

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL
Tuesday, May 7
9:00 a.m.
Legislative Council Chamber

REVISED AGENDA

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

Summary of May 1, 1991, Council Meeting (enclosed)

EXECUTIVE DIRECTOR'S REPORT

REPORTS FROM COUNCIL COMMITTEES

OLD BUSINESS

NEW BUSINESS

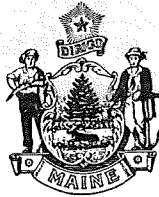
Item #1: Request from the Attorney General for Payment of
Attorney's Fees and Expenses incurred in Auburn Police
Union, et al. v. James E. Tierney, Civil 90-0042-P

Item #2: Requests to Carry Over Legislation to the Second
Regular Session (list and correspondence enclosed)

Item #3: After Deadline Requests

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT



SEN. CHARLES P. PRAY
CHAIR

REP. DAN A. GWADOSKY
VICE-CHAIR

STATE OF MAINE

115th LEGISLATURE

LEGISLATIVE COUNCIL

SEN. NANCY RANDALL CLARK
SEN. DENNIS L. DUTREMBLE
SEN. CHARLES M. WEBSTER
SEN. PAMELA L. CAHILL
REP. JOHN L. MARTIN
REP. JOSEPH W. MAYO
REP. WALTER E. WHITCOMB
REP. FRANCIS C. MARSANO

SARAH C. TUBBESING
EXECUTIVE DIRECTOR

LEGISLATIVE COUNCIL

MAY 1, 1991

MEETING SUMMARY

APPROVED MAY 7, 1991

CALL TO ORDER

The Legislative Council meeting was called to order by Speaker Martin, in the absence of both the Chair, Sen. Pray, and the Vice-Chair, Rep. Gwadosky, at 3:15 p.m. (Both the Chair and Vice-Chair arrived soon thereafter).

ROLL CALL

Senators:	Sen. Pray, Sen. Clark, Sen. Webster, Sen. Dutremble, Sen. Cahill
Representatives:	Rep. Martin, Rep. Gwadosky, Rep. Whitcomb, Rep. Mayo, Rep. Marsano
Legislative Officers:	Sally Tubbesing, Executive Director, Legislative Council Lynn Randall, State Law Librarian John Wakefield, Director, Office of Fiscal and Program Review Martha Freeman, Director, Office of Policy and Legal Analysis David Kennedy, Revisor of Statutes Joy O'Brien, Secretary of the Senate

SECRETARY'S REPORT

The Summary of the April 23, 1991, Council meeting was accepted and placed on file. (Motion by Sen. Dutremble; second by Sen. Cahill; unanimous).

EXECUTIVE DIRECTOR'S REPORT

None.

REPORTS FROM COUNCIL COMMITTEES

None.

OLD BUSINESS

Item #1: State House Steps

Ms. Tubbesing reported that she, David Silsby, and Dick Sawyer had all been involved in discussions with both BPI and the firm of William Pressley Associates who had developed a comprehensive plan for restoration of the State House grounds under contract with the State House and Capitol Park Commission. Three options for repairing the front steps had emerged from those discussions, and a summary of these was included in the materials distributed to Council members with the agenda.

Discussion centered on the following points:

- The symbolism of keeping the steps closed might be more important than taking steps to reopen them as quickly as possible. (Sen. Clark)
- The symbolic message needs to be balanced by the concern that injury and the possibility of a lawsuit might result if the steps are not fixed. (Sen. Dutremble)
- Whether it would be possible to go ahead with the full restoration plan, using one of the bond issues that the Legislature has already passed for historic preservation. (Sen. Webster) Rep. Mayo pointed out that the most recent bond issue, though passed by the Legislature, had failed to get approval of the voters on the ballot last fall.

Mr. Silsby reported that he was working on the early stages of a fund-raising effort, but that this would be a longer-term project. Sen. Webster asked if funds were currently available in the Legislative budget to pay for short term repairs. Ms. Tubbesing responded that, because all but essential repairs had been deferred this year, there were funds available.

Motion: That the Legislative Council authorize the Executive Director to proceed working with BPI to develop a scope of work that includes replacement of selected blocks in the walk and coating of the walk; resetting the top steps and repointing the granite steps, engaging a contractor as necessary, with the understanding that the total cost of the project will be about \$4,500. (Motion by Sen. Dutremble; second by Rep. Mayo).

