

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
6th Legislative Day
Tuesday, January 21, 1997

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

Prayer by Pastor Ralph D. Greene, Litchfield Federated Church.

National Anthem by Presque Isle High School Band.

Pledge of Allegiance.

Doctor of the day, John B. Makin, M.D., Skowhegan.

The Journal of Thursday, January 16 1997 was read and approved.

SENATE PAPERS

Bill "An Act Concerning Theft of Rental Property" (S.P. 59) (L.D. 169)

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

(The Committee on Reference of Bills had suggested reference to the Committee on **Business and Economic Development**)

Was referred to the Committee on **Criminal Justice** in concurrence.

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Reduce the Size of the Legislature Following Redistricting in the Year 2003 (S.P. 75) (L.D. 214)

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

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

Non-Concurrent Matter

Bill "An Act to Reward Schools for Exceptional Student Performance on the 4th-grade Maine Educational Assessment Exam" (H.P. 142) (L.D. 185) which was referred to the Committee on **Taxation** in the House on January 16, 1997.

Came from the Senate referred to the Committee on **Education and Cultural Affairs** in non-concurrence.

The House voted to Recede and Concur.

COMMUNICATIONS

The following Communication: (H.C. 16)

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
BUREAU OF BANKING
36 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0036

January 15, 1997

The Honorable Elizabeth H. Mitchell
Speaker of the House
Maine House of Representatives
State House Station 2
Augusta, Maine 04333
Dear Speaker Mitchell:

In accordance with Title 9-B MRSA §217, as amended, I am submitting to the members of the Maine House and Senate a report entitled "The Status of Maine's Financial Institutions."

Maine's financial institutions continue to benefit from the stable economy and are in excellent condition with very strong capital and solid earnings. Looking forward, the modernization of the financial industry will be a major issue, on both the national and state level, in 1997. Some of the specifics of financial modernization include the following:

widespread implementation of interstate branching by consolidating affiliated banks in more than one state into a single bank;

expansion of insurance activities by banks;

expansion in the range of activities engaged in by federally chartered banks and bank holding companies;

further erosion of the separation between banking and securities;

continued development of electronic banking; and

possible legislation creating a single depository institution charter combining the current bank and thrift charters.

These events will place significant pressure on the dual banking system, compelling state bank regulators to scrutinize their mission and processes and to become more efficient in the wake of declining revenues as the number of state-chartered banks is reduced. In order to overcome the negative effects of financial modernization on the state banking system, we need to be innovative and flexible; maintaining parity with federally chartered banks, while important, may not be sufficient. The Bureau has initiated a thorough review of the State's chartering and powers options in an attempt to preserve the attractiveness and viability of a Maine bank charter.

Copies of this report have been distributed to the Office of the Clerk of the House of Representatives in order to provide one copy for each member of the House. The report will also be available in electronic format on the Maine Bureau of Banking's World Wide Web Home Page at "<http://www.state.me.us/pfr/bkg/status97.htm>".

Very truly yours,

S/H. Donald DeMatteis

Superintendent

Was read and with accompanying report ordered placed on file.

The following Communication: (H.C. 17)

Maine Task Force on Tribal-State Relations

P.O. Box 87

Hallowell, Maine 04347

January 15, 1997

Members of the 118th Maine State Legislature

State House

Augusta, Maine 04333

Dear Members of the 118th Legislature:

I am pleased to forward to you *At Loggerheads - The State of Maine and the Wabanaki*, the final report and recommendations of the Maine Task Force on Tribal-State Relations. In April 1996, the 117th Legislature passed a Resolve (Chapter 84) to create this Task Force to explore ways to improve tribal-state relations and the effectiveness of the Maine Indian Tribal-State Commission (MITSC).

The resolve required the MITSC to establish, finance, and staff the Task Force. The MITSC appointed fourteen members (three representatives of the Passamaquoddy Tribe, three representatives of the Penobscot Nation, six representatives of the State of Maine, and two public members.)

From June 1996 through early January 1997, the Task Force held six business meetings and five hearings. Two hearings

were held at Indian Island (the Penobscot Reservation), one at Motahkokmikuk and one at Sipayak (the Passamaquoddy Reservations at Indian Township and Pleasant Point), and one in Houlton for the Houlton Band of Maliseets and the Aroostook Band of Micmacs.

