

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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
10th Legislative Day
Tuesday, February 1, 1994

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

Prayer by Rabbi Raymond Krinsky, Beth Israel Congregation, Waterville.

Pledge of Allegiance.

The Journal of Thursday, January 27, 1994 was read and approved.

SENATE PAPERS

The following Communication:

Maine State Senate
Augusta, Maine 04333

January 27, 1994

The Honorable John L. Martin
Speaker of the House
116th Legislature
Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Aging, Retirement and Veterans, David S. Wakelin of Cape Elizabeth for reappointment to the Maine State Retirement Board of Trustees.

Sincerely,

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

Was read and ordered placed on file.

COMMUNICATIONS

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002

January 25, 1994

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

Dear Clerk Mayo:

This is to notify you that pursuant to my authority under Chapter 158 of the Public Laws of

1993, I have appointed Rep. Wendy Ault, of Wayne, to serve on the Child Care Advisory Council. She will be replacing Rep. Peggy Pendleton as the minority party representative from the House.

Sincerely,

S/John L. Martin
Speaker of the House

Was read and ordered placed on file.

The following Communication: (S.P. 643)

116TH MAINE LEGISLATURE

January 25, 1994

Senator Judy A. Paradis
Rep. Robert J. Tardy
Chairpersons
Joint Standing Committee on Agriculture
116th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Gwynne F. Briggs of Kennebunk for appointment, Andrew B. Berry of North Whitefield and Alan J. Lewis of Machias for reappointment to the Board of Pesticides Control.

Pursuant to Title 22, MRSA Section 1471-B, these nominations will require review by the Joint Standing Committee on Agriculture 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 **Agriculture**.

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills 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 an Appropriation for a Federally Funded Hazard Mitigation Program within the Maine Emergency Management Agency" (EMERGENCY)

(H.P. 1350) (L.D. 1816) (Presented by Representative FOSS of Yarmouth) (Cosponsored by Representatives: CARROLL of Gray, KERR of Old Orchard Beach, POULIOT of Lewiston, Senator: CARPENTER of York) (Submitted by the Department of Defense and Veterans' Services pursuant to Joint Rule 24.)

Business Legislation

Bill "An Act to Strengthen the Maine Bottle Deposit Laws" (H.P. 1343) (L.D. 1810) (Presented by Representative HOGLUND of Portland) (Cosponsored by Representatives: JACQUES of Waterville, WENTWORTH of Kennebunkport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Energy and Natural Resources

Bill "An Act to Ensure that Wastewater Disposal Systems Comply with New Rules Developed by the Department of Human Services" (H.P. 1347) (L.D. 1813) (Presented by Representative POULIN of Oakland) (Cosponsored by Representatives: ANDERSON of Woodland, GOULD of Greenville, VIGUE of Winslow, Senators: CIANCHETTE of Somerset, LUDWIG of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Human Resources

Bill "An Act to Encourage Effective Use of State Resources" (H.P. 1354) (L.D. 1820) (Presented by Representative DAGGETT of Augusta) (Cosponsored by Representative KILKELLY of Wiscasset, Senators: BERUBE of Androscoggin, BUTLAND of Cumberland, CAHILL of Sagadahoc) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Develop Standards for the Licensure of Hospice Programs" (H.P. 1355) (L.D. 1821) (Presented by Representative KILKELLY of Wiscasset) (Cosponsored by Representatives: CARROLL of Gray, HOLT of Bath, JOHNSON of South Portland, LEMKE of Westbrook, LEMONT of Kittery, OTT of York, PLOWMAN of Hampden, RAND of Portland, ROWE of Portland, RYDELL of Brunswick, TOWNSEND of Portland, TREAT of Gardiner, Senators: DUTREMBLE of York, HANDY of Androscoggin, McCORMICK of Kennebec, PARADIS of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Judiciary

Bill "An Act Imposing a Mandatory Arrest Period in Cases of Domestic Violence" (H.P. 1341) (L.D. 1808) (Presented by Representative HOGLUND of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act Amending the Discovery Rule for Damage Resulting from the Placement of Foreign Objects in the Human Body" (H.P. 1345) (L.D. 1812) (Presented by Representative FARNSWORTH of Hallowell) (Cosponsored by Representatives: ADAMS of Portland, BOWERS of Washington, COTE of Auburn, DRISCOLL of Calais, GWADOSKY of Fairfield, HOGLUND of Portland, HOLT of Bath, KETTERER of Madison, MARTIN of Eagle Lake, PARADIS of Augusta, RAND of Portland, SKOGLUND of St. George, TOWNSEND of Portland, WENTWORTH of Kennebunkport, Senators: BUSTIN of Kennebec, CONLEY of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

