

MAINE STATE LEGISLATURE

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House Legislative Record
of the
One Hundred and Eighteenth Legislature
of the
State of Maine

Volume I

First Regular Session

December 4, 1996 - March 27, 1997

First Special Session

March 27, 1997 - May 15, 1997

ONE HUNDRED AND EIGHTEENTH LEGISLATURE
FIRST REGULAR SESSION
5th Legislative Day
Thursday, January 16, 1997

The Speaker resumed the Chair.

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

Prayer by Father Timothy J. Nadeau, St. Ann's Catholic Church, Old Town.

Doctor of the day, Rebecca Chagrasulis, M.D., Casco.

The Journal of Tuesday, January 14, 1997 was read and approved.

SENATE PAPERS

Bill "An Act to Prohibit the Use of Bait and Dogs for Hunting Bear" (S.P. 61) (L.D. 171)

Came from the Senate indefinitely postponed.

(The Committee on Reference of Bills had suggested reference to the Committee on **Inland Fisheries and Wildlife**.)

Was indefinitely postponed in concurrence.

Non-Concurrent Matter

Joint Order (H.P. 5) relative to amending Joint Rule 208 which was read and passed in the House on January 7, 1997.

Came from the Senate, read and passed as amended by Senate Amendment "B" (S-3) in non-concurrence.

The House voted to Recede and Concur.

Non-Concurrent Matter

Bill "An Act to Require Reimbursement to Counties for Services Rendered by County Law Enforcement Officers" (EMERGENCY) (H.P. 36) (L.D. 61) which was referred to the Committee on **Judiciary** in the House on January 9, 1997.

Came from the Senate referred to the Committee on **Criminal Justice** in non-concurrence.

On motion of Representative THOMPSON of Naples, the House voted to Adhere.

Non-Concurrent Matter

Bill "An Act to Increase Health Insurance Benefits for Retired Educators" (H.P. 132) (L.D. 174) which was referred to the Committee on **Education and Cultural Affairs** in the House on January 14, 1997.

Came from the Senate referred to the Committee on **Labor** in non-concurrence.

The House voted to Recede and Concur.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills and Resolves were received and upon the recommendation of the Committee on Reference of Bills were referred to the following Committees, Ordered Printed and Sent up for Concurrence:

Agriculture, Conservation and Forestry

Bill "An Act to Require the Maine Land Use Regulation Commission to Consider Community Benefits when Approving Utility Line Permits" (H.P. 175) (L.D. 230) (Presented by

Representative GAGNON of Waterville) (Cosponsored by Senator CAREY of Kennebec and Representatives: KONTOS of Windham, TESSIER of Fairfield, TOWNSEND of Portland, VIGUE of Winslow, WRIGHT of Berwick)

Appropriations and Financial Affairs

Bill "An Act to Require Accountability for Bond Issues" (H.P. 174) (L.D. 229) (Presented by Representative SNOWE-MELLO of Poland) (Cosponsored by Senator BENNETT of Oxford and Representatives: BOLDUC of Auburn, BRAGDON of Bangor, COLWELL of Gardiner, FOSTER of Gray, GERRY of Auburn, MacDOUGALL of North Berwick, MACK of Standish, STEDMAN of Hartland)

Banking and Insurance

Bill "An Act to Extend Access to Chiropractic Care under Health Maintenance Organization Managed Care Plans" (H.P. 179) (L.D. 234) (Presented by Representative CAMPBELL of Holden) (Cosponsored by Senator LaFOUNTAIN of York and Representatives: JONES of Pittsfield, MAYO of Bath, VIGUE of Winslow, WINN of Glenburn, Senators: ABROMSON of Cumberland, LAWRENCE of York, MURRAY of Penobscot, PENDLETON of Cumberland)

Bill "An Act to Exempt Companies That Employ 5 People or Fewer from Carrying Workers' Compensation Insurance" (H.P. 146) (L.D. 189) (Presented by Representative VIGUE of Winslow) (Cosponsored by Senator MITCHELL of Penobscot and Representatives: BOUFFARD of Lewiston, KERR of Old Orchard Beach, LEMONT of Kittery, MAILHOT of Lewiston, TRUE of Fryeburg, WATERHOUSE of Bridgton, Senator: JENKINS of Androscoggin)

Committee on **Banking and Insurance** suggested.

On motion of Representative SAXL of Bangor, tabled pending reference and later today assigned.

Business and Economic Development

Bill "An Act to Amend the Laws Pertaining to Electricians" (H.P. 162) (L.D. 204) (Presented by Representative HATCH of Skowhegan) (Cosponsored by Representatives: CLARK of Millinocket, SAMSON of Jay, SAXL of Portland, Senator: RAND of Cumberland)

Criminal Justice

Bill "An Act to Classify Vehicular Homicide as a Class A Crime" (H.P. 176) (L.D. 231) (Presented by Representative POVICH of Ellsworth) (Cosponsored by Representative: McALEVEY of Waterboro)

Bill "An Act to Create the Class A Crime of Theft" (H.P. 177) (L.D. 232) (Presented by Representative POVICH of Ellsworth) (Cosponsored by Representatives: CLUKEY of Houlton, MUSE of South Portland)

Education and Cultural Affairs

Bill "An Act to Limit Reimbursement for Public School Construction and Renovation to \$80 per Square Foot" (H.P. 143) (L.D. 186) (Presented by Representative McELROY of Unity) (Cosponsored by Representatives: CROSS of Dover-Foxcroft, STEDMAN of Hartland)

Bill "An Act to Provide That Students Receiving Any Services from a School Be Counted as Full-time Students for Purposes of State Aid" (H.P. 144) (L.D. 187) (Presented by Representative McELROY of Unity) (Cosponsored by Senator SMALL of Sagadahoc and Representatives: BARTH of Bethel, BELANGER of Caribou, BRENNAN of Portland, BUMPS of China, CLUKEY of Houlton, DESMOND of Mapleton, JOY of Crystal, STEDMAN of Hartland)

Bill "An Act to Require a Revote by Referendum on a School Budget and to Clarify the Budget Referendum Approval Process" (H.P. 147) (L.D. 190) (Presented by Representative SKOGLUND of St. George) (Cosponsored by Representatives: BARTH of Bethel, FULLER of Manchester, LEMKE of Westbrook, PIEH of Bremen, SIROIS of Caribou, VOLENIK of Brooklin, Senator: PINGREE of Knox)

Bill "An Act to Strengthen the Requirements for Acquisition of Driver's Licenses by Minors" (H.P. 181) (L.D. 236) (Presented by Representative KERR of Old Orchard Beach) (Cosponsored by Senator MILLS of Somerset and Representatives: BUCK of Yarmouth, GOODWIN of Pembroke, MAILHOT of Lewiston, Senators: ABROMSON of Cumberland, MICHAUD of Penobscot)

