

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**  
OF THE  
**One Hundred And Fifteenth Legislature**  
OF THE  
**State Of Maine**

**VOLUME I**

**FIRST REGULAR SESSION**

House of Representatives  
December 5, 1990 to May 16, 1991

ONE HUNDRED AND FIFTEENTH MAINE LEGISLATURE  
FIRST REGULAR SESSION  
11th Legislative Day  
Wednesday, January 30, 1991

S/John L. Martin  
Speaker of the House

Was read and ordered placed on file.

The House was called to order by the Speaker.  
Prayer by Father Valmont Gilbert, Saint Bridget's  
Catholic Church, North Vassalboro.  
Pledge of Allegiance.  
The Journal of Tuesday, January 22, 1991, was  
read and approved.

The following Communication:

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA, MAINE 04333

January 22, 1991

**SENATE PAPERS**

Bill "An Act to Revise Transition Services for  
Disabled Students" (S.P. 79) (L.D. 142)

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

Was referred to the Committee on **Education** in  
concurrence.

Hon. Edwin H. Pert  
Clerk of the House  
State House Station #2  
Augusta, Maine 04333

Dear Clerk Pert:

This is to notify you that pursuant to my  
authority under 38 M.R.S.A., Section 347, I have  
today appointed Rep. Elizabeth H. Mitchell, of  
Vassalboro, to replace me as a House member on the  
Special Select Commission on Access to Health Care.

Sincerely,

S/John L. Martin  
Speaker of the House

Was read and ordered placed on file.

Bill "An Act to Preserve the Integrity of the  
Maine State Lottery" (S.P. 80) (L.D. 143)

Resolve, Authorizing Robert L. Gray to Bring a  
Civil Action against the State (S.P. 81) (L.D. 144)

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

Were referred to the Committee on **Legal Affairs**  
in concurrence.

The following Communication:

STATE OF MAINE  
SPECIAL COMMITTEE ON THE  
NEW CAPITOL AREA MASTER PLAN  
AUGUSTA, MAINE

January 15, 1991

Honorable John L. Martin  
Speaker of the House  
State House  
Augusta, ME 04333

Dear Mr. Speaker:

As chairman of the Special Committee on the New  
Capitol Area Master Plan, I respectfully submit this  
report pursuant to Chapter 60 of the Resolves of 1989.

The report, prepared by the Master Planner CBT/Childs  
Bertman Tseckares and Casendino, Inc. in association  
with the consultant team of Whitman & Howard, Inc.  
and T.Y. Lin International, documents in detail the  
existing conditions of the Capitol Area, analyzes  
future needs and outlines recommendations for future  
action. The report in addition includes a summary of  
the work required and a cost estimate for Phase II of  
the New Capitol Area Master Plan.

The Special Committee and the Master Planning Team

**COMMUNICATIONS**

The following Communication:

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA, MAINE 04333

January 22, 1991

Hon. Edwin H. Pert  
Clerk of the House  
State House Station #2  
Augusta, Maine 04333

Dear Clerk Pert:

This is to notify you that pursuant to my  
authority under 38 M.R.S.A., Section 1453, I have  
today reappointed the following to serve on the  
Advisory Commission on Radioactive Waste:

Rep. James Mitchell, of Freeport  
Rep. James Reed Coles, of Harpswell  
Rep. Willis A. Lord, of Waterboro  
Dr. Joseph S. Blinick, of Portland

Sincerely,

very much looks forward to completing all of the necessary work required to develop and enact a Master Plan that will respond to both the future needs of the Capitol Area, as well as to all the citizens of Maine.

Respectfully,

S/Jon S. Oxman, Chairman  
Special Committee on the New Capitol  
Area Master Plan

Was read and with accompanying report ordered placed on file.

