

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**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  
9th Legislative Day  
Thursday, January 28, 1999

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

Prayer by The Most Reverend Joseph Gerry, Bishop, Catholic Diocese of Portland.

Pledge of Allegiance.

Doctor of the day, Rebecca Chagrasulis, M.D., Casco.

The Journal of Tuesday, January 26, 1999 was read and approved.

---

**SENATE PAPERS**

Bill "An Act to Establish a Maine Agriculture Market and Production Development Program"

(S.P. 158) (L.D. 478)

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

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 Support Community Radio"

(S.P. 252) (L.D. 674)

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.

---

Resolve, to Direct the Superintendent of Insurance to Evaluate a Separate Workers' Compensation Classification Code for Milk Haulers

(S.P. 212) (L.D. 634)

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 Allow the Use of the 1990 American Dental Association Form for Submission of Insurance Claims" (EMERGENCY)

(S.P. 227) (L.D. 649)

Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

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 Require Informed Consent when Using Mercury in Dental Procedures"

(S.P. 218) (L.D. 640)

Bill "An Act to Amend Consumer Protection Laws with Respect to Internet Service"

(S.P. 253) (L.D. 675)

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 Amend the Law Enforcement Officer Certification Standards"

(S.P. 215) (L.D. 637)

Bill "An Act to Amend the Crime of Theft by Deception to Include False Impressions as to Identity"

(S.P. 228) (L.D. 650)

Bill "An Act to Prohibit Leaving a Child Alone in a Motor Vehicle"

(S.P. 229) (L.D. 651)

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 Fully Fund Implementation of All Learning Results Standards and Reimburse Professional Development Costs"

(S.P. 242) (L.D. 664)

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 to Require Disclosure of Ingredients in Tobacco Products"

(S.P. 223) (L.D. 645)

Bill "An Act to Adjust the Alternative Funding Mechanism for the Maine Public Drinking Water Commission"

(S.P. 234) (L.D. 656)

Came from the Senate, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

**REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

---

Bill "An Act to Amend Maine's Boating Laws Pertaining to Noise Limits on Watercraft"

(S.P. 240) (L.D. 662)

Bill "An Act to Clarify the Powers of Game Wardens When Stopping Motor Vehicles"

(S.P. 241) (L.D. 663)

Bill "An Act to Allow the Commissioner of Inland Fisheries and Wildlife to Determine the Number of Moose Permits to Be Awarded"

(S.P. 245) (L.D. 667)

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 Require Notification of a Lien on Property to Be Done by Certified Mail"

(S.P. 236) (L.D. 658)

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 Amend the Provisions Relating to Executive Sessions in Connection with the Transaction of Public or Government Business"

(S.P. 94) (L.D. 233)

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

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 Reform the Unemployment Compensation System"

(S.P. 224) (L.D. 646)

Bill "An Act to Require That Workers' Compensation Coverage Be Equitably Applied to the Timber Industry"

(S.P. 248) (L.D. 670)

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 Improve the State's Democracy by Increasing Access to the Ballot and Other Election Processes"

(S.P. 217) (L.D. 639)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require a Fixed Number of Signatures on Initiative Referenda Petitions

(S.P. 219) (L.D. 641)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require That Petition Signatures Be Based on 10% of Registered Voters

(S.P. 220) (L.D. 642)

Bill "An Act to Provide Opportunity for an Increase in Wine-tasting Locations for Farm Wineries"

(S.P. 222) (L.D. 644)

Bill "An Act to Amend the Term "Veteran" for Property Tax and Burial Purposes"

(S.P. 246) (L.D. 668)

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 Limit to 5 Days per Week the Taking of Elvers in Hand Dip Nets"

(S.P. 231) (L.D. 653)

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 Amend the Closure and Remediation Cost-sharing Program Concerning Landfills"

(S.P. 216) (L.D. 638)

Bill "An Act to Protect the Environment by Phasing Out the Use of Old Transformers that are Potential Sources of PCB Pollution"

(S.P. 243) (L.D. 665)

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

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

---

Bill "An Act Related to Legislator Intervention in Actions Before a State Agency or Authority"

(S.P. 226) (L.D. 648)

Bill "An Act to Include Counties in the Definition of Local Government in the Archives and Records Management Law"

(S.P. 238) (L.D. 660)

Bill "An Act to Change Certified Public Accountant Experience Requirements for Employees of the Department of Audit"

(S.P. 247) (L.D. 669)

Bill "An Act Concerning Municipal Public Library Trust Funds"

(S.P. 255) (L.D. 689)

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 to Amend the Distribution of Revenue Sharing"

(S.P. 211) (L.D. 633)

Bill "An Act to Exempt a Portion of the Sales Tax on Automobiles"

(S.P. 214) (L.D. 636)

Resolve, to Exempt Appliances and Clothing from Sales Tax for One Week

(S.P. 230) (L.D. 652)

Bill "An Act to Exempt from State Income Tax Previously Taxed Contributions to an Individual Retirement Account"

(S.P. 249) (L.D. 671)

Bill "An Act to Reduce Sales Tax on Residential Electric Bills"

(S.P. 251) (L.D. 673)

Bill "An Act to Increase the Standard Deduction for Maine Income Tax to Help Working Families"

(S.P. 254) (L.D. 676)

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 Eliminate Tolls from the Maine Turnpike, Abolish the Turnpike Authority and Adjust Taxes on Automotive Fuel"

(S.P. 225) (L.D. 647)

Bill "An Act to Increase the Penalty for Failure to Yield the Right-of-way to a Visually Impaired Pedestrian"

(S.P. 233) (L.D. 655)

Bill "An Act to Require the Revocation of the Registration of an Uninsured Motor Vehicle"

(S.P. 235) (L.D. 657)

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 Electric Industry Restructuring Law"

(S.P. 213) (L.D. 635)

Bill "An Act to Require Companies Responsible for Billing Electrical Services to Forward the Amount Collected within 3 Days"

(S.P. 237) (L.D. 659)

Bill "An Act Regarding the Unbundling of Natural Gas Services"

(S.P. 239) (L.D. 661)

Bill "An Act to Permit Water Utilities and Sewer and Sanitary Districts to Establish Lower Rates for Elderly Homeowners"

(S.P. 250) (L.D. 672)

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.

Resolve, to Designate and Fund a State Research Library for Business, Science and Technology

(S.P. 244) (L.D. 666)

Bill "An Act to Implement the Recommendation of the Joint Select Committee on Research and Development Relating to Funding the Maine Economic Improvement Fund"

(S.P. 221) (L.D. 643)

Bill "An Act to Implement a Recommendation of the Joint Select Committee on Research and Development Relating to Professional Development in the Use of Technology"

(S.P. 232) (L.D. 654)

Came from the Senate, **REFERRED** to the **JOINT SELECT COMMITTEE ON RESEARCH AND DEVELOPMENT** and the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

**REFERRED** to the **JOINT SELECT COMMITTEE ON RESEARCH AND DEVELOPMENT** and Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

---

**Non-Concurrent Matter**

Bill "An Act to Increase the Appropriation to the Saco River Corridor Commission"

(H.P. 155) (L.D. 217)

**REFERRED** to the Committee on **NATURAL RESOURCES** 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**.

---

**Non-Concurrent Matter**

Bill "An Act to Restore Advocacy Services for Children with Disabilities"

(H.P. 405) (L.D. 547)

**REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in the House on January 19, 1999.

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

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

---

**Non-Concurrent Matter**

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

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

**REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in the House on January 19, 1999.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Bill was **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in **NON-CONCURRENCE**.

