

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Sixteenth Legislature

OF THE

State Of Maine

VOLUME V

SECOND REGULAR SESSION

House of Representatives
January 5, 1994 to April 14, 1994

ONE HUNDRED AND SIXTEENTH MAINE LEGISLATURE
 SECOND REGULAR SESSION
 2ND Legislative Day
 Thursday, January 6, 1994

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

Prayer by Reverend John William Zehring, South Parish Congregational Church, Augusta.

The Journal of yesterday was read and approved.

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

SENATE PAPERS

The following Joint Order: (S.P. 591)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, January 11, 1994, at four o'clock in the afternoon.

Came from the Senate, read and passed.

Was read and passed in concurrence.

At this point, the Speaker appointed Representative GWADOSKY of Fairfield to serve as Speaker Pro Tem.

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

ORDERS

On motion of Speaker MARTIN of Eagle Lake, the following Order:

WHEREAS, the Speaker of the House, John L. Martin, has decided to resign his position of Speaker; now, therefore, be it

Ordered, that the resignation of John L. Martin as Speaker of the House of Representatives be accepted to be effective on February 3, 1994; and be it further

Ordered, that an election be held on January 25, 1994, to elect the Speaker of the House to take office on February 3, 1994.

Was read.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: As you all know, yesterday I had an Order printed in the hope of bringing this issue to a cloture. For a short while, I thought it would be something that people could support but it became clear for all kinds of reasons, which I don't want to go through at this point, that it was not the

solution and in fact to many it became a greater problem.

From the very beginning when this resurrected, my position has been that this legislature had to deal with this as quickly and swiftly as possible and that we could not waste anymore time than absolutely necessary to get rid of it. It became clear to me if my Order — the original Order went to a vote — that the divisiveness and the bitterness would continue, perhaps more so within my own caucus than anywhere else. I am sure the members on the other side of the aisle understand that members of my caucus were my first concern because they are the ones who put me where I am and have consistently supported me (for the most part).

Over the years, I have made every effort to keep that caucus together and make this House function as it should. I have no apologies in that regard and history will write whatever it chooses to. Luckily it will not be written by the media that is here today because, as you know, most of them have not been around the state very long and I have been here 29 plus years so my history written by the media of today would be fairly short and perhaps part of which I would not like to see written.

My conclusion of arriving where I am at the moment was that this state was far more important than I, far more important than all of us in this room, that we have devoted about a day and a half or so already on this issue and that is more than enough. Some people suggested that perhaps we postpone this and not deal with these Orders until next Tuesday but I could not in good conscience put any of you, on both sides of the aisle, through that again or for that matter put myself through it.

The thing that became very clear to me — I had the votes today for the original Order, but the divisiveness that would have resulted from that would have been something I would not want to see, so I felt that it should be dealt with today. You have the Order before you. I must admit and I want to share that I have no bitterness (it may come later) and I have no regrets because I know in 29 plus years, or more specifically 19 plus years as Speaker, what has been done in this legislature.

I am not looking for accolades, frankly I would rather not have them today, but I do want to say that from time to time through all of this, that I have been quoted as having said things to some people which hurt some of you — that was never my intention. Quite frankly, some of them were misquotes. As I told a member of the press earlier today, I wonder if perhaps politicians should not start writing out everything that they want to tell the media and say nothing else because it gets quoted out of context and your constituents and mine hear it. Unfortunately that becomes the facts for them because it is filtered. There are many fine members of the media who do their work well and write well and I don't want to put everyone in the same bag.

That aside, and I will have more to say about it in the days to come, the time has come, in my opinion, to accept this. To my supporters who I know aren't happy at the moment, who know what the votes are going to be, I ask them to please vote for the Order, to bring this to an end, so when we return on Tuesday we can do, not political business, personal business, hatred or whatever kind of business that we might have had, but do the business of the people of

Maine for which we have been elected and to which we committed ourselves by oath to do.

There is tremendous work left to be done and I don't need to bore you with all the details, they will unfold in the days ahead. I know for some of you that it is not easy, for others it is much easier and some members of the Republican Party are perhaps jumping with joy and others perhaps not because, as someone else said, a member of your party, you won't have me to kick around anymore. You see, I will be able to do the kicking because I will now be a member of the House. There are very few members in this body who remember me as a member of the House sitting on the floor, there are two to be exact, you may want to talk to them because I can assure you that it is far more fun on the floor than it is at the rostrum being unable to say what you want to say and for those who know me well, you know I can say it even though you don't want to hear it, and sometimes I don't say it the way it ought to be said.

