

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Seventeenth Legislature

OF THE

State Of Maine

VOLUME III

FIRST REGULAR SESSION

Senate

December 7, 1994 to April 27, 1995

STATE OF MAINE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE
FIRST REGULAR SESSION
JOURNAL OF THE SENATE

In Senate Chamber
Friday
February 10, 1995

Senate called to Order by the Secretary, **MAY M. ROSS.**

Pursuant to Senate Rule 1, the Senator from Aroostook, **SENATOR R. LEO KIEFFER**, was appointed to preside as President Pro Tem.

The Secretary requested the Sergeant-at-Arms to escort the Senator from Aroostook, Senator **KIEFFER** to the Rostrum where he assumed the duties as President Pro Tem.

Senate called to Order by the President Pro Tem, **R. Leo Kieffer** of Aroostook.

Off Record Remarks

Prayer by Pastor Barry Beebe of the Wayside Bible Baptist Church in Livermore.

PASTOR BARRY BEEBE: Thank you. Just a word before I pray this morning, I want to remind you that Valentine's Day is just around the corner and perhaps this session could be conducted with a little extra love and kindness. Seriously, this weekend you might want to really take time to think of your loved ones and the one that you love specially and to just do a little something special for them because Valentine's Day is coming. Saint Valentine was martyred because of his love for God and his love for people in the second century. That's why we have a Valentine's Day.

Will you join with me in prayer please? Father, I thank you today that you are a great and loving God and Lord. On this beautiful winter morning here in Maine, we pause and bow before you and recognize your presence here in this very special place. Lord, we recognize that you are involved in the affairs of men and women all around the world but especially, Lord, we know that you are involved in the affairs of people in the State of Maine. I thank you this morning for these Senators. I ask your special blessings upon them as they conduct the business of government and the business of the people and yes

Lord, even your business. For the Bible tells us that the power that be, the leaders that be, are ordained of God and are ministers for righteousness. So Lord, give wisdom and understanding and discernment for we know that the fear of the Lord is the beginning of knowledge. Father, I ask today that you might meet any special needs that exist here this morning in the heart of any man or woman, perhaps a trial or a burden that someone is carrying today that is perhaps private or unknown. Lord, that you might be gracious and give that person strength and lift that burden. For loved ones and families Lord, we pray that you would minister, there may be sickness, there may be someone going through a difficult time in one of our families, Lord we ask today that you would be very near to them and that you would help them at that time. Lord, we commit this session to you this morning and we would ask this all in the name of the Lord Jesus Christ. Amen.

Off Record Remarks

Reading of the Journal of Monday, February 6, 1995.

Out of order and under suspension of the Rules, on motion by Senator **AMERO** of Cumberland, the following Joint Order:

S.P. 196

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, February 14, 1995, at 10 o'clock in the morning.

Which was **READ** and **PASSED**.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

COMMUNICATIONS

The Following Communication: S.P. 187

**MAINE STATE SENATE
STATE HOUSE STATION 3
AUGUSTA, MAINE 04333**

February 7, 1995

Jeffrey H. Butland
President of the Senate
117th Legislature

Dan A. Gwadosky
Speaker of the House
117th Legislature

Dear Mr. President and Mr. Speaker:

On February 7, 1995, eight bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on February 7, 1995 as follows:

Criminal Justice

Bill "An Act to Create a Board to Hear Citizen Complaints Regarding Private Investigators" (S.P. 182) (L.D. 491) (Presented by Senator O'DEA of Penobscot) (Cosponsored by Senator: PINGREE of Knox)

Human Resources

Bill "An Act to Amend Certain Powers of Hospital Administrative District No. 4" (EMERGENCY) (S.P. 184) (L.D. 493) (Presented by Senator HALL of Piscataquis) (Cosponsored by Representatives: CROSS of Dover-Foxcroft, REED of Dexter, ROSEBUSH of East Millinocket)

Judiciary

Bill "An Act Concerning Uncompensated Care Liability for Health Care Providers" (S.P. 179) (L.D. 488) (Presented by Senator HATHAWAY of York)

Marine Resources

Bill "An Act to Prohibit Commercial Dragging during the Period Beginning April 16th and Ending November 14th" (S.P. 186) (L.D. 495) (Presented by Senator CASSIDY of Washington) (Cosponsored by Senators: BEGLEY of Lincoln, BENOIT of Franklin, LORD of York, Representatives: BAILEY of Township 27, LAYTON of Cherryfield, PINKHAM of Lamoine, POVICH of Ellsworth, TUFTS of Stockton Springs)

Taxation

Bill "An Act Requiring That Distress Sales Be Included in Property Valuations" (S.P. 180) (L.D. 489) (Presented by Senator HATHAWAY of York) (Cosponsored by Representative: JOYCE of Biddeford)

Bill "An Act to Establish a State Income Tax Credit for Health Insurance Premiums" (S.P. 181) (L.D. 490) (Presented by Senator HATHAWAY of York) (Cosponsored by Representative: JOYCE of Biddeford)

