

# MAINE STATE LEGISLATURE

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

**VOLUME I**

**FIRST REGULAR SESSION**

**House of Representatives**  
December 7, 1994 to May 23, 1995

ONE HUNDRED AND SEVENTEENTH MAINE LEGISLATURE  
FIRST REGULAR SESSION  
6th Legislative Day  
Thursday, January 12, 1995

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

Prayer by Pastor Jon R. Dillinger, Kittery Church of Christ.

The Journal of Tuesday, January 10, 1995 was read and approved.

**COMMUNICATIONS**

The following Communication: (H.C. 22)  
MAINE TURNPIKE AUTHORITY  
430 RIVERSIDE STREET  
PORTLAND, MAINE 04103  
December 5, 1994

Hon. Jeffrey Butland  
President of the Senate  
State House Station #3  
Augusta, Maine 04333  
Hon. Dan Gwadosky  
Speaker of the House of Representatives  
State House Station #2  
Augusta, Maine 04333

Dear President Butland/Speaker Gwadosky:

I am pleased to forward to the Maine Legislature the Maine Turnpike Authority's 1996 Revenue Fund Operating Budget in accordance with Initiated Bill Chapter 1, 1991. Specific section of that law is Sec. 3, M.R.S.A. 1961 sub-6.

I look forward to working with the Legislature and presenting background information on the MTA's 1995 Revenue Budget through the Committee process.

Sincerely,  
S/Paul E. Violette  
Executive Director

Was read and with accompanying papers ordered placed on file.

The following Communication: (S.P. 26)  
PUBLIC UTILITIES COMMISSION  
242 STATE STREET  
AUGUSTA, MAINE 04333  
December 29, 1994

Honorable Jeffrey H. Butland      Honorable Dan A. Gwadosky  
President of the Senate      Speaker of the House  
117th Legislature      117th Legislature  
State House Station 3      State House Station 2  
Augusta, ME 04333-0003      Augusta, ME 04333-0002

Re: AN ACT to Establish a Study Group on  
Energy and the Environment,  
P & S Law 1993, Chapter 80

Dear President Butland and Speaker Gwadosky:

In 1994, the Legislature enacted P & S Law 1993, Chapter 80 that established a study group on energy and the environment. The study group consisted of the Chair of the Public Utilities Commission, the Director of the State Planning Office and the Commissioner of Environmental Protection. Chapter 80 required this study group to provide, by January 1, 1995, an interim report to the joint standing committee having jurisdiction over utility matters outlining its progress in completing its study on energy and the environment. On behalf of the study group, I am sending to you a copy of our interim

report because committee assignments have not been made to date. In addition, I have sent a copy of the interim report to the Chairs of the Utilities Committee for the 116th Legislature and 15 copies of the interim report to the Utilities Committee's OPLA analyst, Jon Clark, so that he can distribute them after assignments have been made.

Sincerely,  
S/Thomas L. Welch  
Chairman

Came from the Senate, read and with accompanying report referred to the Committee on Utilities and Energy.

Was read and with accompanying report referred to the Committee on Utilities and Energy in concurrence.

The following Communication: (H.C. 23)  
Department of Professional and Financial Regulation  
BUREAU OF CONSUMER CREDIT PROTECTION  
State House Station 35  
Augusta, Maine 04333-0035

To: Jeffrey H. Butland, President,  
Maine State Senate  
Dan A. Gwadosky, Speaker,  
Maine House of Representatives  
From: S/Will N. Lund, Superintendent  
Bureau of Consumer Credit Protection  
Re: Report Pursuant to PL Chapter 268 (1993),  
"An Act Related to Mortgage Companies"

Date: December 30, 1994

Enclosed please find a report detailing resource expenditures and revenue sources for the Bureau of Consumer Credit Protection, as requested by the Joint Standing Committee on Banking and Insurance in Section 3 of PL Chapter 268 (1993), "An Act Related to Mortgage Companies."

I am proud of the excellent work done by Bureau staff in assisting Maine consumers in their credit dealings with Maine mortgage companies, banks, credit unions, credit reporting agencies, collection agencies, loan brokers and retail creditors, and I look forward to the opportunity to personally present this information to the Committee.

Came from the Senate, read and with accompanying report referred to the Committee on Banking and Insurance.

