

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
7th Legislative Day
Thursday, January 23, 1997

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

Prayer by Pastor Ron E. Durham, Abundant Life Church, Bangor.

Pledge of Allegiance.

Doctor of the day, Paul M. Cox, M.D., Cumberland.

The Journal of Tuesday, January 21, 1997 was read and approved.

SENATE PAPERS

Non-Concurrent Matter

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 referred to the Committee on **Banking and Insurance** in the House on January 16, 1997.

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

On motion of Representative HATCH of Skowhegan, the House voted to Recede and Concur.

Non-Concurrent Matter

Bill "An Act to Encourage the Development of the Software Industry" (H.P. 110) (L.D. 134) which was referred to the Committee on **Taxation** and the Committee on **Business and Economic Development** in the House on January 21, 1997.

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

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

COMMUNICATIONS

The following Communication: (S.P. 93)

118th Maine Legislature

January 17, 1997

Senator Mary R. Cathcart
Representative Pamela Hatch
Chairpersons

Joint Standing Committee on Labor
118th Legislature
Augusta, Maine 04333

Dear Senator Cathcart and Representative Hatch:

Please be advised that Governor Angus S. King, Jr. has nominated David S. Wakelin, Esq. for reappointment as a member of the Maine State Retirement System, Board of Trustees, pursuant to Title 5, MRSA Section 17102.

This nomination will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

Sincerely,
S/Mark W. Lawrence
President of the Senate
S/Elizabeth H. Mitchell
Speaker of the House

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

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

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 Regarding Disclosure of Pesticide Use to a Buyer of Blueberry Land" (H.P. 325) (L.D. 447) (Presented by Representative PERKINS of Penobscot) (By Request)

Bill "An Act to Repeal the Laws That Pertain to the Licensing of Dogs" (H.P. 338) (L.D. 460) (Presented by Representative PERKINS of Penobscot) (By Request)

Bill "An Act to Include Domestic Water Fowl in the Animal Trespass Statutes" (H.P. 339) (L.D. 461) (Presented by Representative PENDLETON of Scarborough) (Cosponsored by Representatives: McALEVEY of Waterboro, THOMPSON of Naples)

Appropriations and Financial Affairs

Bill "An Act to Authorize a General Fund Bond Issue to Improve Indoor Air Quality in Public Schools" (H.P. 343) (L.D. 465) (Presented by Representative GAGNON of Waterville) (Cosponsored by Senator DAGGETT of Kennebec and Representatives: COLWELL of Gardiner, MADORE of Augusta)

Bill "An Act to Fund Certain Collective Bargaining Agreements and Benefits for Certain Employees Excluded from Collective Bargaining" (EMERGENCY) (H.P. 348) (L.D. 471) (Presented by Speaker MITCHELL of Vassalboro) (Cosponsored by Senator DAGGETT of Kennebec and Representatives: KERR of Old Orchard Beach, MADORE of Augusta, O'BRIEN of Augusta, Senators: HALL of Piscataquis, LAWRENCE of York, MICHAUD of Penobscot) (Governor's Bill)

Banking and Insurance

Bill "An Act to Allow Self-referral for Obstetrical Care in Managed Care Plans" (H.P. 243) (L.D. 307) (Presented by Representative VIGUE of Winslow) (Cosponsored by Senator DAGGETT of Kennebec and Representatives: BUNKER of Kossuth Township, CAMPBELL of Holden, LEMONT of Kittery, MERES of Norridgewock, PAUL of Sanford, PIEH of Bremen, WHEELER of Eliot)

Bill "An Act to Amend the Laws Governing Medical Payments Coverage Limits on Priority Liens" (H.P. 245) (L.D. 309) (Presented by Representative CARLETON of Wells)

Bill "An Act to Prohibit Certain Activities by Insurance Adjusters" (H.P. 271) (L.D. 335) (Presented by Representative MAYO of Bath) (Cosponsored by Senator ABROMSON of Cumberland and Representatives: BRUNO of Raymond, McALEVEY of Waterboro, PINKHAM of Brunswick, VIGUE of Winslow)

Resolve, to Establish a Task Force to Study the Feasibility of a Single Claims Processing System for 3rd-party Payors of Health Care Benefits (H.P. 286) (L.D. 350) (Presented by Representative FULLER of Manchester) (Cosponsored by Senator MILLS of Somerset and Representatives: BRUNO of Raymond, CARLETON of Wells, KANE of Saco, MITCHELL of Portland, SAXL of Portland, TOWNSEND of Portland, Senator: CATHCART of Penobscot)

Business and Economic Development

Resolve, to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to Microenterprise Needs (H.P. 266) (L.D. 330) (Presented by Representative POVICH of Ellsworth) (Cosponsored by Senator MILLS of Somerset and Representatives: BOLDUC of Auburn, BUNKER of Kossuth Township, LEMAIRE of Lewiston, THOMPSON of Naples, Senator: KILKELLY of Lincoln)

Bill "An Act to Encourage the Use of Motor Vehicles That Use Alternative Sources of Fuel for the Purpose of Reducing Air Pollution" (H.P. 300) (L.D. 364) (Presented by Representative BRENNAN of Portland) (Cosponsored by Senator BENNETT of Oxford and Representatives: BERRY of Livermore, KONTOS of Windham, WINGLASS of Auburn, Senators: CLEVELAND of Androscoggin, HARRIMAN of Cumberland)

Committee on **Business and Economic Development** and Committee on **Taxation** suggested.

On motion of Representative VIGUE of Winslow, tabled pending reference and specially assigned for Tuesday, January 28, 1997.

Criminal Justice

Bill "An Act to Prohibit the Inhaling of Toxic Vapors for Effect" (H.P. 241) (L.D. 305) (Presented by Representative MARVIN of Cape Elizabeth) (Cosponsored by Senator MITCHELL of Penobscot and Representatives: JONES of Greenville, McALEVEY of Waterboro, MUSE of South Portland, O'BRIEN of Augusta, PEAVEY of Woolwich, POVICH of Ellsworth, WINSOR of Norway, Senator: PENDLETON of Cumberland)

Bill "An Act to Permit Investigative Officers within the Employ of the Department of Corrections to Exercise the Powers of Law Enforcement Officers" (H.P. 246) (L.D. 310) (Presented by Representative McALEVEY of Waterboro) (Cosponsored by Representatives: DEXTER of Kingfield, FRECHETTE of Biddeford, JONES of Greenville, TREADWELL of Carmel, WHEELER of Bridgewater) (Submitted by the Department of Corrections pursuant to Joint Rule 204.)