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

---

**Non-Concurrent Matter**

Bill "An Act to Implement a Recommendation of the Joint Select Committee on Research and Development to Fund the Governor's Marine Studies Fellowship Program"

(H.P. 170) (L.D. 248)

**REFERRED** to the Committee on **MARINE RESOURCES** and the **JOINT SELECT COMMITTEE ON RESEARCH AND DEVELOPMENT** in the House on January 19, 1999.

Came from the Senate **REFERRED** to the **JOINT SELECT COMMITTEE ON RESEARCH AND DEVELOPMENT** and the Committee on **MARINE RESOURCES** in **NON-CONCURRENCE**.

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

**Non-Concurrent Matter**

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)

**REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and the **JOINT SELECT COMMITTEE ON RESEARCH AND DEVELOPMENT** in the House on January 19, 1999.

Came from the Senate **REFERRED** to the **JOINT SELECT COMMITTEE ON RESEARCH AND DEVELOPMENT** and the Committee on **EDUCATION AND CULTURAL AFFAIRS** in **NON-CONCURRENCE.**

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

**Non-Concurrent Matter**

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)

**REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and the **JOINT SELECT COMMITTEE ON RESEARCH AND DEVELOPMENT** in the House on January 19, 1999.

Came from the Senate **REFERRED** to the **JOINT SELECT COMMITTEE ON RESEARCH AND DEVELOPMENT** and the Committee on **EDUCATION AND CULTURAL AFFAIRS** in **NON-CONCURRENCE.**

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

**Non-Concurrent Matter**

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)

**REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and the **JOINT SELECT COMMITTEE ON RESEARCH AND DEVELOPMENT** in the House on January 19, 1999.

Came from the Senate **REFERRED** to the **JOINT SELECT COMMITTEE ON RESEARCH AND DEVELOPMENT** and the Committee on **EDUCATION AND CULTURAL AFFAIRS** in **NON-CONCURRENCE.**

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

**Non-Concurrent Matter**

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)

**REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and the **JOINT SELECT COMMITTEE ON RESEARCH AND DEVELOPMENT** in the House on January 19, 1999.

Came from the Senate **REFERRED** to the **JOINT SELECT COMMITTEE ON RESEARCH AND DEVELOPMENT** and the Committee on **EDUCATION AND CULTURAL AFFAIRS** in **NON-CONCURRENCE.**

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

**COMMUNICATIONS**

The Following Communication: (S.P. 264)  
**119TH MAINE LEGISLATURE**

January 25, 1999

Senator John Nutting

Representative Wendy Pieh

Chairpersons

Joint Standing Committee on Agriculture, Conservation and Forestry

119th Legislature

Augusta, Maine 04333

Dear Senator Nutting and Representative Pieh:

Please be advised that Governor Angus S. King, Jr. has nominated James W. Tracy of Farmingdale for appointment as a member of the State Harness Racing Commission.

Pursuant to Title 8, M.R.S.A., §261-A, this nomination will require review by the Joint Standing Committee on Agriculture, Conservation and Forestry and confirmation by the Senate.

Sincerely,

S/Mark W. Lawrence

President of the Senate

S/G. Steven Rowe

Speaker of the House

Came from the Senate, **READ** and **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY.**

**READ.**

On motion of Representative PIEH of Bremen, **TABLED** pending **REFERENCE** in concurrence and later today assigned.

The Following Communication: (S.P. 265)  
**119TH MAINE LEGISLATURE**

January 25, 1999

Senator Carol Kontos

Representative Gary O'Neal

Chairpersons

Joint Standing Committee on Business and Economic Development

119th Legislature

Augusta, Maine 04333

Dear Senator Kontos and Representative O'Neal:

Please be advised that Governor Angus S. King, Jr. has nominated Earl C. Black of Bangor for appointment as a member of the Maine State Housing Authority.

Pursuant to Title 30-A, M.R.S.A., §4723, this nomination will require review by the Joint Standing Committee on Business and Economic Development and confirmation by the Senate.

Sincerely,

S/Mark W. Lawrence

President of the Senate

S/G. Steven Rowe

Speaker of the House

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

**READ** and **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** 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 to Make Confidential Certain Information Collected from Maine Farmers and Agricultural Business"  
(H.P. 536) (L.D. 743)

Presented by Representative KNEELAND of Easton.  
Cosponsored by Representative: CAMERON of Rumford.  
Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 204.

Bill "An Act to Change the Way Nursery License Fees Are Established"  
(H.P. 537) (L.D. 744)

Presented by Representative FULLER of Manchester.  
Cosponsored by Senator NUTTING of Androscoggin and Representative: COWGER of Hallowell.  
Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 204.

Bill "An Act to Amend the Maine Land Use Regulation Commission Laws to Prohibit Fines on First-time Violators of Maine Land Use Regulation Commission Laws or Rules"  
(H.P. 542) (L.D. 749)

Presented by Representative KASPRZAK of Newport.  
Cosponsored by Representatives: GILLIS of Danforth, GOODWIN of Pembroke, JOY of Crystal, MENDROS of Lewiston, RICHARDSON of Greenville, SNOWE-MELLO of Poland, WHEELER of Bridgewater.

---

**APPROPRIATIONS AND FINANCIAL AFFAIRS**

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$100,000,000 for School Construction and Renovation"  
(H.P. 602) (L.D. 842)

Presented by Representative FRECHETTE of Biddeford.  
Cosponsored by Senator PENDLETON of Cumberland and Representatives: BOLDUC of Auburn, BOUFFARD of Lewiston, CHIZMAR of Lisbon, COLWELL of Gardiner, GOODWIN of Pembroke, LaVERDIERE of Wilton, POVICH of Ellsworth, TESSIER of Fairfield.

---

Bill "An Act to Promote the Cranberry Industry and to Encourage Cultivation of Cranberries in the State"  
(H.P. 587) (L.D. 827)

Presented by Representative SHOREY of Calais.  
Cosponsored by Senator CASSIDY of Washington and Representatives: BAGLEY of Machias, DUGAY of Cherryfield, GILLIS of Danforth, KNEELAND of Easton, PINKHAM of Lamoine, POVICH of Ellsworth, Senators: GOLDTHWAIT of Hancock, KIEFFER of Aroostook.

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 Establish a Patient's Bill of Rights"  
(H.P. 543) (L.D. 750)

Presented by Representative SAXL of Bangor.  
Cosponsored by Senators DOUGLASS of Androscoggin, PINGREE of Knox, Senator LaFOUNTAIN of York and Representatives: AHEARNE of Madawaska, BAGLEY of Machias, BROOKS of Winterport, FRECHETTE of Biddeford, HATCH of Skowhegan, LaVERDIERE of Wilton, SAVAGE of Buxton, STANLEY of Medway.

