

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL
June 7, 1995
REVISED AGENDA

Lynn Randall
Legislative Council Info.

CALL TO ORDER

ROLL CALL

SUMMARY OF MAY 22, AND MAY 24 COUNCIL MEETINGS

Note: The Summary for the May 22 meeting was Tabled at the May 24 Council meeting in order to give Council members an opportunity to review it.

EXECUTIVE DIRECTOR'S REPORT

REPORTS FROM COUNCIL COMMITTEES

Committee on Computer Security and Access

OLD BUSINESS

Item #1: Request for Review of Agency Rules Pursuant to
5 MRSA § 377-A: Report from Joint Standing Committee
on Human Resources

NEW BUSINESS

Item #1: Request to Assign the Joint Standing Committee on
Business & Economic Development to a "Permanent"
Hearing Room. (Requested by Speaker Gwadosky on behalf
of Representatives Cameron and Libby of Kennebunk)

Item #2: Letter from Senator Mills and Representative Treat
Regarding Workload of the Joint Standing Committee on
Judiciary

Item #3: Letter Regarding Commissioning of the Submarine USS
Maine on July 25, 1995 (letter from Joseph R.
Phillips, Director, Maine State Museum)

Item #4: Request from the Joint Standing Committee on Natural
Resources to conduct a Study on Issues Relating to Dams

Item #5: Requests from Committees to Carry Bills Over to the
Second Regular Session

Item #6: Requests to Introduce After Deadline Bills and Joint
Resolutions

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

SEN. JANE A. AMERO
CHAIR

REP. ELIZABETH H. MITCHELL
VICE-CHAIR



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

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 Switter, Director of Capitol Security, and Norm Finley, Superintendent of Grounds. Chief Switter 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 Switter estimated that the crowd had never exceeded 700 - 800 at any one time. The Speaker then thanked Chief Switter for the "wonderful job he had done coordinating" on behalf of the State, adding that the process seems to work smoothly. Chief Switter 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 Switter's judgment; and Rep. Whitcomb concurred, adding that he would encourage Chief Switter 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.

SEN. JANE A. AMERO
CHAIR

REP. ELIZABETH H. MITCHELL
VICE-CHAIR



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 24, 1995

Approved June 7, 1995

CALL TO ORDER

The Chair, Senator Amero, called the Council meeting to order at 1:25 p.m. in Room 437, the Utilities and Energy Committee Room.

ROLL CALL

Senators:	President Butland, Sen. Lawrence, Sen. Kieffer, Sen. Bustin, Sen. Amero
Representatives:	Speaker Gwadosky, Rep. Jacques, Rep. Whitcomb, Rep. Mitchell, Rep. Carleton
Legislative Officers:	Sally Tubbesing, Executive Director, Legislative Council Lynn Randall, State Law Librarian Grant Pennoyer, Principal Analyst, 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

Summary of May 22, 1995, Council Meeting

Motion: That this item be tabled in order to give Council members an opportunity to review the Report. (Motion by Sen. Amero; second by Sen. Kieffer; unanimous).

EXECUTIVE DIRECTOR'S REPORT

None.

REPORTS FROM COUNCIL COMMITTEES

None.

OLD BUSINESS

Item #1: Requests from Joint Standing Committees to Carry Bills Over to the Second Regular Session (Tabled at May 22 Council meeting).

The Chair, Senator Amero, proposed that the Council employ the following procedures in reviewing the Committee's requests:

- Consider each Committee's recommendations in a single motion.
- Any Council member could request that any single bill be set aside to be voted upon individually.

Senator Amero further suggested that the Council give particular credence to those requests that had unanimous committee support.

The Council then reviewed requests from Committees to carry bills over to the Second Regular Session. A list summarizing the Council's action is attached to this Meeting Summary.

Note: The Council took no action at this meeting on the request from the Joint Standing Committee on Human Resources to carry over LD 371, an Act to Abolish the Maine Health Care Finance Commission. However, a ballot was circulated on May 25, and the vote on the request to carry this bill over was 5-5; thus, the request was denied.

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

At the Chair's request, Sally Tubbesing provided brief background for this item. Ms. Tubbesing reported that Mr. Rod Dogherty had recently contacted her to determine whether there was space available in the State House Press Center and to inquire about the process for applying for assignment of space. Referring to a listing of current "tenants" in the Press Center, she indicated that there was space available since the Maine Times had recently decided to consolidate into a single office.

Sen. Amero then recognized Mr. Dogherty, who expressed his interest in having a full-time presence in the State House. He noted that Foster's Daily Democrat covers several Maine towns; and Rep. Carleton affirmed that the paper has a "significant presence" in southern Maine.

