

# 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  
10th Legislative Day  
Thursday, February 1, 1996

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

Prayer by Reverend Allan Wells-Goodwin, Naples and North Sebago United Methodist Churches.

Physician for the day, Pamela Bensen, M.D., Oxford.  
The Journal of Tuesday, January 30, 1996 was read and approved.

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

**Ought to Pass as Amended**

Representative DESMOND from the Committee on Education and Cultural Affairs on Bill "An Act to Establish Educational Services for Grades 7 to 12 in the Towns of Mechanic Falls, Minot and Poland" (EMERGENCY) (H.P. 1243) (L.D. 1705) reporting "Ought to Pass" as amended by Committee Amendment "A" (H-686) Report was read and accepted. The Bill read once. Committee Amendment "A" (H-686) was read by the Clerk and adopted.

Under suspension of the rules, the Bill was given its second reading without reference to the Committee on Bills in the Second Reading.

Under further suspension of the rules, the Bill was passed to be engrossed as amended by Committee Amendment "A" (H-686) and sent up for concurrence. Ordered sent forthwith.

**COMMUNICATIONS**

The following Communication: (S.P. 681)  
**117TH LEGISLATURE**

January 29, 1996

Senator Vinton E. Cassidy

Representative Robert W. Spear

Chairpersons

Joint Standing Committee on Agriculture, Conservation and Forestry

117th Legislature

Augusta, Maine 04333

Dear Senator Cassidy and Representative Spear:

Please be advised that Governor Angus S. King, Jr. has nominated Katherine O. Musgrave of Orono and Colon E. Durrell of Farmington for reappointment as members of the Maine Milk Commission.

Pursuant to Title 7, MRSA Section 2952, these nominations will require review by the Joint Standing Committee on Agriculture, Conservation and Forestry and confirmation by the Senate.

Sincerely,

S/Jeffrey H. Butland

President of the Senate

S/Dan A. Gwadosky

Speaker of the House

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

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

The following Communication: (H.C. 307)

**STATE OF MAINE**

**ONE HUNDRED AND SEVENTEENTH LEGISLATURE  
COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS**

January 30, 1996

Honorable Jeffrey H. Butland, President of the Senate  
Honorable Dan A. Gwadosky, Speaker of the House  
117th Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

Pursuant to Joint Rule 15, we are writing to notify you that the Joint Standing Committee on Appropriations and Financial Affairs has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1034

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish a Future Budget Fund

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Dana C. Hanley

Senate Chair

S/Rep. George J. Kerr

House Chair

Was read and ordered placed on file.

The following Communication: (H.C. 308)

**STATE OF MAINE**

**ONE HUNDRED AND SEVENTEENTH LEGISLATURE  
COMMITTEE ON BANKING AND INSURANCE**

January 30, 1996

Honorable Jeffrey H. Butland, President of the Senate  
Honorable Dan A. Gwadosky, Speaker of the House  
117th Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

Pursuant to Joint Rule 15, we are writing to notify you that the Joint Standing Committee on Banking and Insurance has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 183

An Act to Clarify Fresh Start Charges under the Workers' Compensation Laws

L.D. 752

An Act to Include Obstetricians and Gynecologists as Primary Care Providers

L.D. 841

An Act to Amend the Approval Requirements for Medicare Supplement Insurance Policies

L.D. 1079

An Act to Improve Coverage for Women's Health Services

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. I. Joel Abromson

Senate Chair

S/Rep. Marc J. Vigue

House Chair

Was read and ordered placed on file.

The following Communication: (H.C. 309)

**STATE OF MAINE**

**ONE HUNDRED AND SEVENTEENTH LEGISLATURE  
COMMITTEE ON CRIMINAL JUSTICE**

January 30, 1996

Honorable Jeffrey H. Butland, President of the Senate

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

Dear President Butland and Speaker Gwadosky:

Pursuant to Joint Rule 15, we are writing to notify you that the Joint Standing Committee on Criminal Justice has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 1030                      An Act to Provide  
Services to Adjudicated  
Young Women

L.D. 1235                      An Act to Transfer  
Juvenile Correctional  
Functions to the  
Department of Human  
Services

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. John W. Benoit                      S/Rep. Herbert E. Clark  
Senate Chair                      House Chair  
Was read and ordered placed on file.