Bill "An Act to Increase the Penalty for Burglary When the Actor has Prior Convictions for Certain Enumerated Crimes" (H.P. 264) (L.D. 328) (Presented by Representative POVICH of Ellsworth) (Cosponsored by Representative: McALEVEY of Waterboro)

Bill "An Act to Require Fire and Rescue Departments to Reimburse Costs of Training" (H.P. 292) (L.D. 356) (Presented by Representative McALEVEY of Waterboro) (Cosponsored by Representatives: MACK of Standish, MAYO of Bath, SAVAGE of Union, TRUE of Fryeburg, Senators: BENOIT of Franklin, FERGUSON of Oxford, O'GARA of Cumberland)

Bill "An Act to Allow Individuals to Participate in Training at the Criminal Justice Academy" (H.P. 345) (L.D. 467) (Presented by Representative STANLEY of Medway) (Cosponsored by Senator MICHAUD of Penobscot and Representatives: BAGLEY of Machias, CLARK of Millinocket, COWGER of Hallowell, JONES of Greenville, O'NEIL of Saco, WRIGHT of Berwick)

Resolve, to Establish a Study Group to Assess the Needs of the Office of the State Fire Marshal and Ensure Prompt, Effective Response to the Public's Fire Safety Needs (H.P. 295) (L.D. 359) (Presented by Representative McALEVEY of Waterboro) (Cosponsored by Senator AMERO of Cumberland and Representatives: BUNKER of Kossuth Township, KONTOS of

Windham, LABRECQUE of Gorham, THOMPSON of Naples, WATERHOUSE of Bridgton)

Education and Cultural Affairs

Bill "An Act Regarding Rabies Vaccinations for Animals on School Grounds" (H.P. 255) (L.D. 319) (Presented by Representative PLOWMAN of Hampden)

Bill "An Act to Set the Amount of State Funding for School Building Projects at \$75 a Foot" (H.P. 256) (L.D. 320) (Presented by Representative PLOWMAN of Hampden) (Cosponsored by Representatives: CAMPBELL of Holden, JABAR of Waterville, JOY of Crystal, LINDAHL of Northport, NASS of Acton)

Bill "An Act to Assist Smaller School Districts Regarding Hiring Practices" (H.P. 259) (L.D. 323) (Presented by Representative SAVAGE of Union) (Cosponsored by Representatives: SKOGLUND of St. George, WHEELER of Bridgewater)

Bill "An Act to Expand Access to Maine's Technical Colleges" (H.P. 263) (L.D. 327) (Presented by Representative MITCHELL of Vassalboro) (Cosponsored by Senator PENDLETON of Cumberland and Representatives: CAMPBELL of Holden, JABAR of Waterville, KERR of Old Orchard Beach, KNEELAND of Easton, RICHARD of Madison, TOWNSEND of Portland, Senators: CASSIDY of Washington, JENKINS of Androscoggin)

Bill "An Act to Provide Additional Funds to Educate Students with Limited English Proficiency" (H.P. 288) (L.D. 352) (Presented by Representative ROWE of Portland) (Cosponsored by Senator PARADIS of Aroostook and Representatives: AHEARNE of Madawaska, BELANGER of Caribou, BRENNAN of Portland, NICKERSON of Turner, O'BRIEN of Augusta, PAUL of Sanford, Senators: ABROMSON of Cumberland, LaFOUNTAIN of York)

Bill "An Act to Amend the Process of Competitive Bidding for Insurance by School Boards" (H.P. 296) (L.D. 360) (Presented by Representative MAYO of Bath) (Cosponsored by Senator AMERO of Cumberland and Representatives: BELANGER of Caribou, BRENNAN of Portland, BRUNO of Raymond, McALEVEY of Waterboro, PINKHAM of Brunswick, WINGLASS of Auburn, Senator: PARADIS of Aroostook)

Bill "An Act to Require That Public Schools Adopt a Conflict Resolution Model" (H.P. 301) (L.D. 365) (Presented by Representative WINGLASS of Auburn) (Cosponsored by Representatives: DEXTER of Kingfield, GREEN of Monmouth, HONEY of Boothbay, MITCHELL of Portland, TRIPP of Topsham, WATSON of Farmingdale, Senators: FERGUSON of Oxford, LONGLEY of Waldo)

Bill "An Act to Allow Municipalities to Set Tuition Rates for Nonresident Students" (H.P. 310) (L.D. 432) (Presented by Representative GIERINGER of Portland) (Cosponsored by Representatives: BARTH of Bethel, CAMERON of Rumford, CROSS of Dover-Foxcroft, FISHER of Brewer, JOY of Crystal, PERKINS of Penobscot, TRUE of Fryeburg, VIGUE of Winslow)

Health and Human Services

Bill "An Act to Exempt the Dental Profession from the Reporting Requirements of the Maine Health Data Organization" (H.P. 237) (L.D. 301) (Presented by Representative MARVIN of Cape Elizabeth) (Cosponsored by Senator MITCHELL of Penobscot and Representatives: BRAGDON of Bangor, JOYNER of Hollis, KERR of Old Orchard Beach, LOVETT of Scarborough, WINSOR of Norway, Senators: BENNETT of Oxford, PARADIS of Aroostook, PENDLETON of Cumberland)

Bill "An Act to Study Job Creation for Welfare Recipients" (H.P. 238) (L.D. 302) (Presented by Representative MARVIN of Cape Elizabeth) (Cosponsored by Senator PENDLETON of Cumberland and Representatives: BRAGDON of Bangor, FULLER of Manchester, KERR of Old Orchard Beach, LOVETT of Scarborough, MITCHELL of Portland, WINSOR of Norway, Senators: BENNETT of Oxford, PARADIS of Aroostook)

Bill "An Act to Prohibit Nursing Facilities from Disposing of Medications of Patients Temporarily Absent from the Facilities" (H.P. 239) (L.D. 303) (Presented by Representative MARVIN of Cape Elizabeth) (Cosponsored by Senator MITCHELL of Penobscot and Representatives: BRAGDON of Bangor, JOYNER of Hollis, KERR of Old Orchard Beach, LOVETT of Scarborough, WINSOR of Norway, Senators: BENNETT of Oxford, PARADIS of Aroostook, PENDLETON of Cumberland)

Bill "An Act to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to Child Care Funding" (H.P. 269) (L.D. 333) (Presented by Representative POVICH of Ellsworth) (Cosponsored by Senator MILLS of Somerset and Representatives: BOLDUC of Auburn, BUNKER of Kossuth Township, THOMPSON of Naples, WINGLASS of Auburn, Senator: KILKELLY of Lincoln)

Bill "An Act to Prohibit Family Planning Agencies from Using State Funds for Certain Expenses Related to Abortion Services" (H.P. 319) (L.D. 441) (Presented by Representative AHEARNE of Madawaska) (Cosponsored by Representatives: CLUKEY of Houlton, JOY of Crystal, LAYTON of Cherryfield, O'NEAL of Limestone, SIROIS of Caribou, TUTTLE of Sanford, UNDERWOOD of Oxford, VIGUE of Winslow)

Bill "An Act to Require Criminal Background Checks for Home Health Care Workers" (H.P. 321) (L.D. 443) (Presented by Representative LEMKE of Westbrook) (Cosponsored by Representatives: VIGUE of Winslow, WATERHOUSE of Bridgton)