A few of the Task Force members feel that the Task Force did not contribute to the resolution of the underlying disagreements between the State and the Tribes. However, several members feel strongly that important dialogue and education began during their meetings and hearings and hope that the State and the Tribes will build on this progress.

The Task Force urges the State and Tribes to make a commitment to listen to and understand each other's views. It is possible to repair and strengthen tribal-state relations, if there is mutual respect. The willingness to listen and the demonstration of mutual respect can lead to trust.

In closing, I would like to thank the many people who came forward to share their concerns and ideas with the Task Force.

Sincerely,
S/Roger Smith
Chair

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

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 Regulate the Use of Gates on Access Roads to Remote Ponds" (H.P. 191) (L.D. 244) (Presented by Representative CLARK of Millinocket) (Cosponsored by Senator KILKELLY of Lincoln and Representatives: AHEARNE of Madawaska, CHICK of Lebanon, DUNLAP of Old Town, FISHER of Brewer, O'NEAL of Limestone)

Bill "An Act to Require a Search Warrant to Investigate Private Property for the Purpose of Forestry Examinations" (H.P. 200) (L.D. 253) (Presented by Representative SNOWE-MELLO of Poland) (Cosponsored by Senator BENNETT of Oxford and Representatives: BRAGDON of Bangor, FOSTER of Gray, GERRY of Auburn, MacDOUGALL of North Berwick, MACK of Standish, STEDMAN of Hartland, WINSOR of Norway, Senator: MITCHELL of Penobscot)

Resolve, to Establish the Committee to Study Maine Forest Practices (H.P. 225) (L.D. 289) (Presented by Representative DEXTER of Kingfield) (Cosponsored by Senator CASSIDY of Washington and Representatives: BOUFFARD of Lewiston, CLUKEY of Houlton, CROSS of Dover-Foxcroft, PAUL of Sanford, PINKHAM of Lamoine, VIGUE of Winslow, WHEELER of Bridgewater)

Business and Economic Development

Bill "An Act to Repeal the Task Force on Defense Realignment and the Economy" (H.P. 221) (L.D. 285) (Presented by Representative VIGUE of Winslow) (Cosponsored by Senator JENKINS of Androscoggin) (Submitted by the Department of Economic and Community Development pursuant to Joint Rule 204.)

Criminal Justice

Bill "An Act to Provide a Time Limit Extension for Basic Corrections Training" (H.P. 192) (L.D. 245) (Presented by Representative WHEELER of Bridgewater) (Cosponsored by Representatives: BUNKER of Kossuth Township, JONES of Greenville, McALEVY of Waterboro, O'NEAL of Limestone) (Submitted by the Department of Public Safety pursuant to Joint Rule 204.)

Bill "An Act to Meet Federal Requirements Regarding Collection of Bias Motivation Data through Uniform Crime Reporting" (H.P. 222) (L.D. 286) (Presented by Representative LINDAHL of Northport) (Cosponsored by Representatives: MUSE of South Portland, PEAVEY of Woolwich, Senator: O'GARA of Cumberland) (Submitted by the Department of Public Safety pursuant to Joint Rule 204.)

Education and Cultural Affairs

Bill "An Act to Increase the Funding for School Construction" (H.P. 184) (L.D. 237) (Presented by Representative MURPHY of Kennebunk) (Cosponsored by Senator LIBBY of York and Representatives: CARLETON of Wells, MacDOUGALL of North Berwick, McALEVY of Waterboro, NASS of Acton, Senators: LaFOUNTAIN of York, SMALL of Sagadahoc)

Bill "An Act to Reward Schools for Computer Competency" (H.P. 188) (L.D. 241) (Presented by Representative MURPHY of Kennebunk) (Cosponsored by Representative: CARLETON of Wells, Senators: LaFOUNTAIN of York, PINGREE of Knox, SMALL of Sagadahoc)

Inland Fisheries and Wildlife

Bill "An Act to Change the Dates of the Moose Hunting Season" (H.P. 198) (L.D. 251) (Presented by Representative CLARK of Millinocket) (Cosponsored by Senator MICHAUD of Penobscot and Representatives: AHEARNE of Madawaska, BULL of Freeport, DUNLAP of Old Town, GERRY of Auburn, O'NEAL of Limestone, SAXL of Portland, STANLEY of Medway, USHER of Westbrook)

