

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Fifteenth Legislature

OF THE

State Of Maine

VOLUME V

FIRST SPECIAL SESSION

July 11, 1991 to July 18, 1991

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SECOND REGULAR SESSION

House of Representatives

January 8, 1992 to March 9, 1992

ONE HUNDRED AND FIFTEENTH MAINE LEGISLATURE
SECOND REGULAR SESSION
1st Legislative Day
Wednesday, January 8, 1992

Pursuant to Article IV, Part 3, Section 1 of the Constitution and Laws of the State of Maine, the Representatives to the One Hundred and Fifteenth Legislature assembled in the Hall of the House and were called to order by JOHN L. MARTIN of Eagle Lake, Speaker of the House.

Prayer by Reverend Nash Garabedian, South Parish Congregational Church, Augusta.

National Anthem by Ashland Community High School Band.

For the purpose of ascertaining the presence of a quorum, a roll call was taken.

The elected membership of the House being 151 and 143 having answered to their names, a quorum was called.

Absent were Representatives Anthony of South Portland, Cahill of Mattawamkeag, Farnsworth of Hallowell, Graham of Houlton, Hastings of Fryeburg, Heeschen of Wilton, Kilkelly of Wiscasset, and Pendleton of Scarborough.

On Motion of Representative GWADOSKY of Fairfield, the following Order:

ORDERED, that a Committee of ten be appointed to wait upon his Excellency, Governor John R. McKernan, Jr., and inform him that a quorum of the House of Representatives was assembled in the Hall of the House for the consideration of such business as may come before the House.

Was read and passed and the Speaker appointed the following members:

Representative ERWIN of Rumford
Representative KETOVER of Portland
Representative DAGGETT of Augusta
Representative MACOMBER of South Portland
Representative ALIBERTI of Lewiston
Representative TOWNSEND of Eastport
Representative LEMKE of Westbrook
Representative LEBOWITZ of Bangor
Representative MURPHY of Berwick
Representative FARNUM of South Berwick

Subsequently, Representative ERWIN of Rumford reported that the Committee had delivered the message with which they were charged.

On Motion of Representative MAYO of Thomaston, the following order:

ORDERED, that a message be conveyed to the Senate that a quorum of the House of Representatives was present for the consideration of such business as may come before the House.

Was read and passed and Representative GWADOSKY of Fairfield was appointed to convey the message and

subsequently reported that he had delivered the message with which he was charged.

At this point, a message was received from the Senate, borne by Senator PEARSON of that body announcing a quorum present and that the Senate was ready to transact any business that might properly come before it.

**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 Concerning the Shared Use of Crop-handling Equipment by Seed Potato Growers" (H.P. 1432) (L.D. 2044) (Presented by Representative MAHANY of Easton) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act Concerning the Management of the Potato Marketing Improvement Fund" (H.P. 1454) (L.D. 2066) (Presented by Representative PINES of Limestone) (Cosponsored by Senator LUDWIG of Aroostook) (Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 24.)

Bill "An Act to Allow the Maine Harness Racing Community to Adopt a Controlled Medication Program" (EMERGENCY) (H.P. 1475) (L.D. 2087) (Presented by Representative TARDY of Palmyra) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Replace Criminal Penalties with Civil Penalties for Violations of Weights and Measures Laws" (H.P. 1483) (L.D. 2095) (Presented by Representative PINES of Limestone) (Cosponsored by Representative SPEAR of Nobleboro, Representative TARDY of Palmyra and Senator TWITCHELL of Oxford) (Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 24.)

Bill "An Act to Revise the Maine Horticultural Laws" (H.P. 1498) (L.D. 2110) (Presented by Representative PARENT of Benton) (Cosponsored by Representative STEVENS of Sabattus and Senator RICH of Cumberland) (Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 24.)

Ordered Printed.
Sent up for Concurrence.

Appropriations and Financial Affairs

Bill "An Act to Protect Low-income Households

from Hardships Due to Delays in the Receipt of Home Energy Assistance Program Funds from the Federal Government" (EMERGENCY) (H.P. 1496) (L.D. 2108) (Presented by Representative PARADIS of Augusta) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$15,000,000 for the Purchase of Recycling Equipment and Facilities and for the Closure and Remediation of Municipal Solid Waste Landfills" (H.P. 1499) (L.D. 2111) (Presented by Representative MICHAUD of East Millinocket) (Cosponsored by Representative LORD of Waterboro) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Ordered Printed.
Sent up for Concurrence.

Banking and Insurance

Bill "An Act to Clarify the Laws Related to Credit Cards" (H.P. 1410) (L.D. 2022) (Presented by Representative GARLAND of Bangor) (Cosponsored by Representative MITCHELL of Vassalboro, Senator KANY of Kennebec and Senator BRAUN of Knox) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 24.)