I will continue to represent my constituents whom have elected me and I will do my best to work with you to make this state a better place to live. Thank you Mr. Speaker.

Subsequently, was passed.

SENATE PAPERS

Bill "An Act to Amend the Structure of Veterans' Services" (S.P. 583) (L.D. 1627)

Came from the Senate, referred to the Committee on **Aging, Retirement and Veterans** and Ordered Printed.

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

Bill "An Act to Reinstate the State Eye Care Program" (S.P. 576) (L.D. 1620)

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

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

Was referred to the Committee on **Appropriations and Financial Affairs** in concurrence.

Bill "An Act to Amend the Credit Reporting Laws" (S.P. 579) (L.D. 1623)

Bill "An Act to Ensure Quality Psychological Services" (S.P. 580) (L.D. 1624)

Bill "An Act Concerning Health Insurance" (S.P. 582) (L.D. 1626)

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

Were referred to the Committee on **Banking and Insurance** in concurrence.

Bill "An Act to Enhance and Improve the Special Education Complaint Management Process" (S.P. 578) (L.D. 1622)

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

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

Bill "An Act to Clarify Certain Marine Resource Definitions" (S.P. 581) (L.D. 1625)

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

Was referred to the Committee on **Marine Resources** in concurrence.

Bill "An Act to Protect Utility Consumers from Bearing Responsibility for Utility Mismanagement" (S.P. 577) (L.D. 1621)

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

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

COMMUNICATIONS

The following Communication: (S.P. 549)

Maine State Senate
Augusta, Maine 04333

December 14, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Legislature

The Honorable John L. Martin
Speaker of the House
116th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today 3 bills and 1 resolve were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills and resolve were referred to the Joint Standing Committees and ordered printed on December 14, 1993, as follows:

BUSINESS LEGISLATION

Bill "An Act to Exempt Firefighters from the Licensing Requirements of Limited Electricians" (S.P. 547) (L.D. 1572) (Presented by Senator CAHILL of Sagadahoc) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

LEGAL AFFAIRS

Resolve, Authorizing Charles and Rachel Dellea to Sue the Department of Human Services for Negligence (S.P. 546) (L.D. 1571) (Presented by Senator LAWRENCE of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

TAXATION

Bill "An Act to Modify the Taxation of Leases on Automobiles" (S.P. 545) (L.D. 1570) (Presented by Senator BALDACCI of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act Governing Special Purpose Investment Subsidiaries" (S.P. 548) (L.D. 1573) (Presented by Senator BALDACCI of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Joseph W. Mayo
Clerk of the House

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

Was read and ordered placed on file in concurrence.

The following Communication: (S.P. 554)

Maine State Senate
Augusta, Maine 04333

December 20, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Legislature

The Honorable John L. Martin
Speaker of the House
116th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today 4 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees and ordered printed on December 20, 1993, as follows:

HOUSING & ECONOMIC DEVELOPMENT

Bill "An Act to Make Modifications to Economic Development Activities" (Emergency) (S.P. 552) (L.D. 1576) (Presented by Senator PINGREE of Knox) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

HUMAN RESOURCES

Bill "An Act to Ensure Appropriate Resource and Referral Services for Families Needing Child Care" (Emergency) (S.P. 550) (L.D. 1574) (Presented by Senator PARADIS of Aroostook) (Cosponsored by Senator: BRANNIGAN of Cumberland, Representatives: SIMONDS of Cape Elizabeth, TREAT of Gardiner) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act Regarding the Custody of Remains of Deceased Persons" (S.P. 553) (L.D. 1577) (Presented by Senator CONLEY of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

LEGAL AFFAIRS

Bill "An Act to Amend Certain Provisions of Law Pertaining to Brewers' Licenses" (S.P. 551) (L.D. 1575) (Presented by Senator CONLEY of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Joseph W. Mayo
Clerk of the House

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

Was read and ordered placed on file in concurrence.

