

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Sixteenth Legislature

OF THE

State Of Maine

VOLUME V

SECOND REGULAR SESSION

House of Representatives
January 5, 1994 to April 14, 1994

ONE HUNDRED AND SIXTEENTH MAINE LEGISLATURE
SECOND REGULAR SESSION
23rd Legislative Day
Wednesday, March 9, 1994

Augusta, Maine 04333

March 8, 1994

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

Prayer by Reverend Sue Davenport, Brown Memorial United Methodist Church, Clinton.

The Journal of yesterday was read and approved.

SENATE PAPERS

The following Communication:

Maine State Senate
Augusta, Maine 04333

March 8, 1994

The Honorable Dan A. Gwadosky
Speaker of the House
116th Legislature
Augusta, Maine 04333

Dear Speaker Gwadosky:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed the following:

Upon the recommendation of the Joint Standing Committee on Education:

James W. Donovan of Cape Elizabeth for reappointment to the Maine Technical College System Board of Trustees.

Stephen R. Graebert of Brewer for appointment to the Maine Technical College System Board of Trustees.

John H. Lapoint, Jr. of Falmouth for appointment to the Maine Technical College System Board of Trustees.

Elizabeth O. Shorr of Portland for appointment to the Maine Technical College System Board of Trustees.

John L. Weeks of Caribou for appointment to the Maine Technical College System Board of Trustees.

John L. Weeks is replacing Fred Kahl.

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file.

The following Communication:

Maine State Senate

The Honorable Dan A. Gwadosky
Speaker of the House
116th Legislature
Augusta, Maine 04333

Dear Speaker Gwadosky:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed the following:

Upon the recommendation of the Joint Standing Committee on Judiciary:

The Honorable Roland Beaudoin of Falmouth for appointment as Chief Judge of the Administrative Court.

The Honorable Roland Beaudoin is replacing Dana Cleaves.

Joyce A. Wheeler of Portland for appointment as an Associate Judge of the Administrative Court.

Joyce A. Wheeler is replacing Roland Beaudoin.

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file.

RESOLUTION, Proposing an Amendment to the Constitution of Maine Providing for the Direct Election of the Treasurer of State (S.P. 695) (L.D. 1893) (Governor's Bill)

Came from the Senate indefinitely postponed.

(The Committee on Reference of Bills had suggested reference to the Committee on **State and Local Government.**)

On motion of Representative JACQUES of Waterville, tabled pending reference and later today assigned.

Ought to Pass as Amended

Report of the Committee on Taxation reporting "**Ought to Pass**" as amended by Committee Amendment "A" (S-428) on Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory (S.P. 627) (L.D. 1746)

Came from the Senate, with the report read and accepted and the Resolve Passed to be Engrossed as amended by Committee Amendment "A" (S-428).

Report was read and accepted. The Resolve read once. Committee Amendment "A" (S-428) was read by

the Clerk and adopted and the Resolve assigned for second reading Thursday, March 10, 1994.

Ought to Pass as Amended

Report of the Committee on **Marine Resources** reporting "**Ought to Pass**" as amended by Committee Amendment "A" (S-426) on Bill "An Act Concerning the Importation of Salmon" (S.P. 685) (L.D. 1871)

Came from the Senate, with the report read and accepted and the Bill Passed to be Engrossed as amended by Committee Amendment "A" (S-426) and Senate Amendment "A" (S-433).

Report was read and accepted. The Bill read once. Committee Amendment "A" (S-426) was read by the Clerk and adopted. Senate Amendment "A" (S-433) was read by the Clerk and adopted and the Bill assigned for second reading Thursday, March 10, 1994.

COMMUNICATIONS

The following Communication: (S.P. 739)

116TH MAINE LEGISLATURE

March 4, 1994

Senator John J. O'Dea
Rep. Elizabeth H. Mitchell
Chairpersons
Joint Standing Committee on Education
116th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Jeremy B. Weirich of Castine for appointment as the Student Trustee Member of the Maine Maritime Academy Board of Trustees, pursuant to P&SL 1993, Chapter 27.

