

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Eighteenth Legislature
State of Maine

Volume 1

First Regular & Special Session
December 6, 1996 to May 19, 1997

Pages 1 - 980

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

In Senate Chamber
Tuesday
March 11, 1997

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

Prayer by Reverend Ken Baumgarten of the Seventh Day Adventist Church in Auburn.

REVEREND KEN BAUMGARTEN: Ladies and gentlemen, I invite you to join me in prayer. God Almighty, we entreat You to enter into these hallowed halls today; Moreover, that You might bless each member of the Senate with wisdom and understanding, and moreover than that Lord, we ask that You will give them courage and strength to act on their convictions. That the people of Maine may be blessed, that their work may be sanctified by Your presence, and that the world may know that You are guiding the great State of Maine. Amen.

Doctor of the Day, Maroulla Gleaton, M.D., Palermo.

Pledge of Allegiance led by Senator Mary Small of Sagadahoc.

Reading of the Journal of Wednesday, March 5, 1997.

Off Record Remarks

The President noted the absence of the Senator from Hancock, Senator Goldthwait and further excused the same Senator from today's Roll Call votes.

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act Pertaining to Free Meals for Legislators during a Prayer Breakfast" S.P. 402 L.D. 1297

In Senate, March 4, 1997, referred to the Committee on **STATE AND LOCAL GOVERNMENT**.

Comes from the House, March 5, 1997, referred to the Committee on **LEGAL AND VETERANS AFFAIRS**, in **NON-CONCURRENCE**.

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

House Paper

Bill "An Act to Fully Fund Local Education with Income and Sales Tax Revenues" H.P. 975 L.D. 1355

Committee on **TAXATION** suggested and **ORDERED PRINTED**.

Comes from the House, referred to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

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

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.P. 457

118TH LEGISLATURE

March 6, 1997

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

Dear Senator Jenkins and Representative Vigue:

Please be advised that Governor Angus S. King, Jr. has nominated Peter C. White for reappointment as a member of the Maine Real Estate Commission.

Pursuant to Title 32, MRSA Section 13062, this nomination will require review by the Joint Standing Committee on Business and Economic Development and confirmation by the Senate.

Sincerely,

S/Mark W. Lawrence
President of the Senate

S/Elizabeth H. Mitchell
Speaker of the House

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

Sent down for concurrence.

The Following Communication: S.P. 458

118TH LEGISLATURE

March 6, 1997

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

Dear Senator Jenkins and Representative Vigue:

Please be advised that Governor Angus S. King, Jr. has nominated Richard J. McGoldrick for reappointment and R.P. Field Rider for appointment as members of the Finance Authority of Maine.

Pursuant to Title 10, MRSA Section 965, these nominations will require review by the Joint Standing Committee on Business and Economic Development and confirmation by the Senate.

Sincerely,

S/Mark W. Lawrence
President of the Senate

S/Elizabeth H. Mitchell
Speaker of the House

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

Sent down for concurrence.

The Following Communication: S.C. 73

**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND
FORESTRY**

March 4, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Agriculture, Conservation and Forestry has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 447 An Act Regarding Disclosure of Pesticide Use
to a Buyer of Blueberry Land

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Marjorie L. Kilkelly
Senate Chair

S/Rep. George H. Bunker, Jr.
House Chair

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

The Following Communication: S.C. 74

**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON BANKING AND INSURANCE**

March 4, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Banking and Insurance has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 676 An Act to Make Health Care More Affordable to
Small Businesses

L.D. 681 An Act to Increase Access to Affordable Health
Insurance for Citizens of Maine

L.D. 716 An Act to Require Certain Information on
Insurance Bills

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Lloyd P. LaFountain III
Senate Chair

S/Rep. Jane W. Saxl
House Chair

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

The Following Communication: S.C. 75

**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON BUSINESS AND ECONOMIC
DEVELOPMENT**

March 4, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Business and Economic Development has voted unanimously to report the following bills out "Ought Not to Pass":

- | | |
|----------|---|
| L.D. 421 | An Act to Grandfather Certain Practicing Naturopathic Doctors |
| L.D. 686 | An Act to Streamline the Registration Process for Drug Outlets, Manufacturers and Wholesalers |

