

# MAINE STATE LEGISLATURE

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# **LEGISLATIVE COUNCIL**

**May 24, 1995**

## **Legislative Council Chamber**

### **AGENDA**

#### **CALL TO ORDER**

#### **ROLL CALL**

#### **SECRETARY'S REPORT**

Summary of May 22, 1995, Council Meeting

#### **EXECUTIVE DIRECTOR'S REPORT**

#### **REPORTS FROM COUNCIL COMMITTEES**

#### **OLD BUSINESS**

Item #1: Requests from Joint Standing Committees to Carry Bills  
Over to the Second Regular Session

Item #2: Request from Foster's Daily Democrat for Assignment of  
Space in the State House Press Center

#### **NEW BUSINESS**

Item #1: After Deadline Requests

#### **ANNOUNCEMENTS AND REMARKS**

#### **ADJOURNMENT**

SEN. JANE A. AMERO  
CHAIR

REP. ELIZABETH H. MITCHELL  
VICE-CHAIR

Lynn Randall  
Legislative Council Info.

SEN. JEFFREY H. BUTLAND  
SEN. R. LEO KIEFFER  
SEN. MARK W. LAWRENCE  
SEN. BEVERLY MINER BUSTIN  
REP. DAN A. GWADOSKY  
REP. PAUL F. JACQUES  
REP. WALTER E. WHITCOMB  
REP. JOSEPH G. CARLETON, JR.

SARAH C. TUBBESING  
EXECUTIVE DIRECTOR

## 117th MAINE STATE LEGISLATURE

### LEGISLATIVE COUNCIL

## MEETING SUMMARY

**May 22, 1995**

**Approved June 7, 1995**

### CALL TO ORDER

The Chair, Senator Amero, called the Council to order at 10:40 a.m. in the Legislative Council Chamber.

### ROLL CALL

**Senators:**

President Butland, Sen. Lawrence,  
Sen. Kieffer, Sen. Amero  
Absent: Sen. Bustin

**Representatives:**

Speaker Gwadosky, Rep. Jacques,  
Rep. Whitcomb, Rep. Mitchell  
Absent: Rep. Carleton

**Legislative Officers:**

Sally Tubbesing, Executive Director,  
Legislative Council  
Lynn Randall, State Law Librarian  
John Wakefield, Director, Office of  
Fiscal and Program Review  
David Boulter, Director, Office of  
Policy and Legal Analysis  
Margaret Matheson, Revisor of Statutes  
May Ross, Secretary of the Senate  
Joseph Mayo, Clerk of the House  
Millicent MacFarland, Assistant Clerk  
of the House

### SECRETARY'S REPORT

**Motion:** That the Summary of the May 5 Council meeting be accepted and placed on file. (Motion by Speaker Gwadosky; second by Rep. Jacques; unanimous).

## EXECUTIVE DIRECTOR'S REPORT

Sally Tubbesing presented the following items for the Council's consideration:

**Item #1: Procedures for Use of Capitol Park (requested at May 5 Council meeting)**

Ms. Tubbesing drew members' attention to the materials in their agenda packets, which had been included in response to a request from Sen. Kieffer at the last Council meeting. Ms. Tubbesing noted that, pursuant to enactment of statutory language by the 115th Legislature which assigns responsibility for oversight of Capitol Park to the Council, she had worked with the Director of Capitol Security and others to develop a process for reviewing requests to use Capitol Park. The current process has evolved from experience with various events since 1991. Organizations who wish to use Capitol Park complete an Activity Permit, as they would to have an event anywhere in the Capitol Complex. The Director of Capitol Security and his staff then screen these applications and review them with Ms. Tubbesing. Depending on the nature of the event, they will meet with the applicant to review the rules and to request that the applicant make additional provisions (e.g. sanitary facilities; security; etc.)

The Chair, Senator Amero, recognized Donald Suitter, Director of Capitol Security, and Norm Finley, Superintendent of Grounds. Chief Suitter stated that many groups want to use the Park and that he had taken it upon himself to say "no" to some groups, citing specifically a radio station who had proposed having a rock concert in the Park. He noted that the process that had been developed has worked well, particularly with groups having special requests.

In the brief discussion that followed, Speaker Gwadosky asked how many people had actually participated in the Prayer Vigil the previous fall. Chief Suitter estimated that the crowd had never exceeded 700 - 800 at any one time. The Speaker then thanked Chief Suitter for the "wonderful job he had done coordinating" on behalf of the State, adding that the process seems to work smoothly. Chief Suitter responded that he and his staff take great pride in the Park. He then noted that it was more difficult to process requests for use of the Park when the Legislature was not in session. Rep. Jacques responded that he would defer to Chief Suitter's judgment; and Rep. Whitcomb concurred, adding that he would encourage Chief Suitter to err on the side of conservatism in his reviews.

The Chair, Senator Amero, thanked both Chief Suitter and Mr. Finley for coming to the meeting.

No formal Council action was required on this item.

Note: The following items were deferred until the Council had completed its consideration of the rest of the agenda.

**Item #2: General Status Report**

Ms. Tubbesing drew members' attention to the Summary Report of the Status of Bills Remaining in Committee, noting that most committees had come very close to meeting the targets established by the presiding officers. She further noted that the presiding officers had set Friday, June 2, as the deadline for completion of work on all bills still remaining in committee.

In response to a question from Rep. Mitchell, Margaret Matheson reported that there were only 16 bills remaining in the drafting process, of which 5 were awaiting signature.

No Council Action was required on this item.

**Item #3: Personnel Actions**

Ms. Tubbesing reported that Richard Sawyer, Administrative Services Director, had decided to retire from the Legislature effective June 30, having worked as a state employee for more than 33 years, and a member of the non-partisan staff since 1977. She drew members' attention to the position description for the Administrative Services Director, noting that the responsibilities and duties are both significant and central to the effective and efficient operation of the Legislature. She requested that the Personnel Committee meet with her to discuss the opportunities for filling the position.

Sen. Amero stated that she had talked with Mr. Sawyer briefly since learning of his decision to retire and expressed appreciation for his service.

No Council action was required on this item.

## **REPORTS FROM COUNCIL COMMITTEES**

None.

## **OLD BUSINESS**

None.

## NEW BUSINESS

### Item #1: After Deadline Requests

The Council considered after deadline requests. A summary of the Council's action on these requests is attached to this meeting summary.

### Item #2: Requests from Joint Standing Committees to Carry Bills Over to the Second Regular Session

Motion: That this item be tabled until Wednesday, May 24, at 1 p.m. (Motion by Rep. Jacques; second by Sen. Kieffer; unanimous).

### Item #3: Request from Senator Abromson and Representative Vigue for the State of Maine to join the National Conference of Insurance Legislators

In the discussion of this item, Rep. Mitchell and Senator Amero both asked what the Legislature would gain from membership in this organization that is not available through the National Conference of State Legislatures and other organizations to which the Legislature already belongs.

Senator Kieffer, who had just returned from attending a meeting of the Council of State Governments/Eastern Regional Conference Executive Committee, stated that the Council needs to take a hard look at the organizations the Legislature already belongs to and further advocated that "we either need to be active participants and make use of all their resources or get out."

Motion: That the request be denied. (Motion by Sen. Lawrence; second by Rep. Mitchell; unanimous).

## ANNOUNCEMENTS AND REMARKS

None.

## ADJOURNMENT

The Council meeting was adjourned at 11:34 a.m., on the motion of Rep. Jacques.

LEGISLATIVE COUNCIL  
ACTION ON REQUESTS TO INTRODUCE LEGISLATION  
FIRST REGULAR SESSION  
May 22, 1995

		Action
SPONSOR:	Sen. Begley, Charles M.	WITHDRAWN
LR 2293	An Act to Amend the Definition of Responsible Party in the Underground Oil Storage Facilities Laws	
SPONSOR:	Sen. Lawrence, Mark W.	FAILED
LR 2339	An Act Concerning the Sales and Use Tax Assessed on the Purchase of a Motor Vehicle	
SPONSOR:	Sen. Mills, Peter	ACCEPTED
LR 2416	An Act Concerning the Sites for Western Aroostook District Court	
SPONSOR:	Rep. Poirier, Theodore M.	WITHDRAWN
LR 2306	An Act to Amend the Law Governing the Practice of Architecture	
SPONSOR:	Rep. Saxl, Michael V.	ACCEPTED
LR 2368	An Act to Exempt Food Banks from Sales Tax	
SPONSOR:	Rep. Saxl, Michael V.	WITHDRAWN
LR 2369	An Act to Assure Equal Access to Justice	
SPONSOR:	Rep. Saxl, Michael V.	WITHDRAWN
LR 2370	An Act to Create the Victims of Abuse Access to Health Insurance Act	
SPONSOR:	Rep. Saxl, Michael V.	WITHDRAWN
LR 2371	An Act to Prohibit Stalking	
SPONSOR:	Rep. Saxl, Michael V.	ACCEPTED
LR 2411	An Act to Appropriate Funds for the Building Alternatives Program	

**SPONSOR: Rep. Underwood, John**

**FAILED**

**LR 2400 An Act to Allow the Town of Mechanics Falls to  
Construct a High School**

**JOINT RESOLUTION**

**SPONSOR: Rep. Cloutier, Peter A.**

**ACCEPTED**

**LR 2392 JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE  
UNITED STATES TO EXTEND THE MAINE TERRITORIAL SEA  
LIMITS FROM 3 MILES TO 12 MILES**

TABLED BY THE LEGISLATIVE COUNCIL

SPONSOR: Sen. Cleveland, John J.

TABLED  
05/22/95

LR 2399 An Act to Amend Certain Effective Date and Referenda Provisions Regarding the Authorization for a Community School District in the Towns of Mechanic Falls, Minot and Poland

SPONSOR: Rep. Kilkelly, Marjorie L.

TABLED  
05/22/95

LR 2405 An Act Regarding Timothy Harkins and Maine State Retirement System Benefits

SPONSOR: Rep. Libby, Jack L.

TABLED  
05/05/95

LR 2338 An Act to Prohibit Interference in the Delivery of Emergency Medical Services

SPONSOR: Sen. McCormick, Dale

TABLED  
05/05/95

LR 2378 An Act to Amend the Campaign Laws as They Pertain to the Mailing of Campaign Literature

SPONSOR: Sen. Paradis, Judy

TABLED  
05/22/95

LR 2401 An Act to Extend the Reporting Deadline for the Blue Ribbon Commission on Hunger and Food Security

SPONSOR: Rep. Plowman, Debra D.

TABLED  
05/05/95

LR 2396 An Act to Prohibit Cigarette and Tobacco Manufacturers from Giving Away Free Tobacco Products

SPONSOR: Rep. Poulin, Thomas E.

TABLED  
03/01/95

LR 2297 An Act to Amend the Laws Regarding the Color of Lights for Private Security Vehicles

SPONSOR: Rep. Richardson, Fred L.

TABLED  
01/11/95

LR 2096 An Act to Abolish Secrecy in the Courts on Matters of Public Health or Safety

**SPONSOR:** Sen. Ruhlman, Richard P. **TABLED**  
**05/05/95**  
LR 2340 An Act to Amend What Constitutes Equivalency of Taking  
a Hunter Safety Course

**SPONSOR:** Rep. Tuttle, Jr., John L. **TABLED**  
**01/25/95**  
LR 2139 An Act to Exempt From Liability Health Care  
Professionals Rendering Medical Services at Free Clinics

**SPONSOR:** Rep. Wheeler, Edgar M. **TABLED**  
**03/01/95**  
LR 2310 An Act Authorizing the Reimbursement of Costs Associated  
with the Imprisonment of Persons who Violate Probation

**SPONSOR:** Rep. Whitcomb, Walter E. **TABLED**  
**05/22/95**  
LR 2413 An Act to Create the Prospect Water Authority

#### JOINT RESOLUTION

**SPONSOR:** Rep. Adams, Herbert **TABLED**  
**03/01/95**  
LR 2044 JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE  
UNITED STATES TO RECOGNIZE MERCHANT MARINE VETERANS  
OF WORLD WAR II WITH FULL VETERAN STATUS

**SPONSOR:** Rep. Campbell, Richard H. **TABLED**  
**01/11/95**  
LR 0118 JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE  
UNITED STATES TO DESIGNATE ESCHERICHIA COLI 0157:H7  
AS A REPORTABLE DISEASE THROUGHOUT THE NATION

**SPONSOR:** Rep. Donnelly, James O. **TABLED**  
**03/01/95**  
LR 2299 JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE  
UNITED STATES TO REJECT THE CANADIAN BORDER CROSSING FEE

**SPONSOR:** Rep. Gooley, Walter R. **TABLED**  
**01/25/95**  
LR 1186 JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE  
UNITED STATES TO CEASE CERTAIN ACTIVITIES CONCERNING  
THE UNITED NATIONS

**SPONSOR: Sen. Hathaway, W. John**

**TABLED  
05/05/95**

**LR 2387** JOINT RESOLUTION MEMORIALIZING THE PUBLIC UTILITIES  
COMMISSION OF MAINE NOT TO FREEZE TELEPHONE RATES  
AND NOT TO REDUCE BY 6% FUTURE REVENUE FOR NYNEX

**SPONSOR: Rep. Jacques, Paul F.**

**TABLED  
01/11/95**

**LR 1236** JOINT RESOLUTION MEMORIALIZING CONGRESS TO ALLOW ALL  
STATES EAST OF THE 100TH MERIDIAN TO REGULATE THE  
EXPORT OF UNPROCESSED LOGS

**SPONSOR: Rep. Mitchell, J. Elizabeth**

**TABLED  
01/11/95**

**LR 1760** JOINT RESOLUTION MEMORIALIZING CONGRESS TO REQUIRE  
FULL DISCLOSURE IN INSURANCE PLANS AND MANAGED HEALTH  
CARE PLANS

**SPONSOR: Sen. O'Dea, John J.**

**TABLED  
01/11/95**

**LR 0043** JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE  
UNITED STATES CONCERNING THE FEES CHARGED BY THE  
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

**SPONSOR: Rep. Underwood, John**

**TABLED  
03/01/95**

**LR 2305** JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE  
UNITED STATES TO OPPOSE THE BORDER CROSSING FEE

**SPONSOR: Rep. Volenik, Paul**

**TABLED  
01/11/95**

**LR 0745** JOINT RESOLUTION MEMORIALIZING THE UNITED STATES  
CONGRESS AND THE UNITED STATES ENVIRONMENTAL PROTECTION  
AGENCY TO APPROVE THE SALE OF REFORMULATED GASOLINE IN  
ALL 16 COUNTIES IN THIS STATE

**SPONSOR: Rep. Wheeler, Edgar M.**

**TABLED  
03/01/95**

**LR 2301** JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE  
UNITED STATES TO OPPOSE THE PROPOSED BORDER CROSSING FEES



LYNN RANDALL  
LAW AND LEGISLATIVE  
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## 117th Maine Legislature

Jeffrey H. Butland  
President of the Senate

May 8, 1995

Dan A. Gwadosky  
Speaker of the House

TO: Chairs, Joint Standing Committees

FROM: Jeffrey H. Butland, President of the Senate <sup>JB</sup>  
Dan A. Gwadosky, Speaker of the House <sub>AG</sub>

SUBJECT: Requests to Carry Over Bills to the Second Regular Session

As you know this Friday, May 12, is the next deadline we have established to assist us all in managing the flow of our work on bills in both committee and on the floor. As you continue your efforts in committee to determine the disposition of your remaining bills, we want to provide you with the policies and procedures governing requests to carry bills over to the Second Regular Session. We would ask that you share these with the members of your committee.

