

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
37th Legislative Day
Tuesday, May 2, 1995

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

Prayer by Honorable William Guerrette, Pittston.
Pledge of Allegiance.

The Journal of Thursday, April 27, 1995 was read and approved.

SENATE PAPERS

Ought to Pass as Amended

Report of the Committee on Legal and Veterans Affairs reporting **"Ought to Pass"** as amended by Committee Amendment "A" (S-95) on Bill "An Act to Change the Commissions Payable to the State from Off-track Betting" (EMERGENCY) (S.P. 240) (L.D. 637)

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-95).

Report was read and accepted. The Bill read once. Committee Amendment "A" (S-95) was read by the Clerk and adopted and the Bill assigned for second reading Wednesday, May 3, 1995.

Ought to Pass as Amended

Report of the Committee on Criminal Justice reporting **"Ought to Pass"** as amended by Committee Amendment "A" (S-84) on Bill "An Act to Repeal the Sunset Provision Regarding Drug Recognition Technicians and Amend the Definition of Drugs in the Operating-under-the-influence Statutes" (EMERGENCY) (S.P. 332) (L.D. 913)

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-84).

Report was read and accepted. The Bill read once. Committee Amendment "A" (S-84) was read by the Clerk and adopted and the Bill assigned for second reading Wednesday, May 3, 1995.

Divided Report

Majority Report of the Committee on Labor reporting **"Ought to Pass"** as amended by Committee Amendment "A" (S-72) on Bill "An Act to Permit an Employer to Offer a Compressed Time Workweek to Consenting Employees" (S.P. 188) (L.D. 496)

Signed:

Senators: BEGLEY of Lincoln

MILLS of Somerset

Representatives: JOY of Crystal

JOYCE of Biddeford

PENDLETON of Scarborough

STEDMAN of Hartland

WINSOR of Norway

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

Signed:

Senator: RAND of Cumberland

Representatives: HATCH of Skowhegan

CHASE of China

LEMAIRE of Lewiston

SAMSON of Jay

TUTTLE of Sanford

Came from the Senate with the Majority **"Ought to Pass"** as amended Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-72) and Senate Amendment "A" (S-96).

Was read.

Representative HATCH of Skowhegan moved that the House accept the Minority **"Ought Not to Pass"** Report.

On further motion of the same Representative, tabled pending her motion to accept the Minority **"Ought Not to Pass"** Report and later today assigned.

Divided Report

Eight Members of the Committee on Labor on Bill "An Act to Reimburse Former Temporary Hearing Officers of the Workers' Compensation Board for Lapsed Vacation Time" (S.P. 234) (L.D. 599) reporting in Report "A" that the same **"Ought to Pass"** as amended by Committee Amendment "A" (S-88)

Signed:

Senators:

BEGLEY of Lincoln

MILLS of Somerset

RAND of Cumberland

Representatives:

HATCH of Skowhegan

CHASE of China

LEMAIRE of Lewiston

SAMSON of Jay

TUTTLE of Sanford

Four Members of the same Committee on same Bill reporting in Report "B" that the same **"Ought Not to Pass"**

Signed:

Representatives:

JOY of Crystal

JOYCE of Biddeford

STEDMAN of Hartland

WINSOR of Norway

One Member of the same Committee on same Bill reporting in Report "C" that the same **"Ought to Pass"** as amended by Committee Amendment "B" (S-89)

Signed:

Representative:

PENDLETON of Scarborough

Came from the Senate with Report "A" **"Ought to Pass"** as amended read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-88).

Was read.

Representative HATCH of Skowhegan moved that the House accept Report "A" **"Ought to Pass"** as amended.

On further motion of the same Representative, tabled pending her motion to accept Report "A" **"Ought to Pass"** as amended and later today assigned.

Divided Report

Majority Report of the Committee on Labor reporting **"Ought to Pass"** as amended by Committee Amendment "A" (S-82) on Bill "An Act to Amend the Maine State Retirement System Laws to Authorize the Buy-back of Time Served in the Peace Corps or VISTA Programs" (S.P. 260) (L.D. 696)

Signed:

Senators:

MILLS of Somerset

RAND of Cumberland

Representatives:

HATCH of Skowhegan

CHASE of China

JOY of Crystal

LEMAIRE of Lewiston

SAMSON of Jay

STEDMAN of Hartland

TUTTLE of Sanford

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

Signed:

Senator: BEGLEY of Lincoln
Representatives: JOYCE of Biddeford
PENDLETON of Scarborough
WINSOR of Norway

Came from the Senate with the Majority **"Ought to Pass"** as amended Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-82).

Was read.

Representative HATCH of Skowhegan moved that the House accept the Majority **"Ought to Pass"** as amended Report.

On further motion of the same Representative, tabled pending her motion to accept the Majority **"Ought to Pass"** as amended Report and later today assigned.

Divided Report

Majority Report of the Committee on Banking and Insurance reporting **"Ought to Pass"** as amended by Committee Amendment "A" (S-90) on Resolve, Directing the Bureau of Insurance to Develop a Comparable List of Mandatory Insurance Benefits for Health Maintenance Organizations (S.P. 329) (L.D. 910)

Signed:

Senators: ABROMSON of Cumberland
SMALL of Sagadahoc
McCORMICK of Kennebec

Representatives: MAYO of Bath
MITCHELL of Vassalboro
CHASE of China
GATES of Rockport
JONES of Pittsfield
VIGUE of Winslow
SAXL of Portland
CAMPBELL of Holden

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

Signed:

Representatives: GUERRETTE of Pittston
LUMBRA of Bangor

Came from the Senate with the Majority **"Ought to Pass"** as amended Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-90).

Was read.

Representative VIGUE of Winslow moved that the House accept the Majority **"Ought to Pass"** as amended Report.

On further motion of the same Representative, tabled pending his motion to accept the Majority **"Ought to Pass"** as amended Report and later today assigned.

COMMUNICATIONS

The following Communication: (H.C. 116)
PENOBSCOT INDIAN NATION
Office of the Governor and Council
Community Building
Indian Island
Old Town, Maine 04468

April 26, 1995
Joseph W. Mayo
Clerk of the House
Clerk's Office Room 300

State House
Augusta, Maine 04333

Dear Clerk Mayo:

This is to certify that Paul Joseph Bisulca was duly elected Representative to the State Legislature for the remaining term of Priscilla Attean beginning on the 25th day of April, 1995 and ending on September 30, 1996.

The Special Tribal Election was held on April 24, 1995, under the provisions of Chapter 4 of the Penobscot Nation Laws & Ordinances.

Sincerely,

S/Lorraine Dana

Tribal Clerk

Was read and ordered placed on file.

At this point, the Speaker announced the presence in the Hall of the House of Representative-elect BISULCA of the Penobscot Nation. The Speaker appointed the following Representatives to escort the Representative-elect to the Office of the Governor to take and subscribe the oath necessary to qualify him for the discharge of his official duties:

Representative JACQUES of Waterville
Representative WHITCOMB of Waldo
Representative KONTOS of Windham
Representative BENEDIKT of Brunswick
Representative KEANE of Old Town
Representative MERES of Norridgewock
Representative UNDERWOOD of Oxford
Representative MOORE of the Passamaquoddy Tribe

Subsequently, Representative JACQUES reported that the necessary oath had been taken by the Representative to qualify him to enter upon his official duties.

At this point, the Speaker announced that Representative BISULCA would be assigned seat 7.

The SPEAKER: The Chair recognizes the Representative from the Penobscot Nation, Representative Bisulca.

Representative BISULCA: Thank you Mr. Speaker, Men and Women of the House: I would just like to say, obviously, I am very pleased to be here and look forward to the opportunity to work with this body in furthering the interests in the state of Maine. Thank you.

