

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**LEGISLATIVE RECORD**

**OF THE**

***One Hundred and Ninth***

***Legislature***

**OF THE**

**STATE OF MAINE**

**SECOND REGULAR SESSION**

**January 2 to April 3, 1980**

**THIRD SPECIAL SESSION**

**May 22, 1980**

**THIRD CONFIRMATION SESSION**

**July 17, 1980**

**FOURTH CONFIRMATION SESSION**

**July 24, 1980**

**FIFTH CONFIRMATION SESSION**

**September 12, 1980**

**REPORT, HEARING TRANSCRIPT AND  
RELATED MEMORANDA OF THE JOINT  
SELECT COMMITTEE ON INDIAN LAND  
CLAIMS**

## HOUSE

Monday, February 25, 1980

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Right Reverend Frederick B. Wolf of the Episcopal Diocese of Maine, Portland.

Reverend WOLF: Let us pray! O Lord, our governor, bless the leaders of our land that we may be a people of peace among ourselves and a blessing to other nations of the earth.

To the President and Members of the Cabinet, to governors of states and mayors of cities and to all in administrative authority, grant wisdom and grace in the exercise of their duties. To Senators and Representatives and those who make our laws in states, cities and towns, give courage, wisdom and foresight to provide for the needs of all our people and to fulfill our obligations in the community of nations. To the judges and officers of our courts, give understanding and integrity that human rights may be safeguarded and justice served.

Finally, teach our people to rely on your strength and to accept their responsibilities to their fellow citizens that they may elect trustworthy leaders and make wise decisions for the well-being of our society, that they may serve you faithfully in our generation and honor your holy name; for yours is the kingdom, O Lord, and you are exalted as head above all. Amen.

The members stood at attention during the playing of the National Anthem by the Lawrence High School Band of Fairfield.

The journal of the previous session was read and approved.

#### Papers from the Senate Non-concurrent Matter

Joint Resolution relative to Requesting the Attorney General to Examine the Price Increases in Petroleum Products (H. P. 1857) which was read and adopted in the House on February 20, 1980.

Came from the Senate Indefinitely Postponed in non-concurrence.

In the House: On motion of Mr. D. Dutremble of Biddeford, the House voted to adhere.

#### Petitions, Bills and Resolves Requiring Reference

##### Study Report—Committee on Education

Mr. Connolly from the Committee on Education to which was referred the study relative to insufficient payments for placement of emotionally disturbed children in residential treatment centers, pursuant to Joint Order (H. P. 1552) have had the same under consideration, and ask leave to submit its findings and to report that the accompanying Bill, "An Act Appropriating Funds to the Department of Human Services, the Department of Mental Health and Corrections and the Department of Educational and Cultural Services for Insufficient Payments for Placement of Emotionally Disturbed Children in Residential Treatment Centers for the Fiscal Year Ending June 30, 1981." (H. P. 1868) (L. D. 1958) be referred to the Committee on Appropriations and Financial Affairs for public hearing and printed pursuant to Joint Rule 17.

Report was read and accepted, and the Bill referred to the Committee on Appropriations and Financial Affairs, ordered printed and sent up for concurrence.

#### Study Report — The Joint Subcommittee Studying the Provisions of Emergency Medical Services

Mr. Higgins from the Joint Subcommittee Studying the Provisions of Emergency Medical Services to which was referred the study relative to the licensing of ambulance services and ambulance personnel and the relationship of

the State with Medical Care Development, Inc., pursuant to Joint Order (H. P. 1435) have had the same under consideration, and ask leave to submit its findings and to report that the accompanying Bill "An Act to Amend the Laws Relating to Ambulance Service" (Emergency) (H. P. 1869) (L. D. 1959) be referred to the Committee on Health and Institutional Services and printed pursuant to Joint Rule 17.

Report was read and accepted, the Bill referred to the Committee on Health and Institutional Services, ordered printed and sent up for concurrence.

#### Orders

On motion of Mr. Cox of Brewer, it was ORDERED, that Representative Albert Theriault of Rumford be excused February 25 to 29 for Personal Reasons.

AND BE IT FURTHER ORDERED, that Representative Nancy Masterton of Cape Elizabeth be excused February 25 to 28 for Personal Reasons.