The following Communication: (S.P. 561)

Maine State Senate
Augusta, Maine 04333

December 27, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Legislature

The Honorable John L. Martin
Speaker of the House
116th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today 6 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees and ordered printed on December 27, 1993, as follows:

Augusta, Maine 04333

December 29, 1993

BANKING & INSURANCE

Bill "An Act to Clarify the Maine Banking Code as it Pertains to Service Corporation Serving Credit Unions" (S.P. 555) (L.D. 1591) (Presented by Senator KIEFFER of Aroostook) (Cosponsored by Senator: CAREY of Kennebec, Representatives: CARLETON of Wells, DONNELLY of Presque Isle) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Amend the Maine Self-Insurance Guarantee Association Assessment Base" (S.P. 556) (L.D. 1592) (Presented by Senator CAREY of Kennebec) (Cosponsored by Senator: DUTREMBLE of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Promote Managed Care and to Otherwise Facilitate the Cost-effective Delivery of Health Care in the State" (S.P. 560) (L.D. 1596) (Presented by Senator CONLEY of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

CORRECTIONS

Bill "An Act to Amend the Conditions of Probation" (S.P. 557) (L.D. 1593) (Presented by Senator BUSTIN of Kennebec) (Cosponsored by Representative: CLUKEY of Houlton) (Submitted by the Department of Corrections pursuant to Joint Rule 24.)

TRANSPORTATION

Bill "An Act to Provide an Option for a Two-year Vehicle Registration Program" (S.P. 558) (L.D. 1594) (Presented by Senator ESTY of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

UTILITIES

Bill "An Act to Improve the Efficiency of Rate Processing by Consumer-owned Electric Utilities" (S.P. 559) (L.D. 1595) (Presented by Senator LUDWIG of Aroostook) (Cosponsored by Senator: CARPENTER of York, Representative: DONNELLY of Presque Isle) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Sincerely,
S/Joy J. O'Brien
Secretary of the Senate
S/Joseph W. Mayo
Clerk of the House

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

Was read and ordered placed on file in concurrence.

The following Communication: (S.P. 568)

Maine State Senate

The Honorable Dennis L. Dutremble
President of the Senate
116th Legislature

The Honorable John L. Martin
Speaker of the House
116th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today 6 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees and ordered printed on December 29, 1993, as follows:

BANKING & INSURANCE

Bill "An Act to Provide for Consistent Data Collection" (S.P. 562) (L.D. 1597) (Presented by Senator KIEFFER of Aroostook) (Cosponsored by Senator: MCCORMICK of Kennebec) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 24.)

Bill "An Act to Require Disclosure of Minimum Bid Requirements at Mortgage Foreclosure Sales" (S.P. 567) (L.D. 1602) (Presented by Senator MARDEN of Kennebec) (Cosponsored by Senators: BEGLEY of Lincoln, CARPENTER of York, HARRIMAN of Cumberland, KIEFFER of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

LEGAL AFFAIRS

Bill "An Act to Amend the Liquor Laws Pertaining to the Delivery of Beer and Wine" (S.P. 565) (L.D. 1600) (Presented by Senator CAREY of Kennebec) (Cosponsored by Senator: BALDACCI of Penobscot, Representatives: BOWERS of Washington, TRUE of Fryeburg) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

TRANSPORTATION

Bill "An Act Concerning the Hauling of Mobile Homes on the Roads and Highways of the State" (S.P. 564) (L.D. 1599) (Presented by Senator GOULD of Waldo) (Cosponsored by Representative LINDAHL of Northport and Representatives: O'GARA of Westbrook, STROUT of Corinth) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

UTILITIES

Bill "An Act to Protect Cable Television Consumers from Excessive Late Fees" (S.P. 563) (L.D. 1598) (Presented by Senator ESTY of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Ensure That State Water Utility Rules Are Consistent with Federal Requirements"

(S.P. 566) (L.D. 1601) (Presented by Senator VOSE of Washington) (Cosponsored by Senator: CARPENTER of York, Representatives: AIKMAN of Poland, CLARK of Millinocket) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Joseph W. Mayo
Clerk of the House

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

Was read and ordered placed on file in concurrence.

The following Communication: (S.P. 570)

Maine State Senate
Augusta, Maine 04333

December 29, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Legislature

The Honorable John L. Martin
Speaker of the House
116th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today one bill was received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, this bill was referred to the Joint Standing Committee and ordered printed on December 29, 1993, as follows:

ENERGY AND NATURAL RESOURCES

Bill "An Act to Clarify the State's Implementing Regulations to Provide for Schedules of Compliance" (S.P. 569) (L.D. 1610) (Presented by Senator VOSE of Washington) (Cosponsored by Representatives: BAILEY of Township 27, DRISCOLL of Calais, TOWNSEND of Eastport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Joseph W. Mayo
Clerk of the House

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

Was read and ordered placed on file in concurrence.

