

MAINE STATE LEGISLATURE

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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
Thursday
February 6, 1997

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

Prayer by Reverend Mike Laidlaw of the Orrs and Bailey Island United Methodist Church in Orrs Island.

REVEREND MIKE LAIDLAW: O God who comes to us in the grandeur of creation: prompt us now to be aware of Your presence. O God who comes to us in the prophets: keep us ever mindful of Your call to do justice, to love kindness, and to walk humbly with You. O God who comes to us in the person of the Christ: do not let us forget that what we do for the least of our sisters and brothers, in this place, we do for You.

Hear us now, O Yahweh, as we entrust ourselves and our work to Your direction. We thank You for the world in which we live, for its complexity and its delicate beauty. Thank You for the world within each of us: for the deep places of the soul, for the passions of the heart, for the vast realm of the human mind. In the quiet of this moment we come to You for solace, for grace, for vision. Where we are wounded, heal us. Where we have sinned, forgive us. Where we are myopic, give to us the powers of discernment.

Guide our government, O creating One. Be with our governor, Angus. Be with this good body: with each senator, with its leadership. Move us to realize the sacred character of making laws. Help us to see the profession of politics as the high calling You intend it to be. To us has been given the care and well-being of this state, its people, its numerous resources. Keep us mindful of this trust. Let not our differences estrange us. Let not our party affiliations make us narrow. Let not the voices of special interests entice us. But rather cause our debates to be lively with purpose and ideas. Endow us with a daring that moves us beyond the old and the trite and the conspicuous. Give us, in our work and our daily lives an abiding sense of wonder. Set fire to our imaginations. Stir us to act upon the compassion and the wisdom with which You endow each of us.

Our prayer, our endeavors, ourselves, we present to You, O God, in the name of Your Son, Jesus Christ, the Redeeming One. Amen.

Doctor of the Day, Stephen V.M. Leverett, D.O., North Yarmouth.

Reading of the Journal of Tuesday, February 4, 1997.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator PINGREE of Knox the following Joint Order:
S.P. 286

ORDERED, the House concurring, that when the House and Senate Adjourn they do so until Tuesday, February 11, 1997, at 10:00 in the morning.

Which was **READ** and **PASSED**.

Sent down for concurrence.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Off Record Remarks

PAPERS FROM THE HOUSE

House Paper

Bill "An Act to Provide Services for Children in Need of Supervision" H.P. 596 L.D. 787

Committee on **CRIMINAL JUSTICE** suggested and **ORDERED PRINTED**.

Comes from the House, referred to the Committee on **HEALTH AND HUMAN SERVICES**.

Which was referred to the Committee on **HEALTH AND HUMAN SERVICES** and **ORDERED PRINTED**, in concurrence.

SENATE PAPERS

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

Presented by Senator KILKELLY of Lincoln
Cosponsored by Representative BUNKER, JR. of Kossuth Township and Representatives: SHIAH of Bowdoinham, SPEAR of Nobleboro

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

Sent down for concurrence.

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish a Reserve Fund S.P. 282 L.D. 890

Presented by Senator BENNETT of Oxford
Cosponsored by Representative KERR of Old Orchard Beach and Senator: FERGUSON, JR. of Oxford,
Representatives: DONNELLY of Presque Isle, MARVIN of Cape Elizabeth, WINSOR of Norway

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

Sent down for concurrence.

Bill "An Act to Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee" S.P. 276 L.D. 884

Presented by Senator MURRAY, JR. of Penobscot
Cosponsored by Representative BAKER of Bangor

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and **ORDERED PRINTED**.

On motion by Senator **MICHAUD**, of Penobscot, referred to the Committee on **LEGAL AND VETERANS AFFAIRS**.

Sent down for concurrence.

Bill "An Act to Grant Visually Impaired Operators of Government Vending Facilities Access to State Health Insurance at Their Own Expense" S.P. 253 L.D. 822

Presented by Senator MILLS of Somerset

Bill "An Act to Ensure Fair Claims Settlement Practices" S.P. 281 L.D. 889

Presented by Senator LAFOUNTAIN III of York
Cosponsored by Representative: SAXL of Bangor

Which were referred to the Committee on **BANKING AND INSURANCE** and **ORDERED PRINTED**.

