

MAINE STATE LEGISLATURE

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an effective federal state team against the scourge of drugs in Maine. I remember particularly one case that started as a fairly small case in Maine. It started with us having some undercover drug agents who bought some heroin in Maine and we traced the heroin back to its source in Lowell, Massachusetts. We tracked down where the heroin was being manufactured and packaged. We did an inter-state cooperative operation and we ended up doing search warrants on 12 locations simultaneously and shutting down a big heroin distribution operation that was providing a good part of the heroin that came to Maine. That couldn't have happened without the cooperation of the federal government and the state government working together to fight trafficking of drugs. I would like to add my voice to those praising Jay McCloskey and to say that I am confident that the office will continue in good hands as time goes on. Thank you.

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

Representative PERRY: Mr. Speaker, Ladies and Gentlemen of the House. I am proud to stand today and say that Jay McCloskey is a constituent of mine in Bangor. I don't believe there is any question about the strong role he played as US Attorney. I think everyone recognizes the terrific job he did. What really strikes me the most about Jay McCloskey is his personal commitment to the people of Maine and the willingness he has shown on his own time to organize a group in Bangor to fight the heroin and opium addiction. He has seen, as I think most of us have, the terrible toll that heroin and opium addictions are taking on the State of Maine, particularly Bangor, down east and on the coastline. He has been a leader. He has been committing a lot of his own time and energy out of what I am sure is very busy schedule to draw the attention to the problem, bring the community together and look for a good commonsense approach to fight this problem. I am proud today to stand and I am proud that we are recognizing Jay. I just want to say congratulations. Thank you.

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

Representative BAKER: Mr. Speaker, Men and Women of the House. The State of Maine is losing a real friend in the resignation of Jay McCloskey. Jay blew the whistle in this state on the problem with oxycontin, which has now, as I understand it, been removed from the pharmacy shelves because of the horrifying abuse of that drug. Jay has fought against a Methadone Clinic in Bangor. He believes, through his research, that there is a better way to treat heroin addiction. The state has pushed that clinic. I believe that clinic is opening up, Bangor, its citizens are not convinced that this is the best way. We believe that a therapeutic approach coupled with different drugs, drugs that do not simply substitute one addiction for another is a wiser way to go. We have Jay McCloskey to thank for his commitment, his dedication, his dedication, his willingness to swim against the tide. I believe that in the end he will be justified in the approach that he has taken. Thank you, Jay.

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

Representative BLANCHETTE: Mr. Speaker, Ladies and Gentlemen of the House. I rise today to offer praise for Jay McCloskey's service to not only the citizens of the immediate Bangor area, but to the citizens of Maine. Through the last year and a half, Jay McCloskey and I have been on opposite sides of a very contentious issue. All through this time, he has offered with great dignity and poise leadership that has brought

information to a council that had to make a very, very difficult decision on a Methadone Clinic within the city limits of Bangor. Without Jay's involvement, his honest open approach to every problem, whether he believed that the city should enter into a Methadone Clinic or not, he was always there laying the honest facts on the table. Jay, your honesty and your concern will be greatly missed by the residents of Bangor. I, as one Representative and one elected official in Bangor, feel very privileged to have known you and to have worked with you very closely through the year. Thank you Mr. Speaker.

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

Representative BROOKS: Mr. Speaker, Ladies and Gentlemen of the House. I just simply want to rise to join others in commending Jay McCloskey for a job well done. There were times when he and I were not necessarily on the same side, but we always conducted our discussions and our debates in a very gentlemanly fashion. He has done a wonderful job ranging from the time when I knew him and he worked at the *Bangor Daily News* with me when he was studying in law school. He worked there for a brief period of time. He did a wonderful job. I can't say that much for his years ago ability to play softball on our softball team, but he did a great job at the newspaper and he has done a great job as US Attorney. Thank you Mr. Speaker.

ADOPTED.

Sent for concurrence.

REPORTS OF COMMITTEE

Change of Committee

Representative GREEN from the Committee on **TAXATION** on Bill "An Act to Enhance Tourism Promotion and Increase State Revenues"

(H.P. 1230) (L.D. 1677)

Reporting that it be **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT**.

Sent for concurrence.

Representative GREEN from the Committee on **TAXATION** on Bill "An Act to Eliminate the Tax on Mahogany Quahogs"

(H.P. 838) (L.D. 1110)

Reporting that it be **REFERRED** to the Committee on **MARINE RESOURCES**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **MARINE RESOURCES**.