The Speaker resumed the Chair.

The following Communication: (S.P. 575)

Maine State Senate
Augusta, Maine 04333

December 30, 1993

The Honorable Dennis L. Dutremble
President of the Senate
116th Legislature

The Honorable John L. Martin
Speaker of the House
116th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today 4 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees and ordered printed on December 30, 1993, as follows:

BANKING & INSURANCE

Bill "An Act to Clarify the Display of Social Security Numbers on Insurance-related Identification Cards" (Emergency) (S.P. 573) (L.D. 1617) (Presented by Senator KIEFFER of Aroostook) (Cosponsored by Representative: RYDELL of Brunswick) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 24.)

MARINE RESOURCES

Bill "An Act Concerning Commercial Fishing Licenses" (S.P. 572) (L.D. 1618) (Presented by Senator VOSE of Washington) (Cosponsored by Senator: GOULD of Waldo, Representatives: LEMONT of Kittery, MITCHELL of Freeport) (Submitted by the Department of Marine Resources pursuant to Joint Rule 24.)

Bill "An Act Concerning the Mahogany Quahog Tax" (S.P. 571) (L.D. 1619) (Presented by Senator VOSE of Washington) (Cosponsored by Representatives: FARREN of Cherryfield, LOOK of Jonesboro, SPEAR of Nobleboro) (Submitted by the Department of Marine Resources pursuant to Joint Rule 24.)

UTILITIES

Bill "An Act to Make Changes to the Public Utilities Commission Laws" (S.P. 574) (L.D. 1616) (Presented by Senator VOSE of Washington) (Submitted by the Public Utilities Commission pursuant to Joint Rule 24.)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Joseph W. Mayo
Clerk of the House

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

Was read and ordered placed on file in concurrence.

The following Communication: (S.P. 584)

116th Maine Legislature

December 15, 1993

Senator Judy A. Paradis
Representative Sharon A. Treat
Chairpersons
Joint Standing Committee on Human Resources
116th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Sue W. Davenport of Marstons Mills, MA for appointment as Commissioner of Mental Health and Mental Retardation.

Pursuant to Title 34B, MRSA Section 1202, this nomination will require review by the Joint Standing Committee on Human Resources and confirmation by the Senate.

Sincerely,

S/Dennis L. Dutremble
President of the Senate

S/John L. Martin
Speaker of the House

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

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

The following Communication: (S.P. 586)

116th Maine Legislature

January 3, 1994

Senator Bonnie L. Titcomb
Rep. John Jalbert
Chairpersons
Joint Standing Committee on Aging, Retirement and Veterans
116th 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/Dennis L. Dutremble
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. 587)

116th Maine Legislature

January 3, 1994

Senator Mark W. Lawrence
Rep. Paul F. Jacques
Chairpersons
Joint Standing Committee on Energy and Natural Resources
116th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Edward Bradley of Hiram and Ronald I. Blum, M.D. of Patten for reappointments to the Facility Siting Board.

Pursuant to Title 38, MRSA Section 2152, these nominations will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

Sincerely,

S/Dennis L. Dutremble
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:

STATE OF MAINE
EXECUTIVE DEPARTMENT
STATE PLANNING OFFICE
184 STATE STREET
STATE HOUSE STATION 38

AUGUSTA, MAINE 04333

December 28, 1993

Senate President Dennis L. Dutremble
Speaker of the House John L. Martin, and
Members of the 116th Maine Legislature

Dear President Dutremble, Speaker Martin, and Members
of the Maine Legislature:

I am pleased to submit herewith the 1993
Governor's Report to the Legislature on Maine's use
of Exxon, Stripper Well, and Diamond Shamrock
Petroleum Violation Escrow (PVE) funds.

This report is submitted to the Legislature
pursuant to Section 6 of Chapter 818 of the Public
Laws of 1986, Section 5 of Chapter 533 of the Public
Laws of 1987, and Chapter 119 of the Private and
Special Laws of 1989. It is based on information
provided by the State agencies responsible for the
conduct of programs and activities funded with PVE
monies. The report contains information on the
status of each program Maine has funded with oil
overcharge monies and the amounts of all unexpended
balances.