Governor McKernan has also nominated Harrison L. Richardson of South Portland for appointment to the Maine Maritime Academy Board of Trustees, pursuant to P.L. 1975, Chapter 771, Section 428.

These nominations will require review by the Joint Standing Committee on Education and confirmation by the Senate.

Sincerely,

S/Dennis L. Dutremble
President of the Senate

S/Dan A. Gwadosky
Speaker of the House

Came from the Senate, Read and Referred to the Committee on **Education**.

Was Read and Referred to the Committee on **Education** in concurrence.

The following Communication: (S.P. 740)

116TH MAINE LEGISLATURE

March 4, 1994

Senator Rochelle Pingree
Rep. Rita B. Melendy
Chairpersons
Joint Standing Committee on Housing and Economic Development
116th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Julia K. Schulz of Rockland, William H. Beardsley of Ellsworth and Richard J. Borden of Bar Harbor for appointments to the Maine Education & Training Export Partnership.

Pursuant to Title 5, Section 13063-A, these nominations will require review by the Joint Standing Committee on Housing and Economic Development and confirmation by the Senate.

Sincerely,

S/Dennis L. Dutremble
President of the Senate

S/Dan A. Gwadosky
Speaker of the House

Came from the Senate, Read and Referred to the Committee on **Housing & Economic Development**.

Was Read and Referred to the Committee on **Housing & Economic Development** in concurrence.

The following Communication: (S.P. 742)

116TH MAINE LEGISLATURE

March 4, 1994

Senator Rochelle Pingree
Rep. Rita B. Melendy
Chairpersons
Joint Standing Committee on Housing and Economic Development
116th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Donald W. Harward of Lewiston and Kenneth Paigen of Bar Harbor for appointments to the Maine Science and Technology Foundation.

Pursuant to Title 5 MRSA, Section 13122-C, these nominations will require review by the Joint Standing

Committee on Housing and Economic Development and confirmation by the Senate.

Sincerely,

S/Dennis L. Dutremble
President of the Senate

S/Dan A. Gwadosky
Speaker of the House

Came from the Senate, Read and Referred to the Committee on **Housing & Economic Development**.

Was Read and Referred to the Committee on **Housing & Economic Development** in concurrence.

The following Communication: (S.P. 743)

116TH MAINE LEGISLATURE

March 4, 1994

Senator Rochelle Pingree
Rep. Rita B. Melendy
Chairpersons
Joint Standing Committee on Housing and Economic Development
116th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Gary L. McLaughlin of Bangor for appointment and Roland Bracy, Jr. of Portland, Arthur H. Redman of Augusta and Daniel M. Parker of Westbrook for reappointments to the Adaptive Equipment Loan Program Fund Board.

Pursuant to Title 10, MRSA Section 373, these nominations will require review by the Joint Standing Committee on Housing and Economic Development and confirmation by the Senate.

Sincerely,

S/Dennis L. Dutremble
President of the Senate

S/Dan A. Gwadosky
Speaker of the House

Came from the Senate, Read and Referred to the Committee on **Housing & Economic Development**.

Was Read and Referred to the Committee on **Housing & Economic Development** in concurrence.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bill was received and, upon the recommendation of the Committee on Reference of Bills, was referred to the following Committee, Ordered Printed, Sent up for Concurrence and Ordered Sent Forthwith:

Human Resources

Bill "An Act to Revise the Duties of the Superintendent of the Pineland Center" (H.P. 1445) (L.D. 1972) (Presented by Representative BRUNO of Raymond) (Cosponsored by Representatives: BRENNAN of Portland, FITZPATRICK of Durham, Senator: PARADIS of Aroostook) (Governor's Bill)

By unanimous consent, was ordered sent forthwith.

