

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD
OF THE
One Hundred And Seventeenth Legislature
OF THE
State Of Maine

VOLUME I

FIRST REGULAR SESSION

House of Representatives
December 7, 1994 to May 23, 1995

ONE HUNDRED AND SEVENTEENTH MAINE LEGISLATURE
FIRST REGULAR SESSION
25th Legislative Day
Thursday, March 23, 1995

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

Prayer by Reverend David R. Pitt, South Freeport Church U.C.C.

The Journal of Tuesday, March 21, 1995 was read and approved.

SENATE PAPERS

The following Communication: (H.C. 73)

Maine State Senate
State House Station 3
Augusta, Maine 04333

March 21, 1995

The Honorable Dan A. Gwadosky
Speaker of the House
117th Legislature
Augusta, Maine 04333
Dear Speaker Gwadosky:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Business and Economic Development, Thomas D. McBrierty of Falmouth for appointment as Commissioner of the Department of Economic and Community Development.

Sincerely,
S/May M. Ross
Secretary of the Senate

Was read and ordered placed on file.

Bill "An Act to Promote the Health of Maine's Children by Preventing Illegal Tobacco Sales" (S.P. 306) (L.D. 845)

Came from the Senate, referred to the Committee on Legal and Veterans Affairs and Ordered Printed.

Was referred to the Committee on Legal and Veterans Affairs in concurrence.

COMMUNICATIONS

The following Communication: (H.C. 71)
117TH LEGISLATURE

March 3, 1995

John Fitzsimmons, President
Maine Technical College System
State House Station #131
Augusta, Maine 04333
Dear John:

We are pleased to invite you to address a Joint Session of the 117th Maine Legislature on Tuesday, March 28, 1995 at 10:30 a.m. concerning the State of the Maine Technical College System.

We look forward to seeing you then. Best Wishes.

Sincerely,

S/Jeffrey H. Butland S/Dan A. Gwadosky
President of the Senate Speaker of the House
Was read and ordered placed on file.

The following Communication: (H.C. 72)
MAINE TECHNICAL COLLEGE SYSTEM

Office of the President
323 State Street
Augusta, Maine 04330
March 9, 1995

The Honorable Jeffrey H. Butland

President of the Senate

117th Maine Legislature

Augusta, ME 04333

The Honorable Dan A. Gwadosky

Speaker of the House

117th Maine Legislature

Augusta, ME 04333

Dear President Butland and Speaker Gwadosky:

It is with great pleasure that I accept your invitation to address a Joint Session of the 117th Maine Legislature on Tuesday, March 28, 1995. I deeply appreciate the invitation and am honored that I have the privilege of giving the first-ever State of the Maine Technical College System address.

I look forward to the opportunity to talk about the wonderful work that goes on each and every day throughout our System.

Sincerely yours,
S/John Fitzsimmons
President

Was read and ordered placed on file.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills 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 to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1996 and June 30, 1997" (EMERGENCY) (H.P. 700) (L.D. 958) (Presented by Representative KERR of Old Orchard Beach) (Cosponsored by Representatives: AIKMAN of Poland, DIPIETRO of South Portland, JOSEPH of Waterville, MORRISON of Bangor, POULIOT of Lewiston, SIMONEAU of Thomaston, TOWNSEND of Portland, Senators: BEGLEY of Lincoln, HANLEY of Oxford) (Governor's Bill)

Business and Economic Development

Bill "An Act to Require Licensure for Use of the Title Athletic Trainer" (H.P. 699) (L.D. 957) (Presented by Representative KNEELAND of Easton) (Cosponsored by Representatives: AHEARNE of Madawaska, CAMERON of Rumford, CAMPBELL of Holden, DESMOND of Mapleton, DONNELLY of Presque Isle, LIBBY of Kennebunk, LIBBY of Buxton, MARSHALL of Eliot, MAYO of Bath, McALEVEY of Waterboro, NASS of Acton, POIRIER of Saco, REED of Dexter, ROBICHAUD of Caribou, SPEAR of Nobleboro, STEDMAN of Hartland, TRUE of Fryeburg, TYLER of Windham, VIGUE of Winslow, Senators: CASSIDY of Washington, HARRIMAN of Cumberland)

Criminal Justice

Bill "An Act Concerning the Protection of Privacy Data Regarding Sex Offenders" (H.P. 698) (L.D. 956) (Presented by Representative LEMKE of Westbrook) (Cosponsored by Representatives: AHEARNE of Madawaska,

BAILEY of Township 27, BOUFFARD of Lewiston, CAMPBELL of Holden, CHIZMAR of Lisbon, CLARK of Millinocket, CLUKEY of Houlton, GERRY of Auburn, GREENLAW of Standish, JOY of Crystal, KERR of Old Orchard Beach, LANE of Enfield, LAYTON of Cherryfield, LEMONT of Kittery, LOOK of Jonesboro, MADORE of Augusta, O'NEAL of Limestone, POULIN of Oakland, POULIOT of Lewiston, REED of Dexter, SAVAGE of Union, THOMPSON of Naples, TRUE of Fryeburg, UNDERWOOD of Oxford, VIGUE of Winslow, WHEELER of Bridgewater, Senator: SMALL of Sagadahoc)

Education and Cultural Affairs

Bill "An Act Establishing Education as a Priority for the State by Expediting Consideration of the Education Budget" (H.P. 707) (L.D. 964) (Presented by Representative LIBBY of Buxton)

Bill "An Act to Protect Maine's Maritime Heritage" (H.P. 708) (L.D. 965) (Presented by Representative ADAMS of Portland) (Cosponsored by Representatives: AHEARNE of Madawaska, AULT of Wayne, BIGL of Bucksport, CHASE of China, DAGGETT of Augusta, GOOLEY of Farmington, GREEN of Monmouth, HARTNETT of Freeport, LEMONT of Kittery, MITCHELL of Portland, PINKHAM of Lamoine, PLOWMAN of Hampden, SAMSON of Jay, VOLENIK of Sedgwick, Senators: PINGREE of Knox, RAND of Cumberland)

Bill "An Act to Improve Maine Students' Preparedness for the Global Economy by Enhancing Opportunities for Global Education" (H.P. 716) (L.D. 973) (Presented by Representative MITCHELL of Vassalboro) (Cosponsored by Representatives: AULT of Wayne, CLOUTIER of South Portland, JONES of Bar Harbor)

Human Resources

Bill "An Act to Reimplement Statewide Child Sex Abuse Medical Teams" (H.P. 703) (L.D. 960) (Presented by Representative MORRISON of Bangor) (Cosponsored by Representatives: CHASE of China, CHIZMAR of Lisbon, JOSEPH of Waterville, POULIOT of Lewiston, SAXL of Bangor, SAXL of Portland, TOWNSEND of Portland, TUTTLE of Sanford)

Bill "An Act to Amend the Adult Protective Services Act to Allow Referrals of Cases of Abuse, Neglect and Exploitation to Law Enforcement Agencies" (H.P. 710) (L.D. 967) (Presented by Representative TREAT of Gardiner) (Submitted by the Department of Human Services pursuant to Joint Rule 24.)