The following Communication: (H.C. 310)

**STATE OF MAINE**

**ONE HUNDRED AND SEVENTEENTH LEGISLATURE  
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

January 30, 1996

Honorable Jeffrey H. Butland, President of the Senate  
Honorable Dan A. Gwadosky, Speaker of the House  
117th Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

Pursuant to Joint Rule 15, we are writing to notify you that the Joint Standing Committee on Education and Cultural Affairs has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 830                      An Act to Establish  
Charter Schools

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Mary E. Small                      S/Rep. Wendy L. Ault  
Senate Chair                      House Chair  
Was read and ordered placed on file.

The following Communication: (H.C. 311)

**STATE OF MAINE**

**ONE HUNDRED AND SEVENTEENTH LEGISLATURE  
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

January 30, 1996

Honorable Jeffrey H. Butland, President of the Senate  
Honorable Dan A. Gwadosky, Speaker of the House  
117th Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

Pursuant to Joint Rule 15, we are writing to notify you that the Joint Standing Committee on Inland Fisheries and Wildlife has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 384                      Resolve, to Install Fish  
Screens in the West  
Grand Lake Dam

L.D. 1393

Resolve, to Standardize  
Certain Ice Fishing and  
Open Water Fishing Rules

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Stephen E. Hall                      S/Rep. Ernest C. Greenlaw  
Senate Chair                      House Chair  
Was read and ordered placed on file.

The following Communication: (H.C. 312)

**STATE OF MAINE**

**ONE HUNDRED AND SEVENTEENTH LEGISLATURE  
COMMITTEE ON JUDICIARY**

January 30, 1996

Honorable Jeffrey H. Butland, President of the Senate  
Honorable Dan A. Gwadosky, Speaker of the House  
117th Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

Pursuant to Joint Rule 15, we are writing to notify you that the Joint Standing Committee on Judiciary has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1626                      An Act to Allow Recovery  
by the State of Costs  
Incurred by the  
Department of the  
Attorney General for  
Making Intelligence and  
Investigative  
Information Available to  
the Public

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. S. Peter Mills  
Senate Chair  
S/Rep. Sharon Anglin Treat  
House Chair  
Was read and ordered placed on file.

The following Communication: (H.C. 313)

**STATE OF MAINE**

**ONE HUNDRED AND SEVENTEENTH LEGISLATURE  
COMMITTEE ON MARINE RESOURCES**

January 30, 1996

Honorable Jeffrey H. Butland, President of the Senate  
Honorable Dan A. Gwadosky, Speaker of the House  
117th Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

Pursuant to Joint Rule 15, we are writing to notify you that the Joint Standing Committee on Marine Resources has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 1210                      An Act to Protect  
Near-shore Groundfish  
Spawning Areas

L.D. 1647                      An Act to Increase the  
Number of Lobster Traps  
Allowed on Trawls in  
Hancock County

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Jeffrey H. Butland      S/Rep. Theone F. Look  
Senate Chair                      House Chair  
Was read and ordered placed on file.

The following Communication: (H.C. 314)

**STATE OF MAINE  
ONE HUNDRED AND SEVENTEENTH LEGISLATURE  
COMMITTEE ON NATURAL RESOURCES**

January 30, 1996

Honorable Jeffrey H. Butland, President of the Senate  
Honorable Dan A. Gwadosky, Speaker of the House  
117th Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

Pursuant to Joint Rule 15, we are writing to notify you that the Joint Standing Committee on Natural Resources has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1014

Resolve, Directing the  
Commissioner of  
Environmental Protection  
to Propose a Plan to  
Reorganize the  
Department of  
Environmental Protection

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Willis A. Lord              S/Rep. Edward L. Dexter  
Senate Chair                      House Chair  
Was read and ordered placed on file.

