

# MAINE STATE LEGISLATURE

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# LEGISLATIVE RECORD

OF THE

**One Hundred And Seventeenth Legislature**

OF THE

**State Of Maine**

**VOLUME VI**

**SECOND REGULAR SESSION**

**House of Representatives**

January 3, 1996 to April 3, 1996

**Senate**

January 3, 1996 to March 13, 1996

ONE HUNDRED AND SEVENTEENTH MAINE LEGISLATURE  
SECOND REGULAR SESSION  
4th Legislative Day  
Thursday, January 11, 1996

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

Prayer by Reverend Wayne R. Porter, First Baptist Church, North Berwick.

Physician for the day, John A. James, M.D., Auburn.

The SPEAKER: Pursuant to House Rule 1, the Chair would like to make the following announcement in changes in committee appointments for the Joint Standing Committees of the Second Regular Session of the 117th Maine Legislature.

Let me say at the outset that this has been and continues to be a challenging process. I have made it a point in this process to discuss the issue with Democrats and Republicans as well as our Independent members during the past several days. I indicated yesterday that I received more advice than Ann Landers gives out in the span of a lifetime. I have tried very hard in this process to be fair, recognizing that we often operate in an environment that sometimes doesn't value fairness as a virtue.

Last week I met with several of my Republican colleagues, who were sent on behalf of the Republican Caucus to discuss some of their concerns about receiving parity within the Maine House of Representatives given our new configuration. My position on parity for committee positions has not changed. During my election to Speaker in February 1994, I said then that I support the proportional relationship to committees. I said then that I support parity for committees. Nothing has changed. I supported that position then and I support that position now.

As I took the time to thoroughly understand the concerns that were brought forth by my Republican colleagues, I asked in turn that they please consider the position of my Democratic colleagues, particularly the concerns with regards to the dramatic disparity in committee assignments in the Maine Senate. The effect of creating parity in one chamber and not the other.

We are very fortunate to operate in this State under a Joint Standing Committee system with three Senate members and ten House members. Maine is one of the few members in the nation to utilize the Joint Standing Committee process. We are the envy of many of our legislative colleagues across the country who would love nothing more than to go to a Joint Standing Committee process, but simply cannot because their institutions are mired in the thicket of traditions and politics.

As the Speaker of the Maine House and the Presiding Officer, I have a responsibility to understand and attempt to explain the effect of any change to this institution and to this legislative process, whether it be the staffing patterns of our nonpartisan staff, a smoking policy for our members or the security and safety of our members.

During my meeting with my Republican colleagues, I suggested that I would very much like to discuss these concerns with the President of the Senate and they encouraged me to do so. I tried unsuccessfully to meet with Senator Butland from Wednesday of last week through Saturday. I did talk with Senator

Butland on Sunday. I explained to him the concerns of my caucus and my thoughts about the process. I asked him at that time if the door was open for consideration for any accommodation in the Senate. He indicated, in fact, that the door was open. He didn't indicate how wide the door was open, but he did indicate that the door, in fact, was open. I was told later on that he needed to see something in writing.

On Tuesday of this week I met again with my Republican colleagues and discussed my conversations over the weekend with Senator Butland and I explained my intentions to offer an initial set of recommendations to the various Joint Standing Committees. I said to each of you at that time and in that meeting that I was willing to consider additional changes, but that my caucus had asked me to present this as a good faith effort to move off center and continue an important dialogue with the other body.

Two hours before I had the chance to present that series of changes, several orders appeared in the Office of the Clerk of the House that would remove the position of the Speaker of the House, Clerk of the House and Assistant Clerk of the House. The appointments that I have made today are as follows:

The Representative from Dexter, Representative REED to the Joint Standing Committee on Criminal Justice, replacing Representative WATERHOUSE of Bridgton.

The Representative from Bridgton, Representative WATERHOUSE to the Joint Standing Committee on Business and Economic Development, replacing Representative BRENNAN of Portland.

The Representative from Scarborough, Representative PENDLETON to the Joint Standing Committee on Agriculture, Conservation and Forestry, replacing Representative HEESCHEN of Wilton.

The Representative from Rumford, Representative CAMERON to the Joint Standing Committee on Utilities and Energy, replacing Representative POIRIER of Saco.

The Representative from Saco, Representative POIRIER to the Joint Standing Committee on Taxation, replacing Representative RICHARDSON of Portland.

The Representative from Madison, Representative RICHARD to the Joint Standing Committee on Business and Economic Development, replacing Representative KONTOS of Windham.

