

# 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  
26th Legislative Day  
Friday, March 21, 1997

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

Prayer by Honorable Rosaire J. Sirois, Caribou.

Pledge of Allegiance.

The Journal of yesterday was read and approved.

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**SENATE PAPERS**

**Divided Report**

Majority Report of the Committee on **State and Local Government** reporting "**Ought Not to Pass**" on Bill "An Act to Allow Municipalities to Advertise Public Legal Notices in Weekly Papers" (S.P. 18) (L.D. 16)

Signed:

Senator: GOLDTHWAIT of Hancock

Representatives: BAGLEY of Machias

AHEARNE of Madawaska

GIERINGER of Portland

SANBORN of Alton

FISK of Falmouth

LEMKE of Westbrook

Minority Report of the same Committee reporting "**Ought to Pass**" as amended by Committee Amendment "A" (S-14) on same Bill.

Signed:

Senators: NUTTING of Androscoggin

LIBBY of York

Representatives: BUMPS of China

GERRY of Auburn

KASPRZAK of Newport

Came from the Senate with the Majority "**Ought Not to Pass**" Report read and accepted.

Was read.

Representative SAXL of Portland moved that the House accept the Majority "**Ought Not to Pass**" Report.

On further motion of the same Representative, tabled pending his motion to accept the Majority "**Ought Not to Pass**" Report and specially assigned for Monday, March 24, 1997.

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**Divided Report**

Majority Report of the Committee on **State and Local Government** reporting "**Ought to Pass**" as amended by Committee Amendment "A" (S-20) on Bill "An Act to Require That a Vacancy in the Office of Sheriff Be Filled by an Appointee from the Same Political Party" (S.P. 33) (L.D. 31)

Signed:

Senators: NUTTING of Androscoggin

LIBBY of York

Representatives: FISK of Falmouth

BAGLEY of Machias

AHEARNE of Madawaska

GIERINGER of Portland

SANBORN of Alton

Minority Report of the same Committee reporting "**Ought Not to Pass**" on same Bill.

Signed:

Senator: GOLDTHWAIT of Hancock

Representatives: BUMPS of China

GERRY of Auburn

LEMKE of Westbrook  
KASPRZAK of Newport

Came from the Senate with the Majority "**Ought to Pass**" as amended Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-20).

Was read.

On motion of Representative SAXL of Portland, tabled pending acceptance of either Report and specially assigned for Monday, March 24, 1997.

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Representative UNDERWOOD of Oxford requested the Chair to rule if a quorum was present.

The Chair ruled a quorum was present.

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**Divided Report**

Majority Report of the Committee on **Legal and Veterans Affairs** reporting "**Ought to Pass**" as amended by Committee Amendment "A" (S-28) on Resolve, Authorizing the Theta Chi Building Association to File with the Secretary of State as a Nonprofit Corporation (S.P. 145) (L.D. 424)

Signed:

Senators: CAREY of Kennebec

DAGGETT of Kennebec

FERGUSON of Oxford

Representatives: TUTTLE of Sanford

GAMACHE of Lewiston

CHIZMAR of Lisbon

FISHER of Brewer

GAGNE of Buckfield

TESSIER of Fairfield

BIGL of Bucksport

BELANGER of Wallagrass

Minority Report of the same Committee reporting "**Ought Not to Pass**" on same Resolve.

Signed:

Representatives: TRUE of Fryeburg

LABRECQUE of Gorham

Came from the Senate with the Majority "**Ought to Pass**" as amended Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-28).

Was read.

On motion of Representative LABRECQUE of Gorham, tabled pending acceptance of either Report and specially assigned for Monday, March 24, 1997.

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**Divided Report**

Majority Report of the Committee on **State and Local Government** reporting "**Ought Not to Pass**" on Resolve, to Name the Richardson Township Boat Landing "Georges Landing" (S.P. 314) (L.D. 1054)

Signed:

Senators: NUTTING of Androscoggin

LIBBY of York

Representatives: AHEARNE of Madawaska

FISK of Falmouth

BAGLEY of Machias

BUMPS of China

GIERINGER of Portland

KASPRZAK of Newport

SANBORN of Alton

DUTREMBLE of Biddeford

Minority Report of the same Committee reporting "**Ought to Pass**" on same Resolve.