The following Communication: (H.C. 315)

**STATE OF MAINE  
ONE HUNDRED AND SEVENTEENTH LEGISLATURE  
COMMITTEE ON STATE AND LOCAL GOVERNMENT**

January 30, 1996

Honorable Jeffrey H. Butland, President of the Senate  
Honorable Dan A. Gwadosky, Speaker of the House  
117th Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

Pursuant to Joint Rule 15, we are writing to notify you that the Joint Standing Committee on State and Local Government has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1566

An Act to Reform the  
Kennebec County Budget  
Process

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Jane A. Amero              S/Rep. Beverly C. Daggett  
Senate Chair                      House Chair  
Was read and ordered placed on file.

The following Communication: (H.C. 316)

**MAINE TURNPIKE AUTHORITY  
430 RIVERSIDE STREET  
PORTLAND, MAINE 04103**

January 31, 1996

Hon. Dan A. Gwadosky  
Speaker of the House  
State House Station #2  
Augusta, ME 04333

Dear Speaker Gwadosky:

It is with a measure of pride that I submit for your review the attached Progress Report on the Analysis of Alternatives to Address Traffic Capacity Demands on the Maine Turnpike.

Since the enactment of the Maine Sensible Transportation Policy Act, the Maine Turnpike Authority has been called upon to perform many additional responsibilities with respect to the implementation and analysis of alternative transportation strategies. I am confident that this report, though preliminary, will demonstrate that the Authority, assisted by an outstanding team of planners, researchers, advocates and concerned citizens, has risen to the task at hand. Furthermore, I believe our continued commitment to explore new and innovative transportation strategies will provide significant future benefits to the people of Maine.

If you have questions or comments about this material, please contact me at your convenience. I look forward to working closely with you to improve Maine's transportation system.

Best wishes for a successful legislative session,

Sincerely,

S/Paul E. Violette  
Executive Director

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

The following Communication: (H.C. 317)

**STATE OF MAINE  
OFFICE OF THE GOVERNOR  
1 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0001**

January 30, 1996

The Honorable Dan A. Gwadosky  
Speaker, Maine House of Representatives  
#2 State House Station  
Augusta, Maine 04333  
The Honorable Jeffrey H. Butland  
President, Maine State Senate  
#3 State House Station  
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

This letter is to notify the Legislature that I have accepted and will implement the recommendations of the Productivity Realization Task Force relative to the Department of Public Safety, excepting those recommendations requiring legislative approval. In this session, I will be introducing legislation necessary to implement these recommendations.

Implementation of this plan will result in a net reduction of 20 positions over this biennium and a corresponding net savings in all funds of \$919,956 over the same period.

In general, this proposal consolidates and centralizes support and administrative functions, enhances the application of technology to operations, reduces overtime costs, and more effectively utilizes sworn law enforcement personnel to perform tasks that require specific law enforcement skills.

Commissioner Skolfield is available to provide additional information requested or respond to any questions you may have. In addition, it is my understanding that Commissioner Skolfield has already briefed the Joint Standing Committees on Criminal Justice and Transportation on the details of the plan.

As in the past, I look forward to working with the Task Force and the Legislature in our continuing efforts to improve efficiency and productivity in Maine state government.

Sincerely,  
S/Angus S. King, Jr.  
Governor

Was read and with accompanying papers ordered placed on file.

The following Communication: (H.C. 318)

**STATE OF MAINE  
OFFICE OF THE GOVERNOR  
1 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0001**

January 31, 1996

The Honorable Dan A. Gwadosky  
Speaker, Maine House of Representatives  
#2 State House Station  
Augusta, Maine 04333

The Honorable Jeffrey H. Butland  
President, Maine State Senate  
#3 State House Station  
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

This letter is to notify the Legislature that I have accepted and will implement the recommendations of the Productivity Realization Task Force relating to the Department of Education, excepting those that require legislative approval.

The recommendations I am accepting today include 14 position exchanges, 5 reclassifications, the elimination of 35 general fund positions and 16.5 federal fund budget positions for a savings over the biennium of \$906,368. The Department's plan includes reducing 13 divisions to four teams with self-directed subteams.

The Department of Education has met its goal of making the Department more efficient and productive while implementing quality assurance measures to improve responsiveness and service to both their internal and external customers.

The enclosed letter from Commissioner Mowatt provides detailed information about the Productivity Realization Task Force recommendations for the Department of Education. Commissioner Mowatt and his staff are available to provide additional information or to respond to questions.

