

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
15th Legislative Day
Tuesday, February 14, 1995

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

Prayer by Reverend Floyd M. Carter, Corliss Street Baptist Church, Bath.

Pledge of Allegiance.

The Journal of Friday, February 10, 1995 was read and approved.

COMMUNICATIONS

The following Communication: (H.C. 37)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002
February 13, 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 appointed Representative Elizabeth H. Mitchell of Vassalboro to fill the vacancy on the Joint Standing Committee on Human Resources of the 117th Maine Legislature.

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 and Resolves were received and, upon the recommendation of the Committee on Reference of Bills, were referred to the following Committees, Ordered Printed and Sent up for Concurrence:

Agriculture, Conservation and Forestry

Bill "An Act to Repeal the Retail Seed Dealer's License" (H.P. 382) (L.D. 517) (Presented by Representative NASS of Acton)

Appropriations and Financial Affairs

Bill "An Act to Appropriate Money from the General Fund to Pay Fees for Schools Required to Report Underground Storage Tanks" (H.P. 371) (L.D. 506) (Presented by Representative AHEARNE of Madawaska) (Cosponsored by Senator PARADIS of Aroostook)

Banking and Insurance

Bill "An Act to Extend the Duration of Workers' Compensation Health Benefit Pilot Projects" (H.P. 375) (L.D. 510) (Presented by Representative CARLETON of Wells)

Bill "An Act Concerning the Return of Credit Card Receipts" (H.P. 380) (L.D. 515) (Presented by Representative PERKINS of Penobscot) (By Request)

Bill "An Act to Restrict the Ability of Credit Card Companies to Charge Excessive Fees" (H.P. 387)

(L.D. 522) (Presented by Representative TREAT of Gardiner) (Cosponsored by Representative ADAMS of Portland, Senator RAND of Cumberland and Representatives: CHASE of China, ETNIER of Harpswell, GERRY of Auburn, JONES of Bar Harbor, JOSEPH of Waterville, LaFOUNTAIN of Biddeford, SHIAH of Bowdoinham, TOWNSEND of Portland, VOLENIK of Sedgwick)

Bill "An Act to Require Insurers to Reimburse Insureds with Inborn Errors of Metabolism" (EMERGENCY) (H.P. 401) (L.D. 536) (Presented by Representative BRENNAN of Portland) (Cosponsored by Representatives: CHASE of China, DAVIDSON of Brunswick, GATES of Rockport, MITCHELL of Vassalboro, MITCHELL of Portland, PLOWMAN of Hampden, STEVENS of Orono, TOWNSEND of Portland, Senator: McCORMICK of Kennebec)

Education and Cultural Affairs

Bill "An Act to Repeal the Laws That Require the Screening for Scoliosis and Related Spinal Abnormalities" (H.P. 386) (L.D. 521) (Presented by Representative JOY of Crystal) (Cosponsored by Representatives: CROSS of Dover-Foxcroft, JONES of Pittsfield, LANE of Enfield, McELROY of Unity, STEDMAN of Hartland)

Bill "An Act to Improve the Efficiency of the Maine Technical College System" (H.P. 400) (L.D. 535) (Presented by Representative CLOUTIER of South Portland) (Cosponsored by Representatives: ADAMS of Portland, AULT of Wayne, BIRNEY of Paris, BUNKER of Kossuth Township, CHIZMAR of Lisbon, DAGGETT of Augusta, DESMOND of Mapleton, DONNELLY of Presque Isle, FISHER of Brewer, GWADOSKY of Fairfield, HARTNETT of Freeport, HICHBORN of LaGrange, JACQUES of Waterville, JOHNSON of South Portland, JONES of Bar Harbor, JOSEPH of Waterville, KERR of Old Orchard Beach, LEMAIRE of Lewiston, MITCHELL of Vassalboro, MORRISON of Bangor, PENDLETON of Scarborough, POULIN of Oakland, POULIOT of Lewiston, SIROIS of Caribou, TOWNSEND of Portland, TUTTLE of Sanford, VIGUE of Winslow, Senators: AMERO of Cumberland, ESTY of Cumberland, FAIRCLOTH of Penobscot, HARRIMAN of Cumberland, McCORMICK of Kennebec, PARADIS of Aroostook, RAND of Cumberland, RUHLIN of Penobscot)