Sent for concurrence.

Divided Report

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-82)** on Bill "An Act to Prohibit Smoking in Certain Bingo and Beano Halls"

(H.P. 180) (L.D. 191)

Signed:

Senators:

LONGLEY of Waldo

MARTIN of Aroostook

TURNER of Cumberland
 Representatives:
 FULLER of Manchester
 DUDLEY of Portland
 LAVERRIERE-BOUCHER of Biddeford
 KANE of Saco
 LOVETT of Scarborough
 SHIELDS of Auburn

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

Signed:
 Representatives:
 BROOKS of Winterport
 DUGAY of Cherryfield
 O'BRIEN of Augusta
 NUTTING of Oakland

READ.

Representative KANE of Saco moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

The SPEAKER: The Chair recognizes the Representative from Oakland, Representative Nutting.

Representative NUTTING: Mr. Speaker, Men and Women of the House. This is my first time up this year. It is nice looking group from up here. This bill is brought to you by the same folks, who in the last Legislature, convinced us to ban smoking in restaurants. This is the next logical step to help us prevent people from using any tobacco anywhere at anytime. Eventually your garages and your basements will be included as well. Let me be clear, that is not in this bill. We heard testimony from the usual suspects, but also heard from a number of people who operate Beano games. Their testimonies were pretty diverse, but basically can be divided into four groups. There were those who used to allow smoking and no longer do. There were those that used to allow smoking and still do, no change. There were some who used to allow smoking and still do, but have spent thousands and thousands of dollars on equipment to filter the air and then there were my personal favorites. The ones who used to allow smoking, still do and want us to make it illegal. They want us to do that because they are afraid if they stop smoking in their facility, that people will get in their car and go down the road where it is still legal and they will lose business.

I came here to Augusta for a number of reasons, but one of them wasn't to pass laws that gave business courage to make tough decisions. I think that is up to each of them individually. We had testimony too from some regular people. You know the regular people in the public hearings, the ones who were a little nervous and they cry sometimes. They are not always dressed as sharply as we would like. There are no pinstripes. They spoke of the enjoyment they get from getting together with friends and having a smoke and playing a game.

Are they healthier and more important activities that they could be involved with? Absolutely. I suspect that many of your constituents who enjoy this activity don't ski or play golf or go sailing. They are all chem-free activities in their own right, but different from what we might enjoy. This bill will not stop people from having a smoke and playing Beano. They will drive out of the State of Maine or they will sit home alone in front of their computers. This evening if you want, get on the Internet and type in the word Beano or Bingo. You will be amazed to see all the opportunities you can sit in front of your lonely screen and spend your money endlessly. What they will miss, however,

home alone is the socializing, which is something our society, I think, sorely needs more of, not less. Their money will now simply go out of state or out into cyberspace. The charitable and social organizations that depend on the money from these players to do their good work will just have to find something else that the Legislature finds more acceptable.

In closing, no one has a God given right to smoke tobacco and no one has God given right to play Beano, but just maybe what they may have the right to do is to get together voluntarily with people and enjoy an activity, even if the activity police in this building, think they are a danger to themselves and are wasting their valuable time. Thank you Mr. Speaker.

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

Representative KANE: Mr. Speaker, Men and Women of the House. Much of what we will hear around this particular proposal is what we heard around the debate regarding the banning of smoking in restaurants. They were doomsday predictions that businesses would fold and that people would be deprived of their natural rights to gather and enjoy. What we have discovered in the several years since the ban has been in place is that the attendants and the money spent in restaurants has gone up about 30 percent. The restaurants are a healthier place to be. Lo and behold even smokers who felt most initially deprived are now enjoying the benefits of a smoke-free accommodation. We do realize that any prohibition does adversely affect some people and some people's convenience. We also know that right now many people's health, well being and access to the same socialization opportunities are prevented because of the current practices.

The prohibition of smoking in Bingo and Beano halls is an extension of the current state health policy to reduce the adverse affect of carcinogens in tobacco on Maine citizens and particularly those who are involuntarily victims of passive smoke. Beano and Bingo halls are a popular tradition among Maine senior citizens. Many of them are especially vulnerable to the threats to their health that, which exposure to tobacco now presents. We can only imagine the numbers of elderly people who are prevented from participation in Bingo because of smoke exposure. As they become more fragile, many have to give up something that has been an important part of their social life just at a time when socialization becomes an increasingly important part of their life. They have to give it up because their physical condition can no longer tolerate the risk.

