

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eleventh  
Legislature***

OF THE

**STATE OF MAINE**

**Volume I**

**FIRST REGULAR SESSION**

**December 1, 1982 to May 13, 1983**

**HOUSE**

Monday, February 28, 1983

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

Prayer by Father George Pruitt of Christ Church, Norway.

The members stood at attention during the playing of the National Anthem by the George's Valley High School Band, Thomaston.

The journal of the previous session was read and approved.

**Papers from the Senate  
Reports of Committees**

**Unanimous Ought Not to Pass**

Report of the Committee on Education reporting "Ought Not to Pass" on Bill "An Act to Amend the Education Statutes Regarding Truancy, Correspondence Schools and Courses in Physiology and Hygiene" (S. P. 140) (L. D. 432)

Was placed in the Legislative Files without further action pursuant to Joint Rule 15 in concurrence.

**Unanimous Leave to Withdraw**

Report of the Committee on Taxation reporting "Leave to Withdraw" on Bill "An Act Relating to Exemptions on Property of Institutions and Organizations under the Property Tax Law" (S. P. 69) (L. D. 175)

Report of the Committee on Local and County Government reporting "Leave to Withdraw" on Bill "An Act to Permit Towns to Raise Money for Snow Removal from Private Ways and Driveways" (S. P. 129) (L. D. 316)

Report of the Committee on Labor reporting "Leave to Withdraw" on Bill "An Act to Preserve Negotiated Contracts Between School Committees and Various Bargaining Agents" (S. P. 213) (L. D. 634)

Report of the Committee on Labor reporting "Leave to Withdraw" on Bill "An Act to Provide for Negotiation of Union Security Provisions" (S. P. 189) (L. D. 612)

Were placed in the Legislative files without further action pursuant to Joint Rule 15 in concurrence.

**Ought to Pass in New Draft/New Title**

Report of the Committee on Legal Affairs on Bill "An Act Relating to the Term Wholesaler and Taste Testing Activities under the Liquor Law" (S. P. 107) (L. D. 260) reporting "Ought to Pass" in New Draft under New Title Bill "An Act Relating to Wholesaler's and Taste-testing Activities under the Liquor Laws" (S. P. 283) (L. D. 840)

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed.

In the House, the Report was read and accepted in concurrence, the New Draft given its first reading and assigned for second reading Tuesday, March 1.

**Non-Concurrent Matter**

Bill "An Act Amending the Charter of the Aroostook Prestile Treatment District and the Charter of the Presque Isle Sewer District to Authorize the Withdrawal of Municipalities from the Aroostook Prestile Treatment District" (H. P. 129) (L. D. 137) which was passed to be engrossed as amended by Committee Amendment "A" (H-15) as amended by House Amendment "A" (H-19) thereto in the House on February 23, 1983.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-15) as amended by Senate Amendment "A" (S-10) and House Amendment "A" (H-19) thereto in non-concurrence.

In the House: The House voted to recede and concur.

**Petitions, Bills and Resolves  
Requiring Reference**

The following Bills were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

**Agriculture**

Bill "An Act to Amend the Composition of the Board of Pesticides Control" (H. P. 709) (Presented by Representative Michael of Auburn) (Cosponsor: Senator Wood of York)

Bill "An Act to Extend and Amend the Statute entitled Purchase of Foodstuffs from Maine Concerns" (H. P. 710) (Presented by Representative Michael of Auburn) (Cosponsors: Senator Carpenter of Aroostook Representatives Sherburne of Dexter, and McCollister of Canton)

Bill "An Act to Define Cider" (H. P. 711) (Presented by Representative Michael of Auburn)

(Ordered Printed)

Sent up for concurrence.

**Business Legislation**

Bill "An Act to Change the Jurisdiction for Regulation of Schools of Barbering and Schools of Hairdressing and Beauty Culture" (H. P. 712) (Presented by Representative Brannigan of Portland) (Cosponsors: Representatives Pouliot of Lewiston, Perkins of Brooksville, and Martin of Van Buren)

(Ordered Printed)

Sent up for concurrence.