Inland Fisheries and Wildlife

Bill "An Act to Require a Guide for Certain Nonresident Aliens Hunting in the State" (H.P. 149) (L.D. 191) (Presented by Representative AHEARNE of Madawaska) (Cosponsored by Senator PARADIS of Aroostook and Representatives: DRISCOLL of Calais, JONES of Greenville, O'NEAL of Limestone, SANBORN of Alton, SIROIS of Caribou, THOMPSON of Naples)

Bill "An Act Regarding Trap-tending Requirements" (H.P. 161) (L.D. 203) (Presented by Representative PAUL of Sanford) (Cosponsored by Senator HALL of Piscataquis and Representatives: BOUFFARD of Lewiston, CLARK of Millinocket, DEXTER of Kingfield)

Bill "An Act to Exempt Watercraft Powered by Electric Motors from Registration Fees" (H.P. 170) (L.D. 225) (Presented by Representative CAMPBELL of Holden) (Cosponsored by Representatives: FOSTER of Gray, JONES of Bar Harbor, KNEELAND of Easton, LANE of Enfield, MacDOUGALL of North Berwick, O'NEAL of Limestone, Senators: KIEFFER of Aroostook, RUHLIN of Penobscot)

Judiciary

Bill "An Act to Require the Courts to Accept Civil Orders of Arrest on Any Day Court is in Session" (H.P. 180) (L.D. 235) (Presented by Representative WHEELER of Bridgewater) (Cosponsored by Representatives: BELANGER of Wallagrass, CLUKEY of Houlton, JOY of Crystal, O'NEAL of Limestone, PINKHAM of Lamoine, WATERHOUSE of Bridgton)

Labor

Bill "An Act to Require the State to Pay Medicare Costs for Retired State Employees and Retired Teachers" (H.P. 154) (L.D. 196) (Presented by Representative HATCH of Skowhegan) (Cosponsored by Representatives: CLARK of Millinocket, FISHER of Brewer, RICHARD of Madison, SAMSON of Jay, SAXL of Portland, Senator: RAND of Cumberland)

Legal and Veterans Affairs

Bill "An Act to Exempt Family Entertainment Centers from Gambling Prohibitions" (H.P. 163) (L.D. 205) (Presented by Representative VIGUE of Winslow) (Cosponsored by Senator DAGGETT of Kennebec and Representatives: GAGNON of Waterville, HATCH of Skowhegan, MERES of Norridgewock, RINES of Wiscasset, SHANNON of Lewiston, TRUE of Fryeburg)

Marine Resources

Bill "An Act to Amend the Marine Resources Special Licensing Laws to Provide for Test Marketing and Development of New Seafood Products" (EMERGENCY) (H.P. 157) (L.D. 199) (Presented by Representative BAGLEY of Machias) (Cosponsored by Senator CASSIDY of Washington and Representatives: GOODWIN of Pembroke, LAYTON of Cherryfield)

Natural Resources

Bill "An Act to Fully Fund the Surface Water Ambient Toxics Monitoring Program" (H.P. 152) (L.D. 194) (Presented by Representative ETNIER of Harpswell) (Cosponsored by Representatives: COWGER of Hallowell, STEVENS of Orono)

Bill "An Act to Amend the Permitting Laws for Septic Waste Disposal Sites" (H.P. 156) (L.D. 198) (Presented by Representative CLUKEY of Houlton) (Cosponsored by Representatives: BELANGER of Wallagrass, BELANGER of Caribou, DESMOND of Mapleton, JOY of Crystal, SIROIS of Caribou, WHEELER of Bridgewater, Senators: KIEFFER of Aroostook, PARADIS of Aroostook)

State and Local Government

Bill "An Act to Prohibit a Former Legislator from Employment in the Legislative, Judicial or Executive Branch for 2 Years after the End of the Legislator's Term" (H.P. 150) (L.D. 192) (Presented by Representative AHEARNE of Madawaska) (Cosponsored by Representatives: DONNELLY of Presque Isle, GERRY of Auburn, JOY of Crystal, KNEELAND of Easton, LEMKE of Westbrook, O'NEAL of Limestone, WHEELER of Eliot)

Bill "An Act to Clarify the Territory Included within Lake Arrowhead Community, Incorporated" (H.P. 168) (L.D. 223) (Presented by Representative McALEVEY of Waterboro) (Cosponsored by Senator LIBBY of York)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require Minimum Qualifications for the Treasurer of State (H.P. 145) (L.D. 188) (Presented by Representative DONNELLY of Presque Isle) (Cosponsored by Senator AMERO of Cumberland and Representatives: CAMPBELL of Holden, CIANCHETTE of South Portland, MARVIN of Cape Elizabeth, OTT of York, WINSOR of Norway, Senator: BUTLAND of Cumberland)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Change the Term of the Governor (H.P. 159) (L.D. 201) (Presented by Representative CAMERON of Rumford)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for 4-year Terms for Senators and Members of the House of Representatives (H.P. 164) (L.D. 206) (Presented by Representative CAMERON of Rumford) (Cosponsored by Representatives: BRUNO of Raymond, FISHER of Brewer, TRUE of Fryeburg)

Taxation

Bill "An Act to Reward Schools for Exceptional Student Performance on the 4th-grade Maine Educational Assessment Exam" (H.P. 142) (L.D. 185) (Presented by Representative McELROY of Unity) (Cosponsored by Senator SMALL of Sagadahoc and Representatives: BARTH of Bethel, BELANGER of Caribou, BERRY of Belmont, CLUKEY of Houlton, DESMOND of Mapleton, JOY of Crystal, STEDMAN of Hartland)

Bill "An Act to Exempt Lobster Traps from the Personal Property Tax" (H.P. 151) (L.D. 193) (Presented by Representative ETNIER of Harpswell) (Cosponsored by Senator GOLDTHWAIT of Hancock, Senator: SMALL of Sagadahoc)

Bill "An Act to Increase the Time before Which the Statute of Limitations Bars a Person from Collecting an Overpayment of Tax" (H.P. 153) (L.D. 195) (Presented by Representative CAMERON of Rumford)

Bill "An Act to Grant Tax-exempt Status to the Scottish Rite Masonic Children's Learning Centers, Inc." (H.P. 158) (L.D. 200) (Presented by Representative TREADWELL of Carmel) (Cosponsored by Senator MITCHELL of Penobscot and Representatives: CROSS of Dover-Foxcroft, FISHER of Brewer, JONES of Pittsfield, Senator: RUHLIN of Penobscot)

