

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
21st Legislative Day
Tuesday, March 7, 1995

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

Prayer by Reverend Linda Littlefield Grenfell, Unity/Union United Methodist Church, Unity.

National Anthem by an a cappella quartet from South Paris.

The Journal of Thursday, March 2, 1995 was read and approved.

SENATE PAPERS

The following Communication: (H.C. 52)
Maine State Senate
State House Station 3
Augusta, Maine 04333
March 2, 1995

The Honorable Dan A. Gwadosky
Speaker of the House
117th Legislature
Augusta, Maine 04333
Dear Speaker Gwadosky:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Agriculture, Conservation and Forestry, Edward J. McLaughlin of Clifton for appointment as Commissioner of the Department of Agriculture.

Sincerely,
S/May M. Ross
Secretary of the Senate

Was read and ordered placed on file.

The following Communication: (H.C. 54)
Maine State Senate
State House Station 3
Augusta, Maine 04333
March 2, 1995

The Honorable Dan A. Gwadosky
Speaker of the House
117th Legislature
Augusta, Maine 04333
Dear Speaker Gwadosky:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Education and Cultural Affairs, Wayne L. Mowatt of Caribou for appointment as Commissioner of the Department of Education.

Sincerely,
S/May M. Ross
Secretary of the Senate

Was read and ordered placed on file.

The following Joint Resolution: (S.P. 272)
**JOINT RESOLUTION MEMORIALIZING THE PRESIDENT
AND CONGRESS OF THE UNITED STATES
TO CONTINUE THE FUNDING COMMITMENT NECESSARY
TO RESTORE PASSENGER RAIL SERVICE
TO THE STATE OF MAINE**

WE, your Memorialists, the Members of the One Hundred and Seventeenth Legislature of the State of Maine, now assembled in the First Regular Session,

most respectfully present and petition the President and Congress of the United States, as follows:

WHEREAS, the One Hundred and Fifteenth Legislature directed the Maine Department of Transportation to take all reasonably necessary actions to initiate passenger rail service between Portland and Boston and to seek funding necessary in an amount not less than \$40,000,000; and

WHEREAS, the Federal Transit Administration and AMTRAK have committed a combined capital investment of \$58,600,000 for the rehabilitation of the railroad corridor and for necessary rail-operating equipment; and

WHEREAS, in 1992 the citizens of Maine approved a bond issue in the amount of \$3,000,000 necessary to access these federally authorized funds for the initiation of this passenger rail service; and

WHEREAS, Maine's communities of Portland, Saco, Old Orchard Beach and Wells have assumed responsibility in planning, development and construction of local transportation centers in support of the passenger rail service with connections to bus service and other transportation modes; and

WHEREAS, conservative ridership demand forecasts that have been conducted in support of the passenger rail service verify this service to be a sound and viable financial investment for Maine; and

WHEREAS, the Federal Transit Administration issued a "Finding of No Significant Impact," finding no significant environmental impacts from the passenger rail service and further concluding that integrated rail and bus service is economically feasible in the Northeast corridor; and

WHEREAS, increased passenger rail traffic, consistent with the federal directives of the federal Intermodal Surface Transportation Efficiency Act, will relieve pressure on Maine's highways and bridges, thereby promoting energy conservation, reduced vehicle emissions and reduced consumption of fossil fuels; and

WHEREAS, Maine industries are petitioning the State to upgrade freight rail service to enhance their ability to access regional, national and global markets and this rail restoration will significantly improve the main rail line to Maine; now, therefore, be it

RESOLVED: That We, your Memorialists, recommend and urge the President and the Congress of the United States to sustain and fulfill all of the previously approved and authorized financial commitments of the Federal Government for the reinstitution of passenger rail service between Portland and Boston; and be it further

RESOLVED: That duly authenticated copies of this Memorial be submitted by the Secretary of State to the Honorable William J. Clinton, President of the United States, the President of the Senate and Speaker of the House of Representatives of the Congress of the United States and to each Member of the Maine Congressional Delegation.

Came from the Senate, read and adopted.

Was read.

The SPEAKER: The Chair recognizes the Representative from Paris, Representative Birney.

