

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Twelfth  
Legislature***

OF THE

**STATE OF MAINE**

**Volume I**

**FIRST REGULAR SESSION**

**December 5, 1984 - June 20, 1985**

**HOUSE**

Friday, March 1, 1985

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

Prayer by Reverend Richard Watson, St. John's Episcopal Church, Presque Isle.

Quorum called; was held.

The Journal of yesterday was read and approved.

**Papers from the Senate  
Later Today Assigned**

Bill "An Act to Establish Rights for Individuals Receiving Care from Home Health Care Providers" (S.P. 298)

Came from the Senate indefinitely postponed.

(The Committee on Reference of Bills had suggested reference to the Committee on Human Resources.)

On motion of Representative Nelson of Portland, tabled pending further consideration and later today assigned.

Bill "An Act to Improve the Neutral Processes under Maine's State Bargaining Law" (S.P. 329)

Came from the Senate indefinitely postponed.

(The Committee on Reference of Bills had suggested reference to the Committee on Labor.)

Was indefinitely postponed in concurrence.

**Unanimous Leave to Withdraw**

Report of the Committee on Judiciary reporting "Leave to Withdraw" on Bill "An Act to Change Urinating in Public from Public Indecency to a Lesser Crime" (S.P. 17) (L.D. 10)

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

**Ought to Pass in New Draft**

Report of the Committee on Legal Affairs on Bill "An Act to Permit Beano on Sundays after Noon" (S.P. 36) (L.D. 44) reporting "Ought to Pass" in New Draft (S.P. 259) (L.D. 669)

Came from the Senate, with the report read and accepted and the New Draft passed to be engrossed as amended by Senate Amendment "A" (S-6).

Report was read and accepted. The New Draft read once. Senate Amendment "A" (S-6) read and adopted and the New Draft assigned for its second reading Tuesday, March 5, 1985.

**Non-Concurrent Matter**

Bill "An Act Establishing Educational Scholarships for Children of Firefighters and Police Officers who Die in the Performance of Their Duty" (H.P. 478) (L.D. 681) which was referred to the Committee on Appropriations and Financial Affairs in the House on February 27, 1985.

Came from the Senate referred to the Committee on Education in non-concurrence.

On motion of Representative Carter of Winslow, the House voted to adhere.

Sent up for concurrence.

**Non-Concurrent Matter**

Bill "An Act to Prohibit Consumption of Alcoholic Beverages within 15 Feet of a Public Way" (H.P. 529) (L.D. 749) which was referred to the Committee on Judiciary in the House on February 27, 1985.

Came from the Senate referred to the Committee on Legal Affairs in non-concurrence.

The House voted to recede and concur.

**Non-Concurrent Matter**

Bill "An Act Concerning the Composition of the Board of Elevator and Tramway Safety" (H.P. 531) (L.D. 751) which was referred to the Committee on Labor in the House on February 27, 1985.

Came from the Senate referred to the Com-

mittee on Business and Commerce in non-concurrence.

The House voted to recede and concur.

**Messages and Documents**

The following Communication: (S.P. 285)  
112th Maine Legislature

February 27, 1985

Senator Zachary E. Matthews

Representative Paul F. Jacques

Chairpersons

Committee on Fisheries and Wildlife

112th Legislature

Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Asa Holmes of Belfast for appointment to the Inland Fisheries and Wildlife Advisory Council.

Pursuant to Title 12, MRSA Section 7033, this nomination will require review by the Joint Standing Committee on Fisheries and Wildlife and confirmation by the Senate.

Sincerely,

S/CHARLES P. PRAY

President of the Senate

S/JOHN L. MARTIN

Speaker of the House

Came from the Senate, Read and Referred to the Committee on Fisheries and Wildlife.

Was Read and Referred to the Committee on Fisheries and Wildlife in concurrence.

The following Communication: (S.P. 286)  
112th Maine Legislature

February 27, 1985

Senator Zachary E. Matthews

Representative Paul Jacques

Chairpersons

Committee on Fisheries and Wildlife

112th Legislature

Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Marc S. Plourde of Eagle Lake for reappointment to the Inland Fisheries and Wildlife Advisory Council.

Pursuant to Title 12, MRSA Section 7033, this nomination will require review by the Joint Standing Committee on Fisheries and Wildlife and confirmation by the Senate.

Sincerely,

S/CHARLES P. PRAY

President of the Senate

S/JOHN L. MARTIN

Speaker of the House

Came from the Senate, Read and Referred to the Committee on Fisheries and Wildlife.

Was Read and Referred to the Committee on Fisheries and Wildlife in concurrence.

The following Communication:

STATE OF MAINE

HOUSE OF REPRESENTATIVES

SPEAKER'S OFFICE

AUGUSTA, MAINE 04333

February 28, 1985

Hon. Edwin H. Pert

Clerk of the House

State House Station #2

Augusta, Maine 04333

Dear Clerk Pert:

This is to notify you that pursuant to my authority under S.P. 121, I have today appointed the following members to serve on the Joint Select Committee to Study the Shoe Industry:

Rep. Phyllis Erwin of Rumford

Rep. Bradford Boutillier of Lewiston

Rep. Thomas Duffy of Bangor

Rep. Richard Armstrong of Wilton

Sincerely,

S/JOHN L. MARTIN

Speaker of the House

Was read and ordered placed on file.

**Petitions, Bills and Resolves  
Requiring Reference**

The following Bills and Resolves were received and, upon the recommendation of the Committee on Reference of Bills, were referred to the following Committees, Ordered Printed and Sent up for Concurrence.

**Appropriations and Financial Affairs**

Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Department of Inland Fisheries and Wildlife Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1986, and June 30, 1987" (Emergency) (H.P. 632) (Presented by Representative JACQUES of Waterville) (Cosponsors: Representatives CLARK of Millinocket, CONNERS of Franklin and Senator MATTHEWS of Kennebec) (Submitted by the Department of Finance and Administration pursuant to Joint Rule 24)

(Ordered printed)

Sent up for concurrence.