**Fisheries and Wildlife**

Bill "An Act to Create Boothbay Region Waterfowl Sanctuary" (H. P. 713) (Presented by Representative Holloway of Edgecomb) (Cosponsor: Senator Sewall of Lincoln)

(Ordered Printed)

Sent up for concurrence.

**Judiciary**

Bill "An Act to Amend the Probate Fees" (H. P. 714) (Presented by Representative Soule of Westport)

Bill "An Act to Amend the Reporting Requirements in Cases of Death Due to Abuse or Neglect" (H. P. 715) (Presented by Representative Soule of Westport) (Cosponsor: Representative Hayden of Durham)

Bill "An Act to Eliminate Reports by District Attorneys to the Attorney General" (H. P. 716) (Presented by Representative Daggett of Manchester)

(Ordered Printed)

Sent up for concurrence.

**Public Utilities**

Bill "An Act to Clarify the Fuel Charges of Electric Utilities" (H. P. 717) (Presented by Representative Baker of Portland) (Cosponsors: Representative Vose of Eastport, Senators Baldacci of Penobscot and Kany of Kennebec) (Submitted by the Office of Public Advocate pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

**Taxation**

Bill "An Act to Establish a Limitation of 7 Years to Redeem Property taken by a Municipality for Taxes" (H. P. 718) (Presented by Representative Smith of Island Falls) (Cosponsor: Senator Carpenter of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

(Ordered Printed)

Sent up for concurrence.

**Transportation**

Bill "An Act Requiring Motorists to Protect Children in Motor Vehicles by Use of Approved Child Safety Seats" (H. P. 719) (Presented by Representative Reeves of Pittston) (Cosponsors: Representative Thompson of South Portland, Senators Gill of Cumberland and Diamond of Cumberland) (Submitted by the

Department of Public Safety pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

**Orders**

On motion of Representative McSweeney of Old Orchard Beach, it was

ORDERED, that Representative Roger N. Roderick of Oxford be excused March 1 through March 8 for personal reasons.

On the request of Representative Rolde of York, the following Order was removed from the Special Sentiment Calendar:

Recognizing:

Amnesty International for its voluntary efforts, independent of any government, political faction or religious creed, to secure the effective protection of fundamental human rights throughout the world; (HLS 149) by Representative Rolde of York. (Cosponsor: Representative Reeves of Pittston)

Thereupon, the Order was read.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: Very briefly, I would just like to say a few words about Amnesty International and also remind you that this afternoon, at twelve o'clock, in the Legislative Council Chamber, Mr. Michael Posner, who is the Executive Director of the Lawyers' Committee for International Human Rights and a member of the Amnesty International Board of Directors, will speak on the organization and on international human rights.

Briefly, just to tell you about Amnesty International, it is an organization that has won the Nobel Prize, and its main goal is to deal with, on a totally even-handed basis, what they call prisoners of conscience, those people who have been in prison in any country not for what they have done, not for any acts that they have committed, but simply for stating their beliefs. So, anyone who is a terrorist would not be helped by this organization, only somebody who is in person simply because of what he thought was right.

I have also distributed to you a copy of their publication called "The Matchbox." I hope you will have a chance to read it, and you can see just on the cover the even-handed distribution of their efforts, because they are dealing with freeing a political prisoner in South Korea, which is a non-communist country, and a political prisoner in Cuba, which is a communist country. That very much symbolizes their efforts. They deal with prisoners behind the Soviet Union, as well as prisoners in fascist Argentina.

My own involvement — I have been a member of their national organization for some time. I have written letters on behalf of prisoners in both types of countries. I also want to say there is a chapter in Augusta, there are a couple of chapters in Maine. If anybody is interested and cannot get to hear Mr. Posner, they can talk to me about any further interest they might have. It is very useful to have legislators as members, because when you write to other governments to try and help prisoners, it is very useful if you do have people who are in government themselves.

Thereupon, the Order received passage and was sent up for concurrence.