The Representative from Hermon, Representative CARR to the Joint Standing Committee on Legal and Veterans Affairs, replacing Representative TRUMAN of Biddeford.

The Representative from Kingfield, Representative DEXTER to the Joint Standing Committee on Natural Resources, replacing Representative SAXL of Bangor.

The Representative from Windham, Representative TYLER to the Joint Standing Committee on Inland Fisheries and Wildlife, replacing Representative KEANE of Old Town.

The appointment of Representative PAUL of Sanford to the Joint Standing Committee on Banking and Insurance is rescinded.

The Representative from Sanford, Representative PAUL to fill the vacancy on the Joint Standing Committee on Inland Fisheries and Wildlife.

The Representative from Vassalboro, Representative MITCHELL to the Joint Standing Committee on State and Local Government, replacing Representative LEMKE of Westbrook.

That leaves, at this time, vacancies on the Joint Standing Committee on Banking and Insurance and a vacancy on the Joint Standing Committee on State and Local Government. The affect of these change as we move towards parity is as follows:

In the Maine House, at this time, there are 75 Republicans and 75 Democrats and one Unenrolled. There are currently allocated 81 slots for Republicans, 86 for Democrats and one member Unenrolled and two vacancies. Parity is achieved by a net increase of three for the members of the Republican Caucus.

The breakdown in the Senate is as follows: There are 18 Republican Senators, 16 Democratic Senators and one Unenrolled. The committee slots that are afforded in the Maine Senate are 32 slots for the Republican Party, 17 slots for the Democratic Party and two Unenrolled.

Combining the House and Senate there are 93 Republicans, 91 Democrats and two Unenrolled. The committee slots are allocated as follows, based on these announcements and these changes. 113 slots are provided to the members of the Republican Party. 103 slots are provided to the members of the Democratic Party. There are three slots for the members of the Unenrolled Party and two current vacancies.

Prior to the convening of this session, eight committees in the Maine Legislature were controlled by a seven to six vote by Republicans. Eight committees were controlled by Democrats. One Joint Standing Committee on Marine Resources was tied. Based on the action I have just taken, the shift in power regarding control of committees by a seven to six vote, switches to nine committees that are now in control by Republicans. Five by Democrats. Two are tied and one is undetermined because of the vacancy in State and Local Government.

I have been asked to also discuss the issue of individual makeup on just the House Committees without reference to the Senate Committees. There are currently based on this action, at this moment, seven committees that are split five to five. There are five committees in which Democrats have a six to four advantage. There are three committees in which Republicans have a six to four advantage. One Committee has four Democrats, five Republicans and one vacant position, the Joint Standing Committee on Banking and Insurance. The Joint Standing Committee on State and Local Government has five Democrats, three Republicans, one independent and one vacancy at this time.

The move toward parity for members of the Republican Caucus can be accomplished by adding three seats. It does and will have an dramatic effect on the combined control of the committees. Adding three seats to this configuration changes the control of committees from what was nine Republicans, five Democrats, two Unenrolled and one undecided to as we achieve parity in the House without any action in the Senate, 15 committees would then be controlled by the Republican Party, zero committees would be controlled by the Democratic Party and two would be tied.

We are too soon to be three weeks into a planned 12 week session. We will consider some 300 pieces of legislation during this period of time. We will consider a new supplemental budget from the Governor. We will be considering phase two of the Productivity Realization Task Force recommendations. We are dealing with issues as far ranging as long

term care, economic security, education and tax fairness.

My roll as Speaker of the House, as a Presiding Officer, extends beyond committee assignments, it extends beyond the length of this legislative session. I have always tried hard to put the interests of this institution first as I represented each of you in a variety of capacities across this great state. I will continue to do that.

Last night I was attempting to explain to my son, Joshua and my daughter, Jessie just what was transpiring here in Augusta. They are very attuned to the news on television and in our newspapers and had what seemed to be an endless series of questions. I found it difficult to explain the many intricacies and dynamics of our environment. I did say that throughout this process that I felt that I had been fair. That I was confident that I had been fair. That seemed to be enough for my daughter.

Two years ago when I had the great honor to be elected as Speaker of this House I said to many of you that my goals were quite simple. I wanted to reestablish the credibility of this institution and I wanted to reestablish a sense of mutual trust between Democrats and Republicans and between the Legislative Branch and the Executive Branch of Government. I have tried to honor that commitment. I believe that the future of this institution, certainly the future of this session may very well rest on our collective actions over the next two days. I pray that we will be successful in this effort.