REPORTS OF COMMITTEES

Ought to Pass as Amended

Representative NADEAU from the Committee on **Taxation** on Bill "An Act Imposing Real Estate Transfer Tax on Nongovernmental Entities in Transactions Involving Governmental Entities" (H.P. 1333) (L.D. 1796) reporting "**Ought to Pass**" as amended by Committee Amendment "A" (H-814)

Report was read and accepted. The Bill read once. Committee Amendment "A" (H-814) was read by the Clerk and adopted and the Bill assigned for second reading Thursday, March 10, 1994.

Divided Report

Majority Report of the Committee on **Marine Resources** reporting "**Ought to Pass**" as amended by Committee Amendment "A" (H-806) on Bill "An Act to Implement the Recommendations of the Maine Sardine Council" (EMERGENCY) (H.P. 1386) (L.D. 1885)

Signed:

Senators: VOSE of Washington
GOULD of Waldo
PINGREE of Knox

Representatives: MITCHELL of Freeport
COLES of Harpswell
LEMONT of Kittery
TOWNSEND of Eastport
CONSTANTINE of Bar Harbor
SKOGLUND of St. George
SWAZEY of Bucksport
HEINO of Boothbay

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

Signed:

Representatives: LOOK of Jonesboro
FARREN of Cherryfield

Reports were read.

On motion of Representative MITCHELL of Freeport, the House accepted the Majority "**Ought to Pass**" Report.

The Bill read once. Committee Amendment "A" (H-806) was read by the Clerk and adopted. The Bill was assigned for second reading Thursday, March 10, 1994.

Report was read and accepted. The Resolve read once. Committee Amendment "A" (H-811) was read by the Clerk and adopted. The Resolve was assigned for second reading Thursday, March 10, 1994.

CONSENT CALENDAR

First Day

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

(S.P. 709) (L.D. 1917) Bill "An Act to Correct the Legal Title to a Building at Southern Maine Technical College" (EMERGENCY) (Governor's Bill) Committee on Education reporting "Ought to Pass"

(S.P. 486) (L.D. 1497) Resolve, to Prevent the Improper Use of Correctional Facilities Joint Select Committee on Corrections reporting "Ought to Pass" as amended by Committee Amendment "A" (S-427)

(S.P. 601) (L.D. 1699) Bill "An Act to Establish the Debt Service Limit for Fiscal Year 1997 and Fiscal Year 1998" Committee on Education reporting "Ought to Pass" as amended by Committee Amendment "A" (S-430)

(S.P. 636) (L.D. 1770) Bill "An Act to Increase Reimbursement Amounts to Municipalities Collecting Excise Taxes for Unorganized Townships" Committee on Taxation reporting "Ought to Pass" as amended by Committee Amendment "A" (S-429)

(S.P. 662) (L.D. 1830) Bill "An Act to Amend the Charter of the Canton Water District" (EMERGENCY) Committee on Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (S-431)

There being no objections, the above items were ordered to appear on the Consent Calendar of Thursday, March 10, 1994 under the listing of Second Day.

(S.P. 629) (L.D. 1749) Bill "An Act to Improve the Notice Provisions for Municipal Development Districts" Committee on Taxation reporting "Ought to Pass"

On motion of Representative PARADIS of Augusta, was removed from First Day Consent Calendar.

Report was read and accepted. The Bill read once. The Bill was assigned for second reading Thursday, March 10, 1994.

(H.P. 1212) (L.D. 1631) Resolve, to Reclassify the Position of a Former Teacher's Aide Committee on Education reporting "Ought to Pass" as amended by Committee Amendment "A" (H-811)

On motion of Representative JALBERT of Lewiston, was removed from First Day Consent Calendar.

CONSENT CALENDAR

Second Day

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

(H.P. 1411) (L.D. 1921) Bill "An Act to Redistrict the Knox County Budget Committee District" (EMERGENCY)

(H.P. 759) (L.D. 1026) Bill "An Act to Clarify the Requirements of Disclosure of Information Pertaining to Mentally Disabled Clients" (C. "A" H-805)

(H.P. 1240) (L.D. 1667) Bill "An Act to Establish a System of Community Regional Mental Health Boards" (EMERGENCY) (C. "A" H-803)

(H.P. 1254) (L.D. 1681) Bill "An Act to Encourage the Establishment or Expansion of Certain Residency Programs Relating to Emergency Medicine Physicians" (C. "A" H-796)

(H.P. 1332) (L.D. 1795) Bill "An Act to Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 1995" (EMERGENCY) (C. "A" H-807)

(H.P. 1348) (L.D. 1814) Bill "An Act to Extend the Sagadahoc County Budget Advisory Committee" (C. "A" H-810)

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.

