

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Eighteenth Legislature
State of Maine

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**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
FIRST REGULAR SESSION
JOURNAL OF THE SENATE**

In Senate Chamber
Tuesday
January 21, 1997

Senate Called to Order by the President, Mark W. Lawrence of York.

Prayer by Pastor Lou Harper of the Weld Congregational Church in Weld.

PASTOR LOU HARPER: Let us be in the spirit of prayer. Dear God, we offer our thanks for the privilege of serving in a state that puts You first in all we do. May we be ever mindful of Your power in our lives, as we are the power we have over the lives of our brothers and sisters of Maine.

We ask today that You be with us as we continue in our efforts to establish laws under which we live. As we make and revise these laws, help us in our efforts to shape our lives according to Your will.

We seek Your guidance, strength and grace in all that we do. We pray these things to You dear God, creator and maintainer of all things. Amen.

Doctor of the Day, John B. Makin, M.D., Skowhegan.

Pledge of Allegiance led by Senator John Benoit of Franklin.

Reading of the Journal of Thursday, January 16, 1997.

COMMUNICATIONS

The Following Communication: S.C. 17

**STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
BUREAU OF BANKING
36 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0036**

January 15, 1997

The Honorable Mark W. Lawrence
President of Senate
Maine Senate
State House Station 3
Augusta, Maine 04333

Dear President Lawrence:

In accordance with Title 9-B MRSA §217, as amended, I am submitting to the members of the Maine House and Senate a report entitled "The Status of Maine's Financial Institutions."

Maine's financial institutions continue to benefit from the stable economy and are in excellent condition with very strong capital and solid earnings. Looking forward, the modernization of the financial industry will be a major issue, on both the national and state level, in 1997. Some of the specifics of financial modernization include the following:

widespread implementation of interstate branching by consolidating affiliated banks in more than one state into a single bank;

expansion of insurance activities by banks;

expansion in the range of activities engaged in by federally chartered banks and bank holding companies;

further erosion of the separation between banking and securities;

continued development of electronic banking; and

possible legislation creating a single depository institution charter combining the current bank and thrift charters.

These events will place significant pressure on the dual banking system, compelling state bank regulators to scrutinize their mission and processes and to become more efficient in the wake of declining revenues as the number of state-chartered banks is reduced. In order to overcome the negative effects of financial modernization on the state banking system, we need to be innovative and flexible; maintaining parity with federally chartered banks, while important, may not be sufficient. The Bureau has initiated a thorough review of the State's chartering and powers options in an attempt to preserve the attractiveness and viability of a Maine bank charter.

Copies of this report have been distributed to the Secretary of the Senate in order to provide one copy for each member of the Senate. The report will also be available in electronic format on the Maine Bureau of Banking's World Wide Web Home Page at "<http://www.state.me.us/pfr/bkg/status97.htm>".

Very truly yours,

S/H. Donald DeMatteis
Superintendent

Which was READ and with Accompanying Papers
ORDERED PLACED ON FILE.

The Following Communication: S.C. 18

**MAINE TASK FORCE ON TRIBAL-STATE RELATIONS
P.O. BOX 87
HALLOWELL, MAINE 04347**

January 15, 1997

Members of the 118th Maine State Legislature

State House
Augusta, Maine 04333

Augusta, Maine 04333

Dear Senator Cathcart and Representative Hatch:

Dear Members of the 118th Legislature:

I am pleased to forward to you "At Loggerheads - The State of Maine and the Wabanaki," the final report and recommendations of the Maine Task Force on Tribal-State Relations. In April 1996, the 117th Legislature passed a Resolve (Chapter 84) to create this Task Force to explore ways to improve tribal-state relations and the effectiveness of the Maine Indian Tribal-State Commission (MITSC).

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

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

The resolve required the MITSC to establish, finance, and staff the Task Force. The MITSC appointed fourteen members (three representatives of the Passamaquoddy Tribe, three representatives of the Penobscot Nation, six representatives of the State of Maine, and two public members.)