Signed:

Senator: GOLDTHWAIT of Hancock

Representatives: GERRY of Auburn  
LEMKE of Westbrook

Came from the Senate with the Majority "**Ought Not to Pass**" Report read and accepted.

Was read.

Representative SAXL of Portland, moved to table pending acceptance of either Report and specially assigned for Monday, March 24, 1997.

Representative UNDERWOOD of Oxford requested a roll call on the motion to table.

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

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

#### ROLL CALL NO. 41

YEA - Ahearne, Baker CL, Baker JL, Belanger DJ, Belanger IG, Berry DP, Berry RL, Bigl, Bolduc, Bouffard, Bragdon, Brennan, Brooks, Buck, Bull, Bumps, Bunker, Chartrand, Chick, Chizmar, Cianchette, Clark, Clukey, Colwell, Cowger, Cross, Davidson, Desmond, Dexter, Donnelly, Driscoll, Dunlap, Dutremble, Fisher, Fisk, Foster, Gagne, Gagnon, Gamache, Gerry, Gieringer, Goodwin, Gooley, Green, Hatch, Honey, Jabar, Jones KW, Joy, Joyce, Kasprzak, Kneeland, Kontos, Labrecque, Lane, LaVerdiere, Layton, Lemaire, Lemke, Lemont, Lindahl, Lovett, MacDougall, Mack, Madore, Mailhot, Marvin, Mayo, McElroy, McKee, Meres, Morgan, Murphy, Nass, Nickerson, O'Brien, O'Neal, Ott, Paul, Peavey, Pendleton, Perkins, Pieh, Pinkham RG, Pinkham WD, Plowman, Poulin, Powers, Quint, Richard, Rowe, Samson, Savage, Saxl JW, Saxl MV, Shannon, Shiah, Sirois, Skoglund, Snowe-Mello, Spear, Stanley, Stedman, Stevens, Taylor, Tessier, Treadwell, Tripp, True, Tuttle, Underwood, Usher, Vedral, Vigue, Volenik, Waterhouse, Watson, Wheeler EM, Wheeler GJ, Winglass, Winsor.

NAY - Rines.

ABSENT - Bagley, Barth, Bodwell, Bruno, Cameron, Campbell, Carleton, Etnier, Farnsworth, Frechette, Fuller, Jones SL, Jones SA, Joyner, Kane, Kerr, McAlevey, Mitchell JE, Muse, O'Neil, Perry, Povich, Sanborn, Thompson, Tobin, Townsend, Winn, Wright, Madam Speaker.

Yes, 121; No, 1; Absent, 29; Excused, 0.

121 having voted in the affirmative and 1 voted in the negative, with 29 being absent, the motion to table was accepted.

#### COMMUNICATIONS

The following Communication: (S.P. 522)

#### 118th MAINE LEGISLATURE

March 20, 1997

Senator William O'Gara

Representative Joseph Driscoll

Chairpersons

Joint Standing Committee on Transportation

118th Legislature

Augusta, Maine 04333

Dear Senator O'Gara and Representative Driscoll:

Please be advised that Governor Angus S. King, Jr. has nominated Julian R. Coles for reappointment as a member of the Maine Turnpike Authority.

Pursuant to Title 23, MRSA Section 1965, this nomination will require review by the Joint Standing Committee on Transportation 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 **Transportation**.