#### Special Sentiment Calendar

In accordance with House Rule 56, the following Joint Order (Expression of Legislative Sentiment) In Memory of Honorable Edsel G. Pratt lifelong resident and community leader of Turner and member of the 84th, 85th, and 90th Legislatures; (H. P. 1870) by Mr. Torrey of Poland. (Cosponsor: Senator Ault of Kennebec)

There being no objection, this Expression of Legislative Sentiment is considered adopted.

#### Consent Calendar

##### First Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the First Day:

(S. P. 655) (L. D. 1694) Bill "An Act Relating to the Provision of Telephone Equipment by Telephone Companies to the Hearing Impaired and their Families"—Committee on Public Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (S-420)

(H. P. 1647) (L. D. 1757) Bill "An Act Amending the Requirements of Announcing Political Disclaimers" (Emergency)—Committee on Election Laws reporting "Ought to Pass" as amended by Committee Amendment "A" (H-800)

No objections being noted, the above items were ordered to appear on the Consent Calendar of February 26, under listing of Second Day.

#### Passed to Be Engrossed

Bill "An Act to Allow Counties to Participate in the Solid Waste Management Subsidy" (H. P. 1735) (L. D. 1853)

Was reported by the Committee on Bills in the Second Reading, read the second time, the House Paper was passed to be engrossed and sent up for concurrence.

#### Amended Bill

Bill "An Act Combining the Offices of Justice of the Peace and Notary Public and to Establish their Appointment by the Secretary of State" (H. P. 1718) (L. D. 1829) (C. "A" H-798)

Was reported by the Committee on Bills in the Second Reading, read the second time, the House Paper was passed to be engrossed and amended and sent up for concurrence.

#### Passed to Be Engrossed Emergency Measure

An Act Establishing Expenditure Limits for Federal Funds Expended by State Departments and Agencies for the Fiscal Year Ending June 30, 1981 (S. P. 757) (L. D. 1944)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the

House being necessary, a total was taken. 104 voted in favor of same and one against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Emergency Measure Tabled and Assigned

An Act Relating to the Effective Date of Administrative Changes in the Employment Security Law (H. P. 1762) (L. D. 1888)

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

On motion of Mr. Tierney of Lisbon Falls, tabled pending passage to be enacted and tomorrow assigned.

#### Passed to Be Enacted

An Act Relating to Plumbing Permits and Waivers for Septic Systems under Certain Conditions (H. P. 1727) (L. D. 1846) (C. "A" H-788)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

An Act to Increase the Level of the Maine Wage Assurance Fund (H. P. 1785) (L. D. 1894)

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

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Morton.

Mr. MORTON: Mr. Speaker, a question. Does this affect the General Fund as of the end of the year? If it does, does it require a fiscal note?

The SPEAKER: In response to the question posed by the gentleman from Farmington, Mr. Morton, I can only read what is on the fiscal note information which the Chair has, and it reads as follows:

"This change is necessary to allow a dedicated revenue account operating as intended in Title XXVI, Section 632, Subsection 3."

Mr. MORTON: I agree with you, Mr. Speaker, except that the way I read the Statement of Fact, it apparently is changing a limitation that is presently \$1,000, and I would assume that if that limitation is \$1,000, anything over that would flow to the General Fund, and that is why I asked the question.

The SPEAKER: The Chair would advise the gentleman that it does not indicate that on the material provided to the Chair.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Orders of the Day

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

An Act Relating to Maine Educational Advisory Organizations (H. P. 1646) (L. D. 1756)

Tabled—February 21, 1980 by Mr. Connolly of Portland.

Pending—Passage to be Enacted.

The SPEAKER: The Chair recognizes the gentleman from Sabattus, Mr. LaPlante.

Mr. LaPLANTE: Mr. Speaker, Ladies and Gentlemen of the House: I did do a little bit of studying on this bill over the weekend, and on the reference from the Attorney General's Office, what happens to the proliferation of organizations that enter the guidelines of instrumentalities of municipalities and state, and they couldn't really answer that because it is not a simple question, it would take much studying in order to get this into effect.

I did talk to Mr. Blodgett of the Maine State Retirement System this morning and I realize that two years ago we really opened up that Maine State Retirement System unbelievably and any kind of an association, organization, agencies, anything that can come close to being part of employees of the state or a municipality in any way, shape or form, of course, can enter the Maine State Retirement System. I was quite amazed at that.

I realize the Maine School Management As-

sociation is already into the system and there is nothing much we can do about that. I just feel that the proliferation of instrumentalities of municipalities in the state may be something that we are opening up again, the same as the Maine State Retirement System, when we really don't understand it and possibly we should look into it very, very carefully before we open up another can of worms.