As we know now from the banning of smoking in restaurants, Beano hall attendants will flourish and rather than lose revenue, they will likely generate significantly more revenue because people who now stay away because of the smoke will take advantage of a wonderful social event. I compliment Representative Jacobs for bringing this bill forward on their behalf and urge the House to support the Majority Ought to Pass Report. Thank you Mr. Speaker.

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

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

Representative BROOKS: Mr. Speaker, Ladies and Gentlemen of the House. I wouldn't want to disappoint anyone

by not getting up and talking on a smoking bill. I am here. It isn't often that I agree with my committee chair about smoking, but there is one thing that he said in his brief presentation a minute ago that I couldn't agree with anymore. He used the word, expansion. Ladies and gentlemen of the House, that is what this is. Here we go again. Now we are taking away rights again. I think we need to take a look at this legislation, seriously, with regard to the fact that this is a situation that involves recreation. People get together in almost every single community. When you drive down the road, I defy you on a Saturday to drive through very many towns where you don't see a sandwich board out by the side of the road that doesn't say Beano or Bingo on it. Every single town that I know of, at least, that is a great way for a candidate to go visit, because that is where most of the people congregate on Friday, Saturday or Sunday afternoon.

If you compare this to a restaurant ban of smoking, you are off the mark. One of the biggest arguments last year was wait staff and how do we prevent them from second-hand smoke. Well, I don't know of very many Beano halls that serve a lot of food and have a lot of wait staff who don't come voluntarily. I think that is a slightly different question. I was opposed last year to this because I thought it was a decision that should be made by the owner or the proprietor and that perhaps we can even talk to some of the wait staff as I did in two restaurants in my district and ask them if they would stay here if there was smoking. They all said yes. By the way, one of those restaurants in the Town of Brooks is closed. It is probably among those very few closed by the restaurant smoking ban. The other one, I go in and talk to the proprietor in the morning before she opens and she is sitting around with her wait staff before the building opens to the public, smoking and making out the days menu. Of course, once the restaurant opens, they stop. Nobody is allowed to smoke in there. Transient traffic has dropped. People who come off Route 1 aren't doing it as often as they used to. They don't stay as long and buy an extra muffin or whatever. We did the right thing or so people say.

I don't think we are doing the right thing here. Again, this is recreation. This is not food. This is not wait staff. This is an expansion. I think we need to start taking a look at where the hula-hoop is taking us. It is now fashionable. It is now the trend. Let's nail the smokers with one more tax. Sure, let's take the smokers and make them not be able to smoke some place. I think we are taking away rights. Watch out, it may be in your own house one of these days, under certain circumstances, that they may try to prevent you from smoking. I hope that you will defeat this motion so that we can move on to the Ought Not to Pass and stop taking away those people's rights. Thank you Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Turner, Representative Jacobs.

Representative JACOBS: Mr. Speaker, Ladies and Gentlemen of the House. LD 199 would prohibit smoking in Bingo or Beano Halls in Maine. I had a constituent bring this to me three years ago with a concern. In bringing this concern forward, I have become committed to it. You have got to understand that I am a reformed smoker. I haven't smoked for 20 years. I will never smoke again, but I live in a household of smokers. My two sons smoke, which I don't approve of, but that is their right as long as they don't smoke too much in my house. The biggest thing that I see is that everybody got on the bandwagon for the tobacco settlement. We thought that was a

great idea. It is a great idea, but the idea is to stop the smoking and stop the diseases that come from smoking.

One of the biggest concerns in the Bingo or Beano halls is that an older clientele who are at the highest risk for respiratory disease and weakened immune systems are either heightening their risk or are being unable to attend functions such as Beano, which gives them a chance to fraternize with others and to give them a chance to plan for an outing of fun. So many of them can't ski, but they can sit and play Bingo or Beano. Many of them can't play golf. Many of them don't go to Florida in the wintertime. This is their one and only activity that they can do with others of the same age, their friends and many are not allowed to do it because of the smoke in the halls.

