

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
9th Legislative Day
Tuesday, January 24, 1995

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

Prayer by Reverend Linda Campbell-Marshall, United Methodist Central District Superintendent, Hope.

National Anthem by Georges Valley High School Band, Thomaston.

The Journal of Friday, January 20, 1995 was read and approved.

SENATE PAPERS

Bill "An Act to Appropriate \$150,000 to the Maine Health Care Reform Commission" (S.P. 78) (L.D. 166)

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

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

Bill "An Act to Clarify Insurance Coverage Regarding Breast Reconstruction after Mastectomy Surgery" (S.P. 80) (L.D. 168)

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 Remove the Department of Corrections as the Inspecting Authority of County Jails" (S.P. 74) (L.D. 162)

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

Was referred to the Committee on **Criminal Justice** in concurrence.

Bill "An Act to Establish a Limit on Noneconomic Damages in Medical Malpractice Actions" (S.P. 73) (L.D. 161)

Bill "An Act to Require the State and Political Subdivisions to Pay Property Owners when Regulations Lower the Value of Property by More Than 50%" (S.P. 82) (L.D. 170)

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

Were referred to the Committee on **Judiciary** in concurrence.

Bill "An Act to Require the State to Pay Medicare Costs for Retired State Employees and Retired Teachers" (S.P. 71) (L.D. 159)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Prohibit Future Unfunded Liabilities and to Maintain the Current Amortization Schedule (S.P. 70) (L.D. 158)

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

Were referred to the Committee on **Labor** in concurrence.

Bill "An Act to Prohibit Candidates from Attending the Voting Place Except to Vote" (S.P. 69) (L.D. 157)

Bill "An Act to Reduce the Number of Days a Tenant May Be in Arrears for Rent Payments" (S.P. 76) (L.D. 164)

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

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

Bill "An Act to Amend the Laws Pertaining to Governmentally Constructed Jetties" (EMERGENCY) (S.P. 72) (L.D. 160)

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

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

Bill "An Act to Require the Department of Environmental Protection to Pay Attorney's Fees in Court Cases where the Department Does Not Prevail" (S.P. 68) (L.D. 156)

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

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

Resolve, Establishing the Maine Council on Privatization (EMERGENCY) (S.P. 81) (L.D. 169)

Came from the Senate, referred to the Committee on **State and Local Government** and Ordered Printed.

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

Bill "An Act to Clarify What Machinery and Equipment Used in Business Are Tax Exempt" (S.P. 75) (L.D. 163)

Bill "An Act to Decrease the Paperwork Burden on Maine Businesses by Decreasing the Number of Tax Filings for Retailers" (S.P. 79) (L.D. 167)

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

Were referred to the Committee on **Taxation** in concurrence.

Bill "An Act to Require All Persons to Use Safety Belts in Motor Vehicles" (S.P. 77) (L.D. 165)

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

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

COMMUNICATIONS

The following Communication: (H.C. 26)

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

January 23, 1995

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

Dear Clerk Mayo:

Pursuant to my authority under House Rule 1, I have made the following appointments to the 17 Joint Standing Committees of the 117th Maine Legislature:

Agriculture, Conservation and Forestry

Representative Marge L. Kilkelly, Wiscasset, Chair
Representative Conrad Heesch, Wilton
Representative Douglas J. Ahearn, Madawaska
Representative Clyde A. Hichborn, LaGrange
Representative Thomas M. Tyler, Windham
Representative Robert W. Spear, Nobleboro, Ranking Member

Member

Representative Donald A. Strout, Corinth
Representative Ruel P. Cross, Dover-Foxcroft
Representative Richard Kneeland, Easton
Representative Edward L. Dexter, Kingfield

Appropriations and Financial Affairs

Representative George J. Kerr, Old Orchard Beach, Chair

Representative Roger M. Pouliot, Lewiston
Representative Ruth Joseph, Waterville
Representative Santo S. DiPietro, South Portland
Representative Hugh A. Morrison, Bangor
Representative Elizabeth Townsend, Portland
Representative Rosalie H. Aikman, Poland, Ranking Member

Member

Representative James O. Donnelly, Presque Isle
Representative David N. Ott, York
Representative Richard N. Simoneau, Thomaston

Banking and Insurance

Representative Marc J. Vigue, Winslow, Chair
Representative Mona Walker Hale, Sanford
Representative Gail M. Chase, China
Representative Gordon P. Gates, Rockport
Representative Richard H. Campbell, Holden, Ranking Member