Human Resources

Resolve, Directing the Department of Mental Health and Mental Retardation to Review Respite Care Licensing Standards (H.P. 373) (L.D. 508) (Presented by Representative DONNELLY of Presque Isle) (By Request)

Inland Fisheries and Wildlife

Bill "An Act to Authorize Game Wardens to Enforce Prohibitions against Swimming in Navigable River Channels" (H.P. 389) (L.D. 524) (Presented by Representative KONTOS of Windham)

Bill "An Act to Stop the Alewives Restoration Program in the St. Croix River" (H.P. 385) (L.D. 520) (Presented by Representative BAILEY of Township 27) (Cosponsored by Representatives: BUNKER of Kossuth Township, CLARK of Millinocket, CROSS of Dover-Foxcroft, DONNELLY of Presque Isle, LAYTON of Cherryfield, LOOK of Jonesboro, REED of Dexter, STROUT of Corinth, TRUE of Fryeburg, Senator: CASSIDY of Washington)

The Committee on Inland Fisheries and Wildlife was suggested.

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

Judiciary

Bill "An Act to Amend the Limitation on Damages in State Tort Claims Actions to Allow for the Accrual of Post-judgment Interest" (H.P. 377) (L.D. 512) (Presented by Representative PLOWMAN of Hampden)

Bill "An Act to Improve the Operation of Prelitigation Screening Panels" (H.P. 379) (L.D. 514) (Presented by Representative PLOWMAN of Hampden) (Cosponsored by Representatives: CAMPBELL of Holden, HARTNETT of Freeport, Senator: SMALL of Sagadahoc)

Bill "An Act Concerning the Liability of Corporate Clerks" (H.P. 381) (L.D. 516) (Presented by Representative OTT of York) (Cosponsored by Representatives: CARLETON of Wells, LEMONT of Kittery, LIBBY of Kennebunk, ROWE of Portland, SIMONEAU of Thomaston, Senator: MILLS of Somerset)

Bill "An Act to Amend the Statute of Limitations for Health Care Providers and Health Care Practitioners to Include a Discovery Rule" (H.P. 391) (L.D. 526) (Presented by Representative TREAT of Gardiner) (Cosponsored by Senator RAND of Cumberland and Representatives: ADAMS of Portland, GWADOSKY of Fairfield, JONES of Bar Harbor, LaFOUNTAIN of Biddeford, MORRISON of Bangor, SHIAH of Bowdoinham, VOLENIK of Sedgwick)

Bill "An Act to Require Liability Insurance Carriers to Disclose to Claimants Limits of Liability and Policy Coverage Prior to Initiation of Suit" (H.P. 392) (L.D. 527) (Presented by Representative LaFOUNTAIN of Biddeford) (Cosponsored by Representatives: CHARTRAND of Rockland, DAVIDSON of Brunswick, GREEN of Monmouth, JOSEPH of Waterville, LEMKE of Westbrook, McALEVEY of Waterboro, MITCHELL of Vassalboro, MURPHY of Berwick, ROSEBUSH of East Millinocket, TREAT of Gardiner, TRUMAN of Biddeford, WATSON of Farmingdale, Senator: RAND of Cumberland)

Bill "An Act to Allow the Department of Human Services to Take Protective Custody of Certain Newborn Children" (H.P. 394) (L.D. 529) (Presented by Representative PLOWMAN of Hampden)

Bill "An Act to Allow the Defense of Ignorance of the Law" (H.P. 395) (L.D. 530) (Presented by Representative AULT of Wayne)

The Committee on Judiciary was suggested.