The following Communication:

STATE OF MAINE  
DEPARTMENT OF HUMAN SERVICES  
AUGUSTA, MAINE 04333

January 15, 1991

Hon. John L. Martin  
Speaker  
Maine State House of Representatives  
State House  
Augusta, Maine 04333

Dear Speaker Martin:

This is the Department's report of its legislative plan for review and modification of child support awards in support enforcement cases of the Department, pursuant to Section B-1, Part B, L. 1989, c. 877 (copy enclosed). The report deals not only with the plan itself but also with the Department's perception of the problems consequent to both enactment and non-enactment of a legislative plan for an expedited commencement of judicial proceedings for the modification of child support awards in the context of federally mandated review and modification

#### History

In the 2nd session of the 114th Legislature, L.D. 2391 (copy enclosed) presented three child support enforcement initiatives of the Department: Immediate income withholding (part A); review and modification of child support awards in the Department's support enforcement cases (part B); and, administrative commencement of paternity actions (part C).

With respects to Part B of L.D. 2391, the Legislature provided, by Section B-2 of Part B, L. 1989 c. 877, that the Department adopt by rulemaking pursuant to the Maine Administrative Procedure Act a plan for reviews of child support awards in its cases as required to be effective October 13, 1990 by the Social Security Act, section 466 (a) (10). A copy of the Department's plan adopted by rulemaking, effective October 14, 1990, is enclosed.

Section B-1 of Part B, L. 1989 c. 877, directed the Department, in consultation with the Supreme Judicial Court, the Family Law Section of the Maine State Bar Association, and Pine Tree Legal Assistance, Incorporated, to develop a plan in

accordance with the requirements of the Social Security Act, section 466 (a) (10), effective October 13, 1993, for triennial review of child support awards in the Department's support enforcement cases.

On December 6, 1990 the Department wrote to the following consultants, soliciting their views and suggestions in connection with the development of a legislative plan:

Hon. Robert Crowley (Chair), Hon. Ellen Gorman and Hon. Michael Wescott, for the Supreme Judicial Court;

Hon. Cushman Anthony, Judiciary Committee Liaison;

Kathryn Ainsworth, Esq., Michael Asen, Esq., and Roderick Potter, Esq., for the Family Law Section of the Maine State Bar Association; and

Mary Henderson, Esq., and Charles Henegar, Esq., for Pine Tree Legal Assistance, Incorporated.

#### Legislative Plan

We enclose the Department's legislative plan as developed to date in the form of a proposed new section 321 of Title 19 of the Maine Revised Statutes ("Section 321"), a copy of which is enclosed.

Section 321, like Part B of L.D. 2391, has as its ultimate goal the implementation of the federal requirement for triennial reviews of child support awards in the Department's support enforcement cases. The two major considerations underlying Section 321, as was the case with Part B of L.D. 2391, are maximum use of the Department's support enforcement caseload data resources and its newly implemented computer capabilities for conducting reviews of the child support awards; and, the effectual commencement of judicial modification proceedings by means of the filing of: (1) the Department's proposals which result from the reviews conducted by it, (2) the factual bases for them, and (3) either challenges to the Department's proposals or proof that timely challenges have not been made. A third component of Section 321 (outlined in Part B of L.D. 2391, and developed in the Department's review and modification rulemaking effective October 14, 1990) is a statutory scheme for the review and modification by the Department of its own administrative decisions establishing child support awards.

However, there are a number of differences between the legislative plan set forth as Part B of L.D. 2391, 114th Legislature, and that articulated by Section 321: (1) Section 321 provides for full disclosure by the Department of the basis for its proposals resulting from its reviews. The L.D. 2391 proposal was deficient in this regard, as was noted by Pine Tree Legal Assistance, Incorporated. (2) The disclosure requirements for parents subject to the court orders and administrative decisions to be reviewed have been narrowed so as not to exceed those necessary for reviews, and the time for such disclosure by parents has been enlarged so as to be co-equal with the required advance notice to parents of the conducting of reviews by the Department. (3) Section 321 also supplies an order of review and

cut-off ages for the conducting of reviews. (4) Section 321 describes explicitly the notices to be given to parents subject to the orders and administrative decisions being reviewed, both with respect to the reviews and with respect to the Department's proposals resulting from the reviews. (5) Section 321 is explicit to the effect that a parent's failure to challenge the Department's proposal concerning modification of a child support award will be deemed a consent to the proposal. (6) Section 321, unlike Part B, L.D. 2391 would not exclude court modification proceedings from the mediation process.