Bill "An Act to Amend the Property Tax Laws Related to Service Charges for Exempt Organizations" (S.P. 185) (L.D. 494) (Presented by Senator CLEVELAND of Androscoggin) (Cosponsored by Representative: AIKMAN of Poland)

Utilities and Energy

Bill "An Act Relating to Authority of Governing Boards of Consumer-owned Electric Utilities" (S.P. 183) (L.D. 492) (Presented by Senator HARRIMAN of Cumberland) (Cosponsored by Representative KONTOS of Windham and Representatives: BAILEY of Township 27, LIBBY of Kennebunk, REED of Falmouth)

Sincerely,

S/May M. Ross
Secretary of the Senate

S/Joseph W. Mayo
Clerk of the House

Which was **READ** and **ORDERED PLACED ON FILE**.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

SENATE PAPERS

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

Presented by Senator BENOIT of Franklin
Cosponsored by Senators: BEGLEY of Lincoln, CASSIDY of Washington, HALL of Piscataquis, HANLEY of Oxford, LORD of York, MILLS of Somerset, Representative: HICHBORN of LaGrange

Reference to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested and **ORDERED PRINTED**.

Which was referred to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and **ORDERED PRINTED**.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Bill "An Act to Connect Libraries and Communities Electronically"

S.P. 191 L.D. 500

Presented by Senator MCCORMICK of Kennebec
Cosponsored by Senator O'DEA of Penobscot and Senators: CIANCHETTE of Somerset, CLEVELAND of Androscoggin, ESTY, JR. of Cumberland, MILLS of Somerset, STEVENS, JR. of Androscoggin, Representatives: BARTH, JR. of Bethel, CAMERON of Rumford, DESMOND of Mapleton, ETNIER of Harpswell, GREEN of Monmouth, KONTOS of Windham, SIROIS of Caribou, TREAT of Gardiner, WINN of Glenburn

Reference to the Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and **ORDERED PRINTED**.

Which was referred to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and **ORDERED PRINTED**.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Bill "An Act to Create a Catch and Release Fishing Program in the State"
S.P. 193 L.D. 502

Presented by Senator **BENOIT** of Franklin

Reference to the Committee on **INLAND FISHERIES AND WILDLIFE** suggested and **ORDERED PRINTED**.

Which was referred to the Committee on **INLAND FISHERIES AND WILDLIFE** and **ORDERED PRINTED**.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Bill "An Act Requiring Pretrial Review of Disputes Involving Engineers, Architects and Surveyors"
S.P. 190 L.D. 498

Presented by Senator **SMALL** of Sagadahoc
Cosponsored by Representative: **AULT** of Wayne

Reference to the Committee on **JUDICIARY** suggested and **ORDERED PRINTED**.

Which was referred to the Committee on **JUDICIARY** and **ORDERED PRINTED**.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Bill "An Act to Permit an Employer to Offer a Compressed Time Workweek to Consenting Employees"
S.P. 188 L.D. 496

Presented by Senator **SMALL** of Sagadahoc
Cosponsored by Senators: **AMERO** of Cumberland, **BEGLEY** of Lincoln, **HANLEY** of Oxford, **HARRIMAN** of Cumberland, Representatives: **BARTH, JR.** of Bethel, **MARVIN** of Cape Elizabeth, **MAYO, III** of Bath, **PEAVEY** of Woolwich, **STEDMAN** of Hartland

Reference to the Committee on **LABOR** suggested and **ORDERED PRINTED**.

Which was referred to the Committee on **LABOR** and **ORDERED PRINTED**.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Bill "An Act Concerning the Posting of Campaign Signs within 150 Feet of Private Property"
S.P. 189 L.D. 497

Presented by Senator **SMALL** of Sagadahoc
Cosponsored by Senators: **AMERO** of Cumberland, **HARRIMAN** of Cumberland, Representatives: **AULT** of Wayne, **BARTH, JR.** of Bethel, **KILKELLY** of Wiscasset, **WHITCOMB** of Waldo

Reference to the Committee on **LEGAL AND VETERANS AFFAIRS** suggested and **ORDERED PRINTED**.

Which was referred to the Committee on **LEGAL AND VETERANS AFFAIRS** and **ORDERED PRINTED**.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

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"
S.P. 195 L.D. 504

Presented by Senator **CAREY** of Kennebec
Cosponsored by Representative: **DORE** of Auburn

Reference to the Committee on **STATE AND LOCAL GOVERNMENT** suggested and **ORDERED PRINTED**.

On motion by Senator **CAREY** of Kennebec, referred to the Committee on **TAXATION** and **ORDERED PRINTED**.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Bill "An Act to Include Individuals with Property in a Living Trust in the Maine Residents Property Tax Program"
S.P. 192 L.D. 501

Presented by Senator **LAWRENCE** of York

Reference to the Committee on **TAXATION** suggested and **ORDERED PRINTED**.