Representative BIRNEY: Mr. Speaker, Men and Women of the House: I can understand the interest in restoring the passenger rail service to Maine, it is hard not to love trains. However, Maine must proceed with caution. We must take the time to thoughtfully study the financial impact of passenger rail service on the State of Maine and its economy.

My concerns are: Number one, financial conditions nationally of AMTRAK.

Number two, the fact that even though the train will pass through New Hampshire and Massachusetts to get to its destination, Boston, neither state is willing at this time to assume any liability financial or otherwise.

I am I am concerned also with the labor agreements and the financial liability that could bear on Maine and its participating communities.

Number four, I am concerned about the ultimate responsibility should the train have an accident. I realize that there are some that say if we create a rail authority it will shield the state from any financial liability. That proposal only verifies my concerns that perhaps they also view the passenger rail as a risky venture.

Maine must take a responsible approach and address these issues with liability and subsidy before any commitment is made.

Subsequently, was adopted in concurrence.

Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought to Pass" on Bill "An Act to Restore Funding to the Department of Conservation that was Deappropriated Due to Loon Plate Revenue" (S.P. 120) (L.D. 295)

Signed:

Senators: BERUBE of Androscoggin

HANLEY of Oxford

Representatives: SIMONEAU of Thomaston

JOSEPH of Waterville

MORRISON of Bangor

AIKMAN of Poland

DONNELLY of Presque Isle

TOWNSEND of Portland

DiPIETRO of South Portland

POULIOT of Lewiston

KERR of Old Orchard Beach

OTT of York

Minority Report of the same Committee reporting "Ought Not to Pass" on same Bill.

Signed:

Senator: BEGLEY of Lincoln

Came from the Senate with the Majority "Ought to Pass" Report read and accepted and the Bill passed to be engrossed.

Was read.

On motion of Representative KERR of Old Orchard Beach, the Bill was tabled pending acceptance of either Report and later today assigned.

COMMUNICATIONS

The following Communication: (H.C. 53)

MAINE STATE LEGISLATURE

Augusta, Maine 04333

March 2, 1995

Senator Mary E. Small, Senate Chair

Representative John L. Martin, House Chair

Committee on Education and Cultural Affairs

State House Station 115

Augusta, Maine 04333

Dear Senator Small and Representative Martin:

The Committee to Study Organizational and Tax Issues in Public Schools is pleased to submit its report to you pursuant to P.L. 1993, c. 684.

Sincerely,

S/John Rosser, Ed.D.

Chair

Was read and with accompanying report referred to the Committee on Education and Cultural Affairs.

The following Communication: (H.P. 553)

STATE OF MAINE

SECRETARY OF STATE

AUGUSTA, MAINE 04333-0148

February 27, 1995

Honorable Dan Gwadosky

Speaker of the House

117th Maine State Legislature

State House Station #2

Augusta, Maine 04333

Dear Mr. Speaker,

In accordance with the provisions of Title 30-A, Section 701 of the Revised Statutes, as amended, I have the honor to transmit herewith the budget estimates of expenses of the counties within the State for the year 1995.

They are as follows: Androscoggin

Hancock

Kennebec

Penobscot

Piscataquis

Sincerely,

S/Bill Diamond

Secretary of State

Was read and referred to the Committee on State and Local Government and sent up for concurrence.

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 Appropriate Funds for the Churchill Dam and to Provide for the Use of Controlled Releases of Water" (H.P. 556) (L.D. 757) (Presented by Representative MARTIN of Eagle Lake) (Cosponsored by Representatives: BAILEY of Township 27, JACQUES of Waterville, KERR of Old Orchard Beach, ROSEBUSH of East Millinocket, Senators: HALL of Piscataquis, MICHAUD of Penobscot)

Appropriations and Financial Affairs

Bill "An Act to Make Allocations for the Operating Expenditures of the Intergovernmental Telecommunications Fund of the Department of Administrative and Financial Services for the Fiscal Years Ending June 30, 1996 and June 30, 1997" (EMERGENCY) (H.P. 559) (L.D. 760) (Presented by Representative KERR of Old Orchard Beach) (Cosponsored by Senator: HANLEY of Oxford) (Governor's Bill)