Was read and with accompanying report referred to the Committee on Banking and Insurance in concurrence.

The following Communication: (H.P. 58)  
HOUSE OF REPRESENTATIVES  
STATE HOUSE  
AUGUSTA, MAINE 04333

December 6, 1994

The Honorable Dan A. Gwadosky  
Speaker, Maine House of Representatives  
Maine Legislature  
State House Station #2  
Augusta, Maine 04333  
Dear Speaker Gwadosky:

Enclosed please find the Report of the Committee to Study the Operations of the Governor Baxter School for the Deaf, as required by Chapter 508, P.L. 1993, Part D. This report proposes a significant change in the governance of the School with the creation of an appointed school board which would have oversight responsibilities for the School. The Committee worked diligently for the last several months to

arrive at this and the other recommendations contained in the Report.

We realize that implementation of our recommendations will be difficult as any change brings a certain level of uncertainty and discomfort. There will be many concerns that arise during a transition to a separate and distinct organization and we, therefore, recommend that the Study Committee continue in order to plan and conduct the transition in an orderly manner.

I appreciate the support that was provided to the Committee by staff members from the Governor Baxter School for the Deaf, the Policy Review Board, the Department of Education, and the Legislative Office of Policy and Legal Analysis, as well as the interest in this study that has been expressed to me by persons associated with the School.

The Committee put in long hours in meetings and in reviewing previous studies and other materials in order to arrive at the recommendations included in the Report. Each Committee member worked to develop recommendations which would enable the State to provide a quality education to students served by the School.

Sincerely,

S/Representative George Kerr, Chair  
Committee to Study the Operations of the  
Governor Baxter School for the Deaf

Was read and with accompanying report ordered placed on file and sent up for concurrence.

#### **PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

The following Bills, Resolves and Resolution 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:

Bill "An Act to Repeal the 7% Gross Receipts Tax on Nursing Homes" (H.P. 33) (L.D. 27) (Presented by Representative RICE of South Bristol) (By Request) (Cosponsored by Senator BEGLEY of Lincoln and Representatives: FARNUM of South Berwick, HEINO of Boothbay, LEMONT of Kittery, LIBBY of Buxton, MAYO of Bath, MURPHY of Berwick, PINKHAM of Lamoine, TUFTS of Stockton Springs)

Reference to the Committee on Appropriations and Financial Affairs suggested.

On motion of Representative JACQUES of Waterville, the Bill was tabled pending reference and later today assigned.

#### **Business and Economic Development**

Bill "An Act to Direct the Office of Tourism to Promote All Regions of the State" (H.P. 13) (L.D. 7) (Presented by Representative LOOK of Jonesboro) (Cosponsored by Representatives: BAILEY of Township 27, BIGL of Bucksport, CLARK of Millinocket, CLUKEY of Houlton, DEXTER of Kingfield, DRISCOLL of Calais, MORRISON of Bangor, MURPHY of Berwick, PINKHAM of Lamoine, POVICH of Ellsworth, ROBICHAUD of Caribou, TUFTS of Stockton Springs, Senators: BERUBE of Androscoggin, CASSIDY of Washington, KIEFFER of Aroostook, LORD of York, RAND of Cumberland, STEVENS of Androscoggin)

Bill "An Act to Regulate the Sale of Cosmetics that are Exempt from Federal Labeling Laws" (H.P. 51)

(L.D. 45) (Presented by Representative LOVETT of Scarborough) (By Request)

Bill "An Act to Regulate the Practice of Cosmetology and Barbering Outside of Licensed Shops" (H.P. 52) (L.D. 46) (Presented by Representative LOVETT of Scarborough) (By Request)

Bill "An Act to Make Pet Dealers Liable for the Sale of Dogs and Cats That Have Health Problems" (H.P. 53) (L.D. 47) (Presented by Representative VIGUE of Winslow) (Cosponsored by Representatives: CAMERON of Rumford, CAMPBELL of Holden, DiPIETRO of South Portland, KEANE of Old Town, REED of Dexter, RICKER of Lewiston, TUFTS of Stockton Springs, Senator: STEVENS of Androscoggin)