Sincerely,
S/Mark W. Lawrence
President of the Senate

S/Elizabeth H. Mitchell
Speaker of the House

From June 1996 through early January 1997, the Task Force held six business meetings and five hearings. Two hearings were held at Indian Island (the Penobscot Reservation), one at Motahkokmikuk and one at Sipayak (the Passamaquoddy Reservations at Indian Township and Pleasant Point), and one in Houlton for the Houlton Band of Maliseets and the Aroostook Band of Micmacs.

Which was **READ** and referred to the Committee on **LABOR**.

Sent down for concurrence.

SENATE PAPERS

Bill "An Act to Amend the Maine Apiary Laws"

S.P. 85 L.D. 265

Presented by Senator KILKELLY of Lincoln

Cosponsored by Senator: PARADIS of Aroostook,

Representatives: COWGER of Hallowell, PIEH of Bremen

A few of the Task Force members feel that the Task Force did not contribute to the resolution of the underlying disagreements between the State and the Tribes. However, several members feel strongly that important dialogue and education began during their meetings and hearings and hope that the State and the Tribes will build on this progress.

Which was referred to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and **ORDERED PRINTED**.

Sent down for concurrence.

The Task Force urges the State and Tribes to make a commitment to listen to and understand each other's views. It is possible to repair and strengthen tribal-state relations, if there is mutual respect. The willingness to listen and the demonstration of mutual respect can lead to trust.

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$20,000,000 for Landfill Closure and Remediation"

S.P. 88 L.D. 268

Presented by Senator MICHAUD of Penobscot

Cosponsored by Senator: TREAT of Kennebec

In closing, I would like to thank the many people who came forward to share their concerns and ideas with the Task Force.

Which was referred to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and **ORDERED PRINTED**.

Sent down for concurrence.

Sincerely,

S/Roger Smith
Chair

Which was **READ** and with Accompanying Papers **ORDERED PLACED ON FILE**.

The Following Communication: S.P. 93

118TH MAINE LEGISLATURE

January 17, 1997

Senator Mary R. Cathcart
Representative Pamela Hatch
Chairpersons
Joint Standing Committee on Labor
118th Legislature

Bill "An Act to Conform State Laws Regarding Fair Housing for Older Persons with Federal Laws" S.P. 86 L.D. 266

Presented by Senator MICHAUD of Penobscot
Cosponsored by Representative KERR of Old Orchard Beach and Senators: DAGGETT of Kennebec, FERGUSON, JR. of Oxford, Representatives: BOUFFARD of Lewiston, CHIZMAR of Lisbon, GAGNON of Waterville, MADORE of Augusta

Which was referred to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Authorize a Physician's Assistant or a Nurse Practitioner to Sign Papers Transferring a Patient for Evaluation for Emergency Involuntary Commitment" S.P. 83 L.D. 263

Presented by Senator GOLDTHWAIT of Hancock
Cosponsored by Representative: JONES of Bar Harbor

Which was referred to the Committee on **JUDICIARY** and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act to Have Taxi Drivers Deemed as Independent Contractors" S.P. 90 L.D. 270

Presented by Senator HARRIMAN of Cumberland
Cosponsored by Representative PINKHAM of Brunswick

Which was referred to the Committee on **LABOR** and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act Regarding the Redistricting of Ogunquit" S.P. 87 L.D. 267

Presented by President LAWRENCE of York
Cosponsored by Representatives: CARLETON, JR. of Wells, WHEELER of Eliot

Which was referred to the Committee on **LEGAL AND VETERANS AFFAIRS** and **ORDERED PRINTED.**

Sent down for concurrence.

