

MAINE STATE LEGISLATURE

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

Volume II

First Special Session

May 16, 1997 - June 20, 1997

Second Regular Session

January 7, 1998 - March 18, 1998

ONE HUNDRED AND EIGHTEENTH LEGISLATURE
SECOND REGULAR SESSION
10th Legislative Day
Tuesday, February 3, 1998

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

Prayer by Reverend Craig L. Cowing, United Church of Monmouth and East Monmouth United Methodist Church.

National Anthem by Foxcroft Academy Band, Dover-Foxcroft. Pledge of Allegiance.

Doctor of the day, Spence Bisbing, D.O., Cumberland Foreside.

The Journal of yesterday was read and approved.

SENATE PAPERS

Resolve, Naming the New Bridge in Medway the Harold C. Beathem Bridge

(S.P. 809) (L.D. 2187)

Came from the Senate, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

REFERRED to the Committee on **TRANSPORTATION** in concurrence.

Pursuant to Resolve

Blue Ribbon Commission to Study the Effects of Government Regulation and Health Insurance Costs on Small Businesses in Maine

Report of the **Blue Ribbon Commission to Study the Effects of Government Regulation and Health Insurance Costs on Small Businesses in Maine** pursuant to Resolve 1997, chapter 85 asks leave to report that the accompanying Bill "An Act to Implement the Recommendations of the Blue Ribbon Commission to Study the Effects of Government Regulation and Health Insurance Costs on Small Businesses in Maine"

(S.P. 811) (L.D. 2190)

Be **REFERRED** to the Committee on **BANKING AND INSURANCE** and printed pursuant to Joint Rule 218.

Came from the Senate, Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **BANKING AND INSURANCE** and ordered printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **BANKING AND INSURANCE** in concurrence.

COMMUNICATIONS

The Following Communication: (H.C. 363)

**MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333**

January 30, 1998

The Honorable Mark W. Lawrence, President
Maine State Senate
The Honorable Elizabeth H. Mitchell, Speaker
Maine House of Representatives
State House
Augusta, ME 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Order, H.P. 1345, the Joint Select Committee to Oversee Maine Yankee Atomic Power Company is pleased to submit its final report. Copies of the report have been transmitted to the Legislative Council in accordance with the

order. Copies of the report have also been provided to the Joint Standing Committee on Utilities and Energy and the Law and Legislative Reference Library.

Sincerely,
S/Sen. Richard J. Carey, Chair
Joint Select Committee to

Oversee

Maine Yankee Atomic Power
Company

READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 364)

**MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333**

February 2, 1998

The Honorable Mark W. Lawrence, President
Maine State Senate

The Honorable Elizabeth H. Mitchell, Speaker
Maine House of Representatives
State House

Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Public Law 1997, chapter 560, Part B, the Maine Commission on Children's Health Care is pleased to submit its final report including recommended legislation. Copies of the report have been transmitted to the Governor, the Legislative Council and the Joint Standing Committee on Health and Human Services in accordance with the law. Copies of the report have also been placed on file with the Law and Legislative Reference Library.

Sincerely,

S/Rep. Randall L. Berry, Chair

Maine Commission on Children's Health Care

READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: (S.P. 805)

118TH MAINE LEGISLATURE

January 27, 1998

Senator Marge Kil Kelly

Representative George Bunker

Chairpersons

Joint Standing Committee on Agriculture, Conservation and Forestry

118th Legislature

Augusta, Maine 04333

Dear Senator Kil Kelly and Representative Bunker:

Please be advised that Governor Angus S. King, Jr. has nominated Fred W. Hardy of New Sharon for reappointment as a member of the Northeast Interstate Dairy Compact.

Pursuant to Title 7, M.R.S.A. §2953-A, this nomination will require review by the Joint Standing Committee on Agriculture, Conservation and Forestry 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 **AGRICULTURE, CONSERVATION AND FORESTRY.**

READ and **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in concurrence.

The Following Communication: (S.P. 806)
118TH MAINE LEGISLATURE
January 27, 1998

Senator John Jenkins
Representative Marc Vigue
Chairpersons
Joint Standing Committee on Business and Economic Development
118th Legislature
Augusta, Maine 04333

Dear Senator Jenkins and Representative Vigue:

Please be advised that Governor Angus S. King, Jr. has nominated David J. Lakari of Portland for reappointment as Executive Director and William S. Randall of Skowhegan for appointment as a member of the Maine State Housing Authority.

Pursuant to Title 30-A, M.R.S.A. §4723, these nominations will require review by the Joint Standing Committee on Business and Economic Development 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 **BUSINESS AND ECONOMIC DEVELOPMENT**.

READ and **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** in concurrence.

The Following Communication: (S.P. 807)
118TH MAINE LEGISLATURE
January 27, 1998

Senator John Nutting
Representative Douglas Ahearne
Chairpersons
Joint Standing Committee on State and Local Government
118th Legislature
Augusta, Maine 04333

Dear Senator Nutting and Representative Ahearne:

Please be advised that Governor Angus S. King, Jr. has nominated Michael F. Kelly of Lewiston as Commissioner of the Department of Public Safety.

Pursuant to Title 25, M.R.S.A. §2901, this nomination will require review by the Joint Standing Committee on State and Local Government 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 **STATE AND LOCAL GOVERNMENT**.