Bill "An Act to Establish a Lead Poisoning Fund" (H.P. 560) (L.D. 761) (Presented by Representative DAGGETT of Augusta) (Cosponsored by Representatives: KONTOS of Windham, MADORE of Augusta, POULIN of Oakland, Senator: FERGUSON of Oxford)

Bill "An Act to Make Allocations for the Administrative Expenses of the Department of Administrative and Financial Services, Bureau of

Alcoholic Beverages and Lottery Operations for the Fiscal Years Ending June 30, 1996 and June 30, 1997" (EMERGENCY) (H.P. 562) (L.D. 763) (Presented by Representative KERR of Old Orchard Beach) (Cosponsored by Senator: HANLEY of Oxford) (Governor's Bill)

Criminal Justice

Bill "An Act to Provide Adequate Counseling for Minors Incarcerated for Sex Offenses" (H.P. 535) (L.D. 731) (Presented by Representative JOHNSON of South Portland) (Cosponsored by Representatives: ADAMS of Portland, BUNKER of Kossuth Township, CHARTRAND of Rockland, KILKELLY of Wiscasset, LEMKE of Westbrook, ROSEBUSH of East Millinocket, SHIAH of Bowdoinham, TREAT of Gardiner, TRIPP of Topsham, WATSON of Farmingdale)

Bill "An Act to Prohibit the Use of State Money and Personnel to Conduct Warrantless Searches by Helicopters" (H.P. 555) (L.D. 756) (Presented by Representative HEESCHEN of Wilton) (Cosponsored by Representatives: ADAMS of Portland, BERRY of Livermore, CHASE of China, CLOUTIER of South Portland, GOOLEY of Farmington, GOULD of Greenville, JONES of Bar Harbor, LUTHER of Mexico, MARSHALL of Eliot, MERES of Norridgewock, PERKINS of Penobscot, ROTONDI of Madison, STEVENS of Orono, VOLENIK of Sedgwick, Senators: BENOIT of Franklin, O'DEA of Penobscot, PINGREE of Knox)

Education and Cultural Affairs

Bill "An Act to Eliminate the Position and Office of the Chancellor of the University of Maine System" (H.P. 537) (L.D. 733) (Presented by Representative AHEARNE of Madawaska)

Bill "An Act Concerning Extracurricular Activity Eligibility for Students Identified under the Federal Individuals with Disabilities Education Act" (H.P. 544) (L.D. 740) (Presented by Representative JONES of Pittsfield) (Cosponsored by Representatives: AULT of Wayne, DUNN of Gray, JOY of Crystal, POIRIER of Saco, REED of Falmouth, STEDMAN of Hartland)

Human Resources

Bill "An Act to Apply the Hospital Cooperation Act of 1992 to a Broader Range of Health Care and Social Service Agencies" (H.P. 548) (L.D. 744) (Presented by Representative FITZPATRICK of Durham) (Cosponsored by Representatives: AULT of Wayne, BRENNAN of Portland, ETNIER of Harpswell, JOYNER of Hollis, MITCHELL of Portland, Senators: BEGLEY of Lincoln, FAIRCLOTH of Penobscot, PINGREE of Knox)

Inland Fisheries and Wildlife

Bill "An Act to Deregulate the All-terrain Vehicle Market" (H.P. 531) (L.D. 727) (Presented by Representative LIBBY of Buxton)

Resolve, to Put a Moratorium on the Introduction of Largemouth Bass into the State's Lakes (H.P. 539) (L.D. 735) (Presented by Representative JONES of Bar Harbor) (By Request)

Judiciary

Bill "An Act Regarding Wrongful Death Actions" (H.P. 546) (L.D. 742) (Presented by Representative

LaFOUNTAIN of Biddeford) (Cosponsored by Representatives: JOHNSON of South Portland, LEMKE of Westbrook, McALEVEY of Waterboro, NADEAU of Saco, ROSEBUSH of East Millinocket, Senator: RAND of Cumberland)