Bill "An Act Regarding Civil Actions Involving Insurance Coverage"  
(H.P. 584) (L.D. 824)

Presented by Representative SAVAGE of Buxton.  
Cosponsored by Representatives: DUNLAP of Old Town, O'NEIL of Saco, SKOGLUND of St. George, TRUE of Fryeburg, TWOMEY of Biddeford, VOLENIK of Brooklin.

Bill "An Act to Limit the Maximum Finance Charge to 10.5%"  
(H.P. 591) (L.D. 831)

Presented by Representative GOODWIN of Pembroke.  
Cosponsored by Representatives: DUGAY of Cherryfield, PERKINS of Penobscot.

Bill "An Act to Provide Insurance Coverage for Wigs Required for Medical Reasons"  
(H.P. 594) (L.D. 834)

Presented by Representative O'BRIEN of Augusta.  
Cosponsored by Representatives: CAMERON of Rumford, GILLIS of Danforth, SNOWE-MELLO of Poland, TRAHAN of Waldoboro.

---

**BUSINESS AND ECONOMIC DEVELOPMENT**

Bill "An Act to Amend the Licensing Provisions Under the Propane and Natural Gas Act"  
(H.P. 538) (L.D. 745)

Presented by Representative McDONOUGH of Portland.  
Cosponsored by Senator KONTOS of Cumberland and Representatives: BOUFFARD of Lewiston, COLWELL of Gardiner, GAGNE of Buckfield, LaVERDIERE of Wilton, NORBERT of Portland, PERKINS of Penobscot, TUTTLE of Sanford, USHER of Westbrook.

Bill "An Act to Prohibit the Use of Social Security Numbers for Identification Purposes"  
(H.P. 563) (L.D. 784)

Presented by Representative TRACY of Rome.

Bill "An Act to Create a Lemon Law for Inboard Motorboats"  
(H.P. 574) (L.D. 814)

Presented by Representative MUSE of South Portland.  
Cosponsored by Representatives: BOLDUC of Auburn, CLARK of Millinocket.

**CRIMINAL JUSTICE**

Bill "An Act to Allow the State Police to Accept Revenue for Providing Services to Municipalities and Counties"

(H.P. 572) (L.D. 812)

Presented by Representative POVICH of Ellsworth.

Cosponsored by Senator DAVIS of Piscataquis and Representatives: CHIZMAR of Lisbon, O'BRIEN of Augusta, QUINT of Portland.

Submitted by the Department of Public Safety pursuant to Joint Rule 204.

Bill "An Act to Ensure Proper Identification of Nonresident Concealed Firearms Permit Applicants"

(H.P. 599) (L.D. 839)

Presented by Representative POVICH of Ellsworth.

Cosponsored by Senator CAREY of Kennebec and Representatives: CHIZMAR of Lisbon, McALEVEY of Waterboro, MUSE of South Portland.

Submitted by the Department of Public Safety pursuant to Joint Rule 204.

**EDUCATION AND CULTURAL AFFAIRS**

Bill "An Act to Allow Municipal Review of Actual School Budget and Expenditures"

(H.P. 539) (L.D. 746)

Presented by Representative O'NEIL of Saco.

Resolve, to Provide Vouchers for School Choice

(H.P. 560) (L.D. 781)

Presented by Representative TRACY of Rome. (BY REQUEST)

Bill "An Act to Amend the Requirements of Full-time Students for State-funding Purposes"

(H.P. 573) (L.D. 813)

Presented by Representative LaVERDIERE of Wilton.

Cosponsored by Representative GOOLEY of Farmington, Senator NUTTING of Androscoggin and Representatives: BAKER of Bangor, FISHER of Brewer, JABAR of Waterville, MUSE of South Portland, O'NEAL of Limestone, Senator: PARADIS of Aroostook.

Bill "An Act Concerning Student Medication"

(H.P. 586) (L.D. 826)

Presented by Representative PIEH of Bremen.

Cosponsored by Senator KILKELLY of Lincoln and Representatives: GAGNON of Waterville, GOOLEY of Farmington, KANE of Saco, McGLOCKLIN of Embden, PERKINS of Penobscot, Senators: GOLDTHWAIT of Hancock, NUTTING of Androscoggin, PARADIS of Aroostook.

Resolve, Establishing a Commission to Study the Maine Education Assessment (EMERGENCY)

(H.P. 596) (L.D. 836)

Presented by Representative MURPHY of Kennebunk.

Cosponsored by Representatives: BERRY of Belmont, JOY of Crystal, STEDMAN of Hartland, Senator: MacKINNON of York.

Bill "An Act to Increase the State's Contribution for the Cost of Health Insurance Premiums for Retired Educators"

(H.P. 589) (L.D. 829)

Presented by Representative BERRY of Belmont.

Cosponsored by Senator PENDLETON of Cumberland and Representatives: BELANGER of Caribou, FOSTER of Gray, JOY of Crystal, LABRECQUE of Gorham, MacDOUGALL of North Berwick, MURPHY of Kennebunk, SNOWE-MELLO of Poland, Senator: PARADIS of Aroostook.

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

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

**HEALTH AND HUMAN SERVICES**

Bill "An Act to Require Nursing Facilities to Use Standardized Contracts"

(H.P. 556) (L.D. 777)

Presented by Representative LOVETT of Scarborough.

Cosponsored by Senator BERUBE of Androscoggin and Representatives: BROOKS of Winterport, DUGAY of Cherryfield, JONES of Pittsfield, MURPHY of Berwick, SNOWE-MELLO of Poland, WILLIAMS of Orono, Senators: BENNETT of Oxford, MITCHELL of Penobscot.

**INLAND FISHERIES AND WILDLIFE**

Bill "An Act to Prohibit Hunting of Migratory Waterfowl on Round Pond in Union"

(H.P. 540) (L.D. 747)

Presented by Representative SAVAGE of Union.

Bill "An Act to Allow Deer Hunting on Sundays"

(H.P. 550) (L.D. 771)

Presented by Representative STANLEY of Medway.

Cosponsored by Representative KASPRZAK of Newport and Representative: HATCH of Skowhegan.

Bill "An Act to Revise Hunting and Fishing License Revocation Laws"

(H.P. 554) (L.D. 775)

Presented by Representative TRUE of Fryeburg.

Cosponsored by Senator CAREY of Kennebec and Representatives: CROSS of Dover-Foxcroft, DAIGLE of Arundel, DUNLAP of Old Town, JODREY of Bethel, McNEIL of Rockland, PINKHAM of Lamoine, SHOREY of Calais, TREADWELL of Carmel.

Bill "An Act to Allow Hunters to Carry and Use a Standard-size Flashlight"

(H.P. 559) (L.D. 780)

Presented by Representative TRACY of Rome.

Bill "An Act to Amend the Laws Governing Commercial Shooting Area Hunting Licenses"

(H.P. 561) (L.D. 782)

Presented by Representative TRACY of Rome.

**JUDICIARY**

Bill "An Act to Strengthen the Collection of Money Judgments"

(H.P. 541) (L.D. 748)

Presented by Representative O'NEIL of Saco.

Bill "An Act to Clarify the Deceptive Trade Practices Act"



(H.P. 567) (L.D. 788)

Presented by Representative BRYANT of Dixfield.  
Cosponsored by Senator FERGUSON of Oxford and Representatives: BERRY of Livermore, FOSTER of Gray, JODREY of Bethel, STANLEY of Medway, Senator: BENOIT of Franklin.