READ and **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

The Following Communication: (S.P. 808)
118TH MAINE LEGISLATURE
January 28, 1998

Senator Susan Longley

Representative Richard Thompson
Chairpersons
Joint Standing Committee on Judiciary
118th Legislature
Augusta, Maine 04333

Dear Senator Longley and Representative Thompson:

Please be advised that Governor Angus S. King, Jr. has nominated the Honorable Jessie Briggs Gunther of Milo for reappointment as Maine District Court Judge designated as fulfilling the residency requirements for the Thirteenth District established in 4 M.R.S.A. §157.

Pursuant to 4 M.R.S.A. §157, this nomination will require review by the Joint Standing Committee on Judiciary 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 **JUDICIARY**.

READ and **REFERRED** to the Committee on **JUDICIARY** in concurrence.

The Following Communication: (S.P. 810)
118TH MAINE LEGISLATURE
January 29, 1998

Senator Peggy Pendleton
Representative Shirley Richard
Chairpersons
Joint Standing Committee on Education and Cultural Affairs
118th Legislature
Augusta, Maine 04333

Dear Senator Pendleton and Representative Richard:

Please be advised that Governor Angus S. King, Jr. has nominated Elizabeth O. Shorr of Portland, Jana LaPoint of Falmouth, Stephen Graebert of Holden and James W. Donovan of Cape Elizabeth for reappointment as members of the Maine Technical College System Board of Trustees.

Pursuant to Title 20-A, M.R.S.A. §12705, these nominations will require review by the Joint Standing Committee on Education and Cultural Affairs 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 **EDUCATION AND CULTURAL AFFAIRS**.

READ and **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills 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 Change the Name of the Knox Agricultural Society" (EMERGENCY)

(H.P. 1563) (L.D. 2194)

Presented by Representative SAVAGE of Union.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

TAXATION

Bill "An Act to Create a Nonlegislative System to Adjust Municipal Valuations in the Circumstance of Sudden and Severe Valuation Disruption"

(H.P. 1561) (L.D. 2192)

Presented by Representative VIGUE of Winslow.
Cosponsored by Senator DAGGETT of Kennebec and Representatives: GAGNON of Waterville, JABAR of Waterville, MERES of Norridgewock, POULIN of Oakland, TESSIER of Fairfield, Senator: CAREY of Kennebec.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

TRANSPORTATION

Bill "An Act to Allow Tow Trucks on Posted Roads" (EMERGENCY)

(H.P. 1562) (L.D. 2193)

Presented by Speaker MITCHELL of Vassalboro.
Cosponsored by Senator O'GARA of Cumberland and Representatives: DRISCOLL of Calais, SAVAGE of Union, WHEELER of Eliot.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

SPECIAL SENTIMENT CALENDAR

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

In Memory of:

Donald J. Dutremble, of Raymond, who was a longtime teacher at Massabesic High School. Mr. Dutremble taught at Sanford Junior High School for 2 years and at Massabesic High School for 25 years. He was head of the math department and coach of the golf team. He also coached girls softball, boys basketball and football. Mr. Dutremble was also an accomplished craftsman and enjoyed hunting, fishing, camping and skiing. He will be greatly missed by his loving family, students, coworkers and many friends;

(SLS 397)

On **OBJECTION** of Representative RICHARD of Madison, was **REMOVED** from the Special Sentiment Calendar.

The **SPEAKER**: The Chair recognizes the Representative from Sanford, Representative Tuttle.

Representative TUTTLE: Madam Speaker, Men and Women of the House. I knew Donald Dutremble. He was a good man whose life ended too shortly at 52 years. He was a good father and a good husband, a good son and a good brother who will be greatly missed by all of us in the York County Community. We extend to Representative Babe Dutremble of Biddeford and his family our condolences and prayers during their time of sorrow. Thank you Madam Speaker.

READ and **ADOPTED** in concurrence.

CONSENT CALENDAR

First Day

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

(H.P. 1364) (L.D. 1914) Bill "An Act Regarding the Possession of Tobacco Products by a Juvenile" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-781)**

(H.P. 1407) (L.D. 1971) Bill "An Act to Provide Representation for Chiropractors on the Board of the Maine Health Data Organization" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-780)**

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

CONSENT CALENDAR

Second Day

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

(H.P. 1390) (L.D. 1943) Bill "An Act to Repeal the Residency Requirement for Credit Union Directors"

No objections having been noted at the end of the Second Legislative Day, the House Paper was **PASSED TO BE ENGROSSED** and sent up for concurrence.

BILLS IN THE SECOND READING

House

Bill "An Act to Amend the Law Governing the Filing of Municipal Campaign Reports"

(H.P. 1365) (L.D. 1915)

Reported by the Committee on **Bills in the Second Reading**, read the second time, and the House Paper was **PASSED TO BE ENGROSSED** and sent up for concurrence.

TABLED AND TODAY ASSIGNED

The Chair laid before the House the following item which was tabled and today assigned:

JOINT ORDER - relative to recalling Bill "An Act to Change the Weekly Employee Pay Requirement in State Law," S.P. 140, L.D. 419 from the Legislative Files to the House.

(H.P. 1405)

- In House, **PASSED** on January 20, 1998.

- In Senate, **FAILED PASSAGE** in **NON-CONCURRENCE**.

TABLED - February 2, 1998 by Representative MORGAN of South Portland.

PENDING - **FURTHER CONSIDERATION**.

Subsequently, the House voted to **INSIST**.

On motion of Representative CLARK of Millinocket, the House adjourned at 9:30 p.m., until 3:00 p.m., Wednesday, February 4, 1998 in honor and lasting tribute to Donald J. Dutremble.