Which was referred to the Committee on **TAXATION** and **ORDERED PRINTED**.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Presented by Senator **AMERO** of Cumberland. Cosponsored by: Senator **BUSTIN** of Kennebec, Senator **BUTLAND** of Cumberland, Senator **KIEFFER** of Aroostook, Senator **LAWRENCE** of York, Representative **CARLETON** of Wells, Representative **GWADOSKY** of Fairfield, Representative **JACQUES** of Waterville, Representative **MITCHELL** of Vassalboro, Representative **WHITCOMB** of Waldo.

Which was **READ**.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Cumberland, Senator Amero.

Senator **AMERO:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I rise to bring to your attention this Resolution honoring Julie Jones, who has been a fourteen year employee in the Department of the Office of Policy and Legal Analysis. I present this Joint Resolution on behalf of the Legislative Council because the Legislative Council feels it is so important that we recognize the dedication and years of service that people give to this legislature. I just want you all to know how much we appreciate the work of Julie Jones and that we want to wish her well in her new endeavors and we thank her for her many years of dedicated service to the Legislature of the State of Maine. Thank you.

Which was **ADOPTED**.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

ORDERS

Joint Resolutions

S.P. 197

STATE OF MAINE

**IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-FIVE**

JOINT RESOLUTION RECOGNIZING JULIE S. JONES

WHEREAS, during her 14 years in the Office of Policy and Legal Analysis, first as a Legislative Analyst and for the last 6 years as Principal Analyst for legal services, Julie S. Jones has given of herself with extraordinary dedication and selflessness; and

WHEREAS, her tireless commitment to serving the public good has made her an invaluable asset to the Legislature and has earned her the respect of Legislators, colleagues and others who have had the pleasure of working with her throughout her years of public service; and

WHEREAS, her exceptional abilities and her indefatigable commitment to principled and scrupulously nonpartisan service to the Maine Legislature have left a legacy for which the State is deeply indebted; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Seventeenth Legislature, now assembled in the First Regular Session, do pause in our deliberations to express our appreciation to Julie S. Jones and to recognize her deep and unwavering commitment to the Legislature and the State; and

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to Julie S. Jones.

SECOND READERS

The Committee on **Bills in the Second Reading** reported the following:

House

Bill "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 1995" (Emergency)

H.P. 120 L.D. 155

Which was **READ A SECOND TIME**.

On motion by Senator **HANLEY** of Oxford, Tabled 1 Legislative Day, pending **PASSAGE TO BE ENGROSSED IN NON-CONCURRENCE**.

ORDERS OF THE DAY

Unfinished Business

The following matter in the consideration of which the Senate was engaged at the time of Adjournment, has preference in the Orders of the Day and continue with such preference until disposed of as provided by Senate Rule 29.

The Chair laid before the Senate the Tabled and Later Today Assigned matter:

HOUSE REPORT - from the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act Relating to the Maine Health Program" (Emergency)
H.P. 271 L.D. 373

Report - Ought to Pass - Pursuant to Joint Order H.P. 184.

Tabled - February 6, 1995, by Senator HANLEY of Oxford.

Pending - Motion by the same Senator to SUBSTITUTE THE BILL FOR THE REPORT and REFER TO THE COMMITTEE ON HUMAN RESOURCES, in concurrence.

(In House, February 1, 1995, the Report READ and ACCEPTED and the Bill REFERRED TO THE COMMITTEE ON HUMAN RESOURCES.)

On motion by Senator AMERO of Cumberland, Tabled 1 Legislative Day, pending the motion by Senator HANLEY of Oxford to SUBSTITUTE THE BILL FOR THE REPORT and REFER TO THE COMMITTEE ON HUMAN RESOURCES, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

COMMUNICATIONS

The Following Communication: H.P. 333

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA, MAINE 04333

February 6, 1995

Dan A. Gwadosky
Speaker of the House
117th Legislature

Jeffrey H. Butland
President of the Senate
117th Legislature

Dear Mr. Speaker and Mr. President:

On February 6, 1995, seven Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on February 6, 1995 as follows:

Criminal Justice

Bill "An Act to Limit the Use of Force against Law Enforcement Officers Engaged in Searches and Seizures" (EMERGENCY) (H.P. 329) (L.D. 450) (Presented by Representative PLOWMAN of Hampden) (Cosponsored by Representatives: CARLETON of Wells, FARNUM of South Berwick, HARTNETT of Freeport, LINDAHL of Northport, Senator: MILLS of Somerset)

Education and Cultural Affairs

Bill "An Act to Postpone the Opening of the Maine School of Science and Mathematics" (H.P. 330) (L.D. 451) (Presented by Representative MORRISON of Bangor) (Cosponsored by Representatives: BRENNAN of Portland, CHASE of China, CHIZMAR of Lisbon, CLARK of Millinocket, GOULD of Greenville, JOHNSON of South Portland, KEANE of Old Town, LEMKE of Westbrook, MURPHY of Berwick, SAXL of Bangor, TOWNSEND of Portland, TUTTLE of Sanford, Senator: BERUBE of Androscoggin)