Bill "An Act to Allow Physician Assisted Deaths with Dignity for Terminally Ill Persons in Maine" (H.P. 552) (L.D. 748) (Presented by Representative RICHARDSON of Portland) (Cosponsored by Representatives: BARTH of Bethel, BRENNAN of Portland, CROSS of Dover-Foxcroft, ETNIER of Harpswell, GOOLEY of Farmington, GREEN of Monmouth, JOHNSON of South Portland, JONES of Bar Harbor, LABRECQUE of Gorham, LINDAHL of Northport, MARVIN of Cape Elizabeth, PEAVEY of Woolwich, PERKINS of Penobscot, STEVENS of Orono, STONE of Bangor, VOLENIK of Sedgwick, Senators: BUSTIN of Kennebec, McCORMICK of Kennebec)

Bill "An Act to Amend the Trust Fund Provisions of Cemeteries and Crematories" (H.P. 561) (L.D. 762) (Presented by Representative CAMPBELL of Holden) (Cosponsored by Representatives: AULT of Wayne, CAMERON of Rumford, DiPIETRO of South Portland, DONNELLY of Presque Isle, GUERRETTE of Pittston, KNEELAND of Easton, MAYO of Bath, MURPHY of Berwick, NADEAU of Saco, ROBICHAUD of Caribou, Senators: ABROMSON of Cumberland, CAREY of Kennebec, FERGUSON of Oxford, HALL of Piscataquis, HANLEY of Oxford, LAWRENCE of York, McCORMICK of Kennebec, RUHLIN of Penobscot, SMALL of Sagadahoc)

Labor

Bill "An Act to Allow Employees of Local Districts to Decline Membership in the Maine State Retirement System and Choose Other Alternatives" (H.P. 549) (L.D. 745) (Presented by Representative STONE of Bangor)

Legal and Veterans Affairs

Bill "An Act to Allow Employees of the Maine State Liquor and Lottery Commission and Their Families to Purchase Lottery Tickets" (H.P. 530) (L.D. 726) (Presented by Representative SIMONEAU of Thomaston)

Bill "An Act to Allow Voting for "None of the Above" (H.P. 547) (L.D. 743) (Presented by Representative GERRY of Auburn) (Cosponsored by Representatives: AHEARNE of Madawaska, BOUFFARD of Lewiston, DESMOND of Mapleton, LANE of Enfield, LEMKE of Westbrook, SIROIS of Caribou)

Bill "An Act to Add the Prohibition of False Official Statements to the Maine Code of Military Justice" (H.P. 554) (L.D. 755) (Presented by Representative VIGUE of Winslow) (Cosponsored by Representatives: DEXTER of Kingfield, GOULD of Greenville, HICHBORN of LaGrange, JACQUES of Waterville, KERR of Old Orchard Beach, MARSHALL of Eliot, STROUT of Corinth, Senator: FERGUSON of Oxford) (Submitted by the Department of Defense and Veterans' Services pursuant to Joint Rule 24.)

Bill "An Act to Facilitate Employment for Maine High School Students Participating in a Co-op Program" (H.P. 532) (L.D. 728) (Presented by Representative AULT of Wayne) (Cosponsored by Representatives: DESMOND of Mapleton, MARTIN of Eagle Lake, PENDLETON of Scarborough, Senators: BEGLEY of Lincoln, SMALL of Sagadahoc)

The Committee on Legal and Veterans Affairs was suggested.

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

Natural Resources

Bill "An Act to Encourage the Use of Tire-derived Fuel" (H.P. 558) (L.D. 759) (Presented by Representative JACQUES of Waterville) (Cosponsored by Representatives: MARSHALL of Eliot, NICKERSON of Turner)

State and Local Government

Bill "An Act to Require the Reconfirmation of Gubernatorial Appointments at the Beginning of Each Gubernatorial Term" (H.P. 534) (L.D. 730) (Presented by Representative JACQUES of Waterville) (Cosponsored by Senator CAREY of Kennebec and Representatives: DEXTER of Kingfield, GOULD of Greenville, JOHNSON of South Portland, Senator: MILLS of Somerset)

Bill "An Act to Increase the Compensation of Members of the State Claims Commission" (H.P. 536) (L.D. 732) (Presented by Representative GOOLEY of Farmington) (Cosponsored by Representative: DEXTER of Kingfield, Senators: BENOIT of Franklin, FERGUSON of Oxford)