Bill "An Act to Assist Low-income Working Parents" (H.P. 323) (L.D. 445) (Presented by Representative MITCHELL of Portland) (Cosponsored by Senator MICHAUD of Penobscot and Representatives: BERRY of Livermore, ETNIER of Harpswell, KERR of Old Orchard Beach, LOVETT of Scarborough, MARVIN of Cape Elizabeth, WINGLASS of Auburn, Senators: PARADIS of Aroostook, PINGREE of Knox)

Bill "An Act to Create a Compliance Plan for Certain Residents of Mental Health Facilities" (H.P. 333) (L.D. 455) (Presented by Representative MARVIN of Cape Elizabeth) (Cosponsored by Senator MITCHELL of Penobscot and Representatives: BRAGDON of Bangor, FULLER of Manchester, WINSOR of Norway, Senators: PARADIS of Aroostook, PENDLETON of Cumberland)

Resolve, to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to an Annual Report Card on Poverty (H.P. 270) (L.D. 334) (Presented by Representative POVICH of Ellsworth) (Cosponsored by Senator MILLS of Somerset and Representatives: BOLDUC of Auburn, BUNKER of Kossuth Township, LEMAIRE of Lewiston, THOMPSON of Naples, WINGLASS of Auburn, Senator: KILKELLY of Lincoln)

Inland Fisheries and Wildlife

Bill "An Act to Extend the Hunting Day" (H.P. 273) (L.D. 337) (Presented by Representative PERKINS of Penobscot) (Cosponsored by Representatives: CLARK of Millinocket, CROSS of Dover-Foxcroft, DUNLAP of Old Town, GOODWIN of Pembroke, MACK of Standish, Senator: KIEFFER of Aroostook)

Bill "An Act Regarding the Funding of Search and Rescues by the Department of Inland Fisheries and Wildlife" (H.P. 274) (L.D. 338) (Presented by Representative PERKINS of Penobscot) (Cosponsored by Senator MICHAUD of Penobscot and Senator HALL of Piscataquis and Representatives: CROSS of Dover-Foxcroft, DUNLAP of Old Town, GIERINGER of Portland, Senator: KIEFFER of Aroostook)

Bill "An Act to Allow the Department of Inland Fisheries and Wildlife to Create Lifetime Fishing and Hunting Licenses" (H.P. 304) (L.D. 368) (Presented by Representative CHICK of Lebanon) (Cosponsored by Senator HALL of Piscataquis and Representatives: CLUKEY of Houlton, CROSS of Dover-Foxcroft, LABRECQUE of Gorham, NASS of Acton, PERKINS of Penobscot, WHEELER of Bridgewater, Senators: KIEFFER of Aroostook, MacKINNON of York)

Bill "An Act to Limit the Landowner Deer Permit System to One Application per Household" (H.P. 305) (L.D. 369) (Presented by Representative WINSOR of Norway)

Bill "An Act to Amend the Laws Governing Hunting Licenses for Residents 70 Years of Age and Older" (H.P. 317) (L.D. 439) (Presented by Representative WHEELER of Eliot) (Cosponsored by Representatives: SKOGLUND of St. George, SNOWE-MELLO of Poland and President LAWRENCE of York and Representatives: BERRY of Livermore, BUNKER of Kossuth Township, KANE of Saco, LEMONT of Kittery, MacDOUGALL of North Berwick, SAMSON of Jay, WRIGHT of Berwick)

Judiciary

Bill "An Act to Streamline the Eviction Process" (H.P. 262) (L.D. 326) (Presented by Representative WHEELER of Bridgewater) (Cosponsored by Representatives: BUNKER of Kossuth Township, CLUKEY of Houlton, O'NEAL of Limestone)

Bill "An Act to Decrease Infectious Disease Transmission" (H.P. 287) (L.D. 351) (Presented by Representative MITCHELL of Portland) (Cosponsored by Senator PARADIS of Aroostook and Representatives: BROOKS of Winterport, BRUNO of Raymond, BUNKER of Kossuth Township, LOVETT of Scarborough, POVICH of Ellsworth, QUINT of Portland, THOMPSON of Naples, Senator: BENOIT of Franklin)

Bill "An Act to Clarify the Manner in Which Decedents' Estates Are to Be Distributed" (EMERGENCY) (H.P. 299) (L.D. 363) (Presented by Representative THOMPSON of Naples)

Bill "An Act to Amend the Entry and Detainer Law as It Relates to Occupancy Incidental to Short-term Employment" (H.P. 313) (L.D. 435) (Presented by Representative LAYTON of Cherryfield) (Cosponsored by Representatives: KNEELAND of Easton, WHEELER of Bridgewater, Senators: BENOIT of Franklin, CASSIDY of Washington)

Bill "An Act to Establish the Maximum and Minimum Number of Grand Jurors to Be Summoned and Impaneled" (H.P. 322) (L.D. 444) (Presented by Representative POVICH of Ellsworth)

Bill "An Act to Give District Attorneys the Option of Appearing in Civil Proceedings" (H.P. 331) (L.D. 453) (Presented by Representative CLUKEY of Houlton) (Cosponsored by Representative: WHEELER of Bridgewater)

Bill "An Act to Discourage Frivolous Lawsuits by Prisoners" (H.P. 335) (L.D. 457) (Presented by Representative CLUKEY of Houlton) (Cosponsored by Senator KIEFFER of Aroostook and Representatives: AHEARNE of Madawaska, JOY of Crystal, KNEELAND of Easton, McALEVEY of Waterboro, O'NEAL of Limestone, STEDMAN of Hartland, WHEELER of Bridgewater, WINSOR of Norway)

Labor

Bill "An Act to Prohibit an Employer from Hiring Replacement Workers during a Strike" (H.P. 236) (L.D. 300) (Presented by Representative SAMSON of Jay) (Cosponsored by Senator CATHCART of Penobscot and Representatives: AHEARNE of Madawaska, BERRY of Livermore, BOLDUC of Auburn, HATCH of Skowhegan, JONES of Bar Harbor, LEMAIRE of Lewiston, RINES of Wiscasset, STANLEY of Medway)

Bill "An Act to Amend the Maine Workers' Compensation Act of 1992 as It Relates to Compensation for Total Incapacity" (H.P. 257) (L.D. 321) (Presented by Representative GOODWIN of Pembroke) (Cosponsored by Senator CATHCART of Penobscot and Representatives: CLARK of Millinocket, HATCH of Skowhegan, TUTTLE of Sanford)

Bill "An Act Regarding Survivor Benefits in the Event of Divorce and Remarriage" (H.P. 272) (L.D. 336) (Presented by Representative MAYO of Bath) (Cosponsored by Senator SMALL of Sagadahoc and Representatives: McALEVEY of Waterboro, SPEAR of Nobleboro)

Bill "An Act to Exempt Retail Shoe Store Employees Who Are Paid on a Commission Basis from the Minimum Wage Laws" (H.P. 282) (L.D. 346) (Presented by Representative LEMAIRE of Lewiston) (By Request) (Cosponsored by Representative: WINGLASS of Auburn)

