

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

JANUARY 19, 1988

PRELIMINARY AGENDA

CALL TO ORDER

ROLL CALL

DIRECTOR'S REPORT

Item #1 Approved Step Increases

REPORTS FROM COUNCIL COMMITTEES

OLD BUSINESS

NEW BUSINESS

Item #1 Submission of Annual Report of the Regional Fuel
Tax Agreement by Anthony J. Neves, State Tax
Assessor

Item #2 Submission of Interim Study Reports previously
authorized by the Legislative Council

- Joint Standing Committee on Banking and
Insurance: Study of the Feasibility of
Establishing a 3-Member Insurance Commission
to Perform the Functions of Superintendent of
Insurance
- Joint Standing Committee on Economic
Development: Study on Regional Economies in
Maine

- Joint Standing Committee on State and Local Government: Maine's Conflict of Interest Laws
- Joint Standing Committee on Legal Affairs: Final Report on Law Enforcement Training
- Joint Standing Committee on Judiciary: The Subcommittee To Study Surrogate Parenting

Item #3 Request to Extend Deadline for Electric Power Planning Study from Joint Standing Committee on Utilities. (Letter from Sen. Kerry and Rep. Vose, Chairs).

Item #4 Request from Joint Standing Committee On Economic Development to conduct a study of Maine's participation in international trade and the effect of international trade on Maine's economy.

Item #5 After Deadline Requests



**BUREAU OF
TAXATION**

ANTHONY J. NEVES
STATE TAX ASSESSOR

STATE OF MAINE

State Office Building, Augusta, Maine 04333

January 11, 1988

Legislative Council
c/o Sarah Diamond
Executive Director

Dear Ms. Diamond:

Enclosed please find the annual report evaluating the effectiveness of the Regional Fuel Tax Agreement pursuant to 36 MRSA §3312.2.

Sincerely,

Anthony J. Neves
State Tax Assessor

AJN:mb
enc.

SENATE

RAYNOLD THERIAULT, DISTRICT 1, CHAIR
BEVERLY MINER BUSTIN, DISTRICT 19
DONALD F. COLLINS, DISTRICT 2

JERI GAUTSCHI, LEGISLATIVE ANALYST
SANDRA CHESLEY, COMMITTEE CLERK



HOUSE

CHARLENE B. RYDELL, BRUNSWICK, CHAIR
PHYLLIS R. ERWIN, RUMFORD
HERBERT E. CLARK, MILLINOCKET
P. KELLEY SIMPSON, CASCO
ROBERT J. TARDY, PALMYRA
RICHARD H.C. TRACY, ROME
JOHN C. BOTT, ORONO
MARY C. WEBSTER, CAPE ELIZABETH
PHILIP E. CURRAN, WESTBROOK
JOSEPH A. GARLAND, BANGOR

STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
COMMITTEE ON BANKING AND INSURANCE

January 19, 1988

Senator Charles P. Pray, Chairman
Legislative Council
State House
Augusta, ME 04333

Dear Senator Pray:

The Joint Standing Committee on Banking and Insurance is pleased to submit the attached report of our study of The Feasibility of Establishing a 3-member Insurance Commission to Perform the Functions of the Superintendent of Insurance pursuant to the order of the Legislative Council. We hope you find this report a useful tool in our continuing efforts to oversee insurance regulation.

Sincerely,

Raynold Theriault
Sen. Raynold Theriault, Chair

Charlene B. Rydell
Rep. Charlene Rydell, Chair

3272*
0016A

SENATE

THOMAS H. ANDREWS, DISTRICT 30, CHAIR
JUDY C. KANY, DISTRICT 17
ROBERT C. DILLENBACK, DISTRICT 27

TED POTTER, LEGISLATIVE ANALYST
JANET BRIGGS, COMMITTEE CLERK



HOUSE

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RITA B. MELENDY, ROCKLAND
PATRICIA M. STEVENS, BANGOR
CHARLES R. PRIEST, BRUNSWICK
B. CAROLYNE T. MAHANY, EASTON
RICHARD W. ARMSTRONG, WILTON
CLYDE A. HICHBORN, LAGRANG
RONALD C. BAILEY, FARMINGTON
DAVID G. STANLEY, CUMBERLAND

STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
COMMITTEE ON ECONOMIC DEVELOPMENT

January 13, 1988

Senator Charles P. Pray, Chairman
Legislative Council
State House
Augusta, ME 04333

Dear Senator Pray:

The Joint Standing Committee on Economic Development is pleased to submit the attached report of our study on Regional Economies in Maine pursuant to the order of the Legislative Council. We hope you find this report useful.

A handwritten signature in cursive script, reading "Thomas H. Andrews".

Sen. Thomas H. Andrews
Senate Chair

Sincerely,

A handwritten signature in cursive script, reading "Nathaniel J. Crowley".