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

Labor

Bill "An Act Concerning Sick Leave and Vacation Benefits" (H.P. 388) (L.D. 523) (Presented by Representative TOWNSEND of Portland) (Cosponsored by Representatives: BRENNAN of Portland, CHASE of China, GREEN of Monmouth, HATCH of Skowhegan, LEMAIRE of Lewiston, PENDLETON of Scarborough, ROSEBUSH of East Millinocket, SAMSON of Jay, STEDMAN of Hartland, TUTTLE of Sanford, Senators: RAND of Cumberland, RUHLIN of Penobscot)

Bill "An Act to Require the Department of Labor to Keep Statistics on the Number of Jobs That are

Full-time, Part-time and Temporary" (H.P. 399) (L.D. 534) (Presented by Representative TREAT of Gardiner) (Cosponsored by Representatives: ADAMS of Portland, AHEARNE of Madawaska, BERRY of Livermore, BOUFFARD of Lewiston, BUNKER of Kossuth Township, CHIZMAR of Lisbon, ETNIER of Harpswell, GERRY of Auburn, GOOLEY of Farmington, LaFOUNTAIN of Biddeford, LEMAIRE of Lewiston, PERKINS of Penobscot, ROSEBUSH of East Millinocket, SAMSON of Jay, THOMPSON of Naples, TUTTLE of Sanford, Senators: MICHAUD of Penobscot, MILLS of Somerset, PARADIS of Aroostook)

Bill "An Act to Include Salaries, Pensions and Insurance for Binding Arbitration under the Municipal Public Employee Labor Relations Laws" (H.P. 402) (L.D. 537) (Presented by Representative MORRISON of Bangor) (Cosponsored by Representatives: AHEARNE of Madawaska, CLARK of Millinocket, DRISCOLL of Calais, JOSEPH of Waterville, KEANE of Old Town, NADEAU of Saco, RICHARDSON of Portland, TOWNSEND of Portland, TREAT of Gardiner, TUTTLE of Sanford, Senators: BUSTIN of Kennebec, MICHAUD of Penobscot, RAND of Cumberland, RUHLIN of Penobscot)

Legal and Veterans Affairs

Bill "An Act to Exclude Certain Parks from the Definition of Mobile Home Parks" (H.P. 372) (L.D. 507) (Presented by Representative KNEELAND of Easton) (Cosponsored by Representatives: MAYO of Bath, McALEVEY of Waterboro, TUFTS of Stockton Springs, WHEELER of Bridgewater, Senator: PARADIS of Aroostook)

Bill "An Act to Increase the Operating Profit of Agency Liquor Stores" (H.P. 384) (L.D. 519) (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, SIMONEAU of Thomaston, VIGUE of Winslow)

Marine Resources

Bill "An Act Requiring Training Workshops for Eligibility for All New Applicants for Commercial Fishing Licenses" (H.P. 376) (L.D. 511) (Presented by Representative VOLENIK of Sedgwick) (Cosponsored by Representative: JONES of Bar Harbor)

Natural Resources

Bill "An Act to Amend the Site Location of Development Laws Relating to Former Military Bases" (H.P. 393) (L.D. 528) (Presented by Representative JACQUES of Waterville) (Cosponsored by Representatives: AHEARNE of Madawaska, CLUKEY of Houlton, DESMOND of Mapleton, DONNELLY of Presque Isle, DRISCOLL of Calais, KNEELAND of Easton, LaFOUNTAIN of Biddeford, O'NEAL of Limestone, ROBICHAUD of Caribou, ROWE of Portland, SAXL of Bangor, SIROIS of Caribou, WHEELER of Bridgewater)

Bill "An Act to Restrict the Use of Eminent Domain Power" (H.P. 397) (L.D. 532) (Presented by Representative BAILEY of Township 27) (Cosponsored by Representative: LAYTON of Cherryfield, Senator: CASSIDY of Washington)

State and Local Government

Bill "An Act to Require That the Dollar Value of the Employee Benefit Package Be Included in All Official Statements Concerning State and Municipal

Salaries" (H.P. 378) (L.D. 513) (Presented by Representative PERKINS of Penobscot) (Cosponsored by Representatives: BERRY of Livermore, BUCK of Yarmouth, CAMERON of Rumford, CAMPBELL of Holden, CLUKEY of Houlton, DAMREN of Belgrade, DONNELLY of Presque Isle, ETNIER of Harpswell, HARTNETT of Freeport, JONES of Bar Harbor, LEMKE of Westbrook, LOOK of Jonesboro, MURPHY of Berwick, VOLENIK of Sedgwick, Senators: AMERO of Cumberland, CIANCHETTE of Somerset, FERGUSON of Oxford, O'DEA of Penobscot)