This morning in a meeting of chairs I asked for the position of my chairs in this process. I said that I wanted to talk to the members of this body, the Democratic members and the Republican members, in fact I called Representative Whitcomb and asked earlier if I could have the opportunity to talk to the caucus.

I was a bit surprised to receive on my desk today a series of resignations from some of my House Chairs. They indicated that they needed to put the Legislature first. I am very proud of them. I am not sure that I have adequately expressed how much their sacrifice means to some of our members. They have asked me to approach my Republican colleagues with the following and they asked that I do it in a joint caucus so that my Democratic Caucus would understand the same position.

Members of my Democratic Chairs have indicated their support to create parity in the Maine House of Representatives. To offer eight chairs in exchange and on the condition that the current orders before the House and future orders be withdrawn. They have asked me to make that offer to each of you at this time. If you agree to that offer, I would ask you to stand. Stand in the House at this time and we will move on at that point.

Thank you very much. That is extremely kind. Thank you. Please congratulate yourselves. House will be at ease.

The Sergeant-at-Arms escorted David Rohde, Christian Science Monitor reporter, who was taken captive by Bosnian Serbs last year to the front of the House where he shared that growing up in Fryeburg helped prepare him for a career in journalism.

The SPEAKER: It is with great pleasure for me to introduce to you a gentlemen that you have read about in the newspapers. If there is a hero in the Bosnian

war, he is perhaps one of them. He has graciously accepted an invitation that we have extended to come by and share a few thoughts before he heads back to other adventures. David Rohde was reporter with the Christian Science Monitor and he is in a position to tell first hand about some of the horrors of working in a war torn country. As you may know, he was captured in October of last year by the Bosnian Serbs. David endured capture and prison supposedly for illegal border crossing and falsifying documents. Those of us in this county where we have a free press know that the real reason David was in prison camp was because he was the first reporter to confirm the existence of mass graves. A graduate of Fryeburg Academy in 1985. David exemplified Maine values. Values of honesty and bravery particularly in the face of adversity. Telling the truth in spite of personal danger is only one of the qualities we admire in David and we are very proud to welcome him back to Maine. Prior to his travels in Bosnia, David worked for the Philadelphia Enquirer as a free lance reporter writing from the Baltics, Cuba and Serbia. I would ask the Sergeant-at-Arms to escort David Rohde forward at this time to address the members of the Maine House of Representatives.

DAVID ROHDE: Good morning. It was just pointed out to me and I just want to say I am not a page even though I look like I am in the uniform. It is a good looking outfit I think.

I want to thank the Speaker and I especially want to thank Harry True, who was my head master at Fryeburg Academy for bringing me here today. I know this is a very busy and emotional day. Bosnia seems like a far off subject, but I think there are some lessons from there that we can imply to some of the issues that you guys deal with every day or some of the issues that you guys will be dealing with over the next week or so here.

I have moved around a lot in my life, but I lived in Fryeburg and went to high school there and definitely consider Maine my home. My dad lived in Fryeburg with me. He is now in Kennebunk. My grandparents lived in York Harbor for years. I have an aunt in Gorham and an aunt and uncle in Cape Elizabeth. I have had other aunts and uncles who have lived here and moved to other places. I think they miss it very much.

It is very strange in a lot of ways. I made some mistakes that lead to me being captured over in Bosnia. I was back there since my capture and actually met with two of the men who survived the mass executions. They were the men who survived the massacre site that I was able to make it to before I was arrested. I think they sort of put things into perspective. One of them was very proud and very happy. He thanked me for knowing these graves and he said, "Together we will destroy the people who did this."

The International War Crime Tribunal has asked me to testify at any future trials about the evidence I found there. The second survivor I talked to, basically said to me in the equivalent of Bosnia. "You are a blanking idiot. You shouldn't have gone. It was way too dangerous. I didn't need you to tell the truth." I guess the lesson I drew from that was that I did make one large mistake in going and that was that I went alone.

There were values that I learned in Fryeburg that led me to go on the trip, which was it is important to tell the truth when you see something that is

wrong and you should act on it. I never dreamt that I would be in this kind of situation. It was very strange to first go to some mass graves in August and escape. Then after that I was able to find refugee camp survivors of the executions. There were nine of them. After that there was actually a U.S. Intelligence Official who was upset that the American government knew there were more mass graves, but were not releasing the locations of the additional ones. That person leaked me that information and then I went in on the second trip, which unfortunately, I was caught on after I found the two graves.

