

# 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

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

In Senate Chamber  
Tuesday  
March 5, 1996

Senate called to Order by the President, Jeffrey H. Butland of Cumberland.

Prayer by Father Clement Thibodeau, St. Joseph's Catholic Church, Gardiner.

**FATHER CLEMENT THIBODEAU:** Let us pray. Lord, God of the universe, we stand in Your presence and in the midst of the world You have made. We are aware of Your love for all creation, and especially for the men, women and children, all made in Your image and likeness. We recognize the traces of Your loving hand and the hope, shining through their struggles. We appreciate the gift of Your love, which carries their loving and their caring. We see the reflection of Your infinite mind in the creativity and the art of their intelligence. We give thanks for the world in which we live and for the people You have given us to be our brothers and sisters. We pray that as our elected representatives come together in the affairs of state, they may ever be mindful that it is You they serve, even as they serve the people of the State of Maine. Guide the members of this Senate, its officers and its staff. Give them wisdom to know what is right and courage to do what is just. Grant peace to their hearts and to their lives as they carry the sacred burdens of public responsibility. Impart Your divine blessing to all the people of the State of Maine. This we pray in Your sacred name. Amen.

Pledge of Allegiance led by **SENATOR CLEVELAND** of Androscoggin.

Reading of the Journal of Thursday, February 29, 1996.

Off Record Remarks

**COMMUNICATIONS**

The Following Communication:

**STATE OF MAINE  
ONE HUNDRED AND SEVENTEENTH LEGISLATURE  
COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS  
March 1, 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 bills out "Ought Not to Pass":

L.D. 671 An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 to Help Increase Fish Production at the State Hatcheries

L.D. 811 Resolve, to Initiate an Outside Audit to Identify Savings and Duplicate or Unnecessary Programs within State Government  
L.D. 1648 An Act to Modify the Budget Work Program Process  
L.D. 1652 An Act to Modify the Transfer Procedures for Appropriations, Allocations and Positions  
L.D. 1677 An Act to Modify the Requirement for Financial Order Approval of Allotment Increases in Amounts of \$10,000 or Less  
L.D. 1688 An Act to Require Legislative Approval of Financial Obligations of the State beyond the Current Biennium  
L.D. 1696 An Act to Provide Equity in Payment for Substance Abuse Services Purchased by the State

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

Sincerely,  
S/Sen. Dana C. Hanley Senate Chair  
S/Rep. George J. Kerr House Chair  
S.C. 503

Which was READ and, with Accompanying Bills, ORDERED PLACED ON FILE.

The Following Communication:

**STATE OF MAINE  
ONE HUNDRED AND SEVENTEENTH LEGISLATURE  
COMMITTEE ON HUMAN RESOURCES  
March 1, 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 Human Resources has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 974 An Act to Create an Advisory Board and State and Local Interagency Teams to Assist in the Provision of Care for Children and Adolescents with Severe Emotional Disturbance

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

Sincerely,  
S/Sen. Joan M. Pendexter Senate Chair  
S/Rep. Michael J. Fitzpatrick House Chair  
S.C. 504

Which was READ and, with Accompanying Bill, ORDERED PLACED ON FILE.

The Following Communication:

**STATE OF MAINE  
ONE HUNDRED AND SEVENTEENTH LEGISLATURE  
COMMITTEE ON UTILITIES AND ENERGY  
March 1, 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 Utilities and Energy has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 734 An Act to Revise the Ogunquit Sewer District Charter
- L.D. 871 An Act Concerning the Calculation of Private Fire Protection Charges
- L.D. 1533 An Act to Require the Public Utilities Commission to Ensure Telecommunications Service in Economic Development Areas

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

Sincerely,

S/Sen. David L. Carpenter      S/Rep. Carol A. Kontos  
Senate Chair                      House Chair  
S.C. 505

Which was READ and, with Accompanying Bills, ORDERED PLACED ON FILE.

**SENATE PAPERS**

Bill "An Act to Amend the Laws Concerning Commercial Whitewater Rafting"

S.P. 719 L.D. 1820

Presented by Senator MICHAUD of Penobscot  
Cosponsored by Representative: CLARK of Millinocket

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

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**.

Sent down for concurrence.