Was read and referred to the Committee on **Transportation** 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:

#### Banking and Insurance

Bill "An Act to Require Banks to Have Written or Oral Authority before Funds Are Electronically Removed from Resident Accounts" (H.P. 1155) (L.D. 1619) (Presented by Representative GERRY of Auburn) (Cosponsored by Representatives: BERRY of Belmont, CARLETON of Wells, FARNSWORTH of Portland, JONES of Greenville, PLOWMAN of Hampden, WINGLASS of Auburn)

Bill "An Act to Create an Independent Ombudsman for Consumer Protection in Managed Care" (H.P. 1161) (L.D. 1625) (Presented by Representative MITCHELL of Portland) (Cosponsored by Senator LaFOUNTAIN of York and Representatives: DAVIDSON of Brunswick, ETNIER of Harpswell, KANE of Saco, LOVETT of Scarborough, MITCHELL of Vassalboro, THOMPSON of Naples, Senators: MILLS of Somerset, RAND of Cumberland)

#### Criminal Justice

Bill "An Act to Require That Handguns Sold in the State Be Equipped with Child-proof Trigger Locks" (H.P. 1154) (L.D. 1618) (Presented by Representative MUSE of South Portland) (Cosponsored by Senator RAND of Cumberland and Representatives: FRECHETTE of Biddeford, GAGNON of Waterville, GERRY of Auburn, MORGAN of South Portland, O'BRIEN of Augusta, PEAVEY of Woolwich, TOWNSEND of Portland, Senator: MURRAY of Penobscot)

#### Education and Cultural Affairs

Bill "An Act to Require That a Course in Multicultural Education Be Included in All Teacher Preparation Programs in the State" (H.P. 1158) (L.D. 1622) (Presented by Representative McKEE of Wayne) (Cosponsored by Senator PARADIS of Aroostook and Representatives: BAKER of Bangor, GAGNE of Buckfield, MAILHOT of Lewiston, MITCHELL of Portland, SIROIS of Caribou, TOWNSEND of Portland, Senator: JENKINS of Androscoggin)

Bill "An Act Requiring Voter Approval for the Relocation of an Elementary School Class" (H.P. 1162) (L.D. 1626) (Presented by Representative SKOGLUND of St. George) (Cosponsored by Senator PINGREE of Knox and Representatives: DESMOND of

Mapleton, McELROY of Unity, SAVAGE of Union, SIROIS of Caribou, VOLENIK of Brooklin)

**Health and Human Services**

Bill "An Act to Amend the Laws Regarding Intervenor Status for Foster Parents in Certain Cases of the Department of Human Services" (H.P. 1156) (L.D. 1620) (Presented by Representative McALEVEY of Waterboro) (Cosponsored by Senator MITCHELL of Penobscot and Representatives: BRAGDON of Bangor, JOY of Crystal, KANE of Saco, LOVETT of Scarborough, MAYO of Bath, MUSE of South Portland, SNOWE-MELLO of Poland, Senator: KILKELLY of Lincoln)

Bill "An Act to Promote Healthy Maine Families" (H.P. 1163) (L.D. 1627) (Presented by Speaker MITCHELL of Vassalboro) (Cosponsored by President LAWRENCE of York and Representatives: BERRY of Livermore, DAVIDSON of Brunswick, GREEN of Monmouth, PIEH of Bremen, SAXL of Portland, TRIPP of Topsham, Senators: LONGLEY of Waldo, PINGREE of Knox)

Bill "An Act to Clarify the Fine for Violation of Certain Land Use Laws" (H.P. 1157) (L.D. 1621) (Presented by Representative SKOGLUND of St. George) (Cosponsored by Senator CATHCART of Penobscot and Representatives: DESMOND of Mapleton, SIROIS of Caribou, VOLENIK of Brooklin)

Reference to the Committee on **State and Local Government** suggested.

On motion of Representative SAXL of Portland, tabled pending reference and specially assigned for Monday, March 24, 1997.