At this point, the House went at ease for the purpose of joining in "Welcome Back Day" ceremonies.

The House was called to order by the Speaker.

On motion of Representative JACQUES of Waterville, the House recessed until 5:00 p.m.

(After Recess)

The House was called to order by the Speaker.

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 Ban the Sale, Breeding or Possession of Canine Hybrids" (H.P. 1033) (L.D. 1452) (Presented by Representative SAVAGE of Union) (Cosponsored by Representatives: DAMREN of Belgrade, JONES of Pittsfield, LANE of Enfield, LOVETT of Scarborough)

Bill "An Act to Reinstate the Maine Meat Inspection Act" (H.P. 1050) (L.D. 1469) (Presented by Representative KILKELLY of Wiscasset) (Cosponsored by Representatives: HEESCHEN of Wilton, POVICH of Ellsworth, Senators: CASSIDY of Washington, LONGLEY of Waldo)

Bill "An Act to Create an Adopt-A-River Program" (H.P. 1047) (L.D. 1466) (Presented by Representative MARTIN of Eagle Lake)

Reference to the Committee on Agriculture, Conservation and Forestry suggested.

On motion of Representative KILKELLY of Wiscasset, tabled pending reference and later today assigned.

Resolve, Authorizing the Town of Dennysville to Transfer a Certain Parcel of Property (H.P. 1030) (L.D. 1449) (Presented by Representative BAILEY of Township 27) (Cosponsored by Representatives: BUNKER of Kossuth Township, LAYTON of Cherryfield, LOOK of Jonesboro, Senator: CASSIDY of Washington)

Reference to the Committee on Agriculture, Conservation and Forestry suggested.

On motion of Representative KILKELLY of Wiscasset, tabled pending reference and later today assigned.

Appropriations and Financial Affairs

Bill "An Act to Repeal the Medicaid Estate Recovery Law" (H.P. 1043) (L.D. 1462) (Presented by Representative LEMKE of Westbrook) (Cosponsored by Representatives: ADAMS of Portland, AHEARNE of Madawaska, BRENNAN of Portland, O'NEAL of Limestone, SAMSON of Jay)

Business and Economic Development

Bill "An Act to Prevent Master Electrician License Fee Payment Duplication" (H.P. 1044) (L.D. 1463) (Presented by Representative POVICH of Ellsworth) (Cosponsored by Senator CIANCHETTE of Somerset and Representatives: BIRNEY of Paris, BUNKER of Kossuth Township, CAMERON of Rumford, CAMPBELL of Holden, DORE of Auburn, FISHER of Brewer, JONES of Bar Harbor, KEANE of Old Town, LIBBY of Kennebunk, McALEVEY of Waterboro, REED of Dexter, STONE of Bangor, UNDERWOOD of Oxford, VOLENIK of Sedgwick, WINGLASS of Auburn)

Bill "An Act to Amend the Licensure Requirements for Psychologists" (H.P. 1052) (L.D. 1481) (Presented by Representative WINN of Glenburn)

Criminal Justice

Bill "An Act to Discourage the Spread of 'Crack' Cocaine" (H.P. 1038) (L.D. 1457) (Presented by Representative BUNKER of Kossuth Township) (Cosponsored by Representatives: CLARK of Millinocket, CLUKEY of Houlton, McALEVEY of Waterboro, PAUL of Sanford, WATERHOUSE of Bridgton, WHEELER of Bridgewater) (Submitted by the Department of the Attorney General pursuant to Joint Rule 24.)

Education and Cultural Affairs

Bill "An Act to Make Changes in the Law Establishing the Maine School of Science and Mathematics" (H.P. 1035) (L.D. 1454) (Presented by Representative O'NEAL of Limestone) (Cosponsored by Senator PARADIS of Aroostook and Representatives: DESMOND of Mapleton, DONNELLY of Presque Isle, ROBICHAUD of Caribou, SIROIS of Caribou, WHEELER of Bridgewater, Senators: AMERO of Cumberland, HARRIMAN of Cumberland, KIEFFER of Aroostook)

Bill "An Act to Require School Administrative Districts to Provide Funding for Independent Evaluations" (H.P. 1051) (L.D. 1480) (Presented by Representative WINN of Glenburn)

Resolve, Directing the Department of Education to Develop a Statewide Plan for a Skills Development Program for Teachers (H.P. 1053) (L.D. 1482) (Presented by Representative WINN of Glenburn)

Resolve, to Create Educational Options for Exceptional Children (H.P. 1054) (L.D. 1483) (Presented by Representative WINN of Glenburn) (Cosponsored by Representatives: BOUFFARD of Lewiston, BUCK of Yarmouth, CAMERON of Rumford, CAMPBELL of Holden, CHARTRAND of Rockland, CHIZMAR of Lisbon, CLARK of Millinocket, DESMOND of Mapleton, DORE of Auburn, GREEN of Monmouth, GWADOSKY of Fairfield, JACQUES of Waterville, KEANE of Old Town, KERR of Old Orchard Beach, LEMKE of Westbrook, LEMONT of Kittery, LIBBY of Buxton, MARSHALL of Eliot, MITCHELL of Vassalboro, MORRISON of Bangor, MURPHY of Berwick, O'NEAL of Limestone, PLOWMAN of Hampden, POULIOT of Lewiston, POVICH of Ellsworth, REED of Dexter, SIMONEAU of Thomaston, STEVENS of Orono, TUFTS of Stockton Springs, VIGUE of Winslow, YACKOBITZ of Hermon, Senators: AMERO of Cumberland, BEGLEY of Lincoln, BUSTIN of Kennebec, CAREY of Kennebec, CASSIDY of Washington, CIANCHETTE of Somerset, ESTY of Cumberland, FAIRCLOTH of Penobscot, HALL of Piscataquis, HARRIMAN of Cumberland, MILLS of Somerset, O'DEA of Penobscot, PARADIS of Aroostook, PENDEXTER of Cumberland, STEVENS of Androscoggin)

Judiciary

Bill "An Act Regarding Custody and Support of Children" (H.P. 1049) (L.D. 1468) (Presented by Representative DIPIETRO of South Portland) (Cosponsored by Representatives: CAMERON of Rumford, CAMPBELL of Holden, FARNUM of South Berwick, FISHER of Brewer, HATCH of Skowhegan, KEANE of Old Town, LEMONT of Kittery, MURPHY of Berwick, VIGUE of Winslow)

Legal and Veterans Affairs

Bill "An Act Requiring Mobile Home Park Operators to Notify Lienholders Prior to Eviction" (H.P. 1036) (L.D. 1455) (Presented by Representative WINSOR of Norway)

Bill "An Act to Privatize the Liquor Industry" (H.P. 1041) (L.D. 1460) (Presented by Representative BARTH of Bethel)

Bill "An Act to Update and Clarify the Election Laws" (H.P. 1042) (L.D. 1461) (Presented by Representative NADEAU of Saco) (Submitted by the Department of the Secretary of State pursuant to Joint Rule 24.)

Marine Resources

Bill "An Act to Change the Licensing Year for Certain Marine Resource Licenses" (H.P. 1032) (L.D. 1451) (Presented by Representative CLOUTIER of South Portland) (Cosponsored by Senator: BUTLAND of Cumberland) (Submitted by the Department of Marine Resources pursuant to Joint Rule 24.)