Human Resources

Bill "An Act Regarding Recovery from Members of the Tobacco Industry of Medicaid and Maine Health Program Health Care Costs for Tobacco-related Illness, Disease or Disability" (H.P. 331) (L.D. 452) (Presented by Representative TOWNSEND of Portland) (Cosponsored by Representative BRENNAN of Portland, Senator MILLS of Somerset and Representatives: ADAMS of Portland, BERRY of Livermore, CHIZMAR of Lisbon, FITZPATRICK of Durham, HEESCHEN of Wilton, JOHNSON of South Portland, MITCHELL of Portland, MORRISON of Bangor, RICHARDSON of Portland, SHIAH of Bowdoinham, THOMPSON of Naples, TREAT of Gardiner, Senators: FAIRCLOTH of Penobscot, PARADIS of Aroostook)

Legal and Veterans Affairs

Bill "An Act to Permit Condominium Associations to Obtain Reimbursement for Common Expenses Pending a Mortgage Foreclosure" (H.P. 327) (L.D. 448) (Presented by Representative REED of Falmouth)

Natural Resources

Bill "An Act Regarding the Expansion of Certain Waste Disposal Facilities" (H.P. 326) (L.D. 447) (Presented by Representative GOULD of Greenville) (Cosponsored by Representatives: MARSHALL of Eliot, POULIN of Oakland)

State and Local Government

Bill "An Act Concerning Reasonable Standards and Procedures for Contracting Services by the State" (H.P. 332) (L.D. 453) (Presented by Representative DAGGETT of Augusta) (Cosponsored by Representatives: AHEARNE of Madawaska, AULT of Wayne, HATCH of Skowhegan, KERR of Old Orchard Beach, MITCHELL of Vassalboro, MORRISON of Bangor, ROSEBUSH of East Millinocket, STROUT of Corinth, Senators: BERUBE of Androscoggin, MICHAUD of Penobscot, MILLS of Somerset)

Resolve, Directing the Department of Administrative and Financial Services to Assume Auditing Functions for Certain Departments (H.P. 328) (L.D. 449) (Presented by Representative DAGGETT of Augusta) (Cosponsored by Senator MILLS of Somerset and Representatives: MADORE of Augusta, SIMONEAU of Thomaston, Senator: STEVENS of Androscoggin)

Sincerely,

S/ Joseph W. Mayo
Clerk of the House

S/ May M. Ross
Secretary of the Senate

Comes from the House **READ** and **ORDERED PLACED ON FILE**.

Which was **READ** and **ORDERED PLACED ON FILE**, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

COMMUNICATIONS

The Following Communication: H.P. 368

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA, MAINE 04333**

February 7, 1995

Dan A. Gwadosky
Speaker of the House
117th Legislature

Jeffrey H. Butland
President of the Senate
117th Legislature

Dear Mr. Speaker and Mr. President:

On February 7, 1995, thirty-three Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on February 7, 1995 as follows:

Appropriations and Financial Affairs

Bill "An Act to Fund the Demolition of a Building in the City of Old Town" (H.P. 344) (L.D. 464) (Presented by Representative KEANE of Old Town) (Cosponsored by Representative: FISHER of Brewer)

Banking and Insurance

Bill "An Act to Make Certain Housekeeping Changes to the Banking Code Regarding Hours of Operation, Closing during Emergencies, the Publication of Reports of Financial Condition and the Maturity of Credit Lines" (H.P. 358) (L.D. 478) (Presented by Representative MAYO of Bath) (Cosponsored by Representatives: DONNELLY of Presque Isle, KNEELAND of Easton, McALEVEY of Waterboro, POIRIER of Saco, RICE of South Bristol, SPEAR of Nobleboro, Senators: HARRIMAN of Cumberland, SMALL of Sagadahoc)

Business and Economic Development

Bill "An Act to Require Latch-open Devices at Self-service Gasoline Stations" (H.P. 337) (L.D. 457) (Presented by Representative BENEDIKT of Brunswick) (Cosponsored by Representatives: BOUFFARD of Lewiston, BUNKER of Kossuth Township, CHICK of Lebanon, DAVIDSON of Brunswick, DESMOND of Mapleton, GERRY of Auburn, GIERINGER of Portland, JOSEPH of Waterville, KERR of Old Orchard Beach, POVICH of Ellsworth, SAXL of Bangor, TRIPP of Topsham)

Bill "An Act to Require Contractor Registration" (H.P. 360) (L.D. 480) (Presented by Representative POVICH of Ellsworth) (Cosponsored by Representatives: DORE of Auburn, ETNIER of Harpswell, FISHER of Brewer, FITZPATRICK of Durham, JONES of Bar Harbor, VOLENIK of Sedgwick, Senators: GOLDTHWAIT of Hancock, RUHLIN of Penobscot)