Bill "An Act Regarding Destruction of Fish Populations" (H.P. 199) (L.D. 252) (Presented by Representative STEDMAN of Hartland) (Cosponsored by Senator MITCHELL of Penobscot and Representatives: BELANGER of Caribou, CROSS of Dover-Foxcroft, JONES of Pittsfield, JOY of Crystal, McELROY of Unity, WATERHOUSE of Bridgton, WHEELER of Bridgewater)

Bill "An Act to Allow Hunting on Sunday" (H.P. 217) (L.D. 281) (Presented by Representative MACK of Standish) (Cosponsored by Representatives: BROOKS of Winterport, BUCK of Yarmouth, DUNLAP of Old Town, MacDOUGALL of North Berwick, SNOWE-MELLO of Poland, VEDRAL of Buxton, WATERHOUSE of Bridgton, WRIGHT of Berwick)

Bill "An Act to Repeal the Brake Light Requirement on Snowmobiles" (H.P. 219) (L.D. 283) (Presented by Representative TRIPP of Topsham) (By Request)

Judiciary

Bill "An Act to Terminate Spousal Support upon the Death of the Payee" (H.P. 187) (L.D. 240) (Presented by Representative JABAR of Waterville) (Cosponsored by Senator MURRAY of Penobscot, Representative: LaVERDIERE of Wilton)

Labor

Bill "An Act to Require the State to Pay the Full Insurance Premium for Retired Public School Teachers" (H.P. 213) (L.D.

277) (Presented by Representative BAKER of Dixfield) (Cosponsored by Senator CATHCART of Penobscot and Representatives: GAGNE of Buckfield, HATCH of Skowhegan, LEMAIRE of Lewiston, SAMSON of Jay)

Legal and Veterans Affairs

Bill "An Act to Require Picture Identification to be Used by Persons Registering to Vote on Election Day" (H.P. 186) (L.D. 239) (Presented by Representative TRIPP of Topsham)

Bill "An Act to Reduce the Hours Required of the Registrar to Register Voters Prior to Election Day" (H.P. 194) (L.D. 247) (Presented by Representative TRIPP of Topsham) (Cosponsored by Representatives: BAGLEY of Machias, CHARTRAND of Rockland)

Bill "An Act Relating to the Collection of Initiative Petition Signatures at Polling Places" (H.P. 197) (L.D. 250) (Presented by Representative GAMACHE of Lewiston) (Cosponsored by Senator RAND of Cumberland and Representatives: BUCK of Yarmouth, CAMERON of Rumford, Senator: O'GARA of Cumberland)

Bill "An Act to Repeal the Requirement That Race Tracks Be Assigned Certain Race Dates" (H.P. 202) (L.D. 255) (Presented by Representative TRIPP of Topsham) (Cosponsored by Representatives: BAGLEY of Machias, CHARTRAND of Rockland, GERRY of Auburn)

Bill "An Act to Amend the Liquor Laws" (H.P. 204) (L.D. 257) (Presented by Representative TRUE of Fryeburg) (Cosponsored by Representatives: BARTH of Bethel, CAMERON of Rumford, CHIZMAR of Lisbon, CROSS of Dover-Foxcroft, FISHER of Brewer, O'BRIEN of Augusta, WINSOR of Norway, Senator: CAREY of Kennebec) (Submitted by the Department of Public Safety pursuant to Joint Rule 204.)

Bill "An Act to Allow Candidates' Presence at Voting Places Solely for the Purpose of Voting" (H.P. 214) (L.D. 278) (Presented by Representative MARVIN of Cape Elizabeth) (Cosponsored by Representative SPEAR of Nobleboro, Senator BENOIT of Franklin and Representatives: BERRY of Belmont, MORGAN of South Portland, OTT of York, POVICH of Ellsworth, TAYLOR of Cumberland, TRUE of Fryeburg, VOLENIK of Brooklin, Senator: PENDLETON of Cumberland)

Bill "An Act Regarding Opening Hours of Voting Places" (H.P. 216) (L.D. 280) (Presented by Representative WINN of Glenburn)

Resolve, Authorizing Robert O'Malley to Sue the State (H.P. 201) (L.D. 254) (Presented by Representative TOWNSEND of Portland) (Cosponsored by Senator ABROMSON of Cumberland and Representative: MUSE of South Portland, Senator: RAND of Cumberland)