Sen. Clark then asked that the record clarify that the Council's action was designed to address the liability issue, and that the Council continued to strongly, and unanimously, support implementation of the full restoration plan at a time when funds were available.

The motion, with Sen. Clark's clarification, was adopted unanimously.

Item #2: Proposed Contract with David Silsby

This item was tabled so that it could be considered in Executive Session as described below.

Item #3: Legislative Staff Management Institute/Humphrey Institute of Public Affairs

Ms. Tubbesing drew members' attention to a memorandum that presented the Directors' unanimous recommendation that Julie Jones be authorized to attend the Legislative Staff Management Institute at the Hubert H. Humphrey Institute of Public Affairs in July if she is awarded a scholarship to cover the cost of tuition, room and board.

In response to a question from Rep. Whitcomb, Ms. Tubbesing reiterated that Ms. Jones' participation was contingent upon receipt of the scholarship which would cover all costs except plane fare.

Motion: That Julie Jones be authorized to attend the Institute if she receives a scholarship. (Motion by Sen. Clark; second by Rep. Mayo; unanimous).

NEW BUSINESS

Item #1: Report from the Department of Human Services: "An Examination of the Relationship Between Legal Sanctions, DEEP Intervention and Repeat OUI Offenses"

Motion: That the Report be accepted and placed on file. (Motion by Sen. Dutremble; second by Rep. Gwadosky; unanimous).

Item #2: After Deadline Requests

A summary of the Council's action on After Deadline Requests is attached.

ANNOUNCEMENTS AND REMARKS

At this point, David Kennedy was asked to give a status report on bill drafting. Mr. Kennedy reported that 19 bill requests were still to be drafted and approximately 124 were either in technical production or awaiting sponsor signature. Virtually all of the bills still to be drafted are after deadline requests which the Council had accepted previously, and this number would now become 36 as a result of the Council's action earlier in this meeting. He further noted that more bills had been printed by last Thursday than had been printed in the entire 1st Regular Session two years ago.

In response to a question from Sen. Cahill about whether the effort to eliminate duplicate bill requests had been productive, Mr. Kennedy noted that although more than 300 duplicates had been identified, the effort had resulted in the elimination of 150 bills at the most. He suggested that the rules regarding confidentiality be re-examined.

EXECUTIVE SESSION

Motion: That the Legislative Council go into Executive Session for the purpose of discussing matters related to personnel. (Motion by Sen. Cahill; second by Sen. Clark; unanimous).

The Council proceeded to go into Executive Session at 4:15 p.m.

RECONVENE

The Council meeting was reconvened on the motion of Sen. Webster at 4:25 p.m., and the Council took up Item #2 under OLD BUSINESS: the proposed contract with David Silsby.

Motion: That the Executive Director be authorized to execute a contract with David Silsby, as approved by the Council, for the purpose of providing ongoing support to the State House and Capitol Park Commission, the Special Committee on the New Capitol Area Master Plan and related projects. (Motion by Sen. Dutremble; second by Sen. Clark; unanimous)

ADJOURNMENT

The Legislative Council meeting was adjourned at 4:27 p.m., on the motion of the Chair.

State of Maine
DEPARTMENT OF ATTORNEY GENERAL

M E M O R A N D U M

To: Frank P. Wood, Special Assistant
From: Stephen L. Wessler, Deputy Attorney General *SLW*
Date: April 25, 1991
Subject: Auburn Police Union v. Tierney

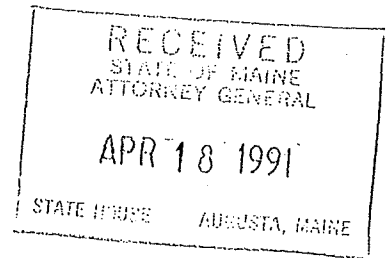
I am attaching the Decision and Order from Judge Carter reducing the attorneys fees for plaintiffs' counsel from \$58,530.80 (the amount requested) to \$37,981.79. This amount is owed by the State of Maine to plaintiffs.