Bill "An Act to Amend the Automobile Assigned Risk Laws of Maine" (H.P. 1411) (L.D. 2023) (Presented by Representative PINEAU of Jay) (Cosponsored by Senator THERIAULT of Aroostook, Senator BRAUN of Knox and Representative MITCHELL of Vassalboro) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Ordered Printed.
Sent up for Concurrence.

Business Legislation

Bill "An Act to Prevent Insurers from Mandating the Use of Specific Parts, Products or Businesses" (H.P. 1413) (L.D. 2025) (Presented by Representative VIGUE of Winslow) (Cosponsored by Senator RICH of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

(The Committee on Reference of Bills had suggested reference to the Committee on Banking and Insurance.)

On motion of Representative Mitchell of Vassalboro, was referred to the Committee on Business Legislation, ordered printed and sent up for concurrence.

Banking and Insurance

Bill "An Act to Amend the Maine High-Risk Insurance Organization Laws" (H.P. 1417) (L.D. 2029) (Presented by Representative ERWIN of Rumford

(Cosponsored by Senator KANY of Kennebec, Representative JOSEPH of Waterville and Representative KETOVER of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Ensure Continuity of Health Insurance Coverage" (H.P. 1422) (L.D. 2034) (Presented by Representative MITCHELL of Vassalboro) (Cosponsored by Senator THERIAULT of Aroostook and Representative RAND of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Achieve Parity between the Authority of Loan Officers of State-chartered Credit Unions and the Authority of Loan Officers of Federally Chartered Credit Unions" (H.P. 1441) (L.D. 2053) (Presented by Representative MAYO of Thomaston) (Cosponsored by Representative JOSEPH of Waterville) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Allow Elementary and Secondary Schools to Obtain Insurance Coverage through the Risk Management Division" (H.P. 1449) (L.D. 2061) (Presented by Representative NUTTING of Leeds) (Cosponsored by Representative MITCHELL of Vassalboro, Representative NORTON of Winthrop and Representative LUTHER of Mexico) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Amend the Laws Governing Placement of Insurance in the Surplus Lines Market" (EMERGENCY) (H.P. 1473) (L.D. 2085) (Presented by Representative MANNING of Portland) (Cosponsored by Representative MITCHELL of Vassalboro, Representative JOSEPH of Waterville and Senator KANY of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Clarify the Rights of Persons to Recover Insurance Proceeds When They Are Injured by an Underinsured Motorist" (H.P. 1476) (L.D. 2088) (Presented by Representative STEVENS of Bangor) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Amend the Group Health Insurance Conversion Laws" (H.P. 1484) (L.D. 2096) (Presented by Representative HASTINGS of Fryeburg) (Cosponsored by Representative MITCHELL of Vassalboro, Representative PENDLETON of Scarborough and Senator THERIAULT of Aroostook) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 24.)

Bill "An Act to Authorize the Establishment of Nondepository Trust Companies" (H.P. 1489) (L.D. 2101) (Presented by Representative MITCHELL of Vassalboro) (Cosponsored by Representative LIPMAN of Augusta and Senator CLARK of Cumberland) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 24.)

Bill "An Act to Prohibit Unfair Rating Practices in Small Group Health Insurance" (H.P. 1490) (L.D. 2102) (Presented by Representative GARLAND of Bangor)

(Cosponsored by Representative RAND of Portland, Senator THERIAULT of Aroostook and Representative MITCHELL of Vassalboro) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 24.)

Bill "An Act Regarding Loans to Stockholders, Directors, Corporators or Officers of Financial Institutions" (H.P. 1493) (L.D. 2105) (Presented by Representative MAYO of Thomaston) (Cosponsored by Representative ERWIN of Rumford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Repeal the Laws Creating the Mandated Benefits Advisory Commission" (H.P. 1504) (L.D. 2117) (Presented by Representative JOSEPH of Waterville) (Cosponsored by Representative MITCHELL of Vassalboro, Representative KETOVER of Portland and Senator CLARK of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act Relating to Returned Check Charges" (H.P. 1505) (L.D. 2119) (Presented by Representative ST. ONGE of Greene) (Cosponsored by Representative MITCHELL of Vassalboro and Senator BUSTIN of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Ordered Printed.
Sent up for Concurrence.