Motion: That Foster's Daily Democrat be assigned space in the Press Center. (Motion by Rep. Carleton; second by Sen. Kieffer; unanimous).

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Council meeting was adjourned at 2:08 p.m., on the motion of Sen. Lawrence.

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

June 6, 1995

Senator Jane Amero, Chair
Rep. Elizabeth Mitchell, Vice-chair
Members of the Legislative Council

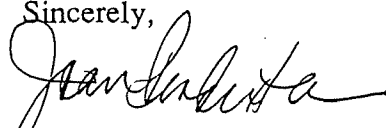
Dear Sen. Amero, Rep. Mitchell and Members of the Council:

Early in the session the Kennebec Valley Medical Center filed an application for review of agency rules pursuant to 5 MRSA §11111. The request made in the application was for the committee to review the Principles of Reimbursement for Nursing Facilities, section 86.1, concerning reimbursement for nursing facility services.

The Human Resources Committee met on May 5 and considered the application. It heard presentations from the Kennebec Valley Medical Center and the Department of Human Services. During the course of the hearing, the department offered to amend the definition of hospital-affiliated facility in the Principles of Reimbursement for Nursing Facilities. The manner in which the department proposed amending the definition was discussed by committee members with the department and with the Kennebec Valley Medical Center. The amendment appears to meet the needs of the medical center and the department. It met with the approval of the committee members.

The Human Resources Committee terminated the hearing and voted to endorse rulemaking to amend the definition of nursing facility. The committee has received a copy of a department memorandum indicating that the rulemaking to amend the definition as agreed upon in the hearing will be undertaken. The committee understands that the Bureau of Medical Services has been fully occupied with issues before the Appropriations Committee and awaits rulemaking by the bureau when the pressure of other work subsides.

Sincerely,


Joan M. Pendexter
Senate Chair


Michael J. Fitzpatrick
House Chair

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 30, 1995

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

RE: Judiciary Schedule

Dear Senator Amero & Legislative Council Members:

By meeting four days a week since March 27, the Judiciary Committee has completed work on a number of difficult and controversial bills. Our time commitment to these issues is summarized at the base of the enclosed chart.

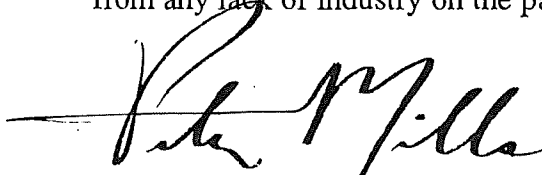
Since mid-April, however, we have received 41 new bills, about twice as many as received by any other committee in the same time frame. As a result, we are now tied with Taxation for the largest number overall.

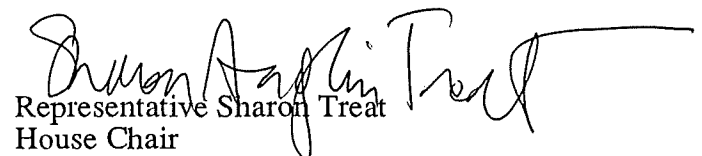
Public hearings for these new bills were promptly scheduled -- in some cases even before we received a reference from the floor. Last week we finished up our public hearings on these bills by holding 26 of them in three days. We also held a dozen work sessions.

Every bill still remaining in committee is now scheduled for work session in the four days left before June 2. We will do everything we can to report each of them out by the new deadline. With a little luck, we may succeed.

In the meantime, please understand that this recent accumulation of bills does not result from any lack of industry on the part of the Committee or its staff.

Sincerely,


Senator S. Peter Mills
Senate Chair


Representative Sharon Treat
House Chair

7910LHS

Enclosure

JUDICIARY HEARING AND WORK SCHEDULE

WK. BEGINNING	DAYS					HOURS	
	M	T	W	T	F	PH	WS
February 20	Holiday	Shutdown	4.0			4.0	
27	3.0		7.0			10.0	
March 6	4.0		4.0			4.0	4.0
13	4.0		4.0			4.0	4.0
20	6.5	2.0	4.0			5.0	7.5
27	5.0	3.0	5.0	2.0		5.0	10.0
April 3	6.5	3.0	3.0	3.5		2.5	13.0
10	6.0	3.5	3.0	3.0		6.0	8.0
17		VACATION		SUB-CMTE 3.0			
24	5.0	4.0	4.0	3.0		16.0	---
May 1	9.5	6.0	4.0	4.0	6.0	15.5	14.0
8	12.0	4.0	4.0	10.5		15.0	15.5
15	7.0	4.0	4.0	5.0		5.0	15.0
22	8.0	4.0	6.0	5.0		12.5	10.5
29	Holiday	X	X	X	X		
June 5							
Total						104.5	101.5