Bill "An Act to Increase the Tax Relief in the Maine Residents Property Tax Program" (EMERGENCY) (H.P. 165) (L.D. 220) (Presented by Representative LEMAIRE of Lewiston) (Cosponsored by Senator MICHAUD of Penobscot and Representatives: BERRY of Livermore, CHIZMAR of Lisbon, FARNSWORTH of Portland, GERRY of Auburn, MAILHOT of Lewiston, Senator: NUTTING of Androscoggin)

Bill "An Act to Exempt Public Water, Power or Light Systems from Municipal Taxation" (H.P. 167) (L.D. 222) (Presented by Representative RICHARD of Madison)

Resolve, to Establish the Commission on Comprehensive Tax Reform (H.P. 160) (L.D. 202) (Presented by Representative LEMAIRE of Lewiston) (Cosponsored by Senator LaFOUNTAIN of York and Representatives: FARNSWORTH of Portland, KERR of Old Orchard Beach, POVICH of Ellsworth, SAXL of Bangor, Senators: CLEVELAND of Androscoggin, RAND of Cumberland, TREAT of Kennebec)

Transportation

Bill "An Act to Require the Department of Transportation to Notify Counties of Planned Bridge Projects at the Time of Planning" (H.P. 173) (L.D. 228) (Presented by Representative CHICK of Lebanon) (Cosponsored by Senator LIBBY of York and Representatives: CAMERON of Rumford, CROSS of Dover-Foxcroft, DUNLAP of Old Town, MURPHY of Kennebunk, NASS of Acton, PAUL of Sanford, TUTTLE of Sanford, Senator: MacKINNON of York)

Resolve, to Name a Portion of Highway in Milbridge in Honor of David Kennedy (H.P. 155) (L.D. 197) (Presented by Representative LAYTON of Cherryfield) (Cosponsored by Senator CASSIDY of Washington and Representatives: BAGLEY of Machias, BUCK of Yarmouth, PINKHAM of Lamoine, WATERHOUSE of Bridgton)

Resolve, Requiring the Department of Public Safety, Chief of the State Police to Amend the Commercial Vehicle Inspection Standards to Help Control Diesel Truck Emissions (H.P. 171) (L.D. 226) (Presented by Representative GAGNE of Buckfield) (Cosponsored by Representatives: BAKER of Bangor, FARNSWORTH of Portland, McKEE of Wayne, TRIPP of Topsham, VOLENIK of Brooklin)

Bill "An Act to Amend the Motor Vehicle Laws Regarding Loss of License" (H.P. 172) (L.D. 227) (Presented by Representative GAGNE of Buckfield) (Cosponsored by Representatives: BAKER of Bangor, BAKER of Dixfield, McKEE of Wayne, POVICH of Ellsworth)

Committee on **Transportation** suggested.

On motion of Representative DRISCOLL of Calais, tabled pending reference and later today assigned.

Utilities and Energy

Bill "An Act to Amend the Charter of the Madison Water District" (H.P. 166) (L.D. 221) (Presented by Representative RICHARD of Madison) (Cosponsored by Representative: HATCH of Skowhegan)

Bill "An Act Regarding Charges Assessed against Owners of Sprinkler Systems" (H.P. 169) (L.D. 224) (Presented by Representative CAMPBELL of Holden) (Cosponsored by Representatives: BRAGDON of Bangor, FISHER of Brewer, FOSTER of Gray, GERRY of Auburn, MacDOUGALL of North Berwick, MACK of Standish, TOBIN of Dexter, Senator: RUHLIN of Penobscot)

Bill "An Act to Regulate Telephone Directory Entries" (H.P. 178) (L.D. 233) (Presented by Representative POVICH of Ellsworth) (Cosponsored by Representatives: CLUKEY of Houlton, GAGNE of Buckfield, VOLENIK of Brooklin, Senator: HALL of Piscataquis)

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

ORDERS

On motion of Representative GAMACHE of Lewiston, the following Order: (H.O. 10)

ORDERED, that Representative Martha A. Bagley of Machias be excused January 7 for health reasons.

Was read and passed.

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

ORDERS

On motion of Representative McALEVEY of Waterboro, the following Joint Order: (H.P. 183)

ORDERED, the Senate concurring, that Joint Rule 307 be amended to read:

Rule 307. Testimony.

Testimony before a joint standing committee is not presented under oath, except that a committee is authorized to administer oaths in the case of legislative confirmation hearings under the Maine Revised Statutes, Title 3, section 157 and may be so authorized by the Legislature when the committee is acting as a special investigating committee under the Maine Revised Statutes, Title 3, section 165, subsection 7.

All written materials presented to the committee must bear the name, address and affiliation, if applicable, of the presenter and the date presented.

Written testimony submitted by a person or agency that, in the current fiscal year or the immediately preceding fiscal year, receives or has received a grant from a governmental agency or has entered into a contract with a governmental agency must include the amount received by the person or agency under the grant or contract and identify the source of the grant or contract

by governmental agency and program name. For purposes of this paragraph, "grant" also includes a subgrant from another organization receiving a governmental grant or from the State pursuant to a federal block grant.

Was read.

The SPEAKER: The Chair recognizes the Representative from Waterboro, Representative McAlevey.

Representative McALEVEY: Madam Speaker, Ladies and Gentlemen of the House. Each of us over the next two years are going to make important decisions for the best use of our constituents' tax dollars. Our constituents selected us to do just that. They trust us to do so in an informed manner. As members of the different Joint Standing Committees, we will be asked to consider over 2,000 bills. Once those bills have been reported out, we will discuss it on the floor. This rule change helps us as legislators to make a decision based on the best information possible. Some of the written testimony we receive will come from individuals representing organizations and themselves. Some of those individuals and organizations receive our constituents' tax dollars in the form of grants and government contracts. The public has the right to know this information during the committee process. We know who the people are representing individual organizations, but the general public sitting in the hearing room doesn't know that. Disclosing this information does not enhance or demean, it is not the intent to enhance or demean anyone's testimony when they present it. It shines some sunlight into this process for the general public. We can all use sunlight. It doesn't hurt a thing. Asking individuals and organizations receiving money to disclose this in their written testimony is just one more step bringing government closer to the people that we represent. Thank you and I ask you to consider this order.

The SPEAKER: The Chair recognizes the Representative from Wells, Representative Carleton.