Ranking Member

Representative William Guerrette, Pittston
Representative Sumner A. Jones, Jr., Pittsfield
Representative Lisa Lumbra, Bangor
Representative Arthur F. Mayo III, Bath

Business and Economic Development

Representative G. Steven Rowe, Portland, Chair
Representative Carol A. Kontos, Windham
Representative Michael F. Brennan, Portland
Representative Thomas M. Davidson, Brunswick
Representative Edward J. Povich, Ellsworth
Representative Rosaire J. Sirois, Caribou
Representative Jack L. Libby, Kennebunk, Ranking Member

Member

Representative William F. Reed, Dexter
Representative Robert A. Cameron, Rumford
Representative Brenda Birney, Paris

Criminal Justice

Representative Herbert E. Clark, Millinocket, Chair

Representative Birger T. Johnson, South Portland
Representative George H. Bunker, Jr., Kossuth Township

Township

Representative Richard H. Thompson, Naples
Representative Edgar M. Wheeler, Bridgewater
Representative Dean F. Clukey, Houlton, Ranking Member

Member

Representative Walter R. Gooley, Farmington
Representative Michael J. McAlevy, Waterboro
Representative Judith B. Peavey, Woolwich
Representative G. Paul Waterhouse, Bridgton

Education and Cultural Affairs

Representative John L. Martin, Eagle Lake, Chair
Representative Peter A. Cloutier, South Portland
Representative Kathleen Stevens, Orono

Representative Michael F. Brennan, Portland
Representative Julie Winn, Glenburn
Representative Mabel J. Desmond, Mapleton
Representative Wendy L. Ault, Wayne, Ranking Member

Representative Alvin L. Barth, Jr., Bethel
Representative James D. Libby, Buxton
Representative Rodney W. McElroy, Unity

Human Resources

Representative Michael J. Fitzpatrick, Durham, Chair

Representative Birger T. Johnson, South Portland
Representative David Etnier, Harpswell
Representative J. Elizabeth Mitchell, Portland
Representative David C. Shiah, Bowdoinham
Representative Glenys P. Lovett, Scarborough, Ranking Member

Representative Jeffery G. Joyner, Hollis
Representative Jean Ginn Marvin, Cape Elizabeth
Representative Robert J. Winglass, Auburn

Inland Fisheries and Wildlife

Representative Dorothy A. Rotondi, Madison, Chair
Representative Paul F. Jacques, Waterville
Representative Herbert E. Clark, Millinocket
Representative Robert Keane, Old Town
Representative Jon M. Rosebush, East Millinocket
Representative Robert L. Tufts, Stockton Springs, Ranking Member

Ranking Member

Representative Ernest C. Greenlaw, Standish
Representative Howard A. Chick, Lebanon
Representative Royce W. Perkins, Penobscot
Representative John Underwood, Oxford

Judiciary

Representative Sharon Treat, Gardiner, Chair
Representative William Lemke, Westbrook
Representative Fred L. Richardson, Portland
Representative Kyle W. Jones, Bar Harbor
Representative Lloyd P. LaFountain III, Biddeford
Representative Elizabeth Watson, Farmingdale
Representative Debra D. Plowman, Hampden, Ranking Member

Member

Representative Robert R. Hartnett, Freeport
Representative David R. Madore, Augusta
Representative Richard A. Nass, Acton

Labor

Representative Pamela H. Hatch, Skowhegan, Chair
Representative John L. Tuttle, Jr., Sanford
Representative Gail M. Chase, China
Representative Patricia Lemaire, Lewiston
Representative Roland B. Samson, Jay
Representative Henry L. Joy, Crystal, Ranking Member

Member

Representative Steven Joyce, Biddeford
Representative Robert E. Pendleton, Jr., Scarborough

Representative Vaughn A. Stedman, Hartland
Representative Tom J. Winsor, Norway

Legal and Veterans Affairs

Representative Guy R. Nadeau, Saco, Chair
Representative Albert P. Gamache, Lewiston
Representative Peter P. Truman, Biddeford
Representative Nancy L. Chizmar, Lisbon
Representative Charles D. Fisher, Brewer
Representative Harry G. True, Fryeburg, Ranking Member