Bill "An Act to Ensure the Continuation of Current Hospice Services" (H.P. 712) (L.D. 969) (Presented by Representative DORE of Auburn) (Cosponsored by Representatives: KONTOS of Windham, WINGLASS of Auburn, Senators: HARRIMAN of Cumberland, PARADIS of Aroostook, PENDEXTER of Cumberland)

Bill "An Act to Require Special Care Program Disclosure by Entities Providing Alzheimer Care" (H.P. 714) (L.D. 971) (Presented by Representative LIBBY of Kennebunk) (Cosponsored by Representatives: BARTH of Bethel, DONNELLY of Presque Isle, JOYNER of Hollis, TRUE of Fryeburg, Senator: STEVENS of Androscoggin)

Bill "An Act to Create an Advisory Board and State and Local Interagency Teams to Assist in the Provision of Care for Children and Adolescents with Severe Emotional Disturbance" (H.P. 717) (L.D. 974) (Presented by Representative FITZPATRICK of Durham) (Cosponsored by Representatives: BRENNAN of Portland,

DORE of Auburn, ETNIER of Harpswell, JONES of Bar Harbor, LEMAIRE of Lewiston, MITCHELL of Portland, POVICH of Ellsworth)

Judiciary

Bill "An Act to Limit Liability for Farm Pick-your-own Operations" (H.P. 696) (L.D. 954) (Presented by Representative KILKELLY of Wiscasset) (Cosponsored by Representatives: AHEARNE of Madawaska, CROSS of Dover-Foxcroft, DEXTER of Kingfield, HICHBORN of Lagrange, KNEELAND of Easton, SPEAR of Nobleboro, STROUT of Corinth, TYLER of Windham, Senators: CASSIDY of Washington, LORD of York, PARADIS of Aroostook)

Labor

Bill "An Act to Amend the Workers' Compensation Act As It Relates to Incarcerated Individuals" (H.P. 697) (L.D. 955) (Presented by Representative CLUKEY of Houlton) (Cosponsored by Senator HALL of Piscataquis and Representatives: WATERHOUSE of Bridgton, WHEELER of Bridgewater, Senator: BENOIT of Franklin)

State and Local Government

Bill "An Act to Require the Legislature to Set the Fees Imposed by Executive Agencies" (H.P. 704) (L.D. 961) (Presented by Representative WINSOR of Norway) (Cosponsored by Representative: WATERHOUSE of Bridgton, Senator: FERGUSON of Oxford)

Bill "An Act to Establish the Department of Health and Family Services" (H.P. 718) (L.D. 975) (Presented by Representative MORRISON of Bangor) (Cosponsored by Representatives: CHIZMAR of Lisbon, CLARK of Millinocket, FITZPATRICK of Durham, JOSEPH of Waterville, POULIOT of Lewiston, TUTTLE of Sanford, Senator: AMERO of Cumberland)

Bill "An Act Concerning County Sheriff Patrols in Municipalities with No Local Law Enforcement" (H.P. 709) (L.D. 966) (Presented by Representative DUNN of Gray) (Cosponsored by Representatives: AIKMAN of Poland, KNEELAND of Easton, MURPHY of Berwick, REED of Falmouth, Senator: BUTLAND of Cumberland)

Reference to the Committee on State and Local Government was suggested.

On motion of Representative DAGGETT of Augusta, tabled pending reference and later today assigned.

Taxation

Bill "An Act to Exempt Nursing Homes from the Rooms and Meals Tax" (H.P. 706) (L.D. 963) (Presented by Representative HARTNETT of Freeport)

Bill "An Act to Provide a Tax Credit for the Rehabilitation of Historic Properties" (H.P. 715) (L.D. 972) (Presented by Representative DORE of Auburn) (Cosponsored by Representative ADAMS of Portland and Representatives: BENEDIKT of Brunswick, DAVIDSON of Brunswick, FISHER of Brewer, JONES of Bar Harbor, LEMAIRE of Lewiston, LOOK of Jonesboro, MERES of Norridgewock, MORRISON of Bangor, POULIOT of Lewiston, SAXL of Bangor, SAXL of Portland, TREAT of Gardiner, TUTTLE of Sanford, Senators: CLEVELAND of Androscoggin, LORD of York, MILLS of Somerset, RAND of Cumberland)

Transportation

Bill "An Act to Require Certain Motorists to Yield When Traveling under the Speed Limit" (H.P. 705) (L.D. 962) (Presented by Representative CAMERON of Rumford)

Utilities and Energy

Bill "An Act to Protect the Integrity of the Maine Cellular Telecommunications Network" (H.P. 711) (L.D. 968) (Presented by Representative ADAMS of Portland) (Cosponsored by Representatives: AHEARNE of Madawaska, CHASE of China, ETNIER of Harpswell, GOOLEY of Farmington, GREEN of Monmouth, HEESCHEN of Wilton, KONTOS of Windham, LUTHER of Mexico, MITCHELL of Portland, SAMSON of Jay, VIGUE of Winslow, VOLENIK of Sedgwick, Senators: PINGREE of Knox, RAND of Cumberland)

Bill "An Act to Establish Qualifications for Public Utilities Commissioners" (H.P. 713) (L.D. 970) (Presented by Representative ADAMS of Portland) (Cosponsored by Representatives: ETNIER of Harpswell, GOOLEY of Farmington, GREEN of Monmouth, KONTOS of Windham, LUTHER of Mexico, MITCHELL of Portland, SAMSON of Jay, VOLENIK of Sedgwick, Senator: RAND of Cumberland)

Reported Pursuant to Public Law

Representative HATCH for the Workers' Compensation Board and the Superintendent of Insurance pursuant to Public Law 1993, chapter 619 ask leave to submit their findings and to report that the accompanying Bill "An Act to Amend the Workers' Compensation Board's Annual Assessment" (EMERGENCY) (H.P. 695) (L.D. 953) be referred to the Joint Standing Committee on Labor for Public Hearing and printed pursuant to Joint Rule 20.