The Carry Over mechanism is designed to give committees -- and the full Legislature -- a vehicle for deferring action on certain bills. This deferral may give the committee additional time to consider a complex issue, or it may allow outside parties to reach consensus on a resolution to present to the committee. Requests to carry bills over are reviewed by the Legislative Council; and bills that the Council approves are then assembled in a Joint Order, which requires action by the full Legislature. Because bills that are carried over become part of the Legislature's workload for the Second Regular Session -- the "short session" -- the Council reviews these requests carefully.

If your committee wishes to request that one or more bills be carried over, we ask that you employ the following procedures:

- Submit your request to carry bills over in a letter addressed to the Council and include the reason for your request. Your Committee Analyst is prepared to assist you in preparing this letter.
- Include in your letter evidence that the request to carry a bill over is supported by a majority of your committee members.

The Legislative Council has set Friday, May 19, as the deadline for submitting carry over requests. The Council will meet then the following Monday, May 22, to review these requests. We would note that the Council's approval to carry over a bill should, in no case, be interpreted as approval for the Committee to meet to study the policy issues raised by the bill during the interim. Requests for studies will be considered separately by the Council.

We, as presiding officers, and the entire Council are committed to considering requests to carry bills over, and we appreciate your cooperation in providing the information that will help us make appropriate decisions.

Thank you.

cc: Honorable Jane A. Amero, Chair  
Honorable Elizabeth H. Mitchell, Vice-Chair  
and Members of the Legislative Council  
Legislative Staff Directors

Legislative Council  
Requests to Carry Over Bills  
to the Next Regular Session

DB: TEST7  
RPT: SPEC04

May 22, 1995

Committee Name	Title	Sponsors
Agriculture, Conservation and Forestry		
L.D. 572	An Act to Transfer Regulatory Control of Whitewater Rafting to the Department of Conservation's Bureau of Parks and Recreation	ROTONDI
L.D. 1267	An Act to Establish the Maine Outdoor Recreation Council	O'DEA
Appropriations and Financial Affairs		
L.D. 811	Resolve, to Initiate an Outside Audit to Identify Savings and Duplicate or Unnecessary Programs within State Government	REED G
Banking and Insurance		
L.D. 183	An Act to Clarify Fresh Start Charges under the Workers' Compensation Laws	PLOWMAN
L.D. 690	An Act to Provide Family Security through Quality, Affordable Health Care	MARTIN
L.D. 752	An Act to Include Obstetricians and Gynecologists as Primary Care Providers	MILLS
L.D. 841	An Act to Amend the Approval Requirements for Medicare Supplement Insurance Policies	CARPENTER LORD
L.D. 1079	An Act to Improve Coverage for Women's Health Services	MITCHELL JE MCCORMICK
L.D. 1385	An Act to Ensure That Basic Health Care Needs of Women Are Covered in Insurance Policies	DONNELLY
L.D. 1512	An Act to Ensure Fairness and Choice to Patients and Providers under Managed Health Care	MCCORMICK AMERO LIBBY JD
Business and Economic Development		
L.D. 47	An Act to Make Pet Dealers Liable for the Sale of Dogs and Cats That Have Health Problems	VIGUE
L.D. 947	An Act to Amend the Laws Pertaining to the Regulation of Denturists	MICHAUD
L.D. 1148	An Act to Amend the Social Work Practice Licensing Laws	AMERO
L.D. 1270	An Act to Redefine the Oil and Solid Fuel Board	HARRIMAN

<u>Committee Name</u>	<u>Title</u>	<u>Sponsors</u>
<b>Criminal Justice</b>		
L.D. 659	An Act to Allow Charitable Solicitation by Law Enforcement Officers, Agencies and Associations	BAILEY
L.D. 1030	An Act to Provide Services to Adjudicated Young Women	JOHNSON
L.D. 1235	An Act to Transfer Juvenile Correctional Functions to the Department of Human Services	BRENNAN
L.D. 1294	An Act to Prohibit Home Repair Fraud and Establish Aggravated Penalties When the Victim Is an Older Person	GWADOSKY
L.D. 1457	An Act to Discourage the Spread of "Crack" Cocaine	BUNKER
L.D. 1510	An Act to Make Comprehensive Changes to the Sex Offender Laws	PINGREE
<b>Education and Cultural Affairs</b>		
L.D. 66	An Act to Establish Choices for Parents and Guardians in their Children's Education	AMERO
L.D. 880	An Act Concerning Referendum Reform for School Budgets	REED W HALL
L.D. 1124	An Act to Establish the Education Reform Act of 1995	MITCHELL EH
<b>Human Resources</b>		
L.D. 271	An Act to Establish an Electronic Benefit Delivery Program for Aid to Families with Dependent Children, Food Stamp, Women, Infants and Children Special Supplemental Food and Medicaid Programs	MORRISON
L.D. 371	An Act to Abolish the Maine Health Care Finance Commission	WHITCOMB
L.D. 974	An Act to Create an Advisory Board and State and Local Interagency Teams to Assist in the Provision of Care for Children and Adolescents with Severe Emotional Disturbance	FITZPATRICK
<b>Inland Fisheries and Wildlife</b>		
L.D. 384	Resolve, to Install Fish Screens in the West Grand Lake Dam	BAILEY
L.D. 1393	Resolve, to Standardize Certain Ice Fishing and Open Water Fishing Rules	UNDERWOOD
<b>Judiciary</b>		
L.D. 19	An Act to Change the Statute of Limitations for Professional Negligence in Sterilization Procedures	RICHARDSON MILLS
L.D. 161	An Act to Establish a Limit on Noneconomic Damages in Medical Malpractice Actions	HALL

Committee Name	Title	Sponsors
L.D. 346	An Act to Change the Maine Rule of Evidence That Currently Allows the Admission of Subsequent Remedial Measures as Evidence of Negligence	RICHARDSON
L.D. 423	An Act to Establish a Limit on Noneconomic Damages in Medical Malpractice Actions	KIEFFER
L.D. 514	An Act to Improve the Operation of Prelitigation Screening Panels	PLOWMAN
L.D. 526	An Act to Amend the Statute of Limitations for Health Care Providers and Health Care Practitioners to Include a Discovery Rule	TREAT RAND
L.D. 636	An Act to Modify Joint and Several Liability in Medical Malpractice Actions	RUHLIN
L.D. 643	An Act to Provide Better Information Concerning Tort Reform BY REQUEST	LONGLEY
L.D. 658	An Act Concerning Real Estate Trusts	OTT
L.D. 670	An Act to Extend the Medical Liability Demonstration Project Deadline by 3 Years	SAXL J
L.D. 742	An Act Regarding Wrongful Death Actions	LAFOUNTAIN
L.D. 916	An Act to Improve the Function of the Maine Health Security Act	MILLS
L.D. 1252	An Act to Clarify the Role of Prelitigation Screening Panels under the Health Security Act	MILLS
L.D. 1331	An Act Relating to Confidentiality of Records and the Prevention of Child Sexual Abuse	RICHARDSON
L.D. 1371	An Act Relating to Civil Actions, Providing for the Defense of Assumption of Risk, Providing for Standards of Liability in Product Liability Actions and Providing for Standards and Procedures in Awarding Punitive Damages	CIANCHETTE
L.D. 1448	An Act to Reconcile Rights and Responsibilities with Respect to Sexual Orientation and Related Matters	BERUBE
L.D. 1517	An Act to Create the Sunshine in Litigation Act	MILLS
Labor		
L.D. 483	An Act to Abolish the Legislative Retirement System	UNDERWOOD
L.D. 1056	Resolve, to Create an Advisory Committee to Assist in the Funding of State Employee Workers' Compensation Claims	HARRIMAN

Committee Name	Title	Sponsors
Legal and Veterans Affairs		
L.D. 400	An Act to Authorize Video Gaming	DIPIETRO
L.D. 848	An Act to Further the Privatization of Liquor Stores within the State	STEVENS A
L.D. 1076	An Act to Clarify the Laws Regarding the Ejection of a Person from a Boardinghouse	JONES K
L.D. 1218	An Act to Amend the Laws Relating to Harness Racing	KERR
Marine Resources		
L.D. 185	An Act to Restrict the Taking of Eels Less than 6 Inches in Length from Maine Coastal Waters	HEINO
Natural Resources		
L.D. 646	An Act to Reinstate the Laws Governing Dam Abandonment	HANLEY
L.D. 1014	Resolve, Directing the Commissioner of Environmental Protection to Propose a Plan to Reorganize the Department of Environmental Protection	GOULD
State and Local Government		
L.D. 169	Resolve, Establishing the Maine Council on Privatization	KIEFFER JOY
L.D. 975	An Act to Establish the Department of Health and Family Services	MORRISON
L.D. 1185	An Act to Give the Washington County Legislative Delegation a Role in the County Budget Process	BUNKER
L.D. 1213	An Act to Implement the Recommendations of the Special Commission on Governmental Restructuring	AMERO
L.D. 1328	An Act to Limit the Length of Legislative Sessions	LUMBRA
L.D. 1338	An Act to Restructure the Department of Human Services and the Department of Mental Health and Mental Retardation	BRENNAN
Taxation		
L.D. 490	An Act to Establish a State Income Tax Credit for Health Insurance Premiums	HATHAWAY
L.D. 586	An Act to Establish a Flat Income Tax Rate for Certain Persons	HATHAWAY
L.D. 835	An Act to Encourage the Use of Maine Ports by Allowing a State Income Tax Credit on Taxes Assessed by the Federal Government on Shippers	RAND
L.D. 1458	An Act to Provide a New Jobs Tax Credit	SIMONEAU

Legislative Council  
Requests to Carry Over Bills  
to the Next Regular Session

DB: TEST7  
RPT: SPEC04

May 24, 1995

Committee Name	Title	Sponsors
Agriculture, Conservation and Forestry		
L.D. 572	An Act to Transfer Regulatory Control of Whitewater Rafting to the Department of Conservation's Bureau of Parks and Recreation	ROTONDI
L.D. 1267	An Act to Establish the Maine Outdoor Recreation Council	O'DEA
L.D. 1404	An Act to Amend the Law Regarding the Lease of Submerged Lands	KILKELLY GOULD
Appropriations and Financial Affairs		
L.D. 811	Resolve, to Initiate an Outside Audit to Identify Savings and Duplicate or Unnecessary Programs within State Government	REED G
Banking and Insurance		
L.D. 183	An Act to Clarify Fresh Start Charges under the Workers' Compensation Laws	PLOWMAN
L.D. 690	An Act to Provide Family Security through Quality, Affordable Health Care	MARTIN
L.D. 752	An Act to Include Obstetricians and Gynecologists as Primary Care Providers	MILLS
L.D. 841	An Act to Amend the Approval Requirements for Medicare Supplement Insurance Policies	CARPENTER LORD
L.D. 1079	An Act to Improve Coverage for Women's Health Services	MITCHELL JE MCCORMICK
L.D. 1385	An Act to Ensure That Basic Health Care Needs of Women Are Covered in Insurance Policies	DONNELLY
L.D. 1512	An Act to Ensure Fairness and Choice to Patients and Providers under Managed Health Care	MCCORMICK AMERO LIBBY JD
L.D. 1513	An Act to Promote Additional Health Insurance Reform	GWADOSKY
Business and Economic Development		
L.D. 47	An Act to Make Pet Dealers Liable for the Sale of Dogs and Cats That Have Health Problems	VIGUE

<u>Committee Name</u>	<u>Title</u>	<u>Sponsors</u>
L.D. 947	An Act to Amend the Laws Pertaining to the Regulation of Denturists	MICHAUD
L.D. 1148	An Act to Amend the Social Work Practice Licensing Laws	AMERO
L.D. 1270	An Act to Redefine the Oil and Solid Fuel Board	HARRIMAN
Criminal Justice		
L.D. 659	An Act to Allow Charitable Solicitation by Law Enforcement Officers, Agencies and Associations	BAILEY
L.D. 1030	An Act to Provide Services to Adjudicated Young Women	JOHNSON
L.D. 1235	An Act to Transfer Juvenile Correctional Functions to the Department of Human Services	BRENNAN
L.D. 1294	An Act to Prohibit Home Repair Fraud and Establish Aggravated Penalties When the Victim Is an Older Person	GWADOSKY
L.D. 1457	An Act to Discourage the Spread of "Crack" Cocaine	BUNKER
L.D. 1510	An Act to Make Comprehensive Changes to the Sex Offender Laws	PINGREE
Education and Cultural Affairs		
L.D. 66	An Act to Establish Choices for Parents and Guardians in their Children's Education	AMERO
L.D. 880	An Act Concerning Referendum Reform for School Budgets	REED W HALL
L.D. 1124	An Act to Establish the Education Reform Act of 1995	MITCHELL EH
Human Resources		
L.D. 271	An Act to Establish an Electronic Benefit Delivery Program for Aid to Families with Dependent Children, Food Stamp, Women, Infants and Children Special Supplemental Food and Medicaid Programs	MORRISON
L.D. 371	An Act to Abolish the Maine Health Care Finance Commission	WHITCOMB
L.D. 974	An Act to Create an Advisory Board and State and Local Interagency Teams to Assist in the Provision of Care for Children and Adolescents with Severe Emotional Disturbance	FITZPATRICK
Inland Fisheries and Wildlife		
L.D. 384	Resolve, to Install Fish Screens in the West Grand Lake Dam	BAILEY
L.D. 904	An Act to Increase the Penalties for Certain Crimes Involving Alcohol and Illegal Drugs	O'DEA

Committee Name	Title	Sponsors
L.D. 1393	Resolve, to Standardize Certain Ice Fishing and Open Water Fishing Rules	UNDERWOOD
Judiciary		
L.D. 19	An Act to Change the Statute of Limitations for Professional Negligence in Sterilization Procedures	RICHARDSON MILLS
L.D. 161	An Act to Establish a Limit on Noneconomic Damages in Medical Malpractice Actions	HALL
L.D. 346	An Act to Change the Maine Rule of Evidence That Currently Allows the Admission of Subsequent Remedial Measures as Evidence of Negligence	RICHARDSON
L.D. 423	An Act to Establish a Limit on Noneconomic Damages in Medical Malpractice Actions	KIEFFER
L.D. 514	An Act to Improve the Operation of Prelitigation Screening Panels	PLOWMAN
L.D. 526	An Act to Amend the Statute of Limitations for Health Care Providers and Health Care Practitioners to Include a Discovery Rule	TREAT RAND
L.D. 636	An Act to Modify Joint and Several Liability in Medical Malpractice Actions	RUHLIN
L.D. 643	An Act to Provide Better Information Concerning Tort Reform BY REQUEST	LONGLEY
L.D. 658	An Act Concerning Real Estate Trusts	OTT
L.D. 670	An Act to Extend the Medical Liability Demonstration Project Deadline by 3 Years	SAXL J
L.D. 742	An Act Regarding Wrongful Death Actions	LAFOUNTAIN
L.D. 916	An Act to Improve the Function of the Maine Health Security Act	MILLS
L.D. 1252	An Act to Clarify the Role of Prelitigation Screening Panels under the Health Security Act	MILLS
L.D. 1331	An Act Relating to Confidentiality of Records and the Prevention of Child Sexual Abuse	RICHARDSON
L.D. 1371	An Act Relating to Civil Actions, Providing for the Defense of Assumption of Risk, Providing for Standards of Liability in Product Liability Actions and Providing for Standards and Procedures in Awarding Punitive Damages	CIANCHETTE