**Taxation**

Resolve, to Implement a Single State Tax System (H.P. 1159) (L.D. 1623) (Presented by Representative BIGL of Bucksport)

**Transportation**

Bill "An Act to Amend the Sensible Transportation Policy Act" (H.P. 1153) (L.D. 1617) (Presented by Representative JOYCE of Biddeford)

Bill "An Act to Increase Funding to the Highway Fund to Allow Major Improvements to Highways and Bridges" (H.P. 1160) (L.D. 1624) (Presented by Representative CHARTRAND of Rockland) (Cosponsored by Representatives: BOUFFARD of Lewiston, KONTOS of Windham, ROWE of Portland, TOWNSEND of Portland)

**CONSENT CALENDAR**

**First Day**

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

(S.P. 251) (L.D. 820) Bill "An Act to Repeal the Maine Surplus Energy Auction Program" Committee on **Utilities and Energy** reporting "**Ought to Pass**"

(S.P. 327) (L.D. 1105) Bill "An Act to Exempt Public Airports with Approved Airport Layout Plans from Subdivision Review" Committee on **State and Local Government** reporting "**Ought to Pass**"

(S.P. 10) (L.D. 2) Bill "An Act to Allow Municipalities to Enact Stricter Standards Regulating Sewer or Septic Sludge" Committee on **Natural Resources** reporting "**Ought to Pass**" as amended by Committee Amendment "A" (S-30)

(S.P. 22) (L.D. 20) Bill "An Act to Clarify the Law Concerning Evictions from Mobile Home Parks" (EMERGENCY) Committee on **Legal and Veterans Affairs** reporting "**Ought to Pass**" as amended by Committee Amendment "A" (S-27)

(S.P. 48) (L.D. 158) Bill "An Act to Preserve Public Springs" Committee on **Health and Human Services** reporting "**Ought to Pass**" as amended by Committee Amendment "A" (S-29)

(S.P. 117) (L.D. 396) Bill "An Act to Allow the Maine Forest Service to Retain Funds from the Sale of Real Estate" Committee on **Agriculture, Conservation and Forestry** reporting "**Ought to Pass**" as amended by Committee Amendment "A" (S-23)

(S.P. 159) (L.D. 488) Bill "An Act to Change the Laws Pertaining to the Issuance of Copies of Birth, Marriage or Death Certificates by Towns" Committee on **State and Local Government** reporting "**Ought to Pass**" as amended by Committee Amendment "A" (S-21)

(H.P. 17) (L.D. 42) Bill "An Act to Allow Veterans to Get Vanity Veteran License Plates" Committee on **Transportation** reporting "**Ought to Pass**" as amended by Committee Amendment "A" (H-83)

(H.P. 97) (L.D. 121) Bill "An Act to Require Disclosure to Prison Workers in the Case of an Inmate Who Tests Positive for Acquired Immune Deficiency Syndrome" Committee on **Judiciary** reporting "**Ought to Pass**" as amended by Committee Amendment "A" (H-81)

(H.P. 299) (L.D. 363) Bill "An Act to Clarify the Manner in Which Decedents' Estates Are to Be Distributed" (EMERGENCY) Committee on **Judiciary** reporting "**Ought to Pass**" as amended by Committee Amendment "A" (H-79)

(H.P. 335) (L.D. 457) Bill "An Act to Discourage Frivolous Lawsuits by Prisoners" Committee on **Judiciary** reporting "**Ought to Pass**" as amended by Committee Amendment "A" (H-80)

There being no objections, the above items were ordered to appear on the Consent Calendar of Monday, March 24, 1997 under the listing of Second Day.

**CONSENT CALENDAR**

**Second Day**

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

(S.P. 275) (L.D. 883) Bill "An Act to Extend the Exemptions for Farm Stands to Include Farmers' Markets"

(S.P. 29) (L.D. 27) Bill "An Act to Broaden the Requirements for Special Veterans Registration Plates" (C. "A" S-17)

(H.P. 13) (L.D. 9) Bill "An Act to Amend the Criminal Code Concerning the Crime of Assault on an Officer"

(H.P. 815) (L.D. 1103) Bill "An Act to Apply Risk-based Capital Standards to Insurers"

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were Passed to be Engrossed or Passed to be Engrossed as Amended in concurrence and the House Papers were Passed to be Engrossed and sent up for concurrence.

**BILLS IN THE SECOND READING  
As Amended**

Bill "An Act to Establish a Commemorative Day Recognizing the Children of this State" (H.P. 306) (L.D. 370) (C. "A" H-34)

Was reported by the Committee on **Bills in the Second Reading**, read the second time, the House Paper was Passed to be Engrossed as Amended and sent up for concurrence.

