

MAINE STATE LEGISLATURE

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Legislative Record
House of Representatives
One Hundred and Nineteenth Legislature
State of Maine

Volume I

First Regular Session

December 2, 1998 – May 12, 1999

ONE HUNDRED AND NINETEENTH LEGISLATURE
FIRST REGULAR SESSION
5th Legislative Day
Thursday, January 14, 1999

The House met according to adjournment and was called to order by the Speaker.

Prayer by Reverend Thomas Bentum, Fairfield United Methodist Church.

Pledge of Allegiance.

The following item was taken up out of order by unanimous consent:

REPORTS OF COMMITTEE

Ought to Pass Pursuant to Joint Order (H.P. 270)

Representative KANE from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Delay the Implementation until October 1, 1999 of Public Law 1997, Chapter 793, 'An Act to Provide for Confidentiality of Health Care Information'" (EMERGENCY)

(H.P. 359) (L.D. 503)

Reporting **Ought to Pass** pursuant to Joint Order (H.P. 270).

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

The Bill **READ ONCE**.

Under suspension of the rules, the Bill was given its **SECOND READING** without **REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence. **ORDERED SENT FORTHWITH**.

The Journal of Monday, January 11, 1999 was read and approved.

SENATE PAPERS

Bill "An Act to Require the State to Fully Fund Out-of-district Placement of Special Education Students"

(S.P. 51) (L.D. 121)

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

Came from the Senate, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

On motion of Representative SHIAH of Bowdoinham, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act to Permit the Release and Publication of the Name of a Juvenile 14 Years of Age or Older Who Commits a Crime" (EMERGENCY)

(S.P. 105) (L.D. 244)

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE** and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE** in concurrence.

Bill "An Act to Clarify the Use of Campaign Funds"

(S.P. 107) (L.D. 246)

Came from the Senate, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed.

REFERRED to the Committee on **LEGAL AND VETERANS AFFAIRS** in concurrence.

Bill "An Act to Abolish Kennebec County as a Legal Entity"

(S.P. 106) (L.D. 245)

Came from the Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

Resolve, to Improve Access to the Maine Turnpike

(S.P. 108) (L.D. 247)

Came from the Senate, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

REFERRED to the Committee on **TRANSPORTATION** in concurrence.

Non-Concurrent Matter

Bill "An Act to Fund a Cranberry Specialist Position in the Department of Agriculture, Food and Rural Resources"

(H.P. 91) (L.D. 104)

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in the House on January 11, 1999.

Came from the Senate **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

COMMUNICATIONS

The Following Communication: (H.C. 23)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002

January 13, 1999

Honorable John L. Tuttle, Jr.

54 Cottage Street

Sanford, ME 04073

Honorable Richard Kneeland

153 West Ridge Road

Easton, ME 04740

Dear Representative Tuttle and Representative Kneeland:

Pursuant to my authority under House Rule 201.1(L), I am pleased to appoint you as Monitors for your respective divisions of the House.

Pursuant to House Rule 102, the duties of monitors are as follows:

Rule 102. Monitors. A monitor shall see to the observance of the rules of the House. If any member violates any of the rules of the House and persists in violating the rules after being notified of the violation by any monitor, the monitor shall give information of the violation to the House.

Sincerely,
S/G. Steven Rowe
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.P. 43)
**THE SENATE OF MAINE
OFFICE OF THE PRESIDENT
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

January 6, 1999
The Honorable Joy J. O'Brien
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary O'Brien:

In compliance with Joint Order (S.P. 33), I am pleased to appoint the following members to inform the Honorable Angus S. King, Jr. that he has been duly elected Governor of the State of Maine for the political years 1999, 2000, 2001 and 2002:

Senator Peggy Pendleton of Cumberland

Senator Beverly Daggett of Kennebec

Senator Phil Harriman of Cumberland

If you have any questions, please do not hesitate to contact me.

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

Came from the Senate, **READ and ORDERED PLACED ON FILE.**

READ and ORDERED PLACED ON FILE in concurrence.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills and Resolves were received, and upon the recommendation of the Committee on Reference of Bills were **REFERRED** to the following Committees, ordered printed and sent for Concurrence:

AGRICULTURE, CONSERVATION AND FORESTRY

Bill "An Act Requiring That the Director of the Bureau of Parks and Lands Appoint the Executive Director of the Allagash Wilderness Waterway"

(H.P. 216) (L.D. 294)

Presented by Representative MARTIN of Eagle Lake.

Bill "An Act to Protect Traditional Access to the Allagash Wilderness Waterway"

(H.P. 287) (L.D. 395)

Presented by Representative DUNLAP of Old Town.

Cosponsored by Senator MICHAUD of Penobscot and Representatives: CHICK of Lebanon, COTE of Lewiston, HONEY of Boothbay, TRACY of Rome, TRAHAN of Waldoboro, TRUE of Fryeburg, USHER of Westbrook, Senator: CATHCART of Penobscot.

Bill "An Act to Reconcile Minor Technical Differences between Forest Practices Laws and Rules"

(H.P. 299) (L.D. 407)

Presented by Representative GOOLEY of Farmington.

Cosponsored by Senator NUTTING of Androscoggin.

Submitted by the Department of Conservation pursuant to Joint Rule 204.

Bill "An Act Requiring Disclosures to be Made to Purchasers of Land Abutting Agricultural Land"

(H.P. 333) (L.D. 449)

Presented by Representative SAVAGE of Union.

Cosponsored by Representatives: CAMERON of Rumford, CHICK of Lebanon, LABRECQUE of Gorham, PIEH of Bremen, WHEELER of Bridgewater, Senator: NUTTING of Androscoggin.

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act to Achieve Equity in Transportation Funding"

(H.P. 281) (L.D. 389)

Presented by Representative BULL of Freeport.

Cosponsored by Representatives: BRENNAN of Portland, FISHER of Brewer, O'NEIL of Saco.

Bill "An Act to Permit Senior Citizens to Remain in Their Homes by Providing Funds for Necessary Modifications"

(H.P. 328) (L.D. 444)

Presented by Representative COLWELL of Gardiner.

Cosponsored by Senator MILLS of Somerset and Representatives: BERRY of Livermore, COTE of Lewiston, COWGER of Hallowell, FISHER of Brewer, HATCH of Skowhegan, LEMOINE of Old Orchard Beach, LOVETT of Scarborough, USHER of Westbrook.

Bill "An Act to Require That All Fines Collected by State Agencies Be Deposited in the General Fund"

(H.P. 346) (L.D. 462)

Presented by Representative JOY of Crystal.

Bill "An Act to Strengthen Child Abuse Prevention in Maine"

(H.P. 362) (L.D. 487)

Presented by Representative SNOWE-MELLO of Poland.

Cosponsored by Senator PARADIS of Aroostook and Representatives: BROOKS of Winterport, JACOBS of Turner, MAILHOT of Lewiston, MENDROS of Lewiston, SCHNEIDER of Durham, TOWNSEND of Portland.

Bill "An Act to Appropriate Funds for Acquisitions for the Maine State Library and for Library Resource Sharing" (EMERGENCY)

(H.P. 374) (L.D. 499)

Presented by Representative COLWELL of Gardiner.

Cosponsored by Senator CATHCART of Penobscot and Representatives: COWGER of Hallowell, TOWNSEND of Portland, Senators: GOLDTHWAIT of Hancock, TREAT of Kennebec.

Bill "An Act to Implement a Recommendation of the Joint Select Committee on Research and Development Relating to Increased Opportunities for Maine Students in Math, Science and Engineering"

(H.P. 336) (L.D. 452)

Presented by Representative TESSIER of Fairfield.

Cosponsored by Senator CATHCART of Penobscot and Representatives: BELANGER of Caribou, COWGER of Hallowell, HONEY of Boothbay, LEMONT of Kittery, ROWE of Portland, STEVENS of Orono.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested.

On motion of Representative TOWNSEND of Portland, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act to Implement a Recommendation of the Joint Select Committee on Research and Development to Provide Adequate Laboratory Equipment in Maine Schools"

(H.P. 367) (L.D. 492)

Presented by Representative BELANGER of Caribou.
Cosponsored by Senator GOLDTHWAIT of Hancock and Representatives: BRENNAN of Portland, DESMOND of Mapleton, HONEY of Boothbay, KNEELAND of Easton, RICHARD of Madison, STEVENS of Orono, Senator: MacKINNON of York.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested.

On motion of Representative TOWNSEND of Portland, **TABLED** pending **REFERENCE** and later today assigned.

BANKING AND INSURANCE

Bill "An Act to Improve the Delivery of Services in Insurance"

(H.P. 246) (L.D. 350)

Presented by Representative O'NEIL of Saco.
Cosponsored by Representatives: MAYO of Bath, SAXL of Bangor, SULLIVAN of Biddeford.

Bill "An Act to Require Insurance Companies to Provide Certain Information to the Department of Human Services"

(H.P. 301) (L.D. 409)

Presented by Representative BRUNO of Raymond.
Cosponsored by Senator HARRIMAN of Cumberland and Representatives: BERRY of Livermore, CAMERON of Rumford, KNEELAND of Easton, MAYO of Bath, PERRY of Bangor, SAXL of Bangor, TOWNSEND of Portland, Senator: MICHAUD of Penobscot.

Bill "An Act Authorizing Municipalities to Create Nonprofit Corporations for the Sole Purpose of Providing Homeowners Liability Insurance to Citizens of the Municipalities"

(H.P. 351) (L.D. 467)

Presented by Representative PERKINS of Penobscot. (BY REQUEST)

Bill "An Act to Require Insurers to Disclose Insurance Data to Schools and Municipalities"

(H.P. 352) (L.D. 468)

Presented by Representative MAYO of Bath.
Cosponsored by Senator KIEFFER of Aroostook and Representatives: BRUNO of Raymond, BUCK of Yarmouth, CAMERON of Rumford, McALEVEY of Waterboro, Senators: AMERO of Cumberland, NUTTING of Androscoggin.

BUSINESS AND ECONOMIC DEVELOPMENT

Bill "An Act to Include Marine Products on Roadside Signs" (EMERGENCY)

(H.P. 247) (L.D. 351)

Presented by Representative PIEH of Bremen.
Cosponsored by Senator KILKELLY of Lincoln and Representatives: BAGLEY of Machias, CAMERON of Rumford,

ETNIER of Harpswell, FISHER of Brewer, PERKINS of Penobscot, SAVAGE of Union, Senators: DAVIS of Piscataquis, PARADIS of Aroostook.

Bill "An Act to Amend the Membership of the State Board of Funeral Service"

(H.P. 305) (L.D. 421)

Presented by Representative STANLEY of Medway.
Cosponsored by Senator MICHAUD of Penobscot and Representatives: AHEARNE of Madawaska, GOODWIN of Pembroke, HATCH of Skowhegan, RINES of Wiscasset, WHEELER of Eliot.

Bill "An Act to Repeal the Law Requiring Retailers to Post Motor Vehicle Fuel Prices"

(H.P. 339) (L.D. 455)

Presented by Representative MACK of Standish.
Cosponsored by Senator DOUGLASS of Androscoggin and Representatives: DESMOND of Mapleton, GAGNE of Buckfield, McKENNEY of Cumberland, O'NEIL of Saco, PERRY of Bangor, WINSOR of Norway, Senators: BENNETT of Oxford, SMALL of Sagadahoc.

Bill "An Act Concerning Notification by Oil Burner Technicians of Inadequate Chimneys"

(H.P. 348) (L.D. 464)

Presented by Representative CAMPBELL of Holden.

CRIMINAL JUSTICE

Bill "An Act to Require Life Imprisonment for Habitual Violent Offenders"

(H.P. 222) (L.D. 300)

Presented by Representative WATERHOUSE of Bridgton.
Cosponsored by Senator CAREY of Kennebec and Representatives: AHEARNE of Madawaska, BUCK of Yarmouth, MACK of Standish, McALEVEY of Waterboro, SNOWE-MELLO of Poland, WHEELER of Eliot, Senator: BENOIT of Franklin.

Bill "An Act to Remove the Prohibition against Carrying a Loaded Hunting Weapon in a Motor Vehicle"

(H.P. 230) (L.D. 334)

Presented by Representative PERKINS of Penobscot.
Cosponsored by Representative: DUNLAP of Old Town.

Bill "An Act to Strengthen Manslaughter and Homicide Penalties When the Victim is Under 16 Years of Age"

(H.P. 234) (L.D. 338)

Presented by Representative WATERHOUSE of Bridgton.
Cosponsored by Senator CAREY of Kennebec and Representatives: AHEARNE of Madawaska, CHIZMAR of Lisbon, HATCH of Skowhegan, McALEVEY of Waterboro, PIEH of Bremen, SNOWE-MELLO of Poland, WHEELER of Eliot, Senator: AMERO of Cumberland.

Bill "An Act to Make a Traffic Infraction That Results in Bodily Injury to the Offending Driver or Another Person a Class E Crime"

(H.P. 240) (L.D. 344)

Presented by Representative GOOLEY of Farmington.
Cosponsored by Senator AMERO of Cumberland and Representatives: CARR of Lincoln, CROSS of Dover-Foxcroft, FOSTER of Gray, JODREY of Bethel, PEAVEY of Woolwich,

POVICH of Ellsworth, Senators: FERGUSON of Oxford, RUHLIN of Penobscot.

Bill "An Act Regarding the Administration of Polygraph Tests to Prospective Law Enforcement Personnel"

(H.P. 249) (L.D. 353)

Presented by Representative MUSE of South Portland.
Cosponsored by Representatives: BOLDUC of Auburn, HATCH of Skowhegan, QUINT of Portland, RICHARDSON of Brunswick, SAXL of Portland, WHEELER of Bridgewater, Senators: MURRAY of Penobscot, RAND of Cumberland.

Bill "An Act to Establish Certain Crimes of Domestic Violence"

(H.P. 250) (L.D. 354)

Presented by Representative MUSE of South Portland.
Cosponsored by Senator DOUGLASS of Androscoggin and Representatives: CIANCHETTE of South Portland, JABAR of Waterville, O'BRIEN of Augusta, POVICH of Ellsworth, POWERS of Rockport, QUINT of Portland, SAXL of Portland, TOWNSEND of Portland.

Bill "An Act to Establish Victims' Rights for the Victims of Juvenile Crimes"

(H.P. 276) (L.D. 384)

Presented by Representative PEAVEY of Woolwich.
Cosponsored by Representatives: CHIZMAR of Lisbon, McALEVEY of Waterboro, O'BRIEN of Augusta, SCHNEIDER of Durham, WATSON of Farmingdale, Senator: SMALL of Sagadahoc.
Submitted by the Department of Corrections pursuant to Joint Rule 204.

Bill "An Act Defining Witness, Informant and Victim for the Crime of Tampering with a Witness, Informant or Victim Under the Criminal Code"

(H.P. 282) (L.D. 390)

Presented by Representative POVICH of Ellsworth.

Bill "An Act to Require the Revocation of Probation for a Person Convicted of Domestic Violence if the Person Fails to Attend a Certified Batterers' Intervention Program"

(H.P. 290) (L.D. 398)

Presented by Representative STANLEY of Medway.
Cosponsored by Senator CATHCART of Penobscot and Representatives: AHEARNE of Madawaska, CLARK of Millinocket, GOODWIN of Pembroke, HATCH of Skowhegan, RINES of Wiscasset.

Bill "An Act to Treat All Assaults on Law Enforcement Officers as Class C Crimes"

(H.P. 317) (L.D. 433)

Presented by Representative GOOLEY of Farmington.
Cosponsored by Senator CAREY of Kennebec and Representatives: BELANGER of Caribou, CLOUGH of Scarborough, HONEY of Boothbay, McALEVEY of Waterboro, USHER of Westbrook, Senators: BENOIT of Franklin, FERGUSON of Oxford, O'GARA of Cumberland.

Bill "An Act to Establish an Appeal Process for Concealed Firearms Permit Applications and to Grant Reciprocity to Other States"

(H.P. 320) (L.D. 436)

Presented by Representative MACK of Standish.
Cosponsored by Senator AMERO of Cumberland and Representatives: DUNLAP of Old Town, MADORE of Augusta, McALEVEY of Waterboro, MENDROS of Lewiston, MURPHY of Kennebec, O'NEAL of Limestone, Senators: DAVIS of Piscataquis, DOUGLASS of Androscoggin.