Criminal Justice

Bill "An Act to Increase Police Authority in Certain Cases of Disorderly Conduct" (H.P. 357) (L.D. 477) (Presented by Representative O'GARA of Westbrook) (Cosponsored by Senator ESTY of Cumberland and Representatives: MORRISON of Bangor, POULIOT of Lewiston, Senator: STEVENS of Androscoggin)

Bill "An Act to Protect Maine Neighborhoods from Drug Houses" (H.P. 365) (L.D. 485) (Presented by Representative BAILEY of Township 27) (Cosponsored by Representatives: BUNKER of Kossuth Township, HEINO of Boothbay, JACQUES of Waterville, MARSHALL of Eliot, O'NEAL of Limestone, PLOWMAN of Hampden, REED of Dexter, WHEELER of Bridgewater, Senator: MICHAUD of Penobscot)

Education and Cultural Affairs

Bill "An Act to Require the Administration of Medication in Schools by Licensed Personnel" (H.P. 348) (L.D. 468) (Presented by Representative LEMAIRE of Lewiston) (Cosponsored by Representatives: BRENNAN of Portland, DORE of Auburn, ETNIER of Harpswell, FITZPATRICK of Durham, JONES of Bar Harbor, LEMAIRE of Lewiston, O'GARA of Westbrook, POVICH of Ellsworth, VOLENIK of Sedgwick)

Resolve, to Improve Postsecondary Education in the State (EMERGENCY) (H.P. 361) (L.D. 481) (Presented by Representative MITCHELL of Vassalboro) (Cosponsored by Representative WATSON of Farmingdale, Senator O'DEA of Penobscot and Representatives: ADAMS of Portland, AHEARNE of Madawaska, AULT of Wayne, BERRY of Livermore, BRENNAN of Portland, BUNKER of Kossuth Township, CAMERON of Rumford, CLARK of Millinocket, CLOUTIER of South Portland, DAGGETT of Augusta, DAVIDSON of Brunswick, FISHER of Brewer, GERRY of Auburn, GOULD of Greenville, GREEN of Monmouth, HATCH of Skowhegan, JACQUES of Waterville, JOSEPH of Waterville, KEANE of Old Town, KERR of Old Orchard Beach, KILKELLY of Wiscasset, LaFOUNTAIN of Biddeford, LEMAIRE of Lewiston, LIBBY of Buxton, MADORE of Augusta, MITCHELL of Portland, MORRISON of Bangor, MURPHY of Berwick, O'GARA of Westbrook, O'NEAL of Limestone, POULIN of Oakland, POVICH of Ellsworth, ROSEBUSH of East Millinocket, SAXL of Bangor, SHIAH of Bowdoinham, STEVENS of Orono, TREAT of Gardiner, TRIPP of Topsham, WHEELER of Bridgewater, Senators: BUSTIN of Kennebec, CAREY of Kennebec, McCORMICK of Kennebec, RUHLIN of Penobscot)

Inland Fisheries and Wildlife

Bill "An Act to Reduce the Number of Signatures Required to Open a Pond for Fishing" (H.P. 338) (L.D. 458) (Presented by Representative JONES of Bar Harbor) (By Request)

Resolve, to Stock Rainbow Trout in the Penobscot River (H.P. 335) (L.D. 455) (Presented by Representative KEANE of Old Town) (Cosponsored by Representatives: CAMERON of Rumford, CHICK of Lebanon, FARNUM of South Berwick, FISHER of Brewer, POVICH of Ellsworth, ROTONDI of Madison, VIGUE of Winslow)

Judiciary

Bill "An Act to Codify the Common Law Negligence Standard" (H.P. 334) (L.D. 454) (Presented by Representative PLOWMAN of Hampden) (Cosponsored by Representative PLOWMAN of Hampden and Representatives: DiPIETRO of South Portland, DUNN of Gray, LaFOUNTAIN of Biddeford, REED of Dexter, YACKOBITZ of Hermon, Senator: BUTLAND of Cumberland)

Bill "An Act to Ensure Children's Rights Concerning Visitation and Access" (H.P. 341) (L.D. 461) (Presented by Representative LANE of Enfield) (Cosponsored by Representatives: BIRNEY of Paris, CHICK of Lebanon, JONES of Pittsfield, JOY of Crystal, LUMBRA of Bangor, RICE of South Bristol, STEDMAN of Hartland, UNDERWOOD of Oxford)

Bill "An Act Concerning the Jurisdiction of the Penobscot Nation Tribal Court" (H.P. 351) (L.D. 471) (Presented by Representative KEANE of Old Town) (Cosponsored by Representatives: ATTEAN of Penobscot Nation, KEANE of Old Town, Senator: O'DEA of Penobscot)

Bill "An Act to Provide Merchants Greater Recourse to Combat Deceptive and Illegal Practices" (H.P. 359) (L.D. 479) (Presented by Representative BUCK of Yarmouth) (Cosponsored by Representatives: BUNKER of Kossuth Township, CROSS of Dover-Foxcroft, DiPIETRO of South Portland, HARTNETT of Freeport, JOYCE of Biddeford, MURPHY of Berwick, POVICH of Ellsworth, SIROIS of Caribou, Senators: HARRIMAN of Cumberland, STEVENS of Androscoggin)