(H.P. 1238) (L.D. 1665) Bill "An Act Regarding Access to Property via Discontinued Roads" (C. "A" H-809)

On motion of Representative LARRIVEE of Gorham, was removed from Second Day Consent Calendar.

The same Representative moved that the Bill be substituted for the Report.

On motion of Representative JOSEPH of Waterville, tabled pending the motion of Representative LARRIVEE of Gorham to substitute the Bill for the Report and later today assigned.

BILLS IN THE SECOND READING

Bill "An Act to Repeal the Sunset on Rating Practices in Small Group Health Plans and Individual Health Insurance" (H.P. 1207) (L.D. 1615)

As Amended

Bill "An Act to Allow the Use of Advanced Lightweight Beverage Containers" (H.P. 193) (L.D. 256) (C. "B" H-798)

Bill "An Act Authorizing Assessments against Income Earned in Prison as Payments to the Victims' Compensation Fund" (H.P. 1250) (L.D. 1677) (C. "A" H-802)

Bill "An Act to Maintain Confidentiality of Certain Information Received by the Board of Counseling Professionals Licensure and the State Board of Substance Abuse Counselors" (S.P. 602) (L.D. 1700) (C. "A" S-424)

Bill "An Act to Exempt Schools from Certain Fees" (H.P. 1287) (L.D. 1735) (C. "A" H-797)

Bill "An Act to Revise Certain Fish and Wildlife Laws" (EMERGENCY) (H.P. 1338) (L.D. 1801) (Governor's Bill) (C. "A" H-804)

Bill "An Act to Expedite Oil Spill Response Activities" (H.P. 1390) (L.D. 1888) (C. "A" H-808)

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

Bill "An Act Related to Periodic Justification of Departments and Agencies of State Government under the Maine Sunset Act" (EMERGENCY) (H.P. 1368) (L.D. 1851) (C. "A" H-801)

Was reported by the Committee on Bills in the Second Reading, read the second time.

On motion of Representative ERWIN of Rumford was set aside.

On further motion of the same Representative, the House reconsidered its action whereby Committee Amendment "A" (H-801) was adopted.

The same Representative presented House Amendment "A" (H-817) to Committee Amendment "A" (H-801) which was read by the Clerk and adopted.

Committee Amendment "A" (H-801) as amended by House Amendment "A" (H-817) thereto was adopted.

The Bill was passed to be engrossed as amended by Committee Amendment "A" (H-801) as amended by House Amendment "A" (H-817) thereto and sent up for concurrence.

ENACTORS

Emergency Measure

An Act to Clarify the Display of Social Security Numbers on Insurance-related Identification Cards (S.P. 573) (L.D. 1617) (H. "A" H-781)

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

Representative PINEAU of Jay requested a roll call on passage to be enacted.

On further motion of the same Representative, tabled pending passage to be enacted and later today assigned. (Roll Call Requested)

Emergency Measure

Resolve, to Extend the Reporting Date of the Healthy Start Task Force Report (H.P. 1298) (L.D. 1753) (C. "A" H-769)

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 3 against and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Mandate

An Act to Amend the Charter of the Madison Water District (H.P. 1334) (L.D. 1797) (C. "A" H-760)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. In accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 120 voted in favor of the same and 1 against, and accordingly the Mandate was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act to Encourage Innovation and Competitiveness by Electric Utilities (S.P. 618) (L.D. 1720) (C. "A" S-415)

An Act Regarding the Discharge of Mortgages (H.P. 1299) (L.D. 1754) (C. "A" H-765)