Member

Representative Eleanor M. Murphy, Berwick
Representative John T. Buck, Yarmouth
Representative Janice E. Labrecque, Gorham
Representative James D. Layton, Cherryfield

Marine Resources

Representative Peter A. Cloutier, South Portland,
Chair
Representative Herbert Adams, Portland
Representative Edmund Benedikt, Brunswick
Representative David Etnier, Harpswell
Representative Paul Volenik, Sedgwick
Representative Theone F. Look, Jonesboro, Ranking

Member
Representative Kenneth F. Lemont, Kittery
Representative Joseph H. Bigl, Bucksport
Representative William D. Pinkham, Lamoine
Representative Chester A. Rice, South Bristol

Natural Resources
Representative Richard A. Gould, Greenville, Chair
Representative Thomas E. Poulin, Oakland
Representative Jane W. Saxl, Bangor
Representative Randall L. Berry, Livermore
Representative June C. Meres, Norridgewock
Representative David C. Shiah, Bowdoinham
Representative Ernest C. Greenlaw, Standish,

Ranking Member
Representative Catharine L. Damren, Belgrade
Representative Roy I. Nickerson, Turner
Representative John P. Marshall, Eliot

State and Local Government
Representative Beverly C. Daggett, Augusta, Chair
Representative Douglas J. Ahearne, Madawaska
Representative William Lemke, Westbrook
Representative Jane W. Saxl, Bangor
Representative Belinda A. Gerry, Auburn
Representative Jon M. Rosebush, East Millinocket
Representative Julie-Marie Robichaud, Caribou,

Ranking Member
Representative Priscilla Lane, Enfield
Representative Christine R. Savage, Union
Representative Robert E. Yackobitz, Hermon

Taxation
Representative Susan E. Dore, Auburn, Chair
Representative John L. Tuttle, Jr., Sanford
Representative Fred L. Richardson, Portland
Representative Bonnie Green, Monmouth
Representative Robert Keane, Old Town
Representative Verdi L. Tripp, Topsham
Representative Eleanor M. Murphy, Berwick, Ranking

Member
Representative Robert W. Spear, Nobleboro
Representative Gary W. Reed, Falmouth
Representative Burchard A. Dunn, Gray

Transportation
Representative William B. O'Gara, Westbrook, Chair
Representative George F. Ricker, Lewiston
Representative Joseph D. Driscoll, Calais
Representative Gerald N. Bouffard, Lewiston
Representative Paul Chartrand, Rockland
Representative Donald A. Strout, Corinth, Ranking

Member
Representative Harry W. Bailey, Township 27
Representative Wesley Farnum, South Berwick
Representative Charles H. Heino, Boothbay
Representative David A. Lindahl, Northport

Utilities and Energy
Representative Carol A. Kontos, Windham, Chair
Representative Herbert Adams, Portland
Representative M. Ida Luther, Mexico
Representative Thomas E. Poulin, Oakland
Representative Conrad Heeschen, Wilton
Representative Gary L. O'Neal, Limestone
Representative Joseph B. Taylor, Cumberland,
Ranking Member
Representative F. Thomas Gieringer, Jr., Portland

Representative Theodore M. Poirier, Saco
Representative Richard I. Stone, Bangor
Sincerely,
S/Dan A. Gwadosky
Speaker of the House
Was read and ordered placed on file.

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:

Banking and Insurance

Bill "An Act to Amend the Law Regarding Mandatory Insurance Coverage for Mental Illness" (EMERGENCY) (H.P. 150) (L.D. 198) (Presented by Representative DORE of Auburn) (Cosponsored by Representatives: CAMPBELL of Holden, FITZPATRICK of Durham, GWADOSKY of Fairfield, JOHNSON of South Portland, KERR of Old Orchard Beach, ROWE of Portland, SAXL of Bangor, SIMONEAU of Thomaston, TREAT of Gardiner, Senators: CAREY of Kennebec, CLEVELAND of Androscoggin, KIEFFER of Aroostook)

Bill "An Act to Increase Access to Affordable Health Insurance for Citizens of Maine" (H.P. 179) (L.D. 227) (Presented by Representative CARLETON of Wells) (Cosponsored by Representatives: HARTNETT of Freeport, KNEELAND of Easton, MAYO of Bath, VIGUE of Winslow)

Bill "An Act to Amend the Workers' Compensation Laws Regarding Small Businesses" (H.P. 175) (L.D. 223) (Presented by Representative DiPIETRO of South Portland) (Cosponsored by Representatives: CAMERON of Rumford, FISHER of Brewer, KEANE of Old Town, LEMONT of Kittery, MURPHY of Berwick, PLOWMAN of Hampden, VIGUE of Winslow)

Reference to the Committee on Banking and Insurance suggested.