**House Reports of Committees**

**Unanimous Leave to Withdraw**

Representative Lebowitz from the Committee on State Government on Bill "An Act to Prevent Combining More Than One Bond Issue Item in a Single Bond Issue Bill" (H. P. 508) (L. D. 606) reporting "Leave to Withdraw"

Representative Mitchell from the Committee on Marine Resources on Bill "An Act Concerning the Sardine Tax" (H. P. 161) (L. D. 185) reporting "Leave to Withdraw"

Representative Nadeau from the Committee on Election Laws on Bill "An Act Concerning the Arrangement of Names of Primary and General Election Ballots" (H. P. 10) (L. D. 6) reporting "Leave to Withdraw"

Representative Handy from the Committee on Election Laws on Bill "An Act to Change the Date of the Primary Election" (H. P. 459) (L. D. 561) reporting "Leave to Withdraw"

Were placed in the Legislative Files without further action pursuant to Joint Rule 15, and sent up for concurrence.

### Consent Calendar

#### First Day

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

(H. P. 491) (L. D. 588) Bill "An Act to Provide for an Orderly Transition Period Following the Election of Constitutional Officers"—Committee on State Government reporting "Ought to Pass"

(H. P. 422) (L. D. 505) Bill "An Act to Revise the Mexico Water District Charter"—Committee on Public Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (H-28)

(H. P. 472) (L. D. 571) Bill "An Act to Amend the Special Education Statutes Providing for the Department's General Supervisory Responsibility for All Educational Programming for Exceptional Students"—Committee on Education reporting "Ought to Pass"

No objections being noted, the above items were ordered to appear on the Consent Calendar of March 1, under the listing of Second Day.

(H. P. 520) (L. D. 645) Bill "An Act to Amend Special Education Statutes Related to Complaint Procedures"—Committee on Education reporting "Ought to Pass"

On the request of Mrs. Locke of Sebec, was removed from the Consent Calendar.

On motion of the same gentlewoman, the Bill was recommitted to the Committee on Education and sent up for concurrence.

(H. P. 148) (L. D. 156) Bill "An Act to Reduce the Mandatory Number of Election Clerks for Each Voting Place"—Committee on Election Laws reporting "Ought to Pass"

(S. P. 172) (L. D. 527) Bill "An Act to Provide All Municipalities with the Option to Establish a Local Board of Assessment Review"—Committee on Local and County Government reporting "Ought to Pass"

(S. P. 44) (L. D. 103) Bill "An Act to Expand the Territorial Limits of the Van Buren Light and Power District"—Committee on Public Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (S-9)

(S. P. 171) (L. D. 526) RESOLVE, to Name the Brook and Pond Located on the West Poland Road in Oxford County and on the West Shore of Thompson Lake in Honor of the Perkins Family—Committee on Local and County Government reporting "Ought to Pass"

(H. P. 526) (L. D. 651) RESOLVE, Authorizing the Director of Parks and Recreation to Convey by Deed the Interest of the State of Maine in 3 Certain Parcels of Real Property—Committee on State Government reporting "Ought to Pass"

No objections being noted, the above items were ordered to appear on the Consent Calendar of March 1, under the listing of Second Day.

### Consent Calendar

#### Second Day

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

(H. P. 487) (L. D. 584) Bill "An Act to Amend the Biannual Meetings Between County and Municipal Law Enforcement Officers"

No objections having been noted at the end of the Second Legislative Day, the House Paper was passed to be engrossed and sent up for concurrence.

### Passed to Be Enacted

An Act Concerning Local Leeway Under the School Finance Law (S. P. 264) (L. D. 773)

An Act to Eliminate the Requirement that Persons Over 75 Years of Age Take Periodic Driving Tests (H. P. 19) (L. D. 15)

An Act for the Repeal of Obsolete Provisions of the Retirement Allowance Adjustment Fund (H. P. 287) (L. D. 346)

An Act to Amend the Provision Relating to the Notification of Participating Districts about Changes in Statutes (H. P. 289) (L. D. 348)

Were 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.

The following Enactors appearing on Supplement No. 1 were taken up out of order by unanimous consent:

### Passed to Be Enacted

An Act to Clarify the "Hearing Ear" Dog Law (S. P. 43) (L. D. 101) (C. "A" S-8)

An Act to Clarify Provisions of the Maine Banking Act (S. P. 136) (L. D. 428)

Were 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.

### Emergency Measure

#### Failed of Enactment

An Act Making Additional Appropriations from the General Fund for the Current Fiscal Year Ending June 30, 1983 and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government. (S. P. 265) (L. D. 774)

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

Whereupon, Mrs. Mitchell of Vassalboro requested a roll call vote.