I have been amazed at the support this bill has received from smokers and nonsmokers alike. I really thought it was a done deal just by presenting it and then it gained support. I got many calls from people who were smokers and said they thought it was a good idea. They don't have the willpower themselves to quit smoking, but they thought it was a good idea. By banning smoking in all Bingo and Beano halls, a level playing field for all halls will be accomplished. With the concerns for the effects of smoking, which has made itself clear with the tobacco settlement, we should be supporting efforts to restrict smoking, not encouraging it, especially to our most vulnerable.

Did you know that in some cases that children can be brought to Bingo or Beano halls? Maybe they need a babysitter, but if you don't have one, some of the diehard Bingo Beano players will bring their children. It is allowed. It is not just the old. There are a few young that are being concerned here. I would urge you to pass the Majority Ought to Pass Report. Thank you Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Augusta, Representative O'Brien.

Representative O'BRIEN: Mr. Speaker, Ladies and Gentlemen of the House. This is the same old thing. I was not planning on speaking on this, although I am on the Ought Not to Pass report and feel quite strongly about it. Our esteemed chair of the committee, Representative Kane, made the comment involuntarily exposed to and I need to expand on that. Those in the Bingo and Beano halls that are there while smoking is going on are voluntarily exposed to. They may go in and play Bingo. They may go to the one down the street that is smoke-free. I know that there is a proliferation of smoke-free Beano Bingo halls. We had this discussion about the restaurants and the bars. Again, we are going a little bit further and further each session. This is a recreational activity that is strictly a choice. I appreciate the argument of socialization for the elderly, but, again, I would say if there is such a concern, the nonprofit organization that runs the Beano can have a smoke-free Beano night. As far as children going in and because they possibly couldn't find a sitter, we may be talking about a whole other thing. We may be talking about a gambling addiction and that is a whole other story. I would ask you to reject this and go on to accept the Minority Ought Not to Pass Report. Thank you very much.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Old Orchard Beach, Representative Lemoine.

Representative LEMOINE: Mr. Speaker, Men and Women of the House. I rise to support the statement just made by the good Representative O'Brien and to point out a couple of factors to the body. First, think about this. Is it the policy of this state to

promote cigarette smoking? No. Is it the policy of this state to criminalize and ban cigarette smoking? No. What is the policy of this state? It is to find a reasonable means of protecting the public health. That is what is at issue. That is why the policy last year became a ban on smoking in public restaurants. We did that to protect the children that went into those restaurants and the employees. Who does this bill protect? I think the answer is no one. It does not protect children because they are not generally allowed into Beano halls. It doesn't protect employees. There are none. Many of these halls are absolutely run by volunteers. The only way you are in there is by your own choice. I think that the momentum towards the protection of public health, which is legitimate and part of this state's policy, has run its course in this direction and there must be a preserve, which in this case the issue is Beano halls, where adults can go and if they choose, may smoke. Adults if they choose not to go, may not go. That is the issue. I will be voting Ought Not to Pass. 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 want to encourage you all to vote for the pending motion because second-hand smoke or the smoke at the end of the cigarette is unfiltered and it contains much higher amounts of toxins, such as carcinogens, than primary inhaled smoke. As a result, it is classified in the most toxic class of cancer causing chemicals by the United States Environmental Protection Agency. It is a class A carcinogen for which there is no safe level of human exposure. Indeed, second-hand smoke kills. In fact, it kills on an average of one nonsmoker in Maine every day, mostly through heart disease, lung cancer and chronic lung disease, such as emphysema, which is what I have.

Studies show that many people whose health is harmed or destroyed by second-hand smoke were exposed while at work or in a public place that they frequent. Our goals should be to create a smoke-free environment for all of our Maine citizens. Consequentially, I hope you will join me in accepting this pending motion. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Penobscot, Representative Perkins.

Representative PERKINS: Mr. Speaker, Colleagues of the House. It is with trepidation that I speak against the pending motion, partly because it could be politically dangerous for me. I have had constituents in the last few years ask me to sponsor this very bill. I have refused. I received a petition signed by several of my constituents wanting this to pass. I cannot support it, unfortunately. With all due respect to the sponsor, who I usually agree with on a lot of issues and the committee that worked hard on this, I cannot support it. Smoke is definitely dangerous. I don't smoke and I never have. I chewed a little snuff when I was in the service, but that was many years ago. I think more dangerous than smoke is a government that seems to see no distinction anymore between private and public. Just because something is opened to the public does not mean it is not a private operation anymore. I think the more the government takes away the choice of individuals, the more dangerous it becomes. It becomes easier to take away another choice. I am not talking about only the choice of people going into these places, but the choice of the people that operate these places.