Marine Resources

Bill "An Act to Restrict the Identification Tags Used on Lobster Traps to Consecutive Numbers" (H.P. 193) (L.D. 246) (Presented by Representative TRIPP of Topsham) (Cosponsored by Representatives: BAGLEY of Machias, GERRY of Auburn)

Bill "An Act to Extend the Territorial Waters to 12 Miles for the Purpose of Marine Resource Protection and the Enforcement of Marine Resource Laws" (H.P. 212) (L.D. 276) (Presented by Representative VOLENIK of Brooklin) (Cosponsored by Senator GOLDTHWAIT of Hancock and Representatives: CHARTRAND of Rockland, GOODWIN of Pembroke, LAYTON of Cherryfield, PERKINS of Penobscot, PIEH of Bremen, PINKHAM of Lamoine, SKOGLUND of St. George, Senator: PINGREE of Knox)

Resolve, Directing the Commissioner of Marine Resources to Negotiate with the Passamaquoddy Tribe Regarding Fishing

Rights (H.P. 209) (L.D. 273) (Presented by Representative GOODWIN of Pembroke) (Cosponsored by Representatives: BAGLEY of Machias, ETNIER of Harpswell, LAYTON of Cherryfield, MOORE of Passamaquoddy Tribe, PINKHAM of Brunswick)

Natural Resources

Bill "An Act Concerning Compensation under the Natural Resources Protection Laws" (H.P. 205) (L.D. 258) (Presented by Representative COWGER of Hallowell) (Cosponsored by Senator NUTTING of Androscoggin and Representatives: BROOKS of Winterport, DEXTER of Kingfield, McKEE of Wayne, MERES of Norridgewock, SAXL of Portland, SHIAH of Bowdoinham, WATSON of Farmingdale, Senator: KILKELLY of Lincoln) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.)

Bill "An Act to Continue the State's Dioxin Monitoring Program" (H.P. 220) (L.D. 284) (Presented by Representative SHIAH of Bowdoinham) (Cosponsored by Senator NUTTING of Androscoggin and Representatives: DEXTER of Kingfield, McKEE of Wayne) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.)

State and Local Government

Bill "An Act to Prohibit Legislators from Accepting Gifts from Lobbyists" (H.P. 185) (L.D. 238) (Presented by Representative BUCK of Yarmouth) (Cosponsored by Senator AMERO of Cumberland and Representatives: BARTH of Bethel, CAMPBELL of Holden, CLUKEY of Houlton, GIERINGER of Portland, LAYTON of Cherryfield, MADORE of Augusta, PINKHAM of Lamoine, WATERHOUSE of Bridgton)

Bill "An Act to Require That All Legislative Documents Contain a Citizen and Business Impact Statement" (H.P. 196) (L.D. 249) (Presented by Representative TRIPP of Topsham) (Cosponsored by Representatives: BAGLEY of Machias, GERRY of Auburn)

Bill "An Act to Allow Towns to Use the Money Held in Administrative Funds That Comes from the Use of Ministerial Trust Land" (H.P. 210) (L.D. 274) (Presented by Representative STANLEY of Medway) (Cosponsored by Senator MICHAUD of Penobscot and Representatives: AHEARNE of Madawaska, BAGLEY of Machias, BOLDUC of Auburn, CLARK of Millinocket, COWGER of Hallowell, JONES of Bar Harbor, JONES of Greenville, MORGAN of South Portland)

Bill "An Act to Require Public Forms to Contain a Revision Date" (H.P. 218) (L.D. 282) (Presented by Representative TRIPP of Topsham)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require a Runoff Election if No Candidate Receives a Majority of the Votes in the General Election (H.P. 203) (L.D. 256) (Presented by Representative POVICH of Ellsworth) (By Request)

Taxation

Bill "An Act to Allow Property Tax Credit to Lessees of Motor Vehicles" (H.P. 211) (L.D. 275) (Presented by Representative TRIPP of Topsham) (Cosponsored by Representatives: GAGNON of Waterville, KONTOS of Windham, PINKHAM of Lamoine, SPEAR of Nobleboro, WINSOR of Norway, DESMOND of Mapleton)

Bill "An Act to Improve the Administration of Tax Increment Financing" (H.P. 223) (L.D. 287) (Presented by Representative VIGUE of Winslow) (Cosponsored by Senator JENKINS of

Androscoggin) (Submitted by the Department of Economic and Community Development pursuant to Joint Rule 204.)