An Act to Modify the End Disposal of Sharp Waste Products in the Biohazard Disposal Law (H.P. 1300) (L.D. 1755) (C. "A" H-763)

An Act Concerning Alewives (H.P. 1323) (L.D. 1785) (C. "A" H-766)

An Act to Allow the Dissolution of the Maine Capital Corporation (S.P. 644) (L.D. 1803)

An Act Concerning Authorization to Grow Certain Marine Species in Aquaculture (S.P. 659) (L.D. 1827)

Resolve, to Simplify the Schedule of Fees for Licenses Issued by the Department of Inland Fisheries and Wildlife (H.P. 1224) (L.D. 1643) (C. "A" H-764)

Resolve, Regarding the Development of a Medicare Volume Performance Standard Demonstration Project (H.P. 1256) (L.D. 1683) (C. "A" H-768)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted

or finally passed, signed by the Speaker and sent to the Senate.

An Act to Allow the Growth and Sale of Cultivated Ginseng in Maine (H.P. 1236) (L.D. 1663) (C. "A" H-761)

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

On motion of Representative TARDY of Palmyra, was set aside.

On further motion of the same Representative, tabled pending passage to be enacted and later today assigned.

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment yesterday, has preference in the Orders of the Day and continues with such preference until disposed of as provided by Rule 24.

Bill "An Act to Make Certain Revisions to the Maine Emergency Medical Services Act of 1982" (S.P. 646) (L.D. 1805) (C. "A" S-420)
 TABLED - March 8, 1994 (Till Later Today) by Representative PARADIS of Augusta.
 PENDING - Passage to be Engrossed.

On motion of Representative PARADIS of Augusta, tabled pending passage to be engrossed and later today assigned.

TABLED AND TODAY ASSIGNED

The Chair laid before the House the following items which were Tabled and Today Assigned:

Resolve, for Laying of the County Taxes and Authorizing Expenditures of York County for the Year 1994 (EMERGENCY) (H.P. 1444) (L.D. 1971)
 TABLED - March 8, 1994 by Representative PARADIS of Augusta.
 PENDING - Passage to be Engrossed.

Subsequently, the Resolve was passed to be engrossed and sent up for concurrence.

HOUSE DIVIDED REPORT - Majority (9) "Ought Not to Pass" - Minority (4) "Ought to Pass" as amended by Committee Amendment "A" (H-773) - Committee on State and Local Government on RESOLUTION, Pursuant to Article IV, Part Third, Section 15 of the Constitution of Maine Calling a Constitutional Convention to Propose Amendments to the Constitution (H.P. 873) (L.D. 1187)
 TABLED - March 8, 1994 by Representative JOSEPH of Waterville.

PENDING - Motion of Representative AHEARNE of Madawaska to accept the Minority "Ought to Pass" as amended Report.

On motion of Representative JOSEPH of Waterville, tabled pending the motion of Representative AHEARNE of Madawaska to accept the Minority "Ought to Pass" as amended Report and specially assigned for Thursday, March 10, 1994.

BILL HELD

Bill "An Act to Amend Certain Provisions of Law Pertaining to Brewers' Licenses" (S.P. 551) (L.D. 1575) (C. "A" S-416)
 - In House, Passed to be Engrossed as amended by Committee Amendment "A" (S-416)
 HELD at the Request of Representative Daggett of Augusta.

On motion of Representative DAGGETT of Augusta, the House reconsidered its action whereby the Bill was passed to be engrossed as amended by Committee Amendment "A" (S-416).

On further motion of the same Representative, tabled pending passage to be engrossed as amended by Committee Amendment "A" (S-416) and later today assigned.

The following item was taken up out of order by unanimous consent:

SENATE PAPER

Bill "An Act to Create an Income Tax Stabilization Program" (S.P. 744) (L.D. 1973) (Governor's Bill)

Came from the Senate, referred to the Committee on Taxation and Ordered Printed.

Was referred to the Committee on Taxation in concurrence.