What has happened in Bosnia in a way is about people, but it is also a lot about politicians and the media there. We all have a lot of responsibility in the media. As you people well know you have a responsibility as leaders here. The people in Bosnia are just people. A lot of people think that the Bosnian Serbs must all be monsters and they must have treated me very poorly. It was an interesting cross section of humanity in the way that people guarded me. I had a couple of guards who enjoyed terrifying me and telling me I would be executed. There were other guards who went out of their way to reassure me that I would be released and I would be ok. I think it is important to realize that they are just people.

When I was living in Sarajevo you would be terrified by these men up on the hills, the Serbs with the guns, who would shell the city. The strange thing about being a reporter there is you could then cross the front line and go up on that hill and go talk to that man who is up on the hill. He would describe that he was just defending his home. The reason he was shelling the city because basically the local TV and his local leaders have been telling him that the city was filled with these Islamic Fundamentalists who were from Iran. He wasn't shelling his neighbors and the friends he knew there. I guess the point of all that is that we all have a responsibility.

As you deal with these daily issues and the media deals with these daily issues, it is important to realize what we do has a tremendous impact. What has happened there is that basically people who lived together in peace under Tito, who tended to be a more responsible leader, were whipped into a frenzy by a group of leaders that wanted power when Tito died. They took over the state media. The journalists went along with them. They brought up a lot of ancient hatreds and atrocities that had gone on. These mass executions, the Serbs who were doing the shooting would yell at the Muslims saying they were carrying out revenge for massacres that were carried out as far back as World War II.

I think it is crucial sometimes, we all get clouded visions about power and success and what has gone wrong in Yugoslavia is more than anything else the leaders. It is a communist county. They have had that for years. It is easy for the leaders to take advantage of that by abusing people and abusing their trust in authority. I think it is very important to realize that we all can somehow make a difference. It all seems very incremental.

When I first started this series of stories I did on these massacres, I didn't believe there were massacres. I didn't want to believe that any of these men were telling me the truth. As I kept asking about these massacres there were details only someone who survived something like this would know. There were men I had talked to after I had been to

one of these graves in August and they told me details about these graves that no one else would know. It is strange in that you realize as time goes by that you can have an affect and you can make a difference.

It is important to think over your actions and to follow your gut instincts about what is the right thing to do, not necessarily what's the most expedient thing to do. I would also like to warn that some of the processes that started the war in the former Yugoslavia are going on here. It is very clear from the time that I have been home, in many ways this is a country divided, especially in terms of race and ethnic groups. It is very important that the media and leaders not play on those things to make things worse. That is in part what happened in the former Yugoslavia and led to the tragic war that is going on there now.

There are American troops now in the former Yugoslavia. I was just there a few weeks ago. It is a dangerous mission, but my sense is that if the American troops act aggressively and defend themselves well, they will be all right. In a way I was a case study for how an American would be treated there if he was taken captive. I was treated well basically because I think they respected Americans and they respected the U.S. because it used force in the fall, when NATO finally bombed there. It is a difficult question though about what wars America should be involved in and what is right and wrong for the U.S. to risk the lives of their soldiers. In the end, this has just been a very strange experience for me.

I never thought I would be addressing the State Legislature. I just want to thank you for allowing me the honor to do this. Everyone in Bosnia never believed that this war would start. This all involves neighbors turning on neighbors in some places and in other places groups from outside were brought in to do the ethnic cleansing, which involved people coming in and forcing one group out of the city because they wanted to be a pure Serb city or Muslim city. All sides in the war have committed war crimes. I think it is crucial that just like after World War II there has to be full accountability for what has happened. The War Crimes Tribunal has to be able to try all the accused war criminals. According to the peace treaty in Dayton, there should be free access to these mass graves that I went to, but there still isn't at this point. Reporters that have tried to go there and have been stopped. I don't plan on trying to go again.

I hope that the War Crimes Tribunal investigators are going to be able to go to them. Survivors have told me that if no war criminals are brought to justice for what happened they will be looking for revenge. I think it is just crucial that justice be done there. Otherwise American troops are risking their lives for this year for no reason, because we will just have the same cycle of events continue in the future if justice isn't done now. I guess I would like to take some questions now. I am sorry I don't really have more prepared remarks, but I just can't emphasize enough how important it is to act responsibly with the power you have.