**ORDERS**  
**Joint Orders**

On motion by Senator SMALL of Sagadahoc, the following Joint Order:

**ORDERED**, the House concurring, that the Joint Standing Committee on Education and Cultural Affairs report out a bill, to the Senate, to permit Casco Bay College to grant an Associate of Science degree.

S.P. 721

Which was **READ** and **PASSED**.  
Sent down for concurrence.

On motion by Senator SMALL of Sagadahoc, the following Joint Order:

**ORDERED**, the House concurring, that the Joint Standing Committee on Education and Cultural Affairs report out, to the Senate, a bill relating to child development services.

S.P. 722

Which was **READ** and **PASSED**.  
Sent down for concurrence.

Under suspension of the Rules, all matters thus acted on were ordered sent forthwith.

**Joint Resolution**

On motion by Senator BENOIT of Franklin, (Cosponsored by: Senator ABROMSON of Cumberland, Senator AMERO of Cumberland, Senator BERUBE of Androscoggin, Senator BUTLAND of Cumberland, Senator CARPENTER of York, Senator FERGUSON of Oxford, Senator HANLEY of Oxford, Senator HARRIMAN of Cumberland, Senator HATHAWAY of York, Senator KIEFFER of Aroostook, Senator LORD of York, Senator MILLS of Somerset, Senator PENDEXTER of Cumberland, Senator SMALL of Sagadahoc, Senator STEVENS of Androscoggin, Representative BARTH of Bethel, Representative DEXTER of Kingfield, Representative GOOLEY of Farmington), the following Joint Resolution:

**JOINT RESOLUTION MEMORIALIZING THE DEPARTMENT OF THE INTERIOR TO SETTLE AN 11-YEAR DISPUTE BETWEEN THE NATIONAL PARK SERVICE AND THE SKI AREA LOCATED ON SADDLEBACK MOUNTAIN**

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 Department of the Interior as follows:

**WHEREAS**, there has been an 11-year dispute between the ski area located on Saddleback Mountain and the National Park Service of the Department of the Interior regarding the acquisition of a corridor to protect the portion of the Appalachian Trail that crosses Saddleback Mountain in western Maine; and

**WHEREAS**, the uncertainty of this dispute has prevented the ski area located on Saddleback Mountain from implementing an expansion plan that has been approved by state regulators; and

**WHEREAS**, this dispute and the resulting impasse threaten the existence of the more than 100 jobs provided by the ski area and prevent the creation of new jobs at the ski area; and

**WHEREAS**, these jobs are critical to the economy of western Maine; now, therefore, be it

**RESOLVED**: That We, your Memorialists, recommend and urge the Department of the Interior to reach a speedy, reasonable and fair settlement with the ski area located on Saddleback Mountain; and be it further

**RESOLVED**: That We further urge the Department of the Interior to accept the offer of the ski area located on Saddleback Mountain of a gift of land to serve as a corridor to forever protect the Appalachian Trail; and be it further

**RESOLVED**: That suitable copies of this memorial, duly authenticated by the Secretary of State, be transmitted to the Secretary of the Interior, Bruce Babbitt, and to each member of the Maine Congressional Delegation.

(Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 35.)

S.P. 718

Which was **READ**.

On motion by Senator KIEFFER of Aroostook, Tabled until Later in Today's Session, pending **ADOPTION**.

Senate at Ease  
Senate called to order by the President.

**COMMITTEE REPORTS**  
**House**  
**Ought to Pass**

The Committee on **TAXATION** on Bill "An Act to Simplify Applications for Tax Exemptions for Blind Individuals"

H.P. 1248 L.D. 1710

Reported that the same **Ought to Pass**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill **READ ONCE**.

The Bill **TOMORROW ASSIGNED FOR SECOND READING**.

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**Ought to Pass As Amended**

The Committee on **TAXATION** on Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

H.P. 1219 L.D. 1669

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-723)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-723)**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Resolve **READ ONCE**.

Committee Amendment "A" (H-723) **READ** and **ADOPTED**, in concurrence.

The Resolve, as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

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**Senate**

**Refer to Committee**

Senator **LORD** for the Committee on **NATURAL RESOURCES** on Bill "An Act Relating to Solid Waste Management"

S.P. 720 L.D. 1824

Reported, pursuant to Joint Order S.P. 710, that the same be referred to the Committee on **NATURAL RESOURCES** for public hearing and printed pursuant to Joint Rule 2.

Which Report was **READ** and **ACCEPTED**.