On motion of Representative VIGUE of Winslow, the Bill was referred to the Committee on Labor, ordered printed and sent up for concurrence.

Business and Economic Development

Bill "An Act to Expand the Membership of the Loring Development Authority of Maine" (H.P. 162) (L.D. 210) (Presented by Representative ROWE of Portland) (Cosponsored by Representatives: BIRNEY of Paris, KONTOS of Windham)

Bill "An Act to Clarify the Laws Regarding the Sale of Recreational Vehicles on Sunday" (H.P. 163) (L.D. 211) (Presented by Representative WINGLASS of Auburn) (Cosponsored by Representatives: DESMOND of Mapleton, GOOLEY of Farmington, HICHBORN of LaGrange, LIBBY of Buxton, TRUE of Fryeburg, TUFTS of Stockton Springs, WINSOR of Norway, YACKOBITZ of Hermon, Senator: STEVENS of Androscoggin)

Criminal Justice

Bill "An Act to Allow the Suspension of Driving Privileges of Persons Bringing Firearms on Public School Property" (H.P. 149) (L.D. 197) (Presented by

Representative LEMAIRE of Lewiston) (Cosponsored by Representatives: ADAMS of Portland, BERRY of Livermore, BOUFFARD of Lewiston, CHIZMAR of Lisbon, CLOUTIER of South Portland, DORE of Auburn, ETNIER of Harpswell, FISHER of Brewer, FITZPATRICK of Durham, GERRY of Auburn, GREEN of Monmouth, HATCH of Skowhegan, JONES of Bar Harbor, MITCHELL of Vassalboro, MITCHELL of Portland, O'GARA of Westbrook, POULIOT of Lewiston, POVICH of Ellsworth, RICHARDSON of Portland, RICKER of Lewiston, TREAT of Gardiner, VOLENIK of Sedgwick, WATSON of Farmingdale, WINGLASS of Auburn, Senators: BERUBE of Androscoggin, CLEVELAND of Androscoggin)

Bill "An Act to Allow the Issuance of Life Sentences for Violent Crimes" (H.P. 152) (L.D. 200) (Presented by Representative OTT of York) (Cosponsored by Senator LAWRENCE of York and Representatives: BAILEY of Township 27, CAMPBELL of Holden, LEMONT of Kittery, PLOWMAN of Hampden)

Education and Cultural Affairs

Resolve, to Change the Nature of the Commission to Study the Feasibility of a Capital Cultural Center and Its Powers (EMERGENCY) (H.P. 154) (L.D. 202) (Presented by Representative DAGGETT of Augusta) (Cosponsored by Senator BUSTIN of Kennebec and Representatives: CLOUTIER of South Portland, MADORE of Augusta, MITCHELL of Vassalboro)

Human Resources

Bill "An Act to Reduce Costs in the Department of Human Services by Reducing Functions to the Federally Mandated Level" (H.P. 161) (L.D. 209) (Presented by Representative WHITCOMB of Waldo) (Cosponsored by Representatives: LOVETT of Scarborough, NASS of Acton, REED of Falmouth, Senator: PENDEXTER of Cumberland)

Bill "An Act to Establish Standards for Medical Eligibility Determination for Applicants to Nursing Homes" (H.P. 170) (L.D. 218) (Presented by Representative PERKINS of Penobscot) (By Request) (Cosponsored by Representatives: BUNKER of Kossuth Township, JONES of Bar Harbor, POVICH of Ellsworth)

Bill "An Act to Restrict the Duration and Amount of Welfare Benefits" (H.P. 180) (L.D. 228) (Presented by Representative JOY of Crystal) (Cosponsored by Representatives: BIRNEY of Paris, CLUKEY of Houlton, CROSS of Dover-Foxcroft, KNEELAND of Easton, LANE of Enfield)

Inland Fisheries and Wildlife

Bill "An Act to Allow Maine Residents over 70 Years of Age to Hunt Antlerless Deer" (H.P. 171) (L.D. 219) (Presented by Representative STEDMAN of Hartland) (Cosponsored by Representatives: CAMERON of Rumford, CLUKEY of Houlton, JONES of Pittsfield, JOY of Crystal, LABRECQUE of Gorham, PENDLETON of Scarborough, POIRIER of Saco, TUFTS of Stockton Springs)