#### **Criminal Justice**

Bill "An Act to Provide for Resident State Police Officers for Municipalities without a Police Force" (H.P. 16) (L.D. 10) (Presented by Representative DUNN of Gray) (Cosponsored by Senator BUTLAND of Cumberland and Representatives: ADAMS of Portland, AIKMAN of Poland, BUCK of Yarmouth, CAMPBELL of Holden, GOOLEY of Farmington, HARTNETT of Freeport, JOYCE of Biddeford, JOYNER of Hollis, LAYTON of Cherryfield, LIBBY of Buxton, MARVIN of Cape Elizabeth, MAYO of Bath, REED of Falmouth, SAVAGE of Union, SIMONEAU of Thomaston, STONE of Bangor, TAYLOR of Cumberland, TUFTS of Stockton Springs, TYLER of Windham, UNDERWOOD of Oxford, WINGLASS of Auburn, Senator: HARRIMAN of Cumberland)

Bill "An Act to Change the Meaning of Household Members Regarding Protective Orders between Family Members" (H.P. 18) (L.D. 12) (Presented by Representative DESMOND of Mapleton) (Cosponsored by Representatives: AHEARNE of Madawaska, DONNELLY of Presque Isle, GATES of Rockport, SIROIS of Caribou, TREAT of Gardiner, VOLENIK of Sedgwick)

Bill "An Act to Authorize Community Service Work as a Sentencing Alternative" (H.P. 20) (L.D. 14) (Presented by Representative POVICH of Ellsworth) (Cosponsored by Senator CASSIDY of Washington and Representatives: BIGL of Bucksport, BUNKER of Kossuth Township, DRISCOLL of Calais, FITZPATRICK of Durham, JONES of Bar Harbor, KEANE of Old Town, LOOK of Jonesboro, VOLENIK of Sedgwick, Senators: MILLS of Somerset, RUHLIN of Penobscot)

Bill "An Act to Decrease to Zero the Allowable Blood-alcohol Level of a Person Holding a Juvenile Provisional License" (H.P. 47) (L.D. 41) (Presented by Representative McALEVEY of Waterboro) (Cosponsored by Senator LORD of York and Representatives: BUCK of Yarmouth, BUNKER of Kossuth Township, CAMPBELL of Holden, CROSS of Dover-Foxcroft, MAYO of Bath, McELROY of Unity, NASS of Acton, REED of Dexter, TUTTLE of Sanford, VOLENIK of Sedgwick, Senators: AMERO of Cumberland, PENDEXTER of Cumberland)

Bill "An Act to Decrease the Minimum Required Amount of Liability Insurance for Certain Intrastate Vehicles" (H.P. 28) (L.D. 22) (Presented by Speaker GWADOSKY of Fairfield)

Reference to the Committee on Criminal Justice was suggested.

On motion of Representative JACQUES of Waterville, the Bill was tabled pending reference and later today assigned.

### Education and Cultural Affairs

Bill "An Act Regarding School Employees Serving on School Boards" (H.P. 14) (L.D. 8) (Presented by Representative McELROY of Unity) (Cosponsored by Representatives: BIGL of Bucksport, CAMPBELL of Holden, CLARK of Millinocket, CLUKEY of Houlton, CROSS of Dover-Foxcroft, HEINO of Boothbay, JONES of Pittsfield, JOY of Crystal, KNEELAND of Easton, LAYTON of Cherryfield, MAYO of Bath, McALEVEY of Waterboro, O'NEAL of Limestone, PEAHEY of Woolwich, PLOWMAN of Hampden, POIRIER of Saco, REED of Dexter, SAVAGE of Union, STEDMAN of Hartland, TRUE of Fryeburg, TUFTS of Stockton Springs, WHEELER of Bridgewater, Senators: GOLDTHWAIT of Hancock, HALL of Piscataquis, SMALL of Sagadahoc)

Bill "An Act to Extend the Reporting Date of the Committee to Study Organizational and Tax Issues in Public Schools" (EMERGENCY) (H.P. 59) (L.D. 57) (Presented by Speaker GWADOSKY of Fairfield) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

Reference to the Committee on Education and Cultural Affairs was suggested.

On motion of Representative JACQUES of Waterville, the Bill was tabled pending reference and later today assigned.