Business Legislation

Bill "An Act to Repeal the Provisions of the Uniform Commercial Code Relating to Bulk Transfers" (H.P. 1420) (L.D. 2032) (Presented by Representative MARSANO of Belfast) (Cosponsored by Representative MAYO of Thomaston and Senator HOLLOWAY of Lincoln) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Amend the Laws Governing Emergency Medical Technicians" (H.P. 1491) (L.D. 2103) (Presented by Representative VIGUE of Winslow) (Cosponsored by Representative FARNUM of South Berwick) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Clarify and Improve the Regulation of Home Food Service Plans" (H.P. 1501) (L.D. 2113) (Presented by Representative GURNEY of Portland) (Cosponsored by Senator RICH of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Ordered Printed.
Sent up for Concurrence.

Education

Bill "An Act to Clarify Municipal Approval of Payments of Public School Funds" (H.P. 1416) (L.D. 2028) (Presented by Representative LAWRENCE of Kittery) (Approved for introduction by a majority of

the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Amend the Secret Voting Provision Governing School Administrative District Budget Proceedings" (H.P. 1440) (L.D. 2052) (Presented by Representative GWADOSKY of Fairfield) (Cosponsored by Representative MAYO of Thomaston) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Resolve, to Assist High-risk Students (H.P. 1457) (L.D. 2069) (Presented by Representative O'GARA of Westbrook) (Cosponsored by Senator ESTES of York, Representative STROUT of Corinth and Representative DAGGETT of Augusta) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Ordered Printed.
Sent up for Concurrence.

Energy and Natural Resources

Bill "An Act to Clarify the Water Quality Definitions for Impoundments" (H.P. 1409) (L.D. 2021) (Presented by Representative CLARK of Millinocket) (Cosponsored by Representative GOULD of Greenville, Representative ANDERSON of Woodland and Senator LUDWIG of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Clarify the Status of Wood Yard Debris" (H.P. 1427) (L.D. 2039) (Presented by Representative JACQUES of Waterville) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Extend the Deadline for Closure of Municipal Landfills by 18 Months" (EMERGENCY) (H.P. 1435) (L.D. 2047) (Presented by Representative LORD of Waterboro) (Cosponsored by Senator MILLS of Oxford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Establish Ambient Air Quality Standards for Toluene and Perchloroethylene" (H.P. 1448) (L.D. 2060) (Presented by Representative MARSH of West Gardiner) (Cosponsored by Representative ANDERSON of Woodland, Representative RICHARDS of Hampden and Senator TITCOMB of Cumberland) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 24.)

Bill "An Act to Simplify and Reduce the Cost of State Mapping Efforts" (H.P. 1455) (L.D. 2067) (Presented by Representative SIMONDS of Cape Elizabeth) (Cosponsored by Representative MARSH of West Gardiner and Senator TITCOMB of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Amend the Laws Regarding Licensing of Gravel Pits" (H.P. 1459) (L.D. 2071) (Presented by Representative LORD of Waterboro) (Cosponsored by Representative ANDERSON of Woodland, Representative GOULD of Greenville and Representative JACQUES of Waterville) (Approved for introduction by

a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Prohibit the Dismantling of Products That Contain Hazardous Material near Water Supplies" (H.P. 1463) (L.D. 2075) (Presented by Representative TRACY of Rome) (Cosponsored by Representative GOULD of Greenville and Representative JACQUES of Waterville) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Promote the Beneficial Use of Industrial Residuals" (H.P. 1468) (L.D. 2080) (Presented by Representative ANDERSON of Woodland) (Cosponsored by Senator BALDACCI of Penobscot, Representative LORD of Waterboro and Representative GOULD of Greenville) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act Exempting Zoning Changes Related to the Implementation of an Approved Growth Management Plan and Shoreland Zoning from Certain Notice Requirements" (EMERGENCY) (H.P. 1474) (L.D. 2086) (Presented by Representative LARRIVEE of Gorham) (Cosponsored by Representative DORE of Auburn) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Implement a Toxic Control Strategy for Maine Waters" (H.P. 1485) (L.D. 2097) (Presented by Representative MARSH of West Gardiner) (Cosponsored by Representative MICHAUD of East Millinocket) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 24.)

Bill "An Act to Amend Certain Laws Pertaining to the Department of Environmental Protection's Bureau of Hazardous Materials and Solid Waste Control" (EMERGENCY) (H.P. 1502) (L.D. 2114) (Presented by Representative LORD of Waterboro) (Cosponsored by Senator LUDWIG of Aroostook) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 24.)

Ordered Printed.
Sent up for Concurrence.

Fisheries and Wildlife

Bill "An Act to Alter the Fishing Season in a Certain Area in Northern Maine" (H.P. 1429) (L.D. 2041) (Presented by Representative MAHANY of Easton) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Require That People Who Must Wear Corrective Lenses for Driving a Motor Vehicle Wear Corrective Lenses While Hunting" (H.P. 1456) (L.D. 2068) (Presented by Representative MICHAUD of East Millinocket) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Ordered Printed.
Sent up for Concurrence.