Bill "An Act to Establish the Crime of Rendering a Telephone Inoperable during a Domestic Violence Incident"

(H.P. 338) (L.D. 454)

Presented by Representative MUSE of South Portland.
Cosponsored by Senator DOUGLASS of Androscoggin and Representatives: BULL of Freeport, JABAR of Waterville, POVICH of Ellsworth, QUINT of Portland, SAXL of Portland.

Bill "An Act to Increase the Sanctions for Criminal Mischief Within a Correctional Facility"

(H.P. 341) (L.D. 457)

Presented by Representative McALEVEY of Waterboro.
Cosponsored by Senator FERGUSON of Oxford and Representatives: BROOKS of Winterport, DUNLAP of Old Town, HATCH of Skowhegan, LINDAHL of Northport, MUSE of South Portland, POVICH of Ellsworth, TUTTLE of Sanford, Senator: MITCHELL of Penobscot.
Submitted by the Department of Corrections pursuant to Joint Rule 204.

Bill "An Act Concerning Payment of Medical Costs for Prisoners in County Correctional Facilities"

(H.P. 350) (L.D. 466)

Presented by Representative DUGAY of Cherryfield.
Cosponsored by Senator CASSIDY of Washington and Representatives: BAGLEY of Machias, DAVIDSON of Brunswick, GILLIS of Danforth, GOODWIN of Pembroke, JABAR of Waterville, POVICH of Ellsworth, SHOREY of Calais, WHEELER of Eliot.

Bill "An Act to Collect Unpaid Fines in the State"

(H.P. 277) (L.D. 385)

Presented by Representative MUSE of South Portland.
Cosponsored by Representative: McALEVEY of Waterboro.
Committee on **CRIMINAL JUSTICE** suggested.
On motion of Representative POVICH of Ellsworth, the Bill was **REFERRED** to the Committee on **JUDICIARY**, ordered printed and sent for concurrence.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act to Increase Postsecondary Educational Opportunities"

(H.P. 260) (L.D. 364)

Presented by Representative BRENNAN of Portland.
Cosponsored by Representatives: O'NEAL of Limestone, O'NEIL of Saco, SHIAH of Bowdoinham, STEVENS of Orono, WHEELER of Eliot, Senator: KONTOS of Cumberland.

Bill "An Act to Ensure That All Students With Disabilities Exit School Ready for Employment or Postsecondary Education"

(H.P. 291) (L.D. 399)

Presented by Representative WATSON of Farmingdale.
Cosponsored by Senator KONTOS of Cumberland and Representatives: BAKER of Bangor, COLWELL of Gardiner,

O'BRIEN of Augusta, TRACY of Rome, TWOMEY of Biddeford, Senators: DAGGETT of Kennebec, LONGLEY of Waldo, MacKINNON of York.

Bill "An Act to Remove Favorable Weighting of Consolidation in the School Funding Formula"

(H.P. 308) (L.D. 424)

Presented by Representative GLYNN of South Portland. Cosponsored by Representatives: CIANCHETTE of South Portland, MUSE of South Portland, SHOREY of Calais, SNOWE-MELLO of Poland.

Bill "An Act to Assist Students with Disabilities"

(H.P. 365) (L.D. 490)

Presented by Representative SNOWE-MELLO of Poland. Cosponsored by Senator PARADIS of Aroostook and Representatives: BRENNAN of Portland, BROOKS of Winterport, CHIZMAR of Lisbon, GERRY of Auburn, KANE of Saco, SHIELDS of Auburn, WATSON of Farmingdale, WILLIAMS of Orono.

Bill "An Act to Implement a Recommendation of the Joint Select Committee on Research and Development Relating to Capital Improvements to Support Research and Development in the University of Maine System"

(H.P. 215) (L.D. 293)

Presented by Representative STEVENS of Orono. Cosponsored by Senator CATHCART of Penobscot and Representatives: BELANGER of Caribou, COWGER of Hallowell, DUNLAP of Old Town, LEMONT of Kittery, ROWE of Portland, TESSIER of Fairfield, Senators: KONTOS of Cumberland, LAWRENCE of York.

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested.

On motion of Representative BRENNAN of Portland, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$25,000,000 for the Expansion of the Fogler Library and Laboratories at the University of Maine"

(H.P. 257) (L.D. 361)

Presented by Representative DUNLAP of Old Town. Cosponsored by Senator CATHCART of Penobscot and Representatives: AHEARNE of Madawaska, BAKER of Bangor, SAXL of Portland, STEVENS of Orono, THOMPSON of Naples, WILLIAMS of Orono, Senators: KILKELLY of Lincoln, MURRAY of Penobscot.

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested.

On motion of Representative BRENNAN of Portland, the Bill was **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, ordered printed and sent for concurrence.

HEALTH AND HUMAN SERVICES

Bill "An Act to Provide Health Care Coverage to Certain Child Care Providers"

(H.P. 227) (L.D. 305)

Presented by Representative POWERS of Rockport.

Cosponsored by Representatives: BAKER of Bangor, BERRY of Livermore, COLWELL of Gardiner, McKEE of Wayne.

Bill "An Act to Increase the Availability of Prescription Drugs for the State's Elderly"

(H.P. 228) (L.D. 332)

Presented by Representative KANE of Saco. Cosponsored by Representative RICHARDSON of Brunswick, Senator PARADIS of Aroostook and Representatives: BROOKS of Winterport, FULLER of Manchester, GAGNON of Waterville, LEMOINE of Old Orchard Beach, O'NEIL of Saco, TOWNSEND of Portland.

Bill "An Act to Improve the Proximity of Health and Safety Services to State-subsidized Homes for Children"

(H.P. 254) (L.D. 358)

Presented by Representative CAMERON of Rumford. Cosponsored by Representatives: DAVIS of Falmouth, ETNIER of Harpswell, MAYO of Bath, MURPHY of Berwick, TWOMEY of Biddeford, Senator: RAND of Cumberland.

Bill "An Act to Increase the Amount of Income That a Resident of a Nursing or Residential Care Facility Who Receives Medicaid May Retain"

(H.P. 265) (L.D. 369)

Presented by Representative MENDROS of Lewiston. Cosponsored by Senator BERUBE of Androscoggin and Representatives: BRAGDON of Bangor, CHIZMAR of Lisbon, GERRY of Auburn, GILLIS of Danforth, GLYNN of South Portland, MARTIN of Eagle Lake, TRAHAN of Waldoboro, WATERHOUSE of Bridgton.

Resolve, Regarding Legislative Review of Chapter 125: Health Care Information that Directly Identifies an Individual, Major Substantive Rules of the Maine Health Data Organization (EMERGENCY)

(H.P. 298) (L.D. 406)

Submitted by the Maine Health Data Organization pursuant to the Maine Revised Statutes, Title 5, section 8072.

Resolve, to Ensure the Delivery of Medicare and Medicaid Benefits (EMERGENCY)

(H.P. 312) (L.D. 428)

Presented by Representative GLYNN of South Portland. Cosponsored by Representatives: GERRY of Auburn, LOVETT of Scarborough, SHOREY of Calais, SNOWE-MELLO of Poland.

Bill "An Act to Include the Supporting Statistical Data in Mercury Warnings Relating to the Consumption of Fish"

(H.P. 319) (L.D. 435)

Presented by Representative PERKINS of Penobscot. Cosponsored by Representatives: CLARK of Millinocket, DUGAY of Cherryfield, MAYO of Bath, WHEELER of Eliot, Senator: KIEFFER of Aroostook.

Resolve, to Create a Study Group to Prepare Pharmaceutical Guidelines for Geriatric Residents in Long-term Care Settings

(H.P. 326) (L.D. 442)

Presented by Representative COWGER of Hallowell. Cosponsored by Senator GOLDTHWAIT of Hancock and Representatives: BROOKS of Winterport, COLWELL of

Gardiner, FULLER of Manchester, GAGNON of Waterville, HATCH of Skowhegan, LEMOINE of Old Orchard Beach, O'NEIL of Saco, POVICH of Ellsworth.

Bill "An Act to Prohibit the Department of Human Services from Closing Adolescent Cases before 18 Years of Age"

(H.P. 337) (L.D. 453)

Presented by Representative QUINT of Portland.

Cosponsored by Senator RAND of Cumberland and Representatives: BRAGDON of Bangor, DAVIDSON of Brunswick, MITCHELL of Vassalboro, MUSE of South Portland, NORBERT of Portland, THOMPSON of Naples, TOWNSEND of Portland, Senator: MITCHELL of Penobscot.

Resolve, to Study the Use of Gross and Net Income in Eligibility for Public Benefits

(H.P. 366) (L.D. 491)

Presented by Representative SNOWE-MELLO of Poland.

Cosponsored by Senator PARADIS of Aroostook and Representatives: BAKER of Bangor, GERRY of Auburn, GOODWIN of Pembroke, JACOBS of Turner, KANE of Saco, MAYO of Bath, MENDROS of Lewiston, SHIELDS of Auburn.

INLAND FISHERIES AND WILDLIFE

Bill "An Act to Require Written Permission from Landowners for Hunting"

(H.P. 218) (L.D. 296)

Presented by Representative BUCK of Yarmouth.

Cosponsored by Representative: BULL of Freeport.

Bill "An Act Regarding Exhibition of Licenses from the Department of Inland Fisheries and Wildlife"

(H.P. 232) (L.D. 336)

Presented by Representative TRUE of Fryeburg.

Cosponsored by Senator RUHLIN of Penobscot and Representatives: CIANCHETTE of South Portland, CLARK of Millinocket, CROSS of Dover-Foxcroft, DUNLAP of Old Town, GOODWIN of Pembroke, KNEELAND of Easton, PINKHAM of Lamoine, SHOREY of Calais.

Bill "An Act to Increase the Amount Retained by Agents Who Sell Hunting and Fishing Licenses"

(H.P. 237) (L.D. 341)

Presented by Representative CROSS of Dover-Foxcroft.

Cosponsored by Senator FERGUSON of Oxford and Representatives: BUMPS of China, GILLIS of Danforth, KNEELAND of Easton, MAYO of Bath, McALEVEY of Waterboro, O'BRIEN of Augusta, PINKHAM of Lamoine, TRUE of Fryeburg.

Bill "An Act to Protect Deer in Wintering Areas"

(H.P. 239) (L.D. 343)

Presented by Representative CHICK of Lebanon.

Cosponsored by Senator KILKELLY of Lincoln and Representatives: CLOUGH of Scarborough, JODREY of Bethel, JONES of Pittsfield, JOY of Crystal, LABRECQUE of Gorham, LOVETT of Scarborough, SAVAGE of Union, USHER of Westbrook.

Bill "An Act to Allow A Disabled Person to Use a Crossbow during Archery Hunting Season"

(H.P. 267) (L.D. 371)

Presented by Representative MACK of Standish.

Cosponsored by Senator DAVIS of Piscataquis and Representatives: DESMOND of Mapleton, MENDROS of Lewiston, O'NEIL of Saco, ROSEN of Bucksport, SCHNEIDER of Durham, Senators: AMERO of Cumberland, MILLS of Somerset, PENDLETON of Cumberland.

Bill "An Act to Allow Sunday Hunting on Land Subject to the Jurisdiction of the Maine Land Use Regulation Commission"

(H.P. 284) (L.D. 392)

Presented by Representative DUNLAP of Old Town.

Cosponsored by Representative PLOWMAN of Hampden, Senator MICHAUD of Penobscot and Representatives: BRYANT of Dixfield, COTE of Lewiston, PERKINS of Penobscot.

Bill "An Act to Redefine Hunting"

(H.P. 285) (L.D. 393)

Presented by Representative DUNLAP of Old Town.

Cosponsored by Representatives: COTE of Lewiston, HONEY of Boothbay, PERKINS of Penobscot, TRACY of Rome, TRAHAN of Waldoboro.

Bill "An Act Regarding Hunting Implements"

(H.P. 286) (L.D. 394)

Presented by Representative DUNLAP of Old Town.

Cosponsored by Senator MICHAUD of Penobscot and Representatives: BRYANT of Dixfield, COTE of Lewiston, HONEY of Boothbay, TRACY of Rome, TRUE of Fryeburg, USHER of Westbrook.

Bill "An Act to Allow Free Access to Waters Stocked With Fish by the State"

(H.P. 289) (L.D. 397)

Presented by Representative CLARK of Millinocket.

Cosponsored by Senator CASSIDY of Washington and Representatives: AHEARNE of Madawaska, BRYANT of Dixfield, O'NEAL of Limestone, STANLEY of Medway, TRACY of Rome, USHER of Westbrook, WHEELER of Eliot, Senator: DAVIS of Piscataquis.

Bill "An Act to Promote the Hunters for the Hungry Program"

(H.P. 293) (L.D. 401)

Presented by Representative CHICK of Lebanon.

Cosponsored by Senator FERGUSON of Oxford and Representatives: DAIGLE of Arundel, DUNLAP of Old Town, MENDROS of Lewiston, PERKINS of Penobscot, SHOREY of Calais, WHEELER of Eliot, Senators: DAVIS of Piscataquis, KIEFFER of Aroostook.

Bill "An Act to Establish a Fishing Rules Policy"

(H.P. 294) (L.D. 402)

Presented by Representative CHICK of Lebanon.

Cosponsored by Senator FERGUSON of Oxford and Representatives: CROSS of Dover-Foxcroft, DAIGLE of Arundel, DUNLAP of Old Town, MURPHY of Berwick, SHOREY of Calais, WHEELER of Eliot, Senators: DAVIS of Piscataquis, KIEFFER of Aroostook.

Bill "An Act Regarding Shooting Across or From a Public Paved Way"

(H.P. 296) (L.D. 404)

Presented by Representative CROSS of Dover-Foxcroft.

Cosponsored by Senator FERGUSON of Oxford and Representatives: CHICK of Lebanon, CHIZMAR of Lisbon, CLARK of Millinocket, MENDROS of Lewiston, MURPHY of Kennebunk, STANLEY of Medway, TRUE of Fryeburg, WHEELER of Eliot.

Bill "An Act to Limit the Taking of Antlerless Deer by Property Owners"

(H.P. 314) (L.D. 430)

Presented by Representative DUNLAP of Old Town.

Bill "An Act to Amend the Application Process for the Moose Lottery"

(H.P. 330) (L.D. 446)

Presented by Representative PERKINS of Penobscot.

Cosponsored by Representative: DUGAY of Cherryfield, Senator: KIEFFER of Aroostook.

Bill "An Act to Allow Hunters to Kill a 2nd Deer during the Muzzle-loading Season"

(H.P. 334) (L.D. 450)

Presented by Representative WATERHOUSE of Bridgton.

Cosponsored by Representatives: MACK of Standish, TRUE of Fryeburg, Senators: BENOIT of Franklin, KIEFFER of Aroostook.

Resolve, to Permit the Maine Warden Service to Return a Donated All-terrain Vehicle to the Donor

(H.P. 349) (L.D. 465)

Presented by Representative CAMPBELL of Holden.

Cosponsored by Senator RUHLIN of Penobscot.

Bill "An Act Regarding Fish Stocking"

(H.P. 361) (L.D. 486)

Presented by Representative SAVAGE of Buxton.

Cosponsored by Representatives: BULL of Freeport, MITCHELL of Vassalboro, SCHNEIDER of Durham, THOMPSON of Naples.

JUDICIARY

Bill "An Act Regarding Survivor Benefits in the Event of Divorce"

(H.P. 212) (L.D. 290)

Presented by Representative MAYO of Bath.

Cosponsored by Representatives: BUCK of Yarmouth, McALEVEY of Waterboro, Senator: SMALL of Sagadahoc.

Bill "An Act to Amend the Uniform Unclaimed Property Act"

(H.P. 225) (L.D. 303)

Presented by Representative MAYO of Bath.

Cosponsored by Senator LIBBY of York and Representatives: BUCK of Yarmouth, CLARK of Millinocket, GLYNN of South Portland, ROSEN of Bucksport, SHOREY of Calais, WHEELER of Bridgewater, Senator: LaFOUNTAIN of York.

Bill "An Act to Amend the Installment Payment Order Capability of the Disclosure Court"

(H.P. 243) (L.D. 347)

Presented by Representative GAGNE of Buckfield.

Cosponsored by Senator BENNETT of Oxford and Representatives: BULL of Freeport, COLWELL of Gardiner, JACOBS of Turner, MITCHELL of Vassalboro, SHIELDS of Auburn.

Bill "An Act to Provide the Right to a Jury Trial in Civil Actions for Violations of Constitutional Rights"

(H.P. 273) (L.D. 381)

Presented by Representative SAVAGE of Buxton.