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide 4-year Terms for Senators and Members of the House of Representatives S.P. 89 L.D. 269

Presented by Senator KIEFFER of Aroostook
Cosponsored by Senators: CASSIDY of Washington, CLEVELAND of Androscoggin, HALL of Piscataquis, MILLS of Somerset, PARADIS of Aroostook, Representatives: AHEARNE of Madawaska, DEXTER of Kingfield, OTT of York

Which was referred to the Committee on **STATE AND LOCAL GOVERNMENT** and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act to Allow a Greater Share of the Transfer Tax to Remain in the Counties Where it is Collected" S.P. 91 L.D. 271

Presented by Senator GOLDTHWAIT of Hancock
Cosponsored by Senators: DAGGETT of Kennebec, FERGUSON, JR. of Oxford, Representatives: BUNKER, JR. of Kossuth Township, CROSS of Dover-Foxcroft, DRISCOLL of Calais, KNEELAND of Easton, MCALEVEY of Waterboro, VOLENIK of Brooklin

Bill "An Act to Establish a New Jobs Tax Credit" S.P. 92 L.D. 272

Presented by Senator MACKINNON of York
Cosponsored by Senators: FERGUSON, JR. of Oxford, LIBBY of York, Representatives: CHICK of Lebanon, DONNELLY of Presque Isle, MACDOUGALL of North Berwick, WRIGHT of Berwick

Which were referred to the Committee on **TAXATION** and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act to Create a License Plate for Women Veterans" S.P. 84 L.D. 264

Presented by Senator KILKELLY of Lincoln
Cosponsored by Representative HATCH of Skowhegan and , Representatives: COWGER of Hallowell, GREEN of Monmouth, PIEH of Bremen, RINES, JR. of Wiscasset, TRIPP of Topsham

Which was referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act to Permit the Public Utilities Commission to Exempt Certain Telephone Utilities from Obtaining Approval to Serve" S.P. 82 L.D. 262

Presented by Senator CAREY of Kennebec
Cosponsored by Representative JONES of Bar Harbor and , Representative: TAYLOR of Cumberland
Submitted by the Public Utilities Commission pursuant to Joint Rule 204.

Which was referred to the Committee on **UTILITIES AND ENERGY** and **ORDERED PRINTED.**

Sent down for concurrence.

Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

ORDERS OF THE DAY

Unfinished Business

The following matters in the consideration of which the Senate was engaged at the time of Adjournment had preference

in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

The Chair laid before the Senate the following Tabled and Later Assigned (1/16/97) matter:

Bill "An Act to Exempt Companies That Employ 5 People or Fewer from Carrying Workers' Compensation Insurance"
H.P. 146 L.D. 189

Tabled - January 16, 1997, by Senator **CATHCART** of Penobscot.

Pending - **REFERENCE**

(In House January 16, 1997, referred to the Committee on **BANKING AND INSURANCE**.)

Senator **CATHCART** of Penobscot moved the Bill be referred to Committee on **LABOR** in **NON-CONCURRENCE**.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Kieffer.

Senator **KIEFFER:** Thank you Mr. President. I'd like to pose a question through the President to anyone who cares to answer it.

THE PRESIDENT: The Senator from Aroostook, Senator Kieffer proposes a question, through the Chair, to anyone who would care to answer. The Senator may continue.

Senator **KIEFFER:** Thank you Mr. President. This bill is entitled, "An Act to Exempt Companies That Employ 5 People or Fewer from Carrying Workers' Compensation Insurance". It's very clearly an insurance issue. Workers' Compensation Insurance issues have been handled by Banking and Insurance in the past, and I wonder why it is being referred to the Committee on Labor?

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Cathcart.

Senator **CATHCART:** Thank you Mr. President. I will answer as best I can. This bill does have a history from the 117th Legislature, where it was originally referred to the Committee on Labor. In addition to that, I was informed when we were discussing where to refer it that title 39A generally is Labor, and that most bills that are in title 39A are referred to the Committee on Labor.

THE PRESIDENT: The pending question is the motion from the Senator from Penobscot, Senator **CATHCART** that L.D. 189 be referred to Committee on **LABOR**, **ORDERED PRINTED**, and sent down for concurrence. The Chair recognizes the Senator from Aroostook, Senator Kieffer.

Senator **KIEFFER:** Thank you Mr. President. I request a Division.