Bill "An Act to Clarify Employment Tax Increment Financing" (H.P. 224) (L.D. 288) (Presented by Representative KERR of Old Orchard Beach) (Cosponsored by Representatives: CHICK of Lebanon, MARVIN of Cape Elizabeth, Senator: PARADIS of Aroostook) (Submitted by the Department of Economic and Community Development pursuant to Joint Rule 204.)

Bill "An Act to Provide a New Jobs Tax Credit" (H.P. 226) (L.D. 290) (Presented by Representative SPEAR of Nobleboro) (Cosponsored by Senator FERGUSON of Oxford and Representatives: LEMONT of Kittery, OTT of York, TRIPP of Topsham, VIGUE of Winslow, Senators: ABROMSON of Cumberland, CAREY of Kennebec)

Bill "An Act to Eliminate the Net Operating Loss Deduction Carry-back" (H.P. 232) (L.D. 296) (Presented by Representative MORGAN of South Portland) (Cosponsored by Representatives: AHEARNE of Madawaska, BOLDUC of Auburn, JONES of Greenville, KERR of Old Orchard Beach, McKEE of Wayne, MUSE of South Portland, Senator: RUHLIN of Penobscot)

Resolve, to include an Optional Contribution Check-off Box on State Income Tax Forms to Benefit the Women in Military Service Memorial (H.P. 195) (L.D. 248) (Presented by Representative MERES of Norridgewock) (Cosponsored by Senator AMERO of Cumberland and Representatives: CARLETON of Wells, COWGER of Hallowell, HATCH of Skowhegan, KONTOS of Windham, LANE of Enfield, MITCHELL of Vassalboro, RINES of Wiscasset, WHEELER of Bridgewater)

Transportation

Bill "An Act Requiring Reimbursement to Municipalities for Fire and Rescue on the Maine Turnpike" (H.P. 189) (L.D. 242) (Presented by Representative MURPHY of Kennebunk) (Cosponsored by President LAWRENCE of York and Representatives: CARLETON of Wells, CIANCHETTE of South Portland, GERRY of Auburn, LEMKE of Westbrook, LOVETT of Scarborough, MUSE of South Portland, PENDLETON of Scarborough, USHER of Westbrook)

Bill "An Act to Require the Department of Transportation to Include Timber in the Bidding Process for Construction of New Bridges or Bridge Repair" (H.P. 190) (L.D. 243) (Presented by Representative FOSTER of Gray) (Cosponsored by Representatives: BODWELL of Brunswick, CAMPBELL of Holden, LANE of Enfield, MacDOUGALL of North Berwick, MACK of Standish, MURPHY of Kennebunk, SNOWE-MELLO of Poland)

Bill "An Act to Make Supplemental Allocations from the Highway Fund for the Fiscal Year Ending June 30, 1997" (EMERGENCY) (H.P. 206) (L.D. 259) (Presented by Representative DRISCOLL of Calais) (Cosponsored by Senator CASSIDY of Washington and Representative: LINDAHL of Northport, Senator: O'GARA of Cumberland) (Governor's Bill)

Bill "An Act to Require the Department of Transportation to Include Additional Criteria When Determining Whether to Take Over a Road" (H.P. 215) (L.D. 279) (Presented by Representative BUNKER of Kossuth Township) (Cosponsored by Senator CATHCART of Penobscot and Representatives: O'NEAL of Limestone, WHEELER of Bridgewater, Senator: GOLDTHWAIT of Hancock)

Bill "An Act to Prohibit the Department of Transportation from Classifying a Road as a Town Way if 4,000 or More Vehicles Travel the Road Daily" (EMERGENCY) (H.P. 235) (L.D. 299) (Presented by Representative FOSTER of Gray) (Cosponsored by Representatives: CARLETON of Wells, DEXTER of Kingfield,

GERRY of Auburn, McKEE of Wayne, NICKERSON of Turner, SNOWE-MELLO of Poland)

Reported Pursuant to Public Law

Representative DRISCOLL for the Task Force on Production and Issuance of License Plates pursuant to Public Law 1995, chapter 645, Part C, section 15 asks leave to submit its findings and to report that the accompanying Bill "An Act to Implement the Recommendations of the Task Force on Production and Issuance of Registration Plates" (H.P. 207) (L.D. 260) be referred to the Joint Standing Committee on **Transportation** for Public Hearing and printed pursuant to Joint Rule 218.