The Report was read and accepted, and the Bill was referred to the Committee on Labor, ordered printed and sent up for concurrence.

Reported Pursuant to Statutes

Representative DORE for the Administrator of the Unorganized Territory pursuant to the Maine Revised Statutes, Title 36, section 1604 asks leave to submit its findings and to report that the accompanying Bill "An Act to Establish Municipal Cost Components for Unorganized Territory Services to Be Rendered in Fiscal Year 1995-96" (EMERGENCY) (H.P. 701) (L.D. 959) be referred to the Joint Standing Committee on Taxation for Public Hearing and printed pursuant to Joint Rule 20.

The Report was read and accepted, and the Bill was referred to the Committee on Taxation, ordered printed and sent up for concurrence.

ORDERS

On motion of Representative LIBBY of Buxton, the following Joint Resolution: (H.P. 702) (Cosponsored by: Representatives BIRNEY of Paris, BRENNAN of Portland, CHARTRAND of Rockland, DAVIDSON of Brunswick, DEXTER of Kingfield, DONNELLY of Presque Isle, FISHER of Brewer, FITZPATRICK of Durham, GREEN of Monmouth, GWADOSKY of Fairfield, HARTNETT of Freeport, JOHNSON of South Portland, JOYNER of Hollis,

KERR of Old Orchard Beach, KILKELLY of Wiscasset, LaFOUNTAIN of Biddeford, LEMKE of Westbrook, MARTIN of Eagle Lake, MURPHY of Berwick, O'GARA of Westbrook, RICHARDSON of Portland, ROBICHAUD of Caribou, ROWE of Portland, SHIAH of Bowdoinham, TOWNSEND of Portland, TREAT of Gardiner, WATSON of Farmingdale, WHEELER of Bridgewater, Senators: CAREY of Kennebec, LONGLEY of Waldo, MILLS of Somerset) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 35)

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO SUPPORT THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM

WE, your Memorialists, the Members of the One Hundred and Seventeenth Legislature of the State of Maine, now assembled in the First Regular Session, most respectfully present and petition the President and the Congress of the United States, as follows:

WHEREAS, the federal House Appropriations Subcommittee has voted to eliminate funding for the Low Income Home Energy Assistance Program; and

WHEREAS, approximately 60,000 families in Maine receive aid through the Low Income Home Energy Assistance Program; and

WHEREAS, the Low Income Home Energy Assistance Program is crucial to the Maine families who rely on the federal program to help with weatherization costs for their homes and winter fuel bills; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge that legislation be enacted by the Senate and the House of Representatives of the Congress of the United States to restore funding for the Low Income Home Energy Assistance Program; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable William J. Clinton, President of the United States, the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to each Member of the Maine Congressional Delegation.

Was read.

The SPEAKER: The Chair recognizes the Representative from Buxton, Representative Libby.

Representative LIBBY: Mr. Speaker, Men and Women of the House: I introduced this Joint Resolution to the House because I feel strongly that the Home Energy Assistance Program is a program that works. It is one of those few federal programs that we have that is specifically tailored to the northeast. It is a program that brings into Maine \$14.7 million. It serves over 60,000 families.

I have seen it work in the Town of Buxton and in the Town of Hollis. I have been to families homes that use the fuel assistance, the weatherization, and I can tell you from first hand experience, based on those visits, that this program, when properly run — and I think it is run very well here especially in the State of Maine — is a program that works. The program is in jeopardy at the federal level. The funding for the program was voted down in the House Appropriations Subcommittee at the federal level. It concerned me greatly.

It is the type of bill I think that can be a bipartisan effort. And, I want to thank all the members of the House and Senate (and there are several who signed on to this Joint Resolution) I would like to thank them for their understanding of the need for programs like this coming from the federal level. Not every program that is working

properly should be handed to the states to run, it can cause some confusion and difficulties. I think this would be one example of that. I would appreciate your support on this Joint Resolution.

Subsequently the Joint Resolution was adopted and sent up for concurrence.

On motion of Representative DEXTER of Kingfield, the following Joint Resolution: (H.P. 719) (Cosponsored by Senator MILLS of Somerset and Representatives: JACQUES of Waterville, MITCHELL of Vassalboro)

JOINT RESOLUTION HONORING THE MEMORY OF JOSEPH LAWRENCE KENNETH BELANGER

WHEREAS, it has been 30 years since the untimely and tragic death of Joseph Lawrence Kenneth Belanger on February 7, 1965, in his 20th year, by a bomb attack on his barracks in Pleiku, Vietnam; and

WHEREAS, Joseph Lawrence Kenneth Belanger was a small-town hero, a native son of Bingham, a high school basketball star, a promising athlete known for his wit and charm and loved and respected by his family, friends and the people of his hometown; and

WHEREAS, Joseph Lawrence Kenneth Belanger had a strong sense of family, faith and responsibility and with a desire to better himself and do what is right joined the United States Army; and

WHEREAS, Joseph Lawrence Kenneth Belanger best exemplified the honor, courage and bravery in the men and women that represent the State of Maine in our National Armed Forces; now, therefore, be it

RESOLVED: That, We, the Members of the One Hundred Seventeenth Legislature of the State of Maine now assembled in the First Regular Session, pause in a moment of understanding and prayer to honor the memory of Joseph Lawrence Kenneth Belanger and respectfully request that when the Legislature adjourns this date it do so in honor and lasting tribute to the memory of Joseph Lawrence Kenneth Belanger; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to his devoted family.

On motion of Representative DEXTER of Kingfield, tabled pending reading and specially assigned for Tuesday, March 28, 1995.

On motion of Representative KILKELLY of Wiscasset, the following Joint Resolution: (H.P. 720) (Cosponsored by Representatives: AHEARNE of Madawaska, Representative CROSS of Dover-Foxcroft, DEXTER of Kingfield, HEESCHEN of Wilton, HICHBORN of LaGrange, KNEELAND of Easton, SPEAR of Nobleboro, STROUT of Corinth, TYLER of Windham, Senators: CASSIDY of Washington, Senator LORD of York, Senator PARADIS of Aroostook.