Cosponsored by Representatives: BRENNAN of Portland, DAIGLE of Arundel, LaVERDIERE of Wilton, RICHARDSON of Brunswick.

Bill "An Act to Require That the State of Maine Comply with Federal Public Law 96-272, the Adoption Assistance and Child Welfare Act of 1980"

(H.P. 297) (L.D. 405)

Presented by Representative PLOWMAN of Hampden.

Cosponsored by Senator MITCHELL of Penobscot and Representatives: JOY of Crystal, MacDOUGALL of North Berwick, MADORE of Augusta, NASS of Acton, SNOWE-MELLO of Poland, STEDMAN of Hartland, TUTTLE of Sanford, Senator: AMERO of Cumberland.

Bill "An Act to Adopt the Uniform Child Custody Jurisdiction and Enforcement Act"

(H.P. 316) (L.D. 432)

Presented by Representative PLOWMAN of Hampden.

Cosponsored by Representative: MUSE of South Portland, Senators: BENOIT of Franklin, LONGLEY of Waldo.

Bill "An Act to Clarify the Law Regarding Executive Sessions of Public Bodies"

(H.P. 321) (L.D. 437)

Presented by Representative GLYNN of South Portland.

Cosponsored by Senator CAREY of Kennebec.

Bill "An Act to Exempt Election Officials and Workers from Serving on Juries One Month Prior to an Election"

(H.P. 325) (L.D. 441)

Presented by Representative THOMPSON of Naples.

Submitted by the Secretary of State pursuant to Joint Rule 204.

Bill "An Act Requiring Compensation for Loss of Property Value Due to State or Local Regulation"

(H.P. 354) (L.D. 470)

Presented by Representative GLYNN of South Portland.

Cosponsored by Representative: JOY of Crystal.

Bill "An Act to Amend the Statute of Limitations for Land Surveyors"

(H.P. 363) (L.D. 488)

Presented by Representative STANLEY of Medway.

Cosponsored by Senator MICHAUD of Penobscot and Representatives: AHEARNE of Madawaska, CLARK of Millinocket, HATCH of Skowhegan, RINES of Wiscasset, WHEELER of Eliot.

Bill "An Act to Abrogate the Rule Against Perpetuities"

(H.P. 371) (L.D. 496)

Presented by Representative THOMPSON of Naples.

LABOR

Bill "An Act to Enhance the Payment Options for Certain Employers"

(H.P. 214) (L.D. 292)

Presented by Representative CAMPBELL of Holden.
Cosponsored by Representative WATERHOUSE of Bridgton,
Senator GOLDTHWAIT of Hancock and Representatives:
PLOWMAN of Hampden, STEDMAN of Hartland.

Bill "An Act to Repeal the Prevailing Wage"
(H.P. 224) (L.D. 302)

Presented by Representative WATERHOUSE of Bridgton.
Cosponsored by Representatives: MacDOUGALL of North
Berwick, MACK of Standish, SCHNEIDER of Durham,
TREADWELL of Carmel.

Bill "An Act to Treat All Employees Equitably with Respect to
Leaves of Absence for Legislative Service"
(H.P. 235) (L.D. 339)

Presented by Representative HATCH of Skowhegan.
Cosponsored by Senator MICHAUD of Penobscot and
Representatives: BROOKS of Winterport, DUPLESSIE of
Westbrook, SAXL of Bangor.

Bill "An Act to Require the State to Pay Medicare Costs for
Retired State Employees and Retired Teachers"
(H.P. 245) (L.D. 349)

Presented by Representative FULLER of Manchester.
Cosponsored by Senator DOUGLASS of Androscoggin and
Representatives: BERRY of Livermore, HATCH of Skowhegan,
MUSE of South Portland.

Bill "An Act Raising the Minimum Wage"
(H.P. 253) (L.D. 357)

Presented by Representative HATCH of Skowhegan.
Cosponsored by Senator DOUGLASS of Androscoggin and
Representatives: BROOKS of Winterport, COTE of Lewiston,
GERRY of Auburn, KANE of Saco, MUSE of South Portland,
STEVENS of Orono, TWOMEY of Biddeford, VOLENIK of
Brooklin.

Bill "An Act to Repeal Certain Changes Made to State
Employee and Teacher Retirement Benefits"
(H.P. 272) (L.D. 380)

Presented by Representative BERRY of Belmont.
Cosponsored by Senator DAGGETT of Kennebec and
Representatives: BROOKS of Winterport, GREEN of Monmouth,
JOY of Crystal, MacDOUGALL of North Berwick, McNEIL of
Rockland, RICHARD of Madison, SKOGLUND of St. George,
STEDMAN of Hartland.

Bill "An Act to Exempt Volunteer Fire Departments from
Health and Safety Laws"
(H.P. 292) (L.D. 400)

Presented by Representative PERKINS of Penobscot.

Bill "An Act to Provide an Option for Employers to Pay
Employees Biweekly"
(H.P. 307) (L.D. 423)

Presented by Representative BUCK of Yarmouth.
Cosponsored by Representative GLYNN of South Portland,
Senator GOLDTHWAIT of Hancock and Representative:
WATERHOUSE of Bridgton.

Bill "An Act to Raise the Minimum Wage"
(H.P. 311) (L.D. 427)

Presented by Representative DUNLAP of Old Town.

Cosponsored by Senator CATHCART of Penobscot and
Representatives: CAMERON of Rumford, CHICK of Lebanon,
RINES of Wiscasset, SANBORN of Alton, SAXL of Bangor,
STANLEY of Medway, STEVENS of Orono.

Bill "An Act to Ensure Equity in the Competitive Bidding
Process for Construction Projects Supported by Public Funds"
(H.P. 343) (L.D. 459)

Presented by Representative BUCK of Yarmouth.
Cosponsored by Representatives: MacDOUGALL of North
Berwick, MACK of Standish, SNOWE-MELLO of Poland,
WINSOR of Norway.

LEGAL AND VETERANS AFFAIRS

Bill "An Act Regarding Lobbying by Government Agencies
and Organizations That Receive Public Funds"
(H.P. 217) (L.D. 295)

Presented by Representative BUCK of Yarmouth.
Cosponsored by Representatives: LABRECQUE of Gorham,
MACK of Standish, PERKINS of Penobscot, SNOWE-MELLO of
Poland.

Bill "An Act to Require Reimbursement to Municipalities for
the Cost of State Special Elections"
(H.P. 231) (L.D. 335)

Presented by Representative GLYNN of South Portland.
Cosponsored by Senator PENDLETON of Cumberland and
Representatives: CIANCHETTE of South Portland, JACOBS of
Turner, LOVETT of Scarborough, MAYO of Bath, MENDROS of
Lewiston, MUSE of South Portland, SNOWE-MELLO of Poland,
Senator: AMERO of Cumberland.

Bill "An Act to Increase the Number of Absentee Ballots That
A Person May Request"
(H.P. 242) (L.D. 346)

Presented by Representative BOLDUC of Auburn.

Bill "An Act to Reduce Operating Under the Influence by
Requiring Certification of On-premise Alcohol Servers"
(H.P. 259) (L.D. 363)

Presented by Representative McALEVEY of Waterboro.
Cosponsored by Senator O'GARA of Cumberland and
Representatives: GAGNE of Buckfield, LABRECQUE of
Gorham, LOVETT of Scarborough, MAYO of Bath, O'BRIEN of
Augusta, USHER of Westbrook, WHEELER of Bridgewater,
WHEELER of Eliot.

Bill "An Act to Clarify the Criteria for Renewal of Agency
Liquor Store Licenses"
(H.P. 263) (L.D. 367)

Presented by Representative TRUE of Fryeburg.
Cosponsored by Senator CAREY of Kennebec and Senators:
FERGUSON of Oxford, MICHAUD of Penobscot.
Submitted by the Department of Public Safety pursuant to Joint
Rule 204.

Bill "An Act to Require a Minor Who is the Underlying Cause
of a Liquor Violation to Provide Identification to a Law
Enforcement Officer"
(H.P. 274) (L.D. 382)

Presented by Representative POVICH of Ellsworth.

Cosponsored by Senator CAREY of Kennebec and Representative: O'BRIEN of Augusta, Senator: FERGUSON of Oxford.
Submitted by the Department of Public Safety pursuant to Joint Rule 204.

Bill "An Act to Give Standing to Any Person Who Witnesses a Violation at a Polling Place"

(H.P. 288) (L.D. 396)

Presented by Representative GLYNN of South Portland.
Cosponsored by Representatives: GERRY of Auburn, SNOWE-MELLO of Poland.

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Prohibit Fees for Activity Related to the Election Process

(H.P. 315) (L.D. 431)

Presented by Representative RINES of Wiscasset.
Cosponsored by Representatives: DUNLAP of Old Town, HATCH of Skowhegan, JOY of Crystal, LEMONT of Kittery, McALEVEY of Waterboro, STANLEY of Medway, Senator: KONTOS of Cumberland.

Bill "An Act to Expedite Removal of Invalid Voter Names from Voter Lists"

(H.P. 322) (L.D. 438)

Presented by Representative GLYNN of South Portland.
Cosponsored by Representative: MACK of Standish.

Bill "An Act to Amend the Election Laws concerning Vacancies in the House of Representatives"

(H.P. 329) (L.D. 445)

Presented by Representative MAYO of Bath.
Cosponsored by Senator CAREY of Kennebec and Representatives: BUMPS of China, CHIZMAR of Lisbon, CROSS of Dover-Foxcroft.

Bill "An Act to Allow a Holder of a Retail Liquor License to Sell to Other Licensed Entities"

(H.P. 345) (L.D. 461)

Presented by Representative ROSEN of Bucksport.
Cosponsored by Representatives: MACK of Standish, PERKINS of Penobscot, POVICH of Ellsworth.

Bill "An Act to Establish an Administrative Procedure to Hear Polling Place Violation Complaints"

(H.P. 375) (L.D. 500)

Presented by Representative GLYNN of South Portland.
Cosponsored by Representatives: GERRY of Auburn, NORBERT of Portland, SNOWE-MELLO of Poland.

Bill "An Act to Eliminate Voter Registration on Election Day"

(H.P. 376) (L.D. 501)

Presented by Representative ANDREWS of York.
Cosponsored by Representatives: BOWLES of Sanford, COLLINS of Wells, DUNCAN of Presque Isle, LEMONT of Kittery, LINDAHL of Northport, STANWOOD of Southwest Harbor.

MARINE RESOURCES

Bill "An Act to Allow Town and Municipal Governments to Add Periwinkles to Their Clam Ordinances"

(H.P. 220) (L.D. 298)

Presented by Representative GOODWIN of Pembroke.
Cosponsored by Representatives: BAGLEY of Machias, DUGAY of Cherryfield, VOLENIK of Brooklin, Senator: CASSIDY of Washington.

Bill "An Act to Exempt Persons 70 Years of Age and Older From Paying the Fee for Commercial Shellfish Licenses"

(H.P. 279) (L.D. 387)

Presented by Representative PINKHAM of Lamoine.
Cosponsored by Senator CASSIDY of Washington and Representatives: DUGAY of Cherryfield, HONEY of Boothbay, JOY of Crystal, KNEELAND of Easton, MACK of Standish, PERKINS of Penobscot, STEDMAN of Hartland, VOLENIK of Brooklin.

Bill "An Act to Prohibit the Dragging for Mussels in Portions of Hancock County and Washington County for Certain Times of the Year"

(H.P. 280) (L.D. 388)

Presented by Representative PINKHAM of Lamoine.
Cosponsored by Senator GOLDTHWAIT of Hancock and Representatives: DUGAY of Cherryfield, HONEY of Boothbay, JOY of Crystal, STEDMAN of Hartland.

Bill "An Act Regarding the Waiver Process Under the Lobster Apprenticeship Program"

(H.P. 300) (L.D. 408)

Presented by Representative PINKHAM of Lamoine.
Cosponsored by Senator CASSIDY of Washington and Representatives: DUGAY of Cherryfield, HONEY of Boothbay, JOY of Crystal, MACK of Standish, STEDMAN of Hartland.

Bill "An Act to Reinstate the Provision Allowing a Reduction in the Retail Seafood License Fee for Licenses Issued After September 30th"

(H.P. 331) (L.D. 447)

Presented by Representative MAYO of Bath.
Cosponsored by Senator SMALL of Sagadahoc and Representatives: BUCK of Yarmouth, CHIZMAR of Lisbon, CLARK of Millinocket, HONEY of Boothbay.

NATURAL RESOURCES

Bill "An Act to Amend the Open-burning Laws"

(H.P. 223) (L.D. 301)

Presented by Representative FULLER of Manchester. (BY REQUEST)

Bill "An Act to Amend the Laws Regarding the Fee Paid When Purchasing a New Tire or Battery"

(H.P. 238) (L.D. 342)

Presented by Representative McKENNEY of Cumberland.
Cosponsored by Representatives: JOY of Crystal, WATERHOUSE of Bridgton.

Bill "An Act Relating to Transfer of Ownership of Dams" (EMERGENCY)

(H.P. 373) (L.D. 498)

Presented by Representative COLWELL of Gardiner.
Cosponsored by Senator TREAT of Kennebec and Representatives: BROOKS of Winterport, CHIZMAR of Lisbon, JABAR of Waterville, SANBORN of Alton, SHIAH of

Bowdoinham, WATSON of Farmingdale, Senator: NUTTING of Androscoggin.

Bill "An Act to Authorize a General Fund Bond Issue to Place Critical Land Tracts in Southern Maine into the Land for Maine's Future Program"

(H.P. 256) (L.D. 360)

Presented by Representative ANDREWS of York.
Cosponsored by President LAWRENCE of York and Representatives: BOWLES of Sanford, COLLINS of Wells, DUNCAN of Presque Isle, MAYO of Bath, MURPHY of Berwick, MURPHY of Kennebunk, WHEELER of Eliot, Senator: LIBBY of York.

Committee on **NATURAL RESOURCES** suggested.

On motion of Representative COWGER of Hallowell, **TABLED** pending **REFERENCE** and later today assigned.

STATE AND LOCAL GOVERNMENT

Bill "An Act to Create a Governance System for Unorganized Towns"

(H.P. 221) (L.D. 299)

Presented by Representative JOY of Crystal.
Cosponsored by Representatives: MACK of Standish, O'NEAL of Limestone, STEDMAN of Hartland, WHEELER of Bridgewater, Senator: DAVIS of Piscataquis.

Resolve, to Establish the State Office Building Location Task Force

(H.P. 226) (L.D. 304)

Presented by Representative GAGNON of Waterville.
Cosponsored by Senator CAREY of Kennebec and Representatives: BAGLEY of Machias, BRENNAN of Portland, COWGER of Hallowell, O'NEIL of Saco, TESSIER of Fairfield.

Bill "An Act Requiring Audits on State Agencies"

(H.P. 244) (L.D. 348)

Presented by Representative LOVETT of Scarborough.
Cosponsored by Representatives: BERRY of Belmont, BRUNO of Raymond, CLOUGH of Scarborough, COLWELL of Gardiner, McALEVEY of Waterboro, MURPHY of Kennebunk, SAVAGE of Union, STEDMAN of Hartland.

Bill "An Act to Encourage Qualified Persons to Enter and Remain in Law Enforcement Administration"

(H.P. 248) (L.D. 352)

Presented by Representative McALEVEY of Waterboro.
Cosponsored by Representatives: BROOKS of Winterport, CHICK of Lebanon, LABRECQUE of Gorham, MAYO of Bath, McKENNEY of Cumberland, MURPHY of Berwick, STEDMAN of Hartland, WHEELER of Bridgewater.

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require a Vote of 2/3 of Each House of the Legislature to Enact or Include a Tax or License Fee

(H.P. 255) (L.D. 359)

Presented by Representative WATERHOUSE of Bridgton.
Cosponsored by Representative ANDREWS of York, Senator BERUBE of Androscoggin and Representatives: BUCK of Yarmouth, CIANCHETTE of South Portland, MacDOUGALL of North Berwick, MACK of Standish, MURPHY of Berwick,

WHEELER of Eliot, Senators: AMERO of Cumberland, BENNETT of Oxford.

Bill "An Act to Amend the Laws Regarding Reporting Requirements for the Maine Health and Higher Educational Facilities Authority"

(H.P. 261) (L.D. 365)

Presented by Representative TOWNSEND of Portland.
Cosponsored by Senator MICHAUD of Penobscot and Representatives: BERRY of Livermore, MAILHOT of Lewiston, STEVENS of Orono, TESSIER of Fairfield.