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

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

The SPEAKER: The pending question is on passage to be enacted. This being an emergency measure, it requires a two-thirds vote of all the members elected to the House. All those in favor will vote yes; those opposed will vote no.

### ROLL CALL

YEA—Ainsworth, Allen, Andrews, Armstrong, Baker, Beaulieu, Bell, Benoit, Bost, Brannigan, Brodeur, Carrier, Carroll, D.P.; Carroll, G.A.; Carter, Cashman, Chonko, Clark, Connolly, Cooper, Cote, Cox, Crouse, Crowley, Daggett, Diamond, Dudley, Erwin, Foster, Gwadosky, Hall, Handy, Hayden, Hickey, Higgins, H.C.; Hobbins, Jacques, Joseph, Joyce, Kelleher, Kelly, Ketover, Kilcoyne, LaPlante, Lehoux, Lisnik, Livesay, Locke, MacEachern, Macomber, Manning, Martin, A.C.; Martin, H.C.; Masterton, Matthews, Z.E.; Mayo, McCollier, McGowan, McHenry, McSweeney, Melendy, Michael, Michaud, Mitchell, E.H.; Mitchell, J.; Moholland, Murray, Nadeau, Nelson, Norton, Paradis, P.E.; Paul, Perry, Pouliot, Racine, Reeves, P.; Richard, Roberts, Rolde, Rondini, Smith, C.B.; Smith, C.W.; Soucy, Soule, Stevens, Swazey, Tammara, Telow, Theriault, Thompson, Tuttle, Vose, The Speaker.

NAY—Anderson, Bonney, Bott, Brown, A.K.;

Brown, D.N.; Brown, K.L.; Cahill, Callahan, Conary, Connors, Curtis, Davis, Day, Dexter, Dillenback, Drinkwater, Greenlaw, Higgins, L.M.; Holloway, Ingraham, Jackson, Klesman, Lebowitz, Lewis, MacBride, Masterman Matthews, K.L.; Maybury, McPherson, Murphy, Paradis, E.J.; Parent, Perkins, Pines, Randall, Reeves, J.W.; Roderick, Salisbury, Seavey, Small, Sproul, Stevenson, Stover, Strout, Studley, Walker, Webster, Wentworth, Weymouth, Willey, Zirkilton.

ABSENT—Gauvreau, Jalbert, Kane, Mahany, Ridley, Scarpino, Sherburne.

Yes, 93; No, 51; Absent, 7.

The SPEAKER: Ninety-three having voted in the affirmative and fifty-one in the negative, with seven being absent, the Bill fails of Passage to be Enacted.

By unanimous consent, ordered sent forthwith to the Senate.

### Orders of the Day

The SPEAKER: The Chair would ask the gentleman from Fairfield, Mr. Gwadosky, to come to the rostrum for the purpose of acting as Speaker pro tem.

Whereupon, Mr. Gwadosky assumed the Chair as Speaker pro tem and Speaker Martin retired from the Hall.

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

HOUSE DIVIDED REPORT—Majority (9) "Ought Not to Pass"—Minority (4) "Ought to Pass" as amended by Committee Amendment "A" (H-23)—Committee on Health and Institutional Services on Bill "An Act to Require the Use of Generic Drugs in the Low-cost Drug Program for the Elderly" (H. P. 157) (L. D. 182)

Tabled — February 25 by Representative Nelson of Portland

Pending — Acceptance of either Report.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Portland, Mrs. Nelson.

Mrs. NELSON: Mr. Speaker, I move acceptance of the Majority "Ought Not to Pass" Report.

The SPEAKER pro tem: The gentlewoman from Portland, Mrs. Nelson, moves that the Majority "Ought Not to Pass" Report be accepted.

The Chair recognizes the gentleman from Island Falls, Mr. Smith.

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I hope you will vote against the motion before you and vote with me to accept the Minority Report.