Bill "An Act to Rename the Harassment Based on Characteristic Law"

(H.P. 582) (L.D. 822)

Presented by Representative SAVAGE of Buxton.  
Cosponsored by Representatives: RICHARDSON of Brunswick, SCHNEIDER of Durham.

Bill "An Act to Amend the Law Regarding the Evaluation of Juvenile Sex Offenders"

(H.P. 571) (L.D. 811)

Presented by Representative McALEVEY of Waterboro.  
Cosponsored by Representatives: FRECHETTE of Biddeford, KANE of Saco, O'BRIEN of Augusta, POVICH of Ellsworth, THOMPSON of Naples, TOWNSEND of Portland.  
Submitted by the Department of Corrections pursuant to Joint Rule 204.

Committee on **JUDICIARY** suggested.

On motion of Representative BULL of Freeport, **TABLED** pending **REFERENCE** and later today assigned.

#### LABOR

Bill "An Act to Amend the Workers' Compensation Law as it Pertains to Employer-selected Health Care Providers"

(H.P. 555) (L.D. 776)

Presented by Representative HATCH of Skowhegan.  
Cosponsored by Senator DOUGLASS of Androscoggin and Representatives: COWGER of Hallowell, DUGAY of Cherryfield, DUNLAP of Old Town, GREEN of Monmouth, MATTHEWS of Winslow, SAMSON of Jay, TRACY of Rome, Senator: CATHCART of Penobscot.

Bill "An Act to Require Insurance Companies to Pay Workers' Compensation Benefits until a Hearing is Called if Contesting Payments"

(H.P. 557) (L.D. 778)

Presented by Representative HATCH of Skowhegan.  
Cosponsored by Senator DOUGLASS of Androscoggin and Representatives: COWGER of Hallowell, DUNLAP of Old Town, JABAR of Waterville, MATTHEWS of Winslow, SAMSON of Jay, SKOGLUND of St. George, TRACY of Rome, VOLENIK of Brooklin.

Bill "An Act to Restore State Funding for Mediation Services Provided by the Maine Labor Relations Board"

(H.P. 564) (L.D. 785)

Presented by Representative HATCH of Skowhegan.  
Cosponsored by Senator DOUGLASS of Androscoggin and Representatives: JABAR of Waterville, MATTHEWS of Winslow, SAMSON of Jay, SAXL of Portland, SHIAH of Bowdoinham, SKOGLUND of St. George, TUTTLE of Sanford, VOLENIK of Brooklin.

Bill "An Act to Amend the Membership of the Commission on Safety and Health in the Maine Workplace"

(H.P. 566) (L.D. 787)

Presented by Representative HATCH of Skowhegan.  
Cosponsored by Senator DOUGLASS of Androscoggin and Representatives: GOODWIN of Pembroke, MacDOUGALL of North Berwick, MACK of Standish, MATTHEWS of Winslow, SAMSON of Jay, TREADWELL of Carmel.  
Submitted by the Department of Labor pursuant to Joint Rule 204.

Resolve, to Amend the Qualifications for Participation in the Governor's Training Initiative Program

(H.P. 581) (L.D. 821)

Presented by Representative WHEELER of Bridgewater.  
Cosponsored by Representatives: BELANGER of Caribou, CLARK of Millinocket, JOY of Crystal, KNEELAND of Easton, McALEVEY of Waterboro, O'NEAL of Limestone, SHERMAN of Hodgdon, Senator: KIEFFER of Aroostook.

Resolve, Establishing a Commission to Study the Interrelationship Among the Maine State Retirement System, Social Security and Tax-advantaged Accounts (EMERGENCY)

(H.P. 595) (L.D. 835)

Presented by Representative MURPHY of Kennebunk.  
Cosponsored by Representatives: BERRY of Belmont, BRENNAN of Portland, JOY of Crystal, SKOGLUND of St. George, STEDMAN of Hartland, Senator: MacKINNON of York.

Bill "An Act to Provide a Paralegal Assistant to Each Workers' Compensation Advocate"

(H.P. 598) (L.D. 838)

Presented by Representative TESSIER of Fairfield.  
Cosponsored by Senator KONTOS of Cumberland and Representatives: BERRY of Livermore, BOLDUC of Auburn, CAMERON of Rumford, DUPLESSIE of Westbrook, HATCH of Skowhegan, LaVERDIERE of Wilton, SAMSON of Jay, STANLEY of Medway.

Bill "An Act to Provide Binding Arbitration for Police Departments, Sheriff Departments and Professional Fire Departments"

(H.P. 600) (L.D. 840)

Presented by Representative MUSE of South Portland.  
Cosponsored by Representatives: BOLDUC of Auburn, BULL of Freeport.

#### MARINE RESOURCES

Bill "An Act to Change the Size of Rings on Scallop Drags"

(H.P. 576) (L.D. 816)

Presented by Representative GOODWIN of Pembroke.  
Cosponsored by Senator CASSIDY of Washington and Representatives: BAGLEY of Machias, DUGAY of Cherryfield, GILLIS of Danforth, SHOREY of Calais, SOCTOMAH of the Passamaquoddy Tribe, VOLENIK of Brooklin.

Bill "An Act to Provide Funding for the Beals Island Regional Shellfish Hatchery"

(H.P. 579) (L.D. 819)

Presented by Representative ETNIER of Harpswell.  
Cosponsored by Senator GOLDTHWAIT of Hancock and Representatives: BAGLEY of Machias, DUGAY of Cherryfield, HONEY of Boothbay, PIEH of Bremen, SKOGLUND of St.

George, VOLENIK of Brooklin, WHEELER of Eliot, Senator: LAWRENCE of York.

---

**NATURAL RESOURCES**

Bill "An Act to Make the Laws Governing State Ambient Air Quality for Ozone and Particulate Matter Consistent with Federal Requirements"

(H.P. 549) (L.D. 770)

Presented by Representative BULL of Freeport.

Cosponsored by Representative: FOSTER of Gray, Senator: TREAT of Kennebec.

Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.

---

**STATE AND LOCAL GOVERNMENT**

Bill "An Act to Require Municipal Police Departments to Assist When Called Upon by the State Police on the Interstate Highways under Certain Circumstances"

(H.P. 578) (L.D. 818)

Presented by Representative FRECHETTE of Biddeford.

Cosponsored by Senator PENDLETON of Cumberland and Representatives: BOUFFARD of Lewiston, COLWELL of Gardiner, GAGNON of Waterville, GOODWIN of Pembroke, LEMOINE of Old Orchard Beach, TESSIER of Fairfield.

Bill "An Act Concerning Sheriffs' Annual Meetings with Municipal Officers"

(H.P. 583) (L.D. 823)

Presented by Representative McALEVEY of Waterboro.

Cosponsored by Representatives: MAYO of Bath, WHEELER of Bridgewater.

---

Bill "An Act to Require the Missing-in-Action Flag to Be Flown on State-owned Flag Poles" (EMERGENCY)

(H.P. 552) (L.D. 773)

Presented by Representative TRUE of Fryeburg.

Cosponsored by Representatives: CIANCHETTE of South Portland, COLLINS of Wells, DUNLAP of Old Town, PERKINS of Penobscot, SHOREY of Calais.