**Later Today Assigned**

Bill "An Act to Require Final Usage Labeling for all Surimi Products" (H.P. 633) (Presented by Representative SCARPINO of St. George) (Cosponsor: Representative HOLLOWAY of Edgecomb)

The Committee on Commerce and Business was suggested.

On motion of Representative Brannigan of Portland, tabled pending reference and later today assigned.

**Fisheries and Wildlife**

Bill "An Act Relating to Coyote Control" (H.P. 634) (Presented by Representative RIDLEY of Shapleigh) (Cosponsors: Representatives JACQUES of Waterville, MICHAUD of Medway and LANDER of Greenville)

Bill "An Act to Make Additional Allocations to the Department of Inland Fisheries and Wildlife for the Fiscal Year Ending June 30, 1985" (Emergency) (H.P. 635) (Presented by Representative JACQUES of Waterville) (Cosponsors: Senator MATTHEWS of Kennebec, Representatives ERWIN of Rumford and CONNERS of Franklin) (Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

**Legal Affairs**

Bill "An Act to Amend the Motor Vehicle Laws with Reference to Operating Under the Influence to Decriminalize Proceedings under the Traffic Infraction Laws" (Emergency) (H.P. 636) (Presented by Representative STETSON of Damariscotta) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

The Committee on Judiciary was suggested.

On motion of Representative Kane of South Portland, referred to the Committee on Legal Affairs, ordered printed and sent up for concurrence.

**Judiciary**

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for an Express Statement of the Right to Bail and Authorizing the Denial of Bail in Certain Cases (H.P. 637) (Presented by Representative DIAMOND of Bangor) (Cosponsors: Representatives KANE of South Portland, McGOWAN of Canaan and Senator CHALMERS of Knox)

(Ordered Printed)

Sent up for concurrence.

**State Government**

Bill "An Act Concerning the Wording of Referendum Questions" (H.P. 638) (Presented by Representative CARRIER of Westbrook) (Cosponsors: Representatives RACINE of Biddeford, SWAZEY of Bucksport, and Senator Brown of Washington)

(Ordered Printed)  
Sent up for concurrence.

#### Taxation

Bill "An Act to Provide for a Sales Tax on the Advertising of Alcoholic Beverages" (H.P. 639) (Presented by Representative HIGGINS of Portland) (Cosponsor: Senator BUSTIN of Kennebec)

Bill "An Act Concerning Information Provided Prior to the Payment of Excise Taxes on Motor Vehicles" (H.P. 640) (Presented by Representative JACQUES of Waterville) (Ordered Printed)  
Sent up for concurrence.

#### Orders

On motion of Speaker MARTIN of Eagle Lake, the following Joint Resolution: (H.P. 641) (Cosponsors: Representatives RICHARD of Madison, HICKEY of Augusta, and Senator GAUVREAU of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 35)

#### JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ADOPT LEGISLATION PROVIDING EQUAL BENEFITS TO RETIREES UNDER THE SOCIAL SECURITY ACT

WE, your Memorialists, the House of Representatives and the Senate of the State of Maine in the One Hundred and Twelfth Legislature, now assembled, most respectfully present and petition your Honorable Body, as follows:

WHEREAS, at the present time under the Social Security Act individuals who became eligible for benefits in or after 1979 received reduced benefit levels compared to individuals who became eligible prior to 1979 resulting from changes made in 1977 in the benefit computation formula; and

WHEREAS, this disparity in benefit levels has been referred to as the "notch" and has resulted in reduced benefits having been awarded to approximately 1.3 million persons; and

WHEREAS, any remedy for narrowing the gap in benefits is complicated because the "notch" has been in use since 1979; and

WHEREAS, legislation will be introduced in the United States House of Representatives by Congressman Roybal, of Florida, who is the Chairman of the Aging Committee of the House of Representatives, in an effort to eliminate the "notch;" and

WHEREAS, it is appropriate that the Legislature of the State of Maine take a stand in support of this legislation to protect the rights of the citizens of our State; now, therefore, be it

RESOLVED, That We, your Memorialists, respectfully recommend and urge the Congress of the United States to use every possible means at its command to pass legislation which will eliminate the disparity in benefit levels awarded under the Social Security Act with respect to benefits awarded prior to 1979 and in and after 1979 so as to provide equitable benefits for all retirees; and be it further

RESOLVED: That duly authenticated copies of this Memorial be transmitted to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Senate and House of Representatives in the Congress of the United States from this State.

Was read and adopted and sent up for concurrence.

On motion of Speaker MARTIN of Eagle Lake, the following Joint Resolution: (H.P. 642) (Cosponsors: Senator VIOLETTE of Aroostook and Representative BRODEUR of Auburn) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 35)

#### JOINT RESOLUTION MEMORIALIZING

#### THE CONGRESS OF THE UNITED STATES TO FORMULATE A RESPONSIVE POLICY TO THE NEEDS OF THE ETHIOPIAN PEOPLE

WE, your Memorialists, the House of Representatives and Senate of the State of Maine in the One Hundred and Twelfth Legislature, now assembled, most respectfully present and petition your Honorable Body as follows:

WHEREAS, the severity of the famine afflicting Ethiopia and other parts of Africa requires and is receiving international attention; and

WHEREAS, the United States is committed to providing extensive and continuing humanitarian aid to Ethiopia in order to save the lives of large numbers of famine victims and to stem the dire consequences of prolonged famine; and

WHEREAS, the multiplicity of factors contributing to the severity of the famine must be identified and understood if policies for dealing effectively with the disaster are to be developed; and

WHEREAS, drought is but one of many factors contributing to the famine; and

WHEREAS, the current government of Ethiopia, a Marxist-Leninist military dictatorship supported ideologically and militarily by the Soviet Union, has adopted policies and practices which have proven destructive to the land and the people of Ethiopia in its attempt to impose an ideology and insure its own absolute control over the country; and

WHEREAS, these policies and practices of the current Ethiopian regime are significant factors contributing to the severity of the present famine; and

WHEREAS, neither the United States nor the Ethiopian people benefit from United States aid which strengthens the Soviet-supported military regime's hold on Ethiopia; and

WHEREAS, the United States, while providing extensive aid to Ethiopia, has not openly addressed the political situation there; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully recommend and urge the Congress of the United States to use every possible means at its command to address the question of United States policy towards Ethiopia and to formulate a policy which, while continuing to respond to the need for aid to famine-stricken areas, acknowledges and evaluates the political conditions which exist in Ethiopia; and be it further

RESOLVED; That a duly authenticated copy of this Memorial be immediately submitted by the Secretary of State to the Honorable Ronald W. Reagan, President of the United States, to the President of the Senate and Speaker of the House of Representatives of the Congress of the United States and to each Member of the Senate and House of Representatives in the Congress of the United States from this State.

