great inequity with billiard halls and bars with a pool table. Thank you. I urge you to vote for pending motion.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Manchester, Representative Fuller.

Representative **FULLER**: Mr. Speaker, Ladies and Gentlemen of the House. I, too, am very disappointed that we are undoing the good work that we did in 1999 when we passed this law to prohibit smoking in restaurants. I would remind you that second hand smoke, which is really the reason behind this law, kills an average of one non-smoker every day in Maine and many of whom were exposed on the job. Second hand smoke is a class A carcinogen. It is the most toxic form of cancer causing chemicals. It causes a variety of health problems. We are spending millions and millions of dollars treating those health problems and almost all employees in Maine are assured of a smoke-free environment with very few exceptions, except those who worked in restaurants up until last year. Maine workers and patrons deserve a smoke-free environment. We are also investing millions of dollars in trying to reduce smoking, smoking cessation programs, public education and all kinds of things going on to help people reduce smoking and here we want to expand the opportunities for smoking.

The primary purpose of the 1999 law was to make a non-hazardous environment for employees so they are not exposed to second hand smoke. This bill would turn the clock back and

expose additional Maine workers. Employees have said to me that they appreciate the ban that went into effect on smoking. They said that more than a few already had respiratory problems from second hand smoke.

I would remind you of the actual hard data, the effect of the new law, was Maine restaurant revenues were up 4.5 percent in the last quarter of 1999 compared to the same period in 1998. Compliance has been wide spread. I have seen what has happened in some of the lounges and restaurants that I frequent. When the law first went into effect, there was a decrease in the number of patrons at the bars. I will tell you that those bars are full again now and the patrons have come back and the business is up and, in fact, it is better than it ever was in many of these same places.

I would also support the arguments that the title of that bill was misleading. I did not know that the restaurants were added to this bill in the process of going through the legislative process and I certainly would have testified had I known that they added restaurants to their bill. I think this is a significant change.

I am particularly concerned about restaurants, but I think it is unfortunate to see the clock turned back on bowling centers and pool halls. I understand all the issues about smokers playing pool and bowling. I would submit that these establishments could still have a separate enclosed area where people could and smoke, but let the food service area and where the games actually take place be a smoke-free environment. We argue that this is a family kind of sport, where families go together and where young people go. How can we condone smoking in these areas where young people go? We know we have a problem with youth smoking and not try to make it harder for them to go ahead and have their smokes and at the same time we are spending millions of dollars trying to reduce smoking. I urge your rejection and that you vote Ought Not to Pass on this committee report. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Saco, Representative Kane.

Representative **KANE**: Mr. Speaker, Ladies and Gentlemen of the House. Before we press our buttons, the red or the green, I would like to remind us of Dr. Dora Mills, the health officer for the State of Maine. In her testimony imploring us to give this law a chance to work. It is only seven months old. Let us give it a chance to work. Let us make whatever modifications that are required to be made not in the waning hours of the session, not with a piece of legislation that was rushed right through, that the Health and Human Services Committee never had a chance to review. We are the committee of jurisdiction of health. The committee of jurisdiction of health did not have the opportunity to have a hand in the shaping of this legislation until well after the fact. I urge you to think about the message that we are sending to our children. Think about it. We are sending a message to our children that if it is inconvenient, if it is difficult, then you can smoke. That is not the message I think we want to send to our kids, but I think in a state, which has the highest incidence of smoking among teenagers, if we are ever going to reverse that tide, we cannot send this kind of message. I join Dr. Mills in imploring you to give this law a chance to work. Thank you Mr. Speaker.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Poland, Representative Snowe-Mello.

Representative **SNOWE-MELLO**: Mr. Speaker, Ladies and Gentlemen of the House. As you know, I am also a member of the Health and Human Services Committee and I am one of the

members that doesn't agree with my fellow members. I really believe that the Legal and Veterans Affairs Committee has done an excellent job with this bill. I believe that we have gone a little too far and I feel that people need a choice. I think this is the entertainment field. I believe there should be a place for people to go that are able to smoke. Smoking is still legal in this state. I think we keep forgetting that. It is still a legal substance.

I don't smoke. I have never smoked. I hate smoking. I do believe that people have a choice. I believe this is a business matter. I hope that you will all agree with the committee and show it in your vote. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Brewer, Representative Fisher.