Bill "An Act to Preserve Fishing Stocks" (H.P. 1045) (L.D. 1464) (Presented by Representative SAXL of Portland) (Cosponsored by Representatives: ADAMS of Portland, BENEDIKT of Brunswick, CARLETON of Wells, CHARTRAND of Rockland, CLOUTIER of South Portland, DiPIETRO of South Portland, DRISCOLL of Calais, ETNIER of Harpswell, FARNUM of South Berwick, GATES of Rockport, GIERINGER of Portland, GREEN of Monmouth, JACQUES of Waterville, KEANE of Old Town, KONTOS of Windham, LEMAIRE of Lewiston, LEMONT of Kittery, LIBBY of Buxton, LINDAHL of Northport, MAYO of Bath, McELROY of Unity, MITCHELL of Vassalboro, MITCHELL of Portland, O'NEAL of Limestone, OTT of York, PENDLETON of Scarborough, PERKINS of Penobscot, RICE of South Bristol, ROWE of Portland, SAXL of Bangor, SHIAH of Bowdoinham, TUFTS of Stockton Springs, TUTTLE of Sanford, VOLENIK of Sedgwick, WATSON of Farmingdale, WHEELER of Bridgewater, WHITCOMB of Waldo, Senators: HANLEY of Oxford, KIEFFER of Aroostook, LAWRENCE of York, McCORMICK of Kennebec, MILLS of Somerset, PINGREE of Knox, RAND of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

Natural Resources

Bill "An Act to Reestablish the Office of Environmental Evaluation and Lake Studies" (H.P. 1031) (L.D. 1450) (Presented by Representative DAMREN of Belgrade) (Cosponsored by Representatives: AIKMAN of Poland, AULT of Wayne, BERRY of Livermore, CHASE of China, NICKERSON of Turner, SAVAGE of Union, SIMONEAU of Thomaston, TUFTS of Stockton Springs, Senators: LORD of York, RUHLIN of Penobscot)

State and Local Government

Resolve, Establishing the Task Force on State Government Reorganization (EMERGENCY) (H.P. 1046) (L.D. 1465) (Presented by Speaker GWADOSKY of Fairfield) (Cosponsored by Representative TUTTLE of Sanford and Representatives: AHEARNE of Madawaska, BOUFFARD of Lewiston, CAMERON of Rumford, CHIZMAR of Lisbon, CLOUTIER of South Portland, CROSS of Dover-Foxcroft, DORE of Auburn, DRISCOLL of Calais, FARNUM of South Berwick, GUERRETTE of Pittston, HATCH of Skowhegan, JOHNSON of South Portland, KEANE of Old Town, KONTOS of Windham, LEMAIRE of Lewiston, LEMONT of Kittery, LOVETT of Scarborough, MAYO of Bath, MORRISON of Bangor, O'GARA of Westbrook, O'NEAL of Limestone, PAUL of Sanford, PERKINS of Penobscot, POVICH of Ellsworth, SAXL of Portland, SIROIS of Caribou, STROUT of Corinth, TAYLOR of Cumberland,

VIGUE of Winslow, WHEELER of Bridgewater, Senator: McCORMICK of Kennebec)

Taxation

Bill "An Act to Amend the Taxation System to Alleviate the Property Tax Burden and the Resulting Impact on School Funding" (H.P. 1034) (L.D. 1453) (Presented by Representative TOWNSEND of Portland) (Cosponsored by Representative SIMONEAU of Thomaston and Representatives: DiPIETRO of South Portland, MORRISON of Bangor, POULIOT of Lewiston, SHIAH of Bowdoinham, Senator: RAND of Cumberland)

Bill "An Act to Provide a New Jobs Tax Credit" (H.P. 1039) (L.D. 1458) (Presented by Representative SIMONEAU of Thomaston) (Cosponsored by Representatives: AIKMAN of Poland, BAILEY of Township 27, BRENNAN of Portland, CAMERON of Rumford, CAMPBELL of Holden, DAMREN of Belgrade, DiPIETRO of South Portland, DONNELLY of Presque Isle, FITZPATRICK of Durham, HARTNETT of Freeport, HEINO of Boothbay, JOSEPH of Waterville, KERR of Old Orchard Beach, LAYTON of Cherryfield, LEMONT of Kittery, LOVETT of Scarborough, MORRISON of Bangor, OTT of York, POULIOT of Lewiston, SAVAGE of Union, STONE of Bangor, Senators: BEGLEY of Lincoln, CAREY of Kennebec, CIANCHETTE of Somerset, HANLEY of Oxford, HARRIMAN of Cumberland, MICHAUD of Penobscot)

Bill "An Act to Encourage Capital Investment in Maine" (H.P. 1048) (L.D. 1467) (Presented by Representative SIMONEAU of Thomaston) (Cosponsored by Senator CAREY of Kennebec and Representatives: AIKMAN of Poland, BAILEY of Township 27, BARTH of Bethel, BIGL of Bucksport, BUCK of Yarmouth, CAMERON of Rumford, CAMPBELL of Holden, CARLETON of Wells, CHICK of Lebanon, CLARK of Millinocket, CLOUTIER of South Portland, DAMREN of Belgrade, DEXTER of Kingfield, DiPIETRO of South Portland, DONNELLY of Presque Isle, FISHER of Brewer, GIERINGER of Portland, GOOLEY of Farmington, GOULD of Greenville, GREENLAW of Standish, GWADOSKY of Fairfield, HARTNETT of Freeport, HEINO of Boothbay, JACQUES of Waterville, JOSEPH of Waterville, JOYCE of Biddeford, JOYNER of Hollis, KERR of Old Orchard Beach, LANE of Enfield, LEMONT of Kittery, LIBBY of Kennebunk, LIBBY of Buxton, LINDAHL of Northport, LOVETT of Scarborough, LUMBRA of Bangor, MARVIN of Cape Elizabeth, MAYO of Bath, MERES of Norridgewock, MORRISON of Bangor, MURPHY of Berwick, O'GARA of Westbrook, POIRIER of Saco, POULIN of Oakland, POULIOT of Lewiston, REED of Falmouth, RICE of South Bristol, ROBICHAUD of Caribou, ROSEBUSH of East Millinocket, SAVAGE of Union, SPEAR of Nobleboro, STONE of Bangor, TUFTS of Stockton Springs, UNDERWOOD of Oxford, WHITCOMB of Waldo, WINGLASS of Auburn, WINN of Glenburn, WINSOR of Norway, YACKOBITZ of Hermon, Senators: ABROMSON of Cumberland, BUTLAND of Cumberland, CARPENTER of York, CASSIDY of Washington, CIANCHETTE of Somerset, FERGUSON of Oxford, HARRIMAN of Cumberland, KIEFFER of Aroostook, LONGLEY of Waldo, MICHAUD of Penobscot, RUHLIN of Penobscot) (Governor's Bill)

Utilities and Energy

Bill "An Act to Further Encourage Electric Rate Stabilization" (EMERGENCY) (H.P. 1037) (L.D. 1456) (Presented by Representative KONTOS of Windham) (Cosponsored by Senator CARPENTER of York and Representatives: AULT of Wayne, BARTH of Bethel, BIGL of Bucksport, BOUFFARD of Lewiston, BRENNAN of