Taxation

Bill "An Act to Exempt from the Sales Tax Automobile Equipment Necessary for Paraplegics or People Who are Confined to Wheelchairs" (H.P. 540) (L.D. 736) (Presented by Representative BOUFFARD of Lewiston) (Cosponsored by Representatives: AHEARNE of Madawaska, BENEDIKT of Brunswick, BERRY of Livermore, CHIZMAR of Lisbon, CLARK of Millinocket, ETNIER of Harpswell, GERRY of Auburn, GIERINGER of Portland, HARTNETT of Freeport, HATCH of Skowhegan, JACQUES of Waterville, JONES of Bar Harbor, KERR of Old Orchard Beach, LEMAIRE of Lewiston, LEMKE of Westbrook, LIBBY of Kennebunk, MADORE of Augusta, POULIOT of Lewiston, ROSEBUSH of East Millinocket, SAMSON of Jay, SAXL of Bangor, SHIAH of Bowdoinham, TOWNSEND of Portland, TRUMAN of Biddeford, TUFTS of Stockton Springs, TUTTLE of Sanford, WINGLASS of Auburn, YACKOBITZ of Hermon, Senators: PARADIS of Aroostook, STEVENS of Androscoggin)

Bill "An Act to Require the State Tax Assessor to Determine whether Tax Forms Are Needed by Certain Taxpayers" (H.P. 542) (L.D. 738) (Presented by Representative STONE of Bangor) (Cosponsored by Representatives: CAMERON of Rumford, CLARK of Millinocket, DAVIDSON of Brunswick, GOOLEY of Farmington, GUERRETTE of Pittston, MAYO of Bath, RICHARDSON of Portland, WINGLASS of Auburn)

Bill "An Act to Provide a Deduction from State Income Taxes for Federal Civil Service Pensions" (H.P. 545) (L.D. 741) (Presented by Representative SIROIS of Caribou) (Cosponsored by Representatives: AHEARNE of Madawaska, BENEDIKT of Brunswick, BUNKER of Kossuth Township, CLOUTIER of South Portland, DESMOND of Mapleton, FARNUM of South Berwick, GERRY of Auburn, GREENLAW of Standish, HATCH of Skowhegan, HICHBORN of LaGrange, KEANE of Old Town, MORRISON of Bangor, O'NEAL of Limestone, POVICH of Ellsworth, TRUMAN of Biddeford, WHEELER of Bridgewater, Senators: MICHAUD of Penobscot, PARADIS of Aroostook)

Bill "An Act to Amend the Law Relating to Municipal Service Fees and to Modify the Reimbursement Policy for Hospitals to Recover Service Fees Paid" (H.P. 550) (L.D. 746) (Presented by Representative STONE of Bangor) (Cosponsored by Representative: RICHARDSON of Portland)

Bill "An Act to Improve and Make More Consistent the Administration of Personal Property Tax Assessing" (H.P. 551) (L.D. 747) (Presented by Representative NADEAU of Saco) (Cosponsored by Representatives: CROSS of Dover-Foxcroft, DIPIETRO of South Portland, DORE of Auburn, DUNN of Gray, GREEN of Monmouth, KERR of Old Orchard Beach, LABRECQUE of Gorham, SPEAR of Nobleboro, TOWNSEND of Portland, TRIPP of Topsham, Senators: ABROMSON of Cumberland, CAREY of Kennebec, FERGUSON of Oxford, RAND of Cumberland)

Transportation

Bill "An Act to Provide for the Safety of Volunteer Fire Department and Emergency Medical Service Personnel" (H.P. 541) (L.D. 737) (Presented by Representative NASS of Acton)

Bill "An Act to Decrease the Burden on the Trucking Industry by Permitting Photocopies of Registrations to Be Kept in Trailers and Semitrailers" (H.P. 543) (L.D. 739) (Presented by Representative STONE of Bangor) (Cosponsored by Representatives: CAMERON of Rumford, CLARK of Millinocket, DAVIDSON of Brunswick, GOOLEY of Farmington, WINGLASS of Auburn)

Bill "An Act to Amend the Motor Vehicle Laws Pertaining to Certificates of Title" (H.P. 557) (L.D. 758) (Presented by Representative MARSHALL of Eliot) (Cosponsored by Representatives: BERRY of Livermore, CAMERON of Rumford, CAMPBELL of Holden, KNEELAND of Easton, MARSHALL of Eliot, RICE of South Bristol)