Sent down for concurrence.

Resolve, to Authorize and Fund an Independent Study of the Economic Impacts of Increased Natural Gas Availability and Use in the State S.P. 283 L.D. 891

Presented by Senator KILKELLY of Lincoln
Cosponsored by Representative MADORE of Augusta and Senators: CLEVELAND of Androscoggin, DAGGETT of Kennebec, Representatives: BUNKER, JR. of Kossuth Township, CLARK of Millinocket, COWGER of Hallowell, PIEH of Bremen, RINES, JR. of Wiscasset, SKOGLUND of St. George

Bill "An Act to Conform the Provisions of the Maine Business Corporation Act Regarding Derivative Proceedings to the Provisions of the Federal Revised Model Business Corporations Act" S.P. 285 L.D. 893

Presented by Senator BENOIT of Franklin

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

Sent down for concurrence.

Bill "An Act to Repeal the Prohibition of the Failure to Use a Seat Belt as Evidence" S.P. 247 L.D. 816

Presented by Senator PINGREE of Knox
Cosponsored by Senators: MURRAY, JR. of Penobscot, HARRIMAN of Cumberland, Representative: POWERS of Rockport

Bill "An Act to Require Defendants to Pay Restitution, Monetarily or Through Work Restitution" S.P. 274 L.D. 882

Presented by Senator BENOIT of Franklin
Cosponsored by Representative WATERHOUSE of Bridgton and Senator: CASSIDY of Washington, Representative: WHEELER of Bridgewater

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

Sent down for concurrence.

Bill "An Act to Integrate Sources of Support for Children with Special Needs" S.P. 242 L.D. 811

Presented by Senator MILLS of Somerset

Bill "An Act to Integrate Teacher Retirement and Other Educational Support Funds into the System for Distributing General Purpose Aid to Education" S.P. 246 L.D. 815

Presented by Senator MILLS of Somerset

Bill "An Act to Clarify Certain Provisions of Law Relating to the Method of Sharing of School Costs in the Wells-Ogunquit Community School District" S.P. 264 L.D. 872

Presented by President LAWRENCE of York
Cosponsored by Representative WHEELER of Eliot

Resolve, to Appoint a Study Group to Determine How to Consolidate and Preserve the Health Sciences Library in Maine S.P. 265 L.D. 873

Presented by Senator TREAT of Kennebec
Cosponsored by Senators: GOLDTHWAIT of Hancock, PARADIS of Aroostook, PENDLETON of Cumberland, Representatives: BRUNO of Raymond, SAXL of Bangor

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

Sent down for concurrence.

Bill "An Act to Continue to Provide Emergency Assistance to Low- income Families with Children" S.P. 250 L.D. 819

Presented by Senator PARADIS of Aroostook
Cosponsored by Senator: TREAT of Kennebec,
Representatives: AHEARNE of Madawaska, BROOKS of Winterport, QUINT of Portland

Bill "An Act to Provide for Notification to Local Officials upon the Release of Potentially Violent Patients from State Mental Health Institutions" S.P. 280 L.D. 888

Presented by Senator BENOIT of Franklin
Cosponsored by Representatives: LOVETT of Scarborough, WATERHOUSE of Bridgton, WHEELER of Bridgewater, WINGLASS of Auburn

Which were referred to the Committee on **HEALTH AND HUMAN SERVICES** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Establish an Outdoor Recreation Council" S.P. 254 L.D. 823

Presented by Senator KILKELLY of Lincoln
Cosponsored by Representative CHICK of Lebanon and Senators: MICHAUD of Penobscot, RUHLIN of Penobscot, Representatives: BERRY of Livermore, CLARK of Millinocket, CROSS of Dover-Foxcroft, GOODWIN of Pembroke, PERKINS of Penobscot, TRUE of Fryeburg

Which was referred to the Committee on **INLAND FISHERIES AND WILDLIFE** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Amend the Small Claims Court Laws" S.P. 249 L.D. 818