Bill "An Act to Provide an Alternative Calculation of Hospital Assessment for Specialty Hospitals That Are Not Institutes for Mental Disease" (H.P. 11) (L.D. 5) (Presented by Representative RICHARDSON of Portland) (Cosponsored by Senator PENDEXTER of Cumberland and Representatives: BRENNAN of Portland, MORRISON of Bangor, SIMONEAU of Thomaston, STONE of Bangor, Senators: ABROMSON of Cumberland, HARRIMAN of Cumberland)

Reference to the Committee on Human Resources suggested.

On motion of Representative JACQUES of Waterville, the Bill was referred to the Committee on Taxation, ordered printed and sent up for concurrence.

### Human Resources

Bill "An Act to Limit Aid to Families with Dependent Children Benefits" (H.P. 49) (L.D. 43) (Presented by Representative CARLETON of Wells) (Cosponsored by Representatives: BARTH of Bethel, BUCK of Yarmouth, CLUKEY of Houlton, CROSS of Dover-Foxcroft, DEXTER of Kingfield, JOY of Crystal, LEMONT of Kittery, LIBBY of Kennebunk, LINDAHL of Northport, OTT of York, PLOWMAN of Hampden, REED of Dexter, RICE of South Bristol, TRUE of Fryeburg, WATERHOUSE of Bridgton, YACKOBITZ of Hermon, Senators: BEGLEY of Lincoln, KIEFFER of Aroostook, PENDEXTER of Cumberland)

### Judiciary

Bill "An Act to Change the Statute of Limitations for Professional Negligence in Sterilization Procedures" (H.P. 25) (L.D. 19) (Presented by Representative RICHARDSON of Portland) (Cosponsored by Senator MILLS of Somerset and Representatives: BRENNAN of Portland, BUNKER of Kossuth Township, ETNIER of Harpswell, FITZPATRICK of Durham, HATCH of Skowhegan, JONES of Bar Harbor, LEMAIRE of Lewiston,

SHIAH of Bowdoinham, STEVENS of Orono, TREAT of Gardiner, TRUMAN of Biddeford, WATSON of Farmingdale, Senator: ABROMSON of Cumberland)

Bill "An Act to Increase the Amount of Forfeited Bail That a District Attorney May Retain in the District Attorney's Extradition Account" (H.P. 36) (L.D. 30) (Presented by Representative POVICH of Ellsworth) (Cosponsored by Senator CASSIDY of Washington and Representatives: BIGL of Bucksport, BUNKER of Kossuth Township, DRISCOLL of Calais, FITZPATRICK of Durham, JONES of Bar Harbor, KEANE of Old Town, LOOK of Jonesboro, VOLENIK of Sedgwick, Senators: MILLS of Somerset, RUHLIN of Penobscot)

Bill "An Act to Institute Loser-pay Litigation in the State of Maine" (H.P. 48) (L.D. 42) (Presented by Representative CLUKEY of Houlton) (Cosponsored by Representatives: CAMPBELL of Holden, CROSS of Dover-Foxcroft, JOY of Crystal, KNEELAND of Easton, McELROY of Unity, REED of Dexter, Senator: HARRIMAN of Cumberland)

Bill "An Act to Ensure That a Party Ordered to Obtain Health Insurance for a Former Spouse or Child Is Liable for Payment of Medical Expenses When No Health Insurance Is Obtained" (H.P. 50) (L.D. 44) (Presented by Representative VIGUE of Winslow) (Cosponsored by Representatives: DiPIETRO of South Portland, FISHER of Brewer, LEMONT of Kittery, LUTHER of Mexico, REED of Dexter, TUFTS of Stockton Springs, Senator: PENDEXTER of Cumberland)

### Labor

Bill "An Act to Amend the Workers' Compensation Laws to Provide an Exemption from Coverage Requirements for Nonresident Employees" (H.P. 12) (L.D. 6) (Presented by Representative LEMONT of Kittery) (Cosponsored by Representatives: CAMPBELL of Holden, FARNUM of South Berwick, LIBBY of Kennebunk, MARSHALL of Eliot, NICKERSON of Turner, SIMONEAU of Thomaston, Senator: LORD of York)

Bill "An Act to Apply Workers' Compensation Awards to Unemployment Benefits" (H.P. 34) (L.D. 28) (Presented by Representative CLUKEY of Houlton) (Cosponsored by Representatives: AIKMAN of Poland, NICKERSON of Turner)