When I first introduced this bill, I contacted a few people with the low-income program and I felt after talking with them that it was a good bill. When the bill was printed, I contacted some lobbyists and the pharmacists that were opposed to it. I asked why. The answer was, we are doing it now. Well, I said, if so, what is the problem? I got no answer. A few days later, the same person came to me again and said they were not going to oppose it, but at the hearing they did oppose it and offered an amendment. The amendment would make law what is now a regulation and I feel that maybe, just maybe, when made law those pharmacists would comply with it.

The original bill would require generics to be dispensed unless the doctor stated otherwise. The amendment will allow the pharmacists to decide whether or not the generic drug is of equal quality, and if they feel it is not, they would prescribe the brand name. On the original bill the doctor would be contacted for that decision. My reasoning is that if a drug that has been prescribed to you by your doctor does not agree with you, you would let your doctor know, not the pharmacist.

I have been taking generic drugs for over four years for a heart condition. I have talked with other members of this body and they have been taking generic drugs and find no problems and it saves considerable money. The generic drug which I take costs me \$5.95 for 100,

which includes postage. The state pays \$9.61 for 100 of the same generic drug and \$19.24 for the brand name. The state is supposed to be buying it wholesale.

Generic drugs have been referred to by some pharmacists as junk, made in bathtubs, and they would not prescribe them to anyone. In 1972, Henry E. Simons, M.D., of the FDA, then the head of the Bureau of Drugs, stated: "On the basis of the data that we have accrued to date, we cannot conclude there is a significant difference in quality between generic and brand name products tested. Both large and small pharmaceutical firms have had quality control problems." In 1978, in testimony concluded in House Subcommittee on Consumer Protection and Finance, Donald Kennedy, PH.D., then AFD Commissioner, affirmed that in FDA's view there is no widespread difference in the quality among drugs approved by the FDA, whether they are sold under the generic name or under heavily advertised brand names. We all know the cost of advertising and who pays for that.

The elderly have the greatest need for drugs; in general, the lowest income. The state should have much to say about low-income drug programs. In every instance, it saves taxpayers money and provides the service to all who qualify. It was stated at the hearing that we are making second-class citizens of our elderly by making them take generic drugs. The VA prescribes generic drugs, and I believe anyone would be wrong to classify our veterans as second-class citizens.

There is an old saying: "what's in a name?" In this case, it is dollars. The United States Department of Agriculture gives out cheese to those who qualify. I do not believe that you will find a brand name on the cheese and I do not believe that the people who get the cheese ask if it is Kraft, Borden's or any other brand.

Please vote no on the motion before you. I would ask for a roll call.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Portland, Mrs. Nelson.

Mrs. NELSON: Mr. Speaker, Men and Women of the House: I don't think anyone here is against generic drugs. We know that they are, in many cases, equal to the value of the regular drug but that is not the issue. The issue that was brought before our committee was, should all generic drugs be used in place of prescribed drugs for the elderly. There are only three kinds of illnesses which this refers to, and that is high blood pressure, heart disease and diabetes.

Right now, at this very moment, the pharmacists must do what this bill requires them to do. There is no need for this bill because already in regulation it appears. Once a regulation has gone through the proper procedures, it has all the effects and all the strengths of a law; so, in fact, what this gentleman is trying to do, with all good intentions, is already being done. So we in our committee, who listened to the hearing and had three workshops on it, who have spoken to the people in the department and found out indeed wherever necessary, wherever needed, wherever possible, generic drugs are indeed substituted in these cases. We don't need this; we don't need it, it is being done.

We have asked the department to remind the pharmacists that a rule and regulation has, indeed, all the force of a law, and they have promised that they will send out to remind the pharmacists that that is true.

Ladies and gentlemen, we don't need extra laws on the books. God knows, we have enough already. This is one piece of legislation we don't need because we are doing it, we are doing it now, we are doing it well. Please support the "ought not to pass" motion.

The SPEAKER pro tem: The Chair recognizes the gentleman from Island Falls, Mr. Smith.

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I think as she pointed out, it

is now regulation, but as I said before, the pharmacists' lobbyist was opposed to it. He said, we are already doing it. Well, if they are already doing it, why are they opposed to it? It is simply that a law seems to have more affect on people than just having regulations. I have an item here: Many pharmacists do not stock the generic drugs because they are less profitable, they complicate their inventory, and that is a matter of fact.