SLW/kesp
cc: Tom Warren
Peter Brann

RECEIVED
ATTORNEY GENERAL

APR 26 1991

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
DISTRICT OF MAINE



WILLIAM S. BROWNELL
CLERK

P.O. Box 7505
Portland, ME 04112

April 17, 1991

TO: ALL COUNSEL OF RECORD

RE: AUBURN POLICE UNION, ET AL. v. JAMES E. TIERNEY
CIVIL 90-0042-P

Enclosed is a copy of the Memorandum of Decision and Order on Plaintiffs' Application for Attorneys' Fees and Expenses which was filed on April 17, 1991.

Sincerely,

William S. Brownell, Clerk

By Susan Austin
Deputy Clerk

B/sd

Enc.

cc: Leland N. Chisholm, Esq.
Errol Copilevitz, Esq.
John P. Jennings, Jr., Esq.
Stephen L. Wessler, AG

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

U.S. DISTRICT COURT
PORTLAND, MAINE
FILED

91 APR 17 AM 10:05

BY: SD
DEPUTY CLERK

AUBURN POLICE UNION, et al.,

Plaintiffs

v.

Civil No. 90-0042-P

JAMES E. TIERNEY, as Attorney
General of the State of Maine,

Defendant

GENE CARTER, Chief Judge

MEMORANDUM OF DECISION AND ORDER ON PLAINTIFFS'
APPLICATION FOR ATTORNEYS' FEES AND EXPENSES

This matter is now before the Court on Plaintiffs' Application for Attorneys' Fees and Expenses, filed on February 27, 1991 (Docket No. 14), to which Defendant's Opposition was filed on February 20, 1991 (Docket No. 17). By the application, Plaintiffs seek reimbursement for attorneys' fees in the total amount of \$58,530.80. This amount is made up of hourly charges for professional time and expenses for the two firms who represented Plaintiffs herein, totaling \$44,014.35. In addition Plaintiffs seek an upward adjustment of 33.3%, in recognition of accomplishment, in the amount of \$14,524.73. The affidavits filed in support of the application reflect that attorneys in the firm of Copilevitz, Bryant Gray & Jennings, P.C., booked time charges totaling \$33,780 and expenses of \$2,704.76 in the course of their work, for a total charge of

\$36,484.76. Plaintiffs' local Maine counsel, Kelly, Remmel & Zimmerman, booked time charges of \$6,793.90 and expenses of \$735.69 in the course of the work, for a total amount of \$7,529.59.

Defendant's Opposition notes its objection to the allowance of any multiplier in recognition of accomplishment and also seeks adjustments downward in various minor respects.¹

The Court has now carefully reviewed and considered the written submissions on the motion and determines that the appropriate total portion of Plaintiffs' counsel fees for which reimbursement is to be had is \$36,771.79. This amount is arrived at by allowing the Copilevitz firm total hourly time charges of \$28,279.50 and recoverable expenses of \$2,372.70, for a total amount of \$30,652.20. In addition, Plaintiffs are permitted reimbursement for the charges of the Kelly firm for billable time in the amount of \$6,593.90 and total expenses of \$735.69, for a total of \$7,329.59.

The Court arrives at this allowance of fees and expenses in the following manner:

- (1) Travel Time -- Defendant legitimately objects to the charged hourly rate of the Copilevitz firm for travel of Errol Copilevitz, principal counsel for Plaintiffs, apparently

¹Defendant's Opposition states specific objection to Plaintiffs' fee computations in the following respects: (1) elimination of 18 billable hours for travel time at Mr. Copilevitz's usual hourly rate of \$150; (2) elimination of 8.6 hours booked by Mr. Copilevitz for research into the legislative history of the Maine act as duplicative of time also booked by Mr. Chisholm for the same function; (3) elimination of 5.5 hours allegedly booked by Mr. Chisholm for interviews with media representatives; and (4) reduction of the 17.5 hours booked for preparation of the Application for Fees.

from Kansas City, Missouri to Portland, Maine on three occasions, at Mr. Copilevitz's normal hourly billing rate of \$150. This Court does not permit travel time to be recovered at anything approaching a usual billing rate. The Court has allowed its normal amount of \$10 per hour for travel time with respect to the time which the Court has determined from the Affidavit of Mr. Copilevitz (Docket No. 15) to be devoted to actual travel time. The entries in his Affidavit reflect a 9-hour booking on each of three occasions: 1/9/89, 8/24/89, and 4/26/90. Each of those bookings, however, include time devoted to actual lawyer functions. Succeeding bookings do not indicate duplication of those additional attributions. Accordingly, the Court allocated for each of these bookings a total of 6 hours to travel time from Missouri to Maine for a total of 18 hours. This requires a reduction of \$2,700 in the time as billed and an allowance of \$180 for travel time at \$10 per hour, for a net reduction of \$2,520.