Bill "An Act to Require Overtime Pay for Employees of Large Agricultural Employers" (H.P. 283) (L.D. 347) (Presented by Representative LEMAIRE of Lewiston) (Cosponsored by Senator JENKINS of Androscoggin and Representatives: BERRY of Livermore, HATCH of Skowhegan, KONTOS of Windham, MERES of Norridgewock, RINES of Wiscasset, SAMSON of Jay, Senators: MILLS of Somerset, RAND of Cumberland)

Bill "An Act to Further Define Disqualification for Unemployment Benefits" (H.P. 291) (L.D. 355) (Presented by Representative JOY of Crystal) (Cosponsored by Representatives: PLOWMAN of Hampden, STEDMAN of Hartland, VIGUE of Winslow, WATERHOUSE of Bridgton)

Bill "An Act to Restore State Funding for Mediation Services Provided by the Maine Labor Relations Board" (H.P. 294) (L.D. 358) (Presented by Representative SAMSON of Jay) (Cosponsored by Senator TREAT of Kennebec and Representatives: AHEARNE of Madawaska, BAKER of Dixfield, HATCH of Skowhegan, KONTOS of Windham, LEMAIRE of Lewiston)

Bill "An Act to Protect the Rights of Employees Who Volunteer Their Time as Firefighters" (H.P. 330) (L.D. 452) (Presented by Representative JONES of Pittsfield) (By Request) (Cosponsored by Representatives: BUCK of Yarmouth, CIANCHETTE of South Portland, TREADWELL of Carmel)

Bill "An Act to Amend the Drug Testing Program Approval Laws" (H.P. 332) (L.D. 454) (Presented by Representative HATCH of Skowhegan) (Cosponsored by Representative: SAMSON of Jay, Senator: CATHCART of Penobscot) (Submitted by the Department of Labor pursuant to Joint Rule 204.)

Bill "An Act to Require Employers to Pay the Legal Fees of an Employee Who Wins a Workers' Compensation Case" (H.P. 340) (L.D. 462) (Presented by Representative AHEARNE of Madawaska) (Cosponsored by Representatives: GOODWIN of Pembroke, HATCH of Skowhegan, TUTTLE of Sanford and Representatives: CLARK of Millinocket, DRISCOLL of Calais, PERRY of Bangor, SAMSON of Jay, Senator: PARADIS of Aroostook)

Resolve, Directing the Commissioner of Labor to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to Pay Discrimination

Based on Gender (H.P. 265) (L.D. 329) (Presented by Representative POVICH of Ellsworth) (Cosponsored by Senator MILLS of Somerset and Representatives: BOLDUC of Auburn, BUNKER of Kossuth Township, THOMPSON of Naples, VOLENIK of Brooklin, WINGLASS of Auburn)

Resolve, to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to Unemployment Compensation (H.P. 268) (L.D. 332) (Presented by Representative POVICH of Ellsworth) (Cosponsored by Senator DAGGETT of Kennebec and Representatives: BOLDUC of Auburn, BUNKER of Kossuth Township, LEMAIRE of Lewiston, WINGLASS of Auburn, Senator: KILKELLY of Lincoln)

Legal and Veterans Affairs

Bill "An Act to Remove Instant Lottery Ticket Vending Machines" (H.P. 248) (L.D. 312) (Presented by Representative KERR of Old Orchard Beach) (Cosponsored by Representatives: BUCK of Yarmouth, TESSIER of Fairfield, TOWNSEND of Portland, Senator: BUTLAND of Cumberland)

Bill "An Act to Establish Maine as a Sponsor of the Women in Military Service for America Memorial in Arlington National Cemetery" (H.P. 275) (L.D. 339) (Presented by Representative DAVIDSON of Brunswick) (Cosponsored by Representatives: AHEARNE of Madawaska, BRENNAN of Portland, SAXL of Portland, SHIAH of Bowdoinham)

Bill "An Act to Open a Discount State Liquor Store in Calais" (H.P. 277) (L.D. 341) (Presented by Representative DRISCOLL of Calais) (Cosponsored by Senator CASSIDY of Washington and Representatives: AHEARNE of Madawaska, BUNKER of Kossuth Township, CLARK of Millinocket, LINDAHL of Northport, SAMSON of Jay, TUTTLE of Sanford, Senator: CAREY of Kennebec)

Bill "An Act to Require Responsibility of the Employers of Persons who Collect Signatures" (H.P. 318) (L.D. 440) (Presented by Representative TOWNSEND of Portland) (Cosponsored by Senator KILKELLY of Lincoln and Representatives: BERRY of Livermore, CHIZMAR of Lisbon, KERR of Old Orchard Beach, LEMAIRE of Lewiston, STEVENS of Orono, TUTTLE of Sanford, Senators: CLEVELAND of Androscoggin, DAGGETT of Kennebec)

Marine Resources

Bill "An Act to Establish the Status of New Fisheries" (H.P. 247) (L.D. 311) (Presented by Representative ETNIER of Harpswell) (Submitted by the Department of Marine Resources pursuant to Joint Rule 204.)

Bill "An Act to Amend the Laws Regarding Fees Charged in the Elver Fishery" (H.P. 251) (L.D. 315) (Presented by Representative PINKHAM of Lamoine) (Cosponsored by Representatives: BUCK of Yarmouth, LAYTON of Cherryfield, MACK of Standish, WATERHOUSE of Bridgton)

Bill "An Act to Establish a 30-day Temporary Sea Urchin and Scallop Diving Tender License" (H.P. 252) (L.D. 316) (Presented by Representative PINKHAM of Lamoine) (Cosponsored by Representatives: BUCK of Yarmouth, LAYTON of Cherryfield, MACK of Standish, NASS of Acton, PINKHAM of Brunswick)

Bill "An Act to Improve Management in the Elver Fishery" (H.P. 289) (L.D. 353) (Presented by Representative ETNIER of Harpswell) (Submitted by the Department of Marine Resources pursuant to Joint Rule 204.)

Bill "An Act Authorizing the St. George River Shellfish Management Committee to Determine Availability of and Fees

for Clam Licenses" (H.P. 314) (L.D. 436) (Presented by Representative SKOGLUND of St. George) (Cosponsored by Senator PINGREE of Knox and Representatives: GOODWIN of Pembroke, PERKINS of Penobscot, SAVAGE of Union)

Bill "An Act to Return Revenue from Lease Sites for Aquaculture to Municipalities" (H.P. 334) (L.D. 456) (Presented by Representative GOODWIN of Pembroke) (Cosponsored by Representatives: BAGLEY of Machias, LAYTON of Cherryfield, PERKINS of Penobscot)

Bill "An Act Pertaining to the Aquaculture Lease Law" (H.P. 346) (L.D. 468) (Presented by Representative HONEY of Boothbay) (Cosponsored by Representative: ETNIER of Harpswell) (Submitted by the Department of Marine Resources pursuant to Joint Rule 204.)