Presented by Senator HARRIMAN of Cumberland
Cosponsored by Senator: BENOIT of Franklin

Bill "An Act to Amend the Adoption Laws Relating to Consent and Forms for Surrender and Release" S.P. 257 L.D. 826

Presented by Senator MILLS of Somerset

Bill "An Act to Amend the Statute of Limitations for Health Care Providers and Health Care Practitioners to Include a Discovery Rule" S.P. 261 L.D. 869

Presented by Senator RAND of Cumberland

Cosponsored by Representative: BOLDUC of Auburn

Bill "An Act Concerning Trust Investments by Trustees in Affiliated Securities and Bonds" S.P. 278 L.D. 886

Presented by Senator LAFOUNTAIN III of York
Cosponsored by Representative: SAXL of Bangor

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

Sent down for concurrence.

Bill "An Act to Protect Pension Benefits of Participating Local District Members" S.P. 262 L.D. 870

Presented by Senator RAND of Cumberland
Cosponsored by Representatives: LEMAIRE of Lewiston, TESSIER of Fairfield, THOMPSON of Naples

Bill "An Act to Further Facilitate the Purchase of Service Credit in the Maine State Retirement System" S.P. 270 L.D. 878

Presented by Senator TREAT of Kennebec
Cosponsored by Representatives: COLWELL of Gardiner, HATCH of Skowhegan, SAMSON of Jay

Bill "An Act to Establish Occupational Health and Safety Standards for Operators of Video Display Terminals" S.P. 271 L.D. 879

Presented by Senator RAND of Cumberland
Cosponsored by Representatives: BOLDUC of Auburn, MUSE of South Portland

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

Sent down for concurrence.

Bill "An Act Relating to the Use of Public Offices or Agency Facilities in Campaigns and Ballot Questions" S.P. 248 L.D. 817

Presented by Senator DAGGETT of Kennebec
Cosponsored by Senator: BENNETT of Oxford,
Representatives: KONTOS of Windham, PERKINS of Penobscot, VIGUE of Winslow

Bill "An Act to Allow Limited Partnerships between Brewers and Wholesalers" S.P. 255 L.D. 824

Presented by Senator FERGUSON, JR. of Oxford
Cosponsored by Representative: TRUE of Fryeburg

Bill "An Act to Clarify the Requirement for Party Affiliation of Replacement Candidates" S.P. 259 L.D. 867

Presented by Senator BUTLAND of Cumberland
Cosponsored by Representative BARTH, JR. of Bethel and
Representative: BUCK of Yarmouth

Bill "An Act to Impose Liability Upon Persons Who Entrust Motor Vehicles to Unsafe Drivers" S.P. 273 L.D. 881

Presented by Senator MILLS of Somerset

Bill "An Act to Amend the Qualifications of the Administrator of the Maine Veterans' Homes" S.P. 277 L.D. 885

Presented by Senator BENNETT of Oxford
Cosponsored by Representative GAGNE of Buckfield and
Senators: FERGUSON, JR. of Oxford, MICHAUD of
Penobscot, Representatives: DONNELLY of Presque Isle,
KERR of Old Orchard Beach, LABRECQUE of Gorham,
TUTTLE, JR. of Sanford

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

Sent down for concurrence.

Bill "An Act to Clarify the Public Safety Laws Concerning Visual Smoke Detectors" S.P. 266 L.D. 874

Presented by Senator TREAT of Kennebec
Cosponsored by Representative KERR of Old Orchard
Beach and Senators: CATHCART of Penobscot,
CLEVELAND of Androscoggin, HARRIMAN of Cumberland,
Representatives: BRENNAN of Portland, HATCH of
Skowhegan, TOWNSEND of Portland

Committee on **LEGAL AND VETERANS AFFAIRS**
suggested and **ORDERED PRINTED**.

On motion by Senator **DAGGETT** of Kennebec, referred to
the Committee on **CRIMINAL JUSTICE**.

Sent down for concurrence.