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

Reported Pursuant to Statutes

Representative POVICH for the Criminal Law Advisory Commission under the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asks leave to submit its findings and to report that the accompanying Bill "An Act to Establish the Crime of Elevated Aggravated Assault" (H.P. 208) (L.D. 261) be referred to the Joint Standing Committee on **Criminal Justice** for Public Hearing and printed pursuant to Joint Rule 218.

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

Reported Pursuant to Statutes

Representative POVICH for the Criminal Law Advisory Commission under the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asks leave to submit its findings and to report that the accompanying Bill "An Act Concerning Defendants' Ability to Attack Orders of Restitution" (H.P. 227) (L.D. 291) be referred to the Joint Standing Committee on **Criminal Justice** for Public Hearing and printed pursuant to Joint Rule 218.

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

Reported Pursuant to Statutes

Representative POVICH for the Criminal Law Advisory Commission under the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asks leave to submit its findings and to report that the accompanying Bill "An Act to Create a Repeat Offender Provision Addressing Crimes of Violence against Persons" (H.P. 229) (L.D. 293) be referred to the Joint Standing Committee on **Criminal Justice** for Public Hearing and printed pursuant to Joint Rule 218.

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

Reported Pursuant to Statutes

Representative POVICH for the Criminal Law Advisory Commission under the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asks leave to submit its findings and to report that the accompanying Bill "An Act to Increase the Authorized Period of Probation for a Class D Crime" (H.P. 230)

(L.D. 294) be referred to the Joint Standing Committee on **Criminal Justice** for Public Hearing and printed pursuant to Joint Rule 218.

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

Reported Pursuant to Statutes

Representative POVICH for the Criminal Law Advisory Commission under the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asks leave to submit its findings and to report that the accompanying Bill "An Act to Facilitate Payment of Restitution for Thefts by Extending the Period of Probation" (H.P. 231) (L.D. 295) be referred to the Joint Standing Committee on **Criminal Justice** for Public Hearing and printed pursuant to Joint Rule 218.

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

Reported Pursuant to Statutes

Representative POVICH for the Criminal Law Advisory Commission under the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asks leave to submit its findings and to report that the accompanying Bill "An Act to Make Unlawful Possession of Firearms for Nonviolent Juvenile Offenses Either a Crime or a Juvenile Offense Depending upon the Age of the Violator" (H.P. 233) (L.D. 297) be referred to the Joint Standing Committee on **Criminal Justice** for Public Hearing and printed pursuant to Joint Rule 218.

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

Reported Pursuant to Statutes

Representative THOMPSON for the Criminal Law Advisory Commission under the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asks leave to submit its findings and to report that the accompanying Bill "An Act to Modify Waiver of a Defense in the Criminal Law" (H.P. 228) (L.D. 292) be referred to the Joint Standing Committee on **Judiciary** for Public Hearing and printed pursuant to Joint Rule 218.

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

Reported Pursuant to Statutes

Representative HATCH for the Board of Trustees of the Maine State Retirement System pursuant to the Maine Revised Statutes, Title 5, section 17103, subsection 13 asks leave to submit its findings and to report that the accompanying Bill "An Act to Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 1998" (EMERGENCY) (H.P. 234) (L.D. 298) be referred to the Joint Standing Committee on **Labor** for Public Hearing and printed pursuant to Joint Rule 218.

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

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

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 519 and Joint Rule 213, the following item:

Recognizing:

Emily Brissette, a student at Hampden Academy, who scored in the 99th percentile on the Maine Educational Assessment tests. We extend our congratulations and best wishes; (HLS 23) by Representative PLOWMAN of Hampden. (Cosponsor: Senator MITCHELL of Penobscot)

On objection of Representative PLOWMAN of Hampden was removed from the Special Sentiment Calendar.

On further motion of the same Representative, tabled pending passage and specially assigned for Thursday, January 23, 1997.

ENACTORS

Emergency Measure

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 (S.P. 9) (L.D. 1)

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. 130 voted in favor of the same and 4 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, to Extend the Reporting Deadline of the Task Force on Tribal-State Relations (S.P. 27) (L.D. 25)

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. 128 voted in favor of the same and 2 against and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

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

TABLED AND TODAY ASSIGNED

The Chair laid before the House the following item which was 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 16, 1997 by Representative TRIPP of Topsham.