Committee on **STATE AND LOCAL GOVERNMENT** suggested.

On motion of Representative AHEARNE of Madawaska, the Bill was **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS**, ordered printed and sent for concurrence.

---

Bill "An Act to Require Counties to be Reimbursed for Medical Expenses Incurred by Prisoners from Other Jurisdictions"

(H.P. 575) (L.D. 815)

Presented by Representative GOODWIN of Pembroke.

Cosponsored by Senator CASSIDY of Washington and Representatives: BAGLEY of Machias, BOLDUC of Auburn, DUGAY of Cherryfield, GILLIS of Danforth, SHOREY of Calais, SOCTOMAH of the Passamaquoddy Tribe, STANLEY of Medway.

Committee on **STATE AND LOCAL GOVERNMENT** suggested.

On motion of Representative AHEARNE of Madawaska, **TABLED** pending **REFERENCE** and later today assigned.

---

**TAXATION**

Bill "An Act to Require 90% of Estate Taxes Collected in Counties to Remain in the County Where Collected"

(H.P. 577) (L.D. 817)

Presented by Representative GOODWIN of Pembroke.

Cosponsored by Senator CASSIDY of Washington and Representatives: BOLDUC of Auburn, DUGAY of Cherryfield, MENDROS of Lewiston, SHOREY of Calais.

Bill "An Act to Reduce the Sales Tax and Review All Tax-exempt Entities"

(H.P. 592) (L.D. 832)

Presented by Representative GOODWIN of Pembroke.

Cosponsored by Senator CASSIDY of Washington and Representatives: DUGAY of Cherryfield, FRECHETTE of Biddeford, GILLIS of Danforth, McALEVEY of Waterboro, MENDROS of Lewiston, SHOREY of Calais, WHEELER of Eliot.

Bill "An Act to Exempt All Business Equipment from Property Tax"

(H.P. 601) (L.D. 841)

Presented by Representative KASPRZAK of Newport.

Cosponsored by Senator CAREY of Kennebec and Representatives: BUCK of Yarmouth, JOY of Crystal, MACK of Standish, McKENNEY of Cumberland, PINKHAM of Lamoine, PLOWMAN of Hampden, STEDMAN of Hartland.

---

Bill "An Act to Reduce the Amount of Property Acquired by Municipalities for Nonpayment of Property Tax"

(H.P. 568) (L.D. 789)

Presented by Representative GLYNN of South Portland.

Cosponsored by Representative: GERRY of Auburn.

Committee on **TAXATION** suggested.

On motion of Representative GAGNON of Waterville, **TABLED** pending **REFERENCE** and later today assigned.

---

**TRANSPORTATION**

Resolve, to Name the Route 160 Bridge in Brownfield Spanning the Saco River the Charles E. Hill Bridge (EMERGENCY)

(H.P. 551) (L.D. 772)

Presented by Representative TRUE of Fryeburg.

Cosponsored by Senator CAREY of Kennebec and Representatives: DUNLAP of Old Town, PINKHAM of Lamoine.

Bill "An Act to Make Moving a Mobile Home with Unpaid Taxes Subject to a \$250 Forfeiture"

(H.P. 553) (L.D. 774)

Presented by Representative MACK of Standish.

Cosponsored by Representatives: CAMPBELL of Holden, SNOWE-MELLO of Poland, TRIPP of Topsham, Senators: BENOIT of Franklin, CAREY of Kennebec, O'GARA of Cumberland.

Bill "An Act to Increase Motor Vehicle Inspection Fees"

(H.P. 558) (L.D. 779)

Presented by Representative HATCH of Skowhegan. (BY REQUEST)  
Cosponsored by Representative: McKENNEY of Cumberland.

Bill "An Act to Require That Farm Tractors and Skidders Driven on a Public Way be Registered and Insured"  
(H.P. 562) (L.D. 783)  
Presented by Representative TRACY of Rome.

Bill "An Act to Limit the Storage Fee Charged for Impounded Vehicles"  
(H.P. 565) (L.D. 786)  
Presented by Representative SKOGLUND of St. George.  
Cosponsored by Representatives: HATCH of Skowhegan, VOLENIK of Brooklin, Senator: KILKELLY of Lincoln.

Bill "An Act to Allow a Car Dealer to Operate a Motorcycle for Purposes of Testing or Transportation"  
(H.P. 580) (L.D. 820)

Presented by Representative WATSON of Farmingdale.  
Cosponsored by Senator KONTOS of Cumberland and Representatives: COWGER of Hallowell, GREEN of Monmouth, JABAR of Waterville, POWERS of Rockport, TESSIER of Fairfield, TRIPP of Topsham, WHEELER of Bridgewater, Senator: MURRAY of Penobscot.

Bill "An Act to Increase the Frequency With Which Message Boards May Change Their Message"  
(H.P. 585) (L.D. 825)

Presented by Representative POVICH of Ellsworth.  
Cosponsored by Representatives: BRENNAN of Portland, McALEVEY of Waterboro, RICHARDSON of Brunswick.

Bill "An Act to Coincide Motor Vehicle Registration and Inspection Dates"  
(H.P. 588) (L.D. 828)  
Presented by Representative MARVIN of Cape Elizabeth.

Bill "An Act to Remove Uninsured Vehicles from State and Town Roads"  
(H.P. 590) (L.D. 830)

Presented by Representative GOODWIN of Pembroke.  
Cosponsored by Representatives LEMONT of Kittery, STANLEY of Medway, Senator CATHCART of Penobscot and Representatives: BOLDUC of Auburn, BRYANT of Dixfield, DUGAY of Cherryfield, FRECHETTE of Biddeford, JACOBS of Turner, MacDOUGALL of North Berwick, TWOMEY of Biddeford, WHEELER of Eliot.

Bill "An Act to Decrease the Required Minimum Amounts of Liability Insurance Coverage for Motor Vehicles"  
(H.P. 593) (L.D. 833)

Presented by Representative MENDROS of Lewiston.  
Cosponsored by Senator BENNETT of Oxford and Representatives CAMPBELL of Holden, COTE of Lewiston, DUGAY of Cherryfield, GERRY of Auburn, GLYNN of South Portland, GOODWIN of Pembroke, KASPRZAK of Newport, SNOWE-MELLO of Poland.

Bill "An Act to Provide Special Registration Plates Free of Charge to Purple Heart Recipients"  
(H.P. 597) (L.D. 837)  
Presented by Representative MARVIN of Cape Elizabeth.

Cosponsored by Senator MICHAUD of Penobscot and Representatives: BUCK of Yarmouth, HEIDRICH of Oxford, PEAVEY of Woolwich, PERKINS of Penobscot, Senator: FERGUSON of Oxford.

---

**Pursuant to Statute  
Criminal Law Advisory Commission**

Representative POVICH for the **Criminal Law Advisory Commission** pursuant to Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asks leave to report that the accompanying Bill "An Act to Make Materiality a Jury Issue Relative to the Crime of Perjury"

(H.P. 544) (L.D. 765)

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

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

Sent for concurrence.