Representative CARLETON: Madam Speaker, Ladies and Gentlemen of the House. It shouldn't come as any surprise to any of us that among the factors that we use in order to judge testimony that comes before us on a day-to-day basis and, in fact, in our day-to-day lives is the economic or other interests that the people who speak the words have in the particular manner before us. As the representative from Waterboro has said, there is nothing wrong with this. We expect the people who come and have an interest in a bill to testify about it. I think that I am going to support this order because it sheds more light on the process, more sunshine on the process. It gives everybody the information about exactly where somebody is coming from. I don't see why anybody should object to that. I hope that you will support this order.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Saxl.

Representative SAXL: Madam Speaker, Men and Women of the House. Many congratulations go out to the good Representative from Presque Isle today on his successes. However, I have to call attention to our concern with his proposal regarding our rules in this chamber. Our concern is that this order takes people who receive money from state agencies and federal agencies and takes them and separates them from everybody else who testifies before a committee. What it says is that anybody who works for a state agency or receives state or federal funds has some kind of ulterior or insidious motive.

Currently, under our current rules in this chamber and within every committee's rules, each committee can require that everybody that comes before them and everybody who submits written testimony disclose who they are and who they work for. In fact, in my experience, in this chamber every single committee

I have ever testified before has required that type of disclosure. This rule only goes after one group of people. It does not address whether there is a tobacco lobbyist working for the tobacco industry. It does not address whether there is an individual who is testifying for personal and financial gain. It does not address whether there is an insurance agent who has those interests. It doesn't address everybody who goes before the committee. That is my concern. It highlights and kicks out one certain group and makes those who work for our government or with our government criminal or suspect before they come before a committee.

I urge that you join me and vote no on the current motion.

The SPEAKER: The Chair recognizes the Representative from Rumford, Representative Cameron.

Representative CAMERON: Madam Speaker, Ladies and Gentlemen of the House. I am disappointed that Representative Donnelly is not here to address this today. His intent was never to single out folks who worked for government agencies. I want to be sure that you clearly understand that this amendment, this rule change, is not aimed at people who come before us to testify. It is not aimed at people that work for a government agency. It is aimed at anyone who sends us written testimony, sends it in the mail, I want to be sure you understand. These are people who send testimony from whom we are able to respond. We are unable to ask questions. Any lobbyist, as the good Representative Saxl just said, any lobbyist that comes before us, we can ask them any of these questions. We are free to ask anything as long as we treat people with dignity.

This rule change is aimed at folks with whom we have no interchange of conversation, with whom we cannot ask what their stake is. Ninety-nine point nine percent of the time, even a higher percentage, for that matter, people's motives are honorable. This is not intended to send a message that people's motives are not honorable. It is merely to send a message to open the process up more, to let the public know that we are trying to find out all the motivations. We are trying to find out what really drives the testimony and the bills that are before us. Everyone of us that have been here before has experienced a bill that we have passed in good faith and found out that we made a terrible mistake. This is just one more piece to find out what is driving the effort to pass a bill.

Again, I want to emphasize that there was never an intent to single out people that work for government. I am not sure that I understand how you can get that out of this when it says any person, that seems to me to encompass all of the people in these United States. That was not the intent. I hope you understand it. I hope you will join me in voting for the resolution because the intent of the resolution is not insidious. It is not aimed at any particular group of government employees. It is aimed at opening up the process more and allowing us to have a piece of information that is in the present circumstance, we cannot have because those folks are not before us. We cannot ask them the question. Thank you for your time. I hope you will join me in supporting this rule.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Brennan.

Representative BRENNAN: Madam Speaker, Men and Women of the House. As I said, I accept Representative Cameron's statement that this is not an attempt to unduly single out any particular group of people for selection or to make it more difficult for them to present their case before the Legislature. In my reading of this particular order, what it would do is any nonprofit agency that would come before the Legislature would be required to list every contract that they have either with their local city government, county government or

federal government. Believe me, that list could be rather extensive or it could be very short. That there could be a nonprofit agency that could have a single, very small contract with their city government or with their county government and could be coming to testify for no other reason other than they have a very deep concern and interest on a particular issue. I really see this order, again, I accept it in the manner and the spirit that it was set forward, but it really would present an undue burden for a number of nonprofit agencies that make a very strong and important contribution to come here and testify on issues that are relevant to the Legislature. Thank you.

The SPEAKER: The Chair recognizes the Representative from Newport, Representative Kasprzak.

Representative KASPRZAK: Madam Speaker, Men and Women of the House. This rule, from my perspective, as a new legislator, is common sense. I am somewhat surprised that it isn't already part of our joint rules. When I first read this proposed rule change, I asked myself, is there anything wrong with the people's representatives and the public knowing how our tax dollars are being spent? My answer was no. There is nothing wrong with the people's representatives and the public knowing how our tax dollars are being spent. I sincerely hope we adopt this rule change. It would be of great benefit to me as a new State Representative. I can't imagine it wouldn't be of great help to any member of the Maine Legislature.

Finally, I know my constituents will be happy to hear that we have added one more measure to help us do our jobs in the prudent use of the people's money. Thank you.

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

Representative GAGNON: Madam Speaker, Members of the House. I, too, am a freshman member of this body and one of the things that strike me about this order is that it does, even though the intent is not the point on a specific group, it does. I am just wondering what the precedent might be. Where this might eventually lead to, if we start asking groups, not only who they work for, but who does their spouse work for, who does their children work for, what religious affiliation are they in, how many children do they have? These things are important. Everybody has a very diverse background in what boards they serve on. I would encourage the freshmen to defeat this motion.

The SPEAKER: The Chair recognizes the Representative from Yarmouth, Representative Buck.

Representative BUCK: Madam Speaker, Men and Women of the House. I think the point here is that the reason we are asking these people to identify the source of their funds is the fact that when you are talking about taxpayer dollars supporting an agency or an organization, either in government or out of government, you are talking about funds that are collected from people, some of whom probably support the agency and some people perhaps don't. I happen to think that when taxpayer funds are involved in any organization, we do a better job as legislators when we have that information right up front. Madam Speaker, I would request a roll call.

Representative BUCK of Yarmouth requested a roll call on passage of the Joint Order (H.P. 183).

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Townsend.

Representative TOWNSEND: Madam Speaker, Men and Women of the House. I do apologize for extending the debate. However, I want to make two points that I have not heard to this point.

First of all, I would argue that those who send us written testimony because they cannot come to the State House are those who are least likely to be familiar with the Joint Rules of

the Maine State Legislature. Nevertheless, their point of view is valid and important.

Secondly, I have many constituents that work for the local CAP agency or other agencies which have contracts with state government. They also have opinions on many issues of public policy. My constituent who works for the Maine State Housing Authority lobbied me vigorously on the issue of island secession. Someone who works for the CAP agency may have an opinion on the seat belt law. It is not clear to me that this rule would only apply when they were submitting testimony, which was relevant to the agency for which they worked. If my constituent wants to express his opinion on island secession, does he need to tell us he works for an agency which receives money from the state. I don't think so. I don't think it is relevant.