The Chair laid before the House the following items which were tabled earlier in today's session:

An Act to Clarify the Display of Social Security Numbers on Insurance-related Identification Cards (S.P. 573) (L.D. 1617) (H. "A" H-781) which was tabled by Representative PINEAU of Jay pending passage to be enacted. (Roll Call Requested)

The SPEAKER: 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 and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The Chair recognizes the Representative from Jay, Representative Pineau.

Representative PINEAU: Mr. Speaker, Ladies and Gentlemen of the House: This bill was in front of our committee and what it dealt with was legislation we passed last time that we could not have Social Security Numbers on cards, credit cards, other cards, health cards and what not. With all the deliberations that are going on around the health industry now, the bill was put in so that Social Security Numbers could be on cards.

It came out as a unanimous committee report. The Representative from Wilton, Representative Heesch, still had problems with the Social Security Numbers because he thought there should be a better way of doing it.

A compromise was struck with Representative Heesch saying that in fact we would determine Jo Gill's outfit for the Maine Select to come back to the committee prior to Social Security Numbers having to come off and she would have to come back to the committee and say what in fact other alternatives there are out there for us to do it. If we don't do this, it is going to cost money to get the cards that are now issued — reissued. That is one part.

The other part is, with all the discussion going on in these areas, if you go down to the Clinton Administration's proposal, the Health Security Act, that was the number he was considering to put on that. Therefore, I think this is timely, I think the compromise was met. I think all sides gave a little on this. I would appreciate your vote on this so that we can in fact enact this today.

The SPEAKER: The Chair recognizes the Representative from Wilton, Representative Heesch.

Representative HEESCH: Mr. Speaker and Members of the House: I apologize to the House for the confusion I caused by not signaling that in fact this was a compromise that I had worked out and I will be supporting this. I urge you to as well.

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

ROLL CALL NO. 251

YEA - Ahearne, Aikman, Anderson, Ault, Bailey, H.; Barth, Bennett, Birney, Bowers, Brennan, Bruno, Cameron, Campbell, Carleton, Carr, Carroll, Cashman, Cathcart, Chase, Chonko, Cloutier, Clukey, Coles, Constantine, Cote, Cross, Daggett, DiPietro, Dore, Driscoll, Dutremble, L.; Erwin, Faircloth, Farnsworth, Foss, Gamache, Greenlaw, Hale, Hatch, Heesch, Hichborn, Høglund, Holt, Jacques, Johnson, Joseph, Kerr, Ketterer, Kneeland, Kontos, Lemont, Libby James, Lindahl, Lipman, Look, Lord, MacBride, Marshall, Martin, J.; Melendy, Michaud, Mitchell, E.; Morrison, Murphy, Nadeau, Nash, Nickerson, Norton, O'Gara, Oliver, Paradis, P.; Pendexter, Pfeiffer, Pineau, Plourde, Pouliot, Rand, Reed, W.; Ricker, Robichaud, Rowe, Ruhlin, Rydell, Saint Onge, Saxl, Simonds, Simoneau, Small, Spear, Stevens, A.; Stevens, K.; Sullivan, Swazey, Tardy, Taylor, Thompson, Townsend, E.; Townsend, G.; Townsend, L.; Tracy, Treat, True, Tufts, Vigue, Walker, Wentworth, Whitcomb, Winn, Young, Zirkilton, The Speaker.

NAY - Adams, Clark, Clement, Farren, Gean, Gould, R. A.; Gray, Heino, Hesse, Jalbert, Joy, Kilkelly, Larrivee, Lemke, Libby Jack, Mitchell, J.; Richardson, Rotondi, Skoglund, Strout.

ABSENT - Aliberti, Bailey, R.; Beam, Caron, Coffman, Dexter, Donnelly, Farnum, Fitzpatrick, Hillock, Kutasi, Marsh, Martin, H.; Michael, Ott, Pendleton, Pinette, Plowman, Poulin, Reed, G..

Yes, 111; No, 20; Absent, 20; Paired, 0; Excused, 0.