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

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

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Portland, Mrs. Nelson.

Mrs. NELSON: Mr. Speaker, Men and Women of the House: Just one last comment. May I quote from a relatively famous person from France who says it so much better than I — "what have our legislators gained by selecting a hundred thousand particular cases and actions and applying them in a hundred thousand laws to them? The most desirable laws are those that are the rarest and simplest and most general, and even I think it would be better to have none at all, to have them all in such numbers as we have."

We have it, it is on the books, there is no problem and I ask you to please support the "Ought Not to Pass" Report.

The SPEAKER pro tem: The Chair recognizes the gentleman from Island Falls, Mr. Smith.

Mr. SMITH: Mr. Speaker, Members of the House: I think there is a problem or I wouldn't have this bill before you.

The SPEAKER pro tem: A roll call has been ordered. The pending question is on the motion of the gentlewoman from Portland, Mrs. Nelson, that the Majority "Ought Not to Pass" Report be accepted. All those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEAS—Ainsworth, Andrews, Armstrong, Beaulieu, Bell, Benoit, Bonney, East, Brannigan, Brodeur, Brown, D.N.; Brown, K.L.; Cahill, Carroll, D.P.; Carter, Cashman, Chonko, Connolly, Cooper, Cote, Cox, Crowley, Curtis, Daggett, Day, Dillenback, Foster, Hall, Handy, Hayden, Hickey, Higgins, H.C.; Hobbins, Holloway, Ingraham, Joseph, Kelly, LaPlante, Lebowitz, Lehoux, Livesay, MacBride, MacEachern, Masterman, Masterton, Maybury, Mayo, McCollier, McPherson, Murphy, Murray, Nadeau, Nelson, Norton, Paradis, E.J.; Perkins, Pines, Pouliot, Racine, Randall, Reeves, P.; Richard, Rolde, Salsbury, Seavey, Small, Smith, C.W.; Soule, Sproul, Stevens, Telow, Thompson, Vose, Walker, Webster, Wentworth, Weymouth, Wiley, Zirkilton.

NAYS—Allen, Anderson, Bott, Brown, A.K.; Callahan, Carrier, Carroll, G.A.; Clark, Conary, Conners, Crouse, Davis, Dexter, Diamond, Drinkwater, Dudley, Erwin, Greenlaw, Higgins, L.M.; Jackson, Jacques, Joyce, Ketover, Kiesman, Kilcoyne, Lewis, Lisnik, Locke, Macomber, Manning, Martin, A.C.; Martin, H.C.; Matthews, K.L.; Matthews, Z.E.; McGowan, McHenry, McSweeney, Melendy, Michael, Michael, Mitchell, E.H.; Mitchell, J.; Moholland, Paradis, P.E.; Parent, Paul, Perry, Reeves, J.W.; Roberts, Roderick, Rotondi, Smith, C.B.; Soucy, Stevenson, Stover, Strout, Studley, Swazey, Tammaro, Theriault, Tuttle.

ABSENT—Baker, Gauvreau, Gwadosky, Jalbert, Kane, Kelleher, Mahany, Ridley, Scarpino, Sherburne, The Speaker.

Yes, 79; No, 61; Absent, 11.

The SPEAKER pro tem: Seventy-nine having voted in the affirmative and sixty-one in the negative, with eleven being absent, the motion does prevail.

Sent up for concurrence.

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

Bill "An Act to Amend the Banking Code Regarding Directors' Meetings and Regarding Service Corporations" (H. P. 295) (L. D. 354)

Tabled—February 25, 1983 by Representative Brannigan of Portland.

Pending—Adoption of Committee Amendment "A" (H-18)

On motion of Mr. Brannigan of Portland, retabled pending adoption of Committee Amendment "A" and tomorrow assigned.

At this point, Speaker Martin returned to the rostrum.

Speaker MARTIN: The Chair would thank the gentleman from Fairfield, Mr. Gwadosky, for presiding.

Thereupon, the Sergeant-at-Arms escorted Mr. Gwadosky to his seat on the floor and Speaker Martin resumed the Chair.

#### (Off Record Remarks)

On motion of Mr. Carter of Winslow, Adjourned until nine o'clock tomorrow morning.