Thirdly, I want to echo the point that it doesn't apply to lobbyists. I haven't gotten around to it yet, but I looked forward to going over to the Commission on Ethics to look up just exactly how much money was spent on fighting against my bill a couple of years ago on tobacco. I would imagine it was a hefty sum and a nice injection into the Maine economy, but none of those individuals had to indicate, at the time they testified, that they were earning \$200 an hour or that they had been flown up from Washington at the expense of the tobacco institute. Until it levels the playing field for all, I can't support it.

The SPEAKER: The Chair recognizes the Representative from Raymond, Representative Bruno.

Representative BRUNO: Thank you Madam Speaker. The intent of the legislation is good as many bills come before us have that same intent. When you read this legislation, it fails in its efforts to address the point. To be technical on this, it says anyone who has a contract with a state agency, every physician out there has a contract with the State Medicaid Bureau. Every pharmacy has a contract. Every provider out there has a contract with a state agency. You have no idea how much you are going to get because it all depends on how many patients you are going to see that year. It is impossible to write down how much money you receive in a year. Although I agree with the intent of the legislation, I don't agree in the way it is written. I urge you to defeat this order. Like I said, we all have good intentions on some things, but a lot of times it is not well done.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: A roll call has been ordered. The pending question before the House is Passage. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 3

YEA - Barth, Belanger DJ, Belanger IG, Berry DP, Bodwell, Bragdon, Buck, Bumps, Cameron, Campbell, Carleton, Cianchette, Clukey, Cross, Desmond, Dexter, Fisk, Foster, Gerry, Gieringer, Gooley, Honey, Jones SA, Joy, Joyce, Joyner, Kasprzak, Kneeland, Labrecque, Lane, Layton, Lemont, Lindahl, Lovett, MacDougall, Mack, Madore, Marvin, McAlevey, Meres, Murphy, Nass, Nickerson, O'Brien, Ott, Peavey, Perkins, Pinkham RG, Pinkham WD, Plowman, Savage, Snowe-Mello, Spear, Stedman, Taylor, Tobin, Treadwell, True, Underwood, Vedral, Waterhouse, Wheeler EM, Winsor.

NAY - Ahearn, Bagley, Baker JL, Berry RL, Bigl, Bolduc, Bouffard, Brennan, Brooks, Bruno, Bull, Bunker, Chartrand, Chick, Chizmar, Clark, Colwell, Cowger, Davidson, Driscoll, Dunlap, Etnier, Farnsworth, Fisher, Frechette, Fuller, Gagnon, Gamache, Goodwin, Green, Hatch, Jabar, Jones KW, Jones SL, Kane, Kerr, Kontos, LaVerdiere, Lemaire, Mailhot, Mayo, McElroy, McKee, Mitchell JE, Morgan, Muse, O'Neal, O'Neil, Paul, Pendleton, Perry, Pieh, Povich, Powers, Quint, Rines, Rowe, Samson, Sanborn, Saxl JW, Saxl MV, Shannon, Shiah,

Sirois, Skoglund, Stanley, Stevens, Tessier, Thompson, Townsend, Tripp, Tuttle, Usher, Vigue, Volenik, Watson, Wheeler GJ, Winglass, Winn, Wright, Madam Speaker.

ABSENT - Baker CL, Donnelly, Dutremble, Gagne, Lemke, Poulin, Richard.

Yes, 63; No, 81; Absent, 7; Excused, 0.

63 having voted in the affirmative and 81 voted in the negative, with 7 being absent, the Joint Order (H.P. 183) failed of passage.

On motion of Representative KERR of Old Orchard Beach, the following Joint Order: (H.P. 148)

ORDERED, the Senate concurring, that the Joint Standing Committee on Appropriations and Financial Affairs report out to the House a bill or bills authorizing appropriations and allocations for fiscal years 1996-1997, 1997-98 and 1998-99 and to change certain provisions of the law necessary for the proper operation of State government.

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

ENACTORS

Emergency Measure

An Act to Make 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, 1997 (H.P. 139) (L.D. 181) (Governor's Bill)

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

The **SPEAKER**: The Chair recognizes the Representative from Old Orchard Beach, Representative Kerr.

Representative KERR: Madam Speaker, Men and Women of the House. I know that we have had caucuses on the emergency budget, but I would just like to go through this and explain and thank a few people for helping us to expedite this emergency budget. First of all, I would like to begin by thanking the administration for allowing us the opportunity to work from a draft. Second, I would like to thank the Appropriations Committee and our staff for the long hours that they have put in to make this emergency budget happen. Third, the Policy Committees, you members of the Legislature, Democrats and Republicans that came before the committee and listened to the testimony and helped us reach a consensus. We thank you. The leadership on both sides of the aisle, allowing us to do our work so that we could get this emergency budget out. This time I would like to indulge and just to give you a brief summary, again, I know we have had caucuses on this. It will be just a quick overview to let you know what you are on and the differences between the Governor's proposed emergency budget and what actually is entailed in this budget, as you vote.

First of all, I would like to begin dealing with net appropriations. The Governor's proposal proposed to spend \$24.2 million. The Appropriations Committee is recommending about \$16.6 million in spending. We are spending less and reserving more than what the original Governor's proposal has done.

Second, to be consistent with what the Legislature has chosen to do during the past two years, we feel it is important to get away from that credit-card mentality. We are paying our bills. The administration chose to use some language in the emergency budget so they wouldn't have to do a portion of a reprojection in revenues toward the unfunded liability. Through

your help and the Appropriations Committee, we felt that we wanted to continue to pay our bills. The budget that is before you pays \$2.4 million towards the unfunded liability. That \$2.5 million is going to significantly reduce the amortization payment over the next 32 or 33 years by almost \$10 million. To me, that is good public policy.

Defense and veterans, as you all know, there is \$1.67 million dollars being appropriated to take care of the disaster storms that we had in January, April and last October. Tourism, the Governor's proposal recommended \$2.7 million on a five-year plan. The Appropriations Committee reduced that amount to \$1.54 million. We felt that we wanted to try to stay within what expenditures would be between now and June 30. That is why that number was reduced. It was not reduced because we didn't like the plan. Frankly, Commissioner McBrierty and Dan Lewis came before the committee and presented a plan that was very doable and it also had benchmarks. For those of you that are new, we are moving toward performance-based budgeting so that we can look at not just output, but outcome. In this five-year plan I believe that there are measurable benchmarks, but, again, trying to keep within a very flexible definition of an emergency budget. I will get into that a little bit later. That is why the Appropriations Committee is recommending to the full body, the sum of \$1.54 million.