The Bill referred to the Committee on **NATURAL RESOURCES** and **ORDERED PRINTED**.

Sent down for concurrence.

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**Ought to Pass As Amended**

Senator **ABROMSON** for the Committee on **BANKING AND INSURANCE** on Bill "An Act to Increase Access to and Affordability of Mental Health and Substance Abuse Treatment Services by Providing Mandatory Reimbursement to Counseling Professionals who are Licensed to Assess and Treat Intrapersonal and Interpersonal Problems"

S.P. 38 L.D. 68

Reported that the same **Ought to Pass as Amended by Committee Amendment "B" (S-441)**.

Which Report was **READ**.

On motion by Senator **LAWRENCE** of York, Tabled until Later in Today's Session, pending **ACCEPTANCE** of the Report.

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**Divided Report**

The Majority of the Committee on **NATURAL RESOURCES** on Resolve, to Form a Task Force to Examine Methods of Reimbursing Automobile Owners for Emissions Testing and Consequent Repair Costs (Emergency)

S.P. 661 L.D. 1721

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

**LORD** of York

**RUHLIN** of Penobscot

**HATHAWAY** of York

Representatives:

**DEXTER** of Kingfield

**GOULD** of Greenville

**POULIN** of Oakland

**BERRY** of Livermore

**WATERHOUSE** of Bridgton

**DAMREN** of Belgrade

**MERES** of Norridgewock

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-442)**.

Signed:

Representatives:

**SHIAH** of Bowdoinham

**MARSHALL** of Eliot

Which Reports were **READ**.

The **CHAIR** moved that the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

Senator **HARRIMAN** of Cumberland requested a Division.

**THE PRESIDENT**: The pending question before the Senate is **ACCEPTANCE** of the Majority **OUGHT NOT TO PASS** Report.

A Division has been requested.

Will all those in favor please rise in their places and remain standing until counted.

Will all those opposed please rise in their places and remain standing until counted.

21 Senators having voted in the affirmative and 5 Senators having voted in the negative, **ACCEPTANCE** of the Majority **OUGHT NOT TO PASS** Report, **PREVAILED**.

Sent down for concurrence.

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**Divided Report**

The Majority of the Committee on **NATURAL RESOURCES** on Bill "An Act to Grandfather Municipal Ordinances Regulating the Spreading of Sludge"

S.P. 705 L.D. 1804

Reported that the same **Ought Not to Pass**.

Signed:

Senator:

**RUHLIN** of Penobscot

Representatives:

**DEXTER** of Kingfield

**GOULD** of Greenville

**POULIN** of Oakland

**MERES** of Norridgewock

**WATERHOUSE** of Bridgton

**DAMREN** of Belgrade

**MARSHALL** of Eliot

The Minority of the same Committee on the same subject reported that the same **Ought to Pass**.

Signed:

Senators:

**LORD** of York

**HATHAWAY** of York

**Representatives:**

BERRY of Livermore  
SHIAH of Bowdoinham

Which Reports were **READ**.

On motion by Senator KIEFFER of Aroostook, Tabled  
1 Legislative Day, pending **ACCEPTANCE** of Either  
Report.

**Divided Report**

The Majority of the Committee on **TRANSPORTATION**  
on Bill "An Act Relating to the Potential Improvement  
of the Maine Turnpike Authority"

S.P. 648 L.D. 1690

Reported that the same **Ought Not to Pass**.

Signed:

Senator:

PARADIS of Aroostook

**Representatives:**

STROUT of Corinth  
RICKER of Lewiston  
BOUFFARD of Lewiston  
HEINO of Boothbay  
O'GARA of Westbrook  
DRISCOLL of Calais  
LINDAHL of Northport  
CHARTRAND of Rockland

The Minority of the same Committee on the same  
subject reported that the same **Ought to Pass** as  
**Amended by Committee Amendment "A" (S-443)**.

Signed:

Senators:

STEVENS, JR. of Androscoggin  
CASSIDY of Washington

**Representatives:**

BAILEY of Township 27  
FARNUM of South Berwick

Which Reports were **READ**.

On motion by Senator KIEFFER of Aroostook, Tabled  
1 Legislative Day, pending **ACCEPTANCE** of Either  
Report.