RESOLUTION, Proposing an Amendment to the Constitution
of Maine to Provide That the Biennial Budget May Take Effect
Immediately if Passed by a Majority Vote S.P. 252 L.D. 821

Presented by President LAWRENCE of York
Cosponsored by Representative AHEARNE of Madawaska
and Senators: MICHAUD of Penobscot, PINGREE of Knox,
RAND of Cumberland, Representatives: KONTOS of
Windham, MITCHELL of Vassalboro, SAXL of Portland

Bill "An Act to Clarify the Laws on Personal Information of State Employees" S.P. 256 L.D. 825

Presented by Senator LAFOUNTAIN III of York
Cosponsored by Senator: MILLS of Somerset

Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

Bill "An Act to Require Legislative Confirmation of the Director of the Office of Substance Abuse" S.P. 267 L.D. 875

Presented by Senator BENOIT of Franklin
Cosponsored by Representative: WINGLASS of Auburn

RESOLUTION, Proposing an Amendment to the Constitution
of Maine to Clarify the Process for Inclusion of a Competing
Measure S.P. 269 L.D. 877

Presented by Senator BUTLAND of Cumberland
Cosponsored by Senators: CASSIDY of Washington, HALL
of Piscataquis, KIEFFER of Aroostook, Representatives:
BUCK of Yarmouth, TAYLOR of Cumberland

Bill "An Act to Require Municipalities to Purchase Insurance by Competitive Bidding" S.P. 284 L.D. 892

Presented by Senator BENOIT of Franklin
Cosponsored by Representative GOOLEY of Farmington

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

Sent down for concurrence.

Bill "An Act to Amend the Distribution of Revenue Sharing" S.P. 245 L.D. 814

Presented by Senator MILLS of Somerset

Committee on **STATE AND LOCAL GOVERNMENT**
suggested and **ORDERED PRINTED**.

On motion by Senator **PINGREE** of Knox, **TABLED** until
Later in Today's Session, pending **REFERENCE**.

Bill "An Act to Amend the Law Concerning Municipal Review and Regulation of Subdivisions" S.P. 258 L.D. 866

Presented by Senator BUTLAND of Cumberland
Cosponsored by Representative TAYLOR of Cumberland

Committee on **STATE AND LOCAL GOVERNMENT**
suggested and **ORDERED PRINTED**.

On motion by Senator **NUTTING** of Androscoggin, referred to
the Committee on **NATURAL RESOURCES**.

Sent down for concurrence.

Bill "An Act to Improve Access to Higher Education for Maine Students" S.P. 240 L.D. 809

Presented by Senator CATHCART of Penobscot
Cosponsored by Representative DAVIDSON of Brunswick and Representatives: BAKER of Bangor, DUNLAP of Old Town, STEVENS of Orono

Bill "An Act to Encourage the Use of Maine Ports by Allowing an Income Tax Credit Equal to the Federal Harbor Maintenance Tax" S.P. 263 L.D. 871

Presented by Senator RAND of Cumberland
Cosponsored by Representatives: LEMAIRE of Lewiston, THOMPSON of Naples

Bill "An Act to Eliminate the Property Tax Rebate on Machinery and Equipment That Has Been in Service More Than 3 Years" S.P. 268 L.D. 876

Presented by Senator MILLS of Somerset

Resolve, to Determine the Effectiveness of Economic Development Incentives in this State (Emergency) S.P. 272 L.D. 880

Presented by Senator RAND of Cumberland
Cosponsored by President LAWRENCE of York, Senators: PINGREE of Knox, Representatives: BOLDUC of Auburn, MUSE of South Portland

Bill "An Act to Repeal the Snack Tax" S.P. 279 L.D. 887

Presented by Senator MACKINNON of York
Cosponsored by Representative MACDOUGALL of North Berwick and Senator: LIBBY of York, Representatives: GERRY of Auburn, LEMONT of Kittery, MACK of Standish, WHEELER of Eliot

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

Sent down for concurrence.