Bill "An Act to Extend the Time Limits for Private Road Associations to Organize"

(H.P. 262) (L.D. 366)

Presented by Representative POVICH of Ellsworth.

Resolve, Naming the Beach Next to the Lincolnville Ferry Terminal French Beach

(H.P. 264) (L.D. 368)

Presented by Representative BERRY of Belmont.

Bill "An Act to Require Legislative Approval to Lease Land to the Federal Government"

(H.P. 275) (L.D. 383)

Presented by Representative CARR of Lincoln.
Cosponsored by Senator MICHAUD of Penobscot and Representatives: CLARK of Millinocket, CROSS of Dover-Foxcroft, GILLIS of Danforth, JOY of Crystal, RICHARDSON of Greenville, STANLEY of Medway, Senator: DAVIS of Piscataquis.

Bill "An Act to Develop a Department of Children"

(H.P. 283) (L.D. 391)

Presented by Representative O'BRIEN of Augusta.
Cosponsored by Representatives: BRAGDON of Bangor, McALEVEY of Waterboro, QUINT of Portland, Senators: HARRIMAN of Cumberland, LONGLEY of Waldo, MICHAUD of Penobscot.

Bill "An Act to Amend the Amount of Retainage on Public Building Contracts"

(H.P. 303) (L.D. 411)

Presented by Representative MUSE of South Portland.
Cosponsored by Representatives: BROOKS of Winterport, BUMPS of China, GLYNN of South Portland, MENDROS of Lewiston, QUINT of Portland.

Bill "An Act to Require Lobbyists to Disclose Whether They are Compensated by a Committee Member"

(H.P. 304) (L.D. 420)

Presented by Representative PERKINS of Penobscot.
Cosponsored by Representative: TRAHAN of Waldoboro.

Bill "An Act to Require Voter Approval for Bonded Indebtedness of \$2,000,000 or More for Municipalities in Local and Regional Cooperation"

(H.P. 313) (L.D. 429)

Presented by Representative GLYNN of South Portland.
Cosponsored by Representatives: BUCK of Yarmouth, BUMPS of China, GERRY of Auburn, SNOWE-MELLO of Poland, Senator: BENNETT of Oxford.

Bill "An Act to Amend the Laws Governing the Hancock County Budget Process"

(H.P. 323) (L.D. 439)

Presented by Representative PERKINS of Penobscot.
Cosponsored by Representatives: DUGAY of Cherryfield, PINKHAM of Lamoine, ROSEN of Bucksport, VOLENIK of Brooklin.

Bill "An Act Concerning the Requirement for Surety Bonds for County Treasurers, Sheriffs and Chief Deputies"

(H.P. 353) (L.D. 469)

Presented by Representative JABAR of Waterville.
Cosponsored by Senator LIBBY of York and Representatives: LaVERDIERE of Wilton, MADORE of Augusta, Senators: KILKELLY of Lincoln, MacKINNON of York.

Bill "An Act to Facilitate Implementation of Municipal Growth Management Programs"

(H.P. 369) (L.D. 494)

Presented by Representative NASS of Acton.

Bill "An Act to Promote the Use of the Secret Ballot at Town Meetings"

(H.P. 372) (L.D. 497)

Presented by Representative ANDREWS of York.
Cosponsored by Representatives: COLLINS of Wells, LEMONT of Kittery.

TAXATION

Bill "An Act to Provide a State Income Tax Credit for the Costs of Health Insurance Paid by Individuals"

(H.P. 213) (L.D. 291)

Presented by Representative MAYO of Bath.
Cosponsored by Representatives: O'NEIL of Saco, QUINT of Portland, WATERHOUSE of Bridgton, WHEELER of Bridgewater, Senator: ABROMSON of Cumberland.

Bill "An Act to Exempt Capital Gains from the Maine Income Tax"

(H.P. 219) (L.D. 297)

Presented by Representative BUCK of Yarmouth.
Cosponsored by Representatives: MacDOUGALL of North Berwick, MACK of Standish, SNOWE-MELLO of Poland, WATERHOUSE of Bridgton.

Bill "An Act to Reduce the Property Taxes on Old Business Equipment"

(H.P. 236) (L.D. 340)

Presented by Representative GLYNN of South Portland.
Cosponsored by Senator AMERO of Cumberland and Representatives: LOVETT of Scarborough, SHERMAN of Hodgdon, SNOWE-MELLO of Poland.

Bill "An Act to Amend the Laws Regarding the Taxation of Certain Automotive Parts"

(H.P. 241) (L.D. 345)

Presented by Representative McKENNEY of Cumberland.
Cosponsored by Representative NASS of Acton, Senator LIBBY of York and Representatives: CLOUGH of Scarborough, COLLINS of Wells, Senator: ABROMSON of Cumberland.

Bill "An Act to Provide Tax Relief to Working Parents and Guardians of Children in Day Care"

(H.P. 251) (L.D. 355)

Presented by Representative SHIELDS of Auburn.
Cosponsored by Representative: SNOWE-MELLO of Poland.

Bill "An Act to Change the Sales Tax Treatment of Rentals of Audio Equipment and Furniture"

(H.P. 252) (L.D. 356)

Presented by Representative GAGNON of Waterville.
Cosponsored by Senator CAREY of Kennebec and Representatives: CIANCHETTE of South Portland, COLWELL of Gardiner, COWGER of Hallowell, Senators: DAGGETT of Kennebec, MILLS of Somerset.

Bill "An Act to Roll Back All Sales Tax to 5%"

(H.P. 268) (L.D. 372)

Presented by Representative MENDROS of Lewiston.
Cosponsored by Senator BENNETT of Oxford and Representatives: BRAGDON of Bangor, BUCK of Yarmouth, DUGAY of Cherryfield, GLYNN of South Portland, GOODWIN of Pembroke, MacDOUGALL of North Berwick, WINSOR of Norway, Senator: LIBBY of York.

Bill "An Act to Provide Tax-exempt Status to Organizations That Teach Reading"

(H.P. 271) (L.D. 379)

Presented by Representative GAGNON of Waterville.
Cosponsored by Representatives: BAGLEY of Machias, BRENNAN of Portland, MATTHEWS of Winslow, TESSIER of Fairfield.

Bill "An Act to Equalize the Taxation Treatment of Health Insurance Companies and Health Maintenance Organizations"

(H.P. 278) (L.D. 386)

Presented by Representative SAXL of Bangor.
Cosponsored by Senator LaFOUNTAIN of York and Representatives: BROOKS of Winterport, COLWELL of Gardiner, FISHER of Brewer, HATCH of Skowhegan, McKEE of Wayne, O'NEIL of Saco, SAMSON of Jay, SAXL of Portland.

Bill "An Act to Allow a One-time Double Exemption for Income Tax Filers Who Adopt a Dependent Child"

(H.P. 295) (L.D. 403)

Presented by Representative WILLIAMS of Orono.
Cosponsored by Senator MURRAY of Penobscot and Representatives: BOLDUC of Auburn, BRAGDON of Bangor, CHIZMAR of Lisbon, GAGNON of Waterville, TESSIER of Fairfield.

Bill "An Act to Reduce the Sales Tax to 5%"

(H.P. 302) (L.D. 410)

Presented by Representative MACK of Standish.
Cosponsored by Representatives ANDREWS of York, BUCK of Yarmouth, CLOUGH of Scarborough, GLYNN of South Portland, KASPRZAK of Newport, LEMONT of Kittery, MENDROS of Lewiston, Senator LIBBY of York and Representatives: BERRY of Belmont, CAMPBELL of Holden, MacDOUGALL of North Berwick, McKENNEY of Cumberland, MURPHY of Kennebunk, WHEELER of Eliot, Senators: AMERO of Cumberland, MILLS of Somerset.

Bill "An Act to Amend the Laws Regarding when A Merchant Must Remit Sales Tax"

(H.P. 306) (L.D. 422)

Presented by Representative GREEN of Monmouth.
Cosponsored by Senator KILKELLY of Lincoln and Representatives: BERRY of Belmont, BUMPS of China, CHIZMAR of Lisbon, O'NEAL of Limestone, SANBORN of Alton, TRIPP of Topsham, Senators: DAGGETT of Kennebec, FERGUSON of Oxford.

Bill "An Act to Increase Accessibility to the Elderly Low-cost Drug Program"

(H.P. 318) (L.D. 434)

Presented by Representative GERRY of Auburn.
Cosponsored by Senator BERUBE of Androscoggin and Representatives: McGLOCKLIN of Embden, MENDROS of Lewiston, TWOMEY of Biddeford.

Bill "An Act to Exempt Business Equipment Used by Christmas Tree Farmers from the Sales Tax"

(H.P. 324) (L.D. 440)

Presented by Representative WHEELER of Bridgewater.
Cosponsored by Representatives: BELANGER of Caribou, CLARK of Millinocket, DUNCAN of Presque Isle, GOOLEY of Farmington, McALEVEY of Waterboro, O'NEAL of Limestone, PINKHAM of Lamoine, Senator: KIEFFER of Aroostook.

Bill "An Act to Ensure Consistency between Federal and State Estate Tax Laws"

(H.P. 340) (L.D. 456)

Presented by Representative MACK of Standish.
Cosponsored by Senator BENNETT of Oxford and Representatives: CAMPBELL of Holden, FISHER of Brewer, LEMONT of Kittery, MENDROS of Lewiston, Senators: ABROMSON of Cumberland, CAREY of Kennebec, DAVIS of Piscataquis, PENDLETON of Cumberland.

Bill "An Act to Ensure Fair Taxation of Insurance and Securities Sales"

(H.P. 342) (L.D. 458)

Presented by Representative MAYO of Bath.
Cosponsored by Senator KIEFFER of Aroostook and Representatives: PERRY of Bangor, STANWOOD of Southwest Harbor, Senators: RAND of Cumberland, SMALL of Sagadahoc.

Bill "An Act to Provide Sales Tax Relief on Purchases of Clothing"

(H.P. 344) (L.D. 460)

Presented by Representative BUCK of Yarmouth.
Cosponsored by Representatives: BOUFFARD of Lewiston, CHIZMAR of Lisbon, MacDOUGALL of North Berwick, MACK of Standish, SNOWE-MELLO of Poland.

Bill "An Act to Exempt Military Retirees from State Income Taxes"

(H.P. 360) (L.D. 485)

Presented by Representative POVICH of Ellsworth.
Cosponsored by Representatives BRAGDON of Bangor, DAVIDSON of Brunswick, JONES of Pittsfield, LOVETT of Scarborough, Senator HARRIMAN of Cumberland, Senator MURRAY of Penobscot and Representative: CAMERON of Rumford.

Bill "An Act to Change the Homestead Exemption to 7% of Just Value"

(H.P. 364) (L.D. 489)

Presented by Representative ANDREWS of York.

TRANSPORTATION

Bill "An Act Authorizing Permit-certified Police Dispatchers to Issue Temporary Permits to Operate Uninspected Vehicles"

(H.P. 233) (L.D. 337)

Presented by Representative WHEELER of Bridgewater.
Cosponsored by Senator KIEFFER of Aroostook and Representatives: AHEARNE of Madawaska, BELANGER of Caribou, CLARK of Millinocket, DUNCAN of Presque Isle, McALEVEY of Waterboro, O'NEAL of Limestone, PINKHAM of Lamoine, SHERMAN of Hodgdon.

Bill "An Act to Allow Municipalities to Set Speed Limits and Determine Whether Passing Is Advisable on State Roads"

(H.P. 258) (L.D. 362)

Presented by Representative WHEELER of Eliot.
Cosponsored by Senator PENDLETON of Cumberland and Representatives: CLARK of Millinocket, DUGAY of Cherryfield, FISHER of Brewer, LEMONT of Kittery, O'NEAL of Limestone, SHERMAN of Hodgdon, TUTTLE of Sanford, WATERHOUSE of Bridgton.

Resolve, to Lower Certain Tolls on the Maine Turnpike

(H.P. 266) (L.D. 370)

Presented by Representative MENDROS of Lewiston.
Cosponsored by Senator BERUBE of Androscoggin and Representatives: BRAGDON of Bangor, DUGAY of Cherryfield, FOSTER of Gray, GOODWIN of Pembroke, JOY of Crystal, MacDOUGALL of North Berwick, MACK of Standish, WESTON of Montville.

Bill "An Act to Expand the Use of Emergency Equipment on Vehicles Operated by Liquor Enforcement Officers"

(H.P. 269) (L.D. 378)

Presented by Representative POVICH of Ellsworth.
Cosponsored by Senator CAREY of Kennebec and Representative: O'BRIEN of Augusta, Senator: FERGUSON of Oxford.
Submitted by the Department of Public Safety pursuant to Joint Rule 204.

Bill "An Act to Repeal the Law That Requires the Display of a Registration Plate on the Front of a Motor Vehicle"

(H.P. 309) (L.D. 425)

Presented by Representative WINSOR of Norway.
Cosponsored by Senator: BENNETT of Oxford.

Bill "An Act to Require Notification of Automobile Registration Renewal Due Dates"

(H.P. 327) (L.D. 443)

Presented by Representative MACK of Standish.
Cosponsored by Representative MARVIN of Cape Elizabeth, Senator PINGREE of Knox and Representatives: McKENNEY of Cumberland, MURPHY of Kennebunk, SNOWE-MELLO of Poland, Senators: ABROMSON of Cumberland, CAREY of Kennebec, DOUGLASS of Androscoggin, MILLS of Somerset, PENDLETON of Cumberland.

Bill "An Act Regarding the Maintenance of Private Roads"
(H.P. 332) (L.D. 448)

Presented by Representative TOWNSEND of Portland.
Cosponsored by Senator NUTTING of Androscoggin and
Representatives: GAGNE of Buckfield, GAGNON of Waterville,
McKEE of Wayne, STEVENS of Orono.

Bill "An Act Concerning Capacity of School Buses"
(H.P. 335) (L.D. 451)

Presented by Representative SULLIVAN of Biddeford.
Cosponsored by Representatives: McDONOUGH of Portland,
TUTTLE of Sanford, Senator: LaFOUNTAIN of York.

Bill "An Act concerning the Use of Road Repair or
Construction Signs on State Highways"

(H.P. 347) (L.D. 463)

Presented by Representative SULLIVAN of Biddeford.
Cosponsored by Representatives: O'NEIL of Saco, TUTTLE of
Sanford, WHEELER of Eliot, Senator: LaFOUNTAIN of York.

Bill "An Act to Amend the Laws Pertaining to Entrances to
Highways"

(H.P. 368) (L.D. 493)

Presented by Representative NASS of Acton.

Bill "An Act to Exempt Newspaper Deliverers from the Seat
Belt Law"

(H.P. 370) (L.D. 495)

Presented by Representative NASS of Acton.
Cosponsored by Representative: MACK of Standish.

Bill "An Act to Amend the Fines for Operating an
Uninspected or Unregistered Vehicle"

(H.P. 377) (L.D. 502)

Presented by Representative SNOWE-MELLO of Poland.
Cosponsored by Senator HARRIMAN of Cumberland and
Representatives: CROSS of Dover-Foxcroft, FOSTER of Gray,
GOODWIN of Pembroke, KASPRZAK of Newport,
MacDOUGALL of North Berwick, MACK of Standish,
McKENNEY of Cumberland, MENDROS of Lewiston.

UTILITIES AND ENERGY

Bill "An Act to Amend the Charter of the Department of
Electric Works Within the Town of Madison"

(H.P. 229) (L.D. 333)

Presented by Representative RICHARD of Madison.
Cosponsored by Senator MILLS of Somerset and
Representatives: MATTHEWS of Winslow, MURPHY of Berwick.

Bill "An Act to Repeal the Public Utilities Commission's
Authority to Issue Certificates of Public Convenience and
Necessity for Electric Transmission"

(H.P. 355) (L.D. 471)

Presented by Representative GLYNN of South Portland.

Pursuant to Resolve Maine Indian Tribal-State Commission

Representative THOMPSON for the **Maine Indian Tribal-
State Commission**, pursuant to Resolve 1997, chapter 45,
section 3 asks leave to report that the accompanying Bill "An Act
to Implement Recommendations of the Maine Indian Tribal-

State Commission to Ensure Enforcement of Subpoenas by
Tribal Courts"

(H.P. 310) (L.D. 426)

Be **REFERRED** to the Committee on **JUDICIARY** and
printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED**
to the Committee on **JUDICIARY** and ordered printed pursuant
to Joint Rule 218.

Sent for concurrence.