Representative FISHER: Mr. Speaker, Men and Women of the House. Two or three comments, I hate to repeat what other have said, but I want to reflect on a couple of thing I have heard in the last couple of minutes. First of all there was mention of Dr. Mills. Dr. Mills was there at the meeting where we discussed this bill. I hope I am not misrepresenting her, but, as I recall, she did not have any statement in particular in one way or the other. Second reflection, most of the parties were represented there at the hearings. The restaurant people were there. There were people from the Medical Association there. There were people from all walks there. The third reflection, if we are going to talk about changes, I have three inches of papers that have come on my desk in the last week to 10 days. Many of them gut legislation or completely change what the legislation that was worked in the committee had. We are going to start talking about people not having an opportunity, we have to start thinking about what we do with these amendments. To go along with the same line of thought, there are 18 pieces of new legislation that have come across my desk in the last five days. I am going to venture to guess that the piece of legislation we are talking about today had a lot more fairer hearing than those. Will they have adequate notice? Will the public have adequate opportunity to come in and talk about those pieces of legislation that have come across our desks in the last week or should we just reach out and throw them in the wastebasket today?

Two more little bits of reflection. I have two good friends who were in the restaurant business, I should say were in the restaurant business, not fly by night restaurateurs who come into business underfunded and went out of business a week later. These were people who had been in the business for a long time. Within the last four months both of them looked me in the eye and said, "You killed my business." We are talking about two restaurateurs. We are talking within a handful of either 30 to 40 employees, one of whom I happened to run into in a convenience store the other day. She said to me that when she was working in that smoke-filled environment, I was able to support my family and now I am working at minimum wage. Thank you.

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is acceptance of the Committee Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 579

YEA - Ahearne, Belanger, Berry DP, Bolduc, Bouffard, Bowles, Bragdon, Brooks, Bruno, Bryant, Buck, Bumps, Cameron, Campbell, Carr, Chick, Chizmar, Clark, Clough, Collins, Cote, Cross, Dugay, Duncan, Dunlap, Fisher, Foster, Gagne, Gerry, Gillis, Glynn, Goodwin, Gooley, Hatch, Heidrich, Honey, Jacobs, Jodrey, Jones, Joy, Kasprzak, Kneeland,

Labrecque, Lemont, Lindahl, MacDougall, Mack, Madore, Marvin, Mayo, McAlevey, McKenney, McNeil, Mendros, Murphy E, Nass, Nutting, O'Brien JA, O'Brien LL, O'Neal, Perkins, Perry, Pinkham, Plowman, Povich, Richard, Richardson E, Richardson J, Rosen, Savage C, Saxl JW, Schneider, Sherman, Shorey, Snowe-Mello, Stanley, Stanwood, Stedman, Tessier, Thompson, Tobin D, Tobin J, Trahan, Treadwell, True, Tuttle, Usher, Volenik, Waterhouse, Wheeler EM, Wheeler GJ, Winsor.

NAY - Andrews, Bagley, Baker, Berry RL, Brennan, Bull, Cianchette, Colwell, Cowger, Daigle, Davidson, Davis, Desmond, Dudley, Duplessie, Etnier, Fuller, Gagnon, Green, Jabar, Kane, LaVerdiere, Lemoine, Lovett, Mailhot, Martin, Matthews, McDonough, McGlocklin, McKee, Mitchell, Murphy T, Muse, Norbert, O'Neil, Peavey, Pieh, Powers, Quint, Samson, Sanborn, Savage W, Saxl MV, Shiah, Skoglund, Stevens, Sullivan, Townsend, Tracy, Tripp, Twomey, Watson, Williams, Mr. Speaker.

ABSENT - Frechette, Rines, Shields, Sirois, Weston.

Yes, 92; No, 54; Absent, 5; Excused, 0.

92 having voted in the affirmative and 54 voted in the negative, with 5 being absent, and accordingly the **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-1004) was READ** by the Clerk.

On motion of Representative SAXL of Portland, **TABLED** pending **ADOPTION of Committee Amendment "A" (H-1004)** and later today assigned.

The Speaker resumed the Chair.

The House was called to order by the Speaker.

HOUSE DIVIDED REPORT - Majority (6) **Ought to Pass as Amended by Committee Amendment "A" (H-1024)** - Minority (5) **Ought Not to Pass** - Committee on **LABOR** on Bill "An Act to Ensure Just Cause Termination in Employment"

(H.P. 1503) (L.D. 2147)

TABLED - April 4, 2000 (Till Later Today) by Representative HATCH of Skowhegan.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

On motion of Representative BRYANT of Dixfield, the Bill and all accompanying papers were **INDEFINITELY POSTPONED** and sent for concurrence.

HOUSE DIVIDED REPORT - Report "A" (8) **Ought to Pass as Amended by Committee Amendment "A" (H-1061)** - Report "B" (3) **Ought to Pass as Amended by Committee Amendment "B" (H-1062)** - Report "C" (2) **Ought to Pass as Amended by Committee Amendment "C" (H-1063)** - Committee on **BANKING AND INSURANCE** on Bill "An Act to Establish a Patient's Bill of Rights"

(H.P. 543) (L.D. 750)

TABLED - April 6, 2000 (Till Later Today) by Representative SAXL of Bangor.

PENDING - Motion of same Representative to **ACCEPT** Report "A" **OUGHT TO PASS as Amended by Committee Amendment "A" (H-1061).**