Taxation

Bill "An Act to Amend the Sales Tax Exemption for Emergency Shelter and Feeding Organizations" (H.P. 390) (L.D. 525) (Presented by Representative PLOWMAN of Hampden) (Cosponsored by Representatives: CAMPBELL of Holden, LIBBY of Buxton)

Bill "An Act to Exempt Barter from All Taxation Considerations" (H.P. 396) (L.D. 531) (Presented by Representative AULT of Wayne) (Cosponsored by Senator: CAREY of Kennebec)

Bill "An Act to Repeal Tax Exemptions for Railroads" (H.P. 398) (L.D. 533) (Presented by Representative DORE of Auburn) (Cosponsored by Representatives: DEXTER of Kingfield, JACQUES of Waterville, Senator: CLEVELAND of Androscoggin)

Transportation

Bill "An Act to Require a Review of Handicapped Plates Periodically" (H.P. 374) (L.D. 509) (Presented by Representative DONNELLY of Presque Isle) (By Request)

Bill "An Act to Require a Second Doctor's Opinion before the Secretary of State May Suspend a Driver's License" (H.P. 383) (L.D. 518) (Presented by Representative RICE of South Bristol) (By Request)

Reported Pursuant to Resolve

Representative FITZPATRICK for the Healthy Start Task Force pursuant to Resolve 1993, chapter 54 asks leave to submit its findings and to report that the accompanying Resolve, to Implement the Recommendations of the Healthy Start Task Force (H.P. 405) (L.D. 540) be referred to the Joint Standing Committee on Human Resources for Public Hearing and printed pursuant to Joint Rule 20.

Report was read and accepted, and the Bill referred to the Committee on Human Resources, ordered printed and sent up for concurrence.

Reported Pursuant to Private and Special Law

Representative GOULD for the Unorganized Territory Education and Services Fund Study Commission pursuant to Private and Special Law 1993, chapter 100 asks leave to submit its findings and to report that the accompanying Bill "An Act to Implement the Recommendations of the Unorganized Territory Education and Services Fund Study Commission" (H.P. 404) (L.D. 539) be referred to the Joint Standing Committee on Education and Cultural Affairs for Public Hearing and printed pursuant to Joint Rule 20.

Report was read and accepted.

The Committee on Education and Cultural Affairs was suggested.

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

Reported Pursuant to Statutes

Representative TREAT for the Judicial Council pursuant to the Maine Revised Statutes, Title 4, section 451-A asks leave to submit its findings and to report that the accompanying Bill "An Act Relating to the Budget of the Judicial Department" (H.P. 403) (L.D. 538) be referred to the Joint Standing Committee on Judiciary for Public Hearing and printed pursuant to Joint Rule 20.

Report was read and accepted, and the Bill referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

TABLED AND TODAY ASSIGNED

The Chair laid before the House the following items which were Tabled and Today Assigned:

Bill "An Act to Change Certain Provisions of the Saco River Corridor Law" (EMERGENCY) (H.P. 324) (L.D. 445)

TABLED - February 10, 1995 by Representative MITCHELL of Vassalboro.

PENDING - Passage to be Engrossed.

On motion of Representative JACQUES of Waterville, the Bill was committed to the Committee on Natural Resources, and sent up for concurrence.

Bill "An Act to Consolidate the Regulation of Driver Education" (EMERGENCY) (H.P. 325) (L.D. 446)

TABLED - February 10, 1995 by Representative LUTHER of Mexico.

PENDING - Passage to be Engrossed.

On motion of Representative O'GARA of Westbrook, the Bill was committed to the Committee on Transportation, and sent up for concurrence.

HOUSE REPORT - "Ought to Pass" pursuant to Statutes - Committee on Audit and Program Review of the 116th Legislature on Bill, "An Act to Establish the Saco River Corridor Fund" (EMERGENCY) (H.P. 323) (L.D. 444)

TABLED - February 10, 1995 by Representative DONNELLY of Presque Isle.

PENDING - Motion of Representative MITCHELL of Vassalboro to commit to Committee on Agriculture, Conservation and Forestry.