Committee Name	Title	Sponsors
L.D. 1448	An Act to Reconcile Rights and Responsibilities with Respect to Sexual Orientation and Related Matters	BERUBE
L.D. 1517	An Act to Create the Sunshine in Litigation Act	MILLS
Labor		
L.D. 483	An Act to Abolish the Legislative Retirement System	UNDERWOOD
L.D. 1056	Resolve, to Create an Advisory Committee to Assist in the Funding of State Employee Workers' Compensation Claims	HARRIMAN
Legal and Veterans Affairs		
L.D. 400	An Act to Authorize Video Gaming	DIPIETRO
L.D. 848	An Act to Further the Privatization of Liquor Stores within the State	STEVENS A
L.D. 1076	An Act to Clarify the Laws Regarding the Ejection of a Person from a Boardinghouse	JONES K
L.D. 1218	An Act to Amend the Laws Relating to Harness Racing	KERR
Marine Resources		
L.D. 185	An Act to Restrict the Taking of Eels Less than 6 Inches in Length from Maine Coastal Waters	HEINO
L.D. 1210	An Act to Protect Near-shore Groundfish Spawning Areas	HARRIMAN
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L.D. 1014	Resolve, Directing the Commissioner of Environmental Protection to Propose a Plan to Reorganize the Department of Environmental Protection	GOULD
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L.D. 169	Resolve, Establishing the Maine Council on Privatization	KIEFFER JOY
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L.D. 1185	An Act to Give the Washington County Legislative Delegation a Role in the County Budget Process	BUNKER
L.D. 1213	An Act to Implement the Recommendations of the Special Commission on Governmental Restructuring	AMERO
L.D. 1328	An Act to Limit the Length of Legislative Sessions	LUMBRA
L.D. 1338	An Act to Restructure the Department of Human Services and the Department of Mental Health and Mental Retardation	BRENNAN

<u>Committee Name</u>	<u>Title</u>	<u>Sponsors</u>
L.D. 1355	An Act to Establish Standards for Privatization Contracts	BUSTIN
<b>Taxation</b>		
L.D. 490	An Act to Establish a State Income Tax Credit for Health Insurance Premiums	HATHAWAY
L.D. 586	An Act to Establish a Flat Income Tax Rate for Certain Persons	HATHAWAY
L.D. 835	An Act to Encourage the Use of Maine Ports by Allowing a State Income Tax Credit on Taxes Assessed by the Federal Government on Shippers	RAND
L.D. 1458	An Act to Provide a New Jobs Tax Credit	SIMONEAU
<b>Transportation</b>		
L.D. 465	An Act to Improve the Local Road Assistance Program	ROWE
L.D. 739	An Act to Decrease the Burden on the Trucking Industry by Permitting Photocopies of Registrations to Be Kept in Trailers and Semitrailers	STONE
<b>Utilities and Energy</b>		
L.D. 734	An Act to Revise the Ogunquit Sewer District Charter	CARLETON
L.D. 828	An Act to Provide Public Access to the Information Superhighway through Enhanced Library Telecommunications	TREAT
L.D. 871	An Act Concerning the Calculation of Private Fire Protection Charges	ADAMS

— End of Report —

Legislative Council  
Action on Requests to Carry Over Bills  
to the Second Regular Session  
as of May 24, 1995

DB: TEST7  
RPT: SPEC05

Committee Name	Title	Sponsors	Action
Agriculture, Conservation and Forestry			
L.D. 572	An Act to Transfer Regulatory Control of Whitewater Rafting to the Department of Conservation's Bureau of Parks and Recreation	ROTONDI	Approved 5/24/95
L.D. 1267	An Act to Establish the Maine Outdoor Recreation Council	O'DEA	Approved 5/24/95
L.D. 1404	An Act to Amend the Law Regarding the Lease of Submerged Lands	KILKELLY GOULD	Approved 5/24/95
Appropriations and Financial Affairs			
L.D. 811	Resolve, to Initiate an Outside Audit to Identify Savings and Duplicate or Unnecessary Programs within State Government	REED G	Approved 5/24/95
Banking and Insurance			
L.D. 183	An Act to Clarify Fresh Start Charges under the Workers' Compensation Laws	PLOWMAN	Approved 5/24/95
L.D. 690	An Act to Provide Family Security through Quality, Affordable Health Care	MARTIN	Approved 5/24/95
L.D. 752	An Act to Include Obstetricians and Gynecologists as Primary Care Providers	MILLS	Approved 5/24/95
L.D. 841	An Act to Amend the Approval Requirements for Medicare Supplement Insurance Policies	CARPENTER LORD	Approved 5/24/95
L.D. 1079	An Act to Improve Coverage for Women's Health Services	MITCHELL JE. MCCORMICK	Approved 5/24/95
L.D. 1385	An Act to Ensure That Basic Health Care Needs of Women Are Covered in Insurance Policies	DONNELLY	Approved 5/24/95
L.D. 1512	An Act to Ensure Fairness and Choice to Patients and Providers under Managed Health Care	MCCORMICK AMERO LIBBY JD	Approved 5/24/95
L.D. 1513	An Act to Promote Additional Health Insurance Reform	GWADOSKY	Approved 5/24/95
Business and Economic Development			
L.D. 47	An Act to Make Pet Dealers Liable for the Sale of Dogs and Cats That Have Health Problems	VIGUE	Approved 5/24/95

Committee Name	Title	Sponsors	Action
L.D. 947	An Act to Amend the Laws Pertaining to the Regulation of Denturists	MICHAUD	Approved 5/24/95
L.D. 1148	An Act to Amend the Social Work Practice Licensing Laws	AMERO	Approved 5/24/95
L.D. 1270	An Act to Redefine the Oil and Solid Fuel Board	HARRIMAN	Approved 5/24/95
Criminal Justice			
L.D. 659	An Act to Allow Charitable Solicitation by Law Enforcement Officers, Agencies and Associations	BAILEY	Approved 5/24/95
L.D. 1030	An Act to Provide Services to Adjudicated Young Women	JOHNSON	Approved 5/24/95
L.D. 1235	An Act to Transfer Juvenile Correctional Functions to the Department of Human Services	BRENNAN	Approved 5/24/95
L.D. 1294	An Act to Prohibit Home Repair Fraud and Establish Aggravated Penalties When the Victim Is an Older Person	GWADOSKY	Approved 5/24/95
L.D. 1457	An Act to Discourage the Spread of "Crack" Cocaine	BUNKER	Approved 5/24/95
L.D. 1510	An Act to Make Comprehensive Changes to the Sex Offender Laws	PINGREE	Approved 5/24/95
Education and Cultural Affairs			
L.D. 66	An Act to Establish Choices for Parents and Guardians in their Children's Education	AMERO	Approved 5/24/95
L.D. 880	An Act Concerning Referendum Reform for School Budgets	REED W HALL	Approved 5/24/95
L.D. 1124	An Act to Establish the Education Reform Act of 1995	MITCHELL EH	Approved 5/24/95
Human Resources			
L.D. 271	An Act to Establish an Electronic Benefit Delivery Program for Aid to Families with Dependent Children, Food Stamp, Women, Infants and Children Special Supplemental Food and Medicaid Programs	MORRISON	Approved 5/24/95
L.D. 371	An Act to Abolish the Maine Health Care Finance Commission	WHITCOMB	No Action Taken
L.D. 974	An Act to Create an Advisory Board and State and Local Interagency Teams to Assist in the Provision of Care for Children and Adolescents with Severe Emotional Disturbance	FITZPATRICK	Approved 5/24/95
Inland Fisheries and Wildlife			
L.D. 384	Resolve, to Install Fish Screens in the West Grand Lake Dam	BAILEY	Approved 5/24/95
L.D. 904	An Act to Increase the Penalties for Certain Crimes Involving Alcohol and Illegal Drugs	O'DEA	Approved 5/24/95

Committee Name	Title	Sponsors	Action
L.D. 1393	Resolve, to Standardize Certain Ice Fishing and Open Water Fishing Rules	UNDERWOOD	Approved 5/24/95
Judiciary			
L.D. 19	An Act to Change the Statute of Limitations for Professional Negligence in Sterilization Procedures	RICHARDSON MILLS	Req. Withdrawn 5/24/95
L.D. 161	An Act to Establish a Limit on Noneconomic Damages in Medical Malpractice Actions	HALL	Req. Withdrawn 5/24/95
L.D. 346	An Act to Change the Maine Rule of Evidence That Currently Allows the Admission of Subsequent Remedial Measures as Evidence of Negligence	RICHARDSON	Approved 5/24/95
L.D. 423	An Act to Establish a Limit on Noneconomic Damages in Medical Malpractice Actions	KIEFFER	Approved 5/24/95
L.D. 514	An Act to Improve the Operation of Prelitigation Screening Panels	PLOWMAN	Req. Withdrawn 5/24/95
L.D. 526	An Act to Amend the Statute of Limitations for Health Care Providers and Health Care Practitioners to Include a Discovery Rule	TREAT RAND	Approved 5/24/95
L.D. 636	An Act to Modify Joint and Several Liability in Medical Malpractice Actions	RUHLIN	Approved 5/24/95
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L.D. 658	An Act Concerning Real Estate Trusts	OTT	Approved 5/24/95
L.D. 670	An Act to Extend the Medical Liability Demonstration Project Deadline by 3 Years	SAXL J	Req. Withdrawn 5/24/95
L.D. 742	An Act Regarding Wrongful Death Actions	LAFOUNTAIN	Approved 5/24/95
L.D. 916	An Act to Improve the Function of the Maine Health Security Act	MILLS	Approved 5/24/95
L.D. 1252	An Act to Clarify the Role of Prelitigation Screening Panels under the Health Security Act	MILLS	Req. Withdrawn 5/24/95
L.D. 1331	An Act Relating to Confidentiality of Records and the Prevention of Child Sexual Abuse	RICHARDSON	Approved 5/24/95
L.D. 1371	An Act Relating to Civil Actions, Providing for the Defense of Assumption of Risk, Providing for Standards of Liability in Product Liability Actions and Providing for Standards and Procedures in Awarding Punitive Damages	CIANCHETTE	Approved 5/24/95

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L.D. 646	An Act to Reinstate the Laws Governing Dam Abandonment	HANLEY	Approved 5/24/95
L.D. 1014	Resolve, Directing the Commissioner of Environmental Protection to Propose a Plan to Reorganize the Department of Environmental Protection	GOULD	Approved 5/24/95
State and Local Government			
L.D. 169	Resolve, Establishing the Maine Council on Privatization	KIEFFER JOY	Denied 5/24/95
L.D. 975	An Act to Establish the Department of Health and Family Services	MORRISON	Approved 5/24/95
L.D. 1185	An Act to Give the Washington County Legislative Delegation a Role in the County Budget Process	BUNKER	Approved 5/24/95
L.D. 1213	An Act to Implement the Recommendations of the Special Commission on Governmental Restructuring	AMERO	Approved 5/24/95
L.D. 1328	An Act to Limit the Length of Legislative Sessions	LUMBRA	Denied 5/24/95
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L.D. 871	An Act Concerning the Calculation of Private Fire Protection Charges	ADAMS	Approved 5/24/95

— End of Report —

SENATE

VINTON E. CASSIDY, DISTRICT 4, CHAIR  
WILLIS A. LORD, DISTRICT 34  
JUDY A. PARADIS, DISTRICT 1

JOHN KELLEY, LEGISLATIVE ANALYST  
JEAN DAVENPORT, COMMITTEE CLERK



STATE OF MAINE

HOUSE

MARJORIE L. KILKELLY, WISCASSET, CHAIR  
CONRAD HEESCHEN, WILTON  
DOUGLAS J. AHEARNE, MADAWASKA  
CLYDE A. HICHBORN, LAGRANGE  
THOMAS M. TYLER, WINDHAM  
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DONALD A. STROUT, CORINTH  
RUEL P. CROSS, DOVER-FOXCROFT  
RICHARD KNEELAND, EASTON  
EDWARD L. DEXTER, KINGFIELD

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

May 16, 1995

TO: Senator Jane Amero, Chair  
Representative Elizabeth Mitchell, Vice Chair  
Legislative Council

FROM: Senator Vinton E. Cassidy Senate Chair  
Representative Marjorie L. Kilkelly, House Chair  
Joint Standing Committee on Agriculture, Conservation and Forestry

RE: **REQUEST FOR CARRYOVER**

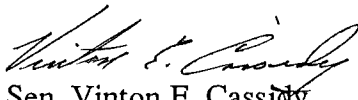
The Joint Standing Committee on Agriculture, Conservation and Forestry voted unanimously to request permission to carryover LD 572, An Act to Transfer Regulatory Control of Whitewater Rafting to the Department of Conservation's Bureau of Parks and Recreation.

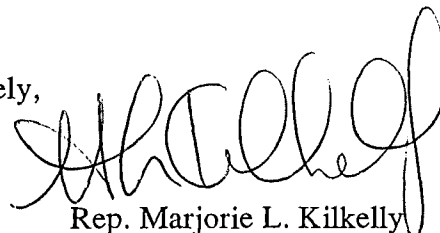
Whitewater rafting regulation is currently performed by the Department of Inland Fisheries and Wildlife. The sponsors of LD 572 believe that, because rafting is recreational in nature, regulation should be the responsibility of the Bureau of Parks and Recreation.

IFW and the bureau plan to discuss over the next few months the structure of the current regulatory process and the feasibility of transferring regulatory responsibility. The committee requests to carry this bill over to the 2nd Regular Session to enable the parties adequate time for discussions and to develop any implementing legislation.

Thank you for your consideration.

Sincerely,

  
Sen. Vinton E. Cassidy  
Senate Chair

  
Rep. Marjorie L. Kilkelly  
House Chair

cc: Members, Legislative Council  
Sally Tubbesing, Executive Director  
David E. Boulter  
Teen Griffin

SENATE

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ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

May 16, 1995

TO: Senator Jane Amero, Chair  
Representative Elizabeth Mitchell, Vice Chair  
Legislative Council

FROM: Senator Vinton E. Cassidy Senate Chair  
Representative Marjorie L. Kilkelly, House Chair  
Joint Standing Committee on Agriculture, Conservation and Forestry

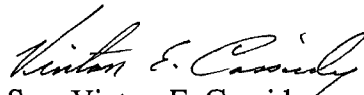
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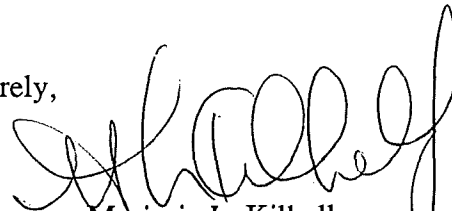
The Joint Standing Committee on Agriculture, Conservation and Forestry voted unanimously to request permission to carryover LD 1267, An Act to Establish the Maine Outdoor Recreation Council.