The following items were taken up out of order by unanimous
consent:

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 519 and Joint Rule 213, the
following items:

Recognizing:

Steven J. Butterfield, of Hallowell, who has attained the high
rank and distinction of Eagle Scout. We extend our
congratulations to Steven on this achievement;

(HLS 7)

Presented by Representative COWGER of Hallowell.

Cosponsored by Senator TREAT of Kennebec.

On **OBJECTION** of Representative COWGER of Hallowell,
was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative
from Hallowell, Representative Cowger.

Representative **COWGER**: Mr. Speaker, Men and Women
of the House. I am pleased and honored today to be able to
present this sentiment in honor of my friend and neighbor,
Steven J. Butterfield. I met Steve several years ago when he
came to my inn in Hallowell looking for work. I hired Steve to do
some yard work around the farm. He continued well beyond his
job obligations and asked to volunteer to help care for our farm
animals. Steve, in my mind, took a great deal of initiative in
taking on this volunteer task. I am very grateful for his help.
Steve's interests are quite broad and varied as he would just as
soon discuss the history of composers of classical music that
might be playing on the radio as he would in cleaning manure
from the barn. I believe that Steve's varied interests have
prepared him well for becoming an Eagle Scout and also
prepared him well for becoming one of our future leaders in the
State of Maine.

I would just like to take a second to acknowledge Steven's
special Eagle Scout project that really benefited all of us as
citizens of our state. He helped organize and carry through
comprehensive cleanup of trash and debris from Jimmie Pond.
Jimmie Pond is a very special land holding purchase with Land
for Maine's Future's Funds, as well as some local contributions.
This special place is only about six miles from us here at the
capitol. I encourage all of you to come and visit Jimmie Pond
sometime before we adjourn in June. This is a very beautiful
place and it is made more beautiful by the efforts of our Eagle
Scout here today. I just ask you to join me in congratulating
Steven J. Butterfield, II on the achievement of his rank of Eagle
Scout. Thank you Steven.

PASSED and sent for concurrence.

In Memory of:

Howard A. Burdwood, of Scarborough, who was a veteran of
two wars, serving in the United States Air Force in World War II

and in the United States Marine Corps during the Korean War. He was active in town affairs and was a longtime board member of the Scarborough Sanitary District. Mr. Burdwood helped in the efforts to make the historic elm at Oak Hill an historic landmark and also was an expert in raising and training homing pigeons. He will be greatly missed by his family, friends and neighbors;

(HLS 26)

Presented by Representative CLOUGH of Scarborough. Cosponsored by Representative LOVETT of Scarborough, Senator AMERO of Cumberland, Senator PENDLETON of Cumberland.

On **OBJECTION** of Representative CLOUGH of Scarborough, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Scarborough, Representative Clough.

Representative **CLOUGH**: Mr. Speaker, Ladies and Gentlemen of the House. Howard Burdwood was born in Swamscott, Massachusetts and his family moved to Maine when he was in his teens. He graduated from high school in Bangor. He was a veteran of World War II and he served in the Air Force as a flight engineer on Sea 47 Cargo Planes. During the Korean War he was master Sergeant in the Marine Corp. He was a member of the Scarborough American Legion for many years. Howard met his wife Alice while in the Air Force in Nebraska. After the war he and Alice were married and moved to Maine and lived in the Portland area where they brought up a family of three daughters and a son. They moved to Scarborough in 1956. A long-term resident of Scarborough, he was active in community affairs. He stood up for the things that he believed in and gave much of himself for the good of his town, his neighbors and his friends.

In 1958, he was a charter member of the Scarborough Taxpayers Association and was active in that organization as its treasurer for many years. Concerned about the rapid commercial and residential growth in Scarborough, in 1989, he spearheaded the drive for a building moratorium, which was to put in permanent controls to control the rapid growth and development. He was a long-time member of the Scarborough Sanitary District and served on the board until his death. Howard retired in the early 80s from his job as an engineer for the former General Electric Manufacturing Plant in South Portland. After retirement, he continued to be active and operated his own machine shop business in a workshop next to his home.

He enjoyed private time, hunting and fishing, at his camp on Parlan Pond near Jackman. For over 40 years he pursued his hobby of raising and racing homing pigeons. With all of this, Howard still had time for his family. He was a devoted family man and enjoyed special times with his wife and children at his home on Maple Avenue in Scarborough. Howard Burdwood will be remembered as a man who stood up for his principles and his beliefs and he will be missed by all who knew him.

ADOPTED and sent for concurrence.

The **SPEAKER**: The Chair recognizes the Representative from Scarborough, Representative Lovett who wishes to address the House on the record.

Representative **LOVETT**: Mr. Speaker, Ladies and Gentlemen of the House. I guess I didn't rise quick enough, but

I had a few words I would like to speak on. It is a great honor for me to stand before you today to recognize Howard A. Burdwood. Mr. Burdwood was a committed, honorable man. Most of all, he deserved being recognized by this body. As he was also a distinguished leader. Mr. Burdwood always worked very hard to support all things important to him. He was a dedicated family man and a community leader and a veteran of two foreign wars.

Many people in the Scarborough community will remember Howard Burdwood as a passionate man, never afraid to stand up and fight for a cause that he truly believe in. I can think of no better example of his passion than the effort that he made to organize and to save a historic elm tree. A road bridge project threatened the survival of this 175 year old elm tree at Oak Hill in Scarborough. As you drive through the next time on Route 1, I want you to glance to the right after you go through the Oak Hill intersection and you will see this historic monument. Though some people openly question the importance of his defending the tree, Mr. Burdwood believed in the importance of preserving the landmark by organizing citizens and eventually proving to officials that the tree did not have to be a casualty of the construction project. Today, the tree is marked with a plaque designating it as a historic landmark.

Mr. Burdwood's determination in saving the elm tree should be a lesson to all of us. If you believe in it, then it is worth fighting for. This is the way Howard Burdwood lived his life, whether it was defending his nation, raising his children or training his fleet of homing pigeons. Mr. Burdwood was an honorable man who will be sorely missed by his family and his community. I am glad some of his loved ones were able to be in attendance with us today. I am most honored to have been able to celebrate his life. Thank you.

ORDERS

On motion of Representative QUINT of Portland, the following Joint Resolution: (H.P. 378) (Cosponsored by Senator RAND of Cumberland and Representatives: BRENNAN of Portland, MURPHY of Kennebunk, ROWE of Portland, SAXL of Portland, SHIAH of Bowdoinham, Senators: LAWRENCE of York, MILLS of Somerset, PINGREE of Knox) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214)

JOINT RESOLUTION MEMORIALIZING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO PROVIDE FUNDING FOR MAINE'S EMERGENCY SHELTERS FOR THE HOMELESS

WE, your Memorialists, the Members of the One Hundred and Nineteenth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the United States Department of Housing and Urban Development as follows:

WHEREAS, the United States Department of Housing and Urban Development awarded \$800,000,000 in funding nationwide this year to states to provide relief to the homeless from the misery of living on the streets; and

WHEREAS, in 1998, the State of Maine received \$3,500,000 from the United States Department of Housing and Urban Development to provide services that helped Maine children and families at risk of death, injury or illness; and

WHEREAS, just 2 days before Christmas Day, 1998, the State of Maine received the news that there would be no funding for 1999 homeless relief, which is shocking and heartbreaking

news for a state that counted almost 15,000 homeless people in the previous year; and

WHEREAS, this funding cut is devastating to the State of Maine, where 30% of the people staying in shelters are young people and 21% of these young people are between 5 and 12 years of age with the average age of youth in shelters being 13 years of age; and

WHEREAS, the funding cut makes no sense since Maine has harsh and bitter winters and the need to protect its neediest citizens is as important this year as in any past year; and

WHEREAS, Maine provides more funding on a per capita basis for the elderly, disabled, mentally ill and the poor for services and support than most states, despite ranking 36th in per capita income, making this loss of funding a serious crisis; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully request that the United States Department of Housing and Urban Development restore the funding, of at the very least \$3,500,000, to the State of Maine, in order that we may treat the homeless in Maine with at minimum the same services they would receive in larger urban areas; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Andrew Cuomo, Secretary of the United States Department of Housing and Urban Development and to each Member of the Maine Congressional Delegation.

READ.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Quint.

Representative **QUINT**: Mr. Speaker, Men and Women of the House. In September of this year, Andrew Cuomo, Secretary of the Department of Housing and Urban Development made a special trip to Maine to acknowledge our collaborative and innovative ideas of dealing with people experiencing homelessness. Just four months later, applications for funding were not renewed. This is devastating news to us and to Maine in general. People who were experiencing homelessness are not just men with drinking problems. This is devastating to 30 percent of people staying in shelters who are young people. Twenty-one percent of them are between the ages of five and 15 years of age with 13 years of age being the average.

This morning I got up and went out to walk my dog at about 5:30 and it was pretty darn cold this morning. So cold that I stayed out for about three or four minutes and came back inside. I do a lot of volunteer work for the Prebble Street Resource Center and even through all of that work, I find it very difficult to imagine how difficult it must be to be homeless and not have a place to stay. With that in mind, I would appreciate everybody's support in this Joint Resolution. Thank you.

The SPEAKER: The Chair recognizes the Representative from Kennebunk, Representative Murphy.

Representative **MURPHY**: Mr. Speaker, Men and Women of the House. When the good Representative from Portland came around with the request for the introduction for this resolution, I was supportive and had indicated that he was much quicker than I was. I think it had to do with my age. I very much wanted to get this resolution in as well. It appears that maybe here in Maine we have done something wrong. We have seen with the ice storm the pittance that was returned back to the state and we have seen what has happened here with the homeless shelters. This is an opportunity for the House to be on record. Maybe drawing the secretary's attention that something dramatically is

wrong. I think the good Representative from Portland, if you can imagine someone in a car this morning or a cardboard box, my seat mate had indicated that in his home street it was 19 below this morning. I would hope that we could have a unanimous vote on this resolution and forward it and get this funding problem corrected as quickly as possible.

ADOPTED.

Sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH.**

On motion of Representative QUINT of Portland, the House recessed until 1:00 p.m.

(After Recess)

The House was called to order by the Speaker.

The following item was taken up out of order by unanimous consent:

ENACTORS

Emergency Measure

An Act to Delay the Implementation until October 1, 1999 of Public Law 1997, Chapter 793, "An Act to Provide for Confidentiality of Health Care Information"

(H.P. 359) (L.D. 503)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 104 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate. **ORDERED SENT FORTHWITH.**

On motion of Representative THOMPSON of Naples, the following Joint Order: (H.P. 356)

ORDERED, the Senate concurring, that the Joint Rules be amended by amending Joint Rule 105 to read:

Rule 105. Salary and Benefits of Legislative Employees is Public Information.

Salary and benefit information regarding employees and officers of the Legislature is public information and when requested must be provided within a reasonable time by the Secretary of the Senate for Senate employees, the Clerk of the House for House employees and the Executive Director of the Legislative Council for other legislative employees.

; and be it further **ORDERED**, the Senate concurring, that the Joint Rules be amended by repealing Joint Rule 203-A.

; and be it further **ORDERED**, the Senate concurring, that the Joint Rules be amended by amending Joint Rule 205 to read:

Rule 205. Filing after Cloture.

Any request for a bill or resolve submitted to the Revisor of Statutes by a Legislator, ~~the Governor~~ or a department, agency or commission after the appropriate cloture date must be

transmitted to the Legislative Council. The council shall ascertain from the sponsor ~~or the Governor~~ the facts supporting the request notwithstanding cloture. If a majority of the council approves, the legislation is eligible for introduction as other legislation that is in compliance with Rule 202 or 203.

; and be it further

ORDERED, the Senate concurring, that the Joint Rules be amended by amending Joint Rule 206 to read:

Rule 206. Sponsorship.

1. Number; Governor's Bills. A bill, resolve, order, resolution or memorial may have up to 10 sponsors: one primary sponsor, one lead cosponsor from the other chamber and 8 cosponsors from either chamber. Each bill or resolve requested by the Governor or a department, agency or commission must indicate the requestor below the title.

2. Duplicate Requests; Chamber of Origin. For duplicate or closely related bills or resolves, the Legislative Council may establish a policy for combination of requests and the number of cosponsors permitted on combined requests. A bill, resolve, order, resolution or memorial having cosponsors must originate in the chamber of the primary sponsor.

3. Indian Representatives. The member of the Penobscot Nation and the member of the Passamaquoddy Tribe elected to represent their people at each biennial Legislature may sponsor ~~or cosponsor~~ legislation specifically relating to Indians and Indian land claims, may cosponsor any other legislation and may sponsor and cosponsor expressions of legislative sentiment in the same manner as other members of the House.

; and be it further

ORDERED, the Senate concurring, that the Joint Rules be amended by amending Joint Rule 301 to read:

Rule 301. Joint Standing Committee Responsibilities and Jurisdiction.

Joint standing committees are formed to assist the Legislature in the performance of its constitutional duties and are vested with the general authority granted in the Maine Revised Statutes, Title 3, section 165 and certain other specific authority granted from time to time by the Legislature. The responsibilities of joint standing committees include, but are not limited to:

1. Pending Legislation. Considering and reporting to both chambers on legislation pending before the Legislature;

2. Budget and Fiscal Policy Issues. Reviewing and making recommendations on budgeting and fiscal policy issues concerning State Government;

3. Actions of Departments and Agencies. Conducting oversight and review of the actions of departments and agencies of State Government, including, but not limited to, review of agency rules under Title 5, chapter 375, subchapters II and II-A and agency evaluations under the State Government Evaluation Act;

4. Gubernatorial Appointments. Reviewing and making recommendations on gubernatorial appointments that require legislative confirmation under Title 3, chapter 6; and

5. Other Tasks. Performing other tasks assigned to them, including, but not limited to, reviewing specific provisions of law, conducting studies on assigned topics, issuing reports on policy and legal issues of interest to the Legislature, reporting out specific legislation pursuant to joint order and authorizing the annual budgets of certain counties.

~~As authorized by title 3, section 165, there~~ **There** are 17 joint standing committees, which must be appointed at the

commencement of the first regular session and which exercise jurisdiction in the following areas:

Agriculture, conservation and forestry
 Appropriations and financial affairs
 Banking and insurance
 Business and economic development
 Criminal justice
 Education and cultural affairs
 Health and human services
 Inland fisheries and wildlife
 Judiciary
 Labor
 Legal and veterans affairs
 Marine resources
 Natural resources
 State and local government
 Taxation
 Transportation
 Utilities and energy

; and be it further

ORDERED, the Senate concurring, that the Joint Rules be amended by adding a new Joint Rule to read:

Rule 312-A. Constitutional Resolutions.

A committee may submit the question to be voted on under a resolution proposing to amend the Constitution of Maine to the Secretary of State for review prior to reporting the resolution out of committee with a recommendation other than "Ought Not to Pass" or "Referral to Another Committee." The Secretary of State shall apply the same standards of clarity to that question as to questions for the people's veto and initiative referenda under the Maine Revised Statutes, Title 21-A, section 906, subsection 6 and advise the committee and the sponsor of the resolution as to the recommended wording of the question.

; and be it further

ORDERED, the Senate concurring, that the Joint Rules be amended by repealing Joint Rule 405.

; and be it further

ORDERED, the Senate concurring, that the Joint Rules be amended by renumbering the Joint Rules to read consecutively.

READ.

The SPEAKER: The Chair recognizes the Representative from Naples, Representative Thompson.

Representative **THOMPSON**: Mr. Speaker, Men and Women of the House. The Joint Order which I have just introduced is the report of the Rules Committee, which met to consider proposed changes to the Joint Rules. This order is a Joint Order and pertains solely to the recommended changes to the Joint Rules. The Joint Rules met and considered a number of items and are recommending those items to you today. The first item is rule 105 and the text to each of these changes is directly in your calendar on page 31 under item 4-2. The change to Rule 105 is simply a clarification of the process for disseminating information under freedom of information requests. It simply indicates that for employees of the House of Representatives that information would be distributed by the Clerk, for the Senate, by the Secretary of the Senate and for all other legislative employees, by the Executive Director of the Legislative Council. That simply clarifies who is responsible for releasing the information. That item passed by a vote of 8 to 0 in the Rules Committee.