Bill "An Act to Define the Projects That Public Works Departments May Undertake Without Procuring the Services of a Registered Professional Engineer" S.P. 244 L.D. 813

Presented by Senator MILLS of Somerset

Bill "An Act Regarding the Form of Motorcycle License Plates" S.P. 260 L.D. 868

Presented by Senator PENDLETON of Cumberland
Cosponsored by Representative PINKHAM of Brunswick and Senator: HARRIMAN of Cumberland, Representatives: BELANGER of Caribou, BRUNO of Raymond, CARLETON, JR. of Wells, ETNIER of Harpswell, MUSE of South Portland, PENDLETON, JR. of Scarborough, STEDMAN of Hartland

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

Sent down for concurrence.

Bill "An Act to Clarify the Duties of the Office of the Public Advocate" S.P. 241 L.D. 810

Presented by Senator HARRIMAN of Cumberland
Cosponsored by Senator: CAREY of Kennebec

Bill "An Act to Require the Public Utilities Commission to Align Telecommunications Carrier Access Rates with Costs to Foster Economic Development and Competition throughout the State" S.P. 243 L.D. 812

Presented by Senator CAREY of Kennebec

Bill "An Act to Repeal the Maine Surplus Energy Auction Program" S.P. 251 L.D. 820

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 were 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.

SECOND READERS

The Committee on **Bills in the Second Reading** reported the following:

Senate

Resolve, to Name the Body of Water on Route 27 in Coburn Gore "Fabian's Dunk" S.P. 15 L.D. 13

Which was **READ A SECOND TIME.**

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Carey.

Senator **CAREY:** This is probably one of the bigger bills that I've ever put in, and I would point out to you, there have been many questions on this bill, and it is simply a work in progress. Students from S.A.D. 49, in honor of their superintendent, who passed away recently, wanted to be sure that he was not forgotten. And they found a pond on the side of route 27, in Coburn Gore, contacted the owners of the property, who knew of the superintendent and have said that they were "tickled pink",

that the little pond would in fact be named after that superintendent. So, hopefully, there will not be too much discussion when we pass this thing after the second reading. Thank you Mr. President.

Which was **PASSED TO BE ENGROSSED**.

Sent down 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 (1/30/97) Assigned matter:

Bill "An Act to Require Law Enforcement Officers to Furnish an Affidavit of Probable Cause to Holding Facilities" (Emergency) H.P. 378 L.D. 523

Tabled - January 30, 1997, by Senator **MURRAY** of Penobscot.

Pending - **REFERENCE**

(In House, January 28, 1997, referred to the Committee on **JUDICIARY** and **ORDERED PRINTED**.)

On motion by Senator **MURRAY** of Penobscot, referred to the Committee on **CRIMINAL JUSTICE** in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (1/30/97) Assigned matter:

Bill "An Act Concerning the Disclosure of a Criminal Suspect's Identity" H.P. 463 L.D. 634

Tabled - January 30, 1997, by Senator **MURRAY** of Penobscot.

Pending - **REFERENCE**

(In House, January 30, 1997, referred to the Committee on **JUDICIARY**, and **ORDERED PRINTED**.)

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

The Chair laid before the Senate the following Tabled and Specially (2/4/97)Assigned matter:

Bill "An Act to Improve Access to Enhanced 9-1-1 Emergency Records" H.P. 261 L.D. 325

Tabled - January 30, 1997, by Senator **CAREY** of Kennebec.

Pending - **REFERENCE**

(Committee on **UTILITIES AND ENERGY** suggested and **ORDERED PRINTED**.)

(In House, January 28, 1997 referred to the Committee on **JUDICIARY**.)

(In Senate, January 30, 1997, referred to the Committee on **JUDICIARY**, in concurrence. Subsequently, on motion by Senator **CAREY** of Kennebec, **RECONSIDERED**.)

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

Senate at Ease

Senate called to order by the President.

Senator **PINGREE** of Knox was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

Senator **KIEFFER** of Aroostook was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

On motion by Senator **AMERO** of Cumberland, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later (1/30/97) Assigned matter:

Bill "An Act to Require Consecutive Sentences to Be Imposed on Habitual Offenders" H.P. 440 L.D. 590

Tabled - January 30, 1997, by Senator **MURRAY** of Penobscot.