There may be something that I have personally with Maine School Management Association, so I tried to allay my reasons for that and I asked for 18 months of the minutes of the Maine School Board Association and how many things on there that I was told had been done by the association that is not on record, so maybe it is partly a personal thing that I feel the association is not working aboveboard, as it should be as a lobbying organization.

I would move, Mr. Speaker, the indefinite postponement of this bill and all its accompanying papers.

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

**MR. HICKEY:** Mr. Speaker, Ladies and Gentlemen of the House: It is regrettable that a bill submitted to relieve nine people from paying social security should develop into such a monstrosity. I will concede, it isn't the best written piece of legislation, but the intent of the bill is to change their classification so they would be eligible to withdraw from social security.

Presently, there are clerks paying \$48.66 a month into the state retirement and another \$45.90 to social security. It has reached a point where they cannot afford to participate in both programs, and their only recourse for relief is to get permission from the Maine Legislature to withdraw.

I ask your support for the passage of this bill.

**THE SPEAKER:** The Chair recognizes the gentleman from Windham, Mr. Diamond.

**MR. DIAMOND:** Mr. Speaker, Men and Women of the House: I did not expect to get drawn into this debate, but the longer it has gone on, the more questions I have had asked to me and the more things I have tried to find out.

As the gentleman from Augusta, Mr. Hickey, just said, the original intent of the bill is to relieve the nine people from paying both social security and retirement. I am concerned about those people. I have 43 lunch people in my hometown that are in a similar situation, and if I could find a way that would not have other implications on the entire state, then I would do my best to relieve them as well.

Currently, Maine School Management and Maine school boards are under a C-6 status, and for those of you who may not have gotten to that point yet, they are business leagues, chambers of commerce, real estate boards, etc. A few years ago, the same organization of Maine School Management and the Maine School Board Association were denied a C-3 status, and if you will look at the definitions, as I did, of C-3 and C-6, the only difference is, and I will read just a line and a half—this is C-3, which they were denied: "No substantial part of the activities of which is carrying on propaganda or otherwise attempting to influence legislation"—see, that is lobbying. So what we are going to be doing if we pass this bill, we are going to be making a private organization, a lobbyist organization, we are giving them a legislative status. I know that wasn't the intent of what they originally were doing, but that is what we will be doing and that is what bothers me, because there are several other private organizations out in this state that are lobbyist organizations, that work hard to influence legislation, that would surely like to have a different status from we, the 109th.

I just point out to you, we know the intent was good but I say to you that I think we are doing a lot more here than we should be doing and I hope you will support the motion to indefinitely postpone the bill.

**THE SPEAKER:** The Chair recognizes the

gentleman from Millinocket, Mr. Marshall.

**MR. MARSHALL:** Mr. Speaker, Ladies and Gentlemen of the House: Two questions that were raised about this bill which brought it to the front and to the attention of many members have already been resolved here.

Currently, the Maine Education Advisory Organization is tax exempt with regard to property taxes; that has been recognized and accepted and that will not change under this bill.

The other question was whether or not it needed a fiscal note because it might change the sales tax status of the Maine Education Advisory Board, and report from Ray Halperin, the State Tax Assessor, took care of that question. He said, "A question has arisen as to whether this bill would alter the sales tax status of the Maine School Management Association. We do not see this bill as affecting its sales tax status."

I don't see where those questions are now relevant. I think they have been adequately answered.

The question that was brought up by Representative LaPlante, this bill won't change the status. Currently, the Maine Education Advisory Board is property tax exempt. The sales tax status won't change, so defeating this legislation is not going to change any of the problems that he has brought up, and I agree, I have a very serious concern about proliferation of tax exempt organizations, but this proposed bill is not going to do it. It is not going to do it, it is going to do what Representative Hickey has suggested it will do, in not a very good fashion but, nevertheless, an adequate one that will not affect those fears that were raised that originally brought this to our attention.

I don't really see the need for indefinite postponement of this measure. I think it will do as Mr. Hickey suggested and I urge you to support it.

**THE SPEAKER:** The Chair recognizes the gentleman from Auburn, Mrs. Lewis.

**MRS. LEWIS:** Mr. Speaker, Ladies and Gentlemen of the House: I would just like to remind you that this was a unanimous "ought to pass" report from the Committee on Education. If any of you have been to any of our working sessions, I think you know that we debate bills very, very carefully before we let anything get out of our committee with a unanimous report.