Marine Resources

Bill "An Act Concerning the Stocking of Atlantic Salmon in Maine Rivers" (EMERGENCY) (H.P. 1471) (L.D. 2083) (Presented by Representative TOWNSEND of Eastport) (Cosponsored by Senator VOSE of Washington and Representative FARREN of Cherryfield) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

(The Committee on Reference of Bills had suggested reference to the Committee on Fisheries and Wildlife.)

On motion of Representative Rotondi of Athens, was referred to the Committee on Marine Resources, ordered printed and sent up for concurrence.

State and Local Government

Resolve, to Rename Certain Bodies of Water Located within the State (H.P. 1506) (L.D. 2120) (Presented by Representative MCHENRY of Madawaska) (Cosponsored by Senator COLLINS of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

(The Committee on Reference of Bills had suggested reference to the Committee on Fisheries and Wildlife.)

On motion of Representative Rotondi of Athens, was referred to the Committee on State and Local Government, ordered printed and sent up for concurrence.

Judiciary

Bill "An Act to Clarify the Conduct of Proceedings in Child Protection Cases" (H.P. 1421) (L.D. 2033) (Presented by Representative GEAN of Alfred) (Cosponsored by Senator GILL of Cumberland and Representative GOODRIDGE of Cornville) (Submitted by the Department of the Attorney General pursuant to Joint Rule 24.)

(The Committee on Reference of Bills had suggested reference to the Committee on Human Resources.)

On motion of Representative Manning of Portland, was referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

Human Resources

Resolve, Directing the Department of Human Services to Maintain Long-term Care Services (H.P. 1444) (L.D. 2056) (Presented by Representative RYDELL of Brunswick) (Cosponsored by Representative PARADIS of Frenchville, Representative TREAT of Gardiner and Representative PENDLETON of Scarborough) (Approved for introduction by a majority of the Legislative

Council pursuant to Joint Rule 26.)

Ordered Printed.
Sent up for Concurrence.

Judiciary

Bill "An Act to Amend the Distribution of Money and Property Seized in Drug Busts" (H.P. 1408) (L.D. 2020) (Presented by Representative MELENDY of Rockland) (Cosponsored by Representative SIMONDS of Cape Elizabeth, Representative MITCHELL of Vassalboro and Representative GRAY of Sedgwick) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Clarify the Obligations of Emergency Medical Personnel" (H.P. 1418) (L.D. 2030) (Presented by Representative CARROLL of Gray) (Cosponsored by Representative PENDEXTER of Scarborough and Representative PENDLETON of Scarborough) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act Authorizing Court Clerks to Sign Abstracts of Certain Proceedings Involving Real Estate" (H.P. 1425) (L.D. 2037) (Presented by Representative MARSANO of Belfast) (Cosponsored by Representative REED of Dexter, Representative HANLEY of Paris and Representative PARADIS of Augusta) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Increase the Penalties for Committing Repeated Assault" (H.P. 1428) (L.D. 2040) (Presented by Representative CATHCART of Orono) (Cosponsored by Senator HOLLOWAY of Lincoln, Representative RICHARDS of Hampden and Representative STEVENS of Bangor) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Ordered Printed.
Sent up for Concurrence.

Later Today Assigned

Bill "An Act Concerning Funding of Indian Schools under the Act to Implement the Maine Indian Claims Settlement" (H.P. 1433) (L.D. 2045) (Presented by Representative PARADIS of Augusta) (Cosponsored by Senator ESTES of York and Representative POULIOT of Lewiston) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

(The Committee on Reference of Bills had suggested reference to the Committee on Judiciary.)

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

Judiciary

Bill "An Act to Make Electronic Monitoring and

Substance Testing Programs Economically Feasible" (EMERGENCY) (H.P. 1451) (L.D. 2063) (Presented by Representative MANNING of Portland) (Cosponsored by Senator BUSTIN of Kennebec, Representative ANTHONY of South Portland and Representative LARRIVÉE of Gorham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Amend the Laws Regarding Dismissal of Paternity Proceedings" (H.P. 1467) (L.D. 2079) (Presented by Representative GEAN of Alfred) (Submitted by the Department of the Attorney General pursuant to Joint Rule 24.)

Ordered Printed.
Sent up for Concurrence.

Later Today Assigned

Bill "An Act Concerning Passamaquoddy Indian Territory" (H.P. 1469) (L.D. 2081) (Presented by Representative BAILEY of Township 27) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

(The Committee on Reference of Bills had suggested reference to the Committee on Judiciary.)

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

Later Today Assigned

Bill "An Act Concerning Penobscot Nation Trust Land Designation" (H.P. 1472) (L.D. 2084) (Presented by Representative CASHMAN of Old Town) (Cosponsored by Senator PEARSON of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

(The Committee on Reference of Bills had suggested reference to the Committee on Judiciary.)