Sincerely,  
S/Angus S. King, Jr.  
Governor

Was read and with accompanying papers ordered placed on file.

#### **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:

#### **Banking and Insurance**

Bill "An Act to Implement the Recommendations of the Maine Task Force on Interstate Banking and Branching" (H.P. 1272) (L.D. 1750) (Presented by Representative VIGUE of Winslow) (Cosponsored by Representatives: GATES of Rockport, MAYO of Bath, Senator: ABROMSON of Cumberland) (Governor's Bill)

#### **Taxation**

Bill "An Act Regarding Municipal Penalties for Late Filing under the Maine Tree Growth Tax Law" (H.P. 1271) (L.D. 1749) (Presented by Representative CLARK of Millinocket) (Cosponsored by Representative JOY of Crystal, Senator MICHAUD of Penobscot and Representatives: CLUKEY of Houlton, DEXTER of Kingfield, GOULD of Greenville, WHEELER of Bridgewater, Senator: LORD of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

#### **ORDERS**

On motion of Representative CLARK of Millinocket, the following Joint Resolution: (H.P. 1273) (Cosponsored by Senator KIEFFER of Aroostook and Representatives: AHEARNE of Madawaska, BENEDIKT of Brunswick, CARLETON of Wells, CARR of Hermon, CROSS of Dover-Foxcroft, GWADOSKY of Fairfield, HEINO of Boothbay, JACQUES of Waterville, KONTOS of Windham, MITCHELL of Vassalboro, MORRISON of Bangor, O'NEAL of Limestone, REED of Dexter, ROSEBUSH of East Millinocket, ROWE of Portland, SPEAR of Nobleboro, STROUT of Corinth, VIGUE of Winslow, WHITCOMB of Waldo, Senator: AMERO of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 35)

**JOINT RESOLUTION MEMORIALIZING THE PRESIDENT  
AND THE CONGRESS OF THE UNITED STATES TO  
SUPPORT FULL PARTICIPATION BY THE REPUBLIC  
OF CHINA ON TAIWAN IN THE UNITED NATIONS**

WE, your Memorialists, the Members of the One Hundred and Seventeenth Legislature of the State of Maine now assembled in the Second Regular Session, most respectfully present and petition the President and the members of the Congress of the United States, as follows:

**WHEREAS**, the United States of America has had a long and friendly relationship with the Government of the Republic of China on Taiwan; and

**WHEREAS**, in recent years the Republic of China on Taiwan has established a multiparty, democratic political system dedicated to human rights and the pursuit of freedom; and

**WHEREAS**, commercial interaction with the Republic of China on Taiwan has grown substantially in recent years; and

**WHEREAS**, the Republic of China on Taiwan is a major trading partner of the United States and has a strong, free-market economy with the largest foreign reserves of any nation in the world; and

**WHEREAS**, the role of the Republic of China on Taiwan in international development programs and humanitarian relief operations has significantly expanded during the past decade; and

**WHEREAS**, the return of the Republic of China on Taiwan to the family of nations through membership in the United Nations will help to strengthen mutual cooperation and the bonds of friendship between our nations; now, therefore be it

**RESOLVED:** That We, your Memorialists, respectfully request the President and the Congress of the United States to encourage and support full participation by the Republic of China on Taiwan in the United Nations; and be it further

**RESOLVED:** That suitable copies of this resolution, duly authenticated by the Secretary of

State, be transmitted to the Honorable William J. Clinton, President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to each Member of the Maine Congressional Delegation.

Was read and adopted and sent up for concurrence.