- (2) Time Allocated to Press Interviews of 2/12/90 and 2/22/90 -- Defendant objects to reimbursement of some 5.5 hours of the time of Mr. Chisholm, at the Kelly firm, which is booked against interviews with media representatives after the case was decided. Such activities are not in furtherance of the prosecution of Plaintiffs' case in any direct legal sense and may not be the subject of reimbursement as counsel fees. However, Defendant's suggestion that 5.5 hours of billable time should be disallowed is not supported since the two bookings in question reflect that other functions are included in them. Accordingly, the Court has deducted from those bookings 2 hours at Mr. Chisholm's then regular hourly rate of \$100 for each of the two media interviews indicated, for a net reduction of \$200.
- (3) Preparation of Application for Fees -- The Copilevitz firm has booked a total of 17.5 hours against preparation of the fee application in this matter. The time attribution is to Attorney John P. Jennings at his usual hourly rate of \$120. The Court is satisfied, having carefully reviewed and

worked with the fee application materials, that the allocation is excessive in terms of reasonable allocation of time to the function in question. The Court is satisfied that a total hourly allocation of 5 hours of Mr. Jennings' time at his regular hourly rate of \$120 is a fair and reasonable allowance for time reasonably to be devoted by competent and diligent counsel to the preparation of the application for fees in this matter. Accordingly, the Court has reduced the time allocation of the Copilevitz firm by \$2,100 and allowed \$600 for this function, for a net reduction of that firm's charges of \$1,500.

- (4) Law Clerk Charges -- The Copilevitz firm has included charges of \$388.50 for time attributed to law clerks in this case. This Court does not permit such charges to be the subject of reimbursement or of allowance of counsel fees generally since the Court is of the view that such charges are properly includable in firm overhead. The individuals for whom the charges are made are not fully licensed professionals and much of their time and effort is duplicated by the supervisory and review roles of more experienced, licensed counsel in making use of their work product. Accordingly, the Court has reduced the Copilevitz firm's time attribution by \$388.50 for disallowance of this item.
- (5) WESTLAW Charges -- This Court likewise considers WESTLAW computer time charges allocated against the case by the Copilevitz firm in the total amount of \$332.06 to be firm overhead charges. The Court is well aware that it is a somewhat prevalent practice, where the client will permit it, for lawyers to seek reimbursement of the time charges made by WESTLAW for research facilities. The Court, however, is satisfied that this is properly an item attributed to firm overhead. The Court assumes that the actual time of a lawyer utilizing the research computer facility is, in fact, booked at his normal hourly rate. The Court thinks it inappropriate and unreasonable to permit an overhead item of this type to be recovered in addition to recovery for the

time of the lawyer who used the research facility.

Defendant objects to what it characterizes as a dual billing between the Copilevitz and Kelly firms for research into legislative history. The Court finds the objection not to be well taken and finds that it would be unreasonable to disallow the 8.6 hours claimed as research time by Mr. Copilevitz in respect to legislative history issues involving the Maine statute in question in this case.

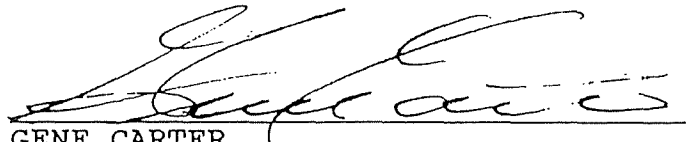
Finally, the Court finds proper the Defendant's objection to a 33.3% multiplier to the time and expense allocations in recognition of Plaintiffs' counsel's accomplishment. Success alone is not an appropriate basis for enhancing an attorneys' fee award. In cases of this nature, such multipliers are to be used only where the achievement is exceptional in nature. Blum v. Stenson, 465 U.S. 886, at 899 (1984). Mr. Copilevitz notes in his Affidavit in support of this litigation:

When this litigation commenced, the Plaintiffs agreed to pay for this firm's services on an hourly basis. It was further agreed that the Plaintiffs would be charged \$150.00 per hour for my services, and \$120.00 per hour for the services of my partner, John P. Jennings, Jr., which are fees customary in the community.