Dealing with Human Services and Mental Health, I think collectively, we felt that the committee of jurisdiction should hold those public hearings. We are not going to make any great policy changes between now and June 30th. That is where, I think, we all reached that consensus. The issue of collective bargaining, for those that have a concern for why you don't see collective bargaining in the emergency budget, we left the funding, enough in reserve to address that retroactive payment, which is about \$3.5 million. The administration is going to be coming forth with another bill to show us how they are going to pay for collective bargaining. The resources are there. As I said before, in net appropriations, the bill that is before you spends less and reserves more than what the administration does. As we all know and will find out that the process is pretty fluid and sometimes awful fragile that when you have got, in this case, 186 members that are going to be looking at this budget between both bodies, there are going to be little items that you are going to disagree with, whether or not it is an emergency or not. What we try to do on the committee is have a general consensus and use a general meeting for what is an emergency.

The budget before you does spend \$5 million on capital construction. The original Governor's proposal between the legislative account and the entire state capital construction is about \$10 million. We have reduced that by half. We felt that there was a need for some capital spending. We have left the discretion up to Commissioner Waldron for those expenditures, with a clear understanding that no monies will be spent in the legislative account

At this time, I would urge your support for what I consider to be a historical moment. Although two years ago, we started this process much later. I think that we still have our eye on a goal. To get the emergency budget out and to work it as fast and as hard as we can to let our local municipalities know what the amount will be for general purpose aid. We are on target. We are about a month earlier this time around versus two years ago on getting out an emergency budget. Our public hearing process is about two months earlier. I am deviating a little bit from what is actually in the document, but I think it all gels together when you are working with an emergency budget and trying to get out the Part I Budget. Two years ago, we started our public hearings

about a month and a half later than what we are doing now. Committees will be reporting back sooner.

At this time, I am just urging your support for this emergency budget. If you look at the budget in its entirety, I think that you can all embrace it. There may be some questions that will come up on whether or not it is an emergency or not. That is an issue that I want you to know that we thought long and hard on in the committee, but we did reach a consensus and I would urge your support. Thank you very much.

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

Representative MURPHY: Madam Speaker, Men and Women of the House. First of all, when the vote is taken, I request a roll call. It is with a great deal of trepidation that I rise, because very seldom have I spoken or voted against a consensus that has been developed on a committee. I appreciate the efforts of the good chairman to enlighten this body as to what is contained within that bill. I guess also, I would like to assure the members of the House that this is not a Republican thing and it is not a Democratic thing. I think we are all fully aware that at all levels of government there is a great deal of cynicism and every new Legislature has the opportunity to lay out its character and its principles for the next two years. I think this emergency bill or supplemental bill is one of those defining moments. I think we have come to a consensus on the general background of this first session. We have been told repeatedly that there is a shortfall or a deficit of \$300 to \$400 million. We have been told that by the Governor and the Maine people have been told that.

I think the second thing that we agree on because this bill is before us today is that we have a most extraordinary one-time blip in the revenues, which while we are looking toward the two-year fiscal period, of a shortfall of \$300 or \$400 million. We have a blip and we are going to turn right around and spend that short-term blip. I think also part of that backdrop, even though the Governor hasn't made his state of the state speech is that we have had a glimpse of where those shortfalls are going to be addressed, the magnet school in Limestone, hospice, school aid and school construction. These are very hard times coming over the next two years.

I am lucky because I am a commuter. I have the opportunity to go back home each and every day. I had an opportunity to see the folks. I had knocked on the door asking for their vote and I listened to them. I have developed a tremendous respect for their common sense. I think there is two themes that we have to address during these two years and specifically with this emergency bill, is keeping your word, keeping your promises and how do you prepare for tough times. If you could flash back into your district right now, no matter what street you travel or what factory you go by or what office building you go past, the men and women that work in those buildings, if they are told that business is down this year, we have a 20 percent cut in revenues, you still have your jobs, but your paycheck is going to be 20 percent less, they begin preparing for it. They may have one or two months where there is a blip in their incomes and they don't run out and buy a new car. They don't put an addition on the house. They start preparing for the tough times.

As a small business person, I learned that at times people can't pay their bills. Time after time I saw Mainers who, rather than walking away and saying that is tough, would shake your hand and say that I can't pay you right now, but when I can, you are first in line. I have seen them do without to keep their word. Well, our word has been broken, whether you take it as tree growth reimbursement, declining state share of local school costs, or a cap on new school construction. We haven't kept our

word. I, in all good conscience, cannot call this an emergency bill. It is a supplemental bill. It is an effort to get at that temporary surge in income before the hard times come. I cannot vote for any improvements on state buildings when Maine school kids are in trailers. That is an emergency. I cannot vote for a budget that raises personnel when we have heard from the Governor that he is looking at a one-percent increase in education and we know that on the local level that means phys ed teachers, art teachers and music teachers are going to be ripped. That is an emergency. I cannot vote for this budget when a promise has been made to our best and brightest at Limestone that that promise is going to be broken. I would urge you to vote no on the enactment of this budget.

The SPEAKER: The Chair recognizes the Representative from Old Orchard Beach, Representative Kerr.

Representative KERR: Madam Speaker, Men and Women of the House. I am one of those individuals that you make reference to being in business, understanding and going home every night so I get my ear as close to the pavement and so I believe that not only my constituents want, but sitting in the Appropriations Committee, I guess that is one of the great pleasures we have of listening to what people all over the state want. As I stated earlier, dealing with net appropriations, the Governor had proposed \$24.2 million. The Appropriations Committee is recommending \$14.6 million. In your vote for this budget, you will be able to say that you are spending less and reserving more. That is a great change from in the past. We are getting away from the mind set of credit-card mentality. This body is. The Governor has chosen to use the notwithstanding language that he doesn't want to take a portion of that reserve that you talk about and fund the unfunded liability. We chose to do that. That is to everyone's best interest, because when you look at that amortization schedule when you plug in that \$2.4 million, the people of this state are going to save a little over \$10 million. To me, that is being prudent and that is being responsible. We may differ on whether or not some items are an emergency or not. That is why I said to this body that it is a general definition. There were items that I wanted to see in that other members of the committee wanted to see out. We reached a consensus. Tree growth, general purpose aid, magnet schools and hospice. We felt that those decisions would be left better with committees of jurisdiction so that you who are first-time members of this body, will have public input. You will help the Appropriations Committee put our a Part I Budget. We felt that those decisions should be made in the committee of jurisdiction and have public hearings and let the public decide, rather than the Appropriations Committee.