Bill "An Act to Strengthen the Laws Pertaining to Poaching" (H.P. 178) (L.D. 226) (Presented by Representative JACQUES of Waterville) (Cosponsored by Representatives: BUNKER of Kossuth Township, CLARK of Millinocket, JOHNSON of South Portland, KILKELLY of Wiscasset, NICKERSON of Turner, ROSEBUSH of East Millinocket, Senators: BEGLEY of Lincoln, CARPENTER of York)

Judiciary

Bill "An Act Adopting the Uniform Health-care Decisions Act" (H.P. 182) (L.D. 230) (Presented by Representative CARLETON of Wells) (Cosponsored by Representatives: BIRNEY of Paris, ETNIER of Harpswell, HARTNETT of Freeport, JOHNSON of South Portland, JOYCE of Biddeford, JOYNER of Hollis, KNEELAND of Easton, LIBBY of Buxton, MAYO of Bath, REED of Falmouth, SIMONEAU of Thomaston, TOWNSEND of Portland, Senators: ABROMSON of Cumberland, LAWRENCE of York, McCORMICK of Kennebec)

Legal and Veterans Affairs

Bill "An Act to Repeal the Provision of Law Voiding a Lease for Premises Defined as a Common Nuisance" (H.P. 158) (L.D. 205) (Presented by Representative JONES of Bar Harbor) (Cosponsored by Representatives: POVICH of Ellsworth, VOLENIK of Sedgwick, Senator: RUHLIN of Penobscot)

Bill "An Act to Amend the Laws Regarding Eviction of Mobile Home Park Tenants" (H.P. 159) (L.D. 206) (Presented by Representative JONES of Bar Harbor) (Cosponsored by Representatives: POVICH of Ellsworth, SAMSON of Jay, STEVENS of Orono, TREAT of Gardiner, VOLENIK of Sedgwick, Senators: RAND of Cumberland, RUHLIN of Penobscot)

Bill "An Act to Require the Return of Interest Earned on Security Deposits" (H.P. 177) (L.D. 225) (Presented by Representative STEVENS of Orono) (Cosponsored by Representatives: ADAMS of Portland, AHEARNE of Madawaska, BRENNAN of Portland, FITZPATRICK of Durham, SHIAH of Bowdoinham, TREAT of Gardiner, Senator: O'DEA of Penobscot)

Natural Resources

Bill "An Act to Change the Definition of Pollutant in the Environmental Laws" (H.P. 164) (L.D. 212) (Presented by Representative MARSHALL of Eliot) (Cosponsored by Representatives: AHEARNE of Madawaska, DEXTER of Kingfield, GOULD of Greenville, KNEELAND of Easton, LIBBY of Kennebunk, RICE of South Bristol, STROUT of Corinth, TUTTLE of Sanford, UNDERWOOD of Oxford, Senator: LORD of York)

Bill "An Act to Change the Activities Requiring a Permit from the Department of Environmental Protection" (H.P. 165) (L.D. 213) (Presented by Representative MARSHALL of Eliot) (Cosponsored by Representatives: AHEARNE of Madawaska, DEXTER of Kingfield, GOULD of Greenville, KNEELAND of Easton, LIBBY of Kennebunk, RICE of South Bristol, SPEAR of Nobleboro, STROUT of Corinth, TUTTLE of Sanford, UNDERWOOD of Oxford, Senator: LORD of York)

Bill "An Act to Amend the Laws Regarding the Assessment of Penalties for Environmental Violations" (H.P. 166) (L.D. 214) (Presented by Representative MARSHALL of Eliot) (Cosponsored by Representatives: AHEARNE of Madawaska, DEXTER of Kingfield, GOULD of Greenville, KNEELAND of Easton, RICE of South Bristol, TUTTLE of Sanford, UNDERWOOD of Oxford)

Bill "An Act to Amend the Laws Regarding Consent Agreements of the Department of Environmental Protection" (H.P. 167) (L.D. 215) (Presented by Representative MARSHALL of Eliot) (Cosponsored by Representatives: AHEARNE of Madawaska, BARTH of Bethel, DEXTER of Kingfield, GOULD of Greenville, LIBBY of Kennebunk, RICE of South Bristol, STROUT of Corinth, TUTTLE of Sanford, UNDERWOOD of Oxford)