Was read and adopted and sent up for concurrence.

#### Reports of Committees

##### Unanimous Leave to Withdraw

Representative BEAULIEU from the Committee on Labor on Bill "An Act Concerning the Minimum Wage for Minors" (H.P. 395) (L.D. 544) reporting "Leave to Withdraw"

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

##### Refer to the Committee on Education

Representative SEAVEY from the Committee on Human Resources on Bill "An Act Concerning Child Protective Services" (H.P. 173) (L.D. 207) reporting that it be referred to the Committee on Education.

Report was read and accepted and the bill referred to the Committee on Education and sent up for concurrence.

#### Divided Report

Majority Report of the Committee on Transportation reporting "Ought to Pass" on Bill "An Act Concerning Expiration of Motor Vehicle Drivers' Licenses for Persons 65 Years of Age and Older" (H.P. 209) (L.D. 243)

Signed:

Senator:

SHUTE of Waldo

Representatives:

MACOMBER of South Portland

POULIOT of Lewiston

McPHERSON of Eliot

MILLS of Bethel

STROUT of Corinth

THERIAULT of Fort Kent

CAHILL of Woolwich

CALLAHAN of Mechanic Falls

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

Signed:

Senators:

ERWIN of Oxford

DANTON of York

Representatives:

MOHOLLAND of Princeton

SOUCY of Kittery

Reports were read.

Representative Theriault of Fort Kent moved acceptance of the Majority "Ought to Pass" Report.

The SPEAKER: The Chair recognizes the Representative from Fort Kent, Representative Theriault.

Representative THERIAULT: Thank you Mr. Speaker. Members of the House: Under the present law, drivers upon reaching the age of 40 are required to take an eye examination in order to renew their driver's license. Subsequently, the requirement is repeated at age 52 and also at 64. Along with this, licenses are issued for a period of 4 years. Upon reaching the age of 65, a driver is now required to take an eye examination every 2 years and along with this is issued a 2 year license. This bill would require an eye examination every 4 years rather than every 2 years. This would thereby allow the Department of Motor Vehicle to issue a 4 year license to our senior citizens like they are doing for our other citizens.

During the hearing, the only dissenting testimony was provided by the representative from the Motor Vehicle Department and the testimony was based primarily on personal feelings rather than facts. Also, in attendance at the hearing were representatives from the Highway Safety Council and they did not testify against the bill. Also present were members of the State Police, the Deputy Chief, and he did not testify against the bill. Also during the testimony, it was developed that the drivers in that age group do not have a worse driving record than those in many other categories. So based on that decision, the majority of the Committee went with the Bill.

On motion of Representative Theriault of Fort Kent, the Majority "Ought to Pass" Report was accepted, the Bill read once, and assigned for second reading, for Tuesday, March 5, 1985.

#### Consent Calendar

##### First Day

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

(H.P. 149) (L.D. 183) Bill "An Act to Amend the Law Concerning Pension Benefits for Dependents of Sheriffs" Committee on Aging, Retirement and Veterans reporting "Ought to Pass" as amended by Committee Amendment "A" (H-9)

(H.P. 169) (L.D. 203) Bill "An Act to Allow Transmittal of Certificates of Illegitimate Births to Other Municipalities" Committee on Human Resources reporting "Ought to Pass"

There being no objections, the above items were ordered to appear on the Consent Calendar.

dar of Tuesday, March 5, 1985 under the listing of Second Day.

#### **Consent Calendar Second Day**

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

(H.P. 9) (L.D. 7) Bill "An Act to Increase the Fees of Bail Commissioners" (C. "A" H-8)

On motion of Representative Connolly of Portland, was removed from the Second Day Consent Calendar.

Report was read and accepted and the Bill read once.

Committee Amendment "A" (H-8) was read by the Clerk and adopted.

The Bill as amended was assigned for Second Reading, March 5, 1985.

(H.P. 137) (L.D. 162) Bill "An Act to Create a Seamen's Memorial Day"

(H.P. 222) (L.D. 256) Bill "An Act to Designate 'Pertica quadrifaria' the Official Fossil of the State of Maine"

(H.P. 224) (L.D. 258) Bill "An Act to Make Administrative Changes in Truck Weight Tolerances"

No objections having been noted at the end of the Second Legislative Day, the House Papers were Passed to be Engrossed or Passed to be Engrossed as Amended and sent up for concurrence.

#### **Passed to Be Engrossed**

Bill "An Act to Clarify the Term 'Authorized Person' Under the Law Relating to Deaths and Burials" (S.P. 258) (L.D. 651)

Bill "An Act Clarifying the Laws Relating to Fireworks" (H.P. 543) (L.D. 755)

Bill "An Act to Restrict certain Agencies with Respect to Purchases of Real Property" (H.P. 630) (L.D. 774)

Bill "An Act to Deputize National Marine Fisheries Service Officers, United States Coast Guard Personnel and Law Enforcement Personnel of other States as Department of Marine Resources Marine Patrol Officers and to Define Possession" (H.P. 631) (L.D. 775)

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Penobscot County for the Year 1985 (Emergency) (H.P. 549) (L.D. 761)

Were reported by the Committee on Bills in the Second Reading, read the second time, the Senate Paper was Passed to be Engrossed in concurrence and the House Papers were Passed to be Engrossed and sent up for concurrence.