JOINT RESOLUTION IN HONOR OF THE MAINE FARMER AND MAINE AGRICULTURE

WHEREAS, one fifth of our national work force are farmers in the business of food and fiber production for world markets, accounting for 19% of the gross national product; and

WHEREAS, the Maine farmer provides \$500,000,000 in total farm income and is credited with a \$1,300,000,000 contribution to Maine's economy; and

WHEREAS, Maine farms provide not only food for families but scenic views, open spaces, employment

opportunities and a tangible link to our culture and heritage; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred Seventeenth Legislature of the State of Maine, now assembled in the First Regular Session, pause in our deliberations to honor Maine farmers and innovators who have contributed so much to the betterment of our State and to pledge our support and encouragement, and urge the youth of Maine to pursue the growing opportunities for careers in today's technologically advanced agricultural industry; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Commissioner of Agriculture, Food and Rural Resources in token of the esteem in which those in this vital field are held.

Was read.

The **SPEAKER**: The Chair recognizes the Representative from Wiscasset, Representative Kilkelly.

Representative KILKELLY: Mr. Speaker, Men and Women of the House: In the lobby this morning and in the Hall of Flags this afternoon, Maine farmers and producers are hosting a celebration of their many and various products — from potatoes which have been grown in this state since 1750, to the dried cranberries that are on your desk, that have come into market during the last year. Maine has a heritage of agriculture to be proud of.

What has been most exciting to me as a member of the Agriculture, Conservation and Forestry Committee is the interest excitement and creativity of Maine farm people. The diversity of agriculture in this state from full-time farmers with hundreds of acres to backyard gardeners and horse owners, all are interested in the future of agriculture in Maine and committed to working together towards that end.

At this time I would like to introduce Elaine Beal of Avon. She is with the Maine Farm Bureau and is currently serving as the State Women's Chairman and she has a presentation for the Speaker if the Sergeant-at-arms would escort her to the Rostrum.

Subsequently, Elaine Beal of Avon was escorted to the Rostrum and address the House as follows:

ELAINE BEAL: Hello, I am Elaine Beal, the Chairman of the Maine Farm Bureau of Women's Committee. The Maine Farm Bureau has 5,000 members in the state. We appreciate all the work and time and hours that the House of Representatives have put in for agriculture these past years. You have already done a lot this year for us.

At this time I would like to present this basket of Maine products to Speaker Gwadosky. (applause)

The **SPEAKER**: I would like to thank Elaine, obviously, and the Farm Bureau. I will try to make this available in the office in the unlikely event there is any left over after my office has gone through it, you are welcome. But, I wouldn't keep your hopes up in the mean time.

Subsequently, the Joint Resolution was adopted and sent up for concurrence.

On motion of Representative HICHBORN of Lagrange, the following Order: (H.O. 16)

ORDERED, that Representative Harry W. Bailey of Township 27 be excused March 2 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Paul Volenik of Sedgwick be excused March 14 to 17 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Tom J. Winsor of Norway be excused March 14 for health reasons.

Was read and passed.

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 56 and Joint Rule 34, the following items:

Recognizing:

the following members of the 1994-1995 Bonny Eagle High School Varsity Cheerleading Squad, of Standish, who are the State Class A Cheerleading Champions: Mary Morse, Hannah Redmond, Denise Roberts, Dave Johnson, Chris Blake, Donald Trott, Kori MacEachen, Selena Nordgren, Shannon Bushey, Sarah Esposito, Shelly Roberts, Robin Landry, Angela Brogan, Jenn Cabana, Brandi Thorpe, Jessica Robichaud and their coach Kathy Morse. We extend our congratulations and best wishes to them; (HLS 168) by Representative JOYNER of Hollis. (Cosponsors: Senator ESTY of Cumberland, Senator LORD of York, Senator PENDEXTER of Cumberland, Representative GREENLAW of Standish, Representative LIBBY of Buxton, Representative McALEVEY of Waterboro)

On objection of Representative LIBBY of Buxton was removed from the Special Sentiment Calendar.

Was read.

The SPEAKER: The Chair recognizes the Representative from Buxton, Representative Libby.

Representative LIBBY: Mr. Speaker, Men and Women of the House: Briefly. I would like to convey my congratulations to our cheerleading squad at Bonny Eagle High School. Many of you know that I attended Bonny Eagle High School and was cheered many times as a member of the basketball team there.

I must say that this year we are particularly proud because not only did we have the best cheering squad in the state, but we also had a basketball team that (for the first time in the history of our school) made it to the Class A State Championship in boys basketball.

So, I would like to say to both of those teams, thank you so much for your participation and we really appreciate everything that you do at our school.

Subsequently, HLS 168 was passed and sent up for concurrence.

In Memory of:

Lillian Caron-O'Brien, of Lewiston, who was the first woman mayor in Maine. She was very active in Lewiston politics and served 2 terms as alderwoman on the city council and 2 terms as mayor. She will be greatly missed by her family, constituents and many friends; (HLS 167) by Representative BOUFFARD of Lewiston. (Cosponsors: Representative POULIOT of Lewiston, Representative RICKER of Lewiston, Representative LEMAIRE of Lewiston, Representative GAMACHE of Lewiston, Senator BERUBE of Androscoggin, Senator CLEVELAND of Androscoggin)

On objection of Representative BOUFFARD of Lewiston was removed from the Special Sentiment Calendar.

Was read.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Bouffard.

Representative BOUFFARD: Mr. Speaker, Ladies and Gentlemen of the House: I stand before you this morning to pay tribute to a legend in Lewiston's political arena. Yes, Lewiston has had other political giants, Louis Bran and Louis Jalbert to name a few, but, they were just politicians. Lil Caron can be considered a legend because she has the honor of being the first woman ever elected a mayor of a large metropolitan city in Maine. She began her career as a PTA official, worked for the model city agencies prior to 1971, became a councilwoman in 1971 and the mayor of Lewiston from 1976 through 1979. She was a members of Lewiston's Personnel Board from 1980 to 1982. In 1978 she crossed the party lines to campaign for Representative Bill Cohen when he upset Senator Bill Hathaway and was later asked by Senator Cohen to head his Lewiston office, which she did in the same feisty fashion that she was accustomed to. Lil Caron, while campaigning once said, "I will look like a woman, act like a lady, think like a man and work like a horse." I can attest to her work habits knowing her also on a personal side. She was a hard worker, raising four children — nothing but a high school education, but what she lacked for in tools she made up with hard work, never forgetting her family.

I am asking therefore, that in paying homage to the first woman ever elected mayor of a metropolitan city in this great State of Maine when the Legislature adjourns this day it do so in honor and tribute to Lillian Caron-O'Brien.