What has happened in Yugoslavia, I honestly believe, is more the fault of its leaders and it's media than anything else. Innocent people were led to believe that they were fighting some kind of holy war. The Serbs who attacked Srebrenica, which were

the surrounded town of Slovenia and the Serbs captured the men there and thought they were attacking a town that was filled with Iranian freedom fighters that had been helicoptered in all the way from Iran and they were trying to spread Islamic fundamentals in Europe. They didn't know any better. They are still responsible for the actions they took, but it shows how distorted things can become when leaders abuse the responsibility they have.

I guess we also have a responsibility in terms of why it took the massacre of these 3,000 people and the discovery of these graves to actually make people act to solve the problem there and to end this war. Things like this are an incremental process. What happened in Srebrenica didn't just happen in one day. It happened over a series of years and finally days. I think it is crucial that we keep that in sight in our day to day decisions and realize that what we do has an impact. It is a difficult position, the one you are in. It is a difficult position in the place some of the media are in. It is important to do the right thing, even if it means in the long term diminishing your own power or success. It is important to do that.

A big mistake I made when I went on this trip was that I didn't take another reporter with me and that maybe would have made it a safer trip. I regret not doing that. I am proud of the reporting I did and proud of following what I learned in Fryeburg and going to these graves and trying to tell the truth while I had the chance. Thank you.

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The Journal of Tuesday, January 9, 1996 was read and approved.

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#### SENATE PAPERS

##### Refer to the Committee on Taxation

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act to Decrease the Paperwork Burden on Maine Businesses by Decreasing the Number of Tax Filings for Retailers" (S.P. 79) (L.D. 167) reporting that it be referred to the Committee on Taxation.

Came from the Senate, with the Report read and accepted and the Bill referred to the Committee on Taxation.

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

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##### Refer to the Committee on Taxation

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act to Clarify the Sales Tax Law Applicable to Packaging" (S.P. 207) (L.D. 550) reporting that it be referred to the Committee on Taxation.

Came from the Senate, with the Report read and accepted and the Bill referred to the Committee on Taxation.

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

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##### Refer to the Committee on Taxation

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act to Reestablish the Tax Credit for Intrastate Airlines" (EMERGENCY)

(S.P. 245) (L.D. 642) reporting that it be referred to the Committee on Taxation.

Came from the Senate, with the Report read and accepted and the Bill referred to the Committee on Taxation.

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

#### COMMUNICATIONS

The following Communication: (S.P. 641)  
**MAINE HEALTH CARE REFORM COMMISSION**  
 State House Station 140  
 Augusta, Maine 04333

December 29, 1995

The Honorable Jeffrey H. Butland  
 Maine Legislature  
 33 Longwoods Road  
 Cumberland Center, ME 04021  
 Dear President Butland:

I am pleased to present you with a copy of the Maine Health Care Reform Commission's Final Report on Recommendations for Health Systems Reform. The Report describes a number of alternative reform strategies considered by the Commission and the estimated impact of each of the options. These alternatives form the basis of the legislative proposals that will be submitted by the Commission for your consideration during the second regular session. These bills represent the culmination of over a year's work by the Commission, its many advisory committee members as well as the consideration and input of the many interested members of the public who took the time to participate in the Commission's hearing process.

The legislative proposals that will be in front of you during the upcoming session include the following:

- \* An Act to establish a single payer, universal health care system for the State of Maine;
- \* An Act to establish a multiple payer, universal health care system for the State of Maine;
- \* An Act to establish a range of incremental health system reforms, including the implementation of a voluntary purchasing alliance and the provision of Medicaid coverage to all Maine children living below 250% of the poverty level;
- \* An Act to establish a statewide, comprehensive health information system;
- \* An Act to improve public health in Maine;
- \* An Act to establish a special mandated benefits review commission; and
- \* An Act to mandate a study of the effectiveness of Maine's pre-litigation screening panels.

At the request of certain members of the legislative Council, we have also drafted a Memorial to Congress, urging it to amend the federal Employee Retirement and Income Security Act (ERISA) to allow states more flexibility in implementing comprehensive health reform.

This is a large package of legislation, much of which is complex and interrelated. It may be difficult to find your way through all of the various provisions contained in the bills and make sense of what each is intended to accomplish. In an effort to assist you in your review and evaluation of these proposals, we will be holding a "retreat" to which all interested members of the Legislature are invited, on January 19, at the Senator Inn, Augusta.

At this one-day session, Commissioners and staff will review the salient portions of the Commission's final report and recommendations. The meeting, which will be facilitated by experts in health reform policy from the Alpha Center in Washington, D.C., will include discussion and interactions with representatives from other states that are currently engaging in reform efforts similar to those that are being proposed for Maine. You will have the opportunity to hear about the experience, difficulties and successes with health reform efforts elsewhere, and to question these experts and the Commission about the proposals that will be before you in the coming session. It is our hope that the day will provide you with the information necessary to allow you to make an informed assessment of the legislative proposals.