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. John T. Jenkins
Senate Chair

S/Rep. Marc J. Vigue
House Chair

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

The Following Communication: S.C. 76

**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES**

March 4, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Health and Human Services has voted unanimously to report the following bills out "Ought Not to Pass":

- | | |
|----------|--|
| L.D. 122 | An Act to Repeal the Funding for the Family Planning Association of Maine |
| L.D. 441 | An Act to Prohibit Family Planning Agencies from Using State Funds for Certain Expenses Related to Abortion Services |
| L.D. 603 | An Act to Establish a Residency Requirement for General Assistance |
| L.D. 641 | Resolve, to Establish the Study Group on Pay Equity Among Providers of Mental Health and Mental Retardation Services |

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Judy Paradis
Senate Chair

S/Rep. J. Elizabeth Mitchell
House Chair

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

The Following Communication: S.C. 77

**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

March 4, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Inland Fisheries and Wildlife has voted unanimously to report the following bills out "Ought Not to Pass":

- | | |
|----------|--|
| L.D. 117 | An Act to Change the Moose Hunting Season |
| L.D. 118 | An Act to Provide a Day for Resident Hunters Only at the Opening of the Moose Season |
| L.D. 375 | An Act to Create a Special Senior Citizen Moose Lottery |
| L.D. 395 | An Act Dealing with the Registration of Snowmobiles by Nonresidents |
| L.D. 425 | An Act to Require a Person Applying for a Moose Permit to Possess a Hunting License |

L.D. 562 An Act to Amend the Laws Pertaining to
Moose Hunting

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Marjorie L. Kilkelly
Senate Chair

S/Rep. Norman R. Paul
House Chair

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

The Following Communication: S.C. 78

**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON JUDICIARY**

March 4, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Judiciary has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 490 An Act to Increase Fees and Allowances for
Jury Service

L.D. 591 An Act to Require Courts to Take Court Costs
into Consideration in Criminal Proceedings

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Susan W. Longley
Senate Chair

S/Rep. Richard H. Thompson
House Chair

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

The Following Communication: S.C. 79

**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON LEGAL AND VETERANS AFFAIRS**

March 4, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Legal and Veterans Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 484 An Act Relating to Alcohol Beverage Price
Promotions and Price Posting

L.D. 496 An Act to Eliminate the Requirement of Cash
on Delivery for Beer and Wine Sales to
Businesses

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Beverly C. Daggett
Senate Chair

S/Rep. John L. Tuttle, Jr.
House Chair

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

The Following Communication: S.C. 80

**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON MARINE RESOURCES**

March 4, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Marine Resources has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 528 An Act Concerning Elver Fishing and Dip Nets

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Jill M. Goldthwait
Senate Chair

S/Rep. David Etnier
House Chair

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

The Following Communication: S.C. 81

**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON NATURAL RESOURCES**

March 4, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Natural Resources has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 497 An Act to Exempt Certain Incinerators from Environmental Laws and Department of Environmental Protection Regulations
- L.D. 599 An Act to Eliminate Fees on the Disposal of Municipal Solid Waste Incinerator Ash
- L.D. 748 An Act to Prohibit Residential Burning of Domestic, Household Trash

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Sharon Treat
Senate Chair

S/Rep. G. Steven Rowe
House Chair

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

The Following Communication: S.C. 82

**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON STATE AND LOCAL GOVERNMENT**

March 4, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on State and Local Government has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 206 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for 4-year Terms for Senators and Members of the House of Representatives

L.D. 256 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

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. John M. Nutting
Senate Chair

S/Rep. Douglas J. Ahearne
House Chair

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

The Following Communication: S.C. 83

**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON TAXATION**

March 4, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Taxation has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 415 An Act to Facilitate the Withholding of State Income Taxes from Federal Pensions

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Richard P. Ruhlin
Senate Chair

S/Rep. Verdi L. Tripp
House Chair

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

The Following Communication:

S.C. 84

**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON TRANSPORTATION**

March 4, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Transportation has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 55	An Act to Require Disclosure of Insurer on Motor Vehicle Registrations
L.D. 109	An Act to Eliminate the Fine for Exceeding the Axle Weight Limit
L.D. 216	An Act to Abolish the \$3 Photograph Fee for Senior Citizen Drivers' Licenses
L.D. 227	An Act to Amend the Motor Vehicle Laws Regarding Loss of License
L.D. 322	An Act to Require the Secretary of State to Revoke the Driver's License of a Person Involved in a Fatal Accident while Committing a Violation of the Maine Revised Statutes, Title 29-A
L.D. 342	An Act to Change the Eligibility Requirements for Free Registration Plates for Certain Veterans
L.D. 446	An Act to Make the Use of Stop Arm Warning Devices Mandatory on School Buses
L.D. 544	An Act Regarding the Penalty for Passing a Stopped School Bus
L.D. 703	An Act to Allow Signs to Change an Unlimited Number of Times per Day
L.D. 712	An Act to Exempt Certain Driver Education Schools from License Fees

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. William B. O'Gara
Senate ChairS/Rep. Joseph D. Driscoll
House Chair

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

The Following Communication:

S.C. 85

**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS
115 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

March 5, 1997

The Honorable Mark W. Lawrence
President of the Senate of Maine
118th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 118th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Joan M. Kelly of Cape Elizabeth, for appointment to the Maine Maritime Academy Board of Trustees.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS:	Senators	2	Cathcart of Penobscot, Small of Sagadahoc
	Representatives	9	Richard of Madison, Brennan of Portland, Desmond of Mapleton, Skoglund of St. George, Baker of Bangor, Barth of Bethel, McElroy of Unity, Stedman of Hartland, Belanger of Caribou
NAYS:		0	
ABSENT:		2	Sen. Pendleton of Cumberland, Rep. Watson of Farmingdale

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Joan M. Kelly of Cape Elizabeth, for appointment to the Maine Maritime Academy Board of Trustees be confirmed.

Signed,

S/Sen. Peggy A. Pendleton
Senate Chair

S/Shirley K. Richard
House Chair

Which was **READ** and **ORDERED PLACED ON FILE**.

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

The Following Communication: S.C. 86

STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS
115 STATE HOUSE STATION
AUGUSTA, MAINE 04333

March 5, 1997

The Honorable Mark W. Lawrence
President of the Senate of Maine
118th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 118th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of W. Tom Sawyer of Bangor, for appointment to the Maine Maritime Academy Board of Trustees.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS:	Senators	2	Cathcart of Penobscot, Small of Sagadahoc
	Representatives	9	Richard of Madison, Brennan of Portland, Desmond of Mapleton, Skoglund of St. George, Baker of Bangor, Barth of Bethel, McElroy of Unity, Stedman of Hartland, Belanger of Caribou
NAYS:		0	
ABSENT:		2	Sen. Pendleton of Cumberland, Rep. Watson of Farmingdale

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of W. Tom Sawyer of Bangor, for appointment to the Maine Maritime Academy Board of Trustees be confirmed.

Signed,

S/Sen. Peggy A. Pendleton
Senate Chair

S/Shirley K. Richard
House Chair

Which was **READ** and **ORDERED PLACED ON FILE**.

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

The Following Communication: S.C. 87

STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS
115 STATE HOUSE STATION
AUGUSTA, MAINE 04333

March 5, 1997

The Honorable Mark W. Lawrence
President of the Senate of Maine
118th Maine Legislature
State House
Augusta, Maine 04333-0003
Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 118th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Terrence C. Moore of Castine, for appointment as the Student Member to the Maine Maritime Academy Board of Trustees.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS:	Senators	2	Cathcart of Penobscot, Small of Sagadahoc
	Representatives	9	Richard of Madison, Brennan of Portland, Desmond of Mapleton, Skoglund of St. George, Baker of Castine, Barth of Bethel, McElroy of Unity, Stedman of Hartland, Belanger of Caribou
NAYS:		0	

ABSENT: 2 Sen. Pendleton of
Cumberland,
Rep. Watson of Farmingdale

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Terrence C. Moore of Castine, for appointment as the Student Member to the Maine Maritime Academy Board of Trustees be confirmed.