As noted by Governor McKernan in his letter of January 3, 1991 to Chief Justice McKusick (copy enclosed), the federal requirement that triennial reviews of child support awards in support enforcement cases of the Department be in effect by October 13, 1993 raises the prospect of significant burdens upon the resources of the Maine court system, because of what the Department estimates may be as many as 7,000 reviews annually of child support awards in the Department's support enforcement caseload that have been established by Maine court orders. Even if only 50% of these reviews result in actively litigated judicial modification proceedings, the additional child support award modification caseload of the court system will be extremely large. Accordingly, as the Governor also indicates in his letter, the Department is considering recourse to our Congressional delegation for the purpose of securing an exemption from the triennial review requirement, mitigation of the requirements of the existing federal legislation concerning review and modification, or postponement of the present implementation deadline of October 13, 1993.

At the same time, non-enactment of legislation such as that proposed by Section 321 will not solve the problem, because the very fact of Maine's implementation of the federal requirement of a general plan for review and modification to be in effect by October 13, 1990 (the Department's rulemaking effective October 14, 1990, pursuant to Section B-1, Part B, L. 1989, c. 877) creates the potential for an unprecedented number of child support award reviews, the ultimate disposition of which can be effected only by court modification proceedings. This results from the fact that, in accordance with proposed federal regulations implementing Section 466 (a) (10) of the Social Security Act, the Department's plan effective October 14, 1990 requires the Department to develop and implement a plan for advising all parents subject to orders embodying child support awards in the Department's cases of their right to request reviews. However, in the absence of legislative authority for an expedited commencement of modification proceedings such as proposed by Section 321, the Department's implementation of its plan in this regard can result in nothing by huge backlogs of legal referrals by the Department to the Attorney General's Office for the institution of modification proceedings. In short, without legislation such as Section 321, the Department cannot even fulfill its general plan, much less meet the requirement of triennial reviews.

We are transmitting copies of this report and its

enclosures to the Executive Director of the Legislative Council and the Department's consultants in its development of its legislative plan.

Sincerely,

S/Rollin Ives  
Commissioner

Was read and with accompanying papers ordered placed on file.

The following Communication: (S.P. 82)

STATE OF MAINE  
SENATE CHAMBER  
AUGUSTA, MAINE 04333

January 11, 1991

Honorable Joy J. O'Brien  
Secretary of the Senate  
State House Station 3  
Augusta, Maine 04333

Dear Madam Secretary:

Pursuant to Joint Order, (S.P. 75), I have made the following appointments.

Joint Select Committee on Corrections

Senator Beverly Miner Bustin, Chair  
Senator N. Paul Gauvreau, Member  
Senator Barbara Gill, Member

Please let me know if you have any questions about these appointments.

Sincerely,

S/Charles P. Pray  
President of the Senate

Came from the Senate, read and ordered placed on file.

Was read and ordered placed on file in concurrence.

The following Communication:

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA, MAINE 04333

January 22, 1991

Hon. Edwin H. Pert  
Clerk of the House  
State House Station #2  
Augusta, Maine 04333

Dear Clerk Pert:

This is to notify you that pursuant to my authority under Chapter 808 of the Public Laws of 1989, I have today reappointed Rep. Cushman Anthony, of South Portland, and appointed Rep. Anne Larrivee, of Gorham, to serve as House members on the Maine Correctional Advisory Commission.

Sincerely,  
S/John L. Martin  
Speaker of the House

Was read and ordered placed on file.

The following Communication:

Maine Travel Information Advisory Council

January 24, 1991

The Honorable John L. Martin  
Speaker of the House  
State House Station #2  
Augusta, Maine 04333

Dear Mr. Speaker:

The Maine Travel Information Advisory Council is pleased to present this report of a Study of The Maine Traveler Information Services Act, Title 23, Chapter 21 - Sections 1901-1925 and of the Rules and Regulations adopted to implement the Law, as required by Public Law 735, 1990.