---

**Pursuant to Statute  
Criminal Law Advisory Commission**

Representative POVICH for the **Criminal Law Advisory Commission** pursuant to Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asks leave to report that the accompanying Bill "An Act to Clarify the Criminal Code Relative to Strict Liability Crimes"

(H.P. 545) (L.D. 766)

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

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

Sent for concurrence.

---

**Pursuant to Statute  
Criminal Law Advisory Commission**

Representative POVICH for the **Criminal Law Advisory Commission** pursuant to Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asks leave to report that the accompanying Bill "An Act to Clarify Sentencing Alternatives Involving Probation and Unconditional Discharge Under the Criminal Code"

(H.P. 570) (L.D. 791)

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

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

Sent for concurrence.

---

**Pursuant to Statute  
Public Utilities Commission**

Representative DAVIDSON for the **Public Utilities Commission** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 311: Renewable Resource Portfolio Requirement, a Major

Substantive Rule of the Public Utilities Commission  
(EMERGENCY)

(H.P. 546) (L.D. 767)

Be **REFERRED** to the Committee on **UTILITIES AND ENERGY** and printed pursuant to Joint Rule 218.

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

Sent for concurrence.

---

**Pursuant to Statute  
Public Utilities Commission**

Representative DAVIDSON for the **Public Utilities Commission** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 301: Standard Office Service, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)

(H.P. 547) (L.D. 768)

Be **REFERRED** to the Committee on **UTILITIES AND ENERGY** and printed pursuant to Joint Rule 218.

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

Sent for concurrence.

---

**Pursuant to Statute  
Public Utilities Commission**

Representative DAVIDSON for the **Public Utilities Commission** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 304: Standard of Conduct for Transmission and Distribution Utilities and Affiliated Competitive Electricity Providers, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)

(H.P. 548) (L.D. 769)

Be **REFERRED** to the Committee on **UTILITIES AND ENERGY** and printed pursuant to Joint Rule 218.

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

Sent for concurrence.

---

**Pursuant to Statute  
Public Utilities Commission**

Representative DAVIDSON for the **Public Utilities Commission** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 380: Energy Conservation Programs by Electric Transmission and Distribution Utilities, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)

(H.P. 569) (L.D. 790)

Be **REFERRED** to the Committee on **UTILITIES AND ENERGY** and printed pursuant to Joint Rule 218.

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

Sent for concurrence.

---

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

---

**ORDERS**

On motion of Representative GAGNE of Buckfield, the following House Order: (H.O. 10)

**ORDERED**, that Representative Roger D. Frechette of Biddeford be excused January 7th and January 28th for personal reasons.

**READ** and **PASSED**.

---

**SPECIAL SENTIMENT CALENDAR**

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

**Recognizing:**

Mike Fallon, coach of the 1998 Class A State Championship Football Team at Sanford High School, who was named Coach of the Year by the Western Maine Class A Football Coaches Association in a unanimous vote. We extend our congratulations to him;

(HLS 50)

Presented by Representative TUTTLE of Sanford. Cosponsored by Senator MacKINNON of York, Representative BOWLES of Sanford, Representative CHICK of Lebanon.

On **OBJECTION** of Representative TUTTLE of Sanford, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER**: The Chair recognizes the Representative from Sanford, Representative Tuttle.

Representative **TUTTLE**: Mr. Speaker, Men and Women of the House. It is indeed a pleasure for me to speak before you today. There were no surprises when the Class A Football Coach of the Year was announced recently. After taking the Sanford High School Redskin Football Team from 33 state losses a few years ago to the Class A State Championship with a record of 10 wins and 2 losses this year, the Sanford coach, Mike Fallon, was a cinch for the honor by getting all 13 votes cast by the other coaches in his conference. It almost didn't happen that way, Mr. Speaker and Men and Women of the House, part way through his first season with things looking pretty bleak, Coach Fallon was told that there was a possibility that the football program would be dropped to Class B or if things got even worse, that there was an indication that football would be dropped completely at Sanford High School. Coach Fallon insisted that the program remain in Class A and was convincing people that the football program was finally headed in the right direction. Those individuals listened and the rest is history. It is for that reason, Mr. Speaker, that I would like to introduce Coach Mike Fallon, his coaching staff and the members of the 1998 State Class A Sanford High School Football Championship Team. The team that refused to die.

**PASSED** and sent for concurrence.

---

**Recognizing:**

Charles O'Leary on the occasion of his retirement as the President of the Maine AFL-CIO. President O'Leary has headed

the 60,000-member trade union organization for 20 years and provided effective leadership during that time. We send our appreciation to him for his commitment to the labor movement and offer him our best wishes and congratulations on his retirement;

(HLS 51)

Presented by Representative USHER of Westbrook.

Cosponsored by Senator PARADIS of Aroostook, Senator MICHAUD of Penobscot, Senator CASSIDY of Washington, Senator CAREY of Kennebec, Senator KONTOS of Cumberland, Senator RAND of Cumberland, Senator O'GARA of Cumberland, President LAWRENCE of York, Representative BAGLEY of Machias, Representative BAKER of Bangor, Representative BOUFFARD of Lewiston, Representative BRYANT of Dixfield, Representative CHIZMAR of Lisbon, Representative CLARK of Millinocket, Representative DESMOND of Mapleton, Representative DUNLAP of Old Town, Representative GAMACHE of Lewiston, Representative FULLER of Manchester, Representative GAGNE of Buckfield, Representative GOODWIN of Pembroke, Representative GREEN of Monmouth, Representative HATCH of Skowhegan, Representative JABAR of Waterville, Representative JACOBS of Turner, Representative LEMONT of Kittery, Representative MARTIN of Eagle Lake, Representative McALEVEY of Waterboro, Representative McKEE of Wayne, Representative MUSE of South Portland, Representative NORBERT of Portland, Representative POVICH of Ellsworth, Representative RICHARD of Madison, Representative RINES of Wiscasset, Representative SAMSON of Jay, Representative SHIAH of Bowdoinham, Representative SIROIS of Caribou, Representative SKOGLUND of St. George, Representative STANLEY of Medway, Representative SULLIVAN of Biddeford, Representative TRACY of Rome, Representative TUTTLE of Sanford, Senator CATHCART of Penobscot, Representative STEVENS of Orono, Representative VOLENIK of Brooklin, Representative DUPLESSIE of Westbrook, Representative WILLIAMS of Orono, Representative WATSON of Farmingdale, Representative FISHER of Brewer, Representative COWGER of Hallowell, Representative WHEELER of Eliot, Representative CHICK of Lebanon, Representative BERRY of Livermore.

On **OBJECTION** of Representative BERRY of Livermore, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Usher.

Representative **USHER**: Mr. Speaker, Men and Women of the House. Today we recognize a man that has made a difference in today's workforce. He is Charles O'Leary who is retiring after 20 years as President of AFL-CIO for Maine. Back in '79 Charlie took over the reins from Ben Dorsky who then instituted new educational programs working with the Department of Labor. Charlie was a true leader bringing all these educational programs to all parts of the state, helping nonunion workers and union workers understand the better working conditions so we can all lead a better life. When you talk about 60,000 or 65,000 people in Maine, you know he has a lot of friends in the state. His character is of highest quality. I know as one of the union members for the AFL-CIO, I want to thank him for all his dedicated service. We wish you the best of luck Charlie in your retirement.