SUMMARY OF TIME SPENT ON CERTAIN BILLS

SUBJECT	LD	HOURS	
		PH	WS
Tired Truckers	346	7.0	6.5
Clinic Protection	1316	2.0	2.0
Abortion	636, 633	5.5	3.0
Takings	170, 1217	8.0	7.0
Human Rights Bill	310	6.0	.2
Right to Die	748	4.0	4.0
Child Support	706, 1516	2.0	8.0
Budget	706		5.0
Adoption	1522, 1400	5.0	6/1/95
	1398, 629		
	1182		
Attorney Grievance	237	2.0	4.0
Grandparents	484, 50	5.0	4.0
Total		46.5	43.7



MAINE STATE MUSEUM

State House Station 83
Augusta, Maine 04333-0083

(207) 287-2301

May 8, 1995

The Honorable Jane A. Amero, Chair
The Honorable Elizabeth H. Mitchell, Vice Chair
Maine State Legislative Council
State House Station 115
Augusta, Maine 04333

Dear Senator Amero and Representative Mitchell:

The Maine State Museum is responsible for historic artifacts in the Blaine House including four silver pieces which sailed aboard both the first and second ships called *USS MAINE*. These pieces have been on loan from the U.S. Navy to the State of Maine since 1922.

In 1994 the Navy offered to give three of these pieces to the state and to leave the fourth on loan until the commissioning of the new *USS MAINE*, the submarine *SSBN741*. The fourth piece is a loving cup with moose antler handles.

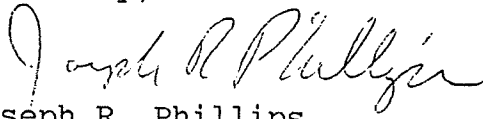
The Navy offer included the words "... the loving cup may remain on loan to the State until a new *USS MAINE* is commissioned or until arrangements regarding a contemporary silver service are made."

Governor McKernan signed the letter accepting this proposal on July 1, 1994 and the Naval Supply Systems Command has been proceeding on this basis.

Brigadier General Earl Adams is now heading the State's official participation in the Commissioning of the submarine on July 29, 1995. This event represents a proud moment in the long history of mutual respect and support shared by the U.S. Navy and the State of Maine.

If any discussion of official gifts for the submarine should come before the Legislative Council I request that General Adams and I be notified so we can provide accurate information on the status of the State's involvement.

Sincerely,



Joseph R. Phillips
Museum Director

JRP/gs

cc: Brigadier General Earl Adams



DEPARTMENT OF THE NAVY
MAINE (SSBN 741)
PRECOMMISSIONING UNIT
SUPERVISOR OF SHIPBUILDING
CONVERSION AND REPAIR, USN
66 EASTERN POINT ROAD
GROTON, CT 06340 - 4990

4001

Ser 095

24 FEB 1995

From: Commanding Officer, PRECOMUNIT MAINE (SSBN 741)
To: Commander, Naval Supply Systems Command (SUP 431)

Subj: REQUEST FOR PRESENTATION SILVER

Ref: (a) Afloat Supply Procedures (NAVSUP P-485)
(b) PHONCON (PRECOMUNIT MAINE (SSBN 741)) LT
CHORDAS/(NAVSUP) MS. Lula Crittenden of 25 Jan 95

1. Per references (a) and (b), PCU MAINE (SSBN 741) requests possession of the "Loving Cup." This item, classified as presentation silver, is currently on-loan to the State of Maine.

2. PCU MAINE is working with the State of Maine to identify other silver items that may be presented to MAINE as gifts. These items will also be classified as namesake silver, and as such, will be assigned by NAVSUPSYSCOM to MAINE while in commission. Request authority for PCU MAINE to take possession of these namesake silver items during MAINE'S commissioning. PCU MAINE will report receipt of all such items as required by reference (a).

G. A. GARDNER



DEPARTMENT OF THE NAVY
NAVAL SUPPLY SYSTEMS COMMAND
1931 JEFFERSON DAVIS HIGHWAY
ARLINGTON VA 22241-5360

TELEPHONE NUMBER
COMMERCIAL
AUTOVON
IN REPLY REFER TO:

MAY 11 1994

Mr. Joseph R. Phillips
Museum Director
Maine State Museum
State House Station 83
Augusta, Maine 04333-0083

Dear Mr. Phillips:

This responds to your letter of April 11, 1994 in which you assert ownership to four presentation silver pieces recovered from the battleship USS MAINE in the Havana Harbor following an explosion on February 15, 1898.