Natural Resources

Bill "An Act to Establish Guidelines for the Utilization of Municipal Solid Waste Incinerator Ash and Its Derivatives" (H.P. 344) (L.D. 466) (Presented by Representative LOVETT of Scarborough) (Cosponsored by Senator AMERO of Cumberland and Representatives: CIANCHETTE of South Portland, LABRECQUE of Gorham, MARVIN of Cape Elizabeth, MORGAN of South Portland, MURPHY of Kennebunk, MUSE of South Portland, SAVAGE of Union, Senator: PENDLETON of Cumberland)

State and Local Government

Bill "An Act to Require a Disclaimer of the Dollar Value of Benefits for Public Employee Positions" (H.P. 249) (L.D. 313) (Presented by Representative PERKINS of Penobscot) (Cosponsored by Senator RUHLIN of Penobscot and Representatives: CAMPBELL of Holden, JONES of Bar Harbor, LEMONT of Kittery, MAYO of Bath, PINKHAM of Lamoine, VEDRAL of Buxton, Senator: MILLS of Somerset)

Bill "An Act to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to a Living Wage in State Subcontracted Work" (H.P. 267) (L.D. 331) (Presented by Representative POVICH of Ellsworth) (Cosponsored by Senator DAGGETT of Kennebec and Representatives: BOLDUC of Auburn, BUNKER of Kossuth Township, LEMAIRE of Lewiston, THOMPSON of Naples, VOLENIK of Brooklin)

Bill "An Act to Amend the Report Criteria for a Municipality's Annual Postaudit" (H.P. 280) (L.D. 344) (Presented by Representative BRAGDON of Bangor) (Cosponsored by Senator MURRAY of Penobscot and Representatives: CAMPBELL of Holden, CIANCHETTE of South Portland, KASPRZAK of Newport, MARVIN of Cape Elizabeth, MERES of Norridgewock)

Bill "An Act to Modify the Prequalification Laws to Allow the Disqualification of Contractors for a Time Not to Exceed One Year" (H.P. 285) (L.D. 349) (Presented by Representative BUMPS of China) (Cosponsored by Representatives: BODWELL of Brunswick, CAMPBELL of Holden, CROSS of Dover-Foxcroft, McELROY of Unity, VIGUE of Winslow, Senator: BENNETT of Oxford) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act to Encourage Regionalization of Municipal Services" (H.P. 297) (L.D. 361) (Presented by Representative GAGNON of Waterville) (Cosponsored by Senator CAREY of Kennebec and Representatives: O'NEIL of Saco, ROWE of Portland, TESSIER of Fairfield, Senators: DAGGETT of Kennebec, MILLS of Somerset)

Bill "An Act to Revise the Procurement of Products and Services from Rehabilitation Facilities and Work Centers" (H.P. 298) (L.D. 362) (Presented by Representative BUMPS of China) (Cosponsored by Representatives: BODWELL of Brunswick, CROSS of Dover-Foxcroft, McELROY of Unity, VIGUE of Winslow, Senator: BENNETT of Oxford) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act to Establish a Commemorative Day Recognizing the Children of this State" (H.P. 306) (L.D. 370) (Presented by Representative O'BRIEN of Augusta) (Cosponsored by Senator HARRIMAN of Cumberland and Representatives: BRAGDON of Bangor, CAMPBELL of Holden, DONNELLY of Presque Isle, MITCHELL of Portland, O'NEIL of Saco, TOWNSEND of Portland, Senators: AMERO of Cumberland, RAND of Cumberland)

Bill "An Act to Create a Legislative Finance Office" (H.P. 327) (L.D. 449) (Presented by Representative AHEARNE of Madawaska) (Cosponsored by Representative: O'NEAL of Limestone)

Bill "An Act to Amend the Date for Recognizing Marginal Discharges of Mortgages" (H.P. 328) (L.D. 450) (Presented by Representative LaVERDIERE of Wilton)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for the Direct Popular Election of Constitutional Officers (H.P. 290) (L.D. 354) (Presented by Representative UNDERWOOD of Oxford) (Cosponsored by Representatives: GERRY of Auburn, KASPRZAK of Newport, LANE of Enfield, MACK of Standish, McALEVEY of Waterboro, WATERHOUSE of Bridgton, Senator: FERGUSON of Oxford)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Change the Manner in Which the Legislature Calls Itself into Special Session (H.P. 336) (L.D. 458) (Presented by Representative AHEARNE of Madawaska) (Cosponsored by Representatives: CLARK of Millinocket, O'NEAL of Limestone)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Ensure the Rights of Parents to Direct the Upbringing and Education of Their Children (H.P. 341) (L.D. 463) (Presented by Representative KASPRZAK of Newport) (Cosponsored by Senator HALL of Piscataquis and Representatives: BRAGDON of Bangor, GERRY of Auburn, JOY of Crystal, LANE of Enfield, LAYTON of Cherryfield, MERES of Norridgewock, Senators: BENOIT of Franklin, CASSIDY of Washington)

Taxation

Bill "An Act to Increase the Income Tax Credit for Employer-assisted Day Care" (H.P. 240) (L.D. 304) (Presented by Representative MARVIN of Cape Elizabeth) (Cosponsored by Senator PENDLETON of Cumberland and Representatives: CIANCHETTE of South Portland, ETNIER of Harpswell, JOYNER of Hollis, KERR of Old Orchard Beach, LOVETT of Scarborough, MITCHELL of Portland, Senators: BENNETT of Oxford, PARADIS of Aroostook)

Bill "An Act to Guarantee That Real Estate Taxes Are Paid" (H.P. 242) (L.D. 306) (Presented by Representative SPEAR of Nobleboro) (Cosponsored by Senator MILLS of Somerset and Representatives: KNEELAND of Easton, MAYO of Bath, SAVAGE of Union, USHER of Westbrook, Senators: DAGGETT of Kennebec, GOLDTHWAIT of Hancock, KILKELLY of Lincoln)

Bill "An Act to Continue the Vendor's Tax for One Year by Delaying the Repeal Date" (H.P. 244) (L.D. 308) (Presented by Representative GREEN of Monmouth) (Cosponsored by Senator KILKELLY of Lincoln and Representatives: BUNKER of Kossuth Township, CLUKEY of Houlton, COWGER of Hallowell,

NICKERSON of Turner, O'NEAL of Limestone, SPEAR of Nobleboro, TRIPP of Topsham)

Bill "An Act to Exempt Lobster Traps from the Personal Property Tax" (H.P. 250) (L.D. 314) (Presented by Representative PINKHAM of Lamoine) (By Request)

Bill "An Act Relating to the State Valuation of the Town of Corinna" (EMERGENCY) (H.P. 253) (L.D. 317) (Presented by Representative TOBIN of Dexter) (Cosponsored by Senator HALL of Piscataquis and Representatives: CROSS of Dover-Foxcroft, DUNLAP of Old Town, FISHER of Brewer, JONES of Greenville, JONES of Pittsfield, KASPRZAK of Newport, STEDMAN of Hartland, Senator: RUHLIN of Penobscot)