Affidavit of Errol Copilevitz (Docket No. 15) at ¶ 7. The Court is satisfied that counsel are reasonably compensated, on the basis of their agreed-upon fee arrangement, by the allocation of fees approved hereinabove. The case is not of such an exceptional nature and the accomplishment of counsel in obtaining

a favorable result is not so unique or achieved in the face of such overwhelming difficulty as to reasonably require a multiplier to be applied.

Accordingly, it is hereby ORDERED that Defendant reimburse Plaintiffs herein in the total amount of Thirty-Seven Thousand Nine Hundred Eighty-One Dollars and Seventy-Nine Cents (\$37,981.79), representing the reasonable allowance for attorneys' fees and expenses as set forth hereinabove.



GENE CARTER
Chief Judge

Dated at Portland, Maine this 19TH day of April, 1991.

A TRUE COPY
ATTEST: William S. Brownell, Clerk
By Susan Brownell
Deputy Clerk

LEGISLATIVE COUNCIL
REQUESTS TO CARRY OVER LEGISLATION

May 6, 1991

Committee	LD	Council Action
Aging, Retirement & Veterans	LD 528	An Act to Permit Portability of Teacher Retirement Credits
	LD 1323	An Act to Establish the Maine Volunteer Firefighters Retirement System
Agriculture	LD 73	An Act Amending the Potato Branding Laws
Banking & Insurance	LD 177	An Act to Provide Health Insurance for Foster Parents
	LD 284	An Act to Amend and to Clarify Confidentiality Provisions in the Maine Insurance Code
	LD 516	An Act to Include Smokers in Rehabilitation Treatment Insurance Coverage
	LD 626	An Act to Require Insurers to Provide Insurance Coverage for Newborn Hospital Care
	LD 771	An Act to Provide Coverage for Chiropractic Services under Health Maintenance Organization Plans
	LD 925	An Act to Ensure that Health Care Insurance Policies Offer Discounts to Nonsmoking Consumers
	LD 982	An Act to Provide Equitable Insurance Reimbursement for Acupuncture Services Provided by Licensed Acupuncturists
	LD 1015	An Act to Provide for Increased Coverage of Mental Illness by Group Health Insurance
Education	LD 128	An Act Concerning Federal Impact Aid for Education
Fisheries & Wildlife	LD 232	An Act Concerning Road Kills

Committee

LD

Council Action

Judiciary

- LD 171 An Act to Strengthen the State's Role in Drug-related Prosecution
- LD 271 An Act to Replace Certain Criminal Fines with Community Service
- LD 298 An Act Regarding District Court Location
- LD 344 An Act to Establish a Limit on Noneconomic Damages in Medical Liability Actions
- LD 345 An Act Relating to Surrogate Parenting
- LD 513 An Act Requiring the Provision of Information to Victims of Gross Sexual Assault
- LD 933 An Act to Promote Equity in Court Filing Fees
- LD 939 An Act to Provide Funding for Sexual Abuse Victims and Offenders
- LD 1133 An Act to Amend Sentences of Imprisonment for Class A Crimes Other Than Murder

Labor

- LD 172 An Act to Encourage Family Unity

Legal Affairs

- LD 251 An Act Concerning Liquor Licenses for Small Stores
- LD 1048 An Act Authorizing Presidential Primary Elections in the State

Marine Resources

- LD 688 An Act Concerning the Scallop Dragging Limit

Legislative Council
Action on Requests to Carry Over Bills
to the Second Regular Session
as of May 7, 1991