Subsequently, the Bill was committed to the Committee on Agriculture, Conservation and Forestry, and sent up for concurrence.

HOUSE ORDER - Relative to amending House Rule 49 (H.O. 7)

- In House, Read on January 24, 1995.

TABLED - February 10, 1995 by Representative MITCHELL of Vassalboro.

PENDING - Passage. (2/3 Vote Required)

On motion of Representative JACQUES of Waterville, tabled pending passage and specially assigned for Friday, February 17, 1995.

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

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

SENATE PAPERS

The following Joint Order: (S.P. 222)

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

Came from the Senate, read and passed.

Was read and passed in concurrence.

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

Bill "An Act to Stop the Alewives Restoration Program in the St. Croix River" (H.P. 385) (L.D. 520) which was tabled by Representative JACQUES of Waterville, pending reference.

Subsequently, the Bill was referred to the Committee on **Inland, Fisheries and Wildlife**, ordered printed and sent up for concurrence.

Bill "An Act to Allow the Defense of Ignorance of the Law" (H.P. 395) (L.D. 530) which was tabled by Representative TREAT of Gardiner, pending reference.

On motion of Representative TREAT of Gardiner, the Bill was referred to the Committee on **Criminal Justice**, ordered printed and sent up for concurrence.

By unanimous consent, L.D. 520 and L.D. 530, having been acted upon were ordered sent forthwith.

SENATE PAPERS

Bill "An Act to Allow County Commissioners to Perform Routine Road Maintenance without Permission from the Maine Land Use Regulation Commission" (S.P. 219) (L.D. 561)

Came from the Senate, referred to the Committee on **Agriculture, Conservation and Forestry** and Ordered Printed.

Was referred to the Committee on **Agriculture, Conservation and Forestry** in concurrence.

Bill "An Act to Allow Certain Retail Car Dealers to Sell Automobiles on Sunday" (S.P. 216) (L.D. 558)

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 Require the Escrowing of the Salary of a School Administrator or Employee Arrested for Certain Crimes" (S.P. 215) (L.D. 557)

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

Was referred to the Committee on **Education and Cultural Affairs** in concurrence.

Bill "An Act Concerning the System of State Law Libraries" (EMERGENCY) (S.P. 212) (L.D. 554)

Bill "An Act Concerning Trust Investments by Trustees in Affiliated Securities and Bonds" (S.P. 218) (L.D. 560)

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 Regarding Employer Errors and the Maine State Retirement System" (S.P. 209) (L.D. 552)

Bill "An Act Concerning the Participation of Teachers of Adult Education in the Maine State Retirement System" (S.P. 214) (L.D. 556)

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 Increase the Time Period for Veterans Serving in Desert Storm Recognized in the Veterans Preference Program" (S.P. 213) (L.D. 555)

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

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

Bill "An Act to Eliminate Benefits Offered to Legislators" (S.P. 211) (L.D. 553)

Bill "An Act to Require Local and Employee Participation in the Inspection of the Design of State-funded Buildings" (S.P. 221) (L.D. 563)

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

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

Bill "An Act to Clarify the Sales Tax Law Applicable to Packaging" (S.P. 207) (L.D. 550)

Bill "An Act to Promote Economic Development by Establishing a Research and Development Tax Credit" (S.P. 217) (L.D. 559)

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 Protect Cable Television Consumers from Excessive Late Fees" (S.P. 208) (L.D. 551)

Bill "An Act to Increase Compensation of Trustees of the Gray Water District" (S.P. 220) (L.D. 562)

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

Were referred to the Committee on **Utilities and Energy** in concurrence.

The following Joint Resolution: (S.P. 210)

JOINT RESOLUTION RECOGNIZING CHERYL E. RING

WHEREAS, during nearly 12 years in the Office of Fiscal and Program Review, Cheryl E. Ring has staffed the Legislature's Joint Standing Committee on Audit and Program Review, first as an Analyst and, since 1986, as Principal Analyst; and

WHEREAS, she has gained the respect of both the committee members and her colleagues, who have all

benefited from her high professional standards and her commitment to improve the quality of State Government and the efficiency and effectiveness with which it delivers services to the citizens of Maine; and **WHEREAS**, she has shared her dedication, her boundless energy and her generous spirit with all with whom she has worked; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Seventeenth Legislature, now assembled in the First Regular Session, do pause in our deliberations to express our appreciation to Cheryl E. Ring and to recognize her highly professional and tireless service to the Legislature and the State; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to Cheryl E. Ring.