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

Later Today Assigned

Bill "An Act to Establish a Forest Service Bureau in Each Division of the District Court" (H.P. 1482) (L.D. 2094) (Presented by Representative MARSH of West Gardiner) (Cosponsored by Senator HOLLOWAY of Lincoln, Representative STEVENS of Bangor and Representative HANLEY of Paris) (Submitted by the Department of Conservation pursuant to Joint Rule 24.)

(The Committee on Reference of Bills had suggested reference to the Committee on Judiciary.)

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

Judiciary

Bill "An Act to Clarify the Scope of the Laws Governing Administrative Correction of Statutory Errors" (EMERGENCY) (H.P. 1492) (L.D. 2104) (Presented by Representative PARADIS of Augusta) (Cosponsored by Senator GAUVREAU of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act Concerning Tribal Courts" (H.P. 1494) (L.D. 2106) (Presented by Representative CASHMAN of Old Town) (Cosponsored by Representative LAWRENCE of Kittery and Representative KETTERER of Madison) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Ordered Printed.
Sent up for Concurrence.

Labor

Bill "An Act to Amend the Laws Governing Student Work Hours" (H.P. 1431) (L.D. 2043) (Presented by Representative DAGGETT of Augusta) (Cosponsored by Representative RICHARDS of Hampden, Senator GOULD of Waldo, Representative LIPMAN of Augusta and Representative CLARK of Millinocket) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Correct an Inconsistency Between the Maine Employment Security Law and the Federal Unemployment Tax Act" (H.P. 1465) (L.D. 2077) (Presented by Representative HASTINGS of Fryeburg) (Cosponsored by Senator CARPENTER of York and Representative BENNETT of Norway) (Submitted by the Department of Labor pursuant to Joint Rule 24.)

Bill "An Act to Reform Unemployment Compensation Guidelines in Maine" (H.P. 1486) (L.D. 2098) (Presented by Representative RAND of Portland) (Cosponsored by Representative MCHENRY of Madawaska) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Make Revisions in Workers' Compensation Employment Rehabilitation" (H.P. 1488) (L.D. 2100) (Presented by Representative LUTHER of Mexico) (Cosponsored by Representative RAND of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Ordered Printed.
Sent up for Concurrence.

Legal Affairs

Bill "An Act to Clarify the Law Governing Contracts of Adhesion" (H.P. 1412) (L.D. 2024) (Presented by Representative DIPIETRO of South Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Expand the Definition of "Tenant" in the Laws Pertaining to Mobile Home Parks" (H.P.

1415) (L.D. 2027) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsored by Representative LAWRENCE of Kittery) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Ordered Printed.
Sent up for Concurrence.

Judiciary

Bill "An Act to Ensure the Retention of Utility Easements in Foreclosure Proceedings" (H.P. 1419) (L.D. 2031) (Presented by Representative PARADIS of Augusta) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

(The Committee on Reference of Bills had suggested reference to the Committee on Legal Affairs.)

On motion of Representative Lawrence of Kittery, was referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

Legal Affairs

Bill "An Act to Encourage Lawful Rental Practices" (H.P. 1423) (L.D. 2035) (Presented by Representative LAWRENCE of Kittery) (Cosponsored by Representative DAGGETT of Augusta, Senator MILLS of Oxford and Representative STEVENS of Sabattus) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Clarify the Law Concerning the Safety Course Necessary to Obtain a Concealed Firearms Permit" (H.P. 1424) (L.D. 2036) (Presented by Representative FARREN of Cherryfield) (Cosponsored by Senator MILLS of Oxford, Senator SUMMERS of Cumberland and Representative FARNUM of South Berwick) (Submitted by the Department of Public Safety pursuant to Joint Rule 24.)

Bill "An Act to Permit the State Lottery Commission to Approve Promotions Involving the Use of Lottery Tickets" (H.P. 1434) (L.D. 2046) (Presented by Representative MORRISON of Bangor) (Cosponsored by Representative TUPPER of Orrington) (Submitted by the Department of Finance pursuant to Joint Rule 24.)

Bill "An Act Concerning the Renewal of Agency Liquor Store Licenses" (H.P. 1443) (L.D. 2055) (Presented by Representative STEVENS of Sabattus) (Cosponsored by Representative KUTASI of Bridgton) (Submitted by the Department of Finance pursuant to Joint Rule 24.)

Bill "An Act to Preserve Public Trust in the State Police" (H.P. 1445) (L.D. 2057) (Presented by Representative BAILEY of Township 27) (Cosponsored by Senator TWITCHELL of Oxford, Senator CAHILL of Sagadahoc and Representative MACOMBER of South Portland) (Submitted by the Department of Public Safety pursuant to Joint Rule 24.)