Portland, CAMERON of Rumford, CAMPBELL of Holden, CHASE of China, CHIZMAR of Lisbon, CLOUTIER of South Portland, DAGGETT of Augusta, DAVIDSON of Brunswick, DEXTER of Kingfield, DiPIETRO of South Portland, DORE of Auburn, FARNUM of South Berwick, FISHER of Brewer, FITZPATRICK of Durham, GATES of Rockport, GIERINGER of Portland, GOOLEY of Farmington, GOULD of Greenville, GREENLAW of Standish, GUERRETTE of Pittston, GWADOSKY of Fairfield, JACQUES of Waterville, JONES of Pittsfield, JOSEPH of Waterville, JOYCE of Biddeford, JOYNER of Hollis, KERR of Old Orchard Beach, KNEELAND of Easton, KONTOS of Windham, LEMAIRE of Lewiston, LEMONT of Kittery, LIBBY of Kennebunk, LIBBY of Buxton, LUMBRA of Bangor, MADORE of Augusta, MAYO of Bath, MITCHELL of Vassalboro, MORRISON of Bangor, MURPHY of Berwick, O'GARA of Westbrook, PAUL of Sanford, POIRIER of Saco, POULIOT of Lewiston, POVICH of Ellsworth, REED of Dexter, RICE of South Bristol, ROWE of Portland, SAXL of Bangor, SAXL of Portland, SIMONEAU of Thomaston, SIROIS of Caribou, SPEAR of Nobleboro, STEVENS of Orono, STONE of Bangor, TAYLOR of Cumberland, TRIPP of Topsham, TUFTS of Stockton Springs, TUTTLE of Sanford, VIGUE of Winslow, WATSON of Farmingdale, WHITCOMB of Waldo, WINN of Glenburn, YACKOBITZ of Hermon, Senators: ABROMSON of Cumberland, AMERO of Cumberland, BUSTIN of Kennebec, BUTLAND of Cumberland, CAREY of Kennebec, CLEVELAND of Androscoggin, FAIRCLOTH of Penobscot, FERGUSON of Oxford, GOLDTHWAIT of Hancock, HANLEY of Oxford, KIEFFER of Aroostook, LAWRENCE of York, LONGLEY of Waldo, McCORMICK of Kennebec, MILLS of Somerset, O'DEA of Penobscot, PARADIS of Aroostook, PINGREE of Knox, RAND of Cumberland, RUHLIN of Penobscot, STEVENS of Androscoggin) (Governor's Bill)

Bill "An Act to Make Changes to the Public Utilities Laws" (H.P. 1040) (L.D. 1459) (Presented by Representative KONTOS of Windham) (Cosponsored by Senator: CARPENTER of York) (Submitted by the Public Utilities Commission pursuant to Joint Rule 24.)

REPORTS OF COMMITTEES

Refer to the Committee on Taxation

Representative KERR from the Committee on Appropriations and Financial Affairs on Bill "An Act to Require Indirect Economic Analysis of Tax Expenditures" (H.P. 78) (L.D. 114) reporting that it be referred to the Committee on Taxation.

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

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

Divided Report

Majority Report of the Committee on Transportation reporting "Ought Not to Pass" on Bill "An Act to Permit Illuminated Advertisements on Motor Vehicles When Used for Commercial Purposes" (H.P. 43) (L.D. 37)

Signed:

Senators: STEVENS of Androscoggin
PARADIS of Aroostook
CASSIDY of Washington

Representatives: HEINO of Boothbay
BAILEY of Township 27

STROUT of Corinth
O'GARA of Westbrook
DRISCOLL of Calais
LINDAHL of Northport
CHARTRAND of Rockland
FARNUM of South Berwick

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (H-158) on same Bill.

Signed:

Representatives: RICKER of Lewiston
BOUFFARD of Lewiston

Was read.

Representative O'GARA of Westbrook moved that the House accept the Majority "Ought Not to Pass" Report.

On further motion of the same Representative, tabled pending his motion to accept the Majority "Ought Not to Pass" Report and later today assigned.

Divided Report

Majority Report of the Committee on Legal and Veterans Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-164) on Bill "An Act to Modify the Presidential Primary Laws" (H.P. 442) (L.D. 608)

Signed:

Senators: FERGUSON of Oxford
MICHAUD of Penobscot
BUCK of Yarmouth
TRUMAN of Biddeford
NADEAU of Saco
LABRECQUE of Gorham
FISHER of Brewer
TRUE of Fryeburg
CHIZMAR of Lisbon
LEMONT of Kittery

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

Signed:

Senator: STEVENS of Androscoggin
Representatives: MURPHY of Berwick
GAMACHE of Lewiston

Was read.

Representative NADEAU of Saco moved that the House accept the Majority "Ought to Pass" as amended Report.

On further motion of the same Representative, tabled pending his motion to accept the Majority "Ought to Pass" as amended Report and specially assigned for Wednesday, May 3, 1995.

Divided Report

Majority Report of the Committee on Legal and Veterans Affairs reporting "Ought Not to Pass" on Bill "An Act to Allow Nonresidents to Transport into the State Liquor Purchased in New Hampshire" (H.P. 484) (L.D. 665)

Signed:

Senators: FERGUSON of Oxford
STEVENS of Androscoggin
MICHAUD of Penobscot
Representatives: BUCK of Yarmouth
NADEAU of Saco
TRUMAN of Biddeford
LABRECQUE of Gorham
FISHER of Brewer
TRUE of Fryeburg
CHIZMAR of Lisbon
GAMACHE of Lewiston

LEMONT of Kittery

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (H-163) on same Bill.

Signed:

Representative: MURPHY of Berwick
Was read.

Representative NADEAU of Saco moved that the House accept the Majority "Ought Not to Pass" Report.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative Murphy.

Representative MURPHY: Thank you Mr. Speaker, Ladies and Gentlemen of the House: This piece of legislation, I put in and I did it for a reason. We had an incidence in Maine where a person who lived in Massachusetts was coming to his summer home in Epping, New Hampshire.

What this legislation really does is let a non-resident of Maine buy liquor and come into the state of Maine with some liquor in the trunk of his car. They come into Maine to do business. That is not happening down there. No matter who comes in, Maine is a tourist state. The perception that we give out is not a good one.

This gentlemen from Boston, Massachusetts on his way to his summer camp stopped at the Portsmouth Liquor Store to buy a bottle of wine. When he got in there, he found a thirty percent sale. So he bought four cases of wine for the summer. When he came out of the liquor store and got in the car his wife said to him, "I would like to go to South Portland to the Maine Mall to shop". That was the wrong decision.

In the Boston Globe there is a picture of him standing before our sign in Portsmouth that says North to All Maine Points and the arrow is this way to 95 and then it says Exit 6, Woodbury Avenue, Portsmouth. He made the wrong turn and he came to Maine. He was coming into Maine to do business. He was not coming into Maine to stay over night. He is not a resident of Maine. He had nothing to do but come into this state to leave some money for sales tax to us. When he did, the agent that we have sitting down there, on the border of the Berlin Wall that we have created between Maine and New Hampshire, arrested him.

When you cross you have forty-eight states, but when you come into Maine we are the forty-eighth and we are not a part of the rest of the country. We have agents on the border who are watching what you buy, whether you are a Maine resident or whether you are just somebody coming to Maine to do a business. When he crossed that border he was stopped and they confiscated forty-seven bottles of liquor. He went to court. He had to pay a fine and he wasn't very happy about it.

I don't imagine that gentlemen will be coming to Maine to do anymore business. This is the perception that we are giving out there. There is no sign on the Kittery Bridge or any one of the Kittery Bridges saying if you come into Maine, do not bring more than one gallon of alcoholic beverages in the trunk of your car. We have tourists who come here. I have guests who come in who have liquor in their car. If they are stopped and they are found to have more than a gallon, it is not a real good welcome for people who want to come into this state and spend their vacation.

This gentlemen didn't want to stay overnight. His wife wanted to do business. I am sure she doesn't come to Maine shopping anymore with him. They went back to Bost11 and he hit the newspaper. This is the

picture and the big article that was in the Boston Globe, which is a very widely distributed newspaper in the state of Massachusetts. Here we are spending hundreds of thousands of dollars in advertising, Come to Maine. In our advertisements we don't say, don't bring any liquor with you, because you will be in the Maine Court.

This is the point I am trying to make. I think this bill "An Act to Allow Nonresidents to Transport into the State Liquor Purchased in New Hampshire" allows people to stop at the New Hampshire Liquor Store and continue into Maine to do business. If they should make a mistake and stop into the liquor store and come into Maine now and do business, we pick them up and we fine them. I think it is a good bill. I think it is time we sent a message out there. We want you to come into the state to do business. If you do happen to stop in New Hampshire and do some business, that is ok, but we do welcome you into Maine to do business.