Resolve, to Name the Connector Road from Exit 6 of the Maine Turnpike to Route 1 in Scarborough the Dr. Philip Haigis Memorial Parkway (H.P. 533) (L.D. 729) (Presented by Representative PENDLETON of Scarborough) (Cosponsored by Senator PENDEXTER of Cumberland and Representative: LOVETT of Scarborough, Senator: AMERO of Cumberland)

Utilities and Energy

Bill "An Act to Revise the Ogunquit Sewer District Charter" (H.P. 538) (L.D. 734) (Presented by Representative CARLETON of Wells) (Cosponsored by Senator: LAWRENCE of York)

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Peter Miesburger, who received the Caribou Chamber of Commerce 1994 Citizen of the Year Award, and in extending our congratulations to him; (HLS 137) by Representative ROBICHAUD of Caribou. (Cosponsors: Senator KIEFFER of Aroostook, Representative SIROIS of Caribou)

On objection of Representative ROBICHAUD of Caribou, the Sentiment was removed from the Special Sentiment Calendar.

On further motion of the same Representative, the Sentiment was tabled pending passage and specially assigned for Tuesday, March 14, 1994.

Aroostook River Camping and Recreation, recipient of the Caribou Chamber of Commerce 1994 Community Improvement Award, and in extending our congratulations; (HLS 138) by Representative ROBICHAUD of Caribou. (Cosponsors: Senator KIEFFER of Aroostook, Representative SIROIS of Caribou)

On objection of Representative ROBICHAUD of Caribou, the Sentiment was removed from the Special Sentiment Calendar.

On further motion of the same Representative, the Sentiment was tabled pending passage and specially assigned for Tuesday, March 14, 1994.

John McCormack, who is the recipient of the Caribou Chamber of Commerce 1994 Outstanding Job Performance Award, and in extending our congratulations to him; (HLS 139) by Representative ROBICHAUD of Caribou. (Cosponsors: Senator KIEFFER of Aroostook, Representative SIROIS of Caribou)

On objection of Representative ROBICHAUD of Caribou, the Sentiment was removed from the Special Sentiment Calendar.

On further motion of the same Representative, the Sentiment was tabled pending passage and specially assigned for Tuesday, March 14, 1994.

REPORTS OF COMMITTEES

Refer to the Committee on Banking and Insurance

Representative FITZPATRICK from the Committee on Human Resources on Bill "An Act to Provide Family Security through Quality, Affordable Health Care" (H.P. 509) (L.D. 690) reporting that it be referred to the Committee on Banking and Insurance.

The Report was read and accepted and the Bill was referred to the Committee on Banking and Insurance and sent up for concurrence.

CONSENT CALENDAR

Second Day

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

(H.P. 235) (L.D. 315) Bill "An Act to Allow Disclosure of Residential Natural Gas Costs"

No objections having been noted at the end of the Second Legislative Day, the House Paper was Passed to be Engrossed and sent up for concurrence.

ENACTORS

Emergency Mandate

An Act to Amend the Charter of the Port Clyde Water District (S.P. 41) (L.D. 71) (C. "A" S-11)

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

The SPEAKER: The Chair recognizes the Representative from Windham, Representative Kontos.

Representative KONTOS: Mr. Speaker, Men and Women of the House: This is the first of a series of these bills that you will be voting on. I wanted to take this time to make sure that those of you who are seeing the mandate provision for the first time understand what you are voting on.

I want to urge your favorable response.

L.D. 71 comes to us at the request of people in the Port Clyde Water District, as is true of other

water district charter provisions that we see in the Utilities Committee. There are some 140 water district charters in Maine's Private and Special Law.

In the past these bills came to us because districts wanted to change their territorial boundaries and they have wanted to change their Board of Trustees, but more recently the bills that we are seeing are requests for increase in their debt limit, which is the districts response to the Safe Drinking Water Act. So, what you have before you in L.D. 71 is one of several of these water district charter revisions.

The reason this has a mandate preamble is that these changes in the charter require a referendum vote within those regions or municipalities that are affected and under the terms of the Constitutional Amendment that will mean a small cost to the municipality which is what prompts the mandate preamble. There will be a cost to the municipality but generally these costs are minimal and the elections are done at the same time as other meetings.