We all should be pro-choice on as many issues as we can. We all say we want government only to do the things for us that

individuals can't do. Looking back at the restaurant ban, I also opposed that, but not without concern for the people that work there or the children that might be there. For me this is a here we go again scenario. With the restaurant ban, 60 percent of the restaurants had already banned it. The City of Portland had done it. My argument then was and will be here today, we don't need a state law when people in the local areas can make the decisions. I believe a person ought to have the right to say, Bingo or Beano tonight, smokers only. What are we becoming? A nanny for people or the mommy or daddy. I heard somebody today say that some constituent didn't have the willpower to quit smoking so they wanted government backed up by the power of the police to put this ban on so somebody could quit smoking. I guess that was the implication.

It becomes easier. I would just like to leave with this statement. Once you do one of these like we did with restaurants, now it becomes easier even though there is no wait staff. That was the big argument, as Representative Brooks said. It becomes easier. What is going to be next? Just ask yourselves what choice are we going to take away next? Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Old Town, Representative Dunlap.

Representative DUNLAP: Mr. Speaker, Men and Women of the House. It is very interesting this debate about Beano and Bingo halls. The first bill that I introduced as a legislator a few years ago dealt with smoking in Beano and Bingo halls. At the time, the current statute that I was seeking to amend said that you could either have it smoking or nonsmoking in a Beano or Bingo hall. The bill that I introduced and was subsequently passed unanimously from the Health and Human Services Committee, as amended, allowed for two separate master boards that you could actually give the Bingo or Beano hall the option of having a smoking area and a nonsmoking area to address both series of concerns dealing with health and with people being able to enjoy all their pastimes in one place, being it smoking or Bingo or either one together. That, I believe, is the law, which this pending motion seeks to repeal. It would prohibit, once again, all together, any option, on smoking. I am not going to get into the issue of health or rehash a debate we had over restaurants smoking issues that we had a couple of years ago. I don't think it is necessarily relevant to this. What I think is relevant is whether or not we are actually addressing a problem. I don't believe that I can vote for the pending motion. As it stands, I would be interested to see what would come after it. I would encourage my colleagues to reject the pending motion and look at logical, subsequent motions. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Lewiston, Representative Cote.

Representative COTE: Mr. Speaker, Men and Women of the House. I wasn't about to rise on this. I had to because I have a few constituents of mine that brought it to my attention as well as the good Representative from Turner did. I have family members that go to Bingo halls and Beano halls. I have an aunt that has been playing Beano and Bingo for the last 40 years. Her health has been deteriorating because of the smoke filled rooms in Beano and Bingo halls. I used to play Bingo and Beano myself. I, myself, got tired of going into those halls where it is like smog. You smell nothing but cigarette smoke and it stunk. Last year, I voted to ban the cigarette smoking in restaurants due to health reasons and for children's safety as well and for second-hand smoke. I, myself, am on three different inhalers

from cigarette smoke. I smoked since I was the age of 9 years old. I quit when I was 25 because my health deteriorated because of smoking.

My son urged me to take him to go play Beano and Bingo. I told him I would not go due to the fact that there is too much smoke in there. I do not want my son facing the same health problems that I have due to cigarette smoke. My aunt who has been a Beano Bingo player for the last 40 years has also called me numerous times urging me to vote to ban this in the halls. She has been an advocate for nonsmoking for the past 30 years. I have gotten numerous phone calls from her friends on this. When a constituent calls me and wants me to vote against something, I have to answer that call. They are the ones that put me here. They are the ones that can take me out. I sure believe that your constituents did the same thing. They put you here, they can take you out. We are up here to fight for health reasons and safety reasons. Second-hand cigarette smoke is one of the main killers today. For the rest of my life, I have to inhale three inhalers because of cigarette smoke. I know numerous constituents of mine have the same problem. I urge my colleagues to follow my light and vote for the pending motion, Ought to Pass. Thank you.

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

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

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

Representative TUTTLE: Mr. Speaker, Men and Women of the House. For anybody who might answer, can't Beano halls already prohibit smoking? If they can, why do we need a state law to do something that can be done already on the local level?