Signed,

S/Sen. Peggy A. Pendleton
Senate Chair

S/Shirley K. Richard
House Chair

Which was **READ** and **ORDERED PLACED ON FILE**.

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

SENATE PAPERS

Bill "An Act to Regulate Professional Loggers"
S.P. 456 L.D. 1430

Presented by Senator **KILKELLY** of Lincoln
Cosponsored by Representative: **SPEAR** of Nobleboro

Bill "An Act to Amend the Laws Regarding Forest Practices"
S.P. 471 L.D. 1473

Presented by Senator **CASSIDY** of Washington
Cosponsored by Representative **BARTH, JR.** of Bethel and
Senators: **BENOIT** of Franklin, **CAREY** of Kennebec,
KIEFFER of Aroostook, **KILKELLY** of Lincoln,
Representatives: **BERRY** of Livermore, **CAMPBELL** of
Holden, **GOOLEY** of Farmington, **LANE** of Enfield

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

Sent down for concurrence.

Resolve, to Compensate Janice Burns of South Portland as
Personal Representative of the Estate of Wrendy Hayne of
Augusta S.P. 461 L.D. 1433

Presented by Senator **AMERO** of Cumberland
Cosponsored by Representative **JONES** of Bar Harbor

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

Sent down for concurrence.

(See action later today.)

Bill "An Act to Prohibit Certain Accidents from Being Used by
Insurers to Increase Insurance Premiums" S.P. 443 L.D. 1417

Presented by Senator **MICHAUD** of Penobscot

Bill "An Act to Lower Property Taxes by Requiring School
Boards to Purchase Certain Insurance from the State"
S.P. 468 L.D. 1470

Presented by Senator **NUTTING** of Androscoggin
Cosponsored by Representative **MCKEE** of Wayne and
Senators: **LAFOUNTAIN III** of York, **MICHAUD** of
Penobscot, **PINGREE** of Knox, **TREAT** of Kennebec,
Representative: **MITCHELL** of Vassalboro

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

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate
RECONSIDERED whereby it **REFERRED** to the Committee on

APPROPRIATIONS AND FINANCIAL AFFAIRS the following:

Resolve, to Compensate Janice Burns of South Portland as
Personal Representative of the Estate of Wrendy Hayne of
Augusta S.P. 461 L.D. 1433

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

Sent down for concurrence.

Resolve, to Establish the Sister State Program
S.P. 459 L.D. 1431

Presented by Senator **JENKINS** of Androscoggin
Cosponsored by Senator: **RAND** of Cumberland

Resolve, to Establish Regional Service Centers
S.P. 465 L.D. 1437

Presented by Senator **JENKINS** of Androscoggin
Cosponsored by Senator: **RAND** of Cumberland

Bill "An Act to License Interpreters for the Deaf and Hard-of-
hearing" S.P. 481 L.D. 1483

Presented by Senator **TREAT** of Kennebec
Cosponsored by Senator: **DAGGETT** of Kennebec,
Representatives: **COWGER** of Hallowell, **GREEN** of
Monmouth, **JONES** of Greenville, **WRIGHT** of Berwick

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

Sent down for concurrence.

Bill "An Act to Increase the Penalty for Operating after License Suspension and under the Influence" S.P. 466 L.D. 1438

Presented by Senator NUTTING of Androscoggin
Cosponsored by Representative MCKEE of Wayne

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

Sent down for concurrence.