Bill "An Act to Establish the Right of Grandparents to Act as Foster Parents for Their Grandchildren" (H.P. 1352) (L.D. 1818) (Presented by Representative BAILEY of Township 27) (Cosponsored by Representatives: AHEARNE of Madawaska, AIKMAN of Poland, ANDERSON of Woodland, AULT of Wayne, BAILEY of Farmington, BARTH of Bethel, BENNETT of Norway, BIRNEY of Paris, BRUNO of Raymond, CAMERON of Rumford, CAMPBELL of Holden, CARLETON of Wells, CATHCART of Orono, CLARK of Millinocket, CLEMENT of Clinton, CLUKEY of Houlton, COFFMAN of Old Town, COTE of Auburn, CROSS of Dover-Foxcroft, DEXTER of Kingfield, DONNELLY of Presque Isle, DRISCOLL of Calais, ERWIN of Rumford, FARNUM of South Berwick, FARREN of Cherryfield, FOSS of Yarmouth, GAMACHE of Lewiston, GOULD of Greenville, GRAY of Sedgwick, GREENLAW of Standish, HEINO of Boothbay, HICHBORN of LaGrange, HILLOCK of Gorham, HOGLUND of Portland, JACQUES of Waterville, JOHNSON of South Portland, JOSEPH of Waterville, JOY of Island Falls, KERR of Old Orchard Beach, KETTERER of Madison, KILKELLY of Wiscasset, KUTASI of Bridgton, LARRIVEE of Gorham, LEMKE of Westbrook, LEMONT of Kittery, LIBBY of Kennebunk, LIPMAN of Augusta, LOOK of Jonesboro, LORD of Waterboro, MacBRIDE of Presque Isle, MARSH of West Gardiner, MARSHALL of Eliot, MELENDY of Rockland, MURPHY of Berwick, NASH of Camden, NICKERSON of Turner, NORTON of Winthrop, O'GARA of Westbrook, OLIVER of Portland, OTT of York, PENDEXTER of Scarborough, PFEIFFER of Brunswick, PLOURDE of Biddeford, PLOWMAN of Hampden, POULIOT of Lewiston, RAND of Portland, REED of Falmouth, REED of Dexter, RICKER of Lewiston, ROBICHAUD of Caribou, SIMONEAU of Thomaston, SMALL of Bath, SPEAR of Nobleboro, STEVENS of Orono, STEVENS of Sabattus, STROUT of Corinth, SULLIVAN of Bangor, SWAZEY of Bucksport, TARDY of Palmyra, TAYLOR of Cumberland, THOMPSON of Lincoln, TOWNSEND of Eastport, TRACY of Rome, TRUE of Fryeburg, TUFTS of Stockton Springs, VIGUE of Winslow, WALKER of Blue Hill, WHITCOMB of Waldo, YOUNG of Limestone, ZIRNKILTON of Mount Desert, Senators: BUSTIN of Kennebec, BUTLAND of Cumberland, CAHILL of Sagadahoc, CAREY of Kennebec, CARPENTER of York, GOULD of Waldo, HALL of Piscataquis, HANDY of Androscoggin, HANLEY of Oxford, KIEFFER of Aroostook, PEARSON of Penobscot, VOSE of Washington) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Clarify the Sentencing Laws in Maine" (H.P. 1353) (L.D. 1819) (Presented by Representative PARADIS of Augusta) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Legal Affairs

Bill "An Act to Promote the Continued Use of Private Lands for Recreation" (H.P. 1342) (L.D. 1809) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsored by Senator LAWRENCE of York and Representatives: COLES of Harpswell, COTE of Auburn, GOULD of Greenville, JACQUES of Waterville, MICHAUD of East Millinocket, ROTONDI of Athens, TARDY of Palmyra, Senators: BERUBE of Androscoggin, CIANCHETTE of Somerset) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

State and Local Government

Bill "An Act to Extend the Sagadahoc County Budget Advisory Committee" (H.P. 1348) (L.D. 1814) (Presented by Representative HOLT of Bath) (Cosponsored by Senator CAHILL of Sagadahoc) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

Bill "An Act Creating the York County Budget Advisory Committee" (H.P. 1351) (L.D. 1817) (Presented by Representative GEAN of Alfred) (Cosponsored by Senator DUTREMBLE of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Taxation

Bill "An Act to Amend the Tree Growth Tax and Open Space Voluntary Withdrawal Laws" (H.P. 1349) (L.D. 1815) (Presented by Representative CLEMENT of Clinton) (Cosponsored by Representatives: BAILEY of Township 27, BRUNO of Raymond, CAMERON of Rumford, CAMPBELL of Holden, CARROLL of Gray, CHASE of China, CLOUTIER of South Portland, COFFMAN of Old Town, CROSS of Dover-Foxcroft, DEXTER of Kingfield, FARNUM of South Berwick, GEAN of Alfred, GOULD of Greenville, GWADOSKY of Fairfield, HALE of Sanford, HATCH of Skowhegan, HOGLUND of Portland, JACQUES of Waterville, JOSEPH of Waterville, KETTERER of Madison, KONTOS of Windham, LEMKE of Westbrook, LIBBY of Kennebunk, LOOK of Jonesboro, LORD of Waterboro, MITCHELL of Vassalboro, MITCHELL of Freeport, PENDLETON of Scarborough, REED of Dexter, ROTONDI of Athens, STROUT of Corinth, SWAZEY of Bucksport, TARDY of Palmyra, TOWNSEND of Canaan, TRACY of Rome, TUFTS of Stockton Springs, VIGUE of Winslow, WALKER of Blue Hill, Senators: BUSTIN of Kennebec, CIANCHETTE of Somerset, GOULD of Waldo, LUTHER of Oxford, MARDEN of Kennebec, WEBSTER of Franklin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Heather Redding, a student at Calais High School, who has been elected as President of the Maine Association of Student Councils; (HLS 816) by Representative DRISCOLL of Calais. (Cosponsor: Senator VOSE of Washington)

On objection of Representative DRISCOLL of Calais, was removed from the Special Sentiment Calendar.

Subsequently, was read and passed and sent up for concurrence.

CONSENT CALENDAR

First Day

In accordance with House Rule 49, the following item appeared on the Consent Calendar for the First Day:

(H.P. 1198) (L.D. 1606) Bill "An Act to Amend the Charter of the Portland Water District" (EMERGENCY) Committee on Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (H-715)

There being no objections, the above item was ordered to appear on the Consent Calendar of Thursday, February 3, 1994 under the listing of Second Day.

On motion of Representative CONSTANTINE of Bar Harbor, adjourned at 10:35 a.m., until 10:00 a.m., Thursday, February 3, 1994.