This budget truly reflects bipartisan support. I personally would urge your support for this budget. I think it is good. I think it is responsible. We have chosen not to fund the corrections and the nine new guards because during productivity 14 guards were removed. We felt that that best take place in the committee of jurisdiction. Let the Criminal Justice Committee review that. If the Governor chooses that it is an emergency, nothing would prevent the Governor from submitting another emergency budget. If, since you just voted for a Joint Order, during the deliberations on January 23rd, should that committee of jurisdiction decide that we need to fund these nine positions, nine guards, nothing will prohibit the Appropriations Committee from sending out a separate bill. I think what this budget does and I will repeat, dealing with net appropriations, spends less than the Governor's proposal and we reserved more and we pay our bills on time. We also spend money in areas that generate revenue for this state on tourism. To me, I think that is an emergency, because so often we look at where we are going to

spend money and we forget where we are going to raise it. Yes, we are appropriating money towards tourism so that we can use the State of Maine as a destination point, not just our communities, because we need those tax dollars. We need that capital. Again, thank you and I would urge your support of this budget.

Representative MURPHY of Kennebunk requested a roll call on passage to be enacted.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Bethel, Representative Barth.

Representative BARTH: Madam Speaker, Ladies and Gentlemen of the House. I will be voting against this budget, but, for me, I guess that is probably nothing unusual. I have voted no on many budgets. I will be voting for one reason. There is no money in there to reimburse the towns, fully, for tree growth. I will continue to vote against budgets until that problem, one of the gimmicks, the money is there, we can pay it, until that problem is solved.

The SPEAKER: The Chair recognizes the Representative from Enfield, Representative Lane.

Representative LANE: Madam Speaker, Ladies and Gentlemen of the House. It is also with fear and trepidation that I get up to debate a budget bill, because I know that if there were a yellow light there, we would all like to push that. I hardly support my Republican colleagues and Democratic colleagues who have worked so hard at this budget. I am sure you can hear a but coming, however, I concur with the good Representative Murphy. This is a new opportunity and a new chance and from what I understand, tree growth wasn't even discussed. For those of us who are in the outlying areas, this is a very big issue. I also just had a call from a constituent who is very concerned with the tourism monies and said that this money, they needed all of it in order to bring in more revenue. It wasn't a matter of which boat to buy, but whether or not to buy a boat at all. In all good conscience, for my constituency, I also will be voting against the budget reluctantly.

The SPEAKER: A roll call has been ordered. The pending question before the House is Enactment. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 4

YEA - Ahearne, Bagley, Baker JL, Belanger DJ, Belanger IG, Berry DP, Berry RL, Bigl, Bodwell, Bolduc, Bouffard, Brennan, Brooks, Bull, Bumps, Bunker, Campbell, Chartrand, Chizmar, Clark, Clukey, Colwell, Cowger, Davidson, Desmond, Dexter, Driscoll, Dunlap, Etnier, Farnsworth, Fisher, Frechette, Fuller, Gagnon, Gamache, Gieringer, Goodwin, Green, Hatch, Jabar, Jones KW, Jones SL, Kane, Kerr, Kneeland, Kontos, LaVerdiere, Lemaire, Lemont, Lindahl, Madore, Mailhot, Marvin, Mayo, McElroy, McKee, Meres, Mitchell JE, Morgan, Muse, O'Brien, O'Neal, O'Neil, Ott, Paul, Perkins, Perry, Pieh, Pinkham WD, Plowman, Povich, Powers, Quint, Rines, Rowe, Samson, Sanborn, Saxl JW, Saxl MV, Shannon, Shiah, Sirois, Skoglund, Spear, Stanley, Stevens, Taylor, Tessier, Thompson, Townsend, Treadwell, Tripp, Tuttle, Usher, Vigue, Volenik, Watson, Wheeler EM, Wheeler GJ, Winglass, Winn, Winsor, Wright, Madam Speaker.

NAY - Barth, Bragdon, Bruno, Buck, Cameron, Carleton, Chick, Cianchette, Cross, Fisk, Foster, Gerry, Gooley, Honey, Jones SA, Joy, Joyce, Joyner, Kasprzak, Labrecque, Lane, Layton, Lovett, MacDougall, Mack, McAlevey, Murphy, Nass, Nickerson, Peavey, Pendleton, Pinkham RG, Savage, Snowe-Mello, Stedman, Tobin, True, Underwood, Vedral, Waterhouse.

ABSENT - Baker CL, Donnelly, Dutremble, Gagne, Lemke, Poulin, Richard.

Yes, 104; No, 40; Absent, 7; Excused, 0.

104 having voted in the affirmative and 40 voted in the negative, with 7 absent, this being an emergency measure, a two-thirds vote of all the members elected to the House necessary, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate. Ordered sent forthwith.

Emergency Measure

Resolve, to Extend the Reporting Deadline for the Task Force on Paperwork Reduction in Nursing Facilities (S.P. 57) (L.D. 167)

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

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 138 voted in favor of the same and 0 against and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate. Ordered sent forthwith.

TABLED AND TODAY ASSIGNED

The Chair laid before the House the following items which were Tabled and Today Assigned:

Bill "An Act to Encourage the Development of the Software Industry" (H.P. 110) (L.D. 134)

(Committee on **Taxation** suggested)

TABLED - January 14, 1997 by Representative TRIPP of Topsham.

PENDING - Reference.

On motion of Representative TRIPP of Topsham, tabled pending reference and specially assigned for Tuesday, January 21, 1997.

HOUSE ORDER - Relative to amending House Rule 101 (H.O. 9)

- In House, Read on January 14, 1997.

TABLED - January 14, 1997 by Representative JONES of Pittsfield.

(Pursuant to House Rule 524)

PENDING - Passage.

Subsequently, the House Order (H.O. 9) was passed and sent up for concurrence.

JOINT ORDER - Relative to amending Joint Rule 211 (H.P. 141)

- In House, Read on January 14, 1997.

TABLED - January 14, 1997 by Representative KERR of Old Orchard Beach.

PENDING - Passage.

The SPEAKER: The Chair recognizes the Representative from Old Orchard Beach, Representative Kerr.

Representative KERR: Madam Speaker, Ladies and Gentlemen of the House. I ask leave of the House to withdraw my motion. I put this piece of legislation in and I feel an obligation to let you know why. During the late hours on what could be called Thursday night or early Friday morning, the Appropriations Committee had reached a consensus on a budget, which I am very pleased that you have embraced with a two-thirds vote, so we can get on with other business. On a situation that since we were working from a draft document, after

we reached our consensus and votes were taken, we didn't know which we were going to work from, a Governor's budget or an amendment portion. So to help expedite matters, we chose to work from the Governor's budget. An agreement of whatever votes were taken on the committee, would truly be reflected in that document that would come to the floor.