Bill "An Act to Amend the Law Determining What Foods Are Considered Snacks" (H.P. 254) (L.D. 318) (Presented by Representative GERRY of Auburn) (Cosponsored by Representatives: BUCK of Yarmouth, LANE of Enfield, SANBORN of Alton, Senators: BENNETT of Oxford, PARADIS of Aroostook)

Bill "An Act to Decrease the State's Share of Real Estate Transfer Taxes" (H.P. 260) (L.D. 324) (Presented by Representative SAVAGE of Union) (Cosponsored by Representatives: LABRECQUE of Gorham, SKOGLUND of St. George, WHEELER of Bridgewater)

Bill "An Act to Increase Eligibility for the Maine Residents Property Tax Program" (H.P. 279) (L.D. 343) (Presented by Representative BRENNAN of Portland) (Cosponsored by Senator PENDLETON of Cumberland and Representatives: DAVIDSON of Brunswick, MAYO of Bath, McELROY of Unity, QUINT of Portland, ROWE of Portland, SHIAH of Bowdoinham, Senator: O'GARA of Cumberland)

Bill "An Act to Eliminate the Sales Tax on the Sale of Hay and Animal Bedding" (EMERGENCY) (H.P. 281) (L.D. 345) (Presented by Representative DEXTER of Kingfield) (Cosponsored by Senators: LIBBY of York, RUHLIN of Penobscot and Representatives: BUCK of Yarmouth, FOSTER of Gray, KERR of Old Orchard Beach, KNEELAND of Easton, NICKERSON of Turner, Senator: HARRIMAN of Cumberland)

Bill "An Act to Exempt from the Maine Income Tax Persons Earning Less Than a Certain Amount" (H.P. 284) (L.D. 348) (Presented by Representative MORGAN of South Portland) (Cosponsored by Representatives: BOLDUC of Auburn, JONES of Greenville, McKEE of Wayne, PIEH of Bremen, WHEELER of Eliot, Senator: PINGREE of Knox)

Bill "An Act to Amend the Laws Regarding Penalties for Late Filing by a Municipality under the Maine Tree Growth Tax Law" (H.P. 293) (L.D. 357) (Presented by Representative GOOLEY of Farmington) (Cosponsored by Representatives: BAKER of Dixfield, BERRY of Livermore, BUNKER of Kossuth Township, JONES of Greenville, WHEELER of Bridgewater, WINSOR of Norway, Senators: BENOIT of Franklin, FERGUSON of Oxford)

Bill "An Act to Clarify the Appointment of Deputy Excise Tax Collectors and Facilitate the Collection of Excise Tax" (H.P. 311) (L.D. 433) (Presented by Representative BELANGER of Wallagrass) (Cosponsored by Senator KIEFFER of Aroostook and Representatives: BARTH of Bethel, CAMPBELL of Holden, CARLETON of Wells, KNEELAND of Easton, MAYO of Bath, VIGUE of Winslow, Senator: PARADIS of Aroostook)

Bill "An Act to Amend the Veteran's Estate Tax Exemption" (H.P. 312) (L.D. 434) (Presented by Representative LAYTON of Cherryfield) (Cosponsored by Representatives: BUNKER of Kossuth Township, LANE of Enfield, MACK of Standish, NASS of Acton, PERKINS of Penobscot, STEDMAN of Hartland, WINGLASS of Auburn, Senator: CASSIDY of Washington)

Bill "An Act to Amend the Laws Regarding When a Merchant Must Remit Sales Tax to the State" (H.P. 315) (L.D. 437)

(Presented by Representative SPEAR of Nobleboro) (Cosponsored by Senator KILKELLY of Lincoln and Representatives: BUCK of Yarmouth, CIANCHETTE of South Portland, KNEELAND of Easton, Senator: PINGREE of Knox)

Bill "An Act to Exempt from the Sales Tax Automobile Equipment Necessary for Paraplegics or People Who Are Confined to Wheelchairs" (H.P. 320) (L.D. 442) (Presented by Representative BOUFFARD of Lewiston) (Cosponsored by Senator CLEVELAND of Androscoggin and Representatives: CHIZMAR of Lisbon, CLUKEY of Houlton, DEXTER of Kingfield, MADORE of Augusta, MAYO of Bath, McALEVEY of Waterboro, PAUL of Sanford, VIGUE of Winslow)

Bill "An Act Regarding Potato Bin Pilers and Refund of Sales Tax" (H.P. 342) (L.D. 464) (Presented by Representative KNEELAND of Easton) (Cosponsored by Senator KIEFFER of Aroostook and Representatives: AHEARNE of Madawaska, BELANGER of Wallagrass, BELANGER of Caribou, CLUKEY of Houlton, DESMOND of Mapleton, JOY of Crystal, WHEELER of Bridgewater, Senator: PARADIS of Aroostook)

Bill "An Act to Provide a Quality Jobs Tax Credit" (H.P. 347) (L.D. 469) (Presented by Representative COLWELL of Gardiner) (Cosponsored by Senator RUHLIN of Penobscot and Representatives: BUNKER of Kossuth Township, GAGNON of Waterville, JONES of Bar Harbor, KERR of Old Orchard Beach, MADORE of Augusta, PIEH of Bremen, USHER of Westbrook, Senator: TREAT of Kennebec)

Resolve, to Reimburse a Lumber Company in Connection with Sales Tax Paid by the Company (H.P. 316) (L.D. 438) (Presented by Representative SPEAR of Nobleboro) (Cosponsored by Senator KILKELLY of Lincoln and Representative: SAVAGE of Union)

Resolve, to Study Sales Tax Exemptions (EMERGENCY) (H.P. 337) (L.D. 459) (Presented by Representative SHIAH of Bowdoinham) (Cosponsored by Senator RUHLIN of Penobscot and Representatives: DAVIDSON of Brunswick, MORGAN of South Portland, TRIPP of Topsham)

Transportation

Bill "An Act to Require the Secretary of State to Revoke the Driver's License of a Person Involved in a Fatal Accident while Committing a Violation of the Maine Revised Statutes, Title 29-A" (H.P. 258) (L.D. 322) (Presented by Representative McALEVEY of Waterboro) (Cosponsored by Representatives: CLUKEY of Houlton, LOVETT of Scarborough, MACK of Standish, NASS of Acton, USHER of Westbrook, Senator: BENOIT of Franklin)

Bill "An Act Relating to Consumer Rental Vehicles" (H.P. 276) (L.D. 340) (Presented by Representative CHARTRAND of Rockland) (Cosponsored by Senator PINGREE of Knox and Representatives: ETNIER of Harpswell, POWERS of Rockport, SAVAGE of Union, SKOGLUND of St. George, TRIPP of Topsham, VOLENIK of Brooklin, Senator: LaFOUNTAIN of York)

Bill "An Act to Change the Eligibility Requirements for Free Registration Plates for Certain Veterans" (H.P. 278) (L.D. 342) (Presented by Representative TESSIER of Fairfield) (Cosponsored by Senator LIBBY of York and Representatives: GAGNON of Waterville, KERR of Old Orchard Beach, RICHARD of Madison)