The bill proposes a concept highly endorsed by this committee - namely a forum to bring together the many interests involved in outdoor recreation in order to coordinate state policies and programs. However, the committee decided it best to provide Governor King the time to work within existing structures to build teamwork among state agencies and integrate tourism promotion and planning with natural resource agencies. Carrying this bill over would provide the committee an opportunity to put forth a Recreation Council during the 2nd Regular Session should the committee decide to pursue this approach through the statutes.

Thank you for your consideration.

Sincerely,

  
Sen. Vinton E. Cassidy  
Senate Chair

  
Marjorie L. Kilkelly  
House Chair

cc: Members, Legislative Council  
Sally Tubbesing, Executive Director  
David E. Boulter  
Teen Griffin

SENATE

VINTON E. CASSIDY, DISTRICT 4, CHAIR  
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EDWARD L. DEXTER, KINGFIELD

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

May 23, 1995

TO: Senator Jane Amero, Chair  
Representative Elizabeth Mitchell, Vice Chair  
Legislative Council

FROM: Senator Vinton E. Cassidy Senate Chair  
Representative Marjorie L. KilKelly, House Chair  
Joint Standing Committee on Agriculture, Conservation and Forestry

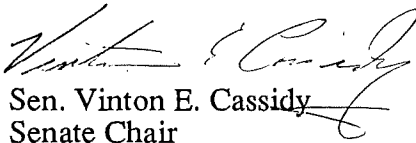
RE: **REQUEST FOR CARRYOVER**

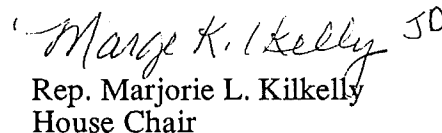
The Joint Standing Committee on Agriculture, Conservation and Forestry voted unanimously to request permission to carryover LD 1404, An Act to Amend the Law Regarding the Lease of Submerged Lands.

Submerged lands present a variety of complex legal and administrative issues. The committee has received a commitment from the Department of Conservation to meet with leaseholders and examine several aspects of leasing that the committee agrees need review. The committee requests a carryover, however, in the event that legislation is necessary in the Second Regular Session to implement any necessary changes in the leasing program.

We appreciate your consideration.

Sincerely,

  
Sen. Vinton E. Cassidy  
Senate Chair

 30  
Rep. Marjorie L. KilKelly  
House Chair

cc: Members, Legislative Council  
Sally Tubbesing, Executive Director  
David E. Boulter  
Teen Griffin

SENATE

DANA C. HANLEY, DISTRICT 15, CHAIR  
CHARLES M. BEGLEY, DISTRICT 16  
GEORGETTE B. BERUBE, DISTRICT 21

STAFF

OFFICE OF FISCAL AND PROGRAM REVIEW

STATE HOUSE STATION #5, ROOM 225  
AUGUSTA, MAINE 04333

TELEPHONE: (207) 287-1635

FAX: (207) 287-6469



HOUSE

GEORGE J. KERR, OLD ORCHARD BEACH, CHAIR  
ROGER M. POULIOT, LEWISTON  
RUTH JOSEPH, WATERVILLE  
SANTO DIPIETRO, SOUTH PORTLAND  
HUGH A. MORRISON, BANGOR  
ELIZABETH TOWNSEND, PORTLAND  
ROSALIE H. AIKMAN, POLAND  
DAVID N. OTT, YORK  
JAMES O. DONNELLY, PRESQUE ISLE  
RICHARD N. SIMONEAU, THOMASTON

STATE OF MAINE  
ONE HUNDRED AND SEVENTEENTH LEGISLATURE  
COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS

May 11, 1995

The Honorable Jane A. Amero, Chair  
Legislative Council  
State House Station #115  
Augusta, Maine 04333

Dear Senator Amero,

On April 26, 1995, the Joint Standing Committee on Appropriations and Financial Affairs voted 12-0, with one member absent, to request to "carry over" LD 811, "Resolve, to Initiate an Outside Audit to Identify Savings and Duplicate or Unnecessary Programs within State Government", to the Second Regular Session of the 117th Legislature. The Committee's thinking was that it was important to allow the Productivity Realization Task Force, as proposed by the Governor and enacted by the Legislature in LD 1412, Part D, to begin its work before a separate effort is authorized. We ask that, in carrying over this bill, that we be allowed to review the value of Representative Reed's bill vis a vis the progress made by the Task Force.

We would also like to inform you that we have 18 LD's still in Committee, excluding the "Part 1" and "Part 2" budget bills, and can see how we might be requesting additional bills be carried over to the Second Regular Session.

We would be pleased to answer any questions you might have concerning our request.

Sincerely,

A handwritten signature in cursive script that reads "Dana C. Hanley".  
Dana C. Hanley  
Senate Chair

A handwritten signature in cursive script that reads "George J. Kerr".  
George J. Kerr  
House Chair

cc: Members, Joint Standing Committee on Appropriations and Financial Affairs  
Members, Legislative Council

WPP694/175

I. JOEL ABROMSON, DISTRICT 27, CHAIR  
 MARY E. SMALL, DISTRICT 19  
 DALE McCORMICK, DISTRICT 18

COLLEEN McCARTHY, LEGISLATIVE ANALYST  
 JANRE MULLINS, COMMITTEE CLERK



STATE OF MAINE

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON BANKING AND INSURANCE

MARC J. VIGUE, WINSLOW, CHAIR  
 ELIZABETH H. MITCHELL, VASSALBORO  
 GAIL M. CHASE, CHINA  
 GORDON P. GATES, ROCKPORT  
 MICHAEL V. SAXL, PORTLAND  
 RICHARD H. CAMPBELL, HOLDEN  
 WILLIAM GUERRETTE, PITTSFORD  
 SUMNER A. JONES, JR., PITTSFIELD  
 LISA LUMBRA, BANGOR  
 ARTHUR F. MAYO, III, BATH

**TO:** Senator Jane Amero, Chair  
 Representative Elizabeth Mitchell, Vice Chair  
 Legislative Council

**RE:** REQUESTS FOR CARRY OVER

**DATE:** May 18, 1995

The Joint Standing Committee on Banking and Insurance requests that the following bills be carried over to the Second Regular Session of the 117th Legislature. The request for each bill was supported by a clear majority of the committee.

**•LD 183 An Act to Clarify Fresh Start Charges Under the Workers' Compensation Laws.**

Bill limits the amount of the workers' compensation Fresh Start surcharge to 2% of their premium or imputed premium in the year surcharge is ordered for employers who were not in business during the policy year of any deficit (1988 to 1992).

Reason for request: In early April, Governor King appointed a group of employer and insurer representatives to study the issues surrounding the workers' compensation residual market and "Fresh Start." Since that time, the Workers' Compensation Advisory Committee has been working on possible solutions to these issues. The recommendations of the WCAC are expected at the end of May. The committee felt consideration of this bill should be delayed until the WCAC has made its report to Governor King and the Legislature.

**•LD 690 An Act to Provide Family Security through Quality, Affordable Health Care.**

Bill would establish a universal health care system in Maine operated by the Maine Health Care Agency.

**•LD 1512 An Act to Ensure Fairness and Choice to Patients and Providers under Managed Health Care.**

Bill establishes comprehensive reporting requirements for managed care plans in Maine; establishes criteria for the credentialing of primary care providers and medical utilization review procedures; and establishes a grievance procedure for both patients and providers.

Reason for carryover request: These two bills propose broad reforms to the present health care system in Maine. The committee believes any movement toward comprehensive reform should wait until the Maine Health Care Reform Commission makes its report to the Legislature in November. The report will offer three alternative comprehensive health care proposals for consideration.

•**LD 841      An Act to Amend the Approval Requirements for Medicare Supplement Insurance Policies.**

Bill removes annual filing of Medicare supplement policy rates for information purposes. Rate review and approval by the Bureau of Insurance required only if rate increase is proposed or when minimum loss ratio standards are not met.

Reason for request: Since the bill's public hearing, Blue Cross and Blue Shield of Maine, the Bureau of Insurance and the Attorney General's Office have been discussing the issues raised in the bill and a number of other related issues. These interested parties have asked the committee for additional time over the interim to continue their discussions.

•**LD 752      An Act to Include Obstetricians and Gynecologists as Primary Care Providers.**

Bill requires individual and group policies and HMO's to designate OB/GYNs as primary care providers if plan offered with designated PCPs; to provide coverage for semiannual gynecological exams and services required as a result of those exams; and to provide written notice of OB/GYN services.

•**LD 1079      An Act to Improve Coverage for Women's Health Services.**

Bill provides that individual and group policies and HMO's must include coverage for mammography at least once every two years for women age 40 to 49; once yearly for women age 50 and older; designate OB/GYNs as primary care providers; provide coverage for breast cancer treatment subject to same insurance treatment as other services; and cannot deny coverage for women with a diagnosis of fibrocystic breast condition or breast implantation.

•**LD 1385      An Act to Ensure that Basic Health Care Needs of Women are Covered in Insurance Policies.**

Bill provides that health insurance policies must include coverage for prenatal care, annual Pap tests, mammograms, rectal and colon exams for women age 40 and older, human immunodeficiency disease and sexually transmitted disease.

Reason for request: These three bills relate to health insurance coverage for women. Each bill mandates health insurance coverage for specific health services in individual and group insurance policies and health maintenance organizations. 24-A §2752

Carryover Letter  
Page Three  
May 18, 1995

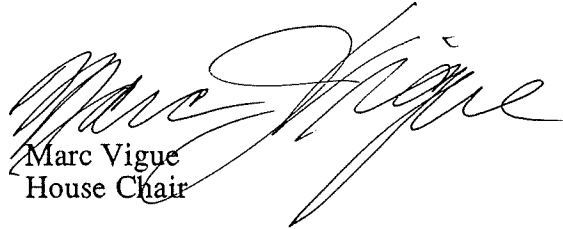
requires a review and evaluation of a mandated benefit proposal by the Bureau of Insurance if there is substantial support among the committee after a public hearing. The committee has requested a review of each mandate proposal from the Bureau of Insurance. The carryover request is necessary because the bureau is unable to complete the reports before the end of the session.

The committee would be happy to answer any questions or provide additional information. Thank you for your consideration.

Sincerely,



I. Joel Abromson  
Senate Chair



Marc Vigue  
House Chair

cc: Teen Griffin  
David Boulter  
Committee members

SENATE

I. JOEL ABROMSON, DISTRICT 27, CHAIR  
MARY E. SMALL, DISTRICT 19  
DALE McCORMICK, DISTRICT 18

COLLEEN McCARTHY, LEGISLATIVE ANALYST  
JANRE MULLINS, COMMITTEE CLERK



STATE OF MAINE

HOUSE

MARC J. VIGUE, WINSLOW, CHAIR  
ELIZABETH H. MITCHELL, VASSALBORO  
GAIL M. CHASE, CHINA  
GORDON P. GATES, ROCKPORT  
MICHAEL V. SAXL, PORTLAND  
RICHARD H. CAMPBELL, HOLDEN  
WILLIAM GUERRETTE, PITTSFORD  
SUMNER A. JONES, JR., PITTSFIELD  
LISA LUMBRA, BANGOR  
ARTHUR F. MAYO, III, BATH

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON BANKING AND INSURANCE

**TO:** Senator Jane Amero, Chair  
Representative Elizabeth Mitchell, Vice Chair  
Legislative Council

**RE:** REQUESTS FOR CARRY OVER

**DATE:** May 23, 1995

The Joint Standing Committee on Banking and Insurance requests that an additional bill be carried over to the Second Regular Session of the 117th Legislature. The request for this bill was supported by a clear majority of the committee.

**•LD 1513 An Act to Promote Additional Health Insurance Reform.**

Bill eliminates the requirement that rates for individual health insurance policies be approved prior to use and prohibits employers and the Medicaid program from purchasing individual health insurance policies for any individual enrolled in or eligible for group coverage or Medicaid.

Reason for request: Speaker Gwadosky, the bill's sponsor, asked that the public hearing be postponed and carry over requested. The issues raised in the bill, along with a number of related issues are the subject of ongoing discussion between Blue Cross and Blue Shield and the Attorney General's Office. These interested parties have asked the committee for additional time over the interim to continue their discussions.

The committee would be happy to answer any questions or provide additional information. Thank you for your consideration.

Sincerely,

Handwritten signature of I. Joel Abromson in cursive.

I. Joel Abromson  
Senate Chair

Handwritten signature of Marc Vigue in cursive.

Marc Vigue  
House Chair

cc: Teen Griffin  
David Boulter  
Committee members

SENATE

PHILIP E. HARRIMAN, DISTRICT 23, CHAIR  
JILL M. GOLDTHWAIT, DISTRICT 5  
ALTON E. CIANCHETTE, DISTRICT 10

JOHN KNOX, LEGISLATIVE ANALYST  
DIANE WHITE, COMMITTEE CLERK



STATE OF MAINE

HOUSE

G. STEVEN ROWE, PORTLAND, CHAIR  
CAROL A. KONTOS, WINDHAM  
MICHAEL F. BRENNAN, PORTLAND  
THOMAS M. DAVIDSON, BRUNSWICK  
EDWARD J. POVICH, ELLSWORTH  
ROSAIRE J. SIROIS, CARIBOU  
JACK L. LIBBY, KENNEBUNK  
WILLIAM F. REED, DEXTER  
ROBERT A. CAMERON, RUMFORD  
BRENDA BIRNEY, PARIS

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT

May 19, 1995

The Honorable Senator Jane A. Amero  
Chair, Legislative Council  
117th Maine Legislature  
State House Station 115  
Augusta, Maine 04333

RE: Carryover requests

Dear Senator Amero:

In accordance with the letter of leadership of May 8, 1995, the Committee on Business and Economic Development requests that the following bills be carried over to the Second Regular Session of the 117th Legislature:

- **LD 47 An Act to Make Pet Dealers Liable for the Sale of Dogs and Cats**

The Animal Welfare Advisory has been asked to study this issue.

- **LD 947 An Act to Amend the Laws Pertaining to the Regulation of Denturists**

The new Commissioner of the Department of Professional and Financial Regulation has asked the Committee for the opportunity to work out the problems presented in this bill within the existing system rather than create another regulatory board, as the bill calls for.

- **LD 1148 An Act to Amend the Social Work Practice Licensing Laws.**

The sponsor of this bill has requested the opportunity to refine it over the summer.

- **LD 1270 An Act to Redefine the Oil and Solid Fuel Board.**

This bill removes the board from the oversight of the Department of Professional and Financial Regulation. The new Commissioner of that department has requested an opportunity to address within the current system the complaints that prompted this legislation.

The request for LDs 947, 1148 and 1270 represent the unanimous report of the Committee. The vote for carry over of LD 47 was 6 to 2 of those present.

Your favorable consideration of these requests will be appreciated.