Rep. Nathaniel J. Crowley
House Chair

3247-2*
0014A

SENATE

JOHN L. TUTTLE, JR., DISTRICT 33, CHAIR
JOHN E. BALDACCI, DISTRICT 10
ROBERT R. GOULD, DISTRICT 14

TED POTTER, LEGISLATIVE ANALYST
JOHN KNOX, LEGISLATIVE ANALYST
MICHAEL T. FLOOD, COMMITTEE CLERK



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BRADFORD E. BOUTILIER, LEWISTON
ELAINE LACROIX, OAKLAND
ROBERT E. HUSSEY, JR., MILO
CUSHMAN D. ANTHONY, SOUTH PORTLAND
ALBERTA M. WENTWORTH, WELLS
GARY BICKFORD, JAY
THEONE F. LOOK, JONESBORO
BARBARA E. STROUT, WINDHAM

STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
COMMITTEE ON STATE AND LOCAL GOVERNMENT

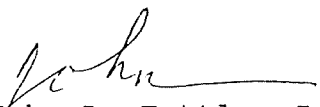
January 11, 1988


Senator Charles P. Pray, Chairman
Legislative Council
State House
Augusta, ME 04333

Dear Senator Pray:

The Joint Standing Committee on State and Local Government is pleased to submit the attached report of our study of Maine's Conflict of Interest Laws pursuant to the order of the Legislative Council. We hope you find this report useful.

Sincerely,


Sen. John L. Tuttle, Jr.
Senate Chair


Rep. Donnell P. Carroll
House Chair

3247-1*
0011-A

SENATE

JUDY C. KANY, DISTRICT 17, CHAIR
STEPHEN C. ESTES, DISTRICT 35
ROBERT G. DILLENBACK, DISTRICT 27

MARGARET REINSCH, LEGISLATIVE ANALYST
DEBBIE MCKAY, COMMITTEE CLERK



HOUSE

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NORMAN R. PAUL, SANFORD
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JOHN JALBERT, LISBON
ELEANOR M. MURPHY, BERWICK
DANA P. STEVENSON, UNITY
BETTY J. HARPER, LINCOLN
ALBERT G. STEVENS, SABATTUS
HELEN M. TUPPER, ORRINGTON

STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
COMMITTEE ON LEGAL AFFAIRS

January 14, 1988

Senator Charles P. Pray, Chairman
Legislative Council
State House
Augusta, ME 04333

Dear Senator Pray:

The Joint Standing Committee on Legal Affairs is pleased to submit the attached report of our study of Law Enforcement Training pursuant to the order of the Legislative Council.

A handwritten signature in cursive script that reads "Judy C. Kany".

Sen. Judy C. Kany, Chair

Sincerely,

A handwritten signature in cursive script that reads "Charles R. Priest".

Rep. Charles R. Priest, Chair

3361
0019A

SENATE

JOSEPH C. BRANNIGAN, DISTRICT 29, CHAIR
N. PAUL GAUVREAU, DISTRICT 23
HENRY W. BLACK, DISTRICT 25

MARTHA FREEMAN, LEGISLATIVE ANALYST
GILBERT BREWER, LEGISLATIVE ANALYST
CONNIE PENA, COMMITTEE CLERK



HOUSE

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HARRY L. VOSE, EASTPORT
CONSTANCE D. COTE, AUBURN
GERARD P. CONLEY, JR., PORTLAND
DALE F. THISTLE, DOVER-FOXCROFT
MARY H. MACBRIDE, PRESQUE ISLE
JEANNE F. BEGLEY, WALDOBORO
DANA C. HANLEY, PARIS
FRANCIS C. MARSANO, BELFAST

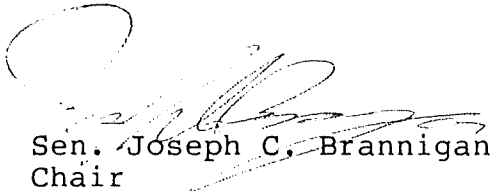
STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
COMMITTEE ON JUDICIARY

January 19, 1988


Senator Charles P. Pray, Chairman
Legislative Council
State House
Augusta, ME 04333

Dear Senator Pray:

The Joint Standing Committee on Judiciary is pleased to submit the attached report of our study by the Subcommittee to Study Surrogate Parenting pursuant to the order of the Legislative Council. We hope you find this report a useful tool in our continuing efforts.