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**UNFINISHED BUSINESS**

The following matters, in the consideration of which the House was engaged at the time of adjournment yesterday, have preference in the Orders of the Day and continue with such preference until disposed of as provided by House Rule 502.

Bill "An Act to Extend Access to Chiropractic Care under Health Maintenance Organization Managed Care Plans" (H.P. 179) (L.D. 234)

TABLED - March 18, 1997 by Representative CARLETON of Wells.

PENDING - Adoption of Committee Amendment "A" (H-23)

On motion of Representative SAXL of Bangor, tabled pending adoption of Committee Amendment "A" (H-23) and specially assigned for Monday, March 24, 1997.

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Bill "An Act to Ensure Safe Abatement of Lead Hazards" (H.P. 1137) (L.D. 1593)

(Committee on **Health and Human Services** suggested)

TABLED - March 19, 1997 (Till Later Today) by Representative MITCHELL of Portland.

PENDING - Reference.

On motion of Representative SAXL of Portland, tabled pending reference and specially assigned for Monday, March 24, 1997.

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Bill "An Act to Transfer State Ownership of Certain Railroad Rights-of-way, Create the Calais to Eastport Rail Authority and Authorize a General Fund Bond Issue in the Amount of \$4,500,000 to Fund Establishment of Freight Rail Service between Calais and Eastport" (H.P. 1138) (L.D. 1594)

(Committee on **Transportation** suggested)

TABLED - March 19, 1997 (Till Later Today) by Representative DRISCOLL of Calais.

PENDING - Reference.

On motion of Representative SAXL of Portland, the bill was referred to the Committee on **Appropriations and Financial Affairs**, ordered printed and sent up for concurrence.

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HOUSE DIVIDED REPORT - Majority (12) - "**Ought Not to Pass**" - Minority (1) "**Ought to Pass**" as amended by Committee Amendment "A" (H-12)- Committee on **Legal and Veterans Affairs** on Bill "An Act Regarding Opening Hours of Voting Places" (H.P. 216) (L.D. 280)

TABLED - March 19, 1997 (Till Later Today) by LABRECQUE of Gorham.

PENDING - Motion of Representative TUTTLE of Sanford to accept the Majority "**Ought Not to Pass**" Report.

On motion of Representative SAXL of Portland, tabled pending the motion of Representative TUTTLE of Sanford to accept the Majority "**Ought Not to Pass**" Report and specially assigned for Monday, March 24, 1997.

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HOUSE DIVIDED REPORT - Majority (12) - "**Ought Not to Pass**" - Minority (1) "**Ought to Pass**" - Committee on **Utilities**

**and Energy** on Bill "An Act to Modify the Prohibition against Bathing in Sebago Lake within 2 Miles of the Intakes of the Portland Water District" (H.P. 760) (L.D. 1037)

TABLED - March 19, 1997 by MACK of Standish.

PENDING - Motion of Representative JONES of Bar Harbor to accept the Majority "**Ought Not to Pass**" Report.

Subsequently, the Majority "**Ought Not to Pass**" Report was accepted.

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Bill "An Act to Amend the Qualifications for the Office of Sheriff" (H.P. 609) (L.D. 834)

- In House, Majority "**Ought Not to Pass**" Report of the Committee on **State and Local Government** read and accepted.

TABLED -March 19, 1997 by Representative MUSE of South Portland.

PENDING - Motion of same Representative to reconsider acceptance of the Majority "**Ought Not to Pass**" Report.

On motion of Representative SAXL of Portland tabled pending the motion of Representative MUSE of South Portland to reconsider acceptance of the Majority "**Ought Not to Pass**" Report and specially assigned for Monday, March 24, 1997.

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HOUSE DIVIDED REPORT - Majority (8) "**Ought to Pass**" as amended by Committee Amendment -"A" (H-30) - Minority (5) "**Ought Not to Pass**" - Committee on **State and Local Government** on Bill "An Act to Designate Square Dancing as the Official Folk Dance of Maine" (H.P. 111) (L.D. 135)

TABLED -March 19, 1997 by Representative MUSE of South Portland.