#### **Passed to be Enacted Emergency Measure**

An Act to Count all Students Living on Federal or State Property as Residents of the District but not Residents of a Municipality (H.P. 102) (L.D. 127)

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. 121 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### **Emergency Measure (Failed Enactment)**

An Act Pertaining to Law Enforcement Officers and Public Office Holding (H.P. 467) (L.D. 616)

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

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Higgins.

Representative HIGGINS: Mr. Speaker, Ladies and Gentlemen of the House: Before we vote on this piece of legislation this morning, I

would like to ask someone from the Committee or the Sponsor of the Bill if they could explain to us how this is going to change requirements for people who are law enforcement officers to run for a municipal office. I am concerned because I have been made aware of some abuses at least by opposing candidates in some areas. Also I think the potential for some problems exist where you have a law enforcement person who is running for an office, whether it be a partisan office or a non-partisan office, which I think this bill addresses itself to. But I wish before we do vote on it that someone would explain how this is going to change the law for the people of Maine.

The SPEAKER: The Representative from Scarborough, Representative Higgins, posed a question through the Chair to anyone who may respond if they so desire.

The Chair recognizes the Representative from Fairfield, Representative Gwadosky.

Representative GWADOSKY: Mr. Speaker, Men and Women of the House: This Bill, which was sponsored by Representative Strout, was brought to the Committee to solve a problem that many State Police and law enforcement officers to address the situation they now find themselves involved in. Currently, they are prohibited from serving in any non-partisan public office, such as the school board or a town council, something to that extent. Because of a recent Attorney General's opinion, they have found that even those who were currently in those positions were going to have to either resign from their position or no longer be a member of the State Police. There is somewhat of a deadline here because many members are currently on the ballot and are going to be candidates for these positions and many of these towns have problems simply because they didn't know what the State was going to be doing with the Bill.

The purpose of this Bill is to allow law enforcement officers, any law enforcement officer of the state, to run for a non-partisan position. We are not talking about partisan elections. It is very important to remember we are only talking about non-partisan positions. But there is a number of prohibitions in this Bill. We decided as a Committee that it was important to correct this imbalance that currently exists. For example, game wardens and liquor inspectors can currently run for non-partisan state offices. But members of the State Police, for example, could not run for these same offices. We thought that that was an injustice that had to be clarified and we did so. But we also recognized that there could be the possibility of potential abuse when we tried to achieve some sort of equality in an area where the states vary so much. In an area like Representative Strout's district, they don't raise funds for example, to run for selectman or town council. They can barely get enough people to run for first selectman or second selectman. However, in an area like Portland, they raise \$10,000 to become a member of the city council. So with that in mind, we put in these prohibitions.

We said that any law enforcement officer can run for a non-partisan position but, first of all, they are prohibited from soliciting funds. The law enforcement officers themselves would be prohibited from soliciting funds for any campaign for public office while dressed in uniform or wearing a law enforcement officer's badge.

Secondly, they are prohibited from personally soliciting funds for any campaign for non-partisan office. But it does allow for other people who may be in their campaign to solicit.

Lastly, it would prohibit any law enforcement officer in the state from coercing contributions for any non-partisan or partisan campaign. In other words, it would be a prohibition for them to use their official capacity as a law enforcement officer in order to seek that position. We have also put a penalty provision in the Bill, which is a class E crime for

anyone who is found guilty of this, it was an unanimous report and the Committee feels quite strongly now that with these safeguards that we have been able to achieve a balance between those who are currently allowed to run for non-partisan and those who cannot.

The SPEAKER: The Chair recognizes the Representative from Canton, Representative McCollister.

Representative MCCOLLISTER: Mr. Speaker, I would like to address a question through the Chair. When does a non-partisan office become a partisan office? When the people vote or when a party makes an issue over that office?

The SPEAKER: The Representative from Canton, Representative McCollister has posed a question through the Chair to anyone who may respond if they so desire.

The Chair recognizes the Representative from Fairfield, Representative Gwadosky.

Representative GWADOSKY: Mr. Speaker, Men and Women of the House: A partisan office is obviously something like when you run for legislature. You run for a political party. Non-partisan offices are public offices, like the school board, town council type of positions. There are a few areas in the state such as Biddeford, perhaps Saco and Waterville, where you actually run from a party when you run for town council or school board. That does only happen in a couple areas of the state. Under this Bill you would be prohibited from running for those partisan type positions. So we are only talking about the non-partisan offices.

The SPEAKER: The Chair recognizes the Representative from Lisbon, Representative Jalbert.

Representative JALBERT: I would like to pose a question to the Chairman of the Committee. If you had the situation in a local election, where you do have a conflict of interest in a law enforcement officer running for selectman or school board, would this Bill allow them to do this even though it would be a conflict of interest?

The SPEAKER: The Representative from Lisbon, Representative Jalbert has posed a question through the Chair to anyone who may respond if they so desire.

The Chair recognizes the Representative from Fairfield, Representative Gwadosky.

Representative GWADOSKY: Thank you Mr. Speaker. I am really not sure how to answer that question. I guess I don't understand the question. Let me mention one point though that may address the problem.

Anybody is free to run for these non-partisan positions. The only way you would know that you were going to have a conflict of some kind; I am trying to foresee what the question might be, perhaps if you have a State Police person who was involved, serving in the capacity of a selectman who was actually licensing an establishment, somewhere down the road conceivably, he could be in a position of having to enforce, as a member of the State Police, that license. So in those instances, the normal course of practice is, if a State Police person who happened to be on a selectman board, knew that he was going to be in a position of having to vote on a particular license, most often they would abstain from voting on that premise, just to prevent a potential conflict. I hope that answers the question.

The SPEAKER: The Chair recognizes the Representative from Lisbon, Representative Jalbert.