Subsequently, HLS 167 was adopted and sent up for concurrence.

REPORTS OF COMMITTEES

Divided Report

Majority Report of the Committee on **Natural Resources** reporting "**Ought to Pass**" as amended by Committee Amendment "A" (H-29) on Bill "An Act to Clarify the Financial Assurance Provisions Applicable to Solid Waste Disposal Facilities" (H.P. 129) (L.D. 177)

Signed:

Senators:

LORD of York
HATHAWAY of York
RUHLIN of Penobscot
GOULD of Greenville
POULIN of Oakland
BERRY of Livermore
MERES of Norridgewock
GREENLAW of Standish
DAMREN of Belgrade
NICKERSON of Turner
MARSHALL of Eliot

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

Signed:

Representatives:

SAXL of Bangor
SHIAH of Bowdoinham

Was read.

Representative GOULD of Greenville moved that the House accept the Majority "**Ought to Pass**" Report.

On further motion of the same Representative, tabled pending his motion to accept the Majority "**Ought to Pass**" Report and specially assigned for Tuesday, March 28, 1995.

Divided Report

Majority Report of the Committee on Legal and Veterans Affairs reporting "Ought Not to Pass" on Bill "An Act to Require the Return of Interest Earned on Security Deposits" (H.P. 177) (L.D. 225)

Signed:

Senators: FERGUSON of Oxford
STEVENS of Androscoggin
MICHAUD of Penobscot

Representatives: LABRECQUE of Gorham
MURPHY of Berwick
FISHER of Brewer
GAMACHE of Lewiston
CHIZMAR of Lisbon
LEMONT of Kittery
TRUE of Fryeburg
BUCK of Yarmouth
NADEAU of Saco

Minority Report of the same Committee reporting "Ought to Pass" on same Bill.

Signed:

Representative: TRUMAN of Biddeford

Was read.

On motion of Representative NADEAU of Saco, the Majority "Ought Not to Pass" Report was accepted 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:

(S.P. 28) (L.D. 58) Bill "An Act to Require State or Independent Fair Hearing Examiners in the Grievance Process of the Department of Mental Health and Mental Retardation" Committee on Human Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (S-20)

(S.P. 65) (L.D. 94) Resolve, to Extend the Deadline to Report for the Commission on the Future of Maine's Paper Industry (EMERGENCY) Committee on Business and Economic Development reporting "Ought to Pass" as amended by Committee Amendment "A" (S-21)

(H.P. 168) (L.D. 216) Bill "An Act to Enhance the Title to Real Estate Acquired by Municipalities for Nonpayment of Taxes" Committee on Taxation reporting "Ought to Pass"

(H.P. 128) (L.D. 176) Bill "An Act Relating to the Conferral of Degrees by the Research Institute for Semiological Mathematics" Committee on Education and Cultural Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-31)

(H.P. 169) (L.D. 217) Bill "An Act to Amend the Sewer Lien Law to Provide Clear Title" Committee on State and Local Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-30)

(H.P. 260) (L.D. 362) Bill "An Act to Expand the Boundaries of the Presque Isle Water District and the Presque Isle Sewer District" Committee on Utilities and Energy reporting "Ought to Pass" as amended by Committee Amendment "A" (H-32)

There being no objections, the above items were ordered to appear on the Consent Calendar of Tuesday, March 28, 1995 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. 69) (L.D. 105) Bill "An Act to Allow Off-duty Police Officers to Work in Retail Stores That Are Licensed to Sell Alcoholic Beverages"

(H.P. 412) (L.D. 569) Bill "An Act to Remove Restrictions on Compensation For Deputy District Attorneys"

(H.P. 150) (L.D. 198) Bill "An Act to Amend the Law Regarding Mandatory Insurance Coverage for Mental Illness" (EMERGENCY) (C. "A" H-27)

(H.P. 173) (L.D. 221) Bill "An Act to Allow Municipal Officials to Approve the Use of Flashing Lights by Fire Department Members" (C. "A" H-26)

(H.P. 358) (L.D. 478) Bill "An Act to Make Certain Housekeeping Changes to the Banking Code Regarding Hours of Operation, Closing during Emergencies, the Publication of Reports of Financial Condition and the Maturity of Credit Lines" (C. "A" H-28)

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.

The following items were taken up out of order by unanimous consent:

SENATE PAPERS

The following Joint Order: (S.P. 356)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, March 28, 1995, at 9:30 o'clock in the morning.

Came from the Senate, read and passed.

Was read and passed in concurrence.

Bill "An Act to Amend the Cruelty to Animals Laws by Defining the Term "Undue Suffering"" (S.P. 351) (L.D. 979)

Came from the Senate, referred to the Committee on Agriculture, Conservation and Forestry and Ordered Printed.

Was referred to the Committee on Agriculture, Conservation and Forestry in concurrence.

Bill "An Act to Clarify the Display of Social Security Numbers on Insurance-related Identification Cards" (EMERGENCY) (S.P. 345) (L.D. 950)

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

Was referred to the Committee on Banking and Insurance in concurrence.

Bill "An Act to Include the Emergency Medical Services' Board in the List of Boards Reviewing Criminal Convictions Before Licensing" (S.P. 346) (L.D. 951)

Came from the Senate, referred to the Committee on Business and Economic Development and Ordered Printed.

Was referred to the Committee on Business and Economic Development in concurrence.

Bill "An Act to Clarify Juvenile Detention" (S.P. 354) (L.D. 982)

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

Was referred to the Committee on Criminal Justice in concurrence.

Bill "An Act to Amend the Teacher Certification Laws Relating to Certification Waivers" (S.P. 353) (L.D. 981)

Bill "An Act to Authorize the Towns of Mechanic Falls, Minot and Poland to Form a Community School District" (EMERGENCY) (S.P. 355) (L.D. 983)

Came from the Senate, referred to the Committee on Education and Cultural Affairs and Ordered Printed.

Were referred to the Committee on Education and Cultural Affairs in concurrence.

Bill "An Act to Remove Outdated and Duplicative Provisions from the Statute Governing the Office of Substance Abuse" (S.P. 349) (L.D. 977)

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

Was referred to the Committee on Human Resources in concurrence.

Bill "An Act to Transfer Responsibility for Approval of Employee Assistance Programs" (S.P. 350) (L.D. 978)

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

Was referred to the Committee on Labor in concurrence.