111 having voted in the affirmative and 20 in the negative, with 20 being absent, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Bill "An Act to Amend Certain Provisions of Law Pertaining to Brewers' Licenses" (S.P. 551) (L.D. 1575) (C. "A" S-416) which was tabled by Representative DAGGETT of Augusta pending passage to be engrossed as amended by Committee Amendment "A" (S-416).

Representative DAGGETT of Augusta presented House Amendment "A" (H-820) which was read by the Clerk and adopted.

Subsequently, the Bill was passed to be engrossed as amended by Committee Amendment "A" (S-416) and House Amendment "A" (H-820) in non-concurrence and sent up for concurrence.

The following item was taken up out of order by unanimous consent:

SENATE PAPER

The following Joint Resolution: (S.P. 732)

JOINT RESOLUTION RECOGNIZING BOWDOIN COLLEGE ON ITS 200TH ANNIVERSARY

WHEREAS, in 1787, the people of the District of Maine first petitioned the General Court of the Commonwealth of Massachusetts for the establishment of a local college in Maine for the higher education of the citizens of the district; and

WHEREAS, on June 24, 1794, the General Court of the Commonwealth of Massachusetts directed that "there be erected and established in the Town of Brunswick in the District of Maine, a College for the purpose of educating youth, to be called Bowdoin College"; and

WHEREAS, in 1802, Bowdoin College matriculated its first class of 8 students on the principle that "literary institutions are founded and endowed for the common good, and not for the private advantage of those who resort to them for education"; and

WHEREAS, in the first 200 years of its existence, Bowdoin College and its alumni and alumnae have made significant contributions to the common good far exceeding the size of this institution; and

WHEREAS, in the field of law, Bowdoin College and its alumni and alumnae have contributed to and occupied the highest positions and have been leaders in the governance of this State and the other states of this nation, as well as in the governance of the

United States of America and the many nations of the world; and

WHEREAS, in the field of science, Bowdoin College and its alumni and alumnae have been at the forefront in explorations and discoveries that have benefited humankind, including the disciplines of engineering, human sexuality, mathematics, medicine, mental philosophy and mineralogy; and

WHEREAS, in the fields of letters and history, Bowdoin College and its alumni and alumnae have contributed literature that has enlightened the world and changed the course of human events; and

WHEREAS, in the field of art, Bowdoin College and its alumni and alumnae have made major contributions to the disciplines of photography, music and painting, to name a few; and

WHEREAS, in the field of education, Bowdoin College and its alumni and alumnae have played a significant role in the establishment and promotion of educational institutions of all types in this country and throughout the world; and

WHEREAS, in these fields and numerous more, Bowdoin College and its alumni and alumnae have fulfilled its founding principles to serve for the good of humankind; now, therefore, be it

RESOLVED: That We, the Senate and the House of Representatives of the State of Maine, join in recognizing Bowdoin College upon its 200th anniversary, for its enormous contribution and continuing dedication to the service of the common good; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President, Chair of the Board of Overseers and Chair of the Board of Trustees of Bowdoin College.

Came from the Senate, read and adopted.

Was read.

The SPEAKER: The Chair recognizes the Representative from Caribou, Representative Robichaud.

Representative ROBICHAUD: Mr. Speaker, Colleagues of the House: I am proud today to rise and support this Resolution. As a graduate of Bowdoin College I am proud not only to have had that experience but to have been able to be a student at an institution that has played such a pivotal role in Maine's educational history.

As you can see by the Resolution the reason for it, 200 years of participation in educating Maine people to go on to higher pursuits is a very proud and illustrious history and I am pleased.

As we began this session last year, I had the Bowdoin College gavel (so to speak) passed to me from the former Minority Whip, Francis Marsano, and I gratefully accepted it as being, I believe, the only Bowdoin graduate in this body during the 116th Legislature.

I appreciate your support of this Resolution.

Subsequently, the Resolution was adopted in concurrence. Ordered sent forthwith.

On motion of Representative POULIOT of Lewiston, adjourned at 10:30 a.m. until Thursday, March 10, 1994 at 9:00 a.m..