**SECOND READERS**

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

**House**

Resolve, to Authorize the Exchange of a Parcel of  
Land Owned by the State with One Owned by Luke  
Bolduc

H.P. 1275 L.D. 1751

Which was **READ A SECOND TIME** and **PASSED TO BE  
ENGROSSED**, in concurrence.

**House As Amended**

Bill "An Act to Implement the Recommendations of  
the Study Commission on Property Rights and the  
Public Health, Safety and Welfare Establishing a Land  
Use Mediation Program and Providing for Further  
Review of Rules"

H.P. 1188 L.D. 1629  
(C "A" H-711)

Bill "An Act Enabling the Maine Employers' Mutual  
Insurance Company to Better Serve the Needs of Small  
Business"

H.P. 1200 L.D. 1650  
(C "A" H-719)

Bill "An Act to Amend the Maine Insurance Code  
with Respect to Domestic Violence"

H.P. 1215 L.D. 1665  
(C "A" H-720)

Bill "An Act to Consolidate Insurer Billing  
Procedures and to Streamline the Licensing Process  
for Reinsurance Intermediaries"

H.P. 1231 L.D. 1684  
(C "A" H-718)

Resolve, Authorizing the Sale by the State of a  
Certain Parcel of Land to Joseph Squeglia

H.P. 1254 L.D. 1723  
(C "A" H-717)

Which were **READ A SECOND TIME** and **PASSED TO BE  
ENGROSSED, As Amended**, in concurrence.

**Senate As Amended**

Bill "An Act to Allow Voluntary Withholding of  
Federal and State Income Taxes from Unemployment  
Compensation Benefits"

S.P. 639 L.D. 1674  
(C "A" S-437)

Bill "An Act to Amend the Commercial Vehicle  
Weight Laws"

S.P. 674 L.D. 1734  
(C "A" S-438)

Which were **READ A SECOND TIME** and **PASSED TO BE  
ENGROSSED, As Amended**.

Sent down for concurrence.

**ENACTORS**

The Committee on **Engrossed Bills** reported as  
truly and strictly engrossed the following:

An Act Concerning Real Estate Trusts

H.P. 477 L.D. 658  
(C "A" H-704)

An Act to Enhance Fireworks Safety

H.P. 1233 L.D. 1693  
(C "A" H-702)

An Act to Reduce the Number of Legislative  
Confirmation Hearings

H.P. 1241 L.D. 1701  
(C "A" H-699)

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  
(C "A" S-425)

An Act to Correct Omissions in the Productivity  
Realization Task Force Legislation Relating to the  
State Soil and Water Conservation Commission and the  
Animal Welfare Board

S.P. 659 L.D. 1719  
(C "A" S-426)

Which were **PASSED TO BE ENACTED** and having been  
signed by the President, were presented by the  
Secretary to the Governor for his approval.

An Act to Clarify the Sales Tax Law Applicable to  
Packaging

S.P. 207 L.D. 550  
(C "B" S-427)

On motion by Senator BEGLEY of Lincoln, placed on  
the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**.

An Act to Increase the Penalty for Criminal Restraint of a Young Child

H.P. 1211 L.D. 1661  
(C "A" H-700)

On motion by Senator BEGLEY of Lincoln, placed on the SPECIAL APPROPRIATIONS TABLE, pending ENACTMENT.

**RECALLED FROM THE GOVERNOR'S DESK**

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

Senator AMERO: Thank you, Mr. President. Is the Senate in possession of L.D. 1612?

An Act to Repeal the Requirement that Disbursement Warrants Receive an Affirmative Vote by Municipal Officers

S.P. 608 L.D. 1612  
(C "A" S-421)

(Recalled from the Governor's Desk pursuant to Joint Order S.P. 715.)

**THE PRESIDENT:** The Chair would answer in the affirmative, the Bill having been recalled from the Governor's Desk.

On motion by Senator AMERO of Cumberland, the Senate **SUSPENDED THE RULES** for the purpose of **RECONSIDERATION**.

On further motion by the same Senator, the Senate **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENACTED**.

On further motion by the same Senator, the Senate **SUSPENDED THE RULES** for the purpose of further **RECONSIDERATION**.

On further motion by the same Senator, the Senate **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED, As Amended**.

On further motion by the same Senator, Senate Amendment "A" (S-444) **READ**.

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

Senator AMERO: Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment adds an emergency preamble to the bill, which is the way the Committee on State and Local Government had unanimously voted. There was a mistake made down in the Revisor's Office, and the emergency clause was not included in the original bill. This amendment corrects that mistake.