Bill "An Act Regarding Liquor Licenses for Golf Courses" (S.P. 348) (L.D. 976)

Bill "An Act to Amend the Charter of the Somerset Woods Trustees to Eliminate the Cap on the Value of Holdings" (S.P. 352) (L.D. 980)

Came from the Senate, referred to the Committee on Legal and Veterans Affairs and Ordered Printed.

Were referred to the Committee on Legal and Veterans Affairs in concurrence.

Bill "An Act to Ensure Consistency Between State and Federal Environmental Requirements" (S.P. 347) (L.D. 952)

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

Was referred to the Committee on Natural Resources in concurrence.

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Tuesday, March 21, 1995 have preference in the Orders of the Day and continue with such preference until disposed of as provided by Rule 24.

JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO STOP MANDATES THAT ARE BEYOND ITS CONSTITUTIONALLY DELEGATED POWERS (H.P. 693)

TABLED - March 21, 1995 (Till Later Today) by Representative MARSHALL of Eliot.

PENDING - Reading.

Was read.

Representative MARSHALL of Eliot presented House Amendment "A" (H-35) which was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Eliot, Representative Marshall.

Representative MARSHALL: Mr. Speaker, Colleagues of the House: The amendment that is presented simply reduces the printing cost of this Resolution by limiting sending it to all the state legislatures. I think they will probably hear about it if we are able to pass it.

The remainder of the Resolution apparently — I had hoped to get it out on Tuesday before the events that transpired in Washington actually happened. Apparently the President has signed a very similar measure in Washington, however, I think it would be fitting to send this to Washington to add further encouragement and reinforcement to the Legislative body in Washington to continue with this its present wishing to curtail its unnecessary powers.

Subsequently, House Amendment "A" (H-35) was adopted.

The Joint Resolution (H.P. 693) was adopted as amended by House Amendment "A" (H-35) and sent up for concurrence.

By unanimous consent, all matters having been acted upon were ordered sent forthwith.

Bill "An Act to Appropriate Funds for the Expansion and Renovation of the Norway Armory" (EMERGENCY) (H.P. 270) (L.D. 372) (C. "A" H-24)

TABLED - March 21, 1995 (Till Later Today) by Representative JACQUES of Waterville.

PENDING - Motion of Representative JONES of Bar Harbor to indefinitely postpone Bill and accompanying papers.

On motion of Representative JACQUES of Waterville, tabled until later today, pending the motion of Representative JONES of Bar Harbor to indefinitely postpone the Bill and all accompanying papers.

HOUSE DIVIDED REPORT - Majority (7) "Ought to Pass" as amended by Committee Amendment "A" (H-15) - Minority (5) "Ought Not to Pass" - Committee on Human Resources on Bill "An Act Relating to the Maine Health Program" (EMERGENCY) (H.P. 271) (L.D. 373)

TABLED - March 21, 1995 (Till Later Today) by Representative JACQUES of Waterville.

PENDING - Motion of Representative FITZPATRICK of Durham to accept the Majority "Ought to Pass" as amended Report.

On motion of Representative JACQUES of Waterville, tabled until later today, pending the motion of Representative FITZPATRICK of Durham to accept the Majority "Ought to Pass" as amended Report.

TABLED AND TODAY ASSIGNED

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

Expression of Legislative Sentiment recognizing Peter Miesburger (HLS 137)

TABLED - March 14, 1995 by Representative ROBICHAUD of Caribou.

PENDING - Passage.

On motion of Representative JACQUES of Waterville, tabled unassigned pending passage.

Expression of Legislative Sentiment recognizing Aroostook River Camping and Recreation (HLS 138)
 TABLED - March 14, 1995 by Representative ROBICHAUD of Caribou.
 PENDING - Passage.

On motion of Representative ROBICHAUD of Caribou, tabled pending passage and later today assigned.

Expression of Legislative Sentiment recognizing John McCormack (HLS 139)
 TABLED - March 14, 1995 by Representative ROBICHAUD of Caribou.
 PENDING - Passage.

On motion of Representative ROBICHAUD of Caribou, tabled pending passage and specially assigned for Tuesday, March 28, 1995.

HOUSE ORDER - Relative to amending House Rule 7 (H.O. 15)

TABLED - March 21, 1995 (Pursuant to House Rule #54)
 PENDING - Passage. (2/3 Vote Required)

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

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

Bill "An Act Concerning County Sheriff Patrols in Municipalities with No Local Law Enforcement" (H.P. 709) (L.D. 966) which was tabled by Representative DAGGETT of Augusta pending reference.

Subsequently, the Bill was referred to the Committee on State and Local Government, ordered printed and sent up for concurrence.

By unanimous consent (H.P. 709) (L.D. 966) was ordered sent forthwith.

At this point Brigadier General Eugene Richardson of the Maine Army National Guard entered the Hall of the House and was escorted to the Rostrum.

Brigadier General RICHARDSON: Mr. Speaker, Members of the House: Thank you for allowing me a second to say "Thank You" to Joe Mayo.

As you know, last month we had our first ever Legislative Awareness Day and we just couldn't have done it without Joe. He was very helpful and most cooperative from the very beginning and helped us pull off a very successful program.

On behalf of the Maine Army National Guard I would like to present Joe with a baseball cap as a token of our appreciation. It has "Joe Mayo" written right on it. Thank you very much. (Applause)

The following items were taken up out of order by unanimous consent:

SENATE PAPERS

Divided Report

Majority Report of the Committee on Labor reporting "Ought to Pass" as amended by Committee Amendment "A" (S-24) on Bill "An Act to Preserve the Solvency of the Unemployment Compensation Fund" (EMERGENCY) (S.P. 303) (L.D. 842)

Signed:

Senators: RAND of Cumberland

Representatives:

BEGLEY of Lincoln
 MILLS of Somerset
 SAMSON of Jay
 STEDMAN of Hartland
 PENDLETON of Scarborough
 JOY of Crystal
 CHASE of China
 LEMAIRE of Lewiston
 WINSOR of Norway
 HATCH of Skowhegan
 TUTTLE of Sanford

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

Signed:

Representative: JOYCE of Biddeford
 Came from the Senate with the Majority "Ought to Pass" as amended Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-24)

Was read.

On motion of Representative HATCH of Skowhegan, the House accepted the Majority "Ought to Pass" as amended Report.

The Bill was read once. Committee Amendment "A" (S-24) was read by the Clerk and adopted.

Under suspension of the rules, the Bill was given its second reading without reference to the Committee on Bills in the Second Reading.