Resolve, Directing the Department of Education to Review Certain Procedures Regarding Special Education S.P. 441 L.D. 1415

Presented by Senator PENDLETON of Cumberland

Bill "An Act Concerning Eligibility for Service on a School Board" S.P. 442 L.D. 1416

Presented by Senator KILKELLY of Lincoln
Cosponsored by Representatives: COWGER of Hallowell, RINES, JR. of Wiscasset, SAVAGE of Union

Bill "An Act to Provide for Direct Reimbursement of Special Education Costs" S.P. 451 L.D. 1425

Presented by Senator KILKELLY of Lincoln
Cosponsored by Representative MITCHELL of Vassalboro and Senators: CATHCART of Penobscot, DAGGETT of Kennebec, PENDLETON of Cumberland, PINGREE of Knox, RAND of Cumberland, Representatives: LEMAIRE of Lewiston, PIEH of Bremen, RINES, JR. of Wiscasset

Bill "An Act to Amend the Maine Apprenticeship Program" S.P. 455 L.D. 1429

Presented by Senator MICHAUD of Penobscot
Cosponsored by Representative BERRY of Livermore and Senator: MILLS of Somerset, Representative: STANLEY of Medway

Bill "An Act to Amend School Construction Laws" S.P. 464 L.D. 1436

Presented by Senator TREAT of Kennebec
Cosponsored by Representative COWGER of Hallowell and Senators: MILLS of Somerset, NUTTING of Androscoggin, Representatives: CHARTRAND of Rockland, FOSTER of Gray, MCKEE of Wayne, SHIAH of Bowdoinham, THOMPSON of Naples, WATSON of Farmingdale

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

Sent down for concurrence.

Resolve, to Encourage Nonprofit Entities to Work Together in a Community P.R.I.D.E. Program S.P. 460 L.D. 1432

Presented by Senator JENKINS of Androscoggin
Cosponsored by Senator: RAND of Cumberland

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

Sent down for concurrence.

Bill "An Act to Create Quality Employment and Business Ownership Opportunities for Social Assistance Recipients" S.P. 453 L.D. 1427

Presented by Senator PINGREE of Knox
Cosponsored by Senators: JENKINS of Androscoggin, KILKELLY of Lincoln, O'GARA of Cumberland, RAND of Cumberland, TREAT of Kennebec, Representative: SAXL of Portland

Which was referred to the Committees on **HEALTH AND HUMAN SERVICES** and **BUSINESS AND ECONOMIC DEVELOPMENT** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Allow ATV Use on Public Lands Not Specifically Designated as Primitive-use Land" (Emergency) S.P. 450 L.D. 1424

Presented by Senator RUHLIN of Penobscot
Cosponsored by Representatives: BUCK of Yarmouth, CIANCHETTE of South Portland, WATERHOUSE of Bridgton

Bill "An Act to Amend the Deer and Moose Hunting Laws" S.P. 452 L.D. 1426

Presented by Senator BUTLAND of Cumberland
Cosponsored by Senator: KIEFFER of Aroostook, Representative: JONES, JR. of Pittsfield

Bill "An Act to Prohibit a Person Whose License to Operate a Motor Vehicle Has Been Suspended from Operating an All-terrain Vehicle on Roads and Highways" S.P. 462 L.D. 1434

Presented by Senator BENOIT of Franklin

Bill "An Act to Increase the Number of Allocated Commercial Whitewater Rafting Trips on the Kennebec River" S.P. 467 L.D. 1469

Presented by Senator MILLS of Somerset

Bill "An Act to Decriminalize Various Fish and Game Violations and Enhance Collectibility of Associated Penalties"
S.P. 477 L.D. 1479

Presented by Senator MILLS of Somerset

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

Sent down for concurrence.

Bill "An Act to Amend the Uniform Management of Institutional Funds Act"
S.P. 446 L.D. 1420

Presented by Senator AMERO of Cumberland
Cosponsored by Senator: ABROMSON of Cumberland,
Representative: BRENNAN of Portland

Bill "An Act to Amend the Child Support Laws Concerning Seize and Sell Orders and Reunited Families"
S.P. 454 L.D. 1428

Presented by Senator TREAT of Kennebec
Cosponsored by Representative SAMSON of Jay and
Senators: HARRIMAN of Cumberland, LAFOUNTAIN III of
York, PINGREE of Knox, Representatives: COLWELL of
Gardiner, HATCH of Skowhegan, MADORE of Augusta,
MAYO III of Bath, WATSON of Farmingdale

Bill "An Act to Impose License Suspension and Other Sanctions on Those Who Fail to Pay Fines and Other Penalties"
S.P. 479 L.D. 1481

Presented by Senator MILLS of Somerset

Bill "An Act to Expand the Duties of the Violations Bureau and Enhance the Enforcement of Civil Violations"
S.P. 480 L.D. 1482

Presented by Senator MILLS of Somerset

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

Sent down for concurrence.