After careful review of our records, including documents dated 1922, we must inform you that the Department of the Navy owns the silver pieces. The enclosed letter of May 5, 1922 addressed to the then Governor of Maine, Percival D. Baxter, clearly indicates that the presentation silver was loaned to the State for an indefinite period. Because the transfer was only a loan, the two 1970 letters referenced in your letter viewed in context of the May 5, 1922 letter, do not support your assertion that the presentation silver is the property of the State of Maine.

However, in light of the long standing tradition of support by the people of the State of Maine for our naval forces, the Secretary of the Navy is willing to relinquish ownership of several pieces of silver while retaining title to one piece. Although we propose to retain title to the loving cup and transfer ownership of the remaining three pieces after execution of appropriate documents, the loving cup may remain on loan to the State until a new USS MAINE is commissioned or until arrangements regarding a contemporary silver service are made.

If you are agreeable to this proposal, please contact Ms. Lula Crittenden at (703) 607-1640.

Sincerely,

Enclosure

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 16, 1995

Senator Jane Amero, Chair
Legislative Council
117th Maine Legislature

Dear Senator Amero:

We are writing on behalf of the Joint Standing Committee on Natural Resources to request permission for the committee to conduct a study during the up-coming interim on issues relating to dams.

We propose to study two major issues:

1. Issues related to abandonment of dams not now regulated by the FERC or the state DEP, including water level regimes, draw downs, effects on fisheries and revegetation planning; and
2. The costs and time involved in licensing and relicensing which may cause dam ownership and operation to become uneconomic and thus result in some form of abandonment, and what may be done to reduce these regulatory burdens or to facilitate dam transfer to government or other entities which are willing to manage the operation of these dams.

We would propose to meet no more than 4 times over the course of the interim. We would request the assistance of staff appointed by the Council.

In a separate letter (copy attached) we have requested to carry over LD 646, "An Act to Reinstate the Laws Governing Dam Abandonment". This bill would provide us a useful vehicle for reporting out our recommendations on these issues next session.

Thank you for your consideration.

Sincerely,

Handwritten signature of Willis A. Lord.
Willis A. Lord
Senate Chair

Handwritten signature of Richard A. Gould.
Richard A. Gould
House Chair

cc: Members, Joint Standing Committee on Natural Resources
Members, Legislative Council

6860NRG

Lynn Randall
Legislative Council Info.

SEN. JANE A. AMERO
CHAIR

REP. ELIZABETH H. MITCHELL
VICE-CHAIR



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

June 5, 1995

TO: Members of the Legislative Council
FROM: Jane A. Amero, Chair J-A.
SUBJECT: New Carry Over Requests from Committees

Enclosed is the list of the 16 new carry over requests that we have received from committees, as well as copies of the letters from Chairs. While I understand that we may still receive additional requests, I wanted you to have an opportunity to review these prior to this Wednesday's Legislative Council so that we are prepared to take action at that time.

I look forward to seeing you on Wednesday at 1:00 p.m. in the Utilities & Energy Committee Room.

Enclosures

cc: May Ross, Secretary of the Senate
Joseph Mayo, Clerk of the House
Legislative Staff Directors
Teen Griffin

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

DB: TEST7
RPT: SPEC04

June 5, 1995

Committee Name	Title	Sponsors
Appropriations and Financial Affairs		
L.D. 671	An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 to Help Increase Fish Production at the State Hatcheries	KERR
L.D. 688	An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 to Provide Funding for the Public Access to Maine Waters Fund	MARTIN
Business and Economic Development		
L.D. 1532	An Act Requiring Doctors of Naturopathic Medicine to Be Licensed by the Naturopathic Board of Examiners and Regulating Naturopathic Health Care Practice	MITCHELL JE
Education and Cultural Affairs		
L.D. 505	An Act to Implement the Recommendations of the Committee to Study the Operations of the Governor Baxter School for the Deaf	
L.D. 827	An Act to Provide for Record Checks of Elementary and Secondary Education Employees and Applicants	O'NEAL
L.D. 830	An Act to Establish Charter Schools	BARTH
Human Resources		
L.D. 134	An Act to Exempt Certain Small Businesses from Paying the Annual Fee to the Public Drinking Water Fund	WHITCOMB
Labor		
L.D. 926	An Act to Prevent Impasse in Collective Bargaining by Allowing Parties of Either Side to Request Mediation	SAMSON
L.D. 946	An Act Concerning Preference to Maine Workers and Contractors	LONGLEY JACQUES
L.D. 1476	An Act to Establish the Employee Partnership Reward Act	PINGREE
Legal and Veterans Affairs		
L.D. 1303	An Act to Clarify Definitions Under the Laws Concerning Games of Chance	MICHAUD
State and Local Government		
L.D. 1443	An Act to Dismiss Certain Federal Mandates	GERRY