Pending - **REFERENCE**

(In House, January 30, 1997, referred to the Committee on **TRANSPORTATION**, and **ORDERED PRINTED**.)

On motion by Senator **O'GARA** of Cumberland, referred to the Committee on **CRIMINAL JUSTICE** in **NON-CONCURRENCE**.

Sent down for 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 Authorize the Unfunded Portion of the School Cost for the Development of the Poland High School Project to be Funded in 1997 and 1998" H.P. 607 L.D. 832

Comes from the House, referred to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and **ORDERED PRINTED**.

Which was referred to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, 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 Require Public Insurers to Supply Insurance Data to Schools and Municipalities" H.P. 603 L.D. 828

Bill "An Act Concerning the Lapse of Automobile Insurance" H.P. 611 L.D. 836

Bill "An Act to Ensure Reasonable Access to Emergency Medical Services" H.P. 614 L.D. 839

Bill "An Act to Regulate Money Transmitters and Amend Consumer Credit Laws" H.P. 618 L.D. 843

Bill "An Act Regarding the Decision by an Insurance Carrier Whether to Cover Certain Services" H.P. 647 L.D. 900

Bill "An Act Requiring Notice to Homeowners' Insurance Policyholders when an Insurer Ceases to Transact Business with an Agent" H.P. 649 L.D. 902

Bill "An Act to Define the Diagnosis of Pregnancy for the Purposes of Insurance Coverage" H.P. 658 L.D. 911

Come from the House, referred to the Committee on **BANKING AND INSURANCE** and **ORDERED PRINTED**.

Which were referred to the Committee on **BANKING AND INSURANCE**, in concurrence.

Off Record Remarks

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Amend the Dental Licensure Laws to Authorize Special Permits for Instruction in Dentistry and to Identify and Rehabilitate Impaired Dentists" H.P. 616 L.D. 841

Bill "An Act to Amend the Osteopathic Licensure Laws to Clarify the Appropriate Degree Required for Licensure" H.P. 617 L.D. 842

Bill "An Act to Clarify the Audit Requirement of the Maine State Housing Authority" H.P. 651 L.D. 904

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

Which were referred to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT**, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Resolve, to Establish a Commission to Examine the Laws Pertaining to Juvenile Offenders H.P. 637 L.D. 862

Bill "An Act to Authorize Court-ordered Supervision of Juveniles" H.P. 657 L.D. 910

Bill "An Act to Amend the Laws Concerning Juvenile Petition, Adjudication and Disposition" H.P. 662 L.D. 915

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

Which were referred to the Committee on **CRIMINAL JUSTICE**, 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 Amend the Charter of Foxcroft Academy"
H.P. 608 L.D. 833

Bill "An Act to Have One Standard of Measurement for
School State Assessment Examinations" H.P. 621 L.D. 846

Bill "An Act to Prohibit the State from Dictating Educational
Curricula" H.P. 627 L.D. 852

Bill "An Act Regarding the Obligation of the State to Fund
Adult Education" H.P. 629 L.D. 854

Resolve, to Review Special Education Laws to Determine if
They Exceed Federal Requirements (Emergency)
H.P. 631 L.D. 856

Resolve, to Determine the Appropriate Tuition Rate for Public
High School Students Who Live in a Municipality without a High
School H.P. 632 L.D. 857

Bill "An Act to Require That School Administrative Units
Provide Additional Appropriate Personnel When Transporting
Students with Special Needs" H.P. 636 L.D. 861

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**, 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 Require Total Care Cost Analysis in the "MED
94" Assessment" H.P. 604 L.D. 829

Bill "An Act to Streamline the Process of Foster Child
Placement" H.P. 619 L.D. 844

Bill "An Act Directing the Department of Human Services to
Apply for a Medicaid Waiver to Allow Spouses to Be Paid as
Personal Care Attendants" (Emergency) H.P. 626 L.D. 851

Bill "An Act to Ensure Access to Child Support for Low-
income Children" (Emergency) H.P. 659 L.D. 912

Bill "An Act to Provide Funding for Mental Health Services for
Homeless Shelters" H.P. 660 L.D. 913

Bill "An Act to Combine the Department of Human Services
and the Department of Mental Health, Mental Retardation and
Substance Abuse Services" H.P. 664 L.D. 917

Come from the House, referred to the Committee on
HEALTH AND HUMAN SERVICES and **ORDERED PRINTED**.