Bill "An Act to Provide That the Operator of a Limousine Is Not Responsible for Securing in a Seat Belt a Passenger Transported for a Fee" (H.P. 303) (L.D. 367) (Presented by Representative TOWNSEND of Portland) (Cosponsored by Representatives: MACK of Standish, WINSOR of Norway, and Senator: KILKELLY of Lincoln)

Bill "An Act to Improve the Rail Lines in Washington County and Establish an Intermodal Railroad Facility" (EMERGENCY) (H.P. 309) (L.D. 431) (Presented by Representative BUNKER of Kossuth Township) (Cosponsored by Senator CASSIDY of Washington and Representatives: BAGLEY of Machias, DRISCOLL of Calais, LAYTON of Cherryfield)

Bill "An Act to Make the Use of Stop Arm Warning Devices Mandatory on School Buses" (H.P. 324) (L.D. 446) (Presented by Representative KERR of Old Orchard Beach) (Cosponsored by Senator AMERO of Cumberland and Representatives: STEVENS of Orono, TOWNSEND of Portland, Senator: CLEVELAND of Androscoggin)

Bill "An Act to Expand the Number of Lights Firefighters May Use on Their Cars" (H.P. 329) (L.D. 451) (Presented by Representative JONES of Pittsfield) (By Request) (Cosponsored by Representatives: BUCK of Yarmouth, CIANCHETTE of South Portland, TREADWELL of Carmel)

Resolve, to Name the Entrances to the Donald V. Carter Bridge Connecting Winslow and Waterville the "Purple Heart Highway" (H.P. 326) (L.D. 448) (Presented by Representative VIGUE of Winslow) (Cosponsored by Senator CAREY of Kennebec and Representatives: BUMPS of China, GAGNON of Waterville, JABAR of Waterville, MITCHELL of Vassalboro, TESSIER of Fairfield, Senator: DAGGETT of Kennebec)

Utilities and Energy

Bill "An Act to Require Regular Disclosure of Low-cost Telephone Calling Plans to Telephone Customers" (H.P. 302) (L.D. 366) (Presented by Representative JONES of Bar Harbor) (Cosponsored by Senator KIEFFER of Aroostook and Representatives: COLWELL of Gardiner, TAYLOR of Cumberland) (Submitted by the Office of Public Advocate pursuant to Joint Rule 204.)

Bill "An Act to Clarify the Definition of Qualified School for Telecommunications Network Purposes" (H.P. 307) (L.D. 371) (Presented by Representative JONES of Bar Harbor) (Cosponsored by Senator CAREY of Kennebec and Representative: TAYLOR of Cumberland) (Submitted by the Public Utilities Commission pursuant to Joint Rule 204.)

Bill "An Act to Require Employees of Public Utilities to Be Licensed When Providing Services Outside the Regulated Activities of the Utility" (H.P. 308) (L.D. 372) (Presented by Representative WINSOR of Norway)

Bill "An Act to Improve Access to Enhanced 9-1-1 Emergency Records" (H.P. 261) (L.D. 325). (Presented by Representative JONES of Bar Harbor)

Committee on **Utilities and Energy** suggested.

On motion of Representative JONES of Bar Harbor, tabled pending reference and specially assigned for Tuesday, January 28, 1997.

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. 11)

ORDERED, that Representative Brian Bolduc of Auburn be excused January 21 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative James O. Donnelly of Presque Isle be excused January 16 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Richard R. Farnsworth of Portland be excused January 21 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Rosita Gagne of Buckfield be excused January 16 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative William Lemke of Westbrook be excused January 16 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Paul L. Tessier of Fairfield be excused January 21 for personal reasons.

Was read and passed.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Robert King, Sr., of Whitefield, upon completion of his term as President of Maine Metal Products Association. We extend our congratulations and best wishes; (HLS 27) by Representative RINES of Wiscasset. (Cosponsor: Senator KILKELLY of Lincoln)

On objection of Representative RINES of Wiscasset, was removed from the Special Sentiment Calendar.

Was read and passed 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. 153)

ORDERED, that when the House and Senate Adjourn they do so until Tuesday, January 28, 1997, at 3:00 o'clock in the afternoon.

Came from the Senate, read and passed.

Was read.

On motion of Representative KONTOS of Windham, the Joint Order was amended, that when the House adjourn they do so until Tuesday, January 28, 1997 at 6:00 p.m.

Was passed as amended in non-concurrence and sent up for concurrence.

Bill "An Act to Allow the Maine Forest Service to Retain Funds from the Sale of Real Estate" (S.P. 117) (L.D. 396)

Bill "An Act to Improve the Reporting of General Use Pesticide Sales" (S.P. 141) (L.D. 420)

Bill "An Act to Protect the Potato Industry from the Spread of Serious Disease" (EMERGENCY) (S.P. 150) (L.D. 429)

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

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

Bill "An Act Requiring Masonry Work to Comply with State and Local Building and Fire Codes" (S.P. 111) (L.D. 390)

Bill "An Act to Grandfather Certain Practicing Naturopathic Doctors" (S.P. 142) (L.D. 421)

Bill "An Act to Amend the Employee Leasing Company Registration Process" (S.P. 147) (L.D. 426)

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 Amend the Operating Under the Influence Laws to Discern whether an Offender Was Served Alcohol at a Licensed Establishment" (S.P. 105) (L.D. 384)

Bill "An Act to Prohibit the Selling of Children" (S.P. 148) (L.D. 427)

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

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

Bill "An Act to Prohibit Schools from Charging Activity Fees for Participation in Extracurricular Events" (S.P. 113) (L.D. 392)

Bill "An Act to Extend Certain Survivor Benefits to the Spouses of Firefighters and Law Enforcement Officers and Expand the Definition of Law Enforcement Officers" (S.P. 120) (L.D. 399)

Bill "An Act to Clarify Tuition Rates for Middle School Students" (S.P. 149) (L.D. 428)

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

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

Bill "An Act to Consider Cost-effectiveness When Providing Medicaid Coverage for Dental Services" (S.P. 95) (L.D. 374)

Bill "An Act to Ensure State Payment to Nursing Homes of Costs Associated with State Adult Protection Custody Orders" (S.P. 109) (L.D. 388)

Bill "An Act to Allow Volunteer Work in a State Licensed Day-care Facility to Fulfill Requirements of the ASPIRE-JOB Program and to Establish a Statewide Toll-free Telephone Line for Reporting Welfare Fraud" (S.P. 112) (L.D. 391)

Bill "An Act to Preserve Senior Volunteerism" (S.P. 115) (L.D. 394)

Bill "An Act to Require the Purchaser of Tobacco Products to Produce Suitable Identification" (S.P. 133) (L.D. 412)

Bill "An Act to Ban All Smoking within Workplaces, Restaurants and Public Accommodations" (S.P. 134) (L.D. 413)

Bill "An Act to Improve the Delivery of Substance Abuse Services in Maine" (S.P. 143) (L.D. 422)

Came from the Senate, referred to the Committee on **Health and Human Services** and Ordered Printed.