On further motion by the same Senator, Senate Amendment "A" (S-444) **ADOPTED**.

Which was **PASSED TO BE ENGROSSED, As Amended**, in **NON-CONCURRENCE**.

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

Off Record Remarks

**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 continues with such preference until disposed of as provided by Senate Rule 29.

The Chair laid before the Senate the following Tabled and Specially Assigned (Thursday, February 29, 1996) matter:

An Act Pertaining to the Northern New England Passenger Rail Authority

H.P. 1228 L.D. 1681

Tabled - February 27, 1996, by Senator BERUBE of Androscoggin.

Pending - **PASSAGE TO BE ENACTED**.

(In House, February 22, 1996, **PASSED TO BE ENACTED**.)

On motion by Senator HARRIMAN of Cumberland, the Senate **SUSPENDED THE RULES** for the purpose of **RECONSIDERATION**.

On further motion by the same Senator, the Senate **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED**, in concurrence.

On further motion by the same Senator, Senate Amendment "A" (S-445) **READ**.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Harriman.

Senator HARRIMAN: Thank you, Mr. President. Good morning, Ladies and Gentlemen of the Senate. Let me just say how much I appreciate the good Senator from Androscoggin, Senator Berube's, insight on the potential that this bill may have enabled the Passenger Rail Authority to bypass the rulemaking process. That certainly was not the intention of the Authority. Because of Senator Berube's wise review of this bill, the amendment before you today eliminates section three of the bill, so it is perfectly clear that the Passenger Rail Authority will have to abide by all of the administrative procedures rulemaking process. I thank the Senator from Androscoggin for bringing that to our attention.

On further motion by the same Senator, Senate Amendment "A" (S-445) **ADOPTED**.

Which was **PASSED TO BE ENGROSSED, As Amended**, in **NON-CONCURRENCE**.

Under suspension of the Rules, sent forthwith for concurrence.

Senate at Ease

Senate called to order by the President.

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

**SENATE REPORT** - from the Committee on **BANKING AND INSURANCE** on Bill "An Act to Increase Access to and Affordability of Mental Health and Substance Abuse Treatment Services by Providing Mandatory Reimbursement to Counseling Professionals who are Licensed to Assess and Treat Intrapersonal and Interpersonal Problems"

S.P. 38 L.D. 68

Report - Ought to Pass as **Amended by Committee Amendment "B" (S-441)**.

Tabled - earlier in the day by Senator LAWRENCE of York.

Pending - **ACCEPTANCE** of the Report.

(In Senate, earlier in the day, Report **READ**.)

Which Report was **ACCEPTED**.

The Bill **READ ONCE**.

Committee Amendment "B" (S-441) **READ and ADOPTED**.

The Bill, as **Amended**, **TOMORROW ASSIGNED FOR SECOND READING**.

Off Record Remarks

Senator HARRIMAN of Cumberland was granted unanimous consent to address the Senate off the Record.

Senator **ABROMSON** was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

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

**PAPERS FROM THE HOUSE**  
**House Papers**

Bill "An Act to Authorize a Bond Issue to Encourage and Support Economic Development"

H.P. 1330 L.D. 1822

Reference to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and **ORDERED PRINTED**.

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

Which was referred to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in concurrence.

Resolve, Authorizing the Commissioner of Administrative and Financial Services to Sell or Lease the Interests of the State in Certain Real Estate and Personal Property Held by Various State Agencies at 6 Locations

H.P. 1329 L.D. 1821

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

Comes from the House, referred to the Committee on **STATE AND LOCAL GOVERNMENT** and **ORDERED PRINTED**.

Which was referred to the Committee on **STATE AND LOCAL GOVERNMENT**, in concurrence.

**Pursuant to Resolve**  
**HOME SCHOOL STUDY COMMITTEE**

The **HOME SCHOOL STUDY COMMITTEE**, pursuant to Resolve 1993, chapter 62 asked leave to submit its findings and report, pursuant to Joint Rule 20, that the accompanying Bill "An Act to Require that Public Schools Permit Participation in Curricular, Cocurricular and Extracurricular Activities for Students Enrolled in Approved Equivalent Instruction Programs"

H.P. 1327 L.D. 1818

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

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**, in concurrence.