Under further suspension of the rules, the Bill was passed to be engrossed as amended by Committee Amendment "A" (S-24) in concurrence. Ordered sent forthwith.

At this point, the Speaker appointed Representative JACQUES of Waterville, to serve as Speaker Pro Tem at 4:00 p.m. this afternoon.

On motion of Representative JACQUES of Waterville, the House recessed until 4:00 p.m.

(After Recess)

The House was called to order by the Speaker Pro Tem.

The following items were taken up out of order by unanimous consent:

CONSENT CALENDAR

First Day

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

(H.P. 317) (L.D. 438) Bill "An Act to Amend the Law Regarding Minimum Sentences for Class C Crimes Involving the Use of a Firearm against a Person" Committee on Criminal Justice reporting "Ought to Pass"

(H.P. 104) (L.D. 139) Bill "An Act to Allow the Maine Human Rights Commission to Request the Cooperation of the Bureau of Consumer Credit Protection in Enforcing the Fair Credit Extension Laws" Committee on Banking and Insurance reporting "Ought to Pass" as amended by Committee Amendment "A" (H-41)

(H.P. 138) (L.D. 186) Bill "An Act to Permit Full-time Deputies To Hold Local Public Office" Committee on **State and Local Government** reporting "**Ought to Pass**" as amended by Committee Amendment "A" (H-36)

(H.P. 278) (L.D. 382) Bill "An Act to Credit Incineration as Recycling" Committee on **Natural Resources** reporting "**Ought to Pass**" as amended by Committee Amendment "A" (H-37)

(H.P. 375) (L.D. 510) Bill "An Act to Extend the Duration of Workers' Compensation Health Benefit Pilot Projects" Committee on **Banking and Insurance** reporting "**Ought to Pass**" as amended by Committee Amendment "A" (H-42)

There being no objections, the above items were ordered to appear on the Consent Calendar of Tuesday, March 28, 1995 under the listing of Second Day.

REPORTS OF COMMITTEES Ought to Pass as Amended

Representative GOULD from the Committee on **Natural Resources** on Bill "An Act to Change the Activities Requiring a Permit from the Department of Environmental Protection" (H.P. 165) (L.D. 213) reporting "**Ought to Pass**" as amended by Committee Amendment "A" (H-38)

Report was read and accepted. The bill read once. Committee Amendment "A" (H-38) was read by the Clerk and adopted and the bill assigned for second reading Tuesday, March 28, 1995.

ENACTOR

An Act to Continue the Health Occupations Training Project (S.P. 106) (L.D. 282) (C. "A" S-18)

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

Emergency Measure

An Act to Preserve the Solvency of the Unemployment Compensation Fund (S.P. 303) (L.D. 842) (C. "A" S-24)

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

The SPEAKER PRO TEM: The Speaker recognizes the Representative from Biddeford, Representative Joyce.

Representative JOYCE: Mr. Speaker, Men and Women of the House: I request a roll call and would speak to my motion.

According to the Department of Labor it is true that the unemployment fund will be depleted by 1998. It is also true that we cannot allow the unemployment system to collapse and thereby start borrowing funds from the federal government.

It is not true that the bill before us is the solution. This bill, merely allows us to do nothing for two years and then face the same dire emergency that we should be dealing with right now. We need to put days of band-aid bills and hidden taxes behind us.

L.D. 842 has gotten this far with virtually no public knowledge or involvement. It was a complete surprise to most of the Labor Committee yesterday morning and there was very little testimony, opponents or proponents. You can use whatever term you want to describe this bill, in truth though, it is nothing, it is just another retroactive tax increase. We don't need any more retroactive tax

increases in this state whether they be for business or the unemployed.

In 1993 the Department of Labor came to this body and requested a surcharge on employers and a reduction in benefits for the unemployed. It was granted to them. Two years later, (today) they are asking for the exact same thing. No properly run organization needs a government bailout every two years. I think there is a serious problem here. If we continue to avoid the realities of true reform on employment issues, we may just as well pass a bill to help our best employers move out of state and get it over with.

Not quite two months ago we voted to provide \$100 million in FAME loan guarantees to attract new business and to increase employment.

Now, today, we are going to vote to tax our existing businesses \$40 million. That satisfies absolutely no understandable test of fairness, in my view. This band-aid measure is going to take almost \$40 million out of Maine's economy in the next three years for the sake of Maine's small business and the unemployed who will suffer.

I urge you to vote your conscience and vote no on this measure.

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 more than one-fifth of the members present and voting. All 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 PRO TEM: The Chair recognizes the Representative from Sanford, Representative Tuttle.

Representative TUTTLE: Mr. Speaker, Men and Women of the House: We were all passed a memo on actually what this bill does. I think it pretty much explains about the present situation of the solvency of the unemployment fund. This bill -- it says here that Legislative action is needed to continue that solvency over the next few years. Essentially what the bill does is it reduces the weekly benefit payments by \$3.00, limiting the increase also of maximum weekly benefits from the present 100 percent level to a 94 percent increase which would amount to a \$12.2 million savings in the trust fund.

It also would assist dislocated workers -- this program would provide an additional 26 weeks of compensation for displaced workers like those laid off at the Portsmouth Naval Shipyard and people within my community of Sanford and Biddeford and around the state.

As far as alternative base period, the provision allows the use of wages one quarter sooner for claimants that would otherwise not be qualified.

This bill also reduces the surtax for employers. Presently the surtaxes were seven percent in 1993, eight percent in 1994 and will be reduced to Maine employers, which is the concern of many of us, by four percent in the 1995 and 1997.

This also asks those workers of the state to have a flat surtax on taxable wages for their first \$7,000 paid and this is paid by the worker. Essentially, if no action is taken today the trust fund solvency will be in jeopardy by 1997 with complete insolvency in 1998. If the solvency plan is adopted indebtedness will be avoided to the year 2000. I think it is a fair proposal. It requires both labor and management

workers and employers to work together to solve our solvency fund problem.

I think it is a common sense approach and I would encourage your support.

The SPEAKER PRO TEM: The Chair recognizes the Representative from China, Representative Chase.

Representative CHASE: Mr. Speaker, Men and Women of the House: Briefly. The good Representative from Biddeford, Representative Joyce, is absolutely correct that two years ago the Department of Labor brought forward a similar bill because of the condition of the Unemployment Insurance Fund.