Sincerely,

Philip E. Harriman  
Sen. Philip E. Harriman  
Senate Chair

G. Steven Rowe  
Rep. G. Steven Rowe  
House Chair

SENATE

JOHN W. BENOIT, DISTRICT 17, CHAIR  
STEPHEN E. HALL, DISTRICT 8  
JOHN J. O'DEA, DISTRICT 7

MARION HYLAN BARR, LEGISLATIVE ANALYST  
LISA COTE, COMMITTEE CLERK



STATE OF MAINE

HOUSE

HERBERT E. CLARK, MILLINOCKET, CHAIR  
BIRGER T. JOHNSON, SOUTH PORTLAND  
GEORGE H. BUNKER, JR., KOSSUTH TWP.  
RICHARD H. THOMPSON, NAPLES  
EDGAR M. WHEELER, BRIDGEWATER  
DEAN F. CLUKEY, HOULTON  
WALTER R. GOOLEY, FARMINGTON  
MICHAEL J. McALEVEY, WATERBORO  
JUDITH B. PEAVEY, WOOLWICH  
G. PAUL WATERHOUSE, BRIDGTON

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON CRIMINAL JUSTICE

May 18, 1995

The Honorable Senator Jane A. Amero  
Chair, Legislative Council  
117th Maine Legislature  
State House Station 115  
Augusta, Maine 04333

RE: Carryover requests of the Joint Standing Committee on Criminal Justice

Dear Senator Amero:

The Joint Standing Committee on Criminal Justice requests permission to carry over to the Second Regular Session the following bills.

- **LD 659**      **An Act to Allow Charitable Solicitation by Law Enforcement Officers, Agencies and Associations**

Reason for carryover request:

The Committee has been asked to carry this bill over while the Attorney General and state and local law enforcement agencies look at the boundaries of the present law regarding solicitation. Currently, there exists some ambiguity in the law regarding restrictions on law enforcement agencies. The Attorney General has agreed to work with law enforcement to clarify what law enforcement officers are permitted to do under current law. With clarification, law enforcement officers will then need time to evaluate whether the law works for them. The Attorney General and the law enforcement officers will report back to the Committee during the Second Regular Session, and if the issues have been resolved, the Committee will move to kill the bill.

- **LD 1030**      **An Act to Provide Services to Adjudicated Young Women**

Reason for carryover request:

The Committee believes that providing resources for a transitional program for the treatment of adjudicated young women is a very important need that is unmet in this State. A program providing such a treatment plan is currently being discussed and a building at the Maine Youth Center is being renovated for such a purpose, but the State has yet to develop a request for proposals. Until an applicant is selected by the State and a contract has been discussed, the Committee and the Department of Corrections feel it is premature to recommend the allocation the bill requests. The Committee anticipates that the State will move through its RFP process and have a concrete proposal in place within the next year, so that the Committee may put forth this bill that addresses the very serious issue of providing transitional and preventative treatment for young female offenders.

• **LD 1235**            **An Act to Transfer Juvenile Corrections Functions to the Department of Human Services**

Reason for carryover request:

The Committee requests that this bill be carried over in order to give the new Commissioner of the Department of Corrections time to review and evaluate his department's current programs and needs and to discuss those with the Department of Human Services and other interested parties. The bill warrants careful and thorough consideration, and proposals for major restructuring changes require a great deal of time and research to determine whether they are appropriate changes, and if so, how best to implement them.

• **LD1294**            **An Act to Prohibit Home Repair Fraud and Establish Aggravated Penalties When the Victim is an Older Person**

Reason for carryover request:

A number of legal concerns were raised regarding this bill at its public hearing, and the Committee has asked the Criminal Law Advisory Commission to review the bill this summer to evaluate the intent of the legislation and how to best address the sponsor's and the Committee's concerns. The Committee has expended a great deal of time and effort this session to ensure that criminal penalties are carefully drafted, and we believe it would be sensible not to deal with the bill in haste.

• **LD 1457**            **An Act to Discourage the Spread of "Crack" Cocaine**

Reason for carryover request:

The Committee has been asked to carry this bill over to the Second Regular Session so that the Maine Prosecutors Association can, at its September 1995 meeting, evaluate the scope of the problem of crack cocaine in all districts and propose legislation that best meets the needs of the entire State. Crack cocaine has begun to create serious problems in a number of Maine's cities, and the Committee believes it is important to have a comprehensive plan that all in law enforcement will support. The Attorney General, law enforcement officers, prosecutors and the Committee would like to put forth appropriate legislation that will stop the crack-related crime that has grown in a number of other states, and carrying over the bill will allow the necessary work to be accomplished.


• **LD 1510**            **An Act to Make Comprehensive Changes to the Sex Offender Laws**

Reason for carryover request:


The Committee has also spent a great deal of time working on proposals to increase the penalties for sex offenders and to allow for community notification and publication of the release of sex offenders. The Committee is committed to evaluating the issues of recidivism and how to protect children from sex offenders, but we recognize the numerous constitutional issues that such laws may touch upon. Representatives from law enforcement agencies, the Maine Coalition Against Sexual Assault, the Maine Civil Liberties Union, social workers, victims and other interested parties support a comprehensive look at Maine's laws dealing with sexual abuse and registration and methods of public notification. The Committee strongly believes that this comprehensive look is essential, so that the constitutional issues and the protection issues may be balanced and legislation that will withstand challenge can be crafted. If given time to study the issues, the Committee and others may also gain a better understanding of where the federal government is moving in this field.

The Committee strongly urges you to consider granting the above-mentioned carryover requests. We believe we have identified a small number of crucial issues that need to be addressed with careful attention, so that we may better ensure the safety of the citizens of Maine. Thank you for your attention to this matter. We would be happy to answer any questions you may have.

Sincerely,

  
Sen. John W. Benoit  
Senate Chair

MHB

  
Rep. Herbert E. Clark  
House Chair

SENATE

MARY E. SMALL, DISTRICT 19, CHAIR  
I. JOEL ABROMSON, DISTRICT 27  
DONALD E. ESTY, JR., DISTRICT 29

MICHAEL HIGGINS, LEGISLATIVE ANALYST  
JULIE FORTIN, COMMITTEE CLERK



STATE OF MAINE

HOUSE

JOHN L. MARTIN, EAGLE LAKE, CHAIR  
PETER A. CLOUTIER, SOUTH PORTLAND  
KATHLEEN STEVENS, ORONO  
MICHAEL F. BRENNAN, PORTLAND  
JULIE WINN, GLENBURN  
MABEL J. DESMOND, MAPLETON  
WENDY L. AULT, WAYNE  
ALVIN L. BARTH, JR., BETHEL  
JAMES D. LIBBY, BUXTON  
RODNEY W. McELROY, UNITY

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS

May 22, 1995

TO: Senator Jane Amero, Chair, Rep. Elizabeth Mitchell, Vice Chair, Legislative Council  
and Council Members

FROM: Senator Mary E. Small, Senate Chair *Mary E. Small / ms*  
Rep. John L. Martin, House Chair *John L. Martin / ms*  
Joint Standing Committee on Education and Cultural Affairs

RE: **REQUEST FOR CARRY OVER**

We are writing to request permission to carry over three bills to the Second Session of 117th Legislature. The bills include the following:

- LD 66** An Act to Establish Choices for Parents and Guardians in Their Children's Education
- LD 880** An Act Concerning Referendum Reform for School Budgets
- LD 1124** An Act to Establish the Education Reform Act of 1995

LD 66 will be used to consider implementing public school choice. Two substantive "choice" bills have been referred to the committee, but are being worked too late in the session to allow time for appropriate study.

LD 880 will be used as a vehicle to make any needed changes in the SAD budget process. We are waiting an additional year to determine if changes are in fact necessary.

LD 1124 contains the school governance and school construction recommendations of the "Rosser" Committee. We plan to pass out portions of the bill if possible, and may complete most of the work contained in the bill. However, should school funding and other issues preclude our doing so, we would like to have the option of holding the bill over.

Thank you for your consideration of this request.

8088WPPGEA

SENATE

JOAN M. PENDEXTER, DISTRICT 31, CHAIR  
JOHN W. BENOIT, DISTRICT 17  
ROCHELLE M. PINGREE, DISTRICT 12

JANE ORBETON, LEGISLATIVE ANALYST  
BETSY REINHEIMER, COMMITTEE CLERK



STATE OF MAINE

HOUSE

MICHAEL J. FITZPATRICK, DURHAM, CHAIR  
BIRGER T. JOHNSON, SOUTH PORTLAND  
DAVID ETNIER, HARPSWELL  
J. ELIZABETH MITCHELL, PORTLAND  
DAVID C. SHIAH, BOWDOINHAM  
KYLE W. JONES, BAR HARBOR  
GLENYS P. LOVETT, SCARBOROUGH  
JEFFERY JOYNER, HOLLIS  
JEAN GINN MARVIN, CAPE ELIZABETH  
ROBERT J. WINGLASS, AUBURN

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON HUMAN RESOURCES

May 15, 1995

TO: Senator Jane Amero, Chair  
Representative Elizabeth Mitchell, Vice Chair  
Legislative Council

FROM: Senator Joan M. Pendexter, Senate Chair  
Representative Michael J. Fitzpatrick, House Chair  
Joint Standing Committee on Human Resources

RE: **REQUEST FOR CARRYOVER**

The Joint Standing Committee on Human Resources voted to request permission to carry over LD 271, An Act to Establish an Electronic Benefit Delivery Program for Aid to Families with Dependent Children, Food Stamp, Women, Infants and Children Special Supplemental Food and Medicaid Programs. The question of electronic benefits transfer is a complex question requiring substantial financial investment and offering the potential of program improvements and savings. Consideration of the bill in the 2nd Regular Session will be necessary in order to fully consider this bill.

Thank you for considering this request. Please feel free to contact us if you have questions.

cc: Members, Legislative Council  
Sally Tubbesing, Executive Director  
David E. Boulter  
Teen Griffen

#7790LHS/p. 2

SENATE

JOAN M. PENDEXTER, DISTRICT 31, CHAIR  
JOHN W. BENOIT, DISTRICT 17  
ROCHELLE M. PINGREE, DISTRICT 12

JANE ORBETON, LEGISLATIVE ANALYST  
BETSY REINHEIMER, COMMITTEE CLERK



STATE OF MAINE

HOUSE

MICHAEL J. FITZPATRICK, DURHAM, CHAIR  
BIRGER T. JOHNSON, SOUTH PORTLAND  
DAVID ETNIER, HARPSWELL  
J. ELIZABETH MITCHELL, PORTLAND  
DAVID C. SHIAH, BOWDOINHAM  
KYLE W. JONES, BAR HARBOR  
GLENYS P. LOVETT, SCARBOROUGH  
JEFFERY JOYNER, HOLLIS  
JEAN GINN MARVIN, CAPE ELIZABETH  
ROBERT J. WINGLASS, AUBURN

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON HUMAN RESOURCES

May 15, 1995

TO: Senator Jane Amero, Chair  
Representative Elizabeth Mitchell, Vice Chair  
Legislative Council

FROM: Senator Joan M. Pendexter, Senate Chair  
Representative Michael J. Fitzpatrick, House Chair  
Joint Standing Committee on Human Resources

RE: **REQUEST FOR CARRYOVER**

The Joint Standing Committee on Human Resources voted 7-6 to request permission to carryover LD 371, An Act to Abolish the Maine Health Care Finance Commission. This bill presents complex questions and has repercussions for the health care delivery system in Maine. A majority of the committee would like to consider the bill during the 2nd Regular Session, when the Legislature will have received the final report of the Maine Health Care Reform Commission.

Thank you for considering this request. Please feel free to contact us if you have questions.

cc: Members, Legislative Council  
Sally Tubbesing, Executive Director  
David E. Boulter  
Teen Griffen

#7790LHS

SENATE

JOAN M. PENDEXTER, DISTRICT 31, CHAIR  
JOHN W. BENOIT, DISTRICT 17  
ROCHELLE M. PINGREE, DISTRICT 12

JANE ORBETON, LEGISLATIVE ANALYST  
BETSY REINHEIMER, COMMITTEE CLERK



STATE OF MAINE

HOUSE

MICHAEL J. FITZPATRICK, DURHAM, CHAIR  
BIRGER T. JOHNSON, SOUTH PORTLAND  
DAVID ETNIER, HARPSWELL  
J. ELIZABETH MITCHELL, PORTLAND  
DAVID C. SHIAH, BOWDOINHAM  
KYLE W. JONES, BAR HARBOR  
GLENYS P. LOVETT, SCARBOROUGH  
JEFFERY JOYNER, HOLLIS  
JEAN GINN MARVIN, CAPE ELIZABETH  
ROBERT J. WINGLASS, AUBURN

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON HUMAN RESOURCES

May 8, 1995

The Honorable Senator Jane A. Amero  
Chair, Legislative Council  
117th Maine Legislature  
State House Station #115  
Augusta, Maine 04333

Dear Senator Amero:

Please accept this letter as a request for permission to carryover LD 974, An Act to Create an Advisory Board and State and Local Interagency Teams to Assist in the Provision of Care for Children and Adolescents with Severe Emotional Disturbance.

The Human Resources Committee has heard and held a worksession on this bill. The central concept of the bill, interagency teams on youth with severe emotional disturbances, could assist the committee in providing assistance to families in need of information and services. Serious consideration of the bill requires extensive discussion among the various agencies and bureaus with responsibilities for these families. The committee feels that more time will be required than is available between now and the end of June.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joan Pendexter".

Sen. Joan M. Pendexter  
Senate Chair

A handwritten signature in cursive script, appearing to read "Michael J. Fitzpatrick".

Rep. Michael J. Fitzpatrick  
House Chair

7729LHS

SENATE

STEPHEN E. HALL, DISTRICT 8, CHAIR  
R. LEO KIEFFER, DISTRICT 2  
MICHAEL H. MICHAUD, DISTRICT 3

PATRICK NORTON, LEGISLATIVE ANALYST  
CLAUDIA FISH, COMMITTEE CLERK



HOUSE

DOROTHY A. ROTONDI, MADISON, CHAIR  
PAUL F. JACQUES, WATERVILLE  
HERBERT E. CLARK, MILLINOCKET  
ROBERT KEANE, OLD TOWN  
JON M. ROSEBUSH, EAST MILLINOCKET  
ROBERT L. TUFTS, STOCKTON SPRINGS  
ERNEST C. GREENLAW, STANDISH  
HOWARD A. CHICK, LEBANON  
ROYCE W. PERKINS, PENOBSCOT  
JOHN UNDERWOOD, OXFORD

STATE OF MAINE

ONE HUNDRED AND SEVENTEENTH LEGISLATURE  
COMMITTEE ON INLAND FISHERIES AND WILDLIFE

May 11, 1995

TO: Senator Jane Amero, Chair  
Representative Elizabeth Mitchell, Vice Chair  
Legislative Council

FROM: Senator Stephen Hall, Senate Chair  
Representative Dorothy Rotondi, House Chair  
Joint Standing Committee on Inland Fisheries and Wildlife

RE: **REQUEST FOR CARRYOVER**

A majority of the Joint Standing Committee on Inland Fisheries and Wildlife has voted to carry the following bill over to the Second Regular Session of the 117th Legislature.

**LD# Title**

384 Resolve, to Install Fish Screens in the West Grand Lake Dam

At our request, the Department of Inland Fisheries and Wildlife, the Town of Grand Lake Stream and Georgia Pacific Corporation are discussing the installation of screens in the West Grand Lake Dam. We expect engineering, construction and installation of the screens at the Dam to occur during 1995. We wish to hold this bill over and review the progress of that work in 1996.