The SPEAKER: The Chair recognizes the Representative from Livermore, Representative Berry.

Representative **BERRY**: Mr. Speaker, Men and Women of the House. I also rise to recognize Charlie O'Leary on his retirement. I am a member of the United Paperworkers International Union, newly merged with the Patomic Energy Workers. We are still affiliated with the AFL-CIO. Since I have known Charlie O'Leary, he has been a good friend. He has been a good leader for the working people of Maine. I know he has been criticized by many. He has been outspoken in this building and outside this building. He has been a positive voice for Maine's working people. He has gone beyond that. I think he has done a lot to make Maine a much better place to live and work.

Charlie has been controversial at times. He has always been here asking for more. He has asked for more for education, better and safer work places, better health care coverage. More so that the working people that work in the factories or in the trades or wherever in Maine receive a fair share for their labors. I think Maine has become a better place to live because of his lifetime dedication to bettering our place in the State of Maine. As Sam used to say, "We want bread and butter in the hear and now, not pie in the sky and a sweet bye and bye." I think that Charlie has been outspoken. He has always pushed for a better environment for us to live and work. I think it has been better for the entire state. I want to congratulate him on his retirement. Thank you.

The SPEAKER: The Chair recognizes the Representative from Skowhegan, Representative Hatch.

Representative **HATCH**: Mr. Speaker, Ladies and Gentlemen of the House or rather as you would be referred to in the labor movement, brothers and sisters. I stand today to let you know that I am saddened by the retirement of Mr. O'Leary. I have had the chance to work with him during the last several years. He has been at the forefront of the fight for workers rights in the state for 20 years. During that time period he has fought hard for equal pay, minimum wage, contractual legalities with the different unions and mills around the state. We have an outstanding workforce in this state. Not only are we highly educated in some fields, we also have many of the skills that people throughout the world like. Many times our young people have to leave the state because the wages are so low. Mr. O'Leary has been at the forefront of this for over 20 years. It has been a hard battle. From the prevailing wage, to education for our workers through job straining, for workers' comp issues for our injured workers. Yes, we changed the law in '92, but we didn't change it so it helped our injured workers. It is going to be an issue for a long time and Mr. O'Leary knows that.

He has fought on the forefront for equal rights for every citizen of this state. For all these reasons, I wish that he was staying with us. I know, too, that there comes a time when you have to do things other than what you would like to do. I will miss his help, although I know he will only be a phone call away. I thank you for your 20 years of experience and all the things you have done for the working people of the State of Maine. Thank you.

The SPEAKER: The Chair recognizes the Representative from Orono, Representative Stevens.

Representative **STEVENS**: Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise to today to say farewell and good luck to my friend, Chick O'Leary. Although I won't recount his many accomplishments as those before me have done, I will say that I am in the rare position to be thankful that he is retiring because when he retires, he will be home in Orono where he belongs. He is a statewide leader. We know him and love him

around the state. That is no different in Orono where we welcome to see him at the University of Maine, in town at the post office, town hall or at the ampersand where goes for his daily coffee. I know that he will be happy to retire despite our missing him and he will be happy to be a grandfather, a town leader and a general man about town as he can in the mornings and the evenings. He can do it full time now and for those of us who live there in Orono, I know that we too will hear no less about current events, labor issues or matters that affect Maine people. Good luck Chick. Farewell.

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

Representative **MURPHY**: Mr. Speaker, Men and Women of the House. I have had the good opportunity in two different decades to work with Charles O'Leary during the 1980s and then returning back to the House in the 1990s. At times we differed on one or two issues. There were times that we did find common ground. Whether it was in the rotunda or talking about issues in the chamber of the House or in the office, I found him always to be a gentleman. We wish you best wishes on your retirement.

The SPEAKER: The Chair recognizes the Representative from Bridgton, Representative Waterhouse.

Representative **WATERHOUSE**: Mr. Speaker, Ladies and Gentlemen of the House. I would also like to congratulate Mr. O'Leary on his retirement. I remember the first time I saw Mr. O'Leary on TV. He was talking on a show about the conditions on the floor of the factory back in the early days. He said that right in the middle of the floor of the factory when the people who used to have to use facilities to go to the bathroom that it was only up to their waist when they sat down so that the floor person could watch them to make sure they weren't loitering. I said that that was a horrible thing to have to put with. How embarrassing. He has done a lot of good things for the workers in approving the working conditions. I would like to congratulate him on his retirement.

The SPEAKER: The Chair recognizes the Representative from Bowdoinham, Representative Shiah.

Representative **SHIAH**: Mr. Speaker, Colleagues of the House. I, too, rise today in strong support of this very special legislative sentiment. I have been fortunate to work with Charlie O'Leary over the last 20 years in Maine. It has just been a wonderful experience on so many issues. The leadership that Charlie and the Maine AFL-CIO have shown on many issues dealing with social justice, not just workers rights. Charlie's leadership will be missed and I greatly appreciate his efforts over the last 20 years. I have also had the opportunity to work with several other organizations and groups throughout New England and many times people have said that we are lucky in Maine. You have a leader of your state federation that has excellent foresight and shows wonderful leadership capabilities. They have been jealous of us throughout the rest of the region and Maine today is a much better place because of the efforts of Charlie O'Leary and the Maine AFL-CIO. Charlie, I wish you the best in your retirement. I know we will be seeing a lot of you over the next few years, but thank you very much.

The SPEAKER: The Chair recognizes the Representative from Winterport, Representative Brooks.

Representative **BROOKS**: Mr. Speaker, Ladies and Gentlemen of the House. I would be remiss if I didn't get up and say just a couple of words about my friend Charles. He and I met many years ago when he was the leader of a group of people who were trying to establish their first statewide policy on

how we were going to deal with substance abuse. I think that about 20 years ago when I met Charlie. Over that period of time since, there have been times when I called him Mr. Chairman or Chair of the Committee and there were times when he called me the den leader. I have watched Charlie not only progress and do some really wonderful things in the world of labor, but also do some absolutely astounding and wonderful things as a family man, a father and as a husband. I really do look to the loss of Charlie as a leader for our labor movement, but I also look to him as being able to now settle in Orono and do the things that Representative Stevens talked about, being a part of the Orono community. I congratulate Charles and say to him, I will see you Saturday night.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Duplessie.

Representative **DUPLESSIE**: Mr. Speaker, Ladies and Gentlemen of the House. I have valued Charlie's friendship and advice for 20 years. Today is an emotional day for many. I have been honored to serve on the executive body of the Maine AFL-CIO under Charlie's leadership for 16 years. One thing that has always been instilled in me has been the principles. Charlie O'Leary has always maintained as far as I know as being concerned for the men and women, wherever they were, be they union or nonunion. The bottom line was always how do we improve economic conditions, health and safety conditions for the workers of this state. It gives me a great honor to wish Charlie best wishes in his well deserved retirement. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Rome, Representative Tracy.

Representative **TRACY**: Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise today to wish Charles O'Leary a great retirement. Charles O'Leary is truly one of the great heroes of the State of Maine for the labor movement and for the nonlabor movement in the state. He has gone through a great deal of strife trying to solve different labor disputes throughout the state. As the sun sets, I hope the people in the State of Maine and the workers, along with the nonunion workers, look towards that sunset as he is going towards it and wish him the greatest and the happiest retirement that a true Maine labor hero could have. Thank you.