Were referred to the Committee on **Health and Human Services** in concurrence.

Bill "An Act to Create a Special Senior Citizen Moose Lottery" (S.P. 96) (L.D. 375)

Bill "An Act to Improve Wildlife Habitat" (S.P. 98) (L.D. 377)

Bill "An Act to Amend the Hunting Laws as They Pertain to Hunting from a Vehicle" (S.P. 99) (L.D. 378)

Bill "An Act to Repeal the Requirement That All-terrain Vehicles Be Equipped with Brake Lights" (S.P. 101) (L.D. 380)

Bill "An Act Dealing with the Registration of Snowmobiles by Nonresidents" (S.P. 116) (L.D. 395)

Bill "An Act to Offer a Free Subsistence Fishing License to Persons 70 Years of Age or Older" (S.P. 124) (L.D. 403)

Bill "An Act to Amend the Laws Regarding Snowmobile Registration" (S.P. 125) (L.D. 404)

Bill "An Act to Regulate the Use of Personal Watercraft" (S.P. 137) (L.D. 416)

Bill "An Act to Require a Person Applying for a Moose Permit to Possess a Hunting License" (S.P. 146) (L.D. 425)

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 Amend the Civil Order of Arrest Procedures for Enforcement of Money Judgments" (S.P. 107) (L.D. 386)

Bill "An Act to Change the Burden of Proof for Timber Trespass and Timber Theft Violations" (S.P. 118) (L.D. 397)

Bill "An Act to Recover Economic Loss Attributable to Tobacco Use" (S.P. 119) (L.D. 398)

Bill "An Act to Revise Judicial Separation" (S.P. 128) (L.D. 407)

Bill "An Act to Amend the Fee Schedule for Probate Filings" (S.P. 138) (L.D. 417)

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

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

Bill "An Act to Exclude from the Definition of "Employment" Services Provided by Lessees of Taxicabs" (S.P. 110) (L.D. 389)

Bill "An Act to Amend the Family Medical Leave Laws" (S.P. 123) (L.D. 402)

Bill "An Act to Bring Certain State Retirement Laws into Compliance with Federal Laws" (S.P. 132) (L.D. 411)

Bill "An Act to Change the Weekly Employee Pay Requirement in State Law" (S.P. 140) (L.D. 419)

Resolve, to Exempt Matthew Scott from Maine State Retirement System Restrictions on Income Earned as Deputy Commissioner of Inland Fisheries and Wildlife (EMERGENCY) (S.P. 94) (L.D. 373)

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

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

Bill "An Act to Eliminate the Requirement That Agency Liquor Stores Be a Certain Distance Apart" (S.P. 97) (L.D. 376)

Bill "An Act to Restrict Circulators of Initiated Petitions from Being within 250 Feet of Voting Places" (S.P. 102) (L.D. 381)

Bill "An Act to Clarify the Reporting Responsibility of Lobbyists" (S.P. 104) (L.D. 383)

Bill "An Act to Amend the Laws Pertaining to Wine Tasting" (S.P. 108) (L.D. 387)

Bill "An Act to Amend the Election Laws Pertaining to Absentee Ballots" (S.P. 127) (L.D. 406)

Resolve, Authorizing the Theta Chi Building Association to File with the Secretary of State as a Nonprofit Corporation (S.P. 145) (L.D. 424)

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

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

Bill "An Act Concerning Commercial Marine Fishing Licenses" (S.P. 130) (L.D. 409)

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

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

Bill "An Act to Require That Headlights Be on during Inclement Weather" (S.P. 144) (L.D. 423)

Resolve, to Name the Portland-South Portland Bridge the "George Cleeve Memorial Bridge" (S.P. 106) (L.D. 385)

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

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

Bill "An Act to Prohibit the Public Utilities Commission from Directing Utility Overcharges to Any Program Other Than Repayment to Ratepayers" (EMERGENCY) (S.P. 103) (L.D. 382)

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.

Bill "An Act to Clarify the Reimbursement of Legislators' Expenses" (S.P. 100) (L.D. 379)

Bill "An Act to Include Operation and Maintenance in the Life-cycle Costs Analysis Required for Public Improvements" (S.P. 129) (L.D. 408)

Bill "An Act to Amend Certain Benefits Offered Legislators" (S.P. 139) (L.D. 418)

Bill "An Act to Clarify the Provisions that Implement Performance Budgeting in State Government" (S.P. 151) (L.D. 430)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require That Constitutional Officers Be Appointed by the Governor (S.P. 121) (L.D. 400)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require the Election of the Secretary of State in Statewide Elections (S.P. 122) (L.D. 401)

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 an Historic Preservation Tax Credit" (S.P. 126) (L.D. 405)

Bill "An Act to Eliminate the Income Tax Cap" (S.P. 131) (L.D. 410)

Bill "An Act to Facilitate the Withholding of State Income Taxes from Federal Pensions" (S.P. 136) (L.D. 415)

Resolve, to Create a Commission to Study the Tax Implications for Municipalities Resulting from the Repeal of the Uniform Property Tax (S.P. 135) (L.D. 414)

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 Restore Funds to the Office of Substance Abuse to 1996 Levels" (S.P. 114) (L.D. 393)

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

(The Committee on Reference of Bills had suggested reference to the Committee on **Health and Human Services**.)

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

On motion of Representative BRAGDON of Bangor, the House reconsidered its action whereby Legislative Sentiment recognizing Mary Bowers, of Bangor, (HLS 29) was passed.

Was read and passed and sent up for concurrence.

On motion of Representative USHER of Westbrook, the House reconsidered its action whereby Legislative Sentiment in memory of Tuffy Laffin, of Westbrook, (HLS 36) was adopted.

Was read.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Usher.

Representative USHER: Madam Speaker, Men and Women of the House. Tuffy Laffin, former State Representative, lifetime resident of Westbrook and one of the most colorful personalities this chamber has ever hosted, died of a sudden heart attack on December 23rd. Tuffy was a three-term Representative who served between 1975 and 1980. As a Representative and as in life, Tuffy did the things that other people would like to do, but did not contain the courage, the poise and the drive that he exhibited. He was a politician because he saw things in the city and in the state that needed fixing. In his mind and in his heart he determined that he could do something about the wrongs he envisioned. Throughout his time as a legislator, he served on the Labor Committee with the conviction that he was there to serve not only workers of his district, but all the people of Maine. Tuffy loved all that was good about the House of Representatives and exemplified all the good things through his sense of humor and his thoughtful representation of the people of Maine, his willingness to work with the representatives on both sides of the aisle.

In his community he was involved in many of the youth programs. Tuffy was intelligent, resourceful, adventurous, generous, careful and a colorful man. He served in the Legislature not solely for himself or his party, but rather he served out of the love of his community and his people. This chamber was lucky to be blessed with his brief presence and we are blessed to learn from a great man's legacy. Thank you.

Was adopted and sent up for concurrence.

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

On motion of Representative ROWE of Portland, the House adjourned at 12:10 p.m., pursuant to the Joint Order (S.P. 153).