Copies of the Report are being distributed to each
member of the Legislature, agencies responsible for
PVE-funded programs, and other interested parties.

Sincerely,
S/Stephen J. Adams

Was read and with accompanying report ordered
placed on file.

The following Communication:

DEPARTMENT OF EDUCATION
STATE HOUSE STATION 23
AUGUSTA, MAINE 04333

MEMORANDUM

TO: Joseph W. Mayo, Clerk of the House
FROM: S/Leo G. Martin, Commissioner
DATE: January 4, 1994
RE: Report on Habitual Truants for the 1992-93
School Year

In accordance with 20-A MRSa Section 5051, I am
hereby submitting our annual report of habitual
truants identified by school superintendents during
the school year 1992-93. A habitual truant is
defined as a student of compulsory school age (7 to
17) who has attained the equivalent of 10 full days
of non-excused absences or 7 consecutive days of
non-excused absences during a school year.

The number of identified habitual truants under age
15 has decreased as compared to the previous school
year while the number of habitual truants age 15 or

older has increased. We believe the decrease
reflects the attention being given to irregular
school attendance by school officials across the
state. The Department's continuing efforts to
provide assistance to schools stress the need to
intervene at earlier grades by identifying students
at risk and developing ongoing positive strategies.
A summary report for the most recent ten years is
included for your review and information.

Additional information regarding this report can be
obtained from Frank Antonucci, Consultant for
Truancy, Dropout and Alternative Education, at
287-5110.

Was read and with accompanying report ordered
placed on file.

The following Communication:

STATE OF MAINE
ONE HUNDRED AND SIXTEENTH LEGISLATURE
COMMITTEE ON HUMAN RESOURCES

September 29, 1993

Joseph Mayo, Clerk
Maine House of Representatives
State House Station 2
Augusta, ME 04333-0002

Dear Clerk Mayo:

Pursuant to my authority under Chapter 25 of the
Resolves of 1993, I have reappointed Lucky Hollander,
of Portland, to the Healthy Start Task Force as a
public member. Ms. Hollander is Co-Chair of the
Maine Association of Child Abuse and Neglect Councils.

Sincerely,
S/Sharon Anglin Treat
House Chair
Human Resources Committee

Was read and ordered placed on file.

The following Communication:

116th Maine Legislature

January 6, 1994

Hon. Joseph W. Mayo
Clerk of the House
State House Station #2
Augusta, Maine 04333

Dear Clerk Mayo:

On September 1, 1993, pursuant to our authority
under Chapter 48 of the Private and Special Laws of
Maine, 1993, we appointed Rep. Donald Gean, of
Alfred, to serve as Chair of the Administrative Costs
Task Force.

On September 9, 1993, pursuant to our authority under Chapter 36 of the Resolves of Maine, 1993, we appointed Sen. Jane Amero, of Cape Elizabeth; Sen. John Baldacci, of Bangor; Rep. Birger Johnson, of South Portland; Rep. James Oliver, of Portland; and Rep. Hugh Morrison, of Bangor; Ronald Thurston, of Winthrop, (provider representative); and Bonnie Post, of Owl's Head, and Jane Weil, of Steuben, (representatives of constituency or advocacy groups) to serve on the Health and Social Services Transition Team.

On September 9, 1993, pursuant to our authority under Chapter 410 of the Public Laws of Maine, 1993, we appointed Sen. Rochelle Pingree, of Knox, and Rep. Rita Melendy, of Rockland, to serve on the Board of Directors of the Maine Science and Technology Foundation.

On September 14, 1993, pursuant to our authority under Chapter 297 of the Public Laws of Maine, 1993, we appointed Katherine Freund, of Portland, (Public); Nancy Lobley, of Bradley, (Area Agencies on Aging); Ellen Kornetsky, of Portland, (American Automobile Association); Frank Morong, of South Portland, (American Association of Retired Persons); and Tracy Perez, of Woolwich, (Maine Transit Association) to serve on the Task Force to Study the Safe Mobility of Maine's Aging Population.

On September 15, 1993, pursuant to our authority under Chapter 387 of the Public Laws of Maine, 1993, we appointed Sen. Bonnie Titcomb, of Cumberland, Chair; Rep. Marc Vigue, of Winslow; Rep. Omar Norton, of Winthrop; Simone Utley, of Harpswell, (Maine Teachers Association); and Paul Brunelle, of Freeport, (Maine School Management Association) to serve on the Teacher Retirement Advisory Committee.