Bill "An Act to Ensure that a Juvenile Conviction for a Serious Crime Is Made a Permanent Part of the Juvenile's Record" (H.P. 362) (L.D. 482) (Presented by Representative NICKERSON of Turner) (Cosponsored by Representatives: CLUKEY of Houlton, CROSS of Dover-Foxcroft)

Bill "An Act Concerning Grandparents' Rights of Visitation and Custody" (H.P. 364) (L.D. 484) (Presented by Representative POULIN of Oakland)

Bill "An Act Terminating Parental Child Support Obligation When the Child Attains 18 Years of Age" (H.P. 366) (L.D. 486) (Presented by Representative LANE of Enfield)

Labor

Bill "An Act to Abolish the Legislative Retirement System" (H.P. 363) (L.D. 483) (Presented by Representative UNDERWOOD of Oxford) (Cosponsored by Representatives: AIKMAN of Poland, BIRNEY of Paris, BUCK of Yarmouth, DUNN of Gray, HARTNETT of Freeport, JONES of Pittsfield, JOY of Crystal, LANE of Enfield, LUMBRA of Bangor, POIRIER of Saco, STEDMAN of Hartland, WINSOR of Norway, Senator: HANLEY of Oxford)

Legal and Veterans Affairs

Bill "An Act to Require Voters to Renew Their Voter Registration Every 6 Years" (H.P. 340) (L.D. 460) (Presented by Representative HARTNETT of Freeport) (Cosponsored by Representatives: BIRNEY of Paris, SIMONEAU of Thomaston)

Bill "An Act to Require that Political Signs be Placed No Closer than 100 Feet to Any Roadway Intersection" (H.P. 347) (L.D. 467) (Presented by Representative CAMERON of Rumford) (Cosponsored by Representatives: AHEARNE of Madawaska, DEXTER of Kingfield, DiPIETRO of South Portland, FISHER of Brewer, GOULD of Greenville, KEANE of Old Town, LEMONT of Kittery, LIBBY of Kennebunk, LOOK of Jonesboro, MURPHY of Berwick, REED of Dexter, Senator: FERGUSON of Oxford)

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 and to Appoint Members by May 1, 1995 (EMERGENCY) (H.P. 350) (L.D. 470) (Presented by Representative GREENLAW of Standish) (Cosponsored by Representatives: ADAMS of Portland, AHEARNE of Madawaska, AIKMAN of Poland, BAILEY of Township 27, BARTH of Bethel, BIRNEY of Paris, BOUFFARD of Lewiston, BRENNAN of Portland, CARLETON of Wells, CHICK of Lebanon, CLUKEY of Houlton, CROSS of Dover-Foxcroft, DAMREN of Belgrade, DEXTER of Kingfield, DiPIETRO of South Portland, DONNELLY of Presque Isle, DRISCOLL of Calais, ETNIER of Harpswell, FARNUM of South Berwick, FITZPATRICK of Durham, GAMACHE of Lewiston, GERRY of Auburn, GOULD of Greenville, GWADOSKY of Fairfield, HARTNETT of Freeport, HEINO of Boothbay, HICHBORN of LaGrange, JACQUES of Waterville, JOHNSON of South Portland, JOY of Crystal, JOYNER of Hollis, KERR of Old Orchard Beach, LAYTON of Cherryfield, LEMKE of Westbrook, LIBBY of Buxton, LINDAHL of Northport, LOOK of Jonesboro, LOVETT of Scarborough, MARSHALL of Eliot, McALEVEY of Waterboro, McELROY of Unity, MORRISON of Bangor, MURPHY of Berwick, NASS of Acton, NICKERSON of Turner, O'GARA of Westbrook, PEAVEY of Woolwich, PENDLETON of Scarborough, PLOWMAN of Hampden, POULIN of Oakland, POULIOT of Lewiston, REED of Falmouth, REED of Dexter, RICKER of Lewiston, ROWE of Portland, SAXL of Bangor, SIMONEAU of Thomaston, SIROIS of Caribou, STEVENS of Orono, TAYLOR of Cumberland, TRUMAN of Biddeford, TUFTS of Stockton Springs, TUTTLE of Sanford, VIGUE of Winslow, VOLENIK of Sedgwick, WATERHOUSE of Bridgton, WHITCOMB of Waldo, WINGLASS of Auburn, Senators: BEGLEY of Lincoln, BUTLAND of Cumberland, CARPENTER of York, CIANCHETTE of Somerset, HALL of Piscataquis, KIEFFER of Aroostook, LORD of York, PARADIS of Aroostook, PENDEXTER of Cumberland, SMALL of Sagadahoc, STEVENS of Androscoggin)