I would remind you also that this bill could lessen the property tax in a town because the money that goes into it is dues that is paid by the individual school boards and, as you know, that money is paid by the individual school boards and, as you know, that money is paid for the school boards by the municipality itself. So, if the municipality is paying into just one retirement system rather than two, it is less money for that town, so I would urge you to vote to pass this bill.

**THE SPEAKER:** The Chair recognizes the gentleman from Sabattus, Mr. LaPlante.

**MR. LAPLANTE:** Mr. Speaker and Members of the House: Apparently the good lady from Auburn, Mrs. Lewis, missed one of her work sessions. The association that we are talking about, the social security and the Maine State Retirement System is not paid by the unit itself, it will increase, in a way, what the local community does pay in. What we are doing, we are taxed \$1.10 a head for each pupil, and that money is used to pay the retirement system. There is no other way that that comes out.

**THE SPEAKER:** The Chair recognizes the gentleman from Owl's Head, Mrs. Post.

**MRS. POST:** Mr. Speaker, Men and Women of the House: I did, indeed, raise some tax questions last week, and that was the first time that I took a look at the bill. Some interesting things have gone on. I have learned one lesson anyway, to get it in writing, because we have gotten several different statements from the Bureau of Taxation, first of all that they did not

get a sales tax exemption and Maine Municipal Association did get a sales tax exemption because in Maine Municipal's legislation which made them an instrumentality of the state there was a specific reference granting them a sales tax exemption. Of course, that is not true. If you take a look at the statute, I went back, I was told at one point that this would give them a sales tax exemption but we think they are already eligible for a sales tax exemption, so that may not be a change. Then that was found not to be correct.

What it finally came down to with the memo I understand was sent to Mr. Garsoe is that the attorney in the Bureau of Taxation office itself said it was a close issue and he couldn't make up his mind, and the department head in that instance always takes a stand if, in fact, a close issue on whether or not there is a sales tax exemption and then, to protect the General Fund, we do not give a sales tax exemption. That is why the memo that was sent to Mr. Garsoe.

My own opinion is, that may be all right if we are talking about legislation which has already been enacted. I think if we are talking about pending legislation, we ought to go the other way. If there is a chance of a sales tax exemption that will affect the General Fund, there ought to be a fiscal note.

We have discussed the matter with the Bureau of Taxation. I was on the phone this morning, as I understand the Speaker was also, talking with the Attorney General's Office. The recommendation of the Attorney General's Office is that if, in fact, this bill is going to pass, it ought to be clarified one way or another whether or not the intent is for a sales tax exemption.

As far as the property tax exemption goes, the property tax statutes say to give them an exemption for a literary and scientific institution, not necessarily for any organizations which are organized for that purpose but for an institution. When we did a review of the property tax exemptions last year, the kind of institutions that the Bureau of Taxation told us were, in fact, property tax exempt were organizations like schools, libraries and the type of things that we would think of as institutions. What they are now saying is that if you have it in your charter at all that you are organized for literary, scientific purposes, even though you may, like the Maine School Management Association, have many, many other purposes in your charter, and you meet the test of being non-profit, you are eligible for a property tax exemption. This may come as news to some of the municipalities of the state, and I would simply say, if anybody is non-profit and has trouble getting a property tax exemption, they ought to amend their charter and include literary and scientific purposes in it and that will automatically give them a property tax exemption.

I did start taking a look at this because of the tax implications and I am not sure that all of those have been answered yet. However, in thinking about it, in taking a look at what Maine School Management Association is and the other kinds of institutions there are in the state or organizations there are in the state that meet those same type of guidelines, I do agree with Representative LaPlante that we are opening up a can of worms.

The Attorney General's Office is not able to tell us the implications of this bill. Next will come the Maine Conservation Commission, Maine County Commissioners Associations, Regional Planning Associations, all these other types of organizations wanting to be called instrumentalities of the state.

I think at this point I understand the problems of social security. The difficulty is with getting out of social security, as I understand it, they don't want to change, this particular organization doesn't want to change to a 501-C-3 organization because if they do so there are very severe lobbying restrictions. I think if

there is a real problem and they are not willing to meet those guidelines and we want to deal only with the issue of social security or give them the ability to do that, then they can come in next year with a very narrowly drafted bill and we are much better than passing broad legislation on a narrow issue when we don't really know what we are getting into.