On September 15, 1993, pursuant to our authority under Chapter 41 of the Resolves of Maine, 1993, we appointed Sen. John E. Baldacci, of Penobscot; Rep. Robert J. Tardy, of Newport; Rep. Guy R. Nadeau, of Saco; Toby Hall, of Dover-Foxcroft; Michael L. Austin, of Brunswick; Stephen F. Holt, of Manchester; F. Paul Frinsko, of Gorham; Roland D. Martin, of Caribou; and Elbridge Cleaves, of Old Town, to serve on the Commission to Study the Statutory Procedures for Local Property Tax Abatement Appeals.

On September 17, 1993, pursuant to our authority under Chapter 36 of the Resolves of Maine, 1993, we appointed Rep. Kathleen Stevens, of Orono, to serve on the Health and Human Services Transition Team. She will be replacing Rep. James Oliver who is unable to serve.

On September 22, 1993, pursuant to our authority under Chapter 36 of the Resolves of Maine, 1993, we appointed Rep. Elizabeth Mitchell, of Vassalboro, to serve on the Health and Human Services Transition Team. She will be replacing Rep. Kathleen Stevens who is unable to serve.

On October 6, 1993, pursuant to our authority under Chapter 297 of the Public Laws of Maine, 1993, we appointed Ernest Marriner, of North Monmouth, as the representative of the American Association of Retired Persons to serve on the Task Force to Study

the Safe Mobility of Maine's Aging Population. He will be replacing Frank Morong who is unable to serve.

On October 25, 1993, pursuant to our authority under Chapter 42 of the Resolves of Maine, 1993, we appointed Beth Nagusky, of Litchfield, and Todd Burrows, of New Gloucester, representing environmental advocacy groups; Kevin Boyle, of Hampden, A. Myrick Freeman, of Bath, and Thomas H. Tietenberg, of Sidney, representing the academic community; Brian Stetson, of Millinocket, Scott Semlee, of Hollis, and Sarah Verville, of Freeport, representing private industry; and Senator Mark W. Lawrence, of York County, Rep. Richard A. Gould, of Greenville, and Rep. Willis A. Lord, of Waterboro, as legislators to serve on the Commission to Study Nonregulatory and Market Solutions to Environmental Issues.

On November 15, 1993, pursuant to our authority under Chapter 33 of the Resolves of Maine, 1993, we appointed Bennett D. Katz, of Augusta, to serve as the Public Member on the Academy for Public Service Study Committee.

On November 15, 1993, pursuant to our authority under Chapter 780 of the Public Laws of Maine, 1991, we appointed Evelyne Kieltyka, of Augusta, and Jan Hitchcock, of Damariscotta, to serve on the Cancer Prevention and Control Advisory Committee.

On November 15, 1993, pursuant to our authority under 3 MRSA, Sec. 901-A, we reappointed Don Cyr, of Lille, and Merle Nelson, of Falmouth, to serve on the State House and Capitol Park Commission.

On November 18, 1993, pursuant to our authority under Chapter 41 of the Resolves of Maine, 1993, we appointed Elbridge G. Cleaves, of Old Town, to serve on the Commission to Study the Statutory Procedures of Local Property Tax Abatement Appeals, as he did not qualify within the time allotted from the last appointment date.

On December 7, 1993, pursuant to our authority under Chapter 297 of the Public Laws of Maine, 1993, we appointed Roxanne Andrews, of Gardiner, as the representative of the Area Agencies on Aging to serve on the Task Force to Study the Safe Mobility of Maine's Aging Population. She will be replacing Nancy Lobley who is no longer eligible to serve.

On December 15, 1993, pursuant to our authority under 30-A M.R.S.A., Section 5041, we appointed John Pottle, of Portland, to serve on the Interagency Task Force on Homelessness & Housing Opportunities. He will be replacing Tom Nelson who has resigned as the representative of community action agencies.

On December 15, 1993, pursuant to our authority under 30-A M.R.S.A., Section 5041, we reappointed Joel Rekas, of Portland, as the representative of non-profit agencies, and Mary Ann Chalilia, of Bangor, as the representative of municipalities to serve on the Interagency Task Force on Homelessness & Housing Opportunities.

Sincerely

S/Dennis L. Dutremble

S/John L. Martin

President of Senate Speaker of the House

Was read and ordered placed on file.