<u>Committee Name</u>	<u>Title</u>	<u>Sponsors</u>
Taxation		
L.D. 1440	An Act to Establish a Catastrophic Health Care Expense Program	TUTTLE
L.D. 1521	An Act to Make the Maine Income Tax a Percentage of the Federal Income Tax	SIMONEAU
Transportation		
L.D. 59	An Act to Repeal the Sensible Transportation Policy Act	BEGLEY CAMPBELL
Utilities and Energy		
L.D. 1533	An Act to Require the Public Utilities Commission to Ensure Telecommunications Service in Economic Development Areas	DONNELLY

— End of Report —

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

DB: TEST7
RPT: SPEC04

June 7, 1995

Committee Name	Title	Sponsors
Agriculture, Conservation and Forestry		
L.D. 1469	An Act to Reinstate the Maine Meat Inspection Act	KILKELLY
Appropriations and Financial Affairs		
L.D. 671	An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 to Help Increase Fish Production at the State Hatcheries	KERR
L.D. 688	An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 to Provide Funding for the Public Access to Maine Waters Fund	MARTIN
Business and Economic Development		
L.D. 1532	An Act Requiring Doctors of Naturopathic Medicine to Be Licensed by the Naturopathic Board of Examiners and Regulating Naturopathic Health Care Practice	MITCHELL JE
Education and Cultural Affairs		
L.D. 505	An Act to Implement the Recommendations of the Committee to Study the Operations of the Governor Baxter School for the Deaf	
L.D. 827	An Act to Provide for Record Checks of Elementary and Secondary Education Employees and Applicants	O'NEAL
L.D. 830	An Act to Establish Charter Schools	BARTH
L.D. 1560	Resolve, to Reduce Reliance on the Property Tax for School Funding	MITCHELL EH
Human Resources		
L.D. 134	An Act to Exempt Certain Small Businesses from Paying the Annual Fee to the Public Drinking Water Fund	WHITCOMB
Judiciary		
L.D. 1358	An Act to Authorize the Formation of Limited Liability Partnerships	HARRIMAN DORE
Labor		
L.D. 926	An Act to Prevent Impasse in Collective Bargaining by Allowing Parties of Either Side to Request Mediation	SAMSON
L.D. 946	An Act Concerning Preference to Maine Workers and Contractors	LONGLEY JACQUES

<u>Committee Name</u>	<u>Title</u>	<u>Sponsors</u>
L.D. 1476	An Act to Establish the Employee Partnership Reward Act	PINGREE
Legal and Veterans Affairs L.D. 1303	An Act to Clarify Definitions Under the Laws Concerning Games of Chance	MICHAUD
State and Local Government L.D. 1443	An Act to Dismiss Certain Federal Mandates	GERRY
Taxation L.D. 1440	An Act to Establish a Catastrophic Health Care Expense Program	TUTTLE
L.D. 1521	An Act to Make the Maine Income Tax a Percentage of the Federal Income Tax	SIMONEAU
Transportation L.D. 59	An Act to Repeal the Sensible Transportation Policy Act	BEGLEY CAMPBELL
Utilities and Energy L.D. 1533	An Act to Require the Public Utilities Commission to Ensure Telecommunications Service in Economic Development Areas	DONNELLY

— 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
ROBERT W. SPEAR, NOBLEBORO
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

June 6, 1995

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

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

RE: **REQUEST FOR CARRYOVER**

The Joint Standing Committee on Agriculture, Conservation and Forestry today voted unanimously to request permission to carryover LD 1469, **An Act to Reinstate the Maine Meat Inspection Act.**

This bill holds the promise of job creation and economic development for rural Maine. A state-operated meat inspection program would promote the existence of a variety of slaughterhouses throughout the state and provide those facilities with access to markets across Maine. Currently, livestock may only be slaughtered at a handful of facilities certified by the U.S. Department of Agriculture.

While the committee supports the intent of the bill, there are many details that need examination before the committee can vote. These include the mechanisms for federal approval of a Maine meat inspection program and the design of a Maine program. The committee received this bill late in the session and would appreciate additional time for consideration.