Bill "An Act to Clarify the Laws Regarding the Location of Transfer Stations on Islands" (H.P. 176) (L.D. 224) (Presented by Representative JACQUES of Waterville) (Cosponsored by Representative ADAMS of Portland and Representatives: MITCHELL of Portland, TREAT of Gardiner, Senators: ABROMSON of Cumberland, MICHAUD of Penobscot, RAND of Cumberland)

Bill "An Act to Abolish the Maine Waste Management Agency" (H.P. 181) (L.D. 229) (Presented by Representative WHITCOMB of Waldo) (Cosponsored by Representatives: DEXTER of Kingfield, GOULD of Greenville, LIBBY of Kennebunk, PERKINS of Penobscot, Senator: LORD of York)

State and Local Government

Bill "An Act Concerning the Competitive Bidding Process in Cooperative Projects between the State and the Maine Technical College System" (H.P. 151) (L.D. 199) (Presented by Representative CAMPBELL of Holden) (Cosponsored by Senator O'DEA of Penobscot and Representatives: AHEARNE of Madawaska, DORE of Auburn, DRISCOLL of Calais, FARNUM of South Berwick, FISHER of Brewer, KEANE of Old Town, KILKELLY of Wiscasset, LEMONT of Kittery, STROUT of Corinth, Senators: CASSIDY of Washington, FAIRCLOTH of Penobscot, STEVENS of Androscoggin)

Bill "An Act to Amend the Sewer Lien Law to Provide Clear Title" (H.P. 169) (L.D. 217) (Presented by Representative WINGLASS of Auburn) (Cosponsored by Representatives: BERRY of Livermore, SAVAGE of Union)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require the Popular Election of the Attorney General (H.P. 153) (L.D. 201) (Presented by Representative LEMKE of Westbrook) (Cosponsored by Representatives: AHEARNE of Madawaska, BAILEY of Township 27, BARTH of Bethel, BENEDIKT of Brunswick, BIRNEY of Paris, CAMERON of Rumford, CAMPBELL of Holden, CROSS of Dover-Foxcroft, DAVIDSON of Brunswick, DESMOND of Mapleton, DEXTER of Kingfield, FARNUM of South Berwick, GERRY of Auburn, KERR of Old Orchard Beach, LEMONT of Kittery, LIBBY of Kennebunk, LIBBY of Buxton, MORRISON of Bangor, MURPHY of Berwick, PENDLETON of Scarborough, POULIOT of Lewiston, REED of Dexter, SHIAH of Bowdoinham, SIMONEAU of Thomaston, TUFTS of Stockton Springs, UNDERWOOD of Oxford, Senators: BEGLEY of Lincoln, CARPENTER of York, HANLEY of Oxford, HARRIMAN of Cumberland, LORD of York, PENDEXTER of Cumberland, STEVENS of Androscoggin)

Taxation

Bill "An Act to Allow a Municipality To Enact a Local Option Tax" (H.P. 157) (L.D. 207) (Presented by Representative JONES of Bar Harbor) (Cosponsored by Representative: VOLENIK of Sedgwick)

Bill "An Act to Enhance the Title to Real Estate Acquired by Municipalities for Nonpayment of Taxes" (H.P. 168) (L.D. 216) (Presented by Representative WINGLASS of Auburn) (Cosponsored by Representatives: BOUFFARD of Lewiston, SAMSON of Jay)

Bill "An Act to Provide a Rental Deduction from State Income Tax" (H.P. 174) (L.D. 222) (Presented by Representative AHEARNE of Madawaska) (Cosponsored by Representatives: ADAMS of Portland, BRENNAN of Portland, CLARK of Millinocket, DAVIDSON of Brunswick, DESMOND of Mapleton, DIPIETRO of South Portland, DRISCOLL of Calais, GWADOSKY of Fairfield, HATCH of Skowhegan, JACQUES of Waterville, JONES of

Bar Harbor, LEMKE of Westbrook, MITCHELL of Vassalboro, O'NEAL of Limestone, ROSEBUSH of East Millinocket, SIROIS of Caribou, STEVENS of Orono, TREAT of Gardiner, VOLENIK of Sedgwick, WHEELER of Bridgewater, Senators: BERUBE of Androscoggin, LAWRENCE of York, MICHAUD of Penobscot, PARADIS of Aroostook)