The next change is in rule 205, filing after cloture. This is a change which reflects upon the rule, which we adopted, establishing a cloture date for the Chief Executive. The Rules

Committee reviewed that rule change and in response to a letter from the Governor, which set forth a proposal to the presiding officers, the Rules Committee reviewed the cloture date for the Chief Executive and voted to remove the cloture date for the Chief Executive from the Joint Rules. The letter to the presiding officers sets forth the procedure that will be followed for the filing of bills by the Governor. The Governor indicated to the presiding officers that a date would be established. That date is six weeks prior to the date set by the presiding officers for the reporting out of all bills from the committee. The presiding officers have set a date of, I believe, it is April 15th or 16th to have all bills reported out of committee and backing up from that date, six weeks earlier, sets a date of approximately March 5th for the Governor to file all of his legislation. What this does is enable the Legislature to have the Governor's bills in a timely manner to consider these bills and by reaching this agreement and by removing the rule it also prevents what would be potentially an appeal to the law court by the Chief Executive to test the application of our rule. The Rules Committee voted on these changes and also voted by a vote of 8 to 0 to remove the cloture date from the rules. After the March 5th date, the Governor further went on in his letter to indicate that he would consult closely with the presiding officers on any other matters which he felt were necessary to bring forward to the Legislature after that date. Based upon his representations, the committee voted 8 to 0 to remove the cloture date for the Governor.

The next change is in rule 206 on sponsorship of legislation. The recommendation of the committee is to amend rule 206 by indicating that the Indian Representatives, the tribal representatives, will be able to, in the future, if this rule is adopted, cosponsor legislation. Currently the rules provide that they may introduce legislation pertaining to the Indians or to the Indian Land Claims Settlement Act directly relating to those areas. They may sponsor or cosponsor. A proposal was set forth to allow them to sponsor all legislation. The committee amended that proposal and would allow the Representatives to introduce legislation as is the current practice on matters directly pertaining to the Indians or the Indian Land Claim Settlement Act. To be allowed to cosponsor or sign onto other bills introduced by other legislators on any matter. This bill, as the person who proposed a change, arose out of the dioxin bills which we heard in the 118th Legislature where one of the Representatives was not allowed to enter on as a cosponsor even though, obviously, the water quality, the dioxin levels in the Penobscot River could dramatically affect the Indian Tribe. The committee recommended on an 8 to 1 vote to adopt the change to rule 206.

Rule 301 is actually a technical change and does not make any substantive change. It removes the beginning of the first part of the first sentence in rule 301 by striking the reference to Title 3 of the Maine Revised Statutes. By doing so, it removes the reference to the statute clarifying that solely this Legislature has the authority to establish Joint Standing Committees and the number of Joint Standing Committees that it so chooses. It is not necessary to refer to the statute and, in fact, might be a bit misleading because we do not have any requirement to conform to Title 3 when we are establishing our Joint Standing Committees. It is totally up to the 119th Legislature to determine how many committees and what those committees shall be. That recommendation passed by a vote of 8 to 0.

The fifth proposed rule change is a proposal which allows Joint Standing Committees to refer proposed constitutional amendments to the Secretary of State's Office to be reviewed for

language. That is when you have a proposed constitutional amendment the Secretary of State's Office has a procedure in effect for reviewing initiative petitions for being placed on a ballot to ensure that the language is clear and is specific to the question trying to be asked. This enables the committees to refer a matter to the Secretary of State's Office. It does not require them to do so and asks the Secretary of State for an opinion on how they would suggest the matter to be worded. This does not place a requirement on the committee and once suggested by the Secretary of State, there is no requirement that we absolutely have to follow their recommendation.

Those are the five changes, which the committee is recommending. By the way, that last item passed by a vote of 7 to 0. Those are the changes we are proposing. I hope that you will support these changes. Thank you.

The SPEAKER: The Chair recognizes the Representative from Waterboro, Representative McAlevey.

Representative **MC ALEVEY**: Mr. Speaker, Men and Women of the House. It is my pleasure to serve on that committee also. Depending on where you come from, rules can be very, very exciting or very, very dull. If you don't have much of a life, I guess they are exciting. We did have some very frank discussions. In two or three incidences, members came before us with requested orders and we were able to, through the discussion with the Speaker and the President of the other body, agreed that we didn't need to implement rules to accommodate those changes. I want to compliment all the members of the committee. It was truly a bipartisan effort. I would ask that when we do vote on this that you would support the unanimous report. We did have some very frank discussions. Everything that was presented to us was, I believe, debated very thoroughly and into enough depth that could understand whether we needed to make the changes or not. You must remember that some changes require a gradual approach. I do want to commend the members of the committee for their hard work. It was hard work. I would urge that when the vote is taken that you support the unanimous committee report. Thank you.

PASSED.

Sent for concurrence. **ORDERED SENT FORTHWITH.**

On motion of Representative **VOLENIK** of Brooklin, the following Joint Order: (H.P. 357)

ORDERED, the Senate concurring, that Joint Rule 301, last paragraph is amended to read:

As authorized by Title 3, section 165, there are ~~47~~ **16** joint standing committees, which must be appointed at the commencement of the first regular session and which exercise jurisdiction in the following areas:

- Agriculture, conservation and forestry
- ~~Appropriations and financial affairs~~
- Banking and insurance
- Business and economic development
- Criminal justice
- Education and cultural affairs
- Health and human services
- Inland fisheries and wildlife
- Judiciary
- Labor
- Legal and veterans affairs
- Marine resources
- Natural resources
- State and local government

Taxation
 Transportation
 Utilities and energy

; and be it further

ORDERED, the Senate concurring, that Joint Rule 314 is repealed and replaced to read:

Rule 314. Participation in Budget Hearings and Work Sessions.

As used in this Rule, "policy committee" means a joint standing committee or joint select committee having subject matter jurisdiction.

In each year of the biennium, any budget bill submitted to the Legislature by the Governor is subject to the following procedures.

1. Budget Recommendations. Budget recommendations made by the Governor on areas within the jurisdiction of a policy committee must be heard initially by the policy committee having jurisdiction over the subject matter presented.

2. Policy Committee Recommendations. Each policy committee shall report out the policy committee's recommendations regarding the relevant part of the Governor's budget. These recommendations must be reported out within a time period set by the presiding officers after consultation with the chairs of the policy committee.

3. Reconciliation Authority. Notwithstanding Joint Rule 406, following final enactment of each policy committee's recommendations, the Joint Standing Committee on Taxation shall receive and review the revenue and expenditure recommendations as enacted and reconcile the budget to reflect those recommendations. In performing this reconciliation, the Joint Standing Committee on Taxation shall propose changes in taxes in order to balance the enacted expenditure recommendations against the expected revenue. The Joint Standing Committee on Taxation shall report out its recommendations within a time period set by the presiding officers after consultation with the chairs of the Joint Standing Committee on Taxation.

4. Enactment by Legislature; balancing. The reconciliation recommendations of the Joint Standing Committee on Taxation must be voted on by both chambers and may be amended as long as the reconciliation recommendations as finally enacted have the effect of balancing the enacted expenditures against anticipated revenue. Following final enactment of the reconciliation recommendations, the enacted expenditures and the enacted reconciliation recommendations must be presented to the Governor pursuant to Joint Rule 406.

READ.

The SPEAKER: The Chair recognizes the Representative from Brooklin, Representative Volenik.

Representative **VOLENIK**: Mr. Speaker, Men and Women of the House. This rule would eliminate the Appropriations Committee. It would give jurisdiction for each section of the Executive's budget to the committees of jurisdiction and it would change the way bills with fiscal notes pass through the process. I have no quarrel with the Appropriations Committee. They are all honorable citizens. Many are good friends and they strive harder than most of us to serve, often long into the night, with the best interests of this institution and of their constituents. I will argue that the committee that they serve and that they try their hardest to make work for the rest of us. That committee and its mission are flawed. It is the system that we have created over generations and that we have the power today to recreate. We all know how the system works. On second

thought, maybe some of you new Representatives only have an inkling of how the system works and does not work.

It is simple. This body passes a bill. The other body passes the bill and it goes on to the Executive for signature. Right. Along comes a bill with a fiscal note. We pass it. The other body passes it on a silver platter to the other branch, the appointed branch, the Appropriations Committee. When we are done and when the other body is done passing what we chose to make into law, we are at the mercy of the Appropriations Committee in conjunction with leadership and in conjunction with the Executive's Office and in the face of sometimes intense lobbying by known and unknown interests in late night public and private negotiations that ultimately ends up in this chamber at 4 a.m. when the Speaker gavels through in the space of minutes a legislative package deal that we, numbly and often with toothpicks holding our eyelids open, gratefully accept, on both sides of the aisle with exhausted relief while holding our noses at parts of what we have unanimously passed. It is a fun process that you will have nightmares about as vivid as those dreams of sleeping through your final exams or dreams of the death of a loved one or the death of your own highest principles or of your soul.

There is another way. We have it in our power to eliminate the Appropriations Committee and one of our worst nightmares. Without that committee, we can have truly democratic, truly worthy of a republic, legislation. Legislation that all of us vote on in the normal legislative manner. Think about it, if only for a brief moment, before you vote this proposal away into the dust heap of what might have been. Imagine that we pass a bill with a fiscal note. We send it to the other body, which also passes it and at the end of the session, after we have rejected some bills and passed others, we add up the total cost. If the cost is greater than projected revenues, the Taxation Committee determines what taxes must be adjusted to make up for the shortfall, then it gives its recommendations to us and to the other body and we either pass those changes or we amend them on the floor and pass alternative tax changes that balance the budget. If the total cost of all bills with fiscal notes is less than projected revenue, the Taxation Committee would similarly recommend tax cuts in some form, which we would, again, vote in or amend.

We, and the other body, would begin to be prudent on what we pass as legislation. No longer could we say to each other, I don't like the bill that I just voted for, but what the heck. We know Appropriations will kill it before it finally sees the Executive's signature. We would lose that political cover, but we would gain the high ground of voting on our principles. Think about it. This rule change is not to be taken lightly. This is a radical change. Just as our forefathers 224 years ago practiced radical change when they excitedly and fearfully converged in overwhelming numbers upon the marching columns of red coated soldiers who had shot down their neighbors on that electric April morning in Concord and Lexington. Think about it as you picture in your minds eye how you want this session to end. Do you want to feel good about battles won? Battles hard and well fought that you might have lost or do you want to watch bleary eyed, resentful of the process in some late night at the end of the session as, again, the Speaker hammers down the last minute sausage deals that you will then struggle to explain to the people of your district.

I simply ask you to think about it. Thank you.

Representative THOMPSON of Naples moved that the Joint Order be **INDEFINITELY POSTPONED**.

The SPEAKER: The Chair recognizes the Representative from Penobscot, Representative Perkins.

Representative PERKINS: Mr. Speaker, Colleagues of the House. I commend my friend from Brooklin for having the courage and foresight to bring this to us. Representative Volenik and I have talked about this for about four years. He finally had the courage to come forth with this. I agree with just about everything he said. I have felt since I have been here that the Appropriations Committee, with all due respect that Representative Volenik gave them for all their hard work, that is not the point. The point is it seems to me that they are almost a separate branch of government or a separate branch of the Legislature. I have felt helpless to do anything about it. This is a simple straightforward thing. I am sure there would be a few details to work out. My instinct tells me it will probably fail miserably to pass. I ask you to really take a close look at this. Just having the debate, I would like to keep the debate alive a little bit here and hopefully people will share their feelings on it, if anybody else feels similarly. Thank you.

Representative PERKINS of Penobscot **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE** the Joint Order.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Naples, Representative Thompson.

Representative THOMPSON: Mr. Speaker, Men and Women of the House. This proposal was brought forth to the Rules Committee and was voted down on a 7 to 0 vote and clearly voted to recommend not to pass this proposal. I have been here for a four-year period and I can understand people's frustrations with the appropriation process. I am not sure that this rule would change anything other than naming the Taxation Committee as the committee that does the final reconciling of the budget. The truth is over the last four years that the Rules Committee has worked to gain increasing input into the budget process by the policy making committees. If you talk to people that have been here, going back further than that, they were never given the input that we have now. We are now having the policy committees meet with the Appropriations Committee in a joint public hearing. We are meeting as policy committees and making recommendations regarding the supplemental budget first and we will then make recommendations regarding the budget for the next biennium. We are listing our priorities for our committees recommendations of priorities for the proposed new spending in the part II budget.

Anyone that has been here any length of time knows that the key to this process is you have to be there. You have to put the time in. You have to stay on top of it every day. You can't assume that because something is put in one day, it is going to stay there to the next day. You can't assume that it is because something is rejected one day that it is out of the budget forever. It is an ongoing moving document that is constantly changing until it is finally enacted. It is not pretty, but I don't know of any better way to do it. It is hard work and it is a lot more work than most of us are willing to do to shepherd something through the whole appropriations process. I certainly don't begrudge the people on the Appropriations Committee and the time that they spend in session in their committee. I know and I learned from my first term that when I thought I had something that was going to get funded and then didn't follow through on it, that it takes more work than I gave the initial try. I have learned that you have to follow things. I appreciate the concerns of

Representative Volenik and I can only tell you that his message was heard by the Rules Committee and I expect, in the future, that the Rules Committee will be looking at this process to see if there are additional steps that can be taken to empower individual members of the Legislature to give you more input into the process.

I would ask, at this time, that you join me in voting for the motion to Indefinitely Postpone.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of (H.P. 357). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 5

YEA - Ahearne, Bagley, Baker, Berry DP, Berry RL, Bolduc, Bouffard, Bowles, Bragdon, Brennan, Bruno, Bryant, Bull, Bumps, Campbell, Chick, Chizmar, Cianchette, Clark, Clough, Collins, Colwell, Cote, Cowger, Daigle, Davidson, Davis, Desmond, Dudley, Dugay, Duncan, Dunlap, Duplessie, Etnier, Fisher, Frechette, Fuller, Gagne, Gerry, Gillis, Glynn, Goodwin, Hatch, Heidrich, Jabar, Jacobs, Kane, Kneeland, Labrecque, Lemoine, Lemont, Lindahl, MacDougall, Mack, Madore, Mailhot, Martin, Marvin, Matthews, Mayo, McAlevey, McDonough, McGlocklin, McKee, Mitchell, Murphy E, Murphy T, Muse, Nass, Norbert, Nutting, O'Brien, O'Neal, O'Neil, Peavey, Peh, Povich, Powers, Quint, Richard, Richardson E, Richardson J, Rosen, Samson, Sanborn, Savage C, Savage W, Saxl MV, Schneider, Sherman, Shiah, Shorey, Snowe-Mello, Stanley, Stevens, Sullivan, Tessier, Thompson, Tobin D, Townsend, Tracy, Trahan, Treadwell, Tripp, True, Tuttle, Usher, Watson, Weston, Wheeler EM, Wheeler GJ, Williams, Winsor, Mr. Speaker.

NAY - Andrews, Belanger, Brooks, Buck, Carr, Cross, Foster, Gooley, Green, Honey, Jodrey, Jones, Joy, Kasprzak, LaVerdiere, McKenney, McNeil, Mendros, Perkins, Pinkham, Rines, Saxl JW, Shields, Skoglund, Stedman, Tobin J, Twomey, Volenik, Waterhouse.

ABSENT - Cameron, Gagnon, Gamache, Lovett, Perry, Plowman, Sirois, Stanwood.

Yes, 114; No, 29; Absent, 8; Excused, 0.

114 having voted in the affirmative and 29 voted in the negative, with 8 being absent, the Joint Order was **INDEFINITELY POSTPONED**.

On motion of Representative MACK of Standish, the following Joint Order: (H.P. 358)

ORDERED, the Senate concurring, that the Joint Rules be amended by amending Joint Rule 304 to read:

Rule 304. Procedures for Public Hearings and Work Sessions.

At the beginning of each legislative biennium, all committees shall adopt procedures that govern public hearings, work sessions and confirmation hearings. Copies of the procedures must be sent to the presiding officers, the Secretary of the Senate, the Clerk of the House and the Executive Director of the Legislative Council upon adoption and must be posted and made available upon request at all public hearings and work sessions.

The rules of procedure in committee are the same as the rules of the Senate and the House of Representatives to the extent applicable. Committee procedures must be consistent with these rules.

The presiding chair shall decide all questions of order, subject to appeal to the committee. The chair's ruling stands

unless overruled by a majority vote of the committee membership.

Scheduling of bills to be considered in public hearings and work sessions must be arranged by the Senate chair with the agreement of the House chair; if agreement is not reached, the committee shall decide by majority vote of the membership.