Sen. Joseph C. Brannigan
Chair

Sincerely,


Rep. Patrick E. Paradis
Chair

3349*
0015A

SENATE

THOMAS H. ANDREWS, DISTRICT 30, CHAIR
JUDY C. KANY, DISTRICT 17
ROBERT C. DILLENBACK, DISTRICT 27

TED POTTER, LEGISLATIVE ANALYST
JANET BRIGGS, COMMITTEE CLERK



HOUSE

NATHANIEL J. CROWLEY, SR., STOCKTON SPRINGS, CHAIR
DONNELL P. CARROLL, GRAY
RITA B. MELENDY, ROCKLAND
PATRICIA M. STEVENS, BANGOR
CHARLES R. PRIEST, BRUNSWICK
B. CAROLYNE T. MAHANY, EASTON
RICHARD W. ARMSTRONG, WILTON
CLYDE A. HICHBORN, LAGRANG
RONALD C. BAILEY, FARMINGTON
DAVID G. STANLEY, CUMBERLAND

STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
COMMITTEE ON ECONOMIC DEVELOPMENT

January 15, 1988

Senator Charles P. Pray, Chair
Legislative Council
State House Station 3
Augusta, ME 04333

Dear Senator Pray:

The Joint Standing Committee on Economic Development requests Legislative Council approval of a study request to commence during the Second Regular Session and to be submitted with any necessary implementing legislation to the First Regular Session of the 114th Legislature. The Committee proposes to study and analyze Maine's participation in international trade and the effect of international trade on Maine's economy.

Maine's economic growth and development is affected by decisions of businesses and nations throughout the world. Maine businesses, however, participate little in international trade, and market primarily in the national market. State efforts in and promotion of international trade are minimal. In addition, the State will be significantly affected by the trade agreement between Canada and the United States.

The Committee on Economic Development proposes that the Committee take a comprehensive look at the potential impact of international trade on the state's economy. This analysis shall include

- a) a review of the Maine World Trade Association and its efforts to promote Maine firms to export to international markets;
- b) a study of the policies and activities of other states with respect to international trade;

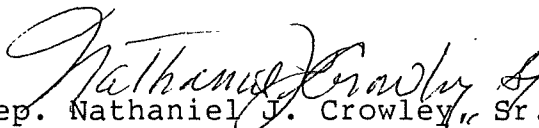
c) a study of Maine's marketing and trade policies which are currently implemented by several state agencies;

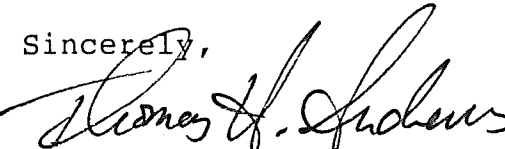
d) an examination of the obstacles that may impede or discourage Maine firms from engaging in the sale of goods and services in international markets;

e) an examination of the U.S.-Canadian Trade Agreement and the impact of that agreement on Maine firms.

We trust that you will appreciate the need for this close examination of Maine's export trade policies and practices. We look forward to your response.

Sincerely,


Rep. Nathaniel J. Crowley, Sr.
House Chair


Sen. Thomas H. Andrews
Senate Chair

3288*

LEGISLATIVE COUNCIL

AFTER DEADLINE REQUESTS

January 19, 1988

Rep. Armstrong

LR 4719 AN ACT to Exempt Amateur Sports Officials from
Civil Suit.

COMMENTS

DATE REC'D BY REVISOR: 01/19/88

Sen. Brannigan

LR 4711 AN ACT to Study Alternative Dispute Resolution
in the Superior Court.

Cosponsors: Rep. Foster
Rep. Allen
Rep. Murphy of Kennebunk

COMMENTS

DATE REC'D BY REVISOR: 01/15/88
This bill is necessary for the Maine Judicial Council to
carry out an experiment involving the extension of
mediation to Superior Court Civil Cases.

Rep. Gould

LR 4721 AN ACT to Establish the Advisory Committee on
Critical Issues for State Decision-Making.

COMMENTS

DATE REC'D BY REVISOR: 01/19/88
Elementary and secondary students, especially in rural
areas, may need additional exposure to the forces and
institutions which shape decision-making in order to make
informed like decisions. The purpose of this bill is to
establish an advisory committee to develop a model
curriculum which schools may use to provide that exposure.

Sen. Kany

LR 4685 AN ACT to Prohibit Smoking in Hospitals.

COMMENTS

DATE REC'D BY REVISOR: 01/12/88

This bill would extend the prohibition against smoking which applies to public buildings to include hospitals.

LR 4705 AN ACT Relating to Licensure of Foreign-Trained Dentists.

Cosponsors: Rep. Joseph

COMMENTS

DATE REC'D BY REVISOR: 01/13/88

Unlike foreign-trained physicians, foreign-trained dentists are being denied licensure in Maine.

Rep. Kilkelly

LR 4722 AN ACT to Insure Local Participation on the Radiological Emergency Preparedness Committee.

COMMENTS

DATE REC'D BY REVISOR: 01/19/88

This bill ~~creates~~^{extends} a radiological emergency preparedness committee.