Transportation

Bill "An Act to Simplify the Procedure for Making Anatomical Gifts under the Motor Vehicle Laws" (H.P. 160) (L.D. 208) (Presented by Representative LIBBY of Kennebunk) (Cosponsored by Representatives: BARTH of Bethel, BOUFFARD of Lewiston, CARLETON of Wells, CLARK of Millinocket, DONNELLY of Presque Isle, GUERRETTE of Pittston, JACQUES of Waterville, NICKERSON of Turner, POULIOT of Lewiston, TAYLOR of Cumberland, TRUE of Fryeburg, Senators: HALL of Piscataquis, HANLEY of Oxford, PENDEXTER of Cumberland, STEVENS of Androscoggin)

Bill "An Act to Allow Municipal Officials to Approve the Use of Flashing Lights by Fire Department Members" (H.P. 173) (L.D. 221) (Presented by Representative PENDLETON of Scarborough) (Cosponsored by Representatives: DUNN of Gray, GREENLAW of Standish, LABRECQUE of Gorham, LOVETT of Scarborough, NASS of Acton, Senators: AMERO of Cumberland, PENDEXTER of Cumberland)

Bill "An Act to Correct Errors and Inconsistencies Related to the Recodification of the Maine Revised Statutes, Title 29" (EMERGENCY) (H.P. 183) (L.D. 231) (Presented by Representative O'GARA of Westbrook) (Cosponsored by Senator STEVENS of Androscoggin and Representatives: BAILEY of Township 27, DRISCOLL of Calais, LINDAHL of Northport, RICKER of Lewiston, STROUT of Corinth)

Resolve, to Reduce the Paperwork Required in the Purchase of a Vehicle (H.P. 172) (L.D. 220) (Presented by Representative CAMERON of Rumford) (Cosponsored by Representatives: CAMPBELL of Holden, CHICK of Lebanon, DEXTER of Kingfield, DIPIETRO of South Portland, FARNUM of South Berwick, GOULD of Greenville, HICHBORN of LaGrange, JOSEPH of Waterville, LaFOUNTAIN of Biddeford, LANE of Enfield, LEMKE of Westbrook, LEMONT of Kittery, LUMBRA of Bangor, MARSHALL of Eliot, MURPHY of Berwick, UNDERWOOD of Oxford, VIGUE of Winslow)

By unanimous consent, all reference matters having been acted upon were ordered sent forthwith.

ORDERS

On motion of Speaker GWADOSKY of Fairfield, the following House Order (H.O. 6)

ORDERED, that House Rule 6 be amended to read:

6. The following standing committees shall be appointed at the commencement of the session, whose duty shall be to consider all subjects referred to them and report thereon:

On Ways and Means,
On Leave of Absence,
On Bills in the Second Reading,
On Engrossed Bills,
On Ethics and Elections,

To consist of ~~seven~~ eight members each;

On Rules and Business of the House,

To consist of three members and the Speaker ex

officio.

Was read.

On motion of Representative JACQUES of Waterville, the House Order (H.O. 6) was tabled pursuant to House Rule 54 and specially assigned for Friday, January 27, 1995.

On motion of Speaker GWADOSKY of Fairfield, the following House Order: (H.O. 7)

ORDERED, that House Rule 49 be amended to read:

49. Any bill or resolve which bears a unanimous Ought to Pass or Ought to Pass as Amended report by the committee to which it has been referred, upon notification to the House, shall, without further action, be placed by the Clerk upon the special consent calendar and remain there for two legislative days; it shall, at the termination of the said two days, be considered as passed to be engrossed. Upon objection of any member to the placement or retention of any bill or resolve on the consent calendar, such bill or resolve shall cease to be a consent calendar bill. If a bill or resolve is taken from the special consent calendar, the first order of business with respect to it shall be whether to accept the committee report. ~~No bill or resolve shall be placed on the consent calendar that involves a gain or loss of revenue.~~

Was read.

On motion of Representative JACQUES of Waterville, the House Order (H.O. 7) was tabled pursuant to House Rule 54 and specially assigned for Friday, January 27, 1995.