Bill "An Act to Modify the Work Search Requirements for Workers' Compensation Recipients"
S.P. 470 L.D. 1472

Presented by Senator MILLS of Somerset

Bill "An Act to Provide for Limited Payment of Attorney's Fees for Injured Workers Who Prevail on Meritorious Claims"
S.P. 472 L.D. 1474

Presented by Senator MILLS of Somerset

Bill "An Act to Require That Workers' Compensation Coverage Be Equitably Applied to the Timber Industry"
S.P. 475 L.D. 1477

Presented by Senator NUTTING of Androscoggin
Cosponsored by Representative BERRY of Livermore and
Senator: KILKELLY of Lincoln, Representatives: HATCH of
Skowhegan, SHIAH of Bowdoinham

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

Sent down for concurrence.

Bill "An Act to Decriminalize Various Marine Resource Violations and Enhance Collectibility of Associated Penalties"
S.P. 476 L.D. 1478

Presented by Senator MILLS of Somerset

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

Sent down for concurrence.

Bill "An Act to Clarify Reimbursement by Responsible Parties to the Maine Coastal and Inland Surface Oil Clean-up Fund"
S.P. 463 L.D. 1435

Presented by President LAWRENCE of York
Cosponsored by Representative ETNIER of Harpswell and
Senators: MACKINNON of York, RAND of Cumberland,
Representatives: HONEY of Boothbay, WHEELER of Eliot,
WRIGHT of Berwick

Resolve, Regarding Legislative Review of Chapter 502: Direct Watersheds of Waterbodies Most at Risk from New Development, and Sensitive or Threatened Regions or Watersheds, a Major Substantive Rule of the Department of Environmental Protection, Bureau of Land and Water Quality (Emergency)
S.P. 469 L.D. 1471

Submitted by the Department of Environmental Protection pursuant to the Maine Revised Statutes, Title 5, section 8072.

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

Sent down for concurrence.

Bill "An Act to Provide for Removal of a State Auditor Who Fails to Meet the Statutory Qualifications for the Office"
S.P. 440 L.D. 1414

Presented by Senator AMERO of Cumberland
Cosponsored by Senator: KIEFFER of Arrostook,
Representative: DONNELLY of Presque Isle

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

Sent down for concurrence.

Bill "An Act to Clarify the Application of the Sales Tax on Hay, Horses and Horse Farms" S.P. 445 L.D. 1419

Presented by Senator KILKELLY of Lincoln
Cosponsored by Representative GREEN of Monmouth and
Senators: LIBBY of York, LONGLEY of Waldo, SMALL of
Sagadahoc, Representatives: LABRECQUE of Gorham,
LANE of Enfield, LOVETT of Scarborough, MITCHELL of
Portland, SAVAGE of Union

Bill "An Act to Exempt from the Sales Tax Computers Used in Commercial Fishing" S.P. 447 L.D. 1421

Presented by Senator PINGREE of Knox
Cosponsored by Representative ETNIER of Harpswell and
Senators: JENKINS of Androscoggin, KILKELLY of Lincoln,
O'GARA of Cumberland, Representatives: BAGLEY of
Machias, PIEH of Bremen

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

Sent down for concurrence.

Bill "An Act to Allow Certain Overweight Trucks to Proceed without Being Off-loaded" S.P. 444 L.D. 1418

Presented by Senator MICHAUD of Penobscot

Bill "An Act to Abolish the Maine Turnpike Authority" S.P. 448 L.D. 1422

Presented by Senator RUHLIN of Penobscot

Bill "An Act to Amend Certain Motor Vehicle Laws" S.P. 473 L.D. 1475

Presented by Senator O'GARA of Cumberland
Cosponsored by Senator CASSIDY of Washington and
Representatives: CHARTRAND of Rockland, CLUKEY of
Houlton, DRISCOLL of Calais, SAVAGE of Union,
WHEELER of Eliot, WINGLASS of Auburn
Submitted by the Secretary of State pursuant to Joint Rule
204.