Which were referred to the Committee on **HEALTH AND
HUMAN SERVICES**, 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 Encourage Registrants of Snowmobiles to Be
Members of Snowmobile Clubs" H.P. 606 L.D. 831

Bill "An Act to Exempt Hunters in Elevated Stands from the
Blaze Orange Clothing Requirements" H.P. 634 L.D. 859

Bill "An Act to Allow Hunting on the Sunday Following
Resident Only Day" H.P. 642 L.D. 895

Bill "An Act to Increase the Time Limit for Registering Deer to
24 Hours" H.P. 643 L.D. 896

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**, 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 Authorize Corporate Officers to Represent
Their Corporation in Certain Civil Actions in District Court"
H.P. 602 L.D. 827

Bill "An Act to Extend the Waiting Period for Obtaining a
Divorce" H.P. 635 L.D. 860

Bill "An Act to Amend the Filing Requirements to Perfect a
Security Interest in Consumer Goods" H.P. 644 L.D. 897

Bill "An Act to Allow Physician-assisted Deaths for the
Terminally Ill" H.P. 663 L.D. 916

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

Which were referred to the Committee on **JUDICIARY**, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Resolve, Directing the Workers' Compensation Board to Study the Effect on Injured Workers of Delayed Medical Treatment and Payment of Valid Claims by Insurance Companies H.P. 605 L.D. 830

Resolve, Instructing the Workers' Compensation Board to Study and Make Recommendations Regarding the Occupational Disease Law H.P. 610 L.D. 835

Bill "An Act to Have State Wage Laws Conform with the Federal Small Business Job Protection Act of 1996" H.P. 615 L.D. 840

Bill "An Act to Allow Persons 15 Years of Age or Older to Work at Games of Skill" H.P. 648 L.D. 901

Bill "An Act to Establish Mandatory Drug and Alcohol Testing of Emergency Vehicle Operators" H.P. 656 L.D. 909

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

Which were referred to the Committee on **LABOR**, 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 the Clerk of the House and the Secretary of the Senate from Participating in Political Activities while in Office" H.P. 620 L.D. 845

Bill "An Act to Reduce the Time Political Signs May Be Placed in the Public Right-of-Way" H.P. 625 L.D. 850

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Clarify Voting Rights H.P. 639 L.D. 864

Bill "An Act to Repeal the Presidential Primary" H.P. 645 L.D. 898

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**, 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 Amend the Laws Pertaining to Sea Urchin Licenses" H.P. 622 L.D. 847

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

Which was referred to the Committee on **MARINE RESOURCES**, in concurrence.

Bill "An Act to Facilitate Removal of Certain Licensed Overboard Discharges" H.P. 653 L.D. 906

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

Which was referred to the Committee on **NATURAL RESOURCES** and **ORDERED PRINTED**, in concurrence.
(See action later today.)

Bill "An Act to Amend the Definition of the Term Subdivision in the Site Location of Development Laws" H.P. 655 L.D. 908

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

On motion by Senator **CAREY** of Kennebec, referred to the Committee on **UTILITIES AND ENERGY** in **NON-CONCURRENCE**.

(See action later today.)

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

PAPERS FROM THE HOUSE

House Papers

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

Resolve, to Convene a Legislative Employee Salary Review Committee H.P. 630 L.D. 855

Bill "An Act to Amend the North Yarmouth-Cumberland Town Line" (Emergency) H.P. 638 L.D. 863

Bill "An Act Regarding the Self-governance of Biddeford Pool" H.P. 640 L.D. 865

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**, in concurrence.