Sincerely,  
S/Marion Fuller Brown  
Chairman, Maine Travel  
Information Advisory

Council

Was read and with accompanying report ordered placed on file.

The following Communication: (S.P. 83)

115TH MAINE LEGISLATURE

January 22, 1991

Senator Dale McCormick  
Rep. John Jalbert  
Chairpersons  
Joint Standing Committee on Aging, Retirement and Veterans  
115th Legislature  
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated David S. Wakelin of Cape Elizabeth for reappointment to the Maine State Retirement Board of Trustees.

Pursuant to Title 5, MRSA Section 17102, this

nomination will require review by the Joint Standing Committee on Aging, Retirement and Veterans and confirmation by the Senate.

Sincerely,  
S/Charles P. Pray  
President of the Senate  
S/John L. Martin  
Speaker of the House

Came from the Senate, Read and Referred to the Committee on **Aging, Retirement and Veterans**.

Was Read and Referred to the Committee on **Aging, Retirement and Veterans** in concurrence.

The following Communication: (S.P. 85)

115TH MAINE LEGISLATURE

January 22, 1991

Senator Bonnie L. Titcomb  
Rep. Paul F. Jacques  
Chairpersons  
Joint Standing Committee on Energy and Natural Resources  
115th Legislature  
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Eugene L. Gendron, Jr. of South Portland for reappointment to the Board of Environmental Protection.

Pursuant to Title 38, MRSA Section 361, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

Sincerely,  
S/Charles P. Pray  
President of the Senate  
S/John L. Martin  
Speaker of the House

Came from the Senate, Read and Referred to the Committee on **Energy and Natural Resources**.

Was Read and Referred to the Committee on **Energy and Natural Resources** in concurrence.

The following Communication: (S.P. 86)

115TH MAINE LEGISLATURE

January 22, 1991

Senator Joseph C. Brannigan

Rep. Rita B. Melendy  
Chairpersons  
Joint Standing Committee on Housing and Economic  
Development  
115th Legislature  
Augusta, Maine 04333

Sincerely,  
S/Charles P. Pray  
President of the Senate  
S/John L. Martin  
Speaker of the House

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Cynthia T. Spires of South Gardiner for appointment to the Adaptive Equipment Loan Program Fund Board.

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

Please be advised that Governor John R. McKernan, Jr. has nominated Ray D. Hews of Presque Isle for appointment to the Natural Resources Financing and Marketing Board.

Pursuant to Title 10, MRSA Section 985, this nomination will require review by the Joint Standing Committee on Housing and Economic Development and confirmation by the Senate.

Sincerely,  
S/Charles P. Pray  
President of the Senate  
S/John L. Martin  
Speaker of the House

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

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

Came from the Senate, Read and Referred to the Committee on **State and Local Government**.

Was Read and Referred to the Committee on **State and Local Government** in concurrence.

The following Communication:

STATE OF MAINE  
DEPARTMENT OF TRANSPORTATION  
STATE HOUSE STATION 16  
AUGUSTA, MAINE 04333

January 24, 1991

The Honorable John L. Martin  
Speaker of the House  
State House Station #2  
Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Public Law 585, 1989, the Department of Transportation has submitted its report, "A Comprehensive Review of Feasible Alternatives of Utilizing Recyclable Materials in Construction", to the Joint Standing Committees on Energy & Natural Resources and Transportation, and to the State Purchasing Agent. I am pleased to transmit a copy of the report to you.

Sincerely,  
S/Dana F. Connors  
Commissioner

Was read and with accompanying report ordered placed on file.

The following Communication: (S.P. 87)

115TH MAINE LEGISLATURE

January 22, 1991

Senator Georgette B. Berube  
Rep. Ruth Joseph  
Chairpersons  
Joint Standing Committee on State & Local Government  
115th Legislature  
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Lai Orenduff of Farmington for appointment as Chair of the Cultural Affairs Committee.

Pursuant to Title 27, MRSA Section 553, this nomination will require review by the Joint Standing Committee on State & Local Government and confirmation by the Senate.

(At Ease)

The House was called to order by the Speaker.