### Legal and Veterans Affairs

Bill "An Act to Specify Sales Commissions for All Lottery Agents" (H.P. 19) (L.D. 13) (Presented by Representative POVICH of Ellsworth) (Cosponsored by Representatives: BIGL of Bucksport, BUCK of Yarmouth, DiPIETRO of South Portland, FISHER of Brewer, FITZPATRICK of Durham, JONES of Bar Harbor, MURPHY of Berwick, SIMONEAU of Thomaston, VOLENIK of Sedgwick, Senator: RUHLIN of Penobscot)

Bill "An Act to Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee" (H.P. 24) (L.D. 18) (Presented by Representative STONE of Bangor) (By Request)

Bill "An Act to Allow Condominium Associations to Collect Common Expense Assessments in Advance" (H.P. 35) (L.D. 29) (Presented by Representative VIGUE of Winslow) (Cosponsored by Senator CAREY of Kennebec and Representatives: CAMERON of Rumford, CAMPBELL of Holden, KEANE of Old Town, STROUT of Corinth, VIGUE of Winslow)

Bill "An Act Regarding the Prohibition against Restaurants with Lounges Serving Meals to

Unaccompanied Minors after 9 P.M." (H.P. 38) (L.D. 32) (Presented by Representative WATERHOUSE of Bridgton) (Cosponsored by Representatives: AULT of Wayne, BARTH of Bethel, BIGL of Bucksport, BIRNEY of Paris, BOUFFARD of Lewiston, CAMPBELL of Holden, CARLETON of Wells, DAMREN of Belgrade, DONNELLY of Presque Isle, GIERINGER of Portland, HARTNETT of Freeport, JONES of Pittsfield, JOY of Crystal, LANE of Enfield, LINDAHL of Northport, LOVETT of Scarborough, LUMBRA of Bangor, McALEVEY of Waterboro, MERES of Norridgewock, NASS of Acton, PINKHAM of Lamoine, PLOWMAN of Hampden, SHIAH of Bowdoinham, THOMPSON of Naples, TUFTS of Stockton Springs, WINSOR of Norway, Senators: CASSIDY of Washington, FERGUSON of Oxford, HANLEY of Oxford, HARRIMAN of Cumberland, HATHAWAY of York, MILLS of Somerset)

Bill "An Act to Require an Endorser's Authorization for a Candidate To Use an Endorsement" (H.P. 45) (L.D. 39) (Presented by Representative LIBBY of Buxton) (Cosponsored by Representatives: JOYNER of Hollis, ROBICHAUD of Caribou)

Resolve, to Make the Monument Erected at the Mount Hope Cemetery in Bangor the Official State Memorial Honoring Veterans from Maine Who Died during the Korean War (H.P. 23) (L.D. 17) (Presented by Representative MORRISON of Bangor) (Cosponsored by Representatives: BIGL of Bucksport, CAMERON of Rumford, CAMPBELL of Holden, CLARK of Millinocket, FISHER of Brewer, GOULD of Greenville, KEANE of Old Town, REED of Dexter, STONE of Bangor, TAYLOR of Cumberland, Senators: FAIRCLOTH of Penobscot, O'DEA of Penobscot, RUHLIN of Penobscot)

Resolve, Authorizing Gerald Finks to Sue Pineland Center and the State of Maine (H.P. 30) (L.D. 24) (Presented by Representative RICHARDSON of Portland)

#### Marine Resources

Bill "An Act to Establish a 30-day Temporary Sea Urchin Boat Tender License" (H.P. 31) (L.D. 25) (Presented by Representative HEINO of Boothbay) (Cosponsored by Representatives: RICE of South Bristol, SPEAR of Nobleboro, Senator: BEGLEY of Lincoln)

#### Natural Resources

Bill "An Act to Equalize Payments for Emission Testing in the State" (H.P. 15) (L.D. 9) (Presented by Representative LEMONT of Kittery) (Cosponsored by Representatives: FARNUM of South Berwick, GIERINGER of Portland, JONES of Pittsfield, LIBBY of Kennebunk, MARSHALL of Eliot, NICKERSON of Turner, RICE of South Bristol, Senator: LORD of York)