At the request of Senator **KIEFFER** of Aroostook, a division was had. 17 Senators having voted in the affirmative and 12

Senators having voted in the negative, the motion by Senator **CATHCART** of Penobscot, to **REFER** to **LABOR** in **NON-CONCURRENCE**, **PREVAILED**.

Sent down for concurrence.

Senate at Ease

Senate called to order by the President.

Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

On motion by Senator **KIEFFER** of Aroostook, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Regulate the Use of Gates on Access Roads to Remote Ponds"
H.P. 191 L.D. 244

Bill "An Act to Require a Search Warrant to Investigate Private Property for the Purpose of Forestry Examinations"
H.P. 200 L.D. 253

Resolve, to Establish the Committee to Study Maine Forest Practices
H.P. 225 L.D. 289

Come from the House, referred to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and **ORDERED PRINTED**.

Which were referred to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and **ORDERED PRINTED**, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Paper

Bill "An Act to Repeal the Task Force on Defense Realignment and the Economy"
H.P. 221 L.D. 285

Comes from the House, referred to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and **ORDERED PRINTED**.

Which was referred to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and **ORDERED PRINTED**, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Provide a Time Limit Extension for Basic Corrections Training" H.P. 192 L.D. 245

Bill "An Act to Meet Federal Requirements Regarding Collection of Bias Motivation Data through Uniform Crime Reporting" H.P. 222 L.D. 286

Come from the House, referred to the Committee on **CRIMINAL JUSTICE** and **ORDERED PRINTED**.

Which were referred to the Committee on **CRIMINAL JUSTICE** and **ORDERED PRINTED**, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Increase the Funding for School Construction" H.P. 184 L.D. 237

Bill "An Act to Reward Schools for Computer Competency" H.P. 188 L.D. 241

Come from the House, referred to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and **ORDERED PRINTED**.

Which were referred to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and **ORDERED PRINTED**, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Change the Dates of the Moose Hunting Season" H.P. 198 L.D. 251

Bill "An Act Regarding Destruction of Fish Populations" H.P. 199 L.D. 252

Bill "An Act to Allow Hunting on Sunday" H.P. 217 L.D. 281

Bill "An Act to Repeal the Brake Light Requirement on Snowmobiles" H.P. 219 L.D. 283

Come from the House, referred to the Committee on **INLAND FISHERIES AND WILDLIFE** and **ORDERED PRINTED**.

Which were referred to the Committee on **INLAND FISHERIES AND WILDLIFE** and **ORDERED PRINTED**, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Paper

Bill "An Act to Terminate Spousal Support upon the Death of the Payee" H.P. 187 L.D. 240

Come from the House, referred to the Committee on **JUDICIARY** and **ORDERED PRINTED**.

Which was referred to the Committee on **JUDICIARY** and **ORDERED PRINTED**, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

**Pursuant to Statutes
Criminal Law Advisory Commission**

The **Criminal Law Advisory Commission**, under the Maine Revised Statutes, Title 17-A, Section 1354, subsection 2, asked leave to report that the accompanying Bill "An Act to Modify Waiver of a Defense in the Criminal Law" H.P. 228 L.D. 292

Be referred to the Committee on **JUDICIARY** for Public Hearing and printed pursuant to Joint Rule 218.

Come from the House, Report **READ** and **ACCEPTED**. The Bill referred to the Committee on **JUDICIARY** and **ORDERED PRINTED**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill referred to the Committee on **JUDICIARY** and **ORDERED PRINTED**, in concurrence, pursuant to Joint Rule 218.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Paper

Bill "An Act to Require the State to Pay the Full Insurance Premium for Retired Public School Teachers" H.P. 213 L.D. 277

Comes from the House, referred to the Committee on **LABOR** and **ORDERED PRINTED**.