Came from the Senate, read and adopted.

Was read and adopted in concurrence.

Reported Pursuant to Statutes

Report of the Criminal Law Advisory Commission, pursuant to Maine Revised Statutes Title 17-A, section 1354, subsection 2, asks leave to submit its findings and to report that the accompanying Bill "An Act to Include the Law Court's Imprisonment Sentencing Procedure in the Maine Criminal Code" (S.P. 199) (L.D. 542) be referred to the Joint Standing Committee on Criminal Justice for public hearing and printed pursuant to Joint Rule 20.

Came from the Senate with the Report read and accepted and the Bill referred to the Committee on Criminal Justice and ordered printed.

Report was read and accepted and the Bill referred to the Committee on Criminal Justice in concurrence.

Reported Pursuant to Statutes

Report of the Criminal Law Advisory Commission, pursuant to Maine Revised Statutes Title 17-A, section 1354, subsection 2, asks leave to submit its findings and to report that the accompanying Bill "An Act to Limit a Citizen's Right to Threaten the Use of Deadly Force against a Law Enforcement Officer Engaged in Carrying out Public Duty Except When Justified in Using Deadly Force" (S.P. 200) (L.D. 543) be referred to the Joint Standing Committee on Criminal Justice for public hearing and printed pursuant to Joint Rule 20.

Came from the Senate with the Report read and accepted and the Bill referred to the Committee on Criminal Justice and ordered printed.

Report was read and accepted and the Bill referred to the Committee on Criminal Justice in concurrence.

Reported Pursuant to Statutes

Report of the Criminal Law Advisory Commission, pursuant to Maine Revised Statutes Title 17-A, section 1354, subsection 2, asks leave to submit its findings and to report that the accompanying Bill "An Act to Reduce the Amount of Good Time and Meritorious Good Time Available to Persons Sentenced to Terms of Imprisonment" (S.P. 201) (L.D. 544) be referred to the Joint Standing Committee on Criminal Justice for public hearing and printed pursuant to Joint Rule 20.

Came from the Senate with the Report read and accepted and the Bill referred to the Committee on Criminal Justice and ordered printed.

Report was read and accepted and the Bill referred to the Committee on Criminal Justice in concurrence.

Reported Pursuant to Statutes

Report of the Criminal Law Advisory Commission, pursuant to Maine Revised Statutes Title 17-A, section 1354, subsection 2, asks leave to submit its findings and to report that the accompanying Bill "An Act Creating a Victims' Rights Chapter in the Maine Criminal Code" (S.P. 202) (L.D. 545) be referred to the Joint Standing Committee on Criminal Justice for public hearing and printed pursuant to Joint Rule 20.

Came from the Senate with the Report read and accepted and the Bill referred to the Committee on Criminal Justice and ordered printed.

Report was read and accepted and the Bill referred to the Committee on Criminal Justice in concurrence.

Reported Pursuant to Statutes

Report of the Criminal Law Advisory Commission, pursuant to Maine Revised Statutes Title 17-A, section 1354, subsection 2, asks leave to submit its findings and to report that the accompanying Bill "An Act to Change the Law That Determines When a Sentence in Excess of 20 Years May Be Imposed for a Class A Crime" (S.P. 203) (L.D. 546) be referred to the Joint Standing Committee on Criminal Justice for public hearing and printed pursuant to Joint Rule 20.

Came from the Senate with the Report read and accepted and the Bill referred to the Committee on Criminal Justice and ordered printed.

Report was read and accepted and the Bill referred to the Committee on Criminal Justice in concurrence.

Reported Pursuant to Statutes

Report of the Criminal Law Advisory Commission, pursuant to Maine Revised Statutes Title 17-A, section 1354, subsection 2, asks leave to submit its findings and to report that the accompanying Bill "An Act to Broaden the Crime of Criminal Mischief and to Repeal the Crime of Animal Enterprise Terrorism" (S.P. 204) (L.D. 547) be referred to the Joint Standing Committee on Criminal Justice for public hearing and printed pursuant to Joint Rule 20.