Bill "An Act to Prevent Intoxication-related

Injuries, Deaths and Damages" (H.P. 1453) (L.D. 2065) (Presented by Representative PARADIS of Augusta) (Cosponsored by Representative LIPMAN of Augusta, Representative KETTERER of Madison and Representative PINEAU of Jay) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Ordered Printed.
Sent up for Concurrence.

Later Today Assigned

Bill "An Act to Amend the Fire Permit Laws" (H.P. 1460) (L.D. 2072) (Presented by Representative LORD of Waterboro) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

(The Committee on Reference of Bills had suggested reference to the Committee on Legal Affairs.)

On motion of Representative Lawrence of Kittery, tabled pending reference and later today assigned.

Later Today Assigned

Bill "An Act to Amend the Financial Responsibility Laws" (H.P. 1462) (L.D. 2074) (Presented by Representative STROUT of Corinth) (Cosponsored by Senator THERIAULT of Aroostook and Representative HUSSEY of Milo) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

(The Committee on Reference of Bills had suggested reference to the Committee on Legal Affairs.)

On motion of Representative Lawrence of Kittery, tabled pending reference and later today assigned.

Judiciary

Bill "An Act to Require a Right-to-cure Notice in Residential Mortgages" (H.P. 1466) (L.D. 2078) (Presented by Representative FARNSWORTH of Hallowell) (Cosponsored by Representative RICHARDS of Hampden and Senator GAUVREAU of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

(The Committee on Reference of Bills had suggested reference to the Committee on Legal Affairs.)

On motion of Representative Lawrence of Kittery, was referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

Legal Affairs

Bill "An Act Amending the Laws Governing Concealed Weapons Permits to Allow County Sheriffs to be Designated Issuing Authorities" (H.P. 1495) (L.D. 2107) (Presented by Representative GRAHAM of Houlton) (Cosponsored by Representative MELENDY of Rockland, Representative GURNEY of Portland and Senator GAUVREAU of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Reorganize the Bureau of Alcoholic Beverages" (EMERGENCY) (H.P. 1503) (L.D. 2116) (Presented by Representative JOSEPH of Waterville) (Cosponsored by Representative KERR of Old Orchard Beach, Senator BERUBE of Androscoggin and Representative GRAY of Sedgwick) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Resolve, Authorizing Elizabeth Penney to Sue the State (H.P. 1442) (L.D. 2054) (Presented by Representative MELENDY of Rockland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Resolve, Authorizing Fred Bubar, Thomas Bubar, Clifford Bubar, Galen Helstrom, Gary Helstrom and Gene Helstrom to Sue the State (H.P. 1446) (L.D. 2058) (Presented by Representative MAHANY of Easton) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Ordered Printed.
Sent up for Concurrence.

Marine Resources

Bill "An Act to Allow Transfer of Commercial Moorings" (H.P. 1450) (L.D. 2062) (Presented by Representative LAWRENCE of Kittery) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Provide an Exemption to the Sunday Fishing Ban When a Storm Advisory or Storm Warning Is in Effect" (H.P. 1452) (L.D. 2064) (Presented by Representative HEINO of Boothbay) (Cosponsored by Senator VOSE of Washington, Senator HOLLOWAY of Lincoln and Representative FARREN of Cherryfield) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Make Revisions in Marine Resource Laws" (H.P. 1464) (L.D. 2076) (Presented by Representative LOOK of Jonesboro) (Cosponsored by Senator GOULD of Waldo, Representative MITCHELL of Freeport and Representative HEINO of Boothbay) (Submitted by the Department of Marine Resources pursuant to Joint Rule 24.)

Ordered Printed.
Sent up for Concurrence.

State and Local Government

Bill "An Act to Allow Counties to Blanket Bond Part-time Deputy Sheriffs" (H.P. 1436) (L.D. 2048) (Presented by Representative DAGGETT of Augusta) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Allow the Towns of Castle Hill, Chapman and Mapleton to Enter into an Interlocal Agreement" (H.P. 1438) (L.D. 2050) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsored by Senator COLLINS of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Ordered Printed.
Sent up for Concurrence.

Later Today Assigned

Bill "An Act to Allow Sheriffs' Deputies to Seek Certain Nonpartisan Offices" (EMERGENCY) (H.P. 1439) (L.D. 2051) (Presented by Representative CARROLL of Gray) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

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

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

Marine Resources

Resolve, Concerning the Transfer of Property to Bigelow Laboratory (EMERGENCY) (H.P. 1426) (L.D. 2038) (Presented by Representative CROWLEY of Stockton Springs) (Cosponsored by Representative MAYO of Thomaston) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

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

On motion of Representative Joseph of Waterville, was referred to the Committee on Marine Resources, ordered printed and sent up for concurrence.