That is the purpose of the bill. I would hope that you would not vote for the "Ought Not to Pass", but you would go on and vote for the "Ought to Pass". Just to send a message that we welcome people and we want them in the state of Maine to do business with us. We will not have them in our Maine Courts. We will not fine them. We will tear down the Berlin Wall that we have built up between Maine and New Hampshire, because we do not want one little cent to get out of this state that we think should be spent in Maine.

The more we pass these laws and the more we jump people coming in, the more we are hurting ourselves. We are losing tax dollars that we would be getting if we were a little more congenial and get along with our neighbors a little bit and didn't quite act like when you come into Maine you either do business here or we will have you in jail. I am surprised we didn't put him in jail. We didn't do that. We did let him go, but we did fine him. The man wasn't very happy about it. There are other cases that haven't been very happy either.

This is the United States and I believe we have a right to spend our money any place in the United States that we so choose. In fact, I think I am free, I think I can spend anywhere in the world I choose, but not in Maine. You spend it in Maine or you are fined. I hope you will support the "Ought to Pass" Report and vote against the "Ought Not to Pass" Report so that we can have people come into the state and enjoy our state and not have to be afraid of being stopped, harassed and having whatever they have in the trunk of their car taken away from them and taken to jail. Thank you.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Nadeau.

Representative NADEAU: Thank you Mr. Speaker, Men and Women of the House: I think there is a couple of facts that you should know about. One, this is probably the most important, we are the Maine Legislature. We are not the Massachusetts Assembly. We are not the New Hampshire Assembly. We are the Maine Legislature. That is the first point. I don't think we should go out of our way to try to penalize out-of-staters, but we don't need to be fooling around with policy to appease out-of-staters. That is the first point.

Second, currently you are allowed legally acceptable quantities of liquor. Now the number forty-seven, forty-seven bottles of liquor, was just

brought up to you. I think forty-seven is a little more than adequate for most people.

Thirdly, we are here to try to establish policy. We are not necessarily here to try to take care of individual constituent problems or individual citizen problems where ever they may eminent from.

With those three points I will say that, yes, the Representative from Berwick obviously thought she had a strong idea and obviously thought it was worthwhile legislation, however, I do want to remind you this is a twelve to one committee recommendation and I want to assure you that all the concerns that were presented to you five minutes ago were, in fact, presented to the committee and were rejected. I appreciate your consideration.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative Murphy.

Representative MURPHY: Thank you Mr. Speaker, Ladies and Gentlemen of the House: I did intend to speak twice on this one. I realize it was forty-seven bottles. The gentlemen bought it because he was going to have it for all summer at his home. He came into Maine to do business. He is not a constituent. I do not know the gentlemen. I have never met the gentlemen.

I run a little guest house, as most of you know, and it was my guest who cut this out. People who come to my place in the summer cut this out of the Boston Globe and sent it to me. I have a letter they wrote with it also. That is why I put this bill in. I didn't put it in to help this gentlemen. I have never seen him. All I knew was his name and his picture in the paper. I do not know him. He is not a constituent or friend or a friend of anybody I know.

I do think our tax policies are wrong when we do these things. Our perception of the state of Maine is wrong when a person can't come into this state to do business without cleaning out his trunk. I mean it is like going from East Germany to West Germany during the war. You just couldn't do it. That is what we are doing, we are saying don't come into Maine. I feel very strongly about it. I feel it is a wrong perception that we are sending out. We don't want you in this state. I request a division.

Representative MURPHY of Berwick requested a division on the motion to accept the Majority "Ought Not to Pass" Report.

A vote of the House was taken. 68 voted in favor of the same and 56 against, the Majority "Ought Not to Pass" Report was accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on Legal and Veterans Affairs reporting "Ought Not to Pass" on Bill "An Act to Limit the Size and Display Period of Campaign Signs" (H.P. 584) (L.D. 794)

Signed:

Senators: FERGUSON of Oxford
STEVENS of Androscoggin
MICHAUD of Penobscot

Representatives: NADEAU of Saco
MURPHY of Berwick
FISHER of Brewer
GAMACHE of Lewiston
LABRECQUE of Gorham
TRUE of Fryeburg

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (H-165) on same Bill.

Signed:

Representatives: BUCK of Yarmouth
LEMONT of Kittery
CHIZMAR of Lisbon

Was read.

On motion of Representative NADEAU of Saco, the Majority "Ought Not to Pass" Report was accepted and sent up for concurrence.

CONSENT CALENDAR

First Day

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

(S.P. 326) (L.D. 907) Bill "An Act to Extend the Time Period for a District Attorney to File a Petition in Order to Allow Time for Juveniles to Fulfill All Conditions of Informal Adjustment" Committee on Criminal Justice reporting "Ought to Pass"

(S.P. 25) (L.D. 56) Bill "An Act to Protect Forest Management as a Viable Land Use" Committee on Agriculture, Conservation and Forestry reporting "Ought to Pass" as amended by Committee Amendment "A" (S-81)

(S.P. 102) (L.D. 242) Bill "An Act to Increase the Bonding Limits of the Maine Turnpike Authority" Committee on Transportation reporting "Ought to Pass" as amended by Committee Amendment "A" (S-94)

(S.P. 195) (L.D. 504) Bill "An Act Investing the Joint Standing Committee of the Legislature Having Jurisdiction over Taxation Matters with Exclusive Authority to Review Legislation Relating to Tax Policy" Committee on Taxation reporting "Ought to Pass" as amended by Committee Amendment "A" (S-79)

(S.P. 315) (L.D. 896) Resolve, to Revise the Reporting Date of the Home School Study Committee Committee on Education and Cultural Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-83)

(H.P. 654) (L.D. 877) Bill "An Act to Change the Department of Corrections' Lease Provisions to Conform with Statutes Regarding Leases of State Buildings by Other Departments" Committee on State and Local Government reporting "Ought to Pass"

(H.P. 687) (L.D. 938) Bill "An Act to Provide for the Timely Passage of the State Budget" Committee on Appropriations and Financial Affairs reporting "Ought to Pass"

(H.P. 711) (L.D. 968) Bill "An Act to Protect the Integrity of the Maine Cellular Telecommunications Network" Committee on Utilities and Energy reporting "Ought to Pass"

(H.P. 847) (L.D. 1178) Bill "An Act Regarding Designation by the Commissioner of Transportation of a Deputy or Another Staff Member to Represent the Commissioner of Transportation at Maine Turnpike Authority Meetings" Committee on Transportation reporting "Ought to Pass"

(H.P. 297) (L.D. 401) Bill "An Act to Continue Protection Under a Protection From Abuse Order" Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (H-174)

There being no objections, the above items were ordered to appear on the Consent Calendar of

Wednesday, May 3, 1995 under the listing of Second Day.