Came from the Senate with the Report read and accepted and the Bill referred to the Committee on Criminal Justice and ordered printed.

Report was read and accepted and the Bill referred to the Committee on Criminal Justice in concurrence.

Reported Pursuant to Statutes

Report of the Criminal Law Advisory Commission, pursuant to Maine Revised Statutes Title 17-A, section 1354, subsection 2, asks leave to submit its findings and to report that the accompanying Bill "An Act to Correct Certain Statutory References in the Crime of Negotiating a Worthless Instrument" (S.P. 205) (L.D. 548) be referred to the Joint Standing Committee on Criminal Justice for public hearing and printed pursuant to Joint Rule 20.

Came from the Senate with the Report read and accepted and the Bill referred to the Committee on Criminal Justice and ordered printed.

Report was read and accepted and the Bill referred to the Committee on Criminal Justice in concurrence.

Reported Pursuant to Statutes

Report of the Criminal Law Advisory Commission, pursuant to Maine Revised Statutes Title 17-A, section 1354, subsection 2, asks leave to submit its findings and to report that the accompanying Bill "An Act to Give the State a Right to Appeal from the Denial of a Rule 35 Motion" (S.P. 206) (L.D. 549) be referred to the Joint Standing Committee on **Judiciary** for public hearing and printed pursuant to Joint Rule 20.

Came from the Senate with the Report read and accepted and the Bill referred to the Committee on **Judiciary** and ordered printed.

Report was read and accepted.

On motion of Representative TREAT of Gardiner, the Bill was referred to the Committee on **Criminal Justice**, in non-concurrence and sent up for concurrence.

Reported Pursuant to Statutes

Report of the Board of Trustees of the Maine State Retirement System, pursuant to Maine Revised Statutes Title 5, section 17103, subsection 13, asks leave to submit its findings and to report that the accompanying Bill "An Act to Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 1996" (EMERGENCY) (S.P. 198) (L.D. 541) be referred to the Joint Standing Committee on **Labor** for public hearing and printed pursuant to Joint Rule 20.

Came from the Senate with the Report read and accepted and the Bill referred to the Committee on **Labor** and ordered printed.

Report was read and accepted and the Bill referred to the Committee on **Labor** in concurrence.

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

SENATE PAPER

Non-Concurrent Matter

Bill "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 1995" (EMERGENCY) (H.P. 120) (L.D. 155) which was passed to be engrossed as amended by Committee Amendment "A" (H-10) in the House on February 1, 1995.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-7) in non-concurrence.

The House voted to Recede and Concur. Ordered sent forthwith.

ENACTOR

Emergency Measure

An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 1995 (H.P. 120) (L.D. 155) (Governor's Bill) (S. "A" S-7)

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. 124 voted in favor of the same and 12 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate. Ordered sent forthwith.

Representative Tuttle was granted unanimous consent to address the House.

Representative TUTTLE: Mr. Speaker, Men and Women of the House: As we heard earlier today, Representative Mona Walker Hale passed away yesterday afternoon. I was supposed to be at her wake now. She was a life-long friend of mine.

I paid Mona a visit at Goodall Hospital in Sanford a few weeks ago, she was in a room with her husband Regie. We talked a great while about the supplemental budget and bills before her committee on Banking and Insurance. We both smiled at each other and said our good-bye's for the last time. I guess life is a fragile thing — the longer you live, the more you realize that.

Mona Hale was always a strong voice for the people of Sanford and this Legislature. To her the people of Sanford always came first. I am sure the entire Legislature, including myself, will miss her greatly.

Mona, God bless you and rest in peace my friend.

Representative Jacques of Waterville was granted unanimous consent to address the House.

Representative JACQUES: Mr. Speaker, I would respectfully request that when we adjourn today we do so in memory of the Representative from Sanford, Representative Hale, the feisty Representative from Sanford.

Subsequently, on motion of Representative JACQUES of Waterville, the House adjourned at 6:50 p.m., in memory of Representative Mona Walker Hale of Sanford, pursuant to the Joint Order (S.P. 222).