Representative JALBERT: I am still concerned Mr. Speaker, and Ladies and Gentlemen of the House, that there is no statutory provisions that prevents, that makes any provision as to a town official acting in a capacity would be conflict of interest. Just more or less on a day to day basis. What I am concerned about is, that if this is enacted, will it be so cut and dry on the books that it says to a law enforcement official in a town alone by statute, I can run for those offices of selectmen. Or someone else

will say, I cannot. An employee of the public works may not run because it would be a conflict of interest. Someone else may not run because they work for the municipality. But if you put it in black and white and you say that a policeman or a law enforcement official in a municipality can run for a non-partisan election, you, in effect, give him a license and say, you go right ahead and you make no provisions for anyone else. The only concern I had is, be very careful. I am a town official in my town. I know both sides of it. I know I could not run for the House for about 29 years because I was an employee of the state. It had to be non-partisan. I could run for non-partisan. It had to be on a ruling from the Attorney General that I could run for those positions in a town. But be very careful that you are not opening a door. I can see the position and I feel sorry for the members of the State Police because they were left out of being able to run for non-partisan, where every other state employee could. But I think that you are opening a door here to a small town saying that the law enforcement official could run for board of selectman and then you are going to to have one heck of a mess. It is not right and I can see it coming. That is how I feel.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Kane.

Representative KANE: Thank you Mr. Speaker. Ladies and Gentlemen: First, I hate to disagree with my friend and colleague from the State Government Committee, but I think it naive to suggest that in practical terms the only partisan office is that office which has a D or an R next to it on the ballot. In my town we certainly have non-partisan school board and non-partisan city council elections. But I think everybody in town knows who the Democrats are and who the Republicans are. I think it is really incredibly unwise to just suggest that — State Policemen are just not average state employees. State Policemen go around with most of the powers of the state in their hands as they go around day to day. I think it is just an incredibly drastic change to suggest that. State police not to be treated like other state employees in this regard.

The average state employee or the average post office worker for example, that can run for these offices, I don't think bear any resemblance at all to the guy going around with literally all the powers that has been endowed on him and his colleagues by this legislature and other legislatures. And to say that he can't solicit funds, I don't think is particularly important because the next section of the Bill, I think, says that this is not to be construed to mean that anyone cannot receive funds on his behalf. So the policeman may not be able to go, he may not be able to park his car and go up in uniform and suggest that they ought to donate. But any member of his family can certainly receive funds. And it might be that this policeman might be exactly in the position where there is a charge say in District Court and the DA is willing to file it, the Judge won't object if the DA and the policeman agree to file this charge. It may make a difference on whether there is an arrest record for a young person in the family for the rest of his life. If it is filed, it will probably disappear forever. And this policeman may have that authority by himself to make the decision on whether or not a person is going to have a criminal record for the rest of his life. And, in that instance, I think people may become interested in the political ambitions of that policeman were he to be a candidate for a "non-partisan" political office. I think this is incredibly unwise legislation.

The SPEAKER: The Chair recognizes the Representative from Corinth, Representative Strout.

Representative STROUT: Mr. Speaker and Members of the House: The State Government

Committee, in my opinion, come out with a report that is better than what I initially presented. I think what we are talking about here today is a law that has been on the books since 1925 that allowed State Police Officers in the state to run for an office, but after they were elected, it didn't allow them to serve. With the state law that we have right now, if this isn't enacted says, that during their term of service they shall hold no other office. That is the part that concerned me, but you are not talking about selectman or councilman or school board members. What you are talking about with the present law, as I understand from the Attorney General's opinion, is that these people cannot even serve in civic organizations and hold offices. For instance, I know people who are members of the State Police, who are members of the Masonic Lodge, but they cannot hold an office. That is what the state law says. It does not allow them to hold an office in a church. Now I think this is wrong when we take a certain group of people in this state, which I think are respected individuals, and not allow them to hold civic offices. I think this is wrong.

What I do like in the Committee's redraft, in my opinion, is that they have allowed state police to run for non-partisan office and restricted them from soliciting funds. I really think what you have here today is a proposed law that is going to be more beneficial and better for the people for the state than what we have on the books right now. As I said before, this law has been on the books since 1925 and does allow a state police officer to run for the office, but once he is elected, he cannot serve.

The SPEAKER: The Chair recognizes the Representative from Island Falls, Representative Smith.

Representative SMITH: Thank you Mr. Speaker. Ladies and Gentlemen of the House: I guess maybe some of you don't realize, but State Police aren't the only ones that have power of arrest. You got game wardens, you got liquor law enforcement people and you got forestry personnel that have powers of arrest. So when you say they are the only ones that have this power, I think you had better check the law on that. So what you are doing is making these people second class citizens if they can't serve their towns. In my area, I believe there are three people in the whole district that serve on the school boards. It is hard to get people to serve on school boards in these small towns. The State Police, many of them, have good qualifications and they serve and do a good job. I have one in an area that serves as a selectman. There has been no problems to my knowledge, as might have been suggested here today, with these people serving. I believe it is wrong when a man lives in a town, has children in the school and he cannot have input in that town by way of education. I hope you pass this measure. Thank you.

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Higgins.

Representative HIGGINS: Mr. Speaker and Ladies and Gentlemen of the House: I will admit and agree with my friend from Corinth, Mr. Strout, that this is a better bill than he presented. It does provide some prohibitions that were not in the existing law. But I still feel that it expands the definition of people who can run for office, whether it be partisan or non-partisan, and I agree with the gentlemen from South Portland, Mr. Kane, that Scarborough has, as South Portland does, non-partisan elections. But I am sure that everybody that is involved knows who the Republicans and who the Democrats are. I just think there are some chances here for subtleties, if you will, that could exist. I am not trying to deny anybody. I feel strongly that people should have the opportunity to run. But at the same time, if there is an abuse or potential conflict of interest, and in this particular

case, I think you are mixing executive branch functions with legislative branch functions of a town or a municipality or the state, where these people work really for the executive branch of government. I think it is wrong. I feel badly if they can't serve in civic organizations or offices in civic organizations, if that is the case, because I wasn't aware of that. In fact, the master of our lodge in Scarborough, at one time, was the Captain of the State Police in the whole district in southern Maine. So, if that is something that has changed because of an Attorney General's opinion recently, then we ought to address that. That's clearly not public policy that we want to condone. But at the same time, I think we have addressed on a number of occasions in this body, how police officers, state policeman and local police officers are allowed to raise money. We have some very clear laws on addressing the abuses that occurred at one time with police officers raising money by calling businesses up and saying, wouldn't you like to take out an ad in our police benevolent association booklet or something like that. We addressed that with some very strict legislation here. I think the legislature and the people are cognizant of the potential abuses that can occur. If I had my way, I would like to see those people that currently can run be subject to this particular legislation. I do think that there are some problems with liquor inspectors and others that are allowed to run that have that right to arrest serving in a public capacity. I think that the potential for abuse is there. I am not being accusatory. I am just saying that we don't want to have people influenced by their position or their job when they go to the polls. I think this is bad legislation.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Higgins.