CONSENT CALENDAR
Second Day

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

(S.P. 286) (L.D. 774) Bill "An Act to Make Revisions to the Uniform Interstate Family Support Act" (EMERGENCY)

(S.P. 292) (L.D. 790) Bill "An Act to Allow the Workers' Compensation Board to Submit Legislative Proposals Annually"

(S.P. 320) (L.D. 901) Bill "An Act to Clarify the Use of the Power of Sale Foreclosures Regarding Limited Liability Corporations"

(S.P. 18) (L.D. 49) Bill "An Act to Create Additional Employment Opportunities in the Financial Services Industry by Allowing Financial Organizations to Charge Additional Finance Charges" (C. "A" S-70)

(S.P. 213) (L.D. 555) Bill "An Act to Increase the Time Period for Veterans Serving in Desert Storm Recognized in the Veterans Preference Program" (C. "A" S-69)

(S.P. 220) (L.D. 562) Bill "An Act to Increase Compensation of Trustees of the Gray Water District" (C. "A" S-75)

(S.P. 233) (L.D. 598) Bill "An Act to Establish Landowner Recognition Day" (C. "A" S-66)

(S.P. 235) (L.D. 600) Bill "An Act to Clarify Credit Union Common Bond Requirements" (C. "A" S-71)

(S.P. 261) (L.D. 697) Bill "An Act Governing Privileged Communications between Victims of Domestic Violence and Their Advocates" (C. "A" S-78)

(S.P. 300) (L.D. 839) Bill "An Act to Allow the Workers' Compensation Board to Regulate Nonfinancial Aspects of Workers' Compensation Arbitration" (C. "A" S-73)

(H.P. 536) (L.D. 732) Bill "An Act to Increase the Compensation of Members of the State Claims Commission" (C. "A" H-159)

(H.P. 565) (L.D. 766) Bill "An Act to Allow the Submetering of Electric Rates in Campgrounds" (C. "A" H-160)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were Passed to be Engrossed or Passed to be Engrossed as Amended in concurrence and the House Papers were Passed to be Engrossed as Amended and sent up for concurrence.

BILLS IN THE SECOND READING

Bill "An Act Pertaining to the Signing of Petitions" (H.P. 471) (L.D. 652)

As Amended

Bill "An Act to Allow Plumbers to Install Electric Wiring on Electric Hot Water Heaters and Electric Water Pumps" (S.P. 30) (L.D. 60) (S. "A" S-87 to C. "A" S-65)

Bill "An Act Concerning Juveniles Hunting without Adult Supervision" (S.P. 163) (L.D. 424) (C. "A" S-67)

Bill "An Act to Prohibit State Legislative Employees from Using State Time or Property for Campaigning" (S.P. 169) (L.D. 430) (S. "A" S-86 to C. "A" S-68)

Bill "An Act Regarding Fees Assessed by the Maine Land Use Regulation Commission for Changes within a

Development District" (S.P. 194) (L.D. 503) (C. "A" S-76)

Bill "An Act to Restrict the Use of Eminent Domain Power" (H.P. 397) (L.D. 532) (C. "A" H-121)

Bill "An Act to Amend the Sexual Abuse Laws by Including 18-year-olds Who are Still in School in the Provisions for the Sexual Abuse of Minors" (H.P. 616) (L.D. 826) (C. "A" H-157)

Bill "An Act Regarding Insurance Rates for Volunteer Drivers" (S.P. 309) (L.D. 847) (C. "A" S-74)

Were reported by the Committee on Bills in the Second Reading, read the second time, the Senate Papers were Passed to be Engrossed as Amended in concurrence and the House Papers were Passed to be Engrossed or Passed to be Engrossed as Amended and sent up for concurrence.

Bill "An Act to Increase the Tax Exemption on Church Properties" (H.P. 284) (L.D. 388) (C. "A" H-71)

Was reported by the Committee on Bills in the Second Reading, read the second time.

On motion of Representative DORE of Auburn was set aside.

On further motion of the same Representative, the House reconsidered its action whereby Committee Amendment "A" (H-71) was adopted.

The same Representative presented House Amendment "A" (H-188) to Committee Amendment "A" (H-71).

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Dore.

Representative DORE: Thank you Mr. Speaker, Ladies and Gentlemen of the House: I was not here for the debate on Thursday night for the property tax exemption, the doubling of the exemption, for church parsonages.

I understand there were few and far between who were not on the side of God that evening and they suffered an overwhelming defeat at the hands of this body. I want you to consider this amendment and I want you to consider it carefully. When you double a property tax exemption the state has a legal obligation, according to state law, to pay for fifty percent of that cost. That is the fiscal note you have looked at so far in this bill. Who pays for the other fifty percent? That parsonage wants the Fire Department to come when they call. They want the Police Department to come if here is vandalism. People in the parsonage, if they send there kids to public school, they want that public school education available for their children.

We pay for that. All of us. It doesn't matter if we go to that church or any other church. I want you to think about something else and some people may consider this a problem. The non-church going people are over fifty percent of your population. Some of you may think that is where all the trouble begins. That is the truth. Those are your voters and constituents and many of them don't belong to any church. I would suggest to you that very few of them belong to churches with parsonages. I am not going to read debate on whether or not parsonages ought to have an exemption. They already do have an exemption, but this doubles their exemption.

Here is what I am proposing we do. We put our money where our mouth is and instead of talking the talk, we walk the walk. The way we do that is to fund one hundred percent of this exemption. You can either be on the roll call now saying no, we are going to double the exemption and the towns are going

to have to bear fifty percent of the cost of doubling the exemption or you can be on a roll call that says we think this is so important and what the people and parsonages do for their communities is so vital that the state should bear one hundred percent of the cost.

It seems to me the responsible thing to do. If you believe it is so important to have a doubling of a parsonage exemption this year, then we pay for one hundred percent of doubling that exemption. I hope you will join me and vote for that amendment.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative Murphy.

Representative MURPHY: Thank you Mr. Speaker, Ladies and Gentlemen of the House: Last Thursday night we debated this bill and I thought we debated it well. I do not believe there is anybody in any town who minds the difference in their tax bill to give exemptions to the parsonage and the rectories of churches.

True, not everybody goes to church, but most people have a sympathy for churches and most people will tell you I don't go every Sunday, but I am a Catholic, Baptist, Methodist, they certainly relate to a church. When you are taxing the churches, who are you taxing? You are taxing the people in that community. They will pay for that on Sunday by giving money to the churches or pay for it otherwise.

I know that the churches in my community have given so much to the community. They let us use the rooms for Girl Scouts, use their kitchens to put on dinners for Girl Scouts. For ten years as a Girl Scout leader, I met every Tuesday night during the school year in Our Lady of Peace Church. I had full use of the kitchen and other rooms. We used that at our own discretion. They never charged us one single penny. We went in and started charging tax on a \$20,000 dollar exemption on the rectory and to the parsonages in the town.

Other Girl Scout leaders met in the Methodist Church and they were not charged. They had the same use of that church. If we had to pay for those rooms, the electricity, heat and gas we used to make meals so we could make money, we could not have done it. I think it is wrong when Maine is the only New England state that doesn't give a good tax exemption to the parsonages.

Three of the New England states give a total exemption and Massachusetts gives a \$90,000 exemption and I think Vermont gives \$75,000. We are giving only \$20,000. I would hope that we would all stick with what we did the other night and pass this bill and defeat this amendment. This is not hurting any community in this state and I believe if you put it out for a vote of the people they would say, We don't mind supporting our churches.

I have never had anyone tell me that they ever minded supporting the churches in our community, whether it was for police. We don't need police in our churches. We don't call the police in our churches. People don't act that way in our churches. We have been fortunate, one has never been vandalized. One has never caught fire. We did have lightning strike the steeple of one of our churches. It is a minimal cost for what the churches do for our town. I feel as the people of that community, we should give exemptions to those churches.

Please vote against this amendment and I would like a roll call. Thank you.

Representative MURPHY of Berwick requested a roll call on adoption of House Amendment "A" (H-188) to Committee Amendment "A" (H-71).

The SPEAKER: The Chair recognizes the Representative from Dover-Foxcroft, Representative Cross.

Representative CROSS: Thank you Mr. Speaker, Ladies and Gentlemen of the House: Lets face the facts. You have three choices here. First, give them the exemption for the parsonage and you can pay it in property taxes. Everyone else in town will pick it up in property taxes. Secondly, you can shift it over to the state. They will pay it and you will pay the state. Lets face the facts. All you have to do is make up your minds which way you want to pay the tariff. You are going to pay it anyway. Make up your mind what you think is the easiest way and vote accordingly. Thank you.