We would like to extend a special invitation to you to attend this important meeting. As a member of legislative leadership, you will likely bear a great deal of the responsibility for handling these bills; we want to provide you with as much support and assistance with this task as we can. I urge you to make time in your schedule to join us on January 19th.

In order to help us plan for this session, we ask that you please respond to this invitation, using the enclosed form, no later than January 12th. Feel free to call with any questions or concerns; we can be reached at 287-8220. Thank you for your consideration. I look forward to seeing you on January 19th.

Sincerely,  
 S/Robert B. Keller, M.D.  
 Chairman

Came from the Senate, read and with accompanying report ordered placed on file.

Was read and with accompanying report ordered placed on file in concurrence.

The following Communication: (H.C. 293)

**MAINE STATE LEGISLATURE**  
 Augusta, Maine 04333

#### WORK GROUP ON ELECTRIC INDUSTRY RESTRUCTURING

January 5, 1996

The Honorable Jeffrey H. Butland  
 The Honorable Dan A. Gwadosky  
 Maine Legislature  
 State House  
 Augusta, ME 04333

Dear President Butland and Speaker Gwadosky:

This letter is to inform you that the Work Group on Electric Industry Restructuring has submitted the attached report of its study to the Legislature, The Joint Standing Committee on Utilities and Energy and the Public Utilities Commission, pursuant to Resolves 1995 chapter 48.

Sincerely,  
 S/Rep. Carol A. Kontos  
 Chair

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

#### PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills 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:

### **Appropriations and Financial Affairs**

Bill "An Act to Provide Equity in Payment for Substance Abuse Services Purchased by the State" (EMERGENCY) (H.P. 1236) (L.D. 1696) (Presented by Representative DAGGETT of Augusta) (Cosponsored by Representatives: BRENNAN of Portland, FITZPATRICK of Durham, JONES of Bar Harbor, POVICH of Ellsworth, TRUE of Fryeburg, VOLENIK of Sedgwick) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

### **Banking and Insurance**

Bill "An Act to Consolidate Insurer Billing Procedures and to Streamline the Licensing Process for Reinsurance Intermediaries" (H.P. 1231) (L.D. 1684) (Presented by Representative LUMBRA of Bangor) (Cosponsored by Representative: BENEDIKT of Brunswick) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 24.)

Bill "An Act to Amend and Further Deregulate the Maine Consumer Credit Code" (H.P. 1239) (L.D. 1699) (Presented by Representative VIGUE of Winslow) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 24.)

Bill "An Act to Require That Diabetes Supplies and Self-management Training be Covered by Health Insurance Policies" (H.P. 1242) (L.D. 1702) (Presented by Representative JONES of Pittsfield) (Cosponsored by Representatives: AIKMAN of Poland, AULT of Wayne, BARTH of Bethel, BOUFFARD of Lewiston, CHASE of China, CHICK of Lebanon, CROSS of Dover-Foxcroft, DEXTER of Kingfield, GATES of Rockport, GERRY of Auburn, JOY of Crystal, LIBBY of Kennebunk, LOOK of Jonesboro, MADORE of Augusta, McELROY of Unity, MITCHELL of Vassalboro, MITCHELL of Portland, NICKERSON of Turner, PAUL of Sanford, PENDLETON of Scarborough, POIRIER of Saco, REED of Dexter, RICHARD of Madison, SAXL of Portland, SIROIS of Caribou, STEDMAN of Hartland, TRUE of Fryeburg, TYLER of Windham, Senators: BENOIT of Franklin, CAREY of Kennebec, CIANCHETTE of Somerset, LORD of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

### **Criminal Justice**

Bill "An Act to Enhance Fireworks Safety" (H.P. 1233) (L.D. 1693) (Presented by Representative CLUKEY of Houlton) (Cosponsored by Representatives: BUNKER of Kossuth Township, MORRISON of Bangor, WHEELER of Bridgewater, Senator: O'DEA of Penobscot) (Submitted by the Department of Public Safety pursuant to Joint Rule 24.)