PENDING - Motion of same Representative to reconsider acceptance of the Minority "**Ought Not to Pass**" Report.

On motion of Representative SAXL of Portland tabled pending the motion of Representative MUSE of South Portland to reconsider acceptance of the Minority "**Ought Not to Pass**" Report and specially assigned for Monday, March 24, 1997.

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The SPEAKER PRO TEM: The Chair recognizes the Representative from Winterport, Representative Brooks who wishes to address the House on the record.

Representative BROOKS: Madam Speaker, Ladies and Gentlemen of the House. Just a question to the Chair.

The SPEAKER PRO TEM: The Representative may pose his question.

Representative BROOKS: Madam Speaker, Men and Women of the House. Does this then change the status of the bill because it was pending reconsideration and not pending "Ought Not to Pass."

The SPEAKER PRO TEM: The Chair would answer in the negative.

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**TABLED AND TODAY ASSIGNED**

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

Bill "An Act Requiring Progress Reports for Mapping Significant Wildlife Habitat" (H.P. 1088) (L.D. 1531)

- In House, Referred to the Committee on **Inland Fisheries and Wildlife** on March 18, 1997.

- In Senate, Referred to the Committee on **Natural Resources** in non-concurrence.

TABLED - March 20, 1997 by Representative PAUL of Sanford.

PENDING - Further Consideration.

Subsequently, the House voted to Recede and Concur.

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HOUSE DIVIDED REPORT - Majority (10) "**Ought Not to Pass**" - Minority (2) "**Ought to Pass**" as amended by Committee Amendment "A" (H-68) - Committee on **Taxation** on Bill "An Act to Include Slide-in Truck Campers in Property That May Be Included in the Trade-in Allowance Credit" (H.P. 62) (L.D. 87)

TABLED - March 20, 1997 by Representative TRIPP of Topsham.

PENDING - Acceptance of Either Report.

On motion of Representative SAXL of Portland, tabled pending acceptance of either Report and specially assigned Monday, March 24, 1997.

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HOUSE DIVIDED REPORT - Majority (12) "**Ought Not to Pass**" - Minority (1) "**Ought to Pass**" as amended by Committee Amendment "A" (H-69) - Committee on **Taxation** on Bill "An Act to Exempt Capital Gains from the Maine Income Tax" (H.P. 86) (L.D. 111)

TABLED - March 20, 1997 by Representative TRIPP of Topsham.

PENDING - Acceptance of Either Report.

On motion of Representative SAXL of Portland, tabled pending acceptance of either Report and specially assigned Monday, March 24, 1997.

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HOUSE DIVIDED REPORT - Majority (8) "**Ought Not to Pass**" - Minority (5) "**Ought to Pass**" - Committee on **Legal and**

**Veterans Affairs** on Bill "An Act to Prohibit Liquor Licensing of an Establishment Managed by a Person with a Criminal Record" (H.P. 367) (L.D. 512)

TABLED - March 20, 1997 by Representative TUTTLE of Sanford.

PENDING - Acceptance of Either Report.

On motion of Representative SAXL of Portland, tabled pending acceptance of either Report and specially assigned Monday, March 24, 1997.

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HOUSE DIVIDED REPORT - Majority (12) "**Ought Not to Pass**" - Minority (1) "**Ought to Pass**" - Committee on **Natural Resources** on Resolve, to Allow Donald Hebert to Retain a Certain Structure in Exchange for the Removal of Another Structure (H.P. 477) (L.D. 648)

TABLED - March 20, 1997 by Representative ROWE of Portland.

PENDING - Motion of same Representative to accept the Majority "**Ought Not to Pass**" Report.

On motion of Representative SAXL of Portland, tabled pending acceptance of the Majority "**Ought Not to Pass**" Report and specially assigned Monday, March 24, 1997.

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

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On motion of Representative UNDERWOOD of Oxford, the House Adjourned at 10:55 a.m. until 9:00 a.m., Monday, March 24, 1997.