**PETITIONS, BILLS AND RESOLVES  
REQUIRING REFERENCE**

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

**Agriculture**

Bill "An Act to Continue Milk Pool Payments to Dairy Farmers Affected by the Newport Plant Closure" (EMERGENCY) (H.P. 130) (L.D. 186) (Presented by Representative NUTTING of Leeds) (Cosponsored by Representative TARDY of Palmyra, Representative PARENT of Benton and Senator BUSTIN of Kennebec)

Bill "An Act to Amend the Laws Governing Superintendents of Pulling Events" (EMERGENCY) (H.P. 137) (L.D. 197) (Presented by Representative KILKELLY of Wiscasset) (Cosponsored by Senator HOLLOWAY of Lincoln)

Ordered Printed.  
Sent up for Concurrence.

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**Banking and Insurance**

Bill "An Act to Regulate Fees Imposed for the Use of Automated Teller Machines" (H.P. 121) (L.D. 166) (Presented by Representative KETOVER of Portland) (Cosponsored by Representative GARLAND of Bangor, Senator BUSTIN of Kennebec and Representative ERWIN of Rumford)

Bill "An Act Establishing a Procedure for Calculating Actual Cash Value under Automobile Insurance Physical Damage Coverage in the Event of Total Loss" (H.P. 138) (L.D. 198) (Presented by Representative GARLAND of Bangor) (Cosponsored by Representative RAND of Portland) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 24.)

Ordered Printed.  
Sent up for Concurrence.

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**Business Legislation**

Bill "An Act Concerning Nighttime Business Operation" (H.P. 142) (L.D. 212) (Presented by Representative ALIBERTI of Lewiston) (Cosponsored by Representative JALBERT of Lisbon, Representative GURNEY of Portland and Senator BERUBE of Androscoggin)

Ordered Printed.  
Sent up for Concurrence.

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**Education**

Bill "An Act to Expand the Blaine House Scholars Program to Assist in Teacher Certification" (H.P. 136) (L.D. 196) (Presented by Representative HANDY of Lewiston) (Cosponsored by Representative CROWLEY of Stockton Springs, Representative LEMKE of Westbrook and Senator ESTES of York)

Ordered Printed.  
Sent up for Concurrence.

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**Energy and Natural Resources**

Bill "An Act to Require Deposits on Large Oil Containers" (H.P. 116) (L.D. 161) (Presented by Representative HEESCHEN of Wilton) (Cosponsored by Representative JACQUES of Waterville, Representative WENTWORTH of Arundel and Senator TITCOMB of Cumberland)

Bill "An Act to Permit Larger Docks Within the Saco River Corridor" (H.P. 133) (L.D. 193) (Presented by Representative LORD of Waterboro)

Bill "An Act Regarding Zoning Variances" (H.P. 135) (L.D. 195) (Presented by Representative LORD of Waterboro)

Bill "An Act Regarding the State's Environmental Policy on Low-density Subdivisions" (H.P. 144) (L.D. 214) (Presented by Representative MICHAUD of East Millinocket)

Ordered Printed.  
Sent up for Concurrence.

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**Judiciary**

Bill "An Act to Amend the Penalty Provisions for Theft of Motor Vehicles" (H.P. 115) (L.D. 160) (Presented by Representative O'DEA of Orono) (Cosponsored by Representative PARADIS of Augusta)

Bill "An Act to Strengthen the State's Role in Drug-related Prosecution" (H.P. 126) (L.D. 171) (Presented by Representative PARADIS of Augusta) (Cosponsored by Senator GAUVREAU of Androscoggin and Representative RICHARDS of Hampden)

Resolve, to Review the Probate System of Maine (EMERGENCY) (H.P. 129) (L.D. 174) (Presented by Representative KETOVER of Portland) (Cosponsored by Representative FARNSWORTH of Hallowell, Representative PARADIS of Augusta and Senator GAUVREAU of Androscoggin)

Ordered Printed.  
Sent up for Concurrence.