Bill "An Act to Amend the Dispositional Alternatives for Juveniles Adjudicated to Have Committed Gross Sexual Assault upon 2 or More Child Victims" (H.P. 1234) (L.D. 1694) (Presented by Representative KERR of Old Orchard Beach) (Cosponsored by Representatives: BOUFFARD of Lewiston, DONNELLY of Presque Isle, GUERRETTE of Pittston, POULIOT of Lewiston, Senator: HANLEY of Oxford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

### **Labor**

Bill "An Act to Expedite the Decision-making Process for Disability Retirement under the Maine State Retirement System" (H.P. 1238) (L.D. 1698) (Presented by Representative HATCH of Skowhegan) (Cosponsored by Senator RAND of Cumberland and Representatives: LUTHER of Mexico, PENDLETON of Scarborough, SAMSON of Jay) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

### **Marine Resources**

Bill "An Act to Amend the Laws Regarding Drag Limits in South Bay" (H.P. 1235) (L.D. 1695) (Presented by Representative LOOK of Jonesboro) (Cosponsored by Representatives: ADAMS of Portland, BAILEY of Township 27, VOLENIK of Sedgwick, Senator: CASSIDY of Washington) (Submitted by the Department of Marine Resources pursuant to Joint Rule 24.)

### **State and Local Government**

Bill "An Act to Establish the Town Boundary between the Town of Canaan and the Town of Cornville and between the Town of Canaan and the Town of Skowhegan Located in the County of Somerset" (H.P. 1230) (L.D. 1683) (Presented by Representative STEDMAN of Hartland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Allow the Removal from Public Office of Certain Elected County Officials" (EMERGENCY) (H.P. 1240) (L.D. 1700) (Presented by Representative BUNKER of Kossuth Township) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Reduce the Number of Legislative Confirmation Hearings" (H.P. 1241) (L.D. 1701) (Presented by Representative DAGGETT of Augusta) (Cosponsored by Senator: AMERO of Cumberland) (Governor's Bill)

### **Taxation**

Bill "An Act to Amend the Unorganized Territory Tax Laws" (H.P. 1237) (L.D. 1697) (Presented by Representative DEXTER of Kingfield) (Cosponsored by Representatives: BAILEY of Township 27, BUNKER of Kossuth Township, GOULD of Greenville, Senator: MICHAUD of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

### **Transportation**

Bill "An Act Concerning Portable Scale Tolerances on the Interstate Highway System" (H.P. 1227) (L.D. 1680) (Presented by Representative O'GARA of Westbrook) (Cosponsored by Senator: STEVENS of Androscoggin) (Submitted by the Department of Transportation pursuant to Joint Rule 24.)

Bill "An Act Pertaining to the Northern New England Passenger Rail Authority" (H.P. 1228) (L.D. 1681) (Presented by Representative O'GARA of Westbrook) (Cosponsored by Senators: PARADIS of Aroostook, STEVENS of Androscoggin) (Submitted by the Department of Transportation pursuant to Joint Rule 24.)

Bill "An Act to Transfer the Responsibility for Air Search and Rescue from the Commissioner of



Transportation to the Chief of the State Police" (H.P. 1229) (L.D. 1682) (Presented by Representative STROUT of Corinth) (Cosponsored by Representatives: BOUFFARD of Lewiston, DRISCOLL of Calais, FARNUM of South Berwick, HEINO of Boothbay, LINDAHL of Northport, RICKER of Lewiston, Senators: CASSIDY of Washington, PARADIS of Aroostook) (Submitted by the Department of Public Safety pursuant to Joint Rule 24.)

#### Reported Pursuant to Resolve

Representative JACQUES for the Commission to Study Trespass Laws pursuant to Resolve 1995, chapter 53 asks leave to submit its findings and to report that the accompanying Bill "An Act to Provide Recovery for Motor Vehicle Damage to Forest Lands" (H.P. 1232) (L.D. 1685) be referred to the Joint Standing Committee on Criminal Justice for Public Hearing and printed pursuant to Joint Rule 20.

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

#### ORDERS

On motion of Representative HICHBORN of Lagrange, the following Order: (H.O. 37)

ORDERED, that Representative Janice E. Labrecque of Gorham be excused January 3 for personal reasons. Was read and passed.

#### SPECIAL SENTIMENT CALENDAR

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

In Memory of:

Geoffrey R. Stanwood, a devoted Bowdoin College friend who served the college and the town of Brunswick in many capacities throughout his life. He served in the U.S. Navy during World War II, achieving the rank of Lieutenant Commander. Mr. Stanwood held several administrative positions at Bowdoin College and was active in the community, having served as president and general chairman for the Brunswick Area United Fund and as president of the Village Improvement Association. He was also an active member at St. Paul's Episcopal Church in Brunswick; (HLS 783) by Representative BENEDIKT of Brunswick. (Cosponsors: Senator HARRIMAN of Cumberland, Representative DAVIDSON of Brunswick, Representative ETNIER of Harpswell)

On objection of Representative JACQUES of Waterville was removed from the Special Sentiment Calendar.