The SPEAKER: The Chair recognizes the Representative from Nobleboro, Representative Spear.

Representative SPEAR: Thank you Mr. Speaker, Ladies and Gentlemen of the House: The good Representative from Auburn, Representative Dore says that we are doubling the exemption. That is true. We are moving the exemption from \$20,000 to \$40,000 dollars, but you must remember that these parsonages are anywhere from \$60,000, \$80,000, \$100,000 and \$150,000 dollars. Therefore the towns are still getting a lot of tax revenue from that property to take care of fire, police and all the other things that go along with that. I would recommend that we vote against the pending motion and go on with the bill we passed the other night. Thank you.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Dore.

Representative DORE: Thank you Mr. Speaker, Ladies and Gentlemen of the House: I just want to clarify something, because there seems to be a misunderstanding here. Churches are tax exempt. All religious affiliations are tax exempt, whatever you got.

This is parsonages and this is part of the compensation package. You compare your minister who doesn't have a parsonage with your minister who does have a parsonage and invariably the minister with the parsonage gets paid less, because that housing is part of the compensation package. That is ok. It is kind of nice to have a home right next to the church. I am not killing this bill. I heard about the roll call the other night, I wasn't here to see it, but this is not an attempt to kill the bill.

Put your money where your mouth is. You say, "Well it doesn't matter." I will tell you what happens if you vote against the amendment. If you vote against the amendment, you have doubled the exemption and you have only paid for half of the bill. If you believe this is the right thing to do, pick up the whole check. This is your meal. This is your restaurant and if you want to order the hot fudge sundae, I have no objection to that. You can vote for this and you are still supporting church exemptions and you still are supporting your community. You are supporting church exemption doubling and you are supporting your communities by paying one hundred percent for doubling the exemption for parsonages. I think it is a win, win situation. You decide for yourself.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Stone.

Representative STONE: Thank you Mr. Speaker, Ladies and Gentlemen of the House: I stand to support Representative Dore's amendment. As a Representative from a regional service center, I believe any tax that adds to the property taxes in any community is inappropriate. Every community I know of is strapped for money and I think this is a good amendment. Thank you.

The SPEAKER: The Chair recognizes the Representative from Thomaston, Representative Simoneau.

Representative SIMONEAU: Thank you Mr. Speaker, Men and Women of the House: I would like to correct my good friend from Auburn, Representative Dore. You are right. Parsonages are part of the compensation package, but a minister of the gospel who receives cash income in lieu of the parsonage receives the same tax break. It is not taxed to that person in any event. Thank you.

The SPEAKER: The Chair recognizes the Representative from Corinth, Representative Strout.

Representative STROUT: Thank you Mr. Speaker, Men and Women of the House: Lets go back twenty years ago and look at what the exemption allowed churches and what it is allowed today. Lets look twenty years ago what the valuations were to your community and what it is today.

The exemptions on these parsonages haven't changed. I have been in municipal government since 1979 so I know it was before that. I will give you one municipality. Our evaluation in 1979 was \$18,000,000 dollars. Today it is \$64,000,000 dollars. That church parsonage evaluation is still \$20,000 dollars. The time has come when the church parsonages in this state where the exemption should be increased.

You can hear the lady from Auburn say that she is not moving this amendment to kill the bill. Lets be honest. That is exactly what she intends to do. You know that if you put one hundred percent reimbursement on this. Once it gets to the table it is dead. I am willing to take that chance and split part of the cost. I think it is time that we increase the exemption on church parsonages and I think it is time for the municipalities to absorb part of the cost.

There is nothing wrong with bringing us up to the twentieth-century and lets pass the bill without the amendment.

On motion of Representative NADEAU of Saco, tabled pending adoption of House Amendment "A" (H-188) to Committee Amendment "A" (H-71) and later today assigned.

ENACTORS

Emergency Measure

An Act to Decrease the Minimum Required Amount of Liability Insurance for Certain Intrastate Vehicles (H.P. 28) (L.D. 22) (C. "A" H-103)

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. 122 voted in favor of the same and 2 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Protect the Integrity of Seawalls and Retaining Walls (S.P. 72) (L.D. 160) (C. "A" S-36)
Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

Representative CARLETON of Wells requested a roll call on passage to be enacted.

On further motion of the same Representative, tabled pending passage to be enacted and specially assigned for Wednesday, May 3, 1995. (Roll Call Requested)

Emergency Measure

An Act to Exempt Motor Homes from the Sunday Sales Law (H.P. 163) (L.D. 211) (C. "A" H-133)

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. 107 voted in favor of the same and 18 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Correct Errors and Inconsistencies Related to the Recodification of the Maine Revised Statutes, Title 29 (H.P. 183) (L.D. 231) (C. "A" H-79; H. "A" H-104)

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 1 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, to Require the Special Commission to Erect a Plaque in the Hall of Flags Honoring Medal of Honor Recipients from Maine to Submit 2 Reports (H.P. 350) (L.D. 470) (C. "A" H-94)

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. 125 voted in favor of the same and 0 against and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, to Extend the Reporting Date of the Commission to Study Biotechnology and Genetic Engineering (H.P. 443) (L.D. 609) (C. "A" H-89)

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 0 against and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Emergency Mandate

An Act Amending the Charter of the Department of Electric Works within the Town of Madison (S.P. 108) (L.D. 284) (C. "A" S-57)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. 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. 121 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 Mandate

An Act to Create the Franklin Utility District (S.P. 256) (L.D. 694) (C. "A" S-58)

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

On motion of Representative JACQUES of Waterville, tabled pending passage to be enacted and specially assigned for Wednesday, May 3, 1995.

Mandate

An Act Requiring That Disbursement Warrants Receive an Affirmative Vote by Municipal Officers (H.P. 318) (L.D. 439) (C. "A" H-82)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. 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. 116 voted in favor of the same and 6 against, and accordingly the Mandate was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act to Amend the Workers' Compensation Laws to Provide an Exemption from Coverage Requirements for Nonresident Employees (H.P. 12) (L.D. 6) (C. "A" H-131)

An Act to Require Insurance Companies to Provide Loss Information to Insured Groups (H.P. 79) (L.D. 115) (C. "A" H-91)

An Act to Prohibit Visual Sexual Aggression Against a Child and Private Indecency (H.P. 131) (L.D. 179) (C. "A" H-95)

An Act to Amend Provisions of Law Voiding a Lease for Premises Defined as a Common Nuisance (H.P. 158) (L.D. 205) (C. "A" H-127)

An Act to Clarify the Laws Regarding the Location of Transfer Stations on Islands (H.P. 176) (L.D. 224) (C. "A" H-108)

An Act to Enhance the Clam Industry in the State (S.P. 103) (L.D. 243) (C. "A" S-48)

An Act to Ensure Children's Protection against Rabies by Requiring Proof of Rabies Vaccination of Pets at Day Care Facilities and Home Babysitting Services (H.P. 186) (L.D. 245) (C. "A" H-96)

An Act Concerning Municipal Shellfish Conservation Program Penalties (H.P. 194) (L.D. 253) (S. "A" S-77)

An Act Concerning the Offset of Workers' Compensation Benefits by Social Security Benefits (H.P. 226) (L.D. 304) (C. "A" H-136)

An Act to Require Insurance Companies to Reenroll Individuals Who Return to an Insurance Group as Though No Break in Coverage Occurred (S.P. 154) (L.D. 340) (C. "A" S-60)

An Act to Clarify the Requirements for Truck Widths (H.P. 245) (L.D. 347) (C. "A" H-101)