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**Labor**

Bill "An Act to Require the Expeditious Resolution of Workers' Compensation Claims" (H.P. 117) (L.D. 162) (Presented by Representative GRAHAM of Houlton) (Cosponsored by Representative TREAT of Gardiner, Representative PINEAU of Jay and Senator MILLS of Oxford)

Bill "An Act to Increase the Death Benefits under the Workers' Compensation Act" (H.P. 125) (L.D. 170) (Presented by Representative CLARK of Millinocket) (Cosponsored by Speaker MARTIN of Eagle Lake, Representative McHENRY of Madawaska and President PRAY of Penobscot)

Bill "An Act to Encourage Family Unity" (H.P. 127) (L.D. 172) (Presented by Representative McHENRY of Madawaska)



Sent up for Concurrence.

Bill "An Act to Impose Mandatory Fines for Failure to Comply with Workers' Compensation Decisions" (H.P. 128) (L.D. 173) (Presented by Representative GRAHAM of Houlton) (Cosponsored by Representative TREAT of Gardiner and Representative KERR of Old Orchard Beach)

Bill "An Act Concerning the State Minimum Wage" (H.P. 140) (L.D. 200) (Presented by Representative McHENRY of Madawaska)

Ordered Printed.  
Sent up for Concurrence.

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**Banking and Insurance**

Bill "An Act Concerning Employee Benefits for Workers' Compensation Recipients" (H.P. 145) (L.D. 215) (Presented by Representative McHENRY of Madawaska) (Cosponsored by Representative PINEAU of Jay)

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

On motion of Representative McHenry of Madawaska, was referred to the Committee on Banking and Insurance, ordered printed and sent up for concurrence.

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**Labor**

Resolve, to Establish the Commission to Study the Use of Professional Strikebreakers (EMERGENCY) (H.P. 139) (L.D. 199) (Presented by Representative McHENRY of Madawaska)

Ordered Printed.  
Sent up for Concurrence.

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**Legal Affairs**

Bill "An Act to Require Landlords to Pay Interest Earned on Security Deposits to Tenants" (H.P. 134) (L.D. 194) (Presented by Representative OLIVER of Portland) (Cosponsored by Representative ADAMS of Portland, Senator CONLEY of Cumberland and Speaker MARTIN of Eagle Lake)

Ordered Printed.  
Sent up for Concurrence.

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**Marine Resources**

Bill "An Act to Amend the Shellfish Licensing Laws" (EMERGENCY) (H.P. 118) (L.D. 163) (Presented by Representative RYDELL of Brunswick) (Cosponsored by Senator CLARK of Cumberland, Representative HOLT of Bath and Representative COLES of Harpswell)

Ordered Printed.

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**State and Local Government**

Bill "An Act to Amend the Freedom of Access Laws to Include the 7 Campuses of the University of Maine System as Part of State Government" (EMERGENCY) (H.P. 119) (L.D. 164) (Presented by Representative O'DEA of Orono) (Cosponsored by Representative ADAMS of Portland and Representative CAHILL of Mattawamkeag)

Bill "An Act to Reduce the Number of Full-time Legislative Staff Employees" (H.P. 123) (L.D. 168) (Presented by Representative HANLEY of Paris) (Cosponsored by Representative GARLAND of Bangor and Senator WEBSTER of Franklin)

Bill "An Act to Preserve Maine's Part-time Citizen Legislature by Making the Legislative Process More Efficient and Less Costly to Maine Taxpayers" (H.P. 124) (L.D. 169) (Presented by Representative HANLEY of Paris) (Cosponsored by Representative GARLAND of Bangor and Senator WEBSTER of Franklin)

Bill "An Act to Permit the Amendment of Municipal Ordinances at Town Meetings" (H.P. 141) (L.D. 201) (Presented by Representative RICHARDS of Hampden)

Ordered Printed.  
Sent up for Concurrence.