DB: TEST5
RPT: SPEC05

Committee Name	Title	Sponsors	Action
Aging, Retirement & Veterans L.D. 528	An Act to Permit Portability of Teacher Retirement Credits	HANDY MCCORMICK O'DEA DUTREMBLE L	
L.D. 1323	An Act to Establish the Maine Volunteer Firefighters Retirement System	MITCHELL J CLARK N GILL BUSTIN	
Agriculture L.D. 101	An Act Amending the Potato Branding Laws	TARDY TWITCHELL	
L.D. 1704	An Act to Prohibit the Sale and Distribution of Certain Milk Products	WHITCOMB NUTTING SPEAR	
Banking & Insurance L.D. 177	Resolve, to Provide Group Insurance Coverage to Maine's Foster Parents	BUSTIN RYDELL MCCORMICK TREAT	
L.D. 284	An Act to Amend and to Clarify Confidentiality Provisions in the Maine Insurance Code	MARSANO TRACY COLLINS BUSTIN	
L.D. 516	An Act to Include Smokers in Rehabilitation Treatment Insurance Coverage	HALE TOWNSEND GEAN BRANNIGAN	
L.D. 626	An Act to Require Insurers to Provide Insurance Coverage for Newborn Hospital Care	CAHILL P	
L.D. 771	An Act to Provide Coverage for Chiropractic Services under Health Maintenance Organization Plans	PRAY MARTIN J WEBSTER GARLAND	

Committee Name	Title	Sponsors	Action
L.D. 925	An Act to Ensure that Health Care Insurance Policies Offer Discounts to Nonsmoking Consumers	NUTTING RYDELL DUPLESSIS MITCHELL E	
L.D. 982	An Act to Provide Equitable Insurance Reimbursement for Acupuncture Services Provided by Licensed Acupuncturists	JOSEPH MARTIN J CLARK N BRAWN	
L.D. 1015	An Act to Provide for Increased Coverage of Mental Illness by Group Health Insurance	LAWRENCE WENTWORTH GEAN	
Education			
L.D. 128	An Act Concerning Federal Impact Aid for Education	ESTES PINES CLARK N LAWRENCE	
Energy & Natural Resources			
L.D. 1191	An Act to Amend the State Ground Water Classification System and Implement the Maine Wellhead Protection Program for the Protection of Public Water System Wellheads	KANY JACQUES TITCOMB HOGlund	
L.D. 1289	An Act to Promote Comprehensive and Consistent Statewide Environmental Policy and Regulation	GOULD R A TARDY	
L.D. 1540	An Act to Improve Coordination of Municipal and State Review of Environmental Permits	LUDWIG GOULD R A	
L.D. 1551	An Act to Supplement State Environmental Enforcement	COLES MARSH TREAT	
Fisheries & Wildlife			
L.D. 232	An Act Concerning Road Kills	BRAWN	
Human Resources			
L.D. 403	An Act to Enhance Medical and Social Services for Maine's Long-term Care Consumers (Reported Pursuant to Resolve 1989, chapter 58)		
L.D. 579	An Act to Appropriate Funds for At-risk Youths and Families	BRANNIGAN CHONKO POULIOT DUTREMBLE L	

Committee Name	Title	Sponsors	Action
L.D. 1257	An Act to Give Legal Effect to General Assistance Decisions Made by the Administrative Hearings Unit of the Department of Human Services	MANNING CONLEY	
L.D. 1543	An Act to Penalize the Department of Human Services for Failing to Make Prompt Child Support Payments to Obligees	LAWRENCE OLIVER GEAN CONLEY	
Judiciary			
L.D. 171	An Act to Strengthen the State's Role in Drug-related Prosecution	PARADIS P GAUVREAU RICHARDS	
L.D. 271	An Act to Replace Certain Criminal Fines with Community Service	CONLEY	
L.D. 298	An Act Regarding District Court Location	OTT	
L.D. 344	An Act to Establish a Limit on Noneconomic Damages in Medical Liability Actions	HASTINGS RICHARDS TWITCHELL BERUBE	
L.D. 345	An Act Relating to Surrogate Parenting	DORE PARADIS J COTE KANY	
L.D. 513	An Act Requiring the Provision of Information to Victims of Gross Sexual Assault	TOWNSEND VOSE	
L.D. 933	An Act to Promote Equity in Court Filing Fees	GAUVREAU CONLEY OTT LIPMAN	
L.D. 939	An Act to Provide Funding for Sexual Abuse Victims and Offenders	FARNSWORTH CATHCART MCCORMICK PARADIS P	
L.D. 1133	An Act to Amend Sentences of Imprisonment for Class A Crimes Other Than Murder	CONLEY	
L.D. 1458	An Act Relating to Court Security Personnel	GAUVREAU BERUBE POULIOT COTE	