Rep. Melendy

LR 4323 AN ACT to Exempt Law Enforcement Personnel from Having to Pay Ferry Tolls.

Cosponsors: Rep. Allen
Rep. Mayo
Rep. Scarpino

COMMENTS

DATE REC'D BY REVISOR: 1/13/88 (Failed: 10/23/87)

This bill will result in savings to coastal counties as well as dispense with time-consuming reimbursement procedures.

Rep. Melendy (cont.)

LR 4324 AN ACT to Extend the Sales Tax Exemption on Energy Use in Manufacturing to Agricultural Businesses.

COMMENTS

DATE REC'D BY REVISOR: 10/23/87

The purpose of this bill is to amend a section of law relating to sales tax on energy use in manufacturing passed by the 112th Legislature so as to extend the exemption to agricultural nursery businesses.

LR 4718 AN ACT to Designate the Schooner Bowdoin the Official State Vessel.

COMMENTS

DATE REC'D BY REVISOR: 01/19/88

This bill will protect amateur sports officials from civil suit for which they are not insured or protected during sporting contacts.

Rep. Rydell

LR 4708 AN ACT to Require Prior Approval of All Group Health Insurance Rates.

COMMENTS

DATE REC'D BY REVISOR: 01/14/88

Currently a filing of proposed rates is required only for individual policies. The superintendent may require a hearing if the rates appear to be excessive, inadequate, or unfairly discriminatory. No filing is required for rate increases for group health policies. Large increases are therefore possible without any hearing. This bill would require the superintendent to hold a hearing and to approve all rates before they can be used.

Rep. Stevens

LR 4143 AN ACT to Amend the Maine Business Act in Relation to Petitioning the Court for the Removal of Directors.

COMMENTS

DATE REC'D BY REVISOR: 10/23/87

This bill would amend the Maine Business Act to require a 51 ~~10%~~ vote of the shareholders, rather than a 2/3 vote as set out by current law, to petition the court for removal of a director.

Rep. Stevens (cont.)

LR 4294 AN ACT to Provide a Sales Tax Exemption to Nonprofit Organizations which Fulfill the Last Wishes of Terminally Ill Children.

COMMENTS

DATE REC'D BY REVISOR: 10/23/87

This bill would provide a sales tax exemption to Operation Lift Off, a nonprofit organization which fulfills the last wishes of terminally ill children.
of Bangor

LR 4710 AN ACT to Create a Joint Underwriting Association for Directors and Officers of Corporations.

COMMENTS

DATE REC'D BY REVISOR: 01/15/88

It is currently difficult to acquire liability insurance for directors and officers of both nonprofit and for-profit corporations. This bill would enable the Commission of Insurance to create a joint underwriter authorized for the directors and officers and corporations.

Rep. Thistle

LR 4720 AN ACT to Extend the Reporting Deadline for the Commission on Children in Need of Supervision and Treatment.

COMMENTS

DATE REC'D BY REVISOR: 01/19/88

This bill will extend the reporting deadline for the Commission on Children in Need of Supervision and Treatment to March 1, 1989. The bill will also encourage interaction and flow of information between this commission and other related commissions.

Rep. Tracy

LR 4704 AN ACT to Ban the Use of Styrofoam in Maine.

COMMENTS

DATE REC'D BY REVISOR: 01/13/88

The use of styrofoam containers with chlorofluoro carbons, or CFC's, causes significant environmental damage in the form of deterioration of the earth's ozone layer and a decay period of up to 500 years. This bill prohibits the use of styrofoam in all disposable containers.

Sen. Usher

LR 4684 AN ACT to Clarify the Intent of the Legislature
Concerning the Exercise of Ordinance Power in
Unorganized Territories by Counties on Solid Waste
Disposal which Overlays the Land Use Regulation
Commission's Authority.

COMMENTS

DATE REC'D BY REVISOR: 01/12/88

This bill corrects an error in Title 38, section 1310-W.
The Section had intended to grant counties ordinance power over
solid waste disposal in unorganized territories comparable
to that which had been granted to municipalities over land
in towns and cities.

Sen. Webster

LR 4689 AN ACT Making an Amendment to the Charter of the
Jackman Water District.

COMMENTS

DATE REC'D BY REVISOR: 01/07/88

This bill would increase the compensation which the
Trustees of the Jackman Water District receive from \$50
to \$100.

REQUESTS FOR INTRODUCTION OF JOINT RESOLUTIONS
MEMORIALIZING CONGRESS

LR 4590 JOINT RESOLUTION Memorializing Congress Concerning
Pesticides Regulation

COMMENTS

DATE REC'D BY REVISOR: 12/04/87

This Memorial to Congress is authorized by law, but was refused
by the House because it did not have specific Council author-
ization for introduction.