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, WATERTOWN
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

June 2, 1995

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

Dear Senator Amero,

On June 1, 1995, the Joint Standing Committee on Appropriations and Financial Affairs voted 13-0 to request to "carry over" two bond issues to the Second Regular Session of the 117th Legislature. The two bills are LD 671, "An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 to Help Increase Fish Production at the State Hatcheries"; and LD 688, "An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 to Provide Funding for the Public Access to Maine Waters Fund".

Governor King has included aspects of these two bond issues in his "bond package" for next session. We would ask that we be allowed to carry these two bills over so as to eliminate the need to print new bills in the 117th Legislature's Second Regular Session.

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

Sincerely,

A handwritten signature in dark ink, appearing to read "DCH".

Dana C. Hanley
Senate Chair

A handwritten signature in dark ink, appearing to read "George J. Kerr".

George J. Kerr
House Chair

cc: Members, Joint Standing Committee on Appropriations and Financial Affairs
Teen Griffin

WPP694/198

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

June 2, 1995

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

FROM: Senator Philip E. Harriman, *Senate Chair*
Rep. G. Steven Rowe, *House Chair*
Joint Standing Committee on Business and Economic Development

RE: **REQUEST FOR CARRYOVER**

This is a request that the following bill be added to our carryover request of May 19, 1995:

LD 1532 An Act Requiring Doctors of Naturopathic Medicine to be Licensed by the
Naturopathic Board of Examiners and Regulating Naturopathic Health Care Practice

This is a very complex bill related to regulating a profession for the first time. We have held several work sessions in which the entire committee evidenced interest in regulating this profession but which indicated considerable work was needed. We will attempt to finish this bill this session but feel that it is unlikely that this will be possible.

We would appreciate your favorable action on this request.

cc: David E. Boulter
Sen. Harriman
Rep. Rowe

7948WPPLHS

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

June 2, 1995

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

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

RE: **REQUEST FOR CARRYOVER**

We are writing to request that the Joint Standing Committee on Education and Cultural Affairs be permitted to carryover the following three bills:

LD 505 An Act to Implement the Recommendation of the Committee to Study the Operations of the Governor Baxter School for the Deaf

Proposes significant changes to the structure of the Baxter School for the Deaf. We held a public hearing on the bill today and feel that a carryover would permit the Department of Education, the Baxter School and interested groups and individuals an opportunity to perform additional study and planning before taking up the bill.

LD 827 An Act to Provide for Record Checks of Elementary and Secondary Education Employees and Applicants

Contains important provisions concerning safeguarding Maine pupils from school employees who have been found to be unfit to work with children. Before acting on the bill the Committee would like to have the benefit of advice from a group consisting of representatives from several state departments and other organizations who will be meeting over the summer to study and make recommendations on this subject to the Legislature.

LD 830 An Act to Establish Charter Schools

Establishes a public charter school program and is worthy of careful consideration. There is strong interest in the concept but our deliberations on general purpose aid have precluded even a cursory review of this proposal.

Thank you for your consideration of our request.

8710WPPGEA

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

June 7, 1995

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

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

RE: REQUEST FOR CARRYOVER

We are writing to request that the Joint Standing Committee on Education and Cultural Affairs be permitted to carry over the following bill:

LD 1560 Resolve, to Reduce Reliance on the Property Tax for School Funding

This resolve requires the State Board of Education and the Department of Education to work together to establish a plan to promote regionalization and cost sharing among Maine schools. The bill was referred to the committee on June 1 and contains a number of complex proposals that the committee will not have time to consider this session.

Thank you for your consideration of our request.

8203WPPGEA

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

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON HUMAN RESOURCES

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

May 26, 1995

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

RE: Carryover requests for LD 134, An Act to Exempt Certain Small Businesses from Paying the Annual Fee to the Public Drinking Water Fund.

Dear Senator Amero:

On February 24th the Joint Standing Committee on Human Resources heard LD 134, An Act to Exempt Certain Small Businesses from Paying the Annual Fee to the Public Drinking Water Fund. The Committee conducted a work session on the bill on April 6th and voted to request permission to carry the bill over. A letter was signed requesting this permission but somehow did not reach the Legislative Council.

Please consider this letter a request to carryover LD 134. The committee is concerned that the formula used to establish fees for the Public Drinking Water Fund be fair and within the reach of the payors. Carrying the bill over to the Second Regular Session will enable the Department of Human Services and the Maine Public Drinking Water Commission to work together to ensure that fees are fairly determined and that funding is adequate but not excessive.

Thank you for your consideration.

A handwritten signature in dark ink, appearing to read "Joan".

Senator Joan M. Pendexter
Senate Chair

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael".