Thank you for considering this request. Please feel free to contact us if you have questions.

cc: Members, Legislative Council  
Sally Tubbesing  
David Boulter  
Teen Griffen

7078NRG

SENATE

STEPHEN E. HALL, DISTRICT 8, CHAIR  
R. LEO KIEFFER, DISTRICT 2  
MICHAEL H. MICHAUD, DISTRICT 3

PATRICK NORTON, LEGISLATIVE ANALYST  
CLAUDIA FISH, COMMITTEE CLERK



HOUSE

DOROTHY A. ROTONDI, MADISON, CHAIR  
PAUL F. JACQUES, WATERVILLE  
HERBERT E. CLARK, MILLINOCKET  
ROBERT KEANE, OLD TOWN  
JON M. ROSEBUSH, EAST MILLINOCKET  
ROBERT L. TUFTS, STOCKTON SPRINGS  
ERNEST C. GREENLAW, STANDISH  
HOWARD A. CHICK, LEBANON  
ROYCE W. PERKINS, PENOBSCOT  
JOHN UNDERWOOD, OXFORD

STATE OF MAINE

ONE HUNDRED AND SEVENTEENTH LEGISLATURE  
COMMITTEE ON INLAND FISHERIES AND WILDLIFE

May 19, 1995

TO: Senator Jane Amero, Chair  
Representative Elizabeth Mitchell, Vice Chair  
Legislative Council

FROM: Senator Stephen Hall, Senate Chair  
Representative Dorothy Rotondi, House Chair  
Joint Standing Committee on Inland Fisheries and Wildlife

RE: **REQUEST FOR CARRYOVER**

A majority of the Joint Standing Committee on Inland Fisheries and Wildlife has voted to carry the following bill over to the Second Regular Session of the 117th Legislature.

LD#    Title

1393    Resolve, to Standardize Certain Ice Fishing and Open Water Rules

The Department of Inland Fisheries and Wildlife is reviewing its fishing rules and will be making recommendations to the Legislature later in 1995 on ways to simplify and standardize fishing rules. The Committee wishes to hold this bill pending its review of those recommendations next year.

Thank you for considering this request. Please feel free to contact us if you have questions.

cc: Members, Legislative Council  
Sally Tubbesing  
David Boulter  
Teen Griffen

7147NRG

SENATE

STEPHEN E. HALL, DISTRICT 8, CHAIR  
R. LEO KIEFFER, DISTRICT 2  
MICHAEL H. MICHAUD, DISTRICT 3

PATRICK NORTON, LEGISLATIVE ANALYST  
CLAUDIA FISH, COMMITTEE CLERK



HOUSE

DOROTHY A. ROTONDI, MADISON, CHAIR  
PAUL F. JACQUES, WATERTOWN  
HERBERT E. CLARK, MILLINOCKET  
ROBERT KEANE, OLD TOWN  
JON M. ROSEBUSH, EAST MILLINOCKET  
ROBERT L. TUFTS, STOCKTON SPRINGS  
ERNEST C. GREENLAW, STANDISH  
HOWARD A. CHICK, LEBANON  
ROYCE W. PERKINS, PENOBSCOT  
JOHN UNDERWOOD, OXFORD

STATE OF MAINE

ONE HUNDRED AND SEVENTEENTH LEGISLATURE  
COMMITTEE ON INLAND FISHERIES AND WILDLIFE

May 23, 1995

TO: Senator Jane Amero, Chair  
Representative Elizabeth Mitchell, Vice Chair  
Legislative Council

FROM: Senator Stephen Hall, Senate Chair  
Representative Dorothy Rotondi, House Chair  
Joint Standing Committee on Inland Fisheries and Wildlife

RE: **REQUEST FOR CARRYOVER**

The Joint Standing Committee on Inland Fisheries and Wildlife has unanimously voted to carry the following bill over to the Second Regular Session of the 117th Legislature.

**LD# Title**

904 An Act to Increase the Penalties for Certain Crimes Involving Alcohol and Illegal Drugs.

This bill was re-referred to our Committee last week from the Criminal Justice Committee. This is a substantive bill, proposing significant changes in penalties for persons who hunt or who operate snowmobiles, ATV's or watercraft while under the influence of alcohol or drugs. Although this bill did receive a public hearing before the Criminal Justice Committee, we wish to hold this bill over and hear public testimony next session from the members of the public who hunt or operate snowmobiles, ATV's or watercraft.

Thank you for considering this request. Please feel free to contact us if you have questions.

cc: Members, Legislative Council  
Sally Tubbesing  
David Boulter  
Teen Griffen

7078NRG

## SENATE

S. PETER MILLS, DISTRICT 13, CHAIR  
 JOAN M. PENDEXTER, DISTRICT 31  
 SEAN F. FAIRCLOTH, DISTRICT 9

MARGARET REINSCH, LEGISLATIVE ANALYST  
 SUSAN PINETTE, COMMITTEE CLERK



STATE OF MAINE

## HOUSE

SHARON TREAT, GARDINER, CHAIR  
 WILLIAM LEMKE, WESTBROOK  
 FRED L. RICHARDSON, PORTLAND  
 KYLE W. JONES, BAR HARBOR  
 LLOYD P. LAFOUNTAIN III, BIDDEFORD  
 ELIZABETH WATSON, FARMINGDALE  
 DEBRA D. PLOWMAN, HAMPDEN  
 ROBERT R. HARTNETT, FREEPORT  
 DAVID R. MADORE, AUGUSTA  
 RICHARD A. NASS, ACTON

## ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON JUDICIARY  
 May 18, 1995

The Honorable Senator Jane A. Amero  
 Chair, Legislative Council  
 117th Maine Legislature  
 State House Station 115  
 Augusta, Maine 04333

RE: Carryover requests

Dear Senator Amero:

The Joint Standing Committee on Judiciary, by unanimous vote, requests authority to carry over to the Second Regular Session the following bills.

- LD 19 An Act to Change the Statute of Limitations for Professional Negligence in Sterilization Procedures.
- LD 161 An Act to Establish a Limit on Noneconomic Damages in Medical Malpractice Actions.
- LD 423 An Act to Establish a Limit on Noneconomic Damages in Medical Malpractice Actions.
- LD 514 An Act to Improve the Operation of Prelitigation Screening Panels.
- LD 526 An Act to Amend the Statute of Limitations for Health Care Providers and Health Care Practitioners to Include a Discovery Rule.
- LD 636 An Act to Modify Joint and Several Liability in Medical Malpractice Actions.
- LD 643 An Act to Provide Better Information Concerning Tort Reform.
- LD 670 An Act to Extend the Medical Liability Demonstration Project Deadline by 3 Years.
- LD 742 An Act Regarding Wrongful Death Actions.
- LD 916 An Act to Improve the Function of the Maine Health Security Act.
- LD 1252 An Act to Clarify the Role of Prelitigation Screening Panels under the Health Security Act.

Reason for carryover request:

The Committee has already worked on and reported out this session a number of bills relating to tort liability and civil immunities. Most of the bills listed above deal specifically with health care and should be addressed next January along with recommendations which are due at that time from the Health Care Reform Commission.

The U.S. House of Representatives has also recently passed legislation on medical malpractice. If it becomes law, it will have an impact on several of these bills and may make it unnecessary for us to consider them.

These bills focus on a complex subject and will require large blocks of committee time for members to acquire necessary background information.

- LD 1371 An Act Relating to Civil Actions, Providing for the Defense of Assumption of Risk, Providing for Standards of Liability in Product Liability Actions and Providing for Standards and Procedures in Awarding Punitive Damages.
- LD 1517 An Act to Create the Sunshine in Litigation Act.

Reason for carryover request:

These two are product liability bills dealing with subjects currently under review by Congress. Federal legislation in final form is expected soon but not until after the end of our current session.

- LD 346 An Act to Change the Maine Rule of Evidence That Currently Allows the Admission of Subsequent Remedial Measures as Evidence of Negligence.

Reason for carryover request:

The Maine Supreme Judicial Court is considering a rule change on the admissibility of subsequent remedial measures and has recently held its own hearing which was attended by several members of the Judiciary Committee. The bill should be held until the Court has concluded its action on the same subject.

- LD 658 An Act Concerning Real Estate Trusts.

Reason for carryover request:

This bill attempts to address a complex issue relating to real estate titles. Two sections of the Maine State Bar Association agreed to develop legislation for the Second Regular Session that will resolve the problems of transferring property to and from trusts and partnerships when an individual's name does not appear in the deed.

- LD 1331 An Act Relating to Confidentiality of Records and the Prevention of Child Sexual Abuse.

Reason for carryover request:


This bill addresses the confidentiality of records concerning perpetrators of child sexual abuse. Parties interested in the bill are continuing their discussions, and are working to improve the wording and substance of the bill before asking for consideration by the Legislature.

- LD 1448 An Act to Reconcile Rights and Responsibilities with Respect to Sexual Orientation and Related Matters.

Reason for carryover request:

This is a complex bill dealing with discrimination on the basis of sexual orientation. If enacted it could be considered a "competing measure" to initiated bill LD 310, and would require treatment as a ballot question. Legislative disposition of the bill will depend on the outcome of the vote in November. We also wish to provide Sen. Berube a chance to prepare for hearings and discussions of the bill.

Thank you for your consideration. Please do not hesitate to call if you have any questions.



Sen. S. Peter Mills, Jr.  
Senate Chair

Sincerely,



Rep. Sharon Anglin Treat  
House Chair

7748LHS

SENATE

CHARLES M. BEGLEY, DISTRICT 16, CHAIR  
S. PETER MILLS, DISTRICT 13  
ANNE M. RAND, DISTRICT 28

LISA COPENHAVER, LEGISLATIVE ANALYST  
DARLENE SIMONEAU, COMMITTEE CLERK



STATE OF MAINE

HOUSE

PAMELA H. HATCH, SKOWHEGAN, CHAIR  
JOHN L. TUTTLE, JR., SANFORD  
GAIL M. CHASE, CHINA  
PATRICIA LEMAIRE, LEWISTON  
ROLAND B. SAMSON, JAY  
HENRY L. JOY, CRYSTAL  
STEVEN JOYCE, BIDDEFORD  
ROBERT E. PENDLETON, JR., SCARBOROUGH  
VAUGHN A. STEDMAN, HARTLAND  
TOM J. WINSOR, NORWAY

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON LABOR  
May 19, 1995

TO: Senator Jane Amero, Chair, Rep. Elizabeth Mitchell,  
Vice Chair, Legislative Council and Council Members

FROM: Senator Charles M. Begley, Senate Chair  
Rep. Pamela H. Hatch, House Chair  
Joint Standing Committee on Labor

RE: REQUEST FOR CARRY OVER

The Joint Standing Committee on Labor has voted to request authorization to carry over the following bills:

**LD 483** An Act to Abolish the Legislative Retirement System

This bill was recommitted to the Labor Committee on May 10th for the purpose of developing alternative approaches to dealing with retirement for legislators. The Retirement System has agreed to work with the sponsors to develop alternatives and supporting data. More time is necessary than is available this session.

Vote: 12-1

**LD 1056** Resolve, to Create an Advisory Committee to Assist in the Funding of State Employee Workers' Compensation Claim

The current Part I Budget contains significant steps for addressing workers' comp claims for state employees. If those steps are not enacted this year in the budget, creating an advisory committee may be an appropriate action next session.

Vote: 11-2

Thank you for your consideration.

8079WPPGEA

A handwritten signature in cursive script, likely belonging to Charles M. Begley.

A handwritten signature in cursive script, likely belonging to Pamela H. Hatch.

SENATE

NORMAN K. FERGUSON, JR., DISTRICT 24, CHAIR  
ALBERT G. STEVENS, JR., DISTRICT 20  
MICHAEL H. MICHAUD, DISTRICT 3

LISA COPENHAVER, LEGISLATIVE ANALYST  
ELAINE DOAK, COMMITTEE CLERK



STATE OF MAINE

HOUSE

GUY R. NADEAU, SAGO, CHAIR  
ALBERT P. GAMACHE, LEWISTON  
PETER P. TRUMAN, BIDDEFORD  
NANCY L. CHIZMAR, LISBON  
CHARLES D. FISHER, BREWER  
HARRY G. TRUE, FRYEBURG  
ELEANOR M. MURPHY, BERWICK  
KENNETH F. LEMONT, KITTERY  
JOHN T. BUCK, YARMOUTH  
JANICE E. LABRECQUE, GORHAM

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON LEGAL AND VETERANS' AFFAIRS

May 12, 1995

Senator Jane Amero, Chair  
Legislative Council  
State House  
Augusta, Maine 04333

Dear Senator Amero:

The Joint Standing Committee on Legal and Veterans' Affairs requests permission to carry over LD 848, An Act to Further the Privatization of Liquor Stores within the State, until the second session of the 117th Legislature.

The committee expects to report out a bill (LD 1514) later this month that, at the Governor's request, will establish a Study Task Force to determine the State's policy on a variety of liquor issues, including privatization. The committee would like to keep the bill title for LD 848 to implement the results of the Study Task Force during the second session. We are sure that the Legislative Council will agree that it is not reasonable for the committee to report out LD 848 before the Study Task Force has concluded its work.

We would appreciate the prompt approval of the Legislative Council to carry over LD 848.

Sincerely yours,

A handwritten signature in cursive script, reading "Norm Ferguson".

Norman K. Ferguson, Jr.  
Senate Chair

A handwritten signature in cursive script, reading "Guy Nadeau".

Guy Nadeau,  
House Chair

SENATE

NORMAN K. FERGUSON, JR., DISTRICT 24, CHAIR  
ALBERT G. STEVENS, JR., DISTRICT 20  
MICHAEL H. MICHAUD, DISTRICT 3

LISA COPENHAVER, LEGISLATIVE ANALYST  
ELAINE DOAK, COMMITTEE CLERK



STATE OF MAINE

HOUSE

GUY R. NADEAU, SACO, CHAIR  
ALBERT P. GAMACHE, LEWISTON  
PETER P. TRUMAN, BIDDEFORD  
NANCY L. CHIZMAR, LISBON  
CHARLES D. FISHER, BREWER  
HARRY G. TRUE, FRYEBURG  
ELEANOR M. MURPHY, BERWICK  
KENNETH F. LEMONT, KITTERY  
JOHN T. BUCK, YARMOUTH  
JANICE E. LABRECQUE, GORHAM

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON LEGAL AND VETERANS' AFFAIRS

May 16, 1995

Senator Jane Amero, Chair  
Legislative Council  
State House  
Augusta, Maine 04333

Dear Senator Amero:

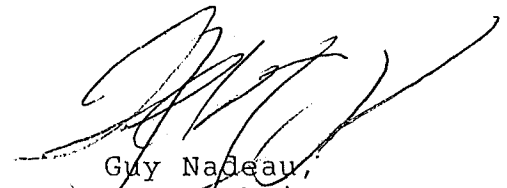
The Joint Standing Committee on Legal and Veterans' Affairs requests permission to carry over LD 1076, An Act to Clarify the Laws Regarding the Ejection of a Person from a Boardinghouse, until the second session of the 117th Legislature.