Marine Resources

Resolve, to Ensure Consistency in State Rules Pertaining to Municipal Assessment of Clam Flats (EMERGENCY) (H.P. 352) (L.D. 472) (Presented by Representative HARTNETT of Freeport) (Cosponsored by Representatives: AHEARNE of Madawaska, BUCK of Yarmouth, CARLETON of Wells, DAVIDSON of Brunswick, DUNN of Gray, JONES of Bar Harbor, LEMKE of Westbrook, LEMONT of Kittery, LINDAHL of Northport, RICHARDSON of Portland, STONE of Bangor, TUFTS of Stockton Springs, WATERHOUSE of Bridgton, WINSOR of Norway, Senator: HARRIMAN of Cumberland)

Natural Resources

Bill "An Act Relating to Equipment Start-up, Shutdown and Unavoidable Malfunction" (H.P. 354) (L.D. 474) (Presented by Representative POULIN of Oakland) (Cosponsored by Representatives: BUNKER of Kossuth Township, CAMERON of Rumford, CLARK of Millinocket, DAMREN of Belgrade, DiPIETRO of South Portland, GOULD of Greenville, PERKINS of Penobscot, ROSEBUSH of East Millinocket, WATSON of Farmingdale, Senators: CAREY of Kennebec, CASSIDY of Washington, FERGUSON of Oxford, LORD of York, MICHAUD of Penobscot)

State and Local Government

Bill "An Act to Provide Legislators with the Technology to Better Serve Their Constituents and to Make the Legislative Process More Efficient" (H.P. 336) (L.D. 456) (Presented by Representative GERRY of Auburn) (Cosponsored by Representatives: ADAMS of Portland, AHEARNE of Madawaska, BARTH of Bethel, BENEDIKT of Brunswick, BERRY of Livermore, BOUFFARD of Lewiston, BUNKER of Kossuth Township, CHARTRAND of Rockland, CHASE of China, CHIZMAR of Lisbon, CLOUTIER of South Portland, DAVIDSON of Brunswick, DESMOND of Mapleton, ETNIER of Harpswell, GATES of Rockport, GOULD of Greenville, GREEN of Monmouth, GUERRETTE of Pittston, GWADOSKY of Fairfield, HARTNETT of Freeport, HATCH of Skowhegan, JACQUES of Waterville, JOHNSON of South Portland, JONES of Bar Harbor, KEANE of Old Town, KILKELLY of Wiscasset, KNEELAND of Easton, LaFOUNTAIN of Biddeford, LEMAIRE of Lewiston, LEMKE of Westbrook, LEMONT of Kittery, LIBBY of Kennebunk, MARTIN of Eagle Lake, McALEVEY of Waterboro, MITCHELL of Vassalboro, MITCHELL of Portland, O'NEAL of Limestone, PERKINS of Penobscot, POULIOT of Lewiston, POVICH of Ellsworth, RICHARDSON of Portland, ROBICHAUD of Caribou, SHIAH of Bowdoinham, SIMONEAU of Thomaston, THOMPSON of Naples, TRIPP of Topsham, TRUMAN of Biddeford, TUTTLE of Sanford, VOLENIK of Sedgwick, WINN of Glenburn, YACKOBITZ of Hermon, Senators: ABROMSON of Cumberland, AMERO of Cumberland, BERUBE of Androscoggin, BUSTIN of Kennebec, CIANCHETTE of Somerset, HARRIMAN of Cumberland, PARADIS of Aroostook, RAND of Cumberland)

Bill "An Act to Reduce the Legislative Meal Allowance" (H.P. 343) (L.D. 463) (Presented by Representative STONE of Bangor)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require Minimum Qualifications for the Treasurer of State (H.P. 349) (L.D. 469) (Presented by Representative STONE of Bangor) (Cosponsored by Representatives: ADAMS of Portland, AHEARNE of Madawaska, BAILEY of Township 27, BERRY of Livermore, BIRNEY of Paris, BUCK of Yarmouth, CAMERON of Rumford, CAMPBELL of Holden, CLARK of Millinocket, DAVIDSON of Brunswick, DONNELLY of Presque Isle, FARNUM of South Berwick, GOOLEY of Farmington, HARTNETT of Freeport, JONES of Bar Harbor, LANE of Enfield, MORRISON of Bangor, PENDLETON of Scarborough, PLOWMAN of Hampden, RICE of South Bristol, ROBICHAUD of Caribou, TAYLOR of Cumberland, TYLER of Windham, WINGLASS of Auburn, WINN of Glenburn, WINSOR of Norway, YACKOBITZ of Hermon, Senator: FAIRCLOTH of Penobscot)

Taxation

Bill "An Act to Exempt the Custom Sawing of Lumber from the Sales Tax" (H.P. 339) (L.D. 459) (Presented by Representative SPEAR of Nobleboro) (Cosponsored by Representatives: CROSS of Dover-Foxcroft, HICHBORN of LaGrange, KNEELAND of Easton, McELROY of Unity, REED of Dexter, RICE of South Bristol, STROUT of Corinth, Senators: BEGLEY of Lincoln, LORD of York)