At public hearings, the chair may limit testimony as necessary for the orderly conduct of the hearing. Members may question witnesses to clarify testimony and to elicit helpful and pertinent information. While aggressive and probing questions may sometimes be appropriate, members shall exhibit respect for the witnesses and for one another. Members shall refrain from interrogation that is argumentative, oppressive, repetitive or unnecessarily embarrassing to hearing participants. Advocacy and discussion among members are not appropriate at public hearings. A committee member who is the primary sponsor of a bill and any member who testifies for or against the bill should ordinarily refrain from questioning other witnesses. A witness testifying before a committee shall provide a statement that includes the amount and source of any federal or state grants, appropriations or allocations or any federal or state contract received during the current fiscal year and previous 2 fiscal years by the witness or an organization the witness represents.

READ.

The SPEAKER: The Chair recognizes the Representative from Standish, Representative Mack.

Representative **MACK**: Mr. Speaker, Right Honorable Men and Women of the House. My amendment to the Joint Rules copies a rule adopted by Congress in Washington two years ago. This rule would bring even greater openness to the lawmaking process by making you and I, as legislators, aware of the individuals, groups and special interests receiving government money. More important, it gives the taxpayers of Maine this information. The taxpayers deserve to know exactly what is going on here. It requires any witness appearing before a Joint Committee or Subcommittee to disclose the source and amount of any state or federal grant that they or their organization received. Many agencies exist to spend state money and administer state programs. They exist through state money alone. The testimony of these individuals, groups and special interests are often an important guide used to determine the effectiveness of state programs.

You and I need to know how much government money is given to organizations and special interests for lobbying for rules that affect them and for even more government money to pay for state programs they get paid to administer and hire executive salaries as a result. It is critical to determine whether witnesses are testifying as truly impartial advocates of a particular policy program or if they may personally stand to benefit from the new regulation or expanded program they are testifying on. This is information that the taxpayers as well as you and I deserve to know. I urge your support of this amendment. Thank you.

Representative THOMPSON of Naples moved that the Joint Order be **INDEFINITELY POSTPONED**.

The SPEAKER: The Chair recognizes the Representative from Naples, Representative Thompson.

Representative **THOMPSON**: Mr. Speaker, Men and Women of the House. This matter was also worked by the Rules Committee and was voted down by a vote of 7 to 0 and did not receive any support in the Rules Committee. I suggest to you, first of all, that this rule is unnecessary in that if a member of the committee wishes to ask these questions of

someone standing before them, they have the right to do so. However, I think there is even a broader and a more important issue to be discussed and that is simply that are we going to start placing requirements on people that come before us in public hearings before they are allowed to testify? Who is this requirement on? If someone refuses to give this information, are they going to be refused the right to testify at our public hearings? I think it is the wrong method to take. Our public hearings, we pride ourselves in giving every bill before us a public hearing, whether someone or an organization they work for receives federal funds or state funds, does not do anything to take away from the fact that they are, in fact, a member of the public. It may be a bill solely pertaining to one of their personal interests, not pertaining to the government funding and yet we are still going to require them to make a disclosure before they are allowed to testify. I think it is a huge mistake to go down that road and secondly, I think it is also wrong to direct reporting requirements at one group of people, groups of people that are receiving state funding. Should we then require everyone to file written reports, all of the lobbyists on every one of their clients and how much they received that month. Maybe that is already reported to the Governmental Ethics Commission, but we don't require that to come forward every time they testify. If we want to know that, we can ask them. I would ask that you join me in Indefinitely Postponing this Joint Order.

The SPEAKER: The Chair recognizes the Representative from Standish, Representative Mack.

Representative **MACK**: Mr. Speaker, Right Honorable Men and Women of the House. This would not prohibit anybody from coming and testifying before any committee. Any average citizen could still come in and testify. Anybody from an agency could still come in and testify. They would just know that before they came to the committee, they would have to have made available the amount of money they already get from the government. Anybody can ask this to anyone right now, but how often have you asked something and they promised they would get it to us in the work session and they never do and we have to wait for the work session for something. This would have this information available on the day of the public hearing and I think would be very helpful for us to have beforehand. Also, I ask that when the vote is taken, that it is taken by the yeas and nays.

Representative MACK of Standish **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE** the Joint Order.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of (H.P. 358). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 6

YEA - Ahearne, Bagley, Baker, Berry RL, Bolduc, Bouffard, Bragdon, Brennan, Brooks, Bruno, Bryant, Bull, Bumps, Chick, Chizmar, Cianchette, Clark, Colwell, Cote, Cowger, Cross, Daigle, Davidson, Desmond, Dudley, Dugay, Dunlap, Duplessie, Etnier, Fisher, Frechette, Fuller, Gagne, Goodwin, Green, Hatch, Jabar, Jacobs, Kane, Kneeland, Labrecque, LaVerdiere, Lemoine, Lemont, Mailhot, Martin, Matthews, McAlevy, McDonough, McGlocklin, McKee, Mitchell, Murphy E, Norbert, Nutting, O'Neal, O'Neil, Pieh, Povich, Powers, Quint, Richard, Richardson J, Rines, Samson, Sanborn, Savage W, Saxl JW, Saxl MV, Sherman, Shiah, Skoglund, Stanley, Stevens, Sullivan, Tessier, Thompson, Tobin D, Townsend, Tracy, Tripp, True,

Tuttle, Twomey, Usher, Volenik, Watson, Wheeler EM, Wheeler GJ, Williams, Mr. Speaker.

NAY - Andrews, Belanger, Berry DP, Bowles, Buck, Campbell, Carr, Clough, Collins, Davis, Duncan, Foster, Gerry, Gillis, Glynn, Gooley, Heidrich, Honey, Jodrey, Jones, Joy, Kasprzak, Lindahl, MacDougall, Mack, Madore, Marvin, Mayo, McKenney, McNeil, Mendros, Murphy T, Nass, O'Brien, Peavey, Perkins, Pinkham, Richardson E, Rosen, Savage C, Schneider, Shields, Shorey, Snowe-Mello, Stanwood, Stedman, Tobin J, Trahan, Treadwell, Waterhouse, Weston, Winsor.

ABSENT - Cameron, Gagnon, Gamache, Lovett, Muse, Perry, Plowman, Sirolis.

Yes, 91; No, 52; Absent, 8; Excused, 0.

91 having voted in the affirmative and 52 voted in the negative, with 8 being absent, the Joint Order was **INDEFINITELY POSTPONED.**

The following item was taken up out of order by unanimous consent:

SENATE PAPERS

The following Joint Order: (S.P. 142)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, January 19, 1999, at 3 o'clock in the afternoon.

Came from the Senate, **READ** and **PASSED.**

READ and **PASSED** in concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH.**

On motion of Representative THOMPSON of Naples, the following House Order: (H.O. 7)

ORDERED, that the House Rules be amended by inserting before Part 1 the following:

Preamble. These rules of the House of Representatives are adopted pursuant to the Constitution of Maine to assist in carrying out the responsibilities of the House of Representatives. These rules take precedence over the Joint Rules, statutes enacted by a prior Legislature relating to the proceedings of the House and other rules used in Legislative assemblies. These rules govern the proceedings of the House in all matters, subject only to the requirements of the Constitution of Maine.

; and be it further **ORDERED**, that the House Rules be amended by adding a new House Rule to read:

Rule 107. Legislation establishing House proceedings statutorily. A member may question the appropriateness of a bill that attempts to establish proceedings of the House in statute. Such legislation may be ruled not properly before the House by the Speaker.

; and be it further **ORDERED**, that the House Rules be amended by amending House Rule 507 to read:

Rule 507. Printing and distribution of amendments. An amendment to a bill or resolve may not be acted upon by the House until the same has been printed and distributed to the members under the direction of the Clerk, unless the same bears the recommendation of the Committee on Rules and Business of the House that such printing be dispensed with; and any amendment not so printed or bearing such recommendation

must lie on the table until printed or until the Committee has recommended that such printing be dispensed with. All amendments filed with the Clerk for printing must bear the signature of the member filing the same.

A House amendment that strikes and replaces in total a committee amendment is not properly before the House.

; and be it further **ORDERED**, that the House Rules be amended by amending House Rule 517 to read:

Rule 517. Engrossed bills. All engrossed bills and resolves must be committed to the standing Committee on Engrossed Bills to be strictly examined; if found by the committee to be truly and strictly engrossed, the committee shall so report to the House, and the question must be taken without any further reading. The Speaker of the House may order any bill or resolve to be engrossed upon its introduction to the House.

READ.

The SPEAKER: The Chair recognizes the Representative from Naples, Representative Thompson.

Representative **THOMPSON**: Mr. Speaker, Men and Women of the House. This House Order is the report of the Rules Committee pertaining to recommended changes in the House Rules. Each of these recommended changes were made by unanimous vote of the committee in a 5 to 0 vote. There were five members on the House aspect of the Rules Committee.

The first change to the rules would be to add a preamble to the rules which sets forth in the rules that the Rules of the House take precedent over all other areas that try to set forth House procedure. It sets forth clearly that the House Rules are subject only to the Constitution of the State of Maine under which we operate. The House Rules take precedent over the Joint Rules and over any attempt by a prior Legislature to enact rules or procedures into statute.

The second change is to rule 107. It is a new rule, adding rule 107 to the House Rules. That is that any member may question the appropriateness of a bill that attempts to establish proceedings of the House in statute and such legislation may be ruled not properly before the House by the Speaker. That rule is an attempt to create statutes that conflict with what rules this Legislature may set and to falsely present to the public, perhaps, that an item that we put into statute may have some affect on the next Legislature. For example, we could pass a statute that indicates that there shall be 20 standing committees, but when the 120th Legislature comes to be sworn in and they establish their own rules they, and they alone, according to the Constitution, have the right to set forth what will be the rules for the proceedings in that Legislature. Therefore, that statute would only be a misleading representation to whoever would read it that it was applicable law when, in fact, it has no affect, no binding affect on a subsequent Legislature. The reason that was put in was to keep such proposals from going forth from this body.

The next proposed rule is a technical rule of procedure to rule 507, which adds the sentence. "A House Amendment that strikes and replaces in total a Committee Amendment is not properly before the House." When you propose an amendment that strikes a Committee Amendment and substitutes the House Amendment, what you are doing is prohibiting any further amendment of that legislation because then you would be placed in the position of amending an amendment, which we are not, by the rules we follow, we cannot amend to the second degree. You can amend the original document, be it the

committee report or a bill, but we are not to amend to the second degree. Therefore, if you completely strike the Committee Amendment and substitute an amendment, that ends all further attempts to amend that legislation. Placing it in rule would prevent that practice. In essence, also would conform to the procedure that the Revisor's Office has been trying to follow.

The next proposal is to rule 517. It adds language pertaining to the Speaker's ability to order a bill Engrossed. This is necessary because we have stricken from the Joint Rules language pertaining to Engrossment of bills and placed it more properly . . .

At this point, the Speaker placed the House at ease and the members exited the building due to a fire alarm.

(After Fire Alarm)

The House was called to order by the Speaker.

The SPEAKER: The Chair recognizes the Representative from Naples, Representative Thompson.

Representative **THOMPSON**: Mr. Speaker, Men and Women of the House. And for the foregoing reasons, I ask that you join me in voting for this House Order. Thank you.

Subsequently, the House Order was **PASSED**.

On motion of Representative GLYNN of South Portland, the following House Order: (H.O. 9)

ORDERED, that House Rule 510 be amended to read:

Rule 510. Yeas and nays. A call for the yeas and nays is in order at any time before a vote is made certain and declared; except that a call for the yeas and nays is mandatory on any vote on final enactment of a bill.

READ.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Glynn.

Representative **GLYNN**: Mr. Speaker, Men and Women of the House. This issue that is before you, I regard as a truth in voting amendment. As many of you are aware, under our current rules and regulations of the House, many votes are not taken and recorded in a way for the public to be able to have access to them and know how their legislator voted. On each one of your desks is a yellow sheet of paper that I have asked to have distributed. It is facts on roll call enactment votes. During our last session, during the 118th Legislature, there were 1,018 measures that were enacted to law. These aren't the bills that were presented to the Legislature, these are the actual things that made it all the way to the end of the process where they were enacted into law.

During that same session there were 653 roll calls taken during this Legislature. Of the 1,018 only 112 of these roll call votes were taken on Enactment. In other words, ladies and gentlemen of the House, one out of every 10 votes that the people of Maine are living under that rule, that regulation, that tax or that policy, that resolve, were voted on in a recorded manner in which that member of the public can look at your voting public. I believe that what we need is more accountability

in the Legislature and that we need good government legislation. If we looked to other levels of government, for instance, local city councils and board of selectmen and board of aldermen, our school boards and our county commissioners. When we pick up the minutes to the meetings, we can see how each and every member voted on each and every issue. That is the accountability that is at the local level. I want to see that same accountability at the state level.

The people of Maine do have a right to know. We look at the Legislative Record on any issue in particular and you will open it up and you will see the bill is presented by a legislator and you will see supporting documents in there on how that bill went through the process. You will see how the committee voted on that issue. You will see their recommendations. You will see debate on the floor of this House, but if you want to see how your member voted, it is not in that record unless a member stands and asks for a call.

I have a feeling that this policy has been in place so long in Augusta and it has taken place for such a long period of time that I don't believe anybody here or at least enough people here have, in the past, believed it was important or know that it was wrong that votes aren't recorded. I stand before you today and ask that you consider that our actions should be public and that each and every action should be public and there should be a record and a recorded vote as such. I ask for the support of this amendment. Thank you Mr. Speaker, I would ask for a call of the yeas and nays on this so that the people of Maine do know who supports their right to know.

The same Representative **REQUESTED** a roll call on **PASSAGE**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Naples, Representative Thompson.

Representative **THOMPSON**: Mr. Speaker, Men and Women of the House. I will speak briefly so that I don't interrupt this time. This House seems to have operated since I have been here quite nicely under the existing rule. The House is very courteous to its members and extends the right to a roll call when one is requested. Many of the bills that were enacted probably had roll calls at an earlier stage, for example, at the first reading, second reading, when attempts were made to amend it or at the acceptance of the committee report. People are clearly on record on many of those issue. The truth is if we add 900 roll calls to our time here, a simple issue would be that we better crank up the budget and give us some more money. If you take five minutes for each roll call, which is a short amount of time, you are talking about over 70 hours of session time just at five minutes per roll call. If you doubled that to 10 minute average per roll call, obviously you are looking at 140 hours of session time. I would tell you that in my opinion it is not necessary. It would be costly and if a roll call is required, then one can be requested. Mr. Speaker, I am going to move the Indefinite Postponement of the House Order.

Representative THOMPSON of Naples moved that the House Order be **INDEFINITELY POSTPONED**.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Saxl.

Representative **SAXL**: Mr. Speaker, Men and Women of the House. I just briefly want to stand and speak on this proposed House Rule today just to give you some perspective. As the good Representative from South Portland requested a roll call on this vote, the Speaker followed immediately and said that in

order to order a roll call, we need the express consent of one-fifth of those members present and voting. At the most, that is 30 members of this body. In my experience in this body, nobody has ever refused to grant somebody else a roll call. If they did and they brought it to the floor of the House, they would only need 30 members of this body to join with you to have a roll call. In my experience in this body, we often have roll call votes on Engrossment or on House Amendments or on Committee Amendments. The reason we don't have them on Enactment is because the debate has already been held. In my experience in this body, when people don't call for a roll call, it is because everybody agrees. The thing that we don't know and maybe the public doesn't know as well as they should know is that almost every position we take in this body is agreed on almost unanimously because the system works. Bills are referred to committee and each and every one of them that we had referred to committee today was unanimous. Before the session, I sit down with the Speaker of the House and members of the minority leadership and we talk about reference of bills. The bills go to the committees of jurisdiction and those committees get together, Democrats and Republicans, and most often they unanimously agree to a piece of legislation or they unanimously kill a piece of legislation.

The system works as we have it. The public has a right to know and each and every one of these meetings is open to the public. When we have a roll call vote, they get that report. When we don't have a roll call vote, they know it is a unanimous consent of the entire elected body. If you ever want a roll call vote on the floor of this House and there is no fire alarm at the time, you need only stand on the floor of the House and request the yeas and nays. It is a great tradition. This Legislature has run very well for 119 sessions that way. I urge you to support the Chairman of the House Rules Committee and support the Indefinite Postponement of this measure.

The SPEAKER: The Chair recognizes the Representative from Northport, Representative Lindahl.

Representative **LINDAHL**: Mr. Speaker, Men and Women of the House. What we really need is a rule to define brief. Thank you.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Mendros.