Which was referred to the Committee on **LABOR** and **ORDERED PRINTED**, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

Pursuant to Statutes

Board of Trustees of the Maine State Retirement System

The **Board of Trustees of the Maine State Retirement System**, pursuant to the Maine Revised Statutes, Title 5, section 17103, subsection 13, asked leave to report that the accompanying Bill "An Act to Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 1998" (Emergency) H.P. 234 L.D. 298

Be referred to the Committee on **LABOR** for Public Hearing and printed pursuant to Joint Rule 218.

Comes from the House, Report **READ** and **ACCEPTED**. The Bill referred to the Committee on **LABOR** and **ORDERED PRINTED**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill referred to the Committee on **LABOR** and **ORDERED PRINTED**, in concurrence, pursuant to Joint Rule 218.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Require Picture Identification to be Used by Persons Registering to Vote on Election Day" H.P. 186 L.D. 239

Bill "An Act to Reduce the Hours Required of the Registrar to Register Voters Prior to Election Day" H.P. 194 L.D. 247

Bill "An Act Relating to the Collection of Initiative Petition Signatures at Polling Places" H.P. 197 L.D. 250

Resolve, Authorizing Robert O'Malley to Sue the State H.P. 201 L.D. 254

Bill "An Act to Repeal the Requirement That Race Tracks Be Assigned Certain Race Dates" H.P. 202 L.D. 255

Bill "An Act to Amend the Liquor Laws" H.P. 204 L.D. 257

Bill "An Act to Allow Candidates' Presence at Voting Places Solely for the Purpose of Voting" H.P. 214 L.D. 278

Bill "An Act Regarding Opening Hours of Voting Places" H.P. 216 L.D. 280

Come from the House, referred to the Committee on **LEGAL AND VETERANS AFFAIRS** and **ORDERED PRINTED**.

Which were referred to the Committee on **LEGAL AND VETERANS AFFAIRS** and **ORDERED PRINTED**, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Restrict the Identification Tags Used on Lobster Traps to Consecutive Numbers" H.P. 193 L.D. 246

Resolve, Directing the Commissioner of Marine Resources to Negotiate with the Passamaquoddy Tribe Regarding Fishing Rights H.P. 209 L.D. 273

Bill "An Act to Extend the Territorial Waters to 12 Miles for the Purpose of Marine Resource Protection and the Enforcement of Marine Resource Laws" H.P. 212 L.D. 276

Come from the House, referred to the Committee on **MARINE RESOURCES** and **ORDERED PRINTED**.

Which were referred to the Committee on **MARINE RESOURCES** and **ORDERED PRINTED**, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Concerning Compensation under the Natural Resources Protection Laws" H.P. 205 L.D. 258

Bill "An Act to Continue the State's Dioxin Monitoring Program" H.P. 220 L.D. 284

Come from the House, referred to the Committee on **NATURAL RESOURCES** and **ORDERED PRINTED**.

Which were referred to the Committee on **NATURAL RESOURCES** and **ORDERED PRINTED**, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Prohibit Legislators from Accepting Gifts from Lobbyists" H.P. 185 L.D. 238

Bill "An Act to Require That All Legislative Documents Contain a Citizen and Business Impact Statement" H.P. 196 L.D. 249

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require a Runoff Election if No Candidate Receives a Majority of the Votes in the General Election H.P. 203 L.D. 256

Bill "An Act to Allow Towns to Use the Money Held in Administrative Funds That Comes from the Use of Ministerial Trust Land" H.P. 210 L.D. 274

Bill "An Act to Require Public Forms to Contain a Revision Date" H.P. 218 L.D. 282

Come from the House, referred to the Committee on **STATE AND LOCAL GOVERNMENT** and **ORDERED PRINTED**.