Committee Name	Title	Sponsors	Action
L.D. 1593	An Act to Amend the Maine Health Security Act	STEVENS P KETTERER CONLEY OTT	
Labor L.D. 172	An Act to Encourage Family Unity	MCHENRY	
Legal Affairs L.D. 251	An Act Concerning Liquor Licenses for Small Stores	HASTINGS TWITCHELL PLOURDE	
L.D. 1048	An Act Authorizing Presidential Primary Elections in the State	RICHARDSON KONTOS GEAN	
Marine Resources L.D. 688	An Act Concerning the Scallop Dragging Limit	LOOK VOSE FARREN CARROLL J	
Transportation L.D. 702	An Act Regarding the Relocation of Utility Facilities as a Result of State Highway Construction	MARTIN J THERIAULT GOULD R R HUSSEY	

— End of Report —

Carry Over Requests
Approved by the
Legislative Council
as of
May 7, 1991

DB: TEST5
RPT: SPEC06

Committee Name	Title	Sponsors	Date Approved
Aging, Retirement & Veterans L.D. 528	An Act to Permit Portability of Teacher Retirement Credits	HANDY MCCORMICK O'DEA DUTREMBLE L	05/07/91
L.D. 1323	An Act to Establish the Maine Volunteer Firefighters Retirement System	MITCHELL J CLARK N GILL BUSTIN	05/07/91
Agriculture L.D. 101	An Act Amending the Potato Branding Laws	TARDY TWITCHELL	05/07/91
L.D. 1704	An Act to Prohibit the Sale and Distribution of Certain Milk Products	WHITCOMB NUTTING SPEAR	05/07/91
Banking & Insurance L.D. 177	Resolve, to Provide Group Insurance Coverage to Maine's Foster Parents	BUSTIN RYDELL MCCORMICK TREAT	05/07/91
L.D. 284	An Act to Amend and to Clarify Confidentiality Provisions in the Maine Insurance Code	MARSANO TRACY COLLINS BUSTIN	05/07/91
L.D. 516	An Act to Include Smokers in Rehabilitation Treatment Insurance Coverage	HALE TOWNSEND GEAN BRANNIGAN	05/07/91
L.D. 626	An Act to Require Insurers to Provide Insurance Coverage for Newborn Hospital Care	CAHILL P	05/07/91
L.D. 771	An Act to Provide Coverage for Chiropractic Services under Health Maintenance Organization Plans	PRAY MARTIN J WEBSTER GARLAND	05/07/91

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L.D. 1015	An Act to Provide for Increased Coverage of Mental Illness by Group Health Insurance	LAWRENCE WENTWORTH GEAN	05/07/91
Education			
L.D. 128	An Act Concerning Federal Impact Aid for Education	ESTES PINES CLARK N LAWRENCE	05/07/91
Energy & Natural Resources			
L.D. 1191	An Act to Amend the State Ground Water Classification System and Implement the Maine Wellhead Protection Program for the Protection of Public Water System Wellheads	KANY JACQUES TITCOMB HOGLUND	05/07/91
L.D. 1289	An Act to Promote Comprehensive and Consistent Statewide Environmental Policy and Regulation	GOULD R A TARDY	05/07/91
L.D. 1540	An Act to Improve Coordination of Municipal and State Review of Environmental Permits	LUDWIG GOULD R A	05/07/91
L.D. 1551	An Act to Supplement State Environmental Enforcement	COLES MARSH TREAT	05/07/91
Fisheries & Wildlife			
L.D. 232	An Act Concerning Road Kills	BRAWN	05/07/91
Human Resources			
L.D. 403	An Act to Enhance Medical and Social Services for Maine's Long-term Care Consumers (Reported Pursuant to Resolve 1989, chapter 58)		05/07/91
L.D. 579	An Act to Appropriate Funds for At-risk Youths and Families	BRANNIGAN CHONKO POULIOT DUTREMBLE L	05/07/91

Committee Name	Title	Sponsors	Date Approved
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L.D. 345	An Act Relating to Surrogate Parenting	DORE PARADIS J COTE KANY	05/07/91
L.D. 513	An Act Requiring the Provision of Information to Victims of Gross Sexual Assault	TOWNSEND VOSE	05/07/91
L.D. 933	An Act to Promote Equity in Court Filing Fees	GAUVREAU CONLEY OTT LIPMAN	05/07/91
L.D. 939	An Act to Provide Funding for Sexual Abuse Victims and Offenders	FARNSWORTH CATHCART MCCORMICK PARADIS P	05/07/91
L.D. 1133	An Act to Amend Sentences of Imprisonment for Class A Crimes Other Than Murder	CONLEY	05/07/91
L.D. 1458	An Act Relating to Court Security Personnel	GAUVREAU BERUBE POULIOT COTE	05/07/91
L.D. 1593	An Act to Amend the Maine Health Security Act	STEVENS P KETTERER CONLEY OTT	05/07/91