Representative HIGGINS: Mr. Speaker, Men and Women of the House: In response to the gentleman's questions, the gentleman from Scarborough has raised, I would like to have it clarified by the Chairman of the Committee as to whether the solicitation provisions in the Bill affect just State Police Officers or whether they also affect game wardens, marine resource wardens, and liquor enforcement officials. Thank you.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Gwadosky.

Representative GWADOSKY: Thank you Mr. Speaker. Men and Women of the House: The provisions that are currently in the bill, the Bill you have before you now, all the provisions on solicitations would apply to all law enforcement officials. I think that that is an important distinction because there is an imbalance now. There is an injustice currently in that if we decide to do nothing today we will have a situation where liquor inspectors and game wardens can run for any non-partisan office while state police and some law enforcement officers will not be able to. The importance of that is that there are currently no prohibitions. There is no restrictions on liquor inspectors and game wardens. And we have problems right now in the city of Portland, perhaps in the city of South Portland, I am not sure. I know there are problems in the city of Portland, we have liquor inspectors who are going around to their establishments collecting money for their campaigns. Now if you think that that is a good idea, than that's okay, we can live with that. I personally don't think it's a good idea. Our Committee didn't think that was a good idea. We felt that there should be some restrictions on the type of things they can do. We also want to address the imbalance that currently exist between those people in some of the smaller towns and we think there are enough safeguards in this Bill. I would encourage you to support it.

The SPEAKER: The Chair recognizes the



Representative from Cumberland, Representative Dillenback.

Representative DILLENBACK: Thank you Mr. Speaker. Ladies and Gentlemen of the House: I had some concerns about this Bill before it came to the Committee and when it did come to the Committee. But after listening to the discussions and the testimony that was given, come to find out some of these state troopers are now serving on school boards. They have permission from their commander to do so, then when they find out they are in violation and now we are trying to correct the situation. We are trying to create an atmosphere that the state troopers are not the boogey men that we talked about, that they go into the schools, that they become part of the community. And here is an opportunity if they want to serve on a school board. They aren't there with their uniform on. They are there as citizens. I think they should have the right to do that. If you had concern about them serving on a council or as selectmen, you should put an amendment in to do something about it.

We are here to vote on it today and I think we should give them the rights that they deserve. What's the difference whether a Sheriff or a game warden or somebody else is serving on the council? Why not let the state trooper have his day in court? Thank you.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Macomber.

Representative MACOMBER: Mr. Speaker and Ladies and Gentlemen of the House: I have served in both capacities. I have served as a municipal official and as a state official and I have a little problem. I agree with what Mr. Dillenback is saying as far as equal rights for everyone. But I can see a problem in my city at least, if the people who serve in our police department are also members of the city council, I don't quite know how you would handle the city budget when we come to the police department. You would definitely be in conflict of interest. But I think the overriding thing, at least in my city, and I speak only for that area, when our people are hired as police officers, it is understood at that time that they are not allowed to run for the city council. I think you have a situation where there is a difference between the urban communities and the rural communities. In the urban communities, I think perhaps there are more candidates and I can understand what Mr. Strout is saying. I know in my city we have had people who have served in fraternal organizations who were members of the police department. In fact, they have been King Lions and various other things. So I think that prohibition is perhaps being enforced quite rigidly.

I think this is a problem, if you pass this Bill, simply how you are going to determine who is going to be able to vote on the city budget and who is not going to be able to. Thank you.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Kane.

Representative KANE: Thank you Mr. Speaker. If I can just take another minute of your time. I think I am as appalled as anyone in here to think that present law prohibits a state policeman from serving in the Knights of Columbus or in the Masons or anything like that. And I think that that can be remedied. But I would suggest that we are going after a mosquito with a blunderbuss with this Bill here. I can't imagine that we are going to have such a really incredibly drastic change in the law just to take care of that really minor problem which I think everyone in the House would agree on.

I just want to mention one thing again, which I mentioned before, and that is I've run for this party four times and I don't solicit funds myself. But I've sure gotten a lot of funds and I sure know who gives them to me. You know, I have held a lot of fund raisers, my sister gets

it, my father gets it, you know, whoever. It is all duly recorded and all that. But any candidate knows who his contributors are, whether or not he takes the money in hand. I think we are being naive to say that the candidate won't know who it is because he can't solicit it himself. I think that we are being more naive to suggest that because an office is so called non-partisan, that there is not sometimes a vitriolic feeling on who opposes whom in these races.

I urge you to oppose the Bill. Thank you.

The SPEAKER: The Chair recognizes the Representative from Lisbon, Representative Jalbert.

Representative JALBERT: Thank you Mr. Speaker. Ladies and Gentlemen of the House: I would like to say that if this will limit it strictly to giving the rights to the state police, I will go with it 100 percent. Because I know what it is to have gone many years without those rights. But what I am concerned about is the fact that, will this open the door that I find myself sitting on the board of selectman of my town with the Chief of Police of my town? You would have a conflict of interest. Now if anybody can guarantee to me that this is going to be giving the rights to state police that they rightfully deserve, I will go along with this.

The SPEAKER: The Chair recognizes the Representative from Corinth, Representative Strout.