On motion of Representative JACQUES of Waterville, the following Joint Resolution: (H.P. 1274) (Cosponsored by Representative JOSEPH of Waterville and Representatives: ADAMS of Portland, AHEARNE of Madawaska, AIKMAN of Poland, AULT of Wayne, BAILEY of Township 27, BARTH of Bethel, BENEDIKT of Brunswick, BERRY of Livermore, BIGL of Bucksport, BIRNEY of Paris, BISULCA of the Penobscot Nation, BOUFFARD of Lewiston, BRENNAN of Portland, BUCK of Yarmouth, BUNKER of Kossuth Township, CAMERON of Rumford, CAMPBELL of Holden, CARLETON of Wells, CARR of Hermon, CHARTRAND of Rockland, CHASE of China, CHICK of Lebanon, CHIZMAR of Lisbon, CLARK of Millinocket, CLOUTIER of South Portland, CLUKEY of Houlton, CROSS of Dover-Foxcroft, DAGGETT of Augusta, DAMREN of Belgrade, DAVIDSON of Brunswick, DESMOND of Mapleton, DEXTER of Kingfield, DIPIETRO of South Portland, DONNELLY of Presque Isle, DORE of Auburn, DRISCOLL of Calais, DUNN of Gray, ETNIER of Harpswell, FARNUM of South Berwick, FISHER of Brewer, FITZPATRICK of Durham, GAMACHE of Lewiston, GATES of Rockport, GERRY of Auburn, GIERINGER of Portland, GOOLEY of Farmington, GOULD of Greenville, GREEN of Monmouth, GREENLAW of Standish, GUERRETTE of Pittston, GWADOSKY of Fairfield, HARTNETT of Freeport, HATCH of Skowhegan, HEESCHEN of Wilton, HEINO of Boothbay, HICHBORN of Lagrange, JOHNSON of South Portland, JONES of Bar Harbor, JONES of Pittsfield, JOY of Crystal, JOYCE of Biddeford, JOYNER of Hollis, KEANE of Old Town, KERR of Old Orchard Beach, KILKELLY of Wiscasset, KNEELAND of Easton, KONTOS of Windham, LABRECQUE of Gorham, LaFOUNTAIN of Biddeford, LANE of Enfield, LAYTON of Cherryfield, LEMAIRE of Lewiston, LEMKE of Westbrook, LEMONT of Kittery, LIBBY of Kennebunk, LIBBY of Buxton, LINDAHL of Northport, LOOK of Jonesboro, LOVETT of Scarborough, LUMBRA of Bangor, LUTHER of Mexico, MADORE of Augusta, MARSHALL of Eliot, MARTIN of Eagle Lake, MARVIN of Cape Elizabeth, MAYO of Bath, McALEVEY of Waterboro, McELROY of Unity, MERES of Norridgewock, MITCHELL of Vassalboro, MITCHELL of Portland, MOORE of the Passamaquoddy Tribe, MORRISON of Bangor, MURPHY of Berwick, NADEAU of Saco, NASS of Acton, NICKERSON of Turner, O'GARA of Westbrook, O'NEAL of Limestone, OTT of York, PAUL of Sanford, PEAHEY of Woolwich, PENDLETON of Scarborough, PERKINS of Penobscot, PINKHAM of Lamoine, PLOWMAN of Hampden, POIRIER of Saco, POULIN of Oakland, POULIOT of Lewiston, POVICH of Ellsworth, REED of Falmouth, REED of Dexter, RICE of South Bristol, RICHARD of Madison, RICHARDSON of Portland, RICKER of Lewiston, ROBICHAUD of Caribou, ROSEBUSH of East Millinocket, ROWE of Portland, SAMSON of Jay, SAVAGE of Union, SAXL of Bangor, SAXL of Portland, SHIAH of Bowdoinham, SIMONEAU of Thomaston, SIROIS of Caribou, SPEAR of Nobleboro, STEDMAN of Hartland, STEVENS of Orono, STONE of Bangor, STROUT of Corinth, TAYLOR of Cumberland, THOMPSON of Naples, TOWNSEND of Portland, TREAT of Gardiner, TRIPP of Topsham, TRUE of Fryeburg, TRUMAN of Biddeford, TUFTS of Stockton Springs, TUTTLE of Vassalboro, TYLER of Windham, UNDERWOOD of Oxford, VIGUE