Over the weekend, there was a little bit of confusion. Since it was the Governor's budget that we were working from, the Governor felt that it was imperative that the nine guards remained in the budget, even though the Appropriations Committee had voted them out. They felt that those nine positions should be included. The committee felt that it was important that the committee of jurisdiction review and offer input. I suggested to the Governor that he could always come back with an emergency budget or that after January 23rd, that the joint committees are going to get together and hear the budget from the corrections. At that time, if both committees agreed that they should be funded then upon passage of that Joint Order that you voted for today, then the Appropriations Committee could issue out a bill to fund those positions.

Again, we felt that it was important that that section be left out of the Governor's budget. I suggested this order, this House Paper, simply because there has to be trust. When a committee votes on an item or items, that is truly what should be reflected on a bill. I have now been reassured by the administration that that incident will not happen again. That is why I am asking for House Paper 141 to be withdrawn. Thank you.

On motion of Representative KERR of Old Orchard Beach the Joint Order (H.P. 141) was withdrawn.

HOUSE ORDER - Relative to amending House Rule 401 (H.O. 7)

- In House, Read on January 9, 1997.

TABLED - January 14, 1997 by Representative DONNELLY of Presque Isle.

PENDING - Passage.

The SPEAKER: The Chair recognizes the Representative from Rumford, Representative Cameron.

Representative CAMERON: Madam Speaker, Ladies and Gentlemen of the House. I ask leave of the House to withdraw House Order 7. First of all, I want to thank those of you that agreed to support this effort. It is not something that I am willing to fall on a sword over, but I did want to say that it is important and the only reason that I put it in with was another step to alleviate a perception of the issue of how votes were taken around here. I have given it more thought and I have discussed it with some other folks about what the outcome might be and we all know that sometimes it is difficult for us to get here to vote. I am going to withdraw it, but I am going to withdraw it having been given assurances by the leadership on both sides of the aisle that there will be no games played in the voting process. I take that assurance to the bank and I will hold them to that. I thank you for your indulgence.

On motion of Representative CAMERON of Rumford, House Order (H.O. 7) was withdrawn.

The Chair laid before the House the following items which were tabled earlier in today's session:

Bill "An Act to Exempt Companies That Employ 5 People or Fewer from Carrying Workers' Compensation Insurance" (H.P. 146) (L.D. 189) which was tabled by Representative SAXL of Bangor pending reference.

On motion of Representative SAXL of Bangor, the Bill was referred to the Committee on **Banking and Insurance**, ordered printed and sent up for concurrence.

Bill "An Act to Amend the Motor Vehicle Laws Regarding Loss of License" (H.P. 172) (L.D. 227) which was tabled by Representative DRISCOLL of Calais pending reference.

Subsequently, the Bill was referred to the Committee on **Transportation**, ordered printed and sent up for concurrence.

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

SENATE PAPERS

The following Joint Order: (S.P. 81)

ORDERED, that when the House and Senate Adjourn they do so until Tuesday, January 21, 1997, at 3:00 o'clock in the afternoon.

Came from the Senate, read and passed.

Was read and passed in concurrence.

Bill "An Act to Decrease the Time Period Allowed for the Rescission of a Time-share Contract" (S.P. 65) (L.D. 184)

Bill "An Act to Allow a Patient to Order Contact Lenses through the Mail without a Prior Visit to a Physician" (S.P. 78) (L.D. 217)

Came from the Senate, referred to the Committee on **Business and Economic Development** and Ordered Printed.

Were referred to the Committee on **Business and Economic Development** in concurrence.

Bill "An Act to Give an Antlerless Deer Permit to a Person Who Kills 5 or More Coyotes" (S.P. 63) (L.D. 182)

Bill "An Act to Require the Department of Inland Fisheries and Wildlife to Provide Transportation Tags with Big Game Hunting Licenses" (S.P. 64) (L.D. 183)

Bill "An Act to Limit Personal Watercraft" (S.P. 69) (L.D. 208)

Bill "An Act to Allow Limited Hunting of Antlerless Deer with an Ordinary Hunting License" (S.P. 71) (L.D. 210)

Came from the Senate, referred to the Committee on **Inland Fisheries and Wildlife** and Ordered Printed.

Were referred to the Committee on **Inland Fisheries and Wildlife** in concurrence.

Bill "An Act to Permit Filing for the Probate of an Estate for up to 10 Years Following Death" (S.P. 73) (L.D. 212)

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

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

Bill "An Act to Amend the Site Law Concerning State and Local Review of Transmission Lines" (S.P. 79) (L.D. 218)

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

Was referred to the Committee on **Natural Resources** in concurrence.

Bill "An Act to Change How the Mileage Allowance is Determined for Sheriffs and Deputies" (S.P. 68) (L.D. 207)

Bill "An Act to Increase Term Limits to 12 Years for Elected Officials and Constitutional Officers" (S.P. 70) (L.D. 209)

Bill "An Act to Permit Municipalities to Restrict the Sale of Tobacco Products" (S.P. 72) (L.D. 211)

Resolve, to Establish Qualifications for Constitutional Officers (S.P. 80) (L.D. 219)

Came from the Senate, referred to the Committee on **State and Local Government** and Ordered Printed.

Were referred to the Committee on **State and Local Government** in concurrence.

Bill "An Act to Create the Position of Director of Econometric Research within the Bureau of Taxation" (S.P. 74) (L.D. 213)

Bill "An Act to Amend the Veterans Property Tax Exemption" (S.P. 76) (L.D. 215)

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

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

Bill "An Act to Abolish the \$3 Photograph Fee for Senior Citizen Drivers' Licenses" (S.P. 77) (L.D. 216)

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

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

CONSENT CALENDAR

First Day

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(S.P. 9) (L.D. 1) Bill "An Act to Extend the Reporting Deadline for a Study by the Family Law Advisory Commission of the Statutes and Awards and Allocations Concerning Parental Rights and Responsibilities" (EMERGENCY) Committee on **Judiciary** reporting "**Ought to Pass**"

(S.P. 27) (L.D. 25) Resolve, to Extend the Reporting Deadline of the Task Force on Tribal-State Relations (EMERGENCY) Committee on **Judiciary** reporting "**Ought to Pass**"

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objections, the Bill and Resolve were passed to be engrossed in concurrence.

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

On motion of Representative BUMPS of China, the House adjourned at 12:10 p.m., pursuant to the Joint Order (S.P. 81).