Representative STROUT: Mr. Speaker and members of the House: I would just like to make a comment to the gentlemen from South Portland, Representative Macomber. If I heard him correctly, I understood him to say that he was concerned about the local police running for office in South Portland. This Bill does not deal with those local police. If you have an ordinance now that says that Portland or South Portland, your law enforcement people in that City cannot run for the council, this won't affect them at all. As far as the civic offices are concerned, when I presented the Bill back in December, I was not aware that members of the State Police could not hold an office in these civic organizations. However, the opinion that came down from the A.G. back in October specifically said that during their term of service that they could hold no office. And it is the feeling of the State Police that that limits them so that they cannot participate and hold an office in any of these organizations.

I really feel that what the Committee has come out with is much better than what we have on the books today and has been on the books since 1925.

The SPEAKER: The Chair recognizes the Representative from Dover Foxcroft, Representative Law.

Representative LAW: I just wanted to say one or two sentences. This Bill is not going to put state police in any elected office. It is the people that are going to vote that are going to put the people in. I have more faith in people than that. If they don't want this cop on their board of selectmen, they will not put him there. Thank you.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Macomber.

Representative MACOMBER: Thank you Mr. Speaker. In response to the gentlemen from Corinth, do I understand him to say that the state law does not supercede a local ordinance?

The SPEAKER: The Representative from South Portland, Representative Macomber, has posed a question through the Chair to the Representative from Corinth, Representative Strout, who may respond to the question if he so desires.

Representative STROUT: Mr. Speaker and Members of House: My answer to him and I may be wrong, but it is my understanding that if a local ordinance of this nature does not allow their police to run for the council, I

believe that that would be carried in that city. I don't believe that this state law is dealing with your local ordinances at all. What this section of the law that we have here which is dealing with Section 1503 which is uniform and equipment deals specifically with members of the State Police. All we are dealing with is a section of the law that deals with the State Police. It has nothing to do with local police officers.

The SPEAKER: The pending question before the House is passage to be enacted. Those in favor will vote yes; those opposed will vote no.

Representative Smith of Island Falls requested a roll call.

The SPEAKER: A roll call has been requested. In order 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.

Obviously, more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

#### ROLL CALL No. 4

YEAS—Aliberti, Allen, Baker, A.L.; Beaulieu, Begley, Bonney, Boutilier, Brannigan, Brodeur, Brown, D.N.; Carrier, Carroll, Chonko, Clark, Cooper, Cote, Crouse, Crowley, Descoteaux, Dexter, Diamond, Dillenback, Drinkwater, Duffy, Erwin, Farnum, Foss, Gwadosky, Handy, Harper, Hayden, Hichborn, Hickey, Hillock, Ingraham, Jackson, Jacques, Jalbert, Joseph, LaCroix, Lander, Law, Lawrence, Lebowitz, Lisnik, Lord, Manning, Martin, H.C.; Masterman, Matthews, Mayo, McGowan, Michael, Michaud, Murphy, E.M.; Murphy, T.W.; Nadeau, G.R.; Nelson, Nicholson, Nickerson, O'Gara, Paradis, E.J.; Paradis, P.E.; Parent, Paul, Perry, Priest, Racine, Richard, Rotondi, Ruhlin, Seavey, Simpson, Small, Smith, C.B.; Smith, C.W.; Stetson, Stevens, A.G.; Stevens, P.; Stevenson, Strout, Swazey, Tammara, Tardy, Theriault, Vose, Walker, Webster, Wentworth, Whitcomb, Zirkilton.

NAYS—Armstrong, Bell, Bost, Bott, Bragg, Brown, A.K.; Carter, Coles, Connors, Connolly, Dellert, Foster, Greenlaw, Hale, Hepburn, Higgins, H.C.; Higgins, L.M.; Hoglund, Holloway, Kane, Macomber, McCollister, McHenry, McSweeney, Melendy, Moholland, Murray, Nadeau, G.G.; Pouliot, Randall, Rice, Ridley, Rioux, Rydell, Salsbury, Scarpino, Sherburne, Taylor, Telow, Willey.

ABSENT—Baker, H.R.; Cahill, Callahan, Cashman, Daggett, Davis, Kimball, MacBride, McPherson, Mills, Mitchell, Pines, Reeves, Roberts, Rolde, Soucy, Sproul, Warren, Weymouth, The Speaker.

91 having voted in the affirmative and 40 in the negative with 20 absent, the Bill failed enactment.

#### Orders of the Day

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

Bill "An Act Concerning Funeral and Burial Expenses of Municipal General Assistance Recipients" (H.P. 560)

(Committee on Business and Commerce suggested.)

Tabled—February 28, 1985 by Representative BRANNIGAN of Portland.

Pending—Reference.

On motion of Representative Brannigan of Portland, referred to the Committee on Business and Commerce.

On motion of the same Representative, the House reconsidered its action whereby the Bill was referred to the Committee on Business and Commerce.

On further motion of the same Representative, referred to the Committee on Human Resources, Ordered Printed, and sent up for concurrence.

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

Bill "An Act to Reduce Paperwork and Make Benefits More Reflective of Need in the Aid to Families with Dependent Children Program" (H.P. 580)

Tabled—February 28, 1985 by Representative CARTER of Winslow.

Pending—Motion of Representative NELSON of Portland to refer to Committee on Human Resources.

On motion of the Representative from Portland, Representative Nelson, referred to the Committee on Human Resources, ordered printed and sent up for concurrence.

The Chair laid before the House the third tabled and today assigned matter.

Bill "An Act to Amend the Eastport Port Authority Charter" (H.P. 629)

(Committee on Utilities suggested.)

Tabled—February 28, 1985 by Representative VOSE of Eastport.

Pending—Reference.

On motion of Representative Vose of Eastport, retabled pending reference and specially assigned for Wednesday, March 6, 1985.

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

JOINT RESOLUTION MAKING APPLICATION TO CONGRESS CALLING A CONSTITUTIONAL CONVENTION TO PROPOSE AN AMENDMENT TO THE FEDERAL CONSTITUTION TO REQUIRE A BALANCED FEDERAL BUDGET (H.P. 520) (L.D. 740)

(Committee on Appropriations and Financial Affairs suggested.)