Representative Michael J. Fitzpatrick
House Chair

Doc. 7895

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
 June 6, 1995

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

RE: Carryover request

Dear Senator Amero:

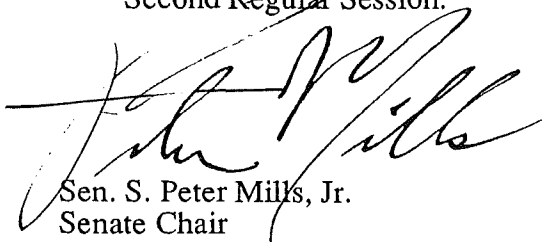
Thank you for your favorable consideration of our earlier carry over request. We have one additional bill that we would like to carry over.

- **LD 1358 An Act to Authorize the Formation of Limited Liability Partnerships.**

Reason for carryover request:

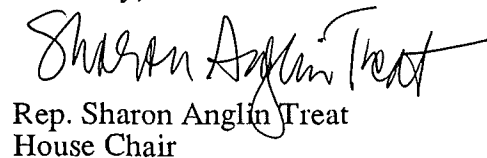
This bill establishes enabling legislation for transforming a general partnership into a limited liability partnership. The proposal raises both logistical and legal questions that can best be resolved by involving the interested parties, including proponents, attorneys and the Secretary of State's Office. We have secured an agreement that all interested parties will continue to work on the proposal during the interim with the goal of bringing back a comprehensive redraft in January. We have requested that our Legislative Analyst also participate in the discussions and drafting. The working group will keep the Committee informed of its work and we anticipate that as many as 4 members of the Committee may join in the discussions.

The Committee favors the passage of this legislation, but there are too many problems to be solved and policy decisions to be made for us to handle the bill adequately now. We therefore request authorization to carry over the bill until the Second Regular Session.



Sen. S. Peter Mills, Jr.
 Senate Chair

Sincerely,



Rep. Sharon Anglin Treat
 House Chair

7987LHS

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

June 2, 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 CARRYOVER**

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

LD 926 An Act to Prevent Impasse in Collective Bargaining by Allowing Parties of Either Side to Request Mediation

A recent Law Court decision on the rights and obligations of the parties following impasse has the potential to substantially alter the collective bargaining process. The Committee felt that any changes to the collective bargaining process should be carefully analyzed with proper consideration given to impact of the Law Court's decision. More time is needed to fully assess this issue.

Vote: 11-0

LD 946 An Act Concerning Preference to Maine Workers and Contractors

This bill which provides a preference to in-state bidders on public construction projects, raises serious questions about the ultimate impact on Maine business and economy because of other states' reciprocal preference laws. The sponsor, representatives of the construction industry and affected departments have been working on other alternatives to encourage the use of in-state contractors but need more time to thoroughly address the issue.

Vote: 11-0

LD 1476 An Act to Establish the Employee Partnership Reward Act

This bill was heard less than a week ago and, in addition to numerous technical drafting issues, raises significant policy questions related to employee incentive programs, tax credits and economic development policies. The committee will be unable to complete work on the bill this session. The sponsor supports a carryover request.

Vote: 10-0

Thank you for your consideration of this request.

Charles W. Begley
Pamela H. Hutton

8141GEA

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, KITTEBY
JOHN T. BUCK, YARMOUTH
JANICE E. LABRECQUE, GORHAM

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON LEGAL AND VETERANS' AFFAIRS

June 1, 1995

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

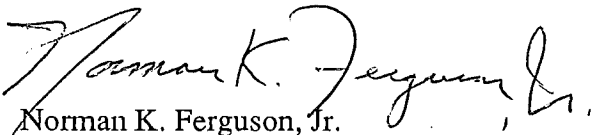
Dear Senator Amero:

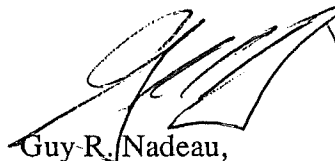
The Joint Standing Committee on Legal and Veterans' Affairs requests permission to carry over LD 1303, An Act to Clarify Definitions Under the Laws Concerning Games of Chance.

The committee is concerned because this bill deals with issues which are currently the subject of a pending court decision. The committee does not want to affect the court's decision with either an Ought to Pass or Ought Not to Pass report. Should the court rule in favor of the defendant, it is expected that video gambling machines of a certain type will proliferate throughout the state. This bill will then provide a vehicle to regulate the video gambling devices, which are currently unregulated.

We would appreciate the prompt approval of the Legislative Council to carry over LD 1303.