<u>Committee Name</u>	<u>Title</u>	<u>Sponsors</u>	<u>Date Approved</u>
Labor L.D. 172	An Act to Encourage Family Unity	MCHEMRY	05/07/91
Legal Affairs L.D. 251	An Act Concerning Liquor Licenses for Small Stores	HASTINGS TWITCHELL PLOURDE	05/07/91
L.D. 1048	An Act Authorizing Presidential Primary Elections in the State	RICHARDSON KONTOS GEAN	05/07/91
Marine Resources L.D. 688	An Act Concerning the Scallop Dragging Limit	LOOK VOSE FARREN CARROLL J	05/07/91
Transportation L.D. 702	An Act Regarding the Relocation of Utility Facilities as a Result of State Highway Construction	MARTIN J THERIAULT GOULD R R HUSSEY	05/07/91
Utilities L.D. 1491	An Act to Authorize the Public Utilities Commission to Regulate Rates for Cable Television	PLOURDE DIPIETRO ADAMS	05/07/91

— End of Report —

LEGISLATIVE COUNCIL
ADDENDUM TO REQUESTS TO CARRY OVER LEGISLATION

May 7, 1991

Committee

LD

Council Action

Utilities

LD 1491 An Act to Authorize the Public Utilities Commission
to Regulate Rates for Cable Television

LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
FIRST REGULAR SESSION
May 6, 1991

Action

SPONSOR: Rep. Joseph

LR 2651 Resolve, Establishing Maine Folk Dance Day
(Appeal)

SPONSOR: Sen. Baldacci

LR 2687 An Act to Improve the Returnable Beverage
Container Law

Cosponsors: Rep. Sheltra
Rep. Graham
Rep. Stevens, Albert G.

SPONSOR: Sen. Summers

LR 2688 An Act to Amend the Definition of Prostitution

TABLED BY THE LEGISLATIVE COUNCIL

SPONSOR: Sen. Brawn

TABLED
04/17/91

LR 2635 An Act to Amend the Laws Governing Safety Standards
for Over the Road Commercial Vehicles

Cosponsors: Sen. Gould, Robert R.
Rep. Macomber

SPONSOR: Rep. Constantine

TABLED
04/17/91

**LR 2572 An Act to Allow Seasonal Agency Liquor Stores to
Operate Year-round

SPONSOR: Rep. Kilkelly

TABLED
04/17/91

LR 2551 An Act to Provide for Effective Enforcement of Laws
Prohibiting the Drugging of Animals in Pulling
Competitions

SPONSOR: Rep. Martin, John L.

TABLED
04/17/91

LR 2584 Resolve, to Freeze Pay Levels for Certain
Confidential Employees

SPONSOR: Rep. O'Gara

TABLED
04/17/91

**LR 2529 An Act to Amend the Laws Concerning Immunization
of College Students

Cosponsors: Rep. Kontos

SPONSOR: Rep. Paradis, Patrick E.

TABLED
05/01/91

LR 2611 An Act to Authorize the Supreme Judicial Court
to Provide a Record of Court Proceedings

Cosponsors: Sen. Clark, Nancy R.
Sen. Gould, Robert R.
Rep. Stevens, Patricia M.

SPONSOR: Rep. Rotondi

TABLED
04/17/91

LR 0997 An Act Regarding Access to Certain Lands

SPONSOR: Rep. Rotondi

TABLED
04/17/91

LR 2578 An Act to Require Training for Certain Corrections
Personnel

Cosponsors: Sen. Kany

JOINT RESOLUTION

SPONSOR: Rep. Martin, John L.

TABLED
04/17/91

LR 2600 JOINT RESOLUTION MEMORIALIZING CONGRESS TO AMEND THE UNITED
STATES CONSTITUTION TO MAKE DESECRATION OF THE AMERICAN
FLAG A CRIME

** Requests noted with 2 asterisks appear to be closely
related to other requests on file.