The committee has received the commitment of the Maine Association of Landlords and Apartment Owners, Pine Tree Legal and interested Legislators to work together to draft language that resolves this issue and is acceptable to all the parties involved. This group will report back to the committee during the second session. The committee plans to review their work and take action on this bill at that time.

We would appreciate the prompt approval of the Legislative Council to carry over LD 1076.

Sincerely yours,

  
Norman K. Ferguson, Jr.  
Senate Chair

  
Guy Nadeau,  
House Chair

SENATE

NORMAN K. FERGUSON, JR., DISTRICT 24, CHAIR  
ALBERT G. STEVENS, JR., DISTRICT 20  
MICHAEL H. MICHAUD, DISTRICT 3

LISA COPENHAVER, LEGISLATIVE ANALYST  
ELAINE DOAK, COMMITTEE CLERK



STATE OF MAINE

HOUSE

GUY R. NADEAU, SAGO, CHAIR  
ALBERT P. GAMACHE, LEWISTON  
PETER P. TRUMAN, BIDDEFORD  
NANCY L. CHIZMAR, LISBON  
CHARLES D. FISHER, BREWER  
HARRY G. TRUE, FRYEBURG  
ELEANOR M. MURPHY, BERWICK  
KENNETH F. LEMONT, KITTERY  
JOHN T. BUCK, YARMOUTH  
JANICE E. LABRECQUE, GORHAM

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON LEGAL AND VETERANS' AFFAIRS

May 18, 1995

Senator Jane Amero, Chair  
Legislative Council  
State House  
Augusta, Maine 04333

Dear Senator Amero:

The Joint Standing Committee on Legal and Veterans' Affairs requests permission to carry over LDs 400, An Act to Authorize Video Gambling and 1218, An Act to Amend the Laws Relating to Harness Racing, until the second session of the 117th Legislature.

The committee has determined that issues of campaign finance, retail tobacco sales licensing, the development of a liquor policy study task force and revisions in existing harness racing statute are the priority issues to complete by the end of this session. We will not have time to diligently prepare those topics, complete work on the bills that remain in committee and give the video gambling proposals the intense scrutiny that they deserve.

We would appreciate the prompt approval of the Legislative Council to carry over LDs 400 and 1218.

Sincerely yours,

*Norman K. Ferguson Jr.*  
KMF

Norman K. Ferguson, Jr.  
Senate Chair

*Guy R. Nadeau*  
Guy R. Nadeau,  
House Chair

SENATE

JEFFREY H. BUTLAND, DISTRICT 26, CHAIR  
JILL M. GOLDTHWAIT, DISTRICT 5  
ROCHELLE M. PINGREE, DISTRICT 12

JOHN KELLEY, LEGISLATIVE ANALYST  
DIANE STEWARD, COMMITTEE CLERK



STATE OF MAINE

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON MARINE RESOURCES

HOUSE

PETER A. CLOUTIER, SO PORTLAND, CHAIR  
HERBERT ADAMS, PORTLAND  
EDMUND BENEDIKT, BRUNSWICK  
DAVID ETNIER, HARPSWELL  
PAUL VOLENIK, SEDGWICK  
THEONE F. LOOK, JONESBORO  
JOSEPH H. BIGL, BUCKSPORT  
JAMES D. LAYTON, CHERRYFIELD  
WILLIAM D. PINKHAM, LAMOINE  
CHESTER A. RICE, SOUTH BRISTOL

May 17, 1995

TO: Senator Jane Amero, Chair  
Representative Elizabeth Mitchell, Vice Chair  
Legislative Council

FROM: Senator Jeffrey H. Butland, Senate Chair  
Representative Peter A. Cloutier, House Chair  
Joint Standing Committee on Marine Resources

RE: **REQUEST FOR CARRYOVER**

The Joint Standing Committee on Marine Resources voted unanimously to request permission to carryover LD 185, An Act to Restrict the Taking of Eels Less than 6 Inches in Length from Maine Coastal Waters.

The glass eel fishery occurs along Maine rivers each spring as tiny young eels migrate from the sea into the state's inland waters. This year saw a dramatic surge in the number of people fishing for eels. This surge was in response to high market prices for the eels, which are used in Asia for aquaculture purposes.

The committee supports development of a comprehensive management structure for the eel resource. However, the committee finds it best for the Department of Marine Resources to evaluate the fishery through the summer and fall and propose an adequate legislative plan for consideration during the 117th Legislature's 2nd Regular Session.

Thank you for your consideration.

Sincerely,

Handwritten signature of Jeffrey H. Butland.

Sen. Jeffrey H. Butland  
Senate Chair

Handwritten signature of Peter A. Cloutier.

Rep. Peter A. Cloutier  
House Chair

cc: Members, Legislative Council  
Sally Tubbesing, Executive Director  
David E. Boulter  
Teen Griffin

SENATE

JEFFREY H. BUTLAND, DISTRICT 26, CHAIR  
JILL M. GOLDTHWAIT, DISTRICT 6  
ROCHELLE M. PINGREE, DISTRICT 12

JOHN KELLEY, LEGISLATIVE ANALYST  
DIANE STEWARD, COMMITTEE CLERK



STATE OF MAINE

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON MARINE RESOURCES

HOUSE

PETER A. CLOUTIER, SO PORTLAND, CHAIR  
HERBERT ADAMS, PORTLAND  
EDMUND BENEDIKT, BRUNSWICK  
DAVID ETNIER, HARPSWELL  
PAUL VOLENIK, SEDGWICK  
THEONE F. LOOK, JONESBORO  
JOSEPH H. BIGL, BUCKSPORT  
JAMES D. LAYTON, CHERRYFIELD  
WILLIAM D. PINKHAM, LAMOINE  
CHESTER A. RICE, SOUTH BRISTOL

May 23, 1995

TO: Senator Jane Amero, Chair  
Representative Elizabeth Mitchell, Vice Chair  
Legislative Council

FROM: Senator Jeffrey H. Butland, Senate Chair  
Representative Peter A. Cloutier, House Chair  
Joint Standing Committee on Marine Resources

RE: **REQUEST FOR CARRYOVER**

The Joint Standing Committee on Marine Resources voted unanimously to request permission to carryover LD 1210, An Act to Protect Near-shore Groundfish Spawning Areas.

The committee supports the concept of selective closings of groundfish spawning areas as a means of helping to rebuild dwindling populations of groundfish. However, like most areas of fisheries management, the issues involve complex biological questions. In addition, consideration needs to be given to the economic impact on harvesters and the means harvesters utilize to catch fish.

In June, the Department of Marine Resources will conduct a symposium addressing the closure of spawning areas as a conservation measure. The committee requests to carry over LD 1210 to provide the department an opportunity to research closing techniques and to provide the committee a legislative vehicle in the event new or amended law is required to implement recommendations concerning spawning areas.

Thank you for your consideration.

Sincerely,

Handwritten signature of Jeffrey H. Butland.

Sen. Jeffrey H. Butland  
Senate Chair

Handwritten signature of Peter A. Cloutier.

Rep. Peter A. Cloutier  
House Chair

cc: Members, Legislative Council  
Sally Tubbesing, Executive Director  
David E. Boulter  
Teen Griffin

SENATE

WILLIS A. LORD, DISTRICT 34, CHAIR  
W. JOHN HATHAWAY, DISTRICT 32  
RICHARD P. RUHLIN, DISTRICT 6

DEB FRIEDMAN, LEGISLATIVE ANALYST  
JON CLARK, LEGISLATIVE ANALYST  
LYNNE HANLEY, COMMITTEE CLERK



STATE OF MAINE

HOUSE

RICHARD A. GOULD, GREENVILLE, CHAIR  
THOMAS E. POULIN, OAKLAND  
JANE W. SAXL, BANGOR  
RANDALL L. BERRY, LIVERMORE  
JUNE C. MERES, NORRIDGEWOCK  
DAVID C. SHIAH, BOWDOINHAM  
ERNEST C. GREENLAW, STANDISH  
CATHARINE L. DAMREN, BELGRADE  
ROY I. NICKERSON, TURNER  
JOHN P. MARSHALL, ELIOT

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON NATURAL RESOURCES

May 19, 1995

TO: Senator Jane Amero, Chair  
Representative Elizabeth Mitchell, Vice Chair  
Legislative Council

FROM: Senator Willis A. Lord, Senate Chair  
Representative Richard A. Gould, House Chair  
Joint Standing Committee on Natural Resources

RE: **REQUEST FOR CARRYOVER**

The Joint Standing Committee on Natural Resources respectfully requests permission to carry the following bills over to the Second Regular Session of the 117th Legislature.

**LD 646 An Act to Reinstate the Laws Governing Dam Abandonment**

We propose to study the issue of dam abandonment (see attached request) during the interim and would like to retain this bill and make our decisions on this issue after we have had the benefit of the study.

**LD 1014 Resolve, Directing the Commissioner of Environmental Protection to Propose a Plan to Reorganize the Department of Environmental Protection**

We would like to give Commissioner Sullivan a chance over the interim to evaluate the organization of his department and to formulate his own ideas before we discuss a bill requiring him to impose a certain structure upon the department. We would like to retain this bill until next session so that we can use it to codify a new structure if we see fit after hearing from Commissioner Sullivan.

The votes to carry over these bills were unanimous. Thank you for considering this request. Please feel free to contact us if you have questions.

cc: Members, Legislative Council  
Sally Tubbesing, Executive Director  
David E. Boulter  
Teen Griffen

7151nrg

SENATE

JANE A. AMERO, DISTRICT 30, CHAIR  
DAVID L. CARPENTER, DISTRICT 33  
SUSAN W. LONGLEY, DISTRICT 11

DAVID ELLIOT, LEGISLATIVE ANALYST  
ROY LENARDSON, LEGISLATIVE ANALYST  
JACKIE CHAMBERLAIN, COMMITTEE CLERK



HOUSE

BEVERLY C. DAGGETT, AUGUSTA, CHAIR  
DOUGLAS J. AHEARNE, MADAWASKA  
WILLIAM LEMKE, WESTBROOK  
JANE W. SAXL, BANGOR  
BELINDA A. GERRY, AUBURN  
JON M. ROSEBUSH, EAST MILNOCKET  
JULIE-MARIE ROBICHAUD, CARIBOU  
PRISCILLA LANE, ENFIELD  
CHRISTINE R. SAVAGE, UNION  
ROBERT E. YACKOBITZ, HERMON

STATE OF MAINE

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON STATE AND LOCAL GOVERNMENT

May 17, 1995

TO: Senator Jane Amero, Chair, Rep. Elizabeth Mitchell, Vice Chair, Legislative Council  
and Council Members

FROM: Senator Jane Amero, Senate Chair *J.A.*  
Rep. Beverly Daggett, House Chair *B.D.*  
Joint Standing Committee on State & Local Government

RE: **REQUEST FOR CARRYOVER**

The Joint Standing Committee on State and Local Government requests that the following bills be carried over to the 2nd Regular Session of the 117th Legislature.

<u>LD#</u>	<u>Title</u>	<u>Sponsor</u>
169	Resolve, Establish the Maine Council on Privatization	Sen. Kieffer
975	An Act to Establish the Department of Health and Family Services	Rep. Morrison
1213	An Act to Implement the Recommendation of the Special Commission on Governmental Restructuring	Sen. Amero
1338	An Act to Restructure the Department of Human Services and the Department of Mental Health and Mental Retardation	Rep. Brennan

**Rationale:** These bills are restructuring bills or bills related to restructuring. The committee wishes to carry these over and wait for the results of the productivity task force, which is likely to have a significant impact on these pieces of legislation. In addition the committee will be requesting that these bills be reviewed by the Productivity Task Force.

**Committee Vote:** Unanimous

<u>LD#</u>	<u>Title</u>	<u>Sponsor</u>
1185	An Act to Give the Washington County Legislative Delegation a Role in the County Budge Process	Rep. Bunker

**Rationale:** The Washington County delegation has asked that the committee carry this bill over and give Legislators from Washington County as well as municipal and county officials an opportunity to work out several concerns and report back to the committee in January.

**Committee Vote:** Unanimous

1328	An Act to Limit the Length of Legislative Sessions	Rep. Lumbra
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**Rationale:** Members of the committee wish to hold this bill over for the purpose of having a vehicle in which to implement changes in the Legislative schedule which may come as a result of TQM or other sources.

**Committee Vote:** 7-2 (4 not voting)

cc: Teen Griffin  
File

7982WPPGEA

## SENATE

JANE A. AMERO, DISTRICT 30, CHAIR  
DAVID L. CARPENTER, DISTRICT 33  
SUSAN W. LONGLEY, DISTRICT 11

DAVID ELLIOT, LEGISLATIVE ANALYST  
ROY LENARDSON, LEGISLATIVE ANALYST  
JACKIE CHAMBERLAIN, COMMITTEE CLERK



## STATE OF MAINE

## ONE HUNDRED AND SEVENTEENTH LEGISLATURE

## COMMITTEE ON STATE AND LOCAL GOVERNMENT

## HOUSE

BEVERLY C. DAGGETT, AUGUSTA, CHAIR  
DOUGLAS J. AHEARNE, MADAWASKA  
WILLIAM LEMKE, WESTBROOK  
JANE W. SAXL, BANGOR  
BELINDA A. GERRY, AUBURN  
JON M. ROSEBUSH, EAST MILLINOCKET  
JULIE-MARIE ROBICHAUD, CARIBOU  
PRISCILLA LANE, ENFIELD  
CHRISTINE R. SAVAGE, UNION  
ROBERT E. YACKOBITZ, HERMON

May 24, 1995

TO: Senator Jane Amero, Chair, Rep. Elizabeth Mitchell,  
Vice Chair, Legislative Council and Council Members

FROM: Senator Jane Amero, Senate Chair  
Rep. Beverly Daggett, House Chair  
Joint Standing Committee on State & Local Government

RE: **REQUEST FOR CARRYOVER -- ADDENDUM**

The Joint Standing Committee on State and Local Government requests that the following bill be added to the May 17, 1995 Request for Carryover:

<u>LD#</u>	<u>Title</u>	<u>Sponsor</u>
1355	An Act to Establish Standards for Privatization Contracts	Sen. Bustin

**Rationale:** Several members of the committee noted that LD 1355 was a far reaching issue regarding privatization and should be carried over and reviewed in the interim by the Productivity Task Force.