The SPEAKER: The Chair recognizes the gentleman from Monmouth, Mr. Davis.

Mr. DAVIS: Mr. Speaker, Ladies and Gentlemen of the House: It seems to me that what we are actually doing is trying to discriminate against seven or nine employees over here across the street. These people are just an extension of your local school departments and I cannot see why we can't give them a little help with all the others that we are helping in this legislature.

I would hope that you would vote against this indefinite postponement motion.

The SPEAKER: The Chair recognizes the gentleman from Millinocket, Mr. Marshall.

Mr. MARSHALL: Mr. Speaker, Ladies and Gentlemen of the House: I think this tax question has got to be resolved here, and I think it ought to be resolved in clear light and not in another fashion.

The reason it is not clearly spelled out in this bill regarding the tax exemption status is because—I will read directly from the memorandum from Ray Halperin.

"The remaining uncertainty concerning exemptions stems from the requirement that the association must be wholly owned by the political subdivision of which it is an instrumentality. Since the subject legislation has not resolved this issue, I do not see any result in change in the association's sales tax status."

We aren't even addressing that in this issue, and I think if there is a question as to the sales tax exemption or property tax exemptions of any future organization, we can address that in the errors and inconsistencies bill and not in a bill that doesn't really address that issue to begin with.

The SPEAKER: The Chair recognizes the gentleman from Owl's Head, Mrs. Post.

Mrs. POST: Mr. Speaker and Members of the House: I think the question that Representative Marshall raised, I at least have to respond to. To bore you with tax law, what is at issue is whether or not this instrumentality will be wholly owned by a political subdivision of the state and they, in essence, will be because the test of whether they are wholly owned is whether or not their goods, should they dissolve, go to municipalities, which, in fact, they would. What is in question is whether or not they have to be wholly owned by the political subdivisions which they in fact serve. That is what is at issue and it is not clear at this point and this bill, depending on the resolution of that particular question, whether or not they have to be wholly owned by the individual political subdivision which they serve, which is not spelled out in the sales tax statutes, it will be an interpretation of the Attorney General and possibly the courts. That issue has not been resolved. It will determine whether or not Maine School Management Association will, in fact, get a sales tax exemption and the Attorney General's Office is recommending that it be resolved if, in fact, this bill be passed.

The SPEAKER: The Chair will order a vote. The pending question before the House is the motion of the gentleman from Sabattus, Mr. LaPlante, that this bill and all its accompanying papers be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.  
Mr. LaPlante of Sabattus requested a roll call.

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

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

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mrs. Kany.

Mrs. KANY: Mr. Speaker, Members of the House: I would like to pose a question through the Chair. I have had questions on this bill all along too, basically along the lines of Representative Diamond's, in that why should small lobbying organizations come to the legislature with special interest legislation just for them? Originally, the first day this was debated, I asked the number of employees in the Maine School Management Association and did receive an answer to that. I did ask about the Maine School Boards Association and the number of their employees who would be affected by this legislation and I never did get an answer to that. May I have an answer, please?

The SPEAKER: The gentleman from Waterville, Mrs. Kany, has posed a question through the Chair to anyone who may respond if they so desire.

The Chair recognizes the gentleman from Cumberland, Mr. Garsoe.

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: In answer to the gentleman from Waterville, Mrs. Kany's question, none of the members of the school boards will be affected in any way. This merely allows seven full time, two part time employees of Maine School Management, a wholly owned subsidiary of the Maine School Boards Association, to apply to the Internal Revenue Service to be relieved from paying social security taxes.

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

Mr. CONNOLLY: Mr. Speaker, Ladies and Gentlemen of the House: I tried to stay out of the debate this morning but I did want to respond to a point that was brought up earlier.

Yes, it is true that this bill, when it did come out of committee, was a unanimous report of the Education Committee but I, for one, have since changed my mind as to how I feel about it and will be voting for indefinite postponement. It is because of the very questions and types of questions that have come up with this bill since the time it has come out of committee.

As late as this morning, I was told by a lobbyist for the Maine School Management Association that in their opinion this bill is very poorly drafted and that perhaps there ought to be an amendment to make it very clear that the only issue that is being addressed is the one of the retirement and social security systems. I suggested that perhaps we back the bill up to put that type of amendment on it, and it was explained to me that perhaps we ought to let this bill go ahead and then put an amendment on in the errors and inconsistencies bill because they didn't want to jeopardize the passage of this bill.