On further motion of the same Representative, tabled pending adoption and specially assigned for Tuesday, January 16, 1996.

#### REPORTS OF COMMITTEES

##### Refer to the Committee on Inland Fisheries and Wildlife

Representative KILKELLY from the Committee on Agriculture, Conservation and Forestry on Bill "An Act to Transfer Regulatory Control of Whitewater Rafting to the Department of Conservation's Bureau of Parks and Recreation" (H.P. 415) (L.D. 572) reporting that it be referred to the Committee on Inland Fisheries and Wildlife.

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

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

#### SENATE PAPERS

The following Joint Order: (S.P. 644)  
ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, January 16, 1996, at 10:00 o'clock in the morning.  
Came from the Senate, read and passed.  
Was read and passed in concurrence.

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

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

Bill "An Act to Remove the 50-foot Buffer Requirement When Cutting Trees" (S.P. 642) (L.D. 1686)

Bill "An Act to Amend the Law Allowing the Growth and Sale of Cultivated Ginseng in Maine" (EMERGENCY) (S.P. 649) (L.D. 1691)

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

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

Bill "An Act to Require Legislative Approval of Financial Obligations of the State beyond the Current Biennium" (S.P. 646) (L.D. 1688)

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

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

Bill "An Act to Confirm That Nonprofit Health Care Providers May Achieve Cost Savings on Professional and General Liability Coverage" (S.P. 651) (L.D. 1703)

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

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

Resolve, Directing the Department of Human Services to Take Steps to Reduce the Regulation of Nurses Providing Care to Nursing Home Residents (S.P. 647) (L.D. 1689)

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

Was referred to the Committee on Human Resources in concurrence.

Bill "An Act to Improve Local Control over Liquor Licensing" (S.P. 650) (L.D. 1692)

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

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

On motion of Representative KILKELLY of Wiscasset, the House adjourned at 11:50 a.m. pursuant to the Joint Order ( S.P. 644).

Bill "An Act to Make Changes to the Motor Vehicle Laws" (S.P. 643) (L.D. 1687)

Bill "An Act Relating to the Potential Improvement of the Maine Turnpike Authority" (S.P. 648) (L.D. 1690)

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

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

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#### UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Tuesday, January 9, 1996, have preference in the Orders of the Day and continue with such preference until disposed of as provided by Rule 24.

Resolve, Regarding Legislative Computer Information Systems (EMERGENCY) (H.P. 1226) (L.D. 1679)

(Committee on **State and Local Government** suggested)

TABLED - January 9, 1996 (Till Later Today) by Representative JACQUES of Waterville.

PENDING - Reference.

On motion of Representative JACQUES of Waterville, tabled pending reference and specially assigned for Tuesday, January 16, 1996.

Bill "An Act to Protect Sources of Drinking Water in the Towns of Searsport, Stockton Springs and Prospect" (H.P. 1218) (L.D. 1668)

(Committee on **Utilities and Energy** suggested)

TABLED - January 9, 1996 (Till Later Today) by Representative WHITCOMB of Waldo.

PENDING - Reference.

On motion of Representative JACQUES of Waterville, tabled pending reference and specially assigned for Tuesday, January 16, 1996.

Bill "An Act to Allow Voluntary Withholding of Federal and State Income Taxes from Unemployment Compensation Benefits" (S.P. 639) (L.D. 1674)

- In Senate, Referred to the Committee on **Labor**.

TABLED - January 9, 1996 (Till Later Today) by Representative DORE of Auburn.

PENDING - Reference in concurrence.

On motion of Representative JACQUES of Waterville, tabled pending reference and specially assigned for Tuesday, January 16, 1996.

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#### TABLED AND TODAY ASSIGNED

The Chair laid before the House the following item which was tabled and today assigned:

Bill "An Act to Amend the Maine Sanitary District Enabling Act" (S.P. 633) (L.D. 1641)

- In Senate, Referred to the Committee on **Utilities and Energy**.

TABLED - January 9, 1996 by Representative STROUT of Corinth.

PENDING - Reference in concurrence.

Subsequently, the Bill was referred to the Committee on **Utilities and Energy** in concurrence.