Bill "An Act to Allow Protection from Governmentally Constructed Jetties by Amending the Definition of Permanent Structure to Exclude Ripraps Installed in Front of Seawalls from the 7-month Restriction" (H.P. 37) (L.D. 31) (Presented by Representative CARLETON of Wells) (Cosponsored by Senator: CARPENTER of York)

Bill "An Act to Amend the Motor Vehicle Emission Inspection Program to Extend the Period of Time Available for Repairs" (EMERGENCY) (H.P. 42) (L.D. 36) (Presented by Representative GREENLAW of Standish)

Bill "An Act to Repeal the Motor Vehicle Emission Inspection Program" (H.P. 54) (L.D. 48) (Presented by Representative LUTHER of Mexico) (Cosponsored by Representatives: BAILEY of Township 27, BERRY of

Livermore, BIRNEY of Paris, CHIZMAR of Lisbon, GERRY of Auburn, GREENLAW of Standish, HATCH of Skowhegan, HEINO of Boothbay, KERR of Old Orchard Beach, LANE of Enfield, LAYTON of Cherryfield, LEMONT of Kittery, LUMBRA of Bangor, MARSHALL of Eliot, MERES of Norridgewock, MORRISON of Bangor, MURPHY of Berwick, RICE of South Bristol, ROTONDI of Madison, SAVAGE of Union, SIMONEAU of Thomaston, SPEAR of Nobleboro, STROUT of Corinth, TRIPP of Topsham, TUFTS of Stockton Springs, TUTTLE of Sanford, UNDERWOOD of Oxford, VIGUE of Winslow, WATERHOUSE of Bridgton, WINGLASS of Auburn, Senators: BERUBE of Androscoggin, FERGUSON of Oxford, HANLEY of Oxford, HATHAWAY of York, PENDEXTER of Cumberland)

Resolve, to Require that the Department of Environmental Protection Provide Possible Remedies for Materials It Strictly Controls (H.P. 21) (L.D. 15) (Presented by Representative GREENLAW of Standish) (Cosponsored by Representative: NICKERSON of Turner)

#### State and Local Government

Bill "An Act to Limit the Number of Bills That May Be Filed by a Legislator" (H.P. 27) (L.D. 21) (Presented by Representative LIBBY of Kennebunk) (Cosponsored by Representatives: CAMPBELL of Holden, CROSS of Dover-Foxcroft, GREENLAW of Standish, LEMONT of Kittery, NICKERSON of Turner, REED of Dexter, Senator: ABROMSON of Cumberland)

Bill "An Act to Reduce the Meal Allowance for Legislators from \$32 to \$16" (H.P. 41) (L.D. 35) (Presented by Representative JONES of Pittsfield) (Cosponsored by Representatives: BUCK of Yarmouth, DONNELLY of Presque Isle, JOY of Crystal, POIRIER of Saco, STEDMAN of Hartland, TRUE of Fryeburg, WATERHOUSE of Bridgton, WINSOR of Norway, Senator: ABROMSON of Cumberland)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Reduce the Size of the Maine Legislature to 99 Members in the House and 33 Members in the Senate (H.P. 46) (L.D. 40) (Presented by Representative BUCK of Yarmouth) (Cosponsored by Senator HARRIMAN of Cumberland and Representatives: BARTH of Bethel, JONES of Pittsfield, JOYCE of Biddeford, POVICH of Ellsworth, Senators: ABROMSON of Cumberland, MILLS of Somerset)

#### Taxation

Bill "An Act to Increase the Property Tax Exemption for Farm Machinery" (H.P. 17) (L.D. 11) (Presented by Representative SPEAR of Nobleboro) (Cosponsored by Representatives: AHEARNE of Madawaska, JONES of Pittsfield, KNEELAND of Easton, McALEVEY of Waterboro, RICE of South Bristol, STEDMAN of Hartland, Senator: LORD of York)

Bill "An Act to Exempt Adaptive Equipment Installed in Motor Vehicles Operated by Wheelchair Users from the Motor Vehicle Excise Tax" (H.P. 22) (L.D. 16) (Presented by Representative MORRISON of Bangor) (Cosponsored by Representatives: BIGL of Bucksport, CAMPBELL of Holden, CLARK of Millinocket, FISHER of Brewer, FITZPATRICK of Durham, GOULD of Greenville, KEANE of Old Town, REED of Dexter, RICHARDSON of Portland, STONE of Bangor, TAYLOR of Cumberland, TUTTLE of Sanford, Senators: FAIRCLOTH of Penobscot, O'DEA of Penobscot, RUHLIN of Penobscot)