Lake) (Cosponsored by Representative: RYDELL of Brunswick, Senator: PARADIS of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

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:

Appropriations and Financial Affairs

Bill "An Act to Provide Support for a Transitional Living Program in Cumberland County" (EMERGENCY) (H.P. 1225) (L.D. 1644) (Presented by Representative JOHNSON of South Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

On motion of Representative TREAT of Gardiner, House reconsidered its action whereby Bill "An Act to Provide Support for a Transitional Living Program in Cumberland County" (EMERGENCY) (H.P. 1225) (L.D. 1644) was referred to the Committee on **Appropriations and Financial Affairs**.

On further motion of the same Representative, the Bill was referred to the Committee on **Human Resources**, ordered printed and sent up for concurrence.

Education

Bill "An Act to Redefine the Maine State Cultural Affairs Council" (H.P. 1227) (L.D. 1646) (Presented by Representative AULT of Wayne) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Fisheries and Wildlife

Resolve, to Simplify the Schedule of Fees for Licenses Issued by the Department of Inland Fisheries and Wildlife (H.P. 1224) (L.D. 1643) (Presented by Representative JACQUES of Waterville) (Cosponsored by Senator LUTHER of Oxford and Representatives: GREENLAW of Standish, HEINO of Boothbay, TRACY of Rome, Senator: HALL of Piscataquis) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Human Resources

Bill "An Act to Clarify the Application of Nursing Facility Admissions Criteria" (EMERGENCY) (H.P. 1230) (L.D. 1650) (Presented by Speaker MARTIN of Eagle

Judiciary

Bill "An Act to Have Mandatory HIV Testing for Assaultants of Law Enforcement Officers" (H.P. 1228) (L.D. 1647) (Presented by Representative CARLETON of Wells) (Cosponsored by Representative: BRUNO of Raymond) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Marine Resources

Bill "An Act Concerning the Identification of Shellfish" (H.P. 1226) (L.D. 1645) (Presented by Representative MITCHELL of Freeport) (Cosponsored by Representatives: CONSTANTINE of Bar Harbor, LOOK of Jonesboro, Senators: BEGLEY of Lincoln, GOULD of Waldo) (Submitted by the Department of Marine Resources pursuant to Joint Rule 24.)

Transportation

Bill "An Act to Establish a Financial Assistance Program for Utilities Burdened as a Result of State Highway Construction" (H.P. 1223) (L.D. 1642) (Presented by Representative O'GARA of Westbrook) (Cosponsored by Representative: DONNELLY of Presque Isle, Senators: BRANNIGAN of Cumberland, CARPENTER of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

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

ORDERED, that Representative Anne M. Larrivee of Gorham be excused January 6 for legislative business.

Was read and passed.

On motion of Representative GRAY of Sedgwick, the following Joint Order: (H.P. 1229)

Ordered, the Senate concurring, that Bill, "An Act to Regulate the Use of Aircraft for Surveillance Purposes by Law Enforcement Agencies," H.P. 889, L.D. 1203, and all its accompanying papers, be recalled from the legislative files to the House.

Was read.

On further motion of the same Representative, tabled pending passage and specially assigned for Tuesday, January 11, 1994.

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

SENATE PAPERS

Bill "An Act to Promote Equitable Penalties for Unlicensed Consumer Lending" (S.P. 589) (L.D. 1649)

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

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

Bill "An Act to Amend Conditions of the Supervised Community Confinement Program" (S.P. 588) (L.D. 1648)

Came from the Senate, referred to the **Joint Select Committee on Corrections** and Ordered Printed.

Was referred to the **Joint Select Committee on Corrections** in concurrence.

SENATE PAPERS

The following Joint Order: (S.P. 590)

ORDERED, the House concurring, that there be prepared, after adjournment of the present session, by the Legislative Information Officer, a Register of all the Bills and Resolves considered by both branches of the Legislature, showing the history and final disposition of each Bill and Resolve and that there be printed 400 copies of the same. The Legislative Information Officer shall mail a copy of the Register to each member and Officer of the Legislature and the State Law and Legislative Reference Library shall receive such number of copies as may be required.

Came from the Senate, read and passed.

Was read and passed in concurrence.

On motion of Representative CONSTANTINE of Bar Harbor, adjourned at 6:20 p.m., pursuant to Joint Order (S.P. 591).