of Winslow, VOLENIK of Sedgwick, WATERHOUSE of Bridgton, WATSON of Farmingdale, WHEELER of Bridgewater, WHITCOMB of Waldo, WINGLASS of Auburn, WINN of Glenburn, WINSOR of Norway, Senators: ABROMSON of Cumberland, AMERO of Cumberland, BEGLEY of Lincoln, BENOIT of Franklin, BERUBE of Androscoggin, BUSTIN of Kennebec, BUTLAND of Cumberland, CAREY of Kennebec, CARPENTER of York, CASSIDY of Washington, CIANCHETTE of Somerset, CLEVELAND of Androscoggin, ESTY of Cumberland, FAIRCLOTH of Penobscot, FERGUSON of Oxford, GOLDTHWAIT of Hancock, HALL of Piscataquis, HANLEY of Oxford, HARRIMAN of Cumberland, HATHAWAY of York, KIEFFER of Aroostook, LAWRENCE of York, LONGLEY of Waldo, LORD of York, McCORMICK of Kennebec, MICHAUD of Penobscot, MILLS of Somerset, O'DEA of Penobscot, PARADIS of Aroostook, PENDEXTER of Cumberland, PINGREE of Knox, RAND of Cumberland, RUHLIN of Penobscot, SMALL of Sagadahoc, STEVENS of Androscoggin)

JOINT RESOLUTION HONORING THE SISTERS OF THE  
BLESSED SACRAMENT CONVENT IN WATERVILLE

**WHEREAS**, the Legislature has learned of the vicious and brutal attack on the sisters of the Blessed Sacrament in Waterville; and

**WHEREAS**, that attack has taken the lives of Sister Superior Edna Mary Cardozo and Sister Marie Julien Fortin and has left Sister Mary Anna DiGiacomo in serious condition and caused injuries to Sister Patricia Keane; and

**WHEREAS**, the order of the Blessed Sacrament sisters have for almost a half century provided comfort, solace, support and prayers for the sick, the elderly, the less privileged and anyone else in need; and

**WHEREAS**, their kindness, grace, mercy and thoughtful consideration will be sorely missed by all citizens, crossing boundaries of all faiths and all communities; now, therefore, be it

**RESOLVED**: That our membership join others from across the state and nation in extending our heartfelt sympathy and condolences to the families, friends and sisters of the Blessed Sacrament in their time of grief; and be it further

**RESOLVED**: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the sisters of the Blessed Sacrament convent as an expression of our esteem.

The **SPEAKER**: The Chair recognizes the Representative from Waterville, Representative Jacques.

Representative JACQUES: Mr. Speaker, Men and Women of the House: I must first start off by thanking each and every member of this body for agreeing to cosponsor this Joint Resolution. I must also express a gratitude to the citizens of Waterville and the friends of the sisters of the Blessed Sacrament for the many, many well wishes and words of sympathy and support that we have received from the members of this body as well as the other body.

We will bring this Joint Resolution to the remaining sisters of the Blessed Sacrament. Clearly it will be some consolation to them in their time of grief. I must tell you that I have passed the Blessed Sacrament Chapel probably 1,000 times in my life. I have to tell you that I always thought that the sisters were safe and secure and that that little chapel and that little place that they live, that they called home for almost 50 years, would be free

from the bad things from the outside world. The sisters have an awful lot of faith and it would be easy for us to strike out in anger and become mean in the wake of what has happened, but I want to tell you that the sisters have already forgiven the young man that has taken two of their sisters away. They have an awful lot of faith. Faith that most people do not understand and never will.

The sisters have really committed, Sister Edna and Sister Julie Anne, to their God and they firmly believe that no one will be able to harm them any more. I guess my concern is that we continue in their tradition and their beliefs, that we do indeed show compassion for all of those involved. Indeed the two sisters were victims here, but then again so was the young man who was involved in this awful thing and so was his family. They, indeed, are victims here. They are fine people and have been involved in the Waterville community for many, many years. They must be going through an awful lot of torment right now. The friends and the family of the sisters truly have been involved and they are truly victims in this situation.

The sisters were very vulnerable. I don't say that because of their stature or their size. I say that because they always look for the best in everyone. They believe that everyone is good. Their love knew no bounds and much like the children in this state, when you have those qualities you can become vulnerable. You can become victims. The same qualities that made the sister vulnerable also made them great. I guess the best thing we can do today is appreciate them for who they were and recognize there are other victims. They need our support and hopefully they will get it. Thank you.

Was read and adopted and sent up for concurrence. Ordered sent forthwith.