Representative **MENDROS**: Mr. Speaker, Colleagues of the House. I rise in support of this amendment. It is a simple issue of good government. I will be willing to be held accountable to our constituents for our votes. As my colleague from South Portland pointed out, they do it with local government, you see it on CSPAN. It is an opportunity to tell the people of the State of Maine we are willing to take accountability for the final passage of bills. That is all it is about. Right now we can cast our vote and we can say we don't care about the final passage, we don't care about letting you know how we vote because we are above that or we can say, yes we do care and we are willing to put our name and our vote on any law that gets passed. As far as the 70 session hours, I think if we are doing this, we are all going to be in here and all these bills that go under the hammer and go under quickly, well, if we are in here and they go under the hammer, we can be in here and cast our vote right away. I don't think it will take even five minutes if we have six or seven that would be going under the hammer. I know that my opponent would gladly put in those 70 session hours to be here and doing it and I know almost everyone else in here has an opponent who would gladly take the time to spend extra 70 session hours if they had the opportunity to be here to do it. I encourage you to

vote for good government and have the State of Maine take a stand that we believe in being accountable to the citizens of the people of Maine. Thank you.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Glynn.

Representative **GLYNN**: Mr. Speaker, Men and Women of the House. Not to debate the issue any further, an issue of parliamentary procedure, where a motion has been made to Indefinitely Postpone and I had requested a calling of the yeas and nays, do I need to make that request again?

The SPEAKER: The Chair would answer in the affirmative.

Representative **GLYNN** of South Portland **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE** the House Order.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of the House Order. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 7

YEA - Ahearne, Bagley, Baker, Belanger, Berry DP, Berry RL, Bolduc, Bouffard, Bragdon, Brennan, Brooks, Bruno, Bryant, Bull, Bumps, Campbell, Chick, Chizmar, Clark, Clough, Colwell, Cote, Cowger, Cross, Daigle, Davidson, Davis, Dudley, Dugay, Duncan, Dunlap, Duplessie, Etnier, Fisher, Foster, Frechette, Fuller, Gagne, Gillis, Goodwin, Gooley, Hatch, Honey, Jabar, Jacobs, Jodrey, Jones, Kane, Kneeland, Labrecque, LaVerdiere, Lemoine, Lemont, Lindahl, Madore, Mailhot, Martin, Marvin, Matthews, McAlevey, McDonough, McGlocklin, McKee, McKenney, Mitchell, Murphy E, Murphy T, Nass, Norbert, O'Neal, O'Neil, Peavey, Perkins, Pieh, Povich, Powers, Quint, Richard, Richardson J, Rines, Rosen, Samson, Sanborn, Savage C, Savage W, Saxl JW, Saxl MV, Shiah, Skoglund, Stanley, Stedman, Stevens, Sullivan, Tessier, Thompson, Townsend, Tracy, Tripp, True, Tuttle, Twomey, Usher, Volenik, Wheeler EM, Wheeler GJ, Williams, Winsor, Mr. Speaker.

NAY - Andrews, Bowles, Buck, Carr, Cianchette, Collins, Gerry, Glynn, Heidrich, Kasprzak, MacDougall, Mack, Mayo, McNeil, Mendros, Nutting, Pinkham, Richardson E, Schneider, Sherman, Shields, Shorey, Snowe-Mello, Stanwood, Tobin D, Tobin J, Trahan, Treadwell, Waterhouse, Weston.

ABSENT - Cameron, Desmond, Gagnon, Gamache, Green, Joy, Lovett, Muse, O'Brien, Perry, Plowman, Sirois, Watson.

Yes, 108; No, 30; Absent, 13; Excused, 0.

108 having voted in the affirmative and 30 voted in the negative, with 13 being absent, the House Order was **INDEFINITELY POSTPONED**.

The following items were taken up out of order by unanimous consent:

SENATE PAPERS

The following Joint Order: (S.P. 166)

ORDERED, the House concurring, that the Joint Rules be amended to read:

Rule 354. Joint Select Committee on Joint Rules.

Beginning with the Second Regular Session of the 119th Legislature, there is established the Joint Select Committee on Joint Rules. Notwithstanding Joint Rule 351, the committee consists of 5 Senators, appointed by the President of the Senate, and 5 members of the House of Representatives.

appointed by the Speaker of the House. The first-named Senate member is the Senate chair; the first-named House member is the House chair.

The committee shall meet at least once annually and at other times agreed upon by the President of the Senate and the Speaker of the House to review the joint rules and recommend changes the committee determines necessary.

The committee shall invite the participation of the Secretary of the Senate, the Clerk of the House, the Executive Director of the Legislative Council, the Director of the Office of Fiscal and Program Review, the Director of the Office of Policy and Legal Analysis and the Director of the Office of the Revisor of Statutes. The Secretary of the Senate and the Clerk of the House shall provide necessary staffing services to the committee.

The committee shall report annually by October 15th with any suggested changes to the Joint Rules.

Came from the Senate, **READ** and **PASSED**.

READ.

The SPEAKER: The Chair recognizes the Representative from Naples, Representative Thompson.

Representative **THOMPSON**: Mr. Speaker, Men and Women of the House. The reason this wasn't in our calendar today is because it was the one rule change proposed by a Senator to the Joint Rules. All of the other proposed rule changes were proposed in the House or by House members and so appeared on our calendar. This is a simple change to the rules which puts into rules what is currently in place. That is, it adds to the rules a provision calling for a Joint Select Committee on Joint Rules to be in place. What this will do is provide continuity and a place where items pertaining the rules can be referred. It will be in place at the end of our session if we have any proposed rule changes for the next Legislature, we could work on those. I would ask that you support the passage of this Joint Order.

PASSED in concurrence.

Bill "An Act to Require Disclosure to Insurance Consumers That Long-term Care Insurance Policies Meet the Standards for the Deductibility of Premiums"

(S.P. 140) (L.D. 376)

Came from the Senate, **REFERRED** to the Committee on **BANKING AND INSURANCE** and ordered printed.

REFERRED to the Committee on **BANKING AND INSURANCE** in concurrence.

Resolve, to Honor Farmers' Contributions to Maine's Agricultural Heritage and Promote Tourism

(S.P. 109) (L.D. 306)

Bill "An Act to Allow Assistants to Physicians to Perform Certain Tasks outside the Direct Supervision of the Physicians"

(S.P. 127) (L.D. 324)

Came from the Senate, **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and ordered printed.

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

Bill "An Act to Implement a Recommendation of the Joint Select Committee on Research and Development Relating to Math and Science Training for Maine Educators"

(S.P. 135) (L.D. 373)

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

Came from the Senate, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

On motion of Representative SAXL of Portland, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act to Establish the Crime of Aggravated Criminal Trespass"

(S.P. 110) (L.D. 307)

Bill "An Act to Implement the Recommendations of the 118th Legislative Joint Select Committee to Implement a Program for the Control, Care and Treatment of Sexually Violent Predators"

(S.P. 111) (L.D. 308)

Bill "An Act to Amend the OUI Laws Related to License Suspensions" (EMERGENCY)

(S.P. 125) (L.D. 322)

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE** and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE** in concurrence.

Bill "An Act to Prohibit the University of Maine System and the Public Vocational Schools from Competing in the Printing Industry"

(S.P. 115) (L.D. 312)

Came from the Senate, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

Bill "An Act Regarding the Funding of Search and Rescue Efforts by the Department of Inland Fisheries and Wildlife"

(S.P. 112) (L.D. 309)

Bill "An Act to Allow Children to Fish from the Banks of Rivers Designated as Quality Fishing Rivers" (EMERGENCY)

(S.P. 113) (L.D. 310)

Bill "An Act to Create a Registration Plate for Members of the Maine Snowmobile Association"

(S.P. 114) (L.D. 311)

Bill "An Act to Change the Time of the Moose Hunting Season"

(S.P. 128) (L.D. 325)

Bill "An Act to Allow a Person Who Possesses an Archery Hunting License to Shoot a Deer During the Regular Hunting Season"

(S.P. 129) (L.D. 326)

Bill "An Act to Enhance the Marketing and Promotion Capabilities of the Department of Inland Fisheries and Wildlife" (S.P. 138) (L.D. 374)

Bill "An Act to Amend the Laws Pertaining to Turkey Hunting" (S.P. 150) (L.D. 419)

Came from the Senate, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** in concurrence.

Bill "An Act to Prohibit Discrimination Against Motorcyclists" (S.P. 144) (L.D. 413)

Came from the Senate, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

REFERRED to the Committee on **JUDICIARY** in concurrence.

Bill "An Act to Prohibit the Replacement of Striking Workers" (S.P. 133) (L.D. 330)

Bill "An Act to Amend the Obligations of Direct Reimbursement Employers" (S.P. 139) (L.D. 375)

Came from the Senate, **REFERRED** to the Committee on **LABOR** and ordered printed.

REFERRED to the Committee on **LABOR** in concurrence.

Bill "An Act to Allow Honorably Discharged Veterans to Be Buried in the Veterans' Memorial Cemetery" (S.P. 116) (L.D. 313)

Bill "An Act to Restrict Circulators of Initiated Petitions from Being within 250 Feet of Voting Places" (S.P. 117) (L.D. 314)

Bill "An Act to Ensure the Maintenance, Protection and Repair of Veterans' Graves, Headstones, Monuments and Markers" (S.P. 147) (L.D. 416)

Came from the Senate, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed.

REFERRED to the Committee on **LEGAL AND VETERANS AFFAIRS** in concurrence.

Bill "An Act to Amend the Laws Governing the Marine Resources Advisory Council" (S.P. 118) (L.D. 315)

Bill "An Act to Alter Eligibility for New Lobster and Crab Fishing Licenses during the Current Moratorium" (EMERGENCY) (S.P. 119) (L.D. 316)

Bill "An Act to Provide for Additional Management Measures of the Scallop Industry" (S.P. 130) (L.D. 327)

Came from the Senate, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed.

REFERRED to the Committee on **MARINE RESOURCES** in concurrence.

Bill "An Act to Exclude Retail Stores from Participation in Tax Increment Financing Districts" (S.P. 120) (L.D. 317)

Bill "An Act to Allow Counties to Retain a Larger Share of the Real Estate Transfer Tax" (S.P. 121) (L.D. 318)

Bill "An Act to Establish Parity in Property Taxation for Commercial Dairy Farmers" (S.P. 131) (L.D. 328)

Bill "An Act to Exclude Food and Lodging Establishments from Participating in Tax Increment Financing Districts" (S.P. 132) (L.D. 329)

Bill "An Act to Facilitate Compliance with the Federal Communications Act of 1996" (S.P. 141) (L.D. 377)

Bill "An Act to Include Property in a Tax Increment Financing District Approved after October 1, 1999 in a Municipality's State Valuation for Purposes of Education Funding" (S.P. 143) (L.D. 412)

Bill "An Act to Allow a Municipality to Request a Joint Check from the Circuit Breaker Program in the Event of Nonpayment of Taxes" (S.P. 145) (L.D. 414)

Bill "An Act to Limit a Property Owner's Tax Liability to the Time Prior to Sale of the Property" (S.P. 146) (L.D. 415)

Bill "An Act to Reduce the Threshold at which the State Sales Tax is Automatically Reduced" (S.P. 148) (L.D. 417)

Bill "An Act to Reduce the Meals and Lodging Tax to the Same Rate as the State Sales Tax" (S.P. 149) (L.D. 418)

Came from the Senate, **REFERRED** to the Committee on **TAXATION** and ordered printed.

REFERRED to the Committee on **TAXATION** in concurrence.

Bill "An Act to Require Commercial Vehicle Operators Involved in Fatal Motor Vehicle Accidents to Submit to Drug Testing" (S.P. 122) (L.D. 319)

Bill "An Act to Amend the Law regarding Reportable Motor Vehicle Accidents" (S.P. 123) (L.D. 320)

Bill "An Act to Create a License Plate for Veterans Who Served in Iwo Jima, Normandy or Desert Storm"

(S.P. 124) (L.D. 321)

Came from the Senate, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

REFERRED to the Committee on **TRANSPORTATION** in concurrence.

Bill "An Act to Amend the Renewable Resource Portfolio Requirement for Competitive Electricity Providers"

(S.P. 134) (L.D. 331)

Came from the Senate, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed.

REFERRED to the Committee on **UTILITIES AND ENERGY** in concurrence.

Non-Concurrent Matter

Bill "An Act to Further Decriminalize Operating an Unregistered Vehicle"

(H.P. 165) (L.D. 227)

REFERRED to the Committee on **CRIMINAL JUSTICE** in the House on January 11, 1999.

Came from the Senate **REFERRED** to the Committee on **TRANSPORTATION** in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

CONSENT CALENDAR

First Day

In accordance with House Rule 519, the following item appeared on the Consent Calendar for the First Day:

(S.P. 12) (L.D. 1) Bill "An Act to Transfer Funds from the Service Retirement Benefit Reserve to the Maine State Retirement System in Order to Fund the Modification of Retirement Laws for Certain Law Enforcement Personnel" (EMERGENCY) Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-7)**

On motion of Representative SAXL of Portland, was **REMOVED** from the First Day Consent Calendar.

The Committee Report was **READ** and **ACCEPTED**. The Bill was **READ ONCE**. **Committee Amendment "A" (S-7)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules, the Bill was given its **SECOND READING** without **REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED** as **Amended by Committee Amendment "A" (S-7)** in concurrence.

SENATE PAPERS

Bill "An Act Requiring Legislative Approval of Ecological Reserves"

(S.P. 157) (L.D. 477)

Came from the Senate, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in concurrence.

Bill "An Act to Promote Adult Education"

(S.P. 155) (L.D. 475)

Came from the Senate, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in concurrence.

Bill "An Act to Amend the Revised Maine Securities Act"

(S.P. 152) (L.D. 472)

Bill "An Act to Require Insurers to Cover Procedures Performed by Licensed Denturists"

(S.P. 164) (L.D. 484)

Came from the Senate, **REFERRED** to the Committee on **BANKING AND INSURANCE** and ordered printed.

REFERRED to the Committee on **BANKING AND INSURANCE** in concurrence.

Bill "An Act to Include a Denturist on the Board of Dental Examiners"

(S.P. 163) (L.D. 483)

Came from the Senate, **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and ordered printed.

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

Bill "An Act Relating to the Crime of Murder and to the Murder of Children"

(S.P. 154) (L.D. 474)

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE** and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE** in concurrence.

Bill "An Act to Clarify the Laws Pertaining to the Importation of Fish"

(S.P. 153) (L.D. 473)

Bill "An Act Regarding Hunting on One's Own Land"

(S.P. 160) (L.D. 480)

Bill "An Act to Keep Public Lands Open to Hunting, Fishing and Trapping"

(S.P. 161) (L.D. 481)

Came from the Senate, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** in concurrence.

Bill "An Act to Prohibit the Negotiation of Severance Pay Lower than the State Minimum"

(S.P. 156) (L.D. 476)

Came from the Senate, **REFERRED** to the Committee on **LABOR** and ordered printed.

REFERRED to the Committee on **LABOR** in concurrence.

Bill "An Act Concerning County Treasurers"
(S.P. 162) (L.D. 482)

Came from the Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

Bill "An Act Regarding the Taxation of Natural Gas in a Gas Pipeline"

(S.P. 159) (L.D. 479)

Came from the Senate, **REFERRED** to the Committee on **TAXATION** and ordered printed.

REFERRED to the Committee on **TAXATION** in concurrence.

Bill "An Act to Provide Equitable Treatment of Visitor Information Centers"

(S.P. 88) (L.D. 191)

Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

Came from the Senate, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in concurrence.

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 for the Acquisition of Water Access Sites by the Department of Inland Fisheries and Wildlife"

(S.P. 53) (L.D. 123)

Committee on **INLAND FISHERIES AND WILDLIFE** suggested and ordered printed.

Came from the Senate, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in concurrence.

Bill "An Act to Allow a Person to Erect One Advertising Sign"
(S.P. 126) (L.D. 323)

Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

Came from the Senate, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed.

REFERRED to the Committee on **NATURAL RESOURCES** in concurrence.

Non-Concurrent Matter

Bill "An Act to Require Lobbyists to Disclose Whether They are Compensated by a Committee Member"

(H.P. 304) (L.D. 420)

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** in the House on January 14, 1999.

Came from the Senate **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

On motion of Representative CLOUGH of Scarborough, the House adjourned at 3:35 p.m., until 3:00 p.m., Tuesday, January 19, 1999 pursuant to the Joint Order (S.P. 142) and in honor and lasting tribute to Howard A. Burdwood, of Scarborough.