Which were referred to the Committee on **STATE AND LOCAL GOVERNMENT** and **ORDERED PRINTED**, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Resolve, to Include an Optional Contribution Check-off Box on State Income Tax Forms to Benefit the Women in Military Service Memorial H.P. 195 L.D. 248

Bill "An Act to Allow Property Tax Credit to Lessees of Motor Vehicles" H.P. 211 L.D. 275

Bill "An Act to Improve the Administration of Tax Increment Financing" H.P. 223 L.D. 287

Bill "An Act to Clarify Employment Tax Increment Financing" H.P. 224 L.D. 288

Bill "An Act to Provide a New Jobs Tax Credit" H.P. 226 L.D. 290

Bill "An Act to Eliminate the Net Operating Loss Deduction Carry-back" H.P. 232 L.D. 296

Come from the House, referred to the Committee on **TAXATION** and **ORDERED PRINTED**.

Which were referred to the Committee on **TAXATION** and **ORDERED PRINTED**, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Requiring Reimbursement to Municipalities for Fire and Rescue on the Maine Turnpike" H.P. 189 L.D. 242

Bill "An Act to Require the Department of Transportation to Include Timber in the Bidding Process for Construction of New Bridges or Bridge Repair" H.P. 190 L.D. 243

Bill "An Act to Make Supplemental Allocations from the Highway Fund for the Fiscal Year Ending June 30, 1997" (Emergency) H.P. 206 L.D. 259

Bill "An Act to Require the Department of Transportation to Include Additional Criteria When Determining Whether to Take Over a Road" H.P. 215 L.D. 279

Bill "An Act to Prohibit the Department of Transportation from Classifying a Road as a Town Way if 4,000 or More Vehicles Travel the Road Daily" (Emergency) H.P. 235 L.D. 299

Come from the House, referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED**.

Which were referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED**, in concurrence.

Pursuant to Public Law

Task Force on Production and Issuance of License Plates

The **Task Force on Production and Issuance of License Plates**, pursuant to Public Law 1995, chapter 645, Part C, section 15, asked leave to report that the accompanying Bill "An Act to Implement the Recommendations of the Task Force on Production and Issuance of Registration Plates" H.P. 207 L.D. 260

Be referred to the Committee on **TRANSPORTATION** for Public Hearing and printed pursuant to Joint Rule 218.

Comes from the House, Report **READ** and **ACCEPTED**. The Bill referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED**, in concurrence, pursuant to Joint Rule 218.

**Pursuant to Statutes
Criminal Law Advisory Commission**

The **Criminal Law Advisory Commission**, under the Maine Revised Statutes, Title 17-A, section 1354, subsection 2, asked leave to report that the Accompanying Bill "An Act to Establish the Crime of Elevated Aggravated Assault" H.P. 208 L.D. 261

Be referred to the Committee on **CRIMINAL JUSTICE** for Public Hearing and printed pursuant to Joint Rule 218.

Comes from the House, Report **READ** and **ACCEPTED**. The Bill referred to the Committee on **CRIMINAL JUSTICE** and **ORDERED PRINTED**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill referred to the Committee on **CRIMINAL JUSTICE** and **ORDERED PRINTED**, in concurrence, pursuant to Joint Rule 218.

**Pursuant to Statutes
Criminal Law Advisory Commission**

The **Criminal Law Advisory Commission**, under the Maine Revised Statutes, Title 17-A, section 1354, subsection 2, asked leave to report that the Accompanying Bill "An Act Concerning Defendants' Ability to Attack Orders of Restitution" H.P. 227 L.D. 291

Be referred to the Committee on **CRIMINAL JUSTICE** for Public Hearing and printed pursuant to Joint Rule 218.

Comes from the House, Report **READ** and **ACCEPTED**. The Bill referred to the Committee on **CRIMINAL JUSTICE** and **ORDERED PRINTED**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill referred to the Committee on **CRIMINAL JUSTICE** and **ORDERED PRINTED**, in concurrence, pursuant to Joint Rule 218.

**Pursuant to Statutes
Criminal Law Advisory Commission**

The **Criminal Law Advisory Commission**, under the Maine Revised Statutes, Title 17-A, section 1354, subsection 2, asked leave to report that the Accompanying Bill "An Act to Create a Repeat Offender Provision Addressing Crimes of Violence against Persons" H.P. 229 L.D. 293

Be referred to the Committee on **CRIMINAL JUSTICE** for Public Hearing and printed pursuant to Joint Rule 218.