The problem is that when we have sustained unemployment. As you know, the fund is being used more than it has been in past years. When we have sustained unemployment employers as a class are paying in less because there are fewer employees upon whose wages to base the tax. There is less money. Frankly, less dollars going into the unemployment insurance fund and there are more demands of it. It is a counter cyclical problem and we do face it. It is real. I has little to do with government being run poorly and more to do with a sustained problem in our economy.

If you could read the statement of fact you would see that this is a bill based on the recommendations of the State Advisory Council and the Commissioner of Labor. The State Advisory Council is made up of representatives of employers both large and small employers who fairly/fiercely represent their constituents and, representatives of labor who fairly/fiercely represent their constituents. Nobody likes the bill. The office of the Executive, no doubt, does not like the bill. Certainly representatives of labor don't like the bill and representatives of employers don't like the bill. I don't like the bill.

I urge your support of this bill that no one likes on the basis that it is a compromise between all parties involved. Benefits are decreased, the tax is increased by I believe 4/10's of one percent and it is a way to get us through these times until there will be increase employment, more money going into the fund and fewer people who are legitimately drawing on the fund.

I urge your support of the bill.

The SPEAKER PRO TEM: 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. 18

YEA - Adams, Ahearne, Bailey, Benedikt, Berry, Bigl, Birney, Bouffard, Brennan, Bunker, Cameron, Campbell, Chartrand, Chase, Chick, Chizmar, Clark, Cross, Daggett, Damren, Davidson, Desmond, Dexter, DiPietro, Donnelly, Dore, Driscoll, Dunn, Etnier, Farnum, Fisher, Fitzpatrick, Gamache, Gates, Gerry, Gooley, Gould, Green, Guerrette, Hartnett, Hatch, Heeschen, Heino, Jacques, Johnson, Jones, K.; Joseph, Joy, Keane, Kerr, Kilkelly, Kneeland, Kontos, Labrecque, Lemaire, Lemke, Lemont, Libby JL; Lindahl, Look, Luther, Madore, Marshall, Martin, Mayo, McAlevey, Meres, Mitchell JE; Morrison, Murphy, Nadeau, Nickerson, O'Gara, O'Neal, Ott, Pendleton, Perkins, Poulin, Pouliot, Reed, G.; Richardson, Ricker, Rosebush, Rotondi, Rowe, Samson, Saxl, J.; Saxl, M.; Shiah, Simoneau, Sirois, Spear, Stedman, Stevens, Stone, Strout, Thompson, Treat, Tripp, True,

Truman, Tufts, Tuttle, Tyler, Vigue, Volenik, Watson, Wheeler, Whitcomb, Winglass, Winn, Winsor, Yackobitz.

NAY - Aikman, Ault, Barth, Buck, Carleton, Clukey, Jones, S.; Joyce, Joyner, LaFountain, Lane, Layton, Libby JD; Lovett, Lumbra, Marvin, McElroy, Nass, Peavey, Poirier, Povich, Reed, W.; Robichaud, Savage, Taylor, Underwood, Waterhouse.

ABSENT - Cloutier, Gieringer, Greenlaw, Hichborn, Mitchell EH; Pinkham, Plowman, Rice, Townsend, The Speaker.

Yes, 113; No, 27; Absent, 10; Paired, 0; Excused, 0; Vacant, 1.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 113 voted in favor of the same and 27 against, with 10 being absent, and 1 vacant, accordingly the Bill was passed to be enacted, signed by the Speaker pro tem and sent to the Senate.

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

Bill "An Act to Appropriate Funds for the Expansion and Renovation of the Norway Armory" (EMERGENCY) (H.P. 270) (L.D. 372) (C. "A" H-24) which was tabled by Representative JACQUES of Waterville pending the motion of Representative JONES of Bar Harbor to indefinitely postpone the Bill and all accompanying papers.

Representative JONES of Bar Harbor withdrew his motion to indefinitely postpone the Bill and all accompanying papers.

Subsequently, the Bill was passed to be engrossed as amended by Committee Amendment "A" (H-24) and sent up for concurrence.

House Divided Report - Committee on Human Resources - (7) Members "Ought to Pass" as amended by Committee Amendment "A" (H-15) - (5) Members "Ought Not to Pass" on Bill "An Act Relating to the Maine Health Program" (EMERGENCY) (H.P. 271) (L.D. 373) which was tabled by Representative JACQUES of Waterville pending the motion of Representative FITZPATRICK of Durham to accept the Majority "Ought to Pass" as amended Report.

On motion of Representative FITZPATRICK of Durham, tabled pending his motion to accept the Majority "Ought to Pass" as amended Report and specially assigned for Tuesday, March 28, 1995.

Expression of Legislative Sentiment recognizing Aroostook River Camping and Recreation (HLS 138) which was tabled by Representative ROBICHAUD of Caribou pending passage.

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

Representative ROBICHAUD: Mr. Speaker, Ladies and Gentlemen of the House: First of all I want to thank you for your indulgence in allowing me to table this particular sentiment until today.

Unfortunately, the constituent that I am hoping to honor, I believe are still setting up at the Sportsman show. But, I do want to take this opportunity to express my gratitude to the chamber in endorsing this Legislative Sentiment and also to express how proud I am of these particular individuals.

Mike and Jan Bouchard operate Aroostook Camping and Recreation in Caribou. Mike says his two greatest loves are his wife and the outdoors.

Anybody who knows Mike realizes that they are in tough competition because Mike is a registered Maine Guide, has been for many years, very active in Inland Fisheries and Wildlife issues and has finally been able to fulfill a dream which was to own his own business. Mike was recently awarded the Outstanding Community Improvement award for 1994 by the Caribou community for developing his camping area as well as having an outstanding series of cross-country trails.

Mike represents the entrepreneurial spirit that is embodied in the Maine citizen. He also represents something that I think is very special to Aroostook County and that is incredible devotion to the natural resources of our state and to our community.

I am proud to have him a member of the Caribou community and a constituent. I am also very proud to have him receive this award.

I once again thank the chamber for endorsing this Legislative Sentiment.

Subsequently, was passed and sent up for concurrence.

By unanimous consent, all matters having been acted upon were ordered sent forthwith.

HOUSE ORDER - Relative to amending House Rule 7 (H.O. 15) which was tabled by Representative JACQUES of Waterville pending passage.

On motion of Representative CARLETON of Wells, tabled pending passage and specially assigned for Tuesday, March 28, 1995.

On motion of Representative BOUFFARD of Lewiston, the House adjourned at 4:40 p.m., pursuant to the Joint Order (S.P. 356) in memory and honor of Lillian Caron-O'Brien of Lewiston.