PENDING - Reference.

On motion of Representative TRIPP of Topsham the Bill was referred jointly to the Committees on **Business and Economic Development** and **Taxation**, ordered printed and sent up for concurrence. Ordered sent forthwith.

Pursuant to House Rule 201, the Speaker appointed the following Representatives to the **Standing Committees of the House** for the 118th Legislature:

Leaves of Absence

Albert P. Gamache (D-Lewiston), Chair
 Pamela Henderson Hatch (D-Skowhegan)
 Roland B. Samson (D-Jay)
 Judith A. Powers (D-Rockport)
 Rodney W. McElroy (R-Unity)
 David R. Madore (R-Augusta)
 Robert E. Pendleton, Jr. (R-Scarborough)
 Belinda A. Gerry (I-Auburn)

Bills in the Second Reading

Robert A. Cameron (R-Rumford), Chair
 Michael F. Brennan (D-Portland)
 Bonnie Green (D-Monmouth)
 Elizabeth Watson (D-Farmingdale)
 Christopher P. O'Neil (D-Saco)
 Richard Kneeland (R-Easton)
 Michael J. McAlevey (R-Waterboro)
 Janice E. Labrecque (R-Gorham)

Engrossed Bills

Thomas M. Davidson (D-Brunswick), Chair
 Kathleen Alicia Stevens (D-Orono)
 Patricia Lemaire (D-Lewiston)
 Wendy Pieh (D-Bremen)
 David A. Lindahl (R-Northport)
 Robert J. Winglass (R-Auburn)
 Harry G. True (R-Fryeburg)
 Julie Ann O'Brien (R-Augusta)

Rules and Business of the House

The Speaker, Ex Officio
 Carol A. Kontos (D-Windham)
 James O. Donnelly (R-Presque Isle)
 Richard H. Campbell (R-Holden)

Ethics

Gary O'Neal (D-Limestone), Chair
 James G. Skoglund (D-St. George)
 Ronald E. Usher (D-Westbrook)
 Linda Rogers McKee (D-Wayne)
 F. Thomas Gieringer, Jr. (R-Portland)
 Edward L. Dexter (R-Kingfield)
 Thomas W. Murphy, Jr. (R-Kennebunk)
 Glenys P. Lovett (R-Scarborough)

Elections

Nancy L. Chizmar (D-Lisbon), Chair
 David C. Shiah (D-Bowdoinham)
 Michael V. Saxl (D-Portland)
 Charles C. LaVerdiere (D-Wilton)
 Kenneth F. Lemont (R-Kittery)
 Arthur F. Mayo III (R-Bath)
 Royce W. Perkins (R-Penobscot)
 Christine R. Savage (R-Union)

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

SENATE PAPERS

Bill "An Act to Amend the Maine Apiary Laws" (S.P. 85) (L.D. 265)

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

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

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$20,000,000 for Landfill Closure and Remediation" (S.P. 88) (L.D. 268)

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

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

Bill "An Act to Conform State Laws Regarding Fair Housing for Older Persons with Federal Laws" (S.P. 86) (L.D. 266)

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

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

Bill "An Act to Authorize a Physician's Assistant or a Nurse Practitioner to Sign Papers Transferring a Patient for Evaluation for Emergency Involuntary Commitment" (S.P. 83) (L.D. 263)

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 Have Taxi Drivers Deemed as Independent Contractors" (S.P. 90) (L.D. 270)

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

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

Bill "An Act Regarding the Redistricting of Ogunquit" (S.P. 87) (L.D. 267)

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

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide 4-year Terms for Senators and Members of the House of Representatives (S.P. 89) (L.D. 269)

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

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

Bill "An Act to Allow a Greater Share of the Transfer Tax to Remain in the Counties Where it is Collected" (S.P. 91) (L.D. 271)

Bill "An Act to Establish a New Jobs Tax Credit" (S.P. 92) (L.D. 272)

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 Create a License Plate for Women Veterans" (S.P. 84) (L.D. 264)

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

Bill "An Act to Permit the Public Utilities Commission to Exempt Certain Telephone Utilities from Obtaining Approval to Serve" (S.P. 82) (L.D. 262)

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

Was referred to the Committee on **Utilities and Energy** in concurrence.

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

On motion of Representative USHER of Westbrook, the House adjourned at 3:55 p.m., until 10:00 a.m., Thursday, January 23, 1997.