If you have additional questions, I, or members of the committee, will be happy to answer. We urge your favorable vote on this mandate emergency enactor.

Subsequently, in accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 134 voted in favor of the same and 0 against and accordingly the Mandate was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Transfer Legislative Jurisdiction over Loring Air Force Base, Loring Water System and Loring Family Housing Annex (S.P. 125) (L.D. 308) (S. "A" S-13)

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. 128 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.

Emergency Measure

An Act to Extend the Reporting Deadlines of the Commission on Governmental Ethics and Election Practices and the Interim Advisory Committee on Alternative Dispute Resolution in the Public Sector (S.P. 254) (L.D. 692)

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. 115 voted in favor of the same and 14 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

TABLED AND TODAY ASSIGNED

Expression of Legislative Sentiment recognizing Alison Brickel (HLS 121)

TABLED - February 28, 1995 by Representative JACQUES of Waterville.

PENDING - Passage.

Subsequently, was read.

The SPEAKER: The Chair recognizes the Representative from Rockland, Representative Chartrand.

Representative CHARTRAND: Mr. Speaker, Men and Women of the House: This is indeed one of the most enjoyable tasks in this Chamber to recognize special young men and women like Ali Brickel. She has been battling a very difficult disease and treatment over the past year. Her positive attitude and enjoyment of life and friends and sports has meant a lot to many of her classmates and many others in the City of Rockland. I am very pleased to have her and her mother here today to receive this acknowledgement from the House of Representatives.

Subsequently, was passed and sent up for concurrence.

JOINT ORDER - Relative to establishing the Joint Select Committee to Investigate the Implementation of the Maine Motor Vehicle Emission Inspection Program (H.P. 526)

- In House, Read on March 2, 1995.

TABLED - March 2, 1995 by Representative CARLETON of Wells.

PENDING - Passage.

On motion of Representative JACQUES of Waterville, the Joint Order (H.P. 526) was tabled unassigned pending passage.

JOINT ORDER - Relative to the Joint Standing Committee on Natural Resources (H.P. 529)

- In House, Read on March 2, 1995.

TABLED - March 2, 1995 by Representative JACQUES of Waterville.

PENDING - Passage.

On motion of Representative JACQUES of Waterville, the Joint Order (H.P. 529) was tabled unassigned pending passage.

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

SENATE PAPERS

Resolve, to Authorize a Study of Recreational Uses of the Saco River from the Atlantic Ocean to the New Hampshire Border (S.P. 278) (L.D. 750)

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 Regarding the Disclosure of Financial Information by Federally or State-chartered Credit Unions" (S.P. 274) (L.D. 724)

Bill "An Act to Clarify the Discharge of Mortgages" (S.P. 275) (L.D. 725)

Bill "An Act to Include Obstetricians and Gynecologists as Primary Care Providers" (S.P. 280) (L.D. 752)

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

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

Bill "An Act to Correct and Clarify Certain Provisions of the Liquor Laws" (S.P. 281) (L.D. 753)

Resolve, Authorizing Jacqueline M. Sorenson of Westbrook to Sue the State (S.P. 273) (L.D. 723)

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 Prohibit Any State or Independent Agency from Establishing Private Accounts" (S.P. 277) (L.D. 749)

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 Allow Charitable Organizations to Accept and Dispose of Motor Vehicles" (S.P. 279) (L.D. 751)

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

Was referred to the Committee on Transportation in concurrence.

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

Senate Divided Report - Committee on Appropriations and Financial Affairs - (12) Members "Ought to Pass"

(1) Member "Ought Not to Pass" on Bill "An Act to Restore Funding to the Department of Conservation that was Deappropriated Due to Loon Plate Revenue" (S.P. 120) (L.D. 295) which was tabled by Representative KERR of Old Orchard Beach pending acceptance of either Report.

On motion of Representative KERR of Old Orchard Beach, the House accepted the Majority "Ought to Pass" Report.

The Bill read once. The Bill was assigned for second reading Thursday, March 9, 1995.

On motion of Representative TRUE of Fryeburg, the House adjourned at 11:20 a.m., until 9:30 a.m., Thursday, March 9, 1995.