State and Local Government

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Clarify Succession to the Positions of Treasurer of State and Secretary of State (H.P. 1478) (L.D. 2090) (Presented by Representative MAYO of Thomaston) (Cosponsored by Representative POULIN of Oakland, Representative GWADOSKY of Fairfield and Senator CLARK of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Ordered Printed.
Sent up for Concurrence.

Taxation

Bill "An Act to Conform the Maine Income Tax Law for 1991 with the United States Internal Revenue Code" (EMERGENCY) (H.P. 1461) (L.D. 2073) (Presented by Representative MURPHY of Berwick) (Cosponsored by Representative BUTLAND of Cumberland) (Submitted by the Department of Finance pursuant to Joint Rule 24.)

Bill "An Act to Clarify the Administrative Practices of the State Tax Assessor Pertaining to State-issued Licenses" (H.P. 1497) (L.D. 2109) (Presented by Representative BUTLAND of Cumberland) (Cosponsored by Representative DiPIETRO of South Portland and Senator COLLINS of Aroostook) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 24.)

Ordered Printed.
Sent up for Concurrence.

Transportation

Bill "An Act to Amend the Charter of the Casco Bay Island Transit District" (H.P. 1414) (L.D. 2026) (Presented by Representative RAND of Portland) (Cosponsored by Representative ADAMS of Portland and Senator BRANNIGAN of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act Concerning Highway Traffic Laws" (H.P. 1430) (L.D. 2042) (Presented by Representative CROWLEY of Stockton Springs) (Cosponsored by Representative TAMMARO of Baileyville and Representative HALE of Sanford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Repeal the Laws Authorizing Special Veterans License Plates" (EMERGENCY) (H.P. 1437) (L.D. 2049) (Presented by Representative MACOMBER of South Portland) (Cosponsored by Representative STROUT of Corinth) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Amend Certain Motor Vehicle Laws" (H.P. 1477) (L.D. 2089) (Presented by Representative MACOMBER of South Portland) (Cosponsored by Representative BAILEY of Township 27, Senator THERIAULT of Aroostook and Representative STROUT of Corinth) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act Making Revisions to the Laws Concerning Special Veterans' Registration Plates and Emblems" (H.P. 1487) (L.D. 2099) (Presented by Representative KETTERER of Madison) (Cosponsored by Senator BRAUN of Knox, Representative TREAT of Gardiner, Representative AIKMAN of Poland, Representative ROTONDI of Athens, Representative HEINO of Boothbay, Representative KONTOS of Windham and Senator BOST of Penobscot) (Approved for introduction by a majority of the Legislative Council

pursuant to Joint Rule 26.)

Bill "An Act to Amend the Motor Vehicle Salvage Laws" (H.P. 1500) (L.D. 2112) (Presented by Representative MACOMBER of South Portland) (Cosponsored by Representative STROUT of Corinth, Senator THERIAULT of Aroostook and Representative BAILEY of Township 27) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Ordered Printed.
Sent up for Concurrence.

Utilities

Bill "An Act to Require Reporting of Daily Routine Releases of Radioactive Materials" (H.P. 1447) (L.D. 2059) (Presented by Representative HOLT of Bath) (Cosponsored by Senator KANY of Kennebec, Representative JACQUES of Waterville and Representative KILKELLY of Wiscasset) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Ensure the Retention of Utility Lines Crossing Railroad Property" (H.P. 1458) (L.D. 2070) (Presented by Representative PARADIS of Augusta) (Cosponsored by Representative MARSANO of Belfast and Senator GAUVREAU of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act Pertaining to Pole Attachment Rate Disputes" (H.P. 1470) (L.D. 2082) (Presented by Representative CLARK of Millinocket) (Cosponsored by Senator CARPENTER of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Revise the Charter of the Boothbay Harbor Sewer District" (EMERGENCY) (H.P. 1479) (L.D. 2091) (Presented by Representative HEINO of Boothbay) (Cosponsored by Representative CLARK of Millinocket and Senator HOLLOWAY of Lincoln) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Increase the Debt Limit of the South Berwick Sewer District" (EMERGENCY) (H.P. 1480) (L.D. 2092) (Presented by Representative FARNUM of South Berwick) (Cosponsored by Representative MURPHY of Berwick and Senator CARPENTER of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act Concerning the Norridgewock Water District" (EMERGENCY) (H.P. 1481) (L.D. 2093) (Presented by Representative KETTERER of Madison) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Ordered Printed.
Sent up for Concurrence.