Sincerely yours,


Norman K. Ferguson, Jr.
Senate Chair


Guy R. Nadeau,
House Chair

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

June 2, 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>
1443	An Act to Dismiss Certain Federal Mandates

Rationale: This bill concerns the ability of State Government to alter, reject or comply with Federal unfunded mandates. In its deliberations some members of the Committee felt that the issue requires additional staff research in the interim. Only one state has enacted a similar measure, and another 8-10 are currently considering it.

Committee Vote: 8-3 in favor of carryover

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 26, 1995

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

Dear Senator Amero,

On May 23 and 25, respectively, the Joint Standing Committee on Taxation voted unanimously to request to carry-over the following LD's:

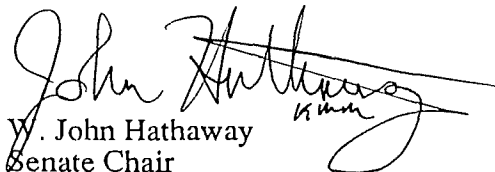
LD 1440 An Act to Establish a Catastrophic Health Care Expense Program

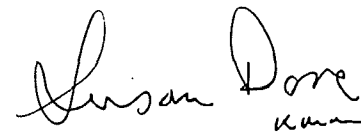
LD 1521 An Act to Make the Maine Income Tax a Percentage of the Federal Income Tax

Both of these bills offer a unique perspective of the issues they attempt to address. However, we need additional information about their impact in other states that use them before we can make an informed decision regarding their impact here in Maine. This information will not be obtainable by next week, but we should hear back from certain states, NCSL and other interested parties during the interim.

Subject to one or two major issues yet to be resolved in Committee this should be our last request for carry-over bills. Should you or any member of the Council have any questions or concerns about this request, please do not hesitate to contact us.

Sincerely,


W. John Hathaway
Senate Chair


Susan E. Dore
House Chair

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

WPP62/336

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
June 1, 1995

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

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

RE: REQUEST FOR CARRYOVER

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

LD# Title

59 An Act to Repeal the Sensible Transportation Policy

The committee voted unanimously to carry over LD 59. This will allow time for the Commissioner of Transportation to research concerns expressed at the public hearing. The committee anticipates the Commissioner reporting back to the committee early in the second session with recommendations on how to address concerns and improve the processes implementing the Sensible Transportation Act.

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

#7246NRG

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

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

COMMITTEE ON UTILITIES AND ENERGY
June 1, 1995

HOUSE

CAROL A. KONTOS, WINDHAM, CHAIR
HERBERT ADAMS, PORTLAND
M. IDA LUTHER, MEXICO
THOMAS E. POULIN, OAKLAND
CONRAD HEESCHEN, WILTON
GARY L. O'NEAL, LIMESTONE
JOSEPH B. TAYLOR, CUMBERLAND
F. THOMAS GIERINGER, JR., PORTLAND
THEODORE M. POIRIER, SACO
RICHARD I. STONE, BANGOR

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 *cat*
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

1533 An Act to Require the Public Utilities Commission to Ensure Telecommunications Service in Economic Development Areas

The committee voted unanimously to carry this bills over. This bill raises a number of issues which do not have time this session to fully work through. Also, the bill engendered much discussion about certain local telephone charges known as access charges. The issues surrounding access charges are currently being considered at the PUC and we would like to wait to see how those proceedings come out before we act on 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
Teen Griffen

7072NRG

**LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
FIRST REGULAR SESSION
June 1, 1995**

Action

SPONSOR: Rep. Reed, William F.

LR 2422 An Act to Amend the Charter of the Corinna Water District

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: 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

JOINT RESOLUTIONS

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. 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

ADDENDUM

**LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
FIRST REGULAR SESSION
June 7, 1995**

Action

SPONSOR: Rep. Adams, Herbert

**LR 2433 An Act to Promote Public Safety by Preventing
Firearms at Public Gatherings**

SPONSOR: Rep. Aikman, Rosalie H.

**LR 2426 An Act to Provide for the Education of Secondary
Students from the Town of Poland**

JOINT RESOLUTIONS

SPONSOR: Rep. Marshall, John P.

**LR 2427 JOINT RESOLUTION MEMORIALIZING THE ADMINISTRATOR
OF THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
TO REQUIRE DEVELOPMENT OF A GASOLINE THAT REDUCES
OZONE WITHOUT ENDANGERING HEALTH**

SPONSOR: Sen. Small, Mary E.

**LR 2428 JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE
UNITED STATES AND CONGRESS OF THE UNITED STATES TO
PROVIDE SUPPORT FOR CONTINUED CRITICAL ACCESS ALONG
THE STATE'S ROUTE 1 CORRIDOR THROUGH REPLACEMENT OF
THE CARLTON BRIDGE IN BATH**