On motion by Senator **CAREY** of Kennebec, the Senate **RECONSIDERED** whereby it **REFERRED** to the Committee on **NATURAL RESOURCES**, in concurrence:

Bill "An Act to Facilitate Removal of Certain Licensed Overboard Discharges" H.P. 653 L.D. 906

(In House February 6, 1997, referred to the Committee on **NATURAL RESOURCES** and **ORDERED PRINTED**.)

On further motion by same Senator, **TABLED** 1 Legislative Day, pending **REFERENCE**.

On motion by Senator **CAREY** of Kennebec, the Senate **RECONSIDERED** whereby it **REFERRED** to the Committee on **UTILITIES AND ENERGY** in **NON-CONCURRENCE**:

Bill "An Act to Amend the definition of the Term Subdivision in the Site Location of Development Laws" H.P. 655 L.D. 908

(In House February 6, 1997, referred to the Committee on **NATURAL RESOURCES** and **ORDERED PRINTED**.)

On further motion by same Senator, 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 Exempt from the Income Tax a Student's Earned Income Used for Educational Purposes" H.P. 612 L.D. 837

Bill "An Act to Exempt the Purchase of Motor Vehicle Modifications for a Person with a Disability from the Sales Tax" H.P. 628 L.D. 853

Bill "An Act to Amend the State's Tax Treatment of Sale or Leaseback Financing" H.P. 652 L.D. 905

Bill "An Act to Revise the State Income Tax Withholding Form" H.P. 654 L.D. 907

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

Which were referred to the Committee on **TAXATION**, 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 Permit Towns the Option of Winter Maintenance for Roads That are Turned Over to the Town for That Purpose" H.P. 613 L.D. 838

Bill "An Act to Return a Portion of Fines Resulting from Violations of Motor Vehicle Laws to Law Enforcement Agencies" H.P. 623 L.D. 848

Bill "An Act to Require Reflectors on Snow Plows" H.P. 624 L.D. 849

Bill "An Act Regarding Terminal Rental Adjustment Clauses Vehicle Leasing" H.P. 646 L.D. 899

Bill "An Act to Maintain the Department of Transportation's Current Policy on Reimbursement of Consultant Costs" H.P. 650 L.D. 903

Bill "An Act Regarding Penalties for Failure to Yield the Right-of-Way to an Emergency Vehicle" H.P. 661 L.D. 914

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

Which were referred to the Committee on **TRANSPORTATION**, 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 Expand Basic Service Calling Areas to Include All Municipalities within a School Administrative Unit" H.P. 633 L.D. 858

Bill "An Act to Guarantee Wider Local Calling Access to Every Telephone Exchange in the State" H.P. 641 L.D. 894

Come from the House, referred to the Committee on **UTILITIES AND ENERGY** and **ORDERED PRINTED**.

Which were referred to the Committee on **UTILITIES AND ENERGY**, in concurrence.

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

COMMITTEE REPORTS

House

Change of Reference

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Amend the Statutes Pertaining to Emergency Medical Services" H.P. 447 L.D. 597

Reported that the same be **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT**.

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

The Bill **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT**, in concurrence.

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

ENACTORS

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

Resolve

Resolve, to Name the South Warren Bridge in Memory of James Andrew "Drew" Griffith H.P. 26 L.D. 51

Which 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:

COMMITTEE REPORTS

House

Ought to Pass

The Committee on **JUDICIARY** on Bill "An Act to Amend the Laws Specifying When an Indictment in a Criminal Case Is Not Required" H.P. 12 L.D. 8

Reported that the same **Ought to Pass**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**

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

The Bill **READ ONCE**.

The Bill **TOMORROW ASSIGNED FOR SECOND READING**.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Increase the Fees for Attachment of Real Estate and Personal Property" H.P. 20 L.D. 45

Reported that the same **Ought to Pass**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**

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

The Bill **READ ONCE**.

The Bill **TOMORROW ASSIGNED FOR SECOND READING**.

Off Record Remarks

On motion by Senator **NUTTING** of Androscoggin, **ADJOURNED**, pursuant to the Joint Order, until Tuesday, February 11, 1997, at 10:00 in the morning.