The SPEAKER PRO TEM: The Representative from Sanford, Representative Tuttle has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Yarmouth, Representative Buck.

Representative BUCK: Mr. Speaker, Ladies and Gentlemen of the House. To respond to the Representative from Sanford, I would just point out to him that he doesn't understand that we live in an age today where government has to be involved in all of our daily activities. We know much better than those people who run those Bingo halls whether or not they should allow smoking. We have become, as a government, the person or the individual that makes the decisions for all of our constituents because we don't believe that they can make decision themselves. That is why this proposal has been brought forward. There is a little something disingenuous about those that advocate for this. For example, our tobacco settlement program, the money that comes in for that is supposed to go for the people that have tobacco related health problems. As you know, those of us who make those decisions here that know best have decided to use those funds for other programs, not related to tobacco issues. Even at that, I would like the Representative from Sanford to know that government itself knows better than those people back home in your district on how to deal with this issue. If you believe that, you should probably vote for the proposal that is before us. I am reminded of what Oscar Wile once said, he said, that whenever a man does the stupidest of things, it is always of the noblest of reasons.

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

Representative TUTTLE: Mr. Speaker, Ladies and Gentlemen of the House. I would thank the good Representative from Yarmouth, Representative Buck, for answering my question. Mr. Speaker, men and women of the House, my understanding is that the area where the initial problem had occurred for presenting this bill has already been taken care of because I believe they have banned smoking. In closing, in my opinion, Beano halls are not restaurants and I think I we should use some commonsense here. I am an emergency medical technician. I deal with people every day with medical problems and I understand the concerns from the other side, but I really think that we have to use some commonsense in this situation. It is for that reason, Mr. Speaker, that I would move Indefinite Postponement of this bill and all its accompanying papers and let's give this bill a merciful dispatch.

Representative TUTTLE of Sanford moved that the Bill and all accompanying papers be **INDEFINITELY POSTPONED**.

Representative TRACY of Rome **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE** the Bill and all accompanying papers.

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

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is Indefinite Postponement of the Bill and all Accompanying Papers. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 40

YEA - Andrews, Annis, Ash, Bagley, Belanger, Berry DP, Berry RL, Bowles, Brooks, Bryant, Buck, Bumps, Carr, Chase, Clark, Clough, Collins, Crabtree, Cressey, Daigle, Dugay, Duncan, Dunlap, Duplessie, Duprey, Fisher, Foster, Gerzofsky, Glynn, Goodwin, Gooley, Haskell, Hatch, Hawes, Heidrich, Honey, Jodrey, Jones, Kasprzak, Labrecque, Landry, Ledwin, Lemoine, MacDougall, Madore, Mailhot, Marley, McGlocklin, McGowan, McKenney, Mendros, Michael, Mitchell, Morrison, Murphy T, Muse C, Muse K, Nass, Nutting, O'Brien JA, O'Neil, Peavey, Perkins, Perry, Pineau, Pinkham, Rines, Rosen, Savage, Sherman, Skoglund, Snowe-Mello, Stanley, Stedman, Tarazewich, Thomas, Tobin D, Tobin J, Trahan, Tuttle, Usher, Waterhouse, Wheeler EM, Wheeler GJ, Winsor, Young.

NAY - Baker, Blanchette, Bliss, Bouffard, Brannigan, Bruno, Bull, Bunker, Canavan, Chick, Chizmar, Colwell, Cote, Cummings, Davis, Desmond, Dorr, Dudley, Estes, Etnier, Fuller, Gagne, Hall, Hutton, Jacobs, Kane, Koffman, LaVerdiere, Laverriere-Boucher, Lessard, Lovett, Lundeen, Marrache, Mayo, McDonough, McKee, McLaughlin, McNeil, Murphy E, Norbert, Norton, O'Brien LL, Paradis, Patrick, Quint, Richard, Richardson, Schneider, Shields, Simpson, Smith, Sullivan, Tracy, Twomey, Volenik, Watson, Weston.

ABSENT - Cowger, Green, Matthews, Michaud, Povich, Tessier, Treadwell, Mr. Speaker.

Yes, 86; No, 57; Absent, 8; Excused, 0.

86 having voted in the affirmative and 57 voted in the negative, with 8 being absent, and accordingly the Bill and all accompanying papers were **INDEFINITELY POSTPONED** and sent for concurrence.