ORDERS

On motion of Representative JOSEPH of Waterville, the following Joint Order: (H.P. 1507)

Ordered, the Senate concurring, that the Joint Standing Committee on State and Local Government report out to the House such legislation as it sees fit to revise the salaries of county officers and lay the county taxes for the year 1992.

Was read and passed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

On motion of Representative CHONKO of Topsham, the following Joint Order: (H.P. 1508)

Ordered, the Senate concurring, that the Joint Standing Committee on Appropriations and Financial Affairs report out 2 bills, "An Act to Eliminate or Modify Certain Environmental Licensing and Permitting Requirements of the Department of Environmental Protection" and "An Act to Abolish the Second Injury Fund and the Employment Rehabilitation Fund" to the House.

Was read and passed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

REPORTS OF COMMITTEES

Unanimous Ought Not to Pass

Representative PARADIS from the Committee on Judiciary on Bill "An Act to Increase the Penalties for Trafficking in or Furnishing Scheduled Drugs" (H.P. 1198) (L.D. 1754) reporting "Ought Not to Pass"

Representative COTE from the Committee on Judiciary on Bill "An Act Amending the Definition of Murder in the First Degree to Include Homicide by Pattern or Practice of Assault or Torture of a Child under the Age of 16" (H.P. 1267) (L.D. 1838) reporting "Ought Not to Pass"

Representative ANTHONY from the Committee on Judiciary on Bill "An Act to Allow Admissible Evidence Concerning the Physical or Sexual Assault or Abuse of a Minor" (H.P. 1254) (L.D. 1822) reporting "Ought Not to Pass"

Representative GOODRIDGE from the Committee on Human Resources on Bill "An Act to Give Legal Effect to General Assistance Decisions Made by the Administrative Hearings Unit of the Department of Human Services" (H.P. 871) (L.D. 1257) reporting "Ought Not to Pass"

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

The Chair laid before the House the following matter: Bill "An Act Concerning Funding of Indian Schools under the Act to Implement the Maine Indian Claims Settlement" (H.P. 1433) (L.D. 2045) which was tabled earlier in the day and later today assigned pending reference.

Subsequently, was referred to the Committee on **Judiciary**, ordered printed and sent up for concurrence.

The Chair laid before the House the following matter: Bill "An Act Concerning Passamaquoddy Indian Territory" (H.P. 1469) (L.D. 2081) which was tabled earlier in the day and later today assigned pending reference.

Subsequently, was referred to the Committee on **Judiciary**, ordered printed and sent up for concurrence.

The Chair laid before the House the following matter: Bill "An Act Concerning Penobscot Nation Trust Land Designation" (H.P. 1472) (L.D. 2084) which was tabled earlier in the day and later today assigned pending reference.

Subsequently, was referred to the Committee on **Judiciary**, ordered printed and sent up for concurrence.

The Chair laid before the House the following matter: Bill "An Act to Establish a Forest Service Bureau in Each Division of the District Court" (H.P. 1482) (L.D. 2094) which was tabled earlier in the day and later today assigned pending reference.

Subsequently, was referred to the Committee on **Judiciary**, ordered printed and sent up for concurrence.

The Chair laid before the House the following matter: Bill "An Act Concerning Tribal Courts" (H.P. 1494) (L.D. 2106) which was tabled earlier in the day and later today assigned pending reference.

Subsequently, was referred to the Committee on **Judiciary**, ordered printed and sent up for concurrence.

The Chair laid before the House the following matter: Bill "An Act to Amend the Fire Permit Laws" (H.P. 1460) (L.D. 2072) which was tabled earlier in the day and later today assigned pending reference.

Subsequently, was referred to the Committee on **Energy and Natural Resources**, ordered printed and sent up for concurrence.

The Chair laid before the House the following matter: Bill "An Act to Amend the Financial Responsibility Laws" (H.P. 1462) (L.D. 2074) which was tabled earlier in the day and later today assigned pending reference.

Subsequently, was referred to the Committee on **Legal Affairs**, ordered printed and sent up for concurrence.

The Chair laid before the House the following matter: Bill "An Act to Allow Sheriffs' Deputies to Seek Certain Nonpartisan Offices" (EMERGENCY) (H.P. 1439) (L.D. 2051) which was tabled earlier in the day and later today assigned pending reference.

On motion of Representative Joseph of Waterville, was referred to the Committee on **Legal Affairs**, ordered printed and sent up for concurrence.

(Off Record Remarks)

At this point, the Speaker appointed Representative Michaud of East Millinocket to act as Speaker pro tem for Thursday, January 9, 1992.

On motion of Representative Kerr of Old Orchard Beach,
Adjourned at 10:48 a.m. until Thursday, January 9, 1992, at four o'clock in the afternoon.