On motion of Representative HICHBORN of Lagrange, the following Order: (H.O. 40)

ORDERED, that Representative Harry W. Bailey of Township 27 be excused January 23 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Pamela Henderson Hatch of Skowhegan be excused January 25 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Ruth Joseph of Waterville be excused January 16 to 18 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Jeffery G. Joyner of Hollis be excused January 18 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Richard Kneeland of Easton be excused January 25 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative James D. Libby of Buxton be excused January 18 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Peter P. Truman of Biddeford be excused January 3 for the duration of his illness.

Was read and passed.

#### REPORTS OF COMMITTEES

##### Ought to Pass as Amended

Representative STROUT from the Committee on Transportation on Bill "An Act to Decrease the Burden on the Trucking Industry by Permitting Photocopies of

Registrations to Be Kept in Trailers and Semitrailers" (H.P. 543) (L.D. 739) reporting "Ought to Pass" as amended by Committee Amendment "A" (H-687)

Report was read and accepted. The Bill read once. Committee Amendment "A" (H-687) was read by the Clerk and adopted and the Bill assigned for second reading Tuesday, February 6, 1996.

#### CONSENT CALENDAR

##### First Day

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

(S.P. 620) (L.D. 1625) Bill "An Act to Restore the Safety Defense to the Maine Human Rights Act" (EMERGENCY) Committee on Judiciary reporting "Ought to Pass"

(H.P. 1186) (L.D. 1627) Bill "An Act to Change the Name of the Maine Youth Apprenticeship Program to the Maine Career Advantage" Committee on Education and Cultural Affairs reporting "Ought to Pass"

(H.P. 345) (L.D. 465) Bill "An Act to Improve the Local Road Assistance Program" Committee on Transportation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-684)

(H.P. 609) (L.D. 819) Bill "An Act to Require Notification to the Landowner When Land Is Being Considered for Placement in a Resource Protection Zone" Committee on Natural Resources reporting "Ought to Pass" as amended by Committee Amendment "B" (H-685)

There being no objections, the above items were ordered to appear on the Consent Calendar of Tuesday, February 6, 1996 under the listing of Second Day.

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

#### SENATE PAPERS

The following Joint Order: (S.P. 684)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, February 6, 1996, at 10:00 o'clock in the morning.

Comes from the Senate, read and passed. Was read and passed in concurrence.

#### COMMUNICATIONS

The following Communication: (H.C. 319)

STATE OF MAINE

OFFICE OF THE GOVERNOR

1 STATE HOUSE STATION

AUGUSTA, MAINE 04333-0001

January 31, 1996

Senator Jane A. Amero

Representative Beverly C. Daggett

Chairpersons

Joint Standing Committee on State and Local Government

117th Maine Legislature

Augusta, Maine 04333

Dear Senator Amero and Representative Daggett:

Enclosed please find, "Report to the 117th Legislature Joint Standing Committee on State and Local Government - 1995 Rule and Review and Electronic Conversion," dated January 31, 1996. This report is respectfully submitted pursuant to P.L. 1995, chapter 463, section 3.

Sincerely,  
S/Angus S. King, Jr.



**Governor**

Was read and with accompanying report referred to the Committee on **State and Local Government**.

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

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**ENACTORS**

**Emergency Mandate**

An Act to Establish Educational Services for Grades 7 to 12 in the Towns of Mechanic Falls, Minot and Poland (H.P. 1243) (L.D. 1705) (C. "A" H-686)

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. 119 voted in favor of the same and 2 against, and accordingly the Mandate was passed to be enacted, signed by the Speaker and sent to the Senate. Ordered sent forthwith.

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**SENATE PAPERS**

Bill "An Act to Authorize the Maine Photographic Workshops to Grant Degrees" (S.P. 682) (L.D. 1747)

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

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

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Bill "An Act to Make Pension Payments Exempt from State Taxes" (S.P. 683) (L.D. 1748)

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

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

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On motion of Representative JACQUES of Waterville, the House adjourned at 9:49 a.m., until 10:00 a.m., Tuesday, February 6, 1996 in honor and lasting tribute to the memory of the Sisters of the Blessed Sacrament Convent in Waterville.