Comes from the House, Report **READ** and **ACCEPTED**. The Bill referred to the Committee on **CRIMINAL JUSTICE** and **ORDERED PRINTED**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill referred to the Committee on **CRIMINAL JUSTICE** and **ORDERED PRINTED**, in concurrence, pursuant to Joint Rule 218.

**Pursuant to Statutes
Criminal Law Advisory Commission**

The **Criminal Law Advisory Commission**, under the Maine Revised Statutes, Title 17-A, section 1354, subsection 2, asked leave to report that the Accompanying Bill "An Act to Increase the Authorized Period of Probation for a Class D Crime" H.P. 230 L.D. 294

Be referred to the Committee on **CRIMINAL JUSTICE** for Public Hearing and printed pursuant to Joint Rule 218.

Comes from the House, Report **READ** and **ACCEPTED**. The Bill referred to the Committee on **CRIMINAL JUSTICE** and **ORDERED PRINTED**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill referred to the Committee on **CRIMINAL JUSTICE** and **ORDERED PRINTED**, in concurrence, pursuant to Joint Rule 218.

**Pursuant to Statutes
Criminal Law Advisory Commission**

The **Criminal Law Advisory Commission**, under the Maine Revised Statutes, Title 17-A, section 1354, subsection 2, asked leave to report that the Accompanying Bill "An Act to Facilitate Payment of Restitution for Thefts by Extending the Period of Probation" H.P. 231 L.D. 295

Be referred to the Committee on **CRIMINAL JUSTICE** for Public Hearing and printed pursuant to Joint Rule 218.

Comes from the House, Report **READ** and **ACCEPTED**. The Bill referred to the Committee on **CRIMINAL JUSTICE** and **ORDERED PRINTED**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill referred to the Committee on **CRIMINAL JUSTICE** and **ORDERED PRINTED**, in concurrence, pursuant to Joint Rule 218.

**Pursuant to Statutes
Criminal Law Advisory Commission**

The **Criminal Law Advisory Commission**, under the Maine Revised Statutes, Title 17-A, section 1354, subsection 2, asked leave to report that the Accompanying Bill "An Act to Make Unlawful Possession of Firearms for Nonviolent Juvenile Offenses Either a Crime or a Juvenile Offense Depending upon the Age of the Violator" H.P. 233 L.D. 297

Be referred to the Committee on **CRIMINAL JUSTICE** for Public Hearing and printed pursuant to Joint Rule 218.

Comes from the House, Report **READ** and **ACCEPTED**. The Bill referred to the Committee on **CRIMINAL JUSTICE** and **ORDERED PRINTED**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill referred to the Committee on **CRIMINAL JUSTICE** and **ORDERED PRINTED**, in concurrence, pursuant to Joint Rule 218.

On motion by Senator **RUHLIN** of Penobscot, referred to the Committee on **TAXATION**, in **NON-CONCURRENCE**.

On motion by Senator **LONGLEY** of Waldo, **ADJOURNED**, in memory of the former Massachusetts Senator, Paul Tsongas, until Thursday, January 23, 1997, at 10:00 in the morning.

ENACTORS

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

Emergency

An Act to Extend the Reporting Deadline for a Study by the Family Law Advisory Commission of the Statutes and Awards and Allocations Concerning Parental Rights and Responsibilities
S.P. 9 L.D. 1

This being an Emergency Measure and having received the affirmative vote of 25 Members of the Senate, with no Senators having voted in the negative, and 25 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, to Extend the Reporting Deadline of the Task Force on Tribal-State Relations
S.P. 27 L.D. 25

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with no Senators having voted in the negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Encourage the Development of the Software Industry"
H.P. 110 L.D. 134

Reference to the Committee on **TAXATION** suggested and **ORDERED PRINTED**.

Comes from the House, referred to the Committees on **TAXATION** and **BUSINESS AND ECONOMIC DEVELOPMENT**.