An Act to Encourage Collaboration between Local School Units (H.P. 248) (L.D. 350) (C. "A" H-110)

An Act to Establish an Equitable Sales Tax Structure for Bottled Water (H.P. 258) (L.D. 360) (C. "A" H-85)

An Act to Define a "Demonstrator" under the Board of Barbering and Cosmetology (H.P. 259) (L.D. 361) (C. "A" H-109)

An Act to Clarify the Tax-exempt Status of Municipally Owned Solid Waste Disposal Facilities (H.P. 286) (L.D. 390) (C. "A" H-125)

An Act Concerning the Rights and Responsibilities of Innkeepers (H.P. 291) (L.D. 395) (C. "A" H-81)

An Act to Allow a School District to Print the District's Name on School Buses (H.P. 299) (L.D. 403) (C. "A" H-111)

An Act to Continue Requiring Probable Cause before the Exercise of Protective Custody (H.P. 305) (L.D. 409) (C. "A" H-84)

An Act Relating to Building Permit Ordinances (H.P. 308) (L.D. 412)

An Act Regarding the Expansion of Certain Waste Disposal Facilities (H.P. 326) (L.D. 447) (C. "A" H-116)

An Act Concerning the Liability of Corporate Clerks (H.P. 381) (L.D. 516) (C. "A" H-138)

An Act to Repeal the Retail Seed Dealer's License (H.P. 382) (L.D. 517) (C. "A" H-72)

An Act to Amend the Site Location of Development Laws Relating to Former Military Bases (H.P. 393) (L.D. 528) (C. "A" H-106)

An Act to Include the Law Court's Imprisonment Sentencing Procedure in the Maine Criminal Code (S.P. 199) (L.D. 542) (C. "A" S-56)

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) (C. "A" S-51)

An Act to Eliminate the Personal Property Tax on Individuals in the State (H.P. 414) (L.D. 571) (C. "A" H-87)

An Act to Facilitate the Use of the Installment Method for the Collection of Sewer Assessments and Charges (H.P. 419) (L.D. 576) (C. "A" H-83)

An Act to Amend the Laws Governing Retail Credit Cards (H.P. 420) (L.D. 577) (C. "A" H-92)

An Act to Change the Definitions of "River," "Stream" and "Brook" in the Environmental Laws (H.P. 452) (L.D. 618) (C. "A" H-107)

An Act to Amend the Municipal Subdivision Laws Regarding Application Requirements (H.P. 481) (L.D. 662) (C. "A" H-90)

An Act Concerning Fraudulent Redemptions (H.P. 512) (L.D. 700) (C. "A" H-134)

An Act Regarding the Disclosure of Financial Information by Federally or State-chartered Credit Unions (S.P. 274) (L.D. 724) (C. "A" S-53)

An Act to Clarify the Discharge of Mortgages (S.P. 275) (L.D. 725) (C. "A" S-54)

An Act Concerning Cocurricular Activity Eligibility for Students Identified under the Federal Individuals with Disabilities Education Act (H.P. 544) (L.D. 740) (C. "A" H-137)

An Act to Allow the Maine Technical College System to Grant Utility Easements (H.P. 574) (L.D. 779)

An Act to Expand the Membership of the State Employee Health Commission (S.P. 289) (L.D. 787) (C. "A" S-63)

An Act to Require More Information Concerning Place of Residence on Individual Income Tax Forms (H.P. 613) (L.D. 823) (C. "A" H-80)

An Act Establishing Education as a Priority for the State by Expediting Consideration of the Education Budget (H.P. 707) (L.D. 964)

Resolve, Authorizing the Transfer of a Certain Parcel of Land Known as Kole Kill Island in West Grand Lake upon Payment of Back Taxes (H.P. 197) (L.D. 256) (C. "A" H-86)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted or finally passed, signed by the Speaker and sent to the Senate.

An Act to Create a Separate License Plate for Sheriffs (H.P. 139) (L.D. 187) (C. "A" H-99)

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

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Joseph.

Representative JOSEPH: Thank you Mr. Speaker. May I pose a question through the Chair?

The SPEAKER: The Representative may pose her question.

Representative JOSEPH: Thank you Mr. Speaker. This is for anyone who could explain what the rationale is for providing a special license plate for sixteen persons in this state? What is the cost of that? Who will be paying for that? I wish when the vote is taken it be taken by the yeas and nays.

Representative JOSEPH of Waterville requested a roll call on passage to be enacted.

The SPEAKER: The Representative from Waterville, Representative Joseph has posed a question through the Chair to anyone who may care to respond.

The Chair recognizes the Representative from Westbrook, Representative O'Gara.

Representative O'GARA: Thank you Mr. Speaker. I am not sure about all three questions. Number one is it is not for just sixteen license plates. It is for all sixteen departments. Which means they will be on several vehicles in the department. Who is going to paying the cost? They will be paying the cost. There will have to be a certain number pledged to be printed. I am not sure what the third question was. The cost? I don't have the cost of each one and each county is going to pay.

I would urge the members of the House to support a unanimous Committee Report.

On motion of Representative JACQUES of Waterville, tabled pending passage to be enacted and later today assigned. (Roll Call Requested)

An Act to Include Individuals with Property in a Living Trust in the Maine Residents Property Tax Program (S.P. 192) (L.D. 501) (C. "A" S-52)

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

On motion of Representative JACQUES of Waterville, tabled pending passage to be enacted and specially assigned for Wednesday, May 3, 1995.

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

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act to Make Additional Appropriations and Allocations for the Expenditures of State Government

for the Fiscal Year Ending June 30, 1995" (EMERGENCY) (H.P. 1001) (L.D. 1412) which was passed to be engrossed in the House on April 26, 1995.

Came from the Senate passed to be engrossed as amended by Senate Amendment "C" (S-102) in non-concurrence.

The SPEAKER: The Chair recognizes the Representative from China, Representative Chase.

Representative CHASE: Thank you Mr. Speaker. I understand the motion before us is to Recede and Concur.

The SPEAKER: The Chair would inform the Representative from China, Representative Chase there is no motion at this time.

The Representative is free to make a motion if she so chooses.

Representative CHASE: I would make the motion Mr. Speaker with the assumption and I have a firm face that this body will be able to fully discuss and debate the bill prior to enactment. Is that correct Mr. Speaker?

The SPEAKER: The Representative has not made a motion at this time. The Chair would respond to say that the Representative is free to debate this item at this time or at final enactment. If, in fact, this body moves to Recede and Concur, the bill would be sent to engrossment and the bill would be back for final enactment tomorrow morning.

Representative CHASE: Thank you Mr. Speaker. I am asking a question of the Speaker. It is important to me that it be on the record, although I absolutely have faith in this body's ability to speak on any bill. The question is will we have the opportunity to discuss in detail the bill on the floor of the House.

The SPEAKER: The Chair would respond to the question raised by the Representative from China, Representative Chase that the members of this body are free to debate this bill at any juncture. The bill is currently in a state of non-concurrence. In other words, the other body has adopted Senate Amendment "C" to the bill and this body has yet to adopt Senate Amendment "C". This body has yet to consider Senate Amendment "C". Members are free to make any motion at this time as they normally would do in a state of non-concurrence. Members are free to debate the bill at this time. If, in fact, there is a motion to Recede and Concur, that bill would go to engrossment and come back to this body for enactment tomorrow morning. A vote for final enactment does require a two-thirds vote. Any motion can be made at that time of final enactment, including the request for a roll call.

Representative CHASE: Thank you Mr. Speaker. I appreciate your patience.

On motion of Representative KERR of Old Orchard Beach, the House voted to Recede and Concur.

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

On motion of Representative CHASE of China, the House adjourned at 7:20 p.m., until 9:30 a.m., Wednesday, May 3, 1995.