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**Taxation**

Bill "An Act to Make Low-cost Land Available for Affordable Housing" (H.P. 120) (L.D. 165) (Presented by Representative LIBBY of Kennebunk) (Cosponsored by Representative SKOGLUND of St. George, Representative GRAHAM of Houlton and Representative KILKELLY of Wiscasset)

Bill "An Act Concerning Access to Tax Records" (H.P. 131) (L.D. 187) (Presented by Representative CASHMAN of Old Town) (Cosponsored by Senator BOST of Penobscot)

Bill "An Act Concerning Taxation of Video Tape and Equipment" (H.P. 143) (L.D. 213) (Presented by Representative MICHAUD of East Millinocket) (Cosponsored by President PRAY of Penobscot)

Ordered Printed.  
Sent up for Concurrence.

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**Transportation**

Bill "An Act to Require the Use of Headlights During Inclement Weather While Windshield Wipers are in Use" (H.P. 114) (L.D. 159) (Presented by Representative O'DEA of Orono)

Bill "An Act to Amend the Law Governing Abandoned Vehicles" (H.P. 122) (L.D. 167) (Presented by Representative LIBBY of Kennebunk) (Cosponsored by

Representative STEVENS of Sabattus)

Ordered Printed.  
Sent up for Concurrence.

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**Utilities**

Bill "An Act Dealing with the Public Utilities Commission's Involvement in Contract Settlements" (EMERGENCY) (H.P. 132) (L.D. 192) (Presented by Representative CLARK of Millinocket)

Ordered Printed.  
Sent up for Concurrence.

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**ORDERS**

On motion of Representative HICHBORN of Howland, the following Order:

ORDERED, that Representative Marge L. Kilkelly of Wiscasset be excused January 18 for legislative business.

AND BE IT FURTHER ORDERED, that Representative John F. Marsh of West Gardiner be excused January 30 and 31 for personal reasons.

Was read and passed.

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**SPECIAL SENTIMENT CALENDAR**

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

In Memory of:

Frank R. Kauffman, of Kittery, former colleague and respected community leader, who will be remembered for his outstanding service as a member of the Kittery School Board, Town Council and Board of Selectmen. Mr. Kauffman was a 2-term member of the House of Representatives; (HLS 52) by Representative LAWRENCE of Kittery. (Cosponsors: Senator ESTES of York, Representative HICHENS of Eliot, Representative OTT of York)

On motion of Representative Lawrence of Kittery, was removed from the Special Sentiment Calendar.

Was read.

The SPEAKER: The Chair recognizes the Representative from Kittery, Representative Lawrence.

Representative Lawrence: Mr. Speaker, Ladies and Gentlemen of the House: It is with great sadness that I rise today to mark the passing away of Frank R. Kauffman. As well as being a member of this body, Frank served the town of Kittery on the Kittery School Board, the Board of Selectmen, Town Council and the School Building Committee.

He was known in Kittery as someone who served his community with great distinction, compassion, and integrity and I ask that when we adjourn today, we do

so in his memory.

Subsequently was adopted and sent up for concurrence.

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**ORDERS OF THE DAY**

**UNFINISHED BUSINESS**

The following matter, in the consideration of which the House was engaged at the time of adjournment Tuesday, January 22, 1991, has preference in the Orders of the Day and continues with such preference until disposed of as provided by Rule 24.

The Chair laid before the House the first item of Unfinished Business:

Bill "An Act to Require a State Police Station to Be Located within Five Miles of a State Maximum Security Prison" (H.P. 102) (L.D. 145)

(Joint Select Committee on Corrections suggested)

TABLED - January 22, 1991 (Till Later Today) by Representative ANTHONY of South Portland.

PENDING - Reference.

Was referred to the Joint Select Committee on Corrections, ordered printed and sent up for concurrence.

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The following item appearing on Supplement No. 1 was taken up out of order by unanimous consent:

**SENATE PAPERS**

Bill "An Act to Amend the Severance Pay Laws" (EMERGENCY) (S.P. 84) (L.D. 157)

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

Was referred to the Committee on Labor in concurrence.

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

Pursuant to House Rule 1, the Chair appointed the Representative from Paris, Representative Hanley, to serve on the Joint Standing Committee on Judiciary.

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On motion of Representative Bailey of Farmington, Adjourned at 5:07 p.m. in memory of Frank R. Kauffman of Kittery, a former member of the House of Representatives, until Friday, February 1, 1991, at nine o'clock in the morning.

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