On motion of Representative KERR of Old Orchard Beach, the following Joint Order: (H.P. 184)

ORDERED, the Senate concurring, that the Joint Standing Committee on Appropriations and Financial Affairs report out a bill or bills related to emergency appropriations or allocations for Fiscal Year 1994-95, including, but not limited to, armory repairs and agricultural matters, to the House of Representatives.

Was read and passed and sent up for concurrence.

By unanimous consent, all matters having been acted upon were ordered sent forthwith.

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Friday, January 20, 1995 has preference in the Orders of the Day and continues with such preference until disposed of as provided by Rule 24.

Bill "An Act to Require that Employees in 24-Hour Convenience Stores Have Access to Telephones and Alarms" (H.P. 127) (L.D. 175) (Committee on Criminal Justice suggested)

TABLED - January 20, 1995 (Till Later Today) by Representative JACQUES of Waterville.

PENDING - Reference.

On motion of Representative ROWE of Portland, the Bill was referred to the Committee on Business and Economic Development, ordered printed and sent up for concurrence.

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

Bill "An Act to Require the Department of Environmental Protection to Pay Attorney's Fees in Court Cases where the Department Does Not Prevail" (S.P. 68) (L.D. 156) which was tabled by Representative JACQUES of Waterville pending reference in concurrence.

Subsequently, the Bill was referred to the Committee on Natural Resources in concurrence.

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

SENATE PAPERS

The following Joint Order: (S.P. 104)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Friday, January 27, 1995, at 10 o'clock in the morning.

Came from the Senate, read and passed.

Was read and passed in concurrence.

Bill "An Act to Provide the Maine Legislature with Additional Financial Information" (EMERGENCY) (S.P. 95) (L.D. 235)

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

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

Bill "An Act to Amend the Laws Governing Reciprocity in the Licensure of Pharmacists" (S.P. 96) (L.D. 236)

Came from the Senate, referred to the Committee on Business and Economic Development and Ordered Printed.

Was referred to the Committee on Business and Economic Development in concurrence.

Bill "An Act to Ensure Appropriate Resource and Referral Services for Families Needing Child Care" (EMERGENCY) (S.P. 93) (L.D. 233)

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

Was referred to the Committee on Human Resources in concurrence.

Bill "An Act to Legalize Cannabis for Medical Treatment of Patients With HIV/AIDS" (S.P. 85) (L.D. 204)

Bill "An Act to Provide Statutory Procedures for Grievances against Attorneys" (S.P. 97) (L.D. 237)

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

Was referred to the Committee on Judiciary in concurrence.

Bill "An Act to Clarify the Liquor Licensing Laws for Certain Eating Establishments" (S.P. 94) (L.D. 234)

Bill "An Act to Prohibit Registering to Vote on Election Day" (S.P. 99) (L.D. 239)

Bill "An Act to Require Reporting by Political Action Committees That Endorse or Provide Funds to Local Municipal Candidates" (S.P. 100) (L.D. 240)

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

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

Bill "An Act to Reduce Clam Digger License Fees for Clam Diggers with a Municipal License" (S.P. 92) (L.D. 232)

Bill "An Act to Enhance the Clam Industry in the State" (S.P. 103) (L.D. 243)

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

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

Bill "An Act to Repeal Point-of-sale Fees for Future Disposal of Certain Items" (S.P. 84) (L.D. 203)

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

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

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

Bill "An Act to Create an Income Tax Stabilization Program" (EMERGENCY) (S.P. 98) (L.D. 238)

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

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

Bill "An Act Concerning Reporting Powers of Fire/Police Units" (S.P. 101) (L.D. 241)

Bill "An Act to Increase the Bonding Limits of the Maine Turnpike Authority" (S.P. 102) (L.D. 242)

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

Were referred to the Committee on **Transportation** in concurrence.

Non-Concurrent Matter

Bill "An Act to Require Indirect Economic Analysis of Tax Expenditures" (H.P. 78) (L.D. 114) which was referred to the Committee on **Taxation** in the House on January 17, 1995.

Came from the Senate referred to the Committee on **Appropriations and Financial Affairs** in non-concurrence.

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

Non-Concurrent Matter

Joint Order (H.P. 7) relative to the Joint Rules of the 117th Legislature which was read and passed in the House on December 8, 1994.

Came from the Senate indefinitely postponed in non-concurrence.

The House voted to Recede and Concur.

On motion of Representative TUFTS of Stockton Springs, the House adjourned at 12:05 p.m., pursuant to the Joint Order (S.P. 104).