Bill "An Act Making Unified and Supplemental Appropriations and Allocations for the Expenditures of State Government, Highway Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1998 and June 30, 1999" (Emergency) S.P. 474 L.D. 1476

Presented by Senator O'GARA of Cumberland
(GOVERNOR'S BILL)
Cosponsored by Representative DRISCOLL of Calais and
Senator: CASSIDY of Washington, Representatives:
CLUKEY of Houlton, WHEELER of Eliot

Bill "An Act to Decriminalize Various Traffic Violations and Enhance Collectibility of Associated Penalties" S.P. 478 L.D. 1480

Presented by Senator MILLS of Somerset

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

Sent down for concurrence.

Bill "An Act Regarding Sewer District Upgrades" S.P. 449 L.D. 1423

Presented by President LAWRENCE of York
Cosponsored by Representative WRIGHT of Berwick and
Representative: MACDOUGALL of North Berwick

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

Sent down for concurrence.

Off Record Remarks

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

COMMITTEE REPORTS

House

Ought to Pass

The Committee on **JUDICIARY** on Bill "An Act to Require the Courts to Accept Civil Orders of Arrest on Any Day Court is in Session" H.P. 180 L.D. 235

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 **JUDICIARY** on Bill "An Act to Clarify the Effect of Failure to Provide Notice of Filing of a Judgment Lien" H.P. 421 L.D. 571

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 **JUDICIARY** on Bill "An Act to Expand the Methods of Service of Disclosure Subpoenas" H.P. 526 L.D. 717

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**.

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Change the Dates of the Moose Hunting Season" H.P. 198 L.D. 251

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

KILKELLY of Lincoln
RUHLIN of Penobscot
HALL of Piscataquis

Representatives:

PAUL of Sanford
CHICK of Lebanon
TRUE of Fryeburg
USHER of Westbrook
CROSS of Dover-Foxcroft
PERKINS of Penobscot
UNDERWOOD of Oxford
GOODWIN of Pembroke

The Minority of the same Committee on the same subject reported that the same **Ought to Pass**.

Signed:

Representatives:

CLARK of Millinocket
DUNLAP of Old Town

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Which Reports were **READ**.

On motion by Senator **KILKELLY** of Lincoln, Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Senate

Ought to Pass

Senator **KILKELLY** for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Amend the Laws Pertaining to the Boarding of Dogs" S.P. 289 L.D. 940

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

Which Report was **READ** and **ACCEPTED**.

The Bill **READ ONCE**.

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

Senator **LAFOUNTAIN** for the Committee on **BANKING AND INSURANCE** on Bill "An Act to Amend the Laws Governing Banking Institutions" S.P. 239 L.D. 808

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

Which Report was **READ** and **ACCEPTED**.

The Bill **READ ONCE**.

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

SECOND READERS

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

House

Bill "An Act Concerning Service Relating to the Disclosure of Financial Records" H.P. 403 L.D. 548

Which was **READ A SECOND TIME** and **PASSED TO BE ENGROSSED**, in concurrence.

Senate

Bill "An Act to Amend the Small Claims Court Laws"

S.P. 249 L.D. 818

Which was **READ A SECOND TIME** and **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

Senate As Amended

Bill "An Act to Amend the Maine Consumer Credit Code to Permit Reverse Mortgages"

S.P. 207 L.D. 666

(C "A" S-12)

Which was **READ A SECOND TIME** and **PASSED TO BE ENGROSSED, As Amended**.

Sent down for concurrence.

ENACTORS

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

An Act to Change How the Mileage Allowance is Determined for Sheriffs and Deputies

S.P. 68 L.D. 207

An Act to Terminate Spousal Support upon the Death of the Payee

H.P. 187 L.D. 240

Which were **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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 **AMERO** of Cumberland was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

On motion by Senator **CAREY** of Kennebec, **ADJOURNED**, until Wednesday, March 12, 1997, at 10:00 in the morning.