The Bill referred to the Committee on **EDUCATION AND CULTURAL AFFAIRS**, in concurrence.

Off Record Remarks

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

**COMMUNICATION**

The Following Communication:

**STATE OF MAINE**  
**OFFICE OF SECRETARY OF STATE**  
**AUGUSTA, MAINE 04333-0148**

February 22, 1996  
Hon. Joseph W. Mayo  
Clerk of the House  
2 State House Station  
Augusta, ME 04333

Dear Clerk Mayo:

Enclosed please find my official certification to the 117th Legislature of the citizen initiative petition entitled "An Act to Promote Forest Rehabilitation and Eliminate Clearcutting."

Sincerely,  
S/ Bill Diamond  
Secretary of State

State of Maine  
Department of State

I, the Secretary of State of Maine, certify that written petitions bearing signatures of 54,968 electors of this State were addressed to the Legislature of the State of Maine and were filed in the office of the Secretary of State on January 29, 1996, requesting that the Legislature consider an act entitled "AN ACT to Promote Forest Rehabilitation and Eliminate Clearcutting."

I further certify that the number of signatures submitted is in excess of ten percent of the total vote cast in the last gubernatorial election preceding the filing of such petitions, as required by Article IV, Part Third, Section 18 of the Constitution of Maine, that number being 51,131.

I further certify this initiative petition to be valid and attach herewith the text of the legislation circulated on the petition's behalf.

In testimony whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta on the twenty-second day of February in the year one thousand nine hundred and ninety-six.

S/BILL DIAMOND  
Secretary of State  
H.P. 1328

Comes from the House **READ** and, with Accompanying Papers, **ORDERED PLACED ON FILE**.

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

The accompanying Bill "An Act to Promote Forest Rehabilitation and Eliminate Clearcutting."

I.B. 4 L.D. 1819

Comes from the House referred to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and **ORDERED PRINTED**.

Which was referred to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**, in concurrence.

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

**COMMUNICATION**

The Following Communication:

**STATE OF MAINE**  
**OFFICE OF SECRETARY OF STATE**  
**AUGUSTA, MAINE 04333-0148**

February 22, 1996



Hon. Joseph W. Mayo  
Clerk of the House  
2 State House Station  
Augusta, ME 04333

Dear Clerk Mayo:

Enclosed please find my official certification to the 117th Legislature of the citizen initiative petition entitled "An Act to Reform Campaign Finance."

Sincerely,  
S/Bill Diamond  
Secretary of State

State of Maine  
Department of State

I, the Secretary of State of Maine, certify that written petitions bearing signatures of 59,563 electors of this State were addressed to the Legislature of the State of Maine and were filed in the office of the Secretary of State on January 17, 1996, requesting that the Legislature consider an act entitled "AN ACT to Reform Campaign Finance."

I further certify that the number of signatures submitted is in excess of ten percent of the total vote cast in the last gubernatorial election preceding the filing of such petitions, as required by Article IV, Part Third, Section 18 of the Constitution of Maine, that number being 51,131.

I further certify this initiative petition to be valid and attach herewith the text of the legislation circulated on the petition's behalf.

In testimony whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta on the twenty-second day of February in the year one thousand nine hundred and ninety-six.  
S/BILL DIAMOND  
Secretary of State  
H.P. 1331

Comes from the House **READ** and, with Accompanying Papers, **ORDERED PLACED ON FILE**.

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

The accompanying Bill "An Act to Reform Campaign Finance"

I.B. 5 L.D. 1823

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.

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

**COMMITTEE REPORT**

House

**Change of Reference**

The Committee on **TAXATION** on Bill "An Act to Support Abatement of Uncontrolled Tire Stockpiles"

H.P. 1298 L.D. 1781

Reported that the same be **REFERRED** to the Committee on **NATURAL RESOURCES**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **NATURAL RESOURCES**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill **REFERRED** to the Committee on **NATURAL RESOURCES**, in concurrence.

Senate at Ease

Senate called to order by the President.

Senator **AMERO** of Cumberland was granted unanimous consent to address the Senate off the Record.

Senator **LAWRENCE** of York was granted unanimous consent to address the Senate off the Record.

On motion by Senator **CAREY** of Kennebec, **ADJOURNED**, in memory of Arnold R. Bickford, until Wednesday, March 6, 1996 at 10:00 o'clock in the morning.