Tabled—February 28, 1985 by Representative CARTER of Winslow.

Pending—Reference.

On motion of Representative Carter of Winslow, referred to the Committee on State Government, ordered printed and sent up for concurrence.

The Chair laid before the House the fifth tabled and today assigned matter.

Bill "An Act to Clarify the Rights of Tenants in Mobile Home Parks" (H.P. 534)

Tabled—February 28, 1985 by Representative BRANNIGAN of Portland.

Pending—Motion of Representative PERRY of Mexico to refer to Committee on Legal Affairs.

Representative Perry of Mexico withdrew his motion to refer to the Committee on Legal Affairs.

On motion of Representative Brannigan of Portland, referred to the Committee on Business and Commerce, ordered printed and sent up for concurrence.

The Chair laid before the House the sixth tabled and today assigned matter.

Bill "An Act to Relocate the Supreme Judicial Court and Related Functions to the State Capitol at Augusta" (H.P. 485) (L.D. 688)

Tabled—February 28, 1985 by Representative CARTER of Winslow.

Pending—Motion of Representative PARADIS of Augusta to refer to Committee on Judiciary.

Representative Paradis of Augusta moved that the Bill be referred to the Committee on Judiciary.

Representative Carrier of Westbrook moved that the Bill be tabled unassigned.

Representative Carrier of Westbrook withdrew his motion to table unassigned.

Representative Paradis of Augusta withdrew his motion to refer the Bill to the Committee on Judiciary.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Kane.

Representative KANE: Mr. Speaker, I move that we indefinitely postpone this bill and all its accompanying papers. I don't even think I will say anything about it unless someone has some questions.

The SPEAKER: The Chair recognizes the Representative from Ellsworth, Representative Foster.

Representative FOSTER: Mr. Speaker, Ladies and Gentlemen of the House: In December of last year, I had the brilliant idea that I thought the seat of the Judiciary should be in the City of Augusta and called the Chief Justice to tell him that. There were two ways to proceed — one was to have a bill that stated that a committee would be formed to study moving the seat to Augusta. I put that in the day after the Chief Justice agreed that he thought that it should be here too and that has gone to Judiciary. Now my other little bill was, maybe due to my impatience of "let's get on with it and do it as soon as possible" — well, they came up with a fiscal note of \$8 million so there was a problem and probably we should go with the study committee bill but I am glad I had two of them.

Subsequently, the Bill and all its accompanying papers were indefinitely postponed.

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

Bill "An Act to Provide for the Funding of Public Transportation" (H.P. 622)

Tabled—February 28, 1985 by Representative MACOMBER of South Portland.

Pending—Motion of Representative STROUT of Corinth to reconsider reference to the Committee on Taxation.

Whereupon, the House reconsidered its action whereby the Bill was referred to the Committee on Taxation.

On motion of Representative Theriault of Fort Kent, referred to the Committee on Transportation, Ordered Printed and sent up for concurrence.

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Authorize the Expenditure of Highway Fund Money for Public Transportation that is Dependent upon Highways and Bridges for Operation (H.P. 627)

Tabled—February 28, 1985 by Representative MACOMBER of South Portland.

Pending—Motion of Representative STROUT of Corinth to reconsider reference to the Committee on Taxation.

Representative Strout of Corinth withdrew his motion to reconsider reference to the Committee on Taxation.

Was referred to the Committee on Taxation, Ordered Printed and sent up for concurrence.

The following item appearing on Supplement No. 2 was taken up out of order by unanimous consent:

#### Senate Papers

The following Joint Resolution: (S.P. 338)  
JOINT RESOLUTION IN HONOR OF  
AMERICAN WOMEN

WHEREAS, American women of every race, class and ethnic background helped found the Nation in countless recorded and unrecorded ways as servants, slaves, nurses, nuns, homemakers, industrial workers, teachers, reformers, soldiers and pioneers; and

WHEREAS, American women have played and continue to play a critical economic, cultural and social role in every sphere of our Nation's life by constituting a significant portion of the labor force working in and outside of the home; and

WHEREAS, American women have played a unique role throughout our history by providing the majority of the Nation's volunteer labor force and have been particularly important in the establishment of early charitable philanthropic and cultural institutions in the country; and

WHEREAS, American women of every race, class and ethnic background served as early leaders in the forefront of every major pro-

gressive social change movement, not only to secure their own right of suffrage and equal opportunity, but also in the abolitionist movement, and emancipation movement, the industrial labor union movement and the modern civil rights movement; and

WHEREAS, despite these contributions, the role of American women in history has been consistently overlooked and undervalued in the body of American history; now, therefore, be it

RESOLVED: That We, the Members of the House of Representatives and the Senate of the 112th Legislature of the great and sovereign State of Maine, now assembled in First Regular Session, pause to reflect on the overlooked, undervalued role of the American women and pledge on the eve of "Women's History Week," beginning March 3, 1985, to recognize and observe appropriate changes which will aid women to gain their rightful place in the great body of American history.

Came from the Senate, read and adopted.

Was read and adopted in concurrence.

The Chair laid before the House the following matter: Bill "An Act to Establish Rights for Individuals Receiving Care from Home Health Care Providers" (S.P. 298) (Came from the Senate indefinitely postponed) which was tabled earlier and later today assigned pending indefinite postponement in concurrence.

Subsequently, the Bill was indefinitely postponed in concurrence.

The Chair laid before the House the following matter: Bill "An Act to Require Usage Labeling for all Surimi Products" (H.P. 633) which was tabled earlier and later today assigned pending reference.

Was referred to the Committee on Business and Commerce, Ordered Printed and sent up for concurrence.

#### (Off Record Remarks)

On motion of Representative Foster of Ellsworth adjourned until Tuesday, March 5, 1985 at ten o'clock in the morning in memory of Richard Willey of Ellsworth, a former member of the Legislature.