Bill "An Act to Change the Method of Assessing Taxes for Land in the Unorganized Townships in the

Maine Tree Growth Tax Law" (H.P. 26) (L.D. 20)  
(Presented by Representative HICHBORN of LaGrange)  
(By Request)

Bill "An Act to Reduce the State Income Tax Rate  
by 10% over a 5-year Period" (H.P. 39) (L.D. 33)  
(Presented by Representative TUTTLE of Sanford)

#### Transportation

Bill "An Act to Amend the Conservation Plates Law  
to Provide More Money to the Departments of  
Conservation and Inland Fisheries and Wildlife"  
(H.P. 40) (L.D. 34) (Presented by Representative  
TUTTLE of Sanford) (Cosponsored by Representatives:  
CHIZMAR of Lisbon, CLARK of Millinocket, MORRISON of  
Bangor, TRUMAN of Biddeford)

Bill "An Act to Permit Illuminated Advertisements  
on Motor Vehicles When Used for Commercial Purposes"  
(H.P. 43) (L.D. 37) (Presented by Representative  
TOWNSEND of Portland) (Cosponsored by Representative  
KERR of Old Orchard Beach, Senator RAND of Cumberland  
and Representative: CAMERON of Rumford, Senator:  
ABROMSON of Cumberland)

#### Utilities and Energy

Bill "An Act to Remove the Debt Limit on the West  
Paris Water District" (H.P. 29) (L.D. 23) (Presented  
by Representative WINSOR of Norway) (Cosponsored by  
Senator HANLEY of Oxford and Representative: BIRNEY  
of Paris)

Bill "An Act to Increase the Pay of Trustees of  
the Kingfield Water District" (H.P. 32) (L.D. 26)  
(Presented by Representative DEXTER of Kingfield)  
(Cosponsored by Senator: BENOIT of Franklin)

Bill "An Act to Amend the Charter of the Sewer  
District of the Town of Kennebunk by Expanding Its  
Territorial Limits" (EMERGENCY) (H.P. 44) (L.D. 38)  
(Presented by Representative LIBBY of Kennebunk)  
(Cosponsored by Representatives: CAMERON of Rumford,  
CARLETON of Wells, MARSHALL of Eliot, VIGUE of  
Winslow, Senators: CARPENTER of York, HATHAWAY of  
York)

#### ORDERS

On motion of Representative NADEAU of Saco, the  
following Joint Order: (H.P. 56)

**ORDERED**, the Senate concurring, that Joint Rule 13  
be amended by striking out all of that part  
designated "Membership" and inserting in its place  
the following:

Membership. Each of these committees shall  
consist of no more than 3 on the part of the Senate  
and no more than 10 on the part of the House. The  
first named Senate member shall be the Senate chair.  
The first named House member shall be the House  
chair. Every member of the Senate and the House of  
Representatives is entitled to at least one initial  
committee assignment.

Was read.

On motion of Representative JACQUES of Waterville,  
the Joint Order (H.P. 56) was tabled pending passage  
and specially assigned for Tuesday, January 17, 1995.

On motion of Representative NADEAU of Saco, the  
following Joint Order: (H.P. 57)

**ORDERED**, the Senate concurring, that Joint Rule 13  
be amended in that section with the heading

"Procedures for Public Hearings and Work Sessions" by  
striking out all of the last indented paragraph.  
Was read.

On motion of Representative JACQUES of Waterville,  
the Joint Order (H.P. 57) was tabled pending passage  
and specially assigned for Tuesday, January 17, 1995.

The Chair laid before the House the following item  
which was tabled earlier in today's session:

Bill "An Act to Extend the Reporting Date of the  
Committee to Study Organizational and Tax Issues in  
Public Schools" (EMERGENCY) (H.P. 59) (L.D. 57) which  
was tabled by Representative JACQUES of Waterville,  
pending reference.

Under suspension of the rules, and without  
reference to a Committee, the Bill was read twice,  
passed to be engrossed and sent up for concurrence.  
Ordered sent forthwith.