**Committee Vote:** 5-3 (5 not voting)

8100WPPGEA

SENATE

W. JOHN HATHAWAY, DISTRICT 32, CHAIR  
NORMAN K. FERGUSON, JR., DISTRICT 24  
RICHARD J. CAREY, DISTRICT 14

KEVIN MADIGAN, LEGISLATIVE ANALYST  
FLORENCE DUNBAR, COMMITTEE CLERK



STATE OF MAINE

HOUSE

SUSAN E. DORE, AUBURN, CHAIR  
JOHN L. TUTTLE, JR., SANFORD  
FRED L. RICHARDSON, PORTLAND  
BONNIE GREEN, MONMOUTH  
ROBERT KEANE, OLD TOWN  
VERDI L. TRIPP, TOPSHAM  
ELEANOR M. MURPHY, BERWICK  
ROBERT W. SPEAR, NOBLEBORO  
GARY W. REED, FALMOUTH  
BURCHARD A. DUNN, GRAY

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON TAXATION

May 19, 1995

Honorable Jane A. Amero, Chair  
Legislative Council  
State House Station #115  
Augusta, Maine 04333

Dear Senator Amero,

On May 19, 1995, the Joint Standing Committee on Taxation voted unanimously to request to carry over the following LD's:

- LD 490      An Act to Establish a State Income Tax Credit for Health Insurance Premiums
- LD 586      An Act to Establish a Flat Income Tax Rate for Certain Persons
- LD 835      An Act to Encourage the Use of Maine Ports by Allowing a State Income Tax Credit on Taxes Assessed by the Federal Government on Shippers
- LD 1458     An Act to Provide a New Jobs Tax Credit

The first two bills involve issues that are currently before the U.S. Congress. Depending on their outcome there, the Committee would like vehicles to address the issues at the State level. The third bill is perceived to be a valuable economic development tool but we have been unable to obtain enough information about its cost. The sponsor, proponents, Bureau of Taxation and U.S. Customs Officials are working diligently to get the information we need and we believe that they will be able to do so over the interim. The last bill is requested to be held for two reasons. First, it too could be a valuable job development and retention tool if we can afford it. Secondly, the sponsor wants to work independently this summer to analyze the fiscal impact using a more dynamic revenue forecasting approach than we now use (see issue in LD 114). Since we can not afford to implement a full scale dynamic revenue forecasting model at this time (which is why the committee voted ONTP on LD 114) we thought any work done in this area might be beneficial to our future decisions about how to cost-out LD's that give a tax credit on the one hand but might generate enough jobs on the other hand to offset the loss of revenue.


We still have some bills to be heard and a few bills we are working on so the possibility exists of requesting one or two more bills be carried over. Should that happen, we will notify you immediately.

Thank you for your consideration of our request. We would be pleased to answer any questions or comments you may have.

Sincerely,



W. John Hathaway  
Senate Chair



Susan E. Dore  
House Chair

cc: Members, Joint Standing Committee on Taxation  
Teen Ellen Griffin, Legislative Information

WPP62/334

## SENATE

ALBERT G. STEVENS, JR., DISTRICT 20, CHAIR  
 VINTON E. CASSIDY, DISTRICT 4  
 JUDY A. PARADIS, DISTRICT 1

JILL IPPOLITI, LEGISLATIVE ANALYST  
 J. TIMOTHY LEET, LEGISLATIVE ANALYST  
 JUDY ST. PIERRE, COMMITTEE CLERK



STATE OF MAINE

## HOUSE

WILLIAM B. O'GARA, WESTBROOK, CHAIR  
 GEORGE F. RICKER, LEWISTON  
 JOSEPH D. DRISCOLL, CALAIS  
 GERALD N. BOUFFARD, LEWISTON  
 PAUL CHARTRAND, ROCKLAND  
 DONALD A. STROUT, CORINTH  
 HARRY W. BAILEY, TOWNSHIP 27  
 WESLEY FARNUM, SOUTH BERWICK  
 CHARLES H. HEINO, BOOTHBAY  
 DAVID A. LINDAHL, NORTHPORT

## ONE HUNDRED AND SEVENTEENTH LEGISLATURE

## COMMITTEE ON TRANSPORTATION

May 18, 1995

TO: Senator Jane Amero, Chair  
 Representative Elizabeth Mitchell, Vice Chair  
 Legislative Council

FROM: Senator Albert G. Stevens, Senate Chair *AGS*  
 Representative William B. O'Gara, House Chair *WBO*  
 Joint Standing Committee on Transportation

RE: **REQUEST FOR CARRYOVER**

The Joint Standing Committee on Transportation respectfully requests permission to carry the following bills over to the Second Regular Session of the 117th Legislature.

**LD# Title**

- 465 An Act to Improve the Local Road Assistance Program
- 739 An Act to Decrease the Burden on the Trucking Industry by Permitting Photocopies of Registrations to Be Kept in Trailers and Semitrailers

LD 465 would require additional state funding to communities through the Local Roads Assistance Program for each mile of public road maintained that has more than 2 lanes. The fiscal impact of this change is estimated at \$249,600 for each fiscal year. This estimate of additional allocations required from the highway fund is based on a sample. The actual allocations needed could be significantly greater. The Department of Transportation asked for time to inventory roads and determine the number of miles eligible for additional funding. An inventory would be necessary prior to implementing this act. Carrying this bill over will give the department time to inventory roads and present the committee with its findings early in the second session. If the committee then acts favorably on this bill, an accurate fiscal note can be attached.

LD 739 would allow businesses to keep original certificates of registration for trailers and semitrailers in a central office and to keep a photocopy of the registration certificate in the trailer. The committee heard convincing testimony from representatives of the trucking industry as to the need for this bill. The Bureau of State Police testified in opposition to this bill, citing resulting difficulty in enforcement of registration laws. At the work session, development of a system that would accommodate both the trucking industry and the department's needs seemed possible but in need of further work. Carrying this bill over will allow the interested parties, including the trucking industry, the Bureau of State Police and the Secretary of State who issues registrations to develop a mutually agreed upon system of issuing and carrying registrations.

Thank you for considering this request. Please feel free to contact us if you have questions.

cc: Members, Legislative Council  
Sally Tubbesing, Executive Director  
David E. Boulter  
Teen Griffen

#7105NRG

SENATE

DAVID L. CARPENTER, DISTRICT 33, CHAIR  
PHILIP E. HARRIMAN, DISTRICT 23  
JOHN J. CLEVELAND, DISTRICT 22

JON CLARK, LEGISLATIVE ANALYST  
PAULA B. THOMAS, COMMITTEE CLERK



STATE OF MAINE

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ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON UTILITIES AND ENERGY  
May 11, 1995

TO: Senator Jane Amero, Chair  
Representative Elizabeth Mitchell, Vice Chair  
Legislative Council

FROM: Senator David L. Carpenter, Senate Chair  
Representative Carol A. Kontos, House Chair  
Joint Standing Committee on Utilities and Energy

RE: REQUEST FOR CARRYOVER

The Joint Standing Committee on Utilities and Energy respectfully requests permission to carry the following bills over to the Second Regular Session of the 117th Legislature.

LD#    Title

- 871    An Act Concerning the Calculation of Private Fire Protection Charges
- 734    An Act to Revise the Ogunquit Sewer District Charter

The committee voted unanimously to carry these bills over. LD 871 deals with complex issues which are now being studied by a PUC-created task force. We feel it only prudent to wait to act on this bill until we have a report from the task force next session. LD 734 is a long and involved bill which we simply have no time to properly work through this session.

Thank you for considering this request. Please feel free to contact us if you have questions.

cc: Members, Legislative Council  
Sally Tubbesing, Executive Director  
Teen Griffen ✓

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SENATE

DAVID L. CARPENTER, DISTRICT 33, CHAIR  
PHILIP E. HARRIMAN, DISTRICT 23  
JOHN J. CLEVELAND, DISTRICT 22

JON CLARK, LEGISLATIVE ANALYST  
PAULA B. THOMAS, COMMITTEE CLERK



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RICHARD I. STONE, BANGOR

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON UTILITIES AND ENERGY  
May 19, 1995

TO: Senator Jane Amero, Chair  
Representative Elizabeth Mitchell, Vice Chair  
Legislative Council

FROM: Senator David L. Carpenter, Senate Chair *DLC*  
Representative Carol A. Kontos, House Chair *Cak*  
Joint Standing Committee on Utilities and Energy

RE: REQUEST FOR CARRYOVER

The Joint Standing Committee on Utilities and Energy respectfully requests permission to carry the following bill over to the Second Regular Session of the 117th Legislature.

LD# Title

828 An Act to Provide Public Access to the Information  
Superhighway through Enhanced Library Telecommunications

The committee voted unanimously to carry this bill over. This committee has voted Ought Not To Pass on several other bills concerning telecommunications policy and decided that this bill would provide a good vehicle for dealing with the important and complex issues surrounding access to the information superhighway. There are a variety of negotiations and studies which will be completed this summer which will touch upon a number of matters related to these important issues. These will provide this committee next year with much more information and allow us to act in a more informed manner.

Thank you for considering this request. Please feel free to contact us if you have questions.

cc: Members, Legislative Council  
Sally Tubbesing, Executive Director  
Teen Griffen

**STATE HOUSE PRESS CENTER**  
**Office Assignments as of May, 1995**

**Upper Level**

Room 103	Guy Gannett
Room 104	Bangor Daily News
Room 105	Lewiston Sun Journal/Sunday Sun
Room 106	Associated Press

**Lower Level**

Room B102	WGME-TV/Channel 13
Room B103	(unassigned)
Room B104	Maine Times (to be vacated)
Room B108	Maine Public Broadcasting
Room B109	(Vacant)
Room B110	Maine Times
Room B111	Mike Brown/Ellsworth American

**LEGISLATIVE COUNCIL  
REQUESTS TO INTRODUCE LEGISLATION  
FIRST REGULAR SESSION  
May 24, 1995**

<b>SPONSOR:</b>	<b>Sen. Cleveland, John J.</b>	<b>TABLED 05/22/95</b>
LR 2399	An Act to Amend Certain Effective Date and Referenda Provisions Regarding the Authorization for a Community School District in the Towns of Mechanic Falls, Minot and Poland	
<b>SPONSOR:</b>	<b>Rep. Kilkelly, Marjorie L.</b>	<b>TABLED 05/22/95</b>
LR 2405	An Act Regarding Timothy Harkins and Maine State Retirement System Benefits	
<b>SPONSOR:</b>	<b>Rep. Libby, Jack L.</b>	<b>TABLED 05/05/95</b>
LR 2338	An Act to Prohibit Interference in the Delivery of Emergency Medical Services	
<b>SPONSOR:</b>	<b>Sen. McCormick, Dale</b>	<b>TABLED 05/05/95</b>
LR 2378	An Act to Amend the Campaign Laws as They Pertain to the Mailing of Campaign Literature	
<b>SPONSOR:</b>	<b>Sen. Paradis, Judy</b>	<b>TABLED 05/22/95</b>
LR 2401	An Act to Extend the Reporting Deadline for the Blue Ribbon Commission on Hunger and Food Security	
<b>SPONSOR:</b>	<b>Rep. Plowman, Debra D.</b>	<b>TABLED 05/05/95</b>
LR 2396	An Act to Prohibit Cigarette and Tobacco Manufacturers from Giving Away Free Tobacco Products	
<b>SPONSOR:</b>	<b>Rep. Poulin, Thomas E.</b>	<b>TABLED 03/01/95</b>
LR 2297	An Act to Amend the Laws Regarding the Color of Lights for Private Security Vehicles	

<b>SPONSOR:</b>	<b>Rep. Richardson, Fred L.</b>	<b>TABLED</b>
		<b>01/11/95</b>
<b>LR 2096</b>	<b>An Act to Abolish Secrecy in the Courts on Matters of Public Health or Safety</b>	
<b>SPONSOR:</b>	<b>Sen. Ruhlman, Richard P.</b>	<b>TABLED</b>
		<b>05/05/95</b>
<b>LR 2340</b>	<b>An Act to Amend What Constitutes Equivalency of Taking a Hunter Safety Course</b>	
<b>SPONSOR:</b>	<b>Rep. Tuttle, Jr., John L.</b>	<b>TABLED</b>
		<b>01/25/95</b>
<b>LR 2139</b>	<b>An Act to Exempt From Liability Health Care Professionals Rendering Medical Services at Free Clinics</b>	
<b>SPONSOR:</b>	<b>Rep. Wheeler, Edgar M.</b>	<b>TABLED</b>
		<b>03/01/95</b>
<b>LR 2310</b>	<b>An Act Authorizing the Reimbursement of Costs Associated with the Imprisonment of Persons who Violate Probation</b>	
<b>SPONSOR:</b>	<b>Rep. Whitcomb, Walter E.</b>	<b>TABLED</b>
		<b>05/22/95</b>
<b>LR 2413</b>	<b>An Act to Create the Prospect Water Authority</b>	

#### JOINT RESOLUTIONS

<b>SPONSOR:</b>	<b>Rep. Adams, Herbert</b>	<b>TABLED</b>
		<b>03/01/95</b>
<b>LR 2044</b>	<b>JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO RECOGNIZE MERCHANT MARINE VETERANS OF WORLD WAR II WITH FULL VETERAN STATUS</b>	
<b>SPONSOR:</b>	<b>Rep. Campbell, Richard H.</b>	<b>TABLED</b>
		<b>01/11/95</b>
<b>LR 0118</b>	<b>JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO DESIGNATE ESCHERICHIA COLI 0157:H7 AS A REPORTABLE DISEASE THROUGHOUT THE NATION</b>	
<b>SPONSOR:</b>	<b>Rep. Donnelly, James O.</b>	<b>TABLED</b>
		<b>03/01/95</b>
<b>LR 2299</b>	<b>JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO REJECT THE CANADIAN BORDER CROSSING FEE</b>	

<b>SPONSOR:</b>	<b>Rep. Gooley, Walter R.</b>	<b>TABLED</b>
		<b>01/25/95</b>
LR 1186	JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO CEASE CERTAIN ACTIVITIES CONCERNING THE UNITED NATIONS	
<b>SPONSOR:</b>	<b>Sen. Hathaway, W. John</b>	<b>TABLED</b>
		<b>05/05/95</b>
LR 2387	JOINT RESOLUTION MEMORIALIZING THE PUBLIC UTILITIES COMMISSION OF MAINE NOT TO FREEZE TELEPHONE RATES AND NOT TO REDUCE BY 6% FUTURE REVENUE FOR NYNEX	
<b>SPONSOR:</b>	<b>Rep. Jacques, Paul F.</b>	<b>TABLED</b>
		<b>01/11/95</b>
LR 1236	JOINT RESOLUTION MEMORIALIZING CONGRESS TO ALLOW ALL STATES EAST OF THE 100TH MERIDIAN TO REGULATE THE EXPORT OF UNPROCESSED LOGS	
<b>SPONSOR:</b>	<b>Rep. Mitchell, J. Elizabeth</b>	<b>TABLED</b>
		<b>01/11/95</b>
LR 1760	JOINT RESOLUTION MEMORIALIZING CONGRESS TO REQUIRE FULL DISCLOSURE IN INSURANCE PLANS AND MANAGED HEALTH CARE PLANS	
<b>SPONSOR:</b>	<b>Sen. O'Dea, John J.</b>	<b>TABLED</b>
		<b>01/11/95</b>
LR 0043	JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES CONCERNING THE FEES CHARGED BY THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION	
<b>SPONSOR:</b>	<b>Rep. Underwood, John</b>	<b>TABLED</b>
		<b>03/01/95</b>
LR 2305	JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO OPPOSE THE BORDER CROSSING FEE	
<b>SPONSOR:</b>	<b>Rep. Volenik, Paul</b>	<b>TABLED</b>
		<b>01/11/95</b>
LR 0745	JOINT RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS AND THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO APPROVE THE SALE OF REFORMULATED GASOLINE IN ALL 16 COUNTIES IN THIS STATE	
<b>SPONSOR:</b>	<b>Rep. Wheeler, Edgar M.</b>	<b>TABLED</b>
		<b>03/01/95</b>
LR 2301	JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO OPPOSE THE PROPOSED BORDER CROSSING FEES	