Bill "An Act to Change the Eligibility Requirements for the Circuit Breaker Program" (H.P. 342) (L.D. 462) (Presented by Representative MURPHY of Berwick) (Cosponsored by Representatives: BUCK of Yarmouth, HICHBORN of LaGrange, LEMKE of Westbrook, LOOK of Jonesboro, MARSHALL of Eliot, MURPHY of Berwick, POULIOT of Lewiston, SIMONEAU of Thomaston, STEDMAN of Hartland, TUFTS of Stockton Springs, WATERHOUSE of Bridgton, Senator: BEGLEY of Lincoln)

Bill "An Act to Revise the Income Tax Code to Make It More Progressive" (H.P. 356) (L.D. 476) (Presented by Representative VOLENIK of Sedgwick) (Cosponsored by Representatives: BERRY of Livermore, CHARTRAND of Rockland, HICHBORN of LaGrange, JONES of Bar Harbor, LEMAIRE of Lewiston, SAMSON of Jay, SHIAH of Bowdoinham)

Transportation

Bill "An Act to Improve the Local Road Assistance Program" (H.P. 345) (L.D. 465) (Presented by Representative ROWE of Portland) (Cosponsored by Representatives: MORRISON of Bangor, RICKER of Lewiston, STROUT of Corinth)

Bill "An Act to Require That Headlights Be on during Inclement Weather" (H.P. 346) (L.D. 466) (Presented by Representative SPEAR of Nobleboro) (Cosponsored by Representatives: KNEELAND of Easton, MAYO of Bath, REED of Dexter, ROBICHAUD of Caribou, Senator: BEGLEY of Lincoln)

Bill "An Act to Revise the Bidding Process for Department of Transportation Projects" (H.P. 355) (L.D. 475) (Presented by Representative GATES of Rockport) (Cosponsored by Representative: CHARTRAND of Rockland, Senator: PINGREE of Knox)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Permit Revenues Derived from the Use of Vehicles on Public Highways and from Alternative Modes of Transportation to be Used for Obtaining Access to Rights-of-Way for Alternative Forms of Transportation (H.P. 353) (L.D. 473) (Presented by Representative BENEDIKT of Brunswick) (Cosponsored by Representatives: BOUFFARD of Lewiston, VOLENIK of Sedgwick, WATSON of Farmingdale, Senator: PARADIS of Aroostook)

Sincerely,

S/Joseph W. Mayo
Clerk of the House

S/May M. Ross
Secretary of the Senate

Comes from the House **READ** and **ORDERED PLACED ON FILE**.

Which was **READ** and **ORDERED PLACED ON FILE**, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Establishing Procedures for New Political Parties to Participate in Primary Elections"

H.P. 369 L.D. 499

Reference to the Committee on **LEGAL AND VETERANS AFFAIRS** suggested and **ORDERED PRINTED**.

Comes from the House, referred to the Committee on **LEGAL AND VETERANS AFFAIRS** and **ORDERED PRINTED**.

Which was referred to the Committee on **LEGAL AND VETERANS AFFAIRS**, in concurrence.

Pursuant to Public Law

Representative **KERR** for the Committee to Study Operations of the Governor Baxter School for the Deaf pursuant to Public Law 1993, chapter 508, Part D, section 7 asks leave to submit its findings and to report that the accompanying Bill "An Act to Implement the Recommendations of the Committee to Study the Operations of the Governor Baxter School for the Deaf"

H.P. 370 L.D. 505

Be referred to the Committee on **EDUCATION AND CULTURAL AFFAIRS** for Public Hearing and printed pursuant to Joint Rule 20.

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill referred to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and **ORDERED PRINTED**.

Which Report was **READ** and **ACCEPTED** and the Bill referred to the Committee on **EDUCATION AND CULTURAL AFFAIRS**, in concurrence.

Pursuant to Public Law

Representative **LOOK** for the Task Force to Study the Safe Mobility of Maine's Aging Population pursuant to Public Law 1993, chapter 297, Part C asks leave to submit its findings and to report that the accompanying Bill "An Act to Implement the Recommendations of the Task Force to Study the Safe Mobility of Maine's Aging Population"

H.P. 367 L.D. 487

Be referred to the Committee on **TRANSPORTATION** for Public Hearing and printed pursuant to Joint Rule 20.

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED**.

Which Report was **READ** and **ACCEPTED** and the Bill referred to the Committee on **TRANSPORTATION**, in concurrence.

Off Record Remarks

Senator **CAREY** of Kennebec was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

Senator **McCORMICK** of Kennebec was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

Senator **McCORMICK** of Kennebec was granted unanimous consent to address the Senate off the Record.

Senate at Ease

Senate called to order by the President.

The **ADJOURNMENT ORDER** having been returned from the House **READ** and **PASSED**, in concurrence, on motion by Senator **AMERO** of Cumberland, **ADJOURNED** until Tuesday, February 14, 1995, at 10 o'clock in the morning.