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

#### ENACTOR

##### Emergency Measure

An Act to Extend the Reporting Date of the  
Committee to Study Organizational and Tax Issues in  
Public Schools (H.P. 59) (L.D. 57)

Was reported by the Committee on **Engrossed Bills**  
as truly and strictly engrossed. This being an  
emergency measure, a two-thirds vote of all the  
members elected to the House being necessary, a total  
was taken. 129 voted in favor of the same and 0  
against and accordingly the Bill was passed to be  
enacted, signed by the Speaker and sent to the Senate.  
Ordered sent forthwith.

#### SENATE PAPER

The following Joint Order: (S.P. 50)

**ORDERED**, the House concurring, that when the House  
and Senate adjourn, they do so until Tuesday, January  
17, 1995, at 10 o'clock in the morning.

Came from the Senate, read and passed.

Was read.

The Joint Order (S.P. 50) was indefinitely  
postponed in non-concurrence and sent up for  
concurrence. Ordered sent forthwith.

#### ORDERS

On motion of Representative JACQUES of Waterville,  
the following Joint Order: (H.P. 86)

**ORDERED**, the Senate concurring, that when the  
House and Senate adjourn, they do so until Tuesday,  
January 17, 1995, at 1 o'clock in the afternoon.

Was read and passed and sent up for concurrence.  
Ordered sent forthwith.

#### ENACTOR

##### Emergency Measure

An Act to Continue the Fee on the Handling of Milk  
(H.P. 10) (L.D. 4)

Was reported by the Committee on **Engrossed Bills**  
as truly and strictly engrossed.

Representative LOOK of Jonesboro requested a roll  
call on passage to be enacted.

The **SPEAKER**: A roll call has been requested. For  
the Chair to order a roll call it must have the

expressed desire of one-fifth of the members present and voting. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: A roll call has been ordered. The pending question before the House is passage to be enacted. Those in favor will vote yes; those opposed will vote no.

Roll Call No. 4

YEA - Adams, Ahearne, Aikman, Ault, Bailey, Barth, Benedikt, Berry, Bigl, Bouffard, Brennan, Bunker, Cameron, Campbell, Carleton, Chartrand, Chase, Chick, Chizmar, Clark, Clukey, Cross, Daggett, Damren, Davidson, Desmond, Dexter, Dipietro, Donnelly, Dore, Dunn, Etnier, Farnum, Fisher, Fitzpatrick, Gamache, Gates, Gerry, Gieringer, Gooley, Gould, Greenlaw, Hatch, Heesch, Hichborn, Jacques, Johnson, Jones, K.; Jones, S.; Joseph, Joyce, Keane, Kerr, Kilkelly, Kneeland, Kontos, Labrecque, Lafountain, Lane, Layton, Lemaire, Lemont, Libby JL; Libby JD; Lindahl, Look, Lovett, Luther, Madore, Marshall, Marvin, Mayo, McAlevey, McElroy, Meres, Mitchell EH; Mitchell JE, Murphy, Nadeau, Nass, Nickerson, O'Gara, O'Neal, Ott, Peavey, Pendleton, Pinkham, Pouliot, Reed, G.; Reed, W; Richardson, Ricker, Robichaud, Rosebush, Rotondi, Rowe, Samson, Savage, Saxl, Shiah, Sirois, Spear, Stedman, Stevens, K.; Strout, Taylor, Thompson, Townsend, Treat, Tripp, True, Tufts, Tuttle, Tyler, Underwood, Vigue, Volenik, Watson, Wheeler, Whitcomb, Winglass, Winsor.

NAY - Birney, Buck, Guerrette, Hartnett, Heino, Joy, Lumbr, Perkins, Rice, Stone, Waterhouse.

ABSENT - Cloutier, Driscoll, Green, Hale, Joyner, Lemke, Martin, Morrison, Oliver, Plowman, Poirier, Poulin, Povich, Simoneau, Truman, Winn, Yackobitz, The Speaker.

Yes, 122; No, 11; Absent, 18; Paired, 0; Excused, 0.

122 having voted in the affirmative and 11 in the negative, a two-thirds vote of all the members elected to the House being necessary, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate. Ordered sent forthwith.

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On motion of Representative MERES of Norridgewock, the House adjourned at 2:05 p.m. pursuant to the Joint Order (H.P. 86).