I will be voting for indefinite postponement this morning. If the bill is indefinitely postponed, it will not be dead because it will go to the other body and we will have a chance to address the issues that have been raised.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mrs. Lewis.

Mrs. LEWIS: Mr. Speaker, Members of the House: I wish that the gentleman from Portland, Mr. Connolly, who is the House Chairman of the Education Committee would have explained this to the other members of the committee. If there is something as important as this, I think it should have been brought up earlier and maybe we should table this bill one more time so that he can explain to the other members of the committee just what it is, because if it is that important, maybe none of us would be voting for it. At this point, unless I can have an explanation, I intend to vote for it but I think it might be better to table it and tell us just what this is all about.

The SPEAKER: The Chair recognizes the gentleman from Sabattus, Mr. LaPlante.

Mr. LAPLANTE: Mr. Speaker, Members of the House: Maybe the good lady has a good idea to table it. I move that we table for one legislative day.

The SPEAKER: The Chair would advise the gentleman that he has debated the tabling motion; therefore, the tabling motion is not entertained.

The Chair recognizes the gentleman from Newcastle, Mrs. Sewall.

Mrs. SEWALL: Mr. Speaker, I move that this piece of legislation be tabled one legislative day.

Mr. Garsoe of Cumberland requested a division.

The SPEAKER: The Chair will order a vote. The pending question before the House is on the motion of the gentleman from Newcastle, Mrs. Sewall, that this bill be tabled for one legislative day. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

40 having voted in the affirmative and 74 in the negative, the motion did not prevail.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Sabattus, Mr. LaPlante, that this bill and all its accompanying papers be indefinitely postponed, a roll call having been ordered. Those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA—Bachrach, Benoit, Berry, Blodgett, Brannigan, Brennerman, Brown, A.; Brown, K.C.; Carroll, Chonko, Cloutier, Connolly, Cox, Curtis, Davies, Diamond, Doukas, Dow, Dudley, Dutremble, D.; Elias, Fowlie, Gwadnosky, Hall, Howe, Jacques, E.; Jacques, P.; Jalbert, Joyce, Kane, Kany, Kelleher, Kiesman, LaPlante, Locke, MacEachern, Mahany, McHenry, McKean, McSweeney, Michael, Mitchell, Nadeau, Nelson, M.; Nelson, N.; Norris, Paul, Pearson, Post, Prescott, Reeves, P.; Soulas, Tierney, Tozier, Tuttle, Twitchell, Vincent, Wood.

NAY—Aloupis, Austin, Barry, Berube, Borda, Boudreau, Bowden, Brown, D.; Brown, K.L.; Bunker, Call, Carrier, Carter, D.; Carter, F.; Conary, Cunningham, Damren, Davis, Dellert, Dexter, Dutremble, L.; Fenlason, Fillmore, Garsoe, Gavett, Gillis, Gowen, Gray, Hanson, Hickey, Huber, Hutchings, Immonen, Jackson, Lancaster, Leighton, Leonard, Lewis, Lizotte, Lougee, Lowe, Lund, MacBride, Marshall, Martin, A.; Masterman, Matthews, McPherson, Morton, Nelson, A.; Paradis, E.; Paradis, P.; Payne, Peltier, Peterson, Rolde, Rollins, Roope, Sewall, Sherburne, Small, Smith, Sprowl, Stover, Strout, Studley, Torrey, Wentworth.

ABSENT—Baker, Beaulieu, Birt, Brodeur, Churchill, Drinkwater, Higgins, Hobbins, Hughes, Hunter, Laffin, Masterton, Maxwell, McMahon, Reeves, J.; Silsby, Simon, Stetson, Tarbell, Theriault, Violette, Vose, Whittemore, Wyman.

Yes, 58; No, 68; Absent, 24.

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

The Chair recognizes the gentleman from Monmouth, Mr. Davis.

Mr. DAVIS: Mr. Speaker, having voted on the prevailing side, I now move reconsideration and hope you will all vote against me.

A viva voce vote being taken, the motion did not prevail.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

An Act to Amend the Law Regarding the Reporting of Accidents under the Motor Vehicle

Laws (H. P. 1626) (L. D. 1736) (C. "A" H-775)  
Tabled—February 22, 1980 by Mr. Hobbins of  
Saco.

Pending—Passage to be Enacted.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

---

(Off Record Remarks)

On motion of Mr. Jalbert of Lewiston, adjourned until ten o'clock tomorrow morning.