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

Representative **BOUFFARD**: Mr. Speaker, Men and Women of the House. I, too, rise in honor and tribute to Charles O'Leary the leader of the Maine AFL-CIO. I became involved in union activities back in the mid '60s. I have known Charlie off and on for that many years. I wish to thank Charlie. Thank you Charlie for the wonderful things that you have done for the union movement. Congratulations on coming to a threshold now where you can retire comfortably, hopefully. I wish you health and many days in the sunset of your years all the way through until the good lord rises to thank you for the work that you have done here for the State of Maine. Thank you.

**PASSED** and sent for concurrence.

---

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

---

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

Bill "An Act to Reduce the Amount of Property Acquired by Municipalities for Nonpayment of Property Tax"

(H.P. 568) (L.D. 789)

Presented by Representative GLYNN of South Portland.  
Cosponsored by Representative: GERRY of Auburn.

Which was **TABLED** by Representative GAGNON of Waterville pending **REFERENCE**.

On motion of the same Representative, the Bill was **REFERRED** to the Committee on **TAXATION**, ordered printed and sent for concurrence.

---

#### UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Tuesday, January 26, 1999, have preference in the Orders of the Day and continue with such preference until disposed of as provided by House Rule 502.

Bill "An Act to Revise Maine's Trespass Laws"

(H.P. 531) (L.D. 738)

(Committee on **CRIMINAL JUSTICE** suggested)

**TABLED** - January 26, 1999 (Till Later Today) by Representative POVICH of Ellsworth.

**PENDING - REFERENCE.**

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

---

Bill "An Act to Submit Legislative Term Limits to Referendum in November 1999"

(H.P. 472) (L.D. 679)

(Committee on **LEGAL AND VETERANS AFFAIRS** suggested)

**TABLED** - January 26, 1999 (Till Later Today) by Representative TUTTLE of Sanford.

**PENDING** - Motion of Representative GERRY of Auburn to **REFER** to Committee on **STATE AND LOCAL GOVERNMENT**.

On motion of Representative TUTTLE of Sanford, **TABLED** pending the motion of Representative GERRY of Auburn to **REFER** to Committee on **STATE AND LOCAL GOVERNMENT** and specially assigned for Tuesday, February 2, 1999.

---

#### TABLED AND TODAY ASSIGNED

The Chair laid before the House the following item which was **TABLED** and today assigned:

Bill "An Act to Allow Multipart Referendum Questions for Referenda at the Municipal Level"

(H.P. 507) (L.D. 714)

(Committee on **LEGAL AND VETERANS AFFAIRS** suggested)

**TABLED** - January 26, 1999 by Representative MURPHY of Kennebunk.

**PENDING** - Motion of Representative TUTTLE of Sanford to **REFER** to Committee on **EDUCATION AND CULTURAL AFFAIRS**.

Representative TUTTLE of Sanford withdrew his motion to **REFER** to Committee on **EDUCATION AND CULTURAL AFFAIRS**.

On motion of the same Representative, the Bill was **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS**, ordered printed and sent for concurrence.

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

#### SENATE PAPERS

The following Joint Order: (S.P. 273)

**ORDERED**, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, February 2, 1999, at 3 o'clock in the afternoon.

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

**READ** and **PASSED** in concurrence.

---

Bill "An Act Requiring Labeling of Unpasteurized Milk Products"

(S.P. 281) (L.D. 799)

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 Authorize a General Fund Bond Issue in the Amount of \$9,400,000 to Enable Maine Public Broadcasting to Implement the Federally Mandated Conversion to Digital Broadcasting"

(S.P. 279) (L.D. 797)

**RESOLUTION**, Proposing an Amendment to the Constitution of Maine Establishing a Rainy Day Fund

(S.P. 289) (L.D. 807)

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 Regarding the Assignment of Insurance Benefits for Dental Care"

(S.P. 260) (L.D. 755)

Bill "An Act to Clarify the Residency Requirements for Individual Health Insurance Coverage through a Maine-based Insurance Carrier"

(S.P. 267) (L.D. 760)

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 Improve the Collection of Restitution"

(S.P. 268) (L.D. 761)

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 Permit Local Control and Funding of An Educational Building in Accordance With a Municipal Charter"

(S.P. 280) (L.D. 798)

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 to Allow the State's Laboratory Certification Program to be Consistent with National Environmental Laboratory Accreditation Program Standards"

(S.P. 263) (L.D. 758)

Came from the Senate, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

**REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

---

Bill "An Act to Amend the Moose Hunting Laws" (EMERGENCY)

(S.P. 256) (L.D. 751)

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 Ensure That Child Support Obligations are Met"

(S.P. 276) (L.D. 794)

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 Require Employees to be Paid at Least Once Every 2 Weeks"

(S.P. 278) (L.D. 796)

Bill "An Act to Provide Adjustments to Accommodate Increases in the Cost of Living for Injured Workers"

(S.P. 288) (L.D. 806)

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 Expedite Disputes among Commercial Landlords and Tenants"

(S.P. 266) (L.D. 759)

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 Concerning Recreational Clam Harvesting Licenses"

(S.P. 262) (L.D. 757)

Bill "An Act to Strengthen Marine Fisheries Conservation Protection"

(S.P. 283) (L.D. 801)

Bill "An Act to Make Technical Changes in the Marine Resources Laws"

(S.P. 284) (L.D. 802)

Bill "An Act to Increase the Penalties for Violation of Lobster Conservation Laws"

(S.P. 285) (L.D. 803)

Bill "An Act to Prohibit the Appointment of Lobbyists to the New England Fishery Management Council"

(S.P. 286) (L.D. 804)

Bill "An Act to Close Certain Areas to the Harvesting of Herring"

(S.P. 287) (L.D. 805)

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 Require the Secretary of State to Supply Municipalities with Preprinted, Postage-prepaid Post Cards to be Used when a Voter Moves"

(S.P. 257) (L.D. 752)

Bill "An Act to Amend the Laws Establishing a State Poet Laureate"

(S.P. 259) (L.D. 754)

Bill "An Act to Encourage Responsible Employment Practices"

(S.P. 292) (L.D. 810)

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 to Amend the Homestead Exemption to Include Homeowners' Cooperatives"

(S.P. 258) (L.D. 753)

Bill "An Act to Create a Tax Credit for Licensing Fees Paid for the Use of University Patents on Wood Fiber Reinforced Products"

(S.P. 282) (L.D. 800)

Bill "An Act to Amend the Homestead Exemption Law"

(S.P. 290) (L.D. 808)

Bill "An Act to Create a Local Option Sales and Use Tax"

(S.P. 291) (L.D. 809)

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 Amend Certain Aviation Laws"

(S.P. 271) (L.D. 764)



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

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

---

Resolve, to Create a Task Force to Study Ways to Improve and Streamline the Regulation of Water Utilities (EMERGENCY) (S.P. 261) (L.D. 756)

Bill "An Act to Except Grading from Definition of Excavation in Dig Safe Law" (S.P. 277) (L.D. 795)

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.

---

**Pursuant to Statute**

**Worker's Compensation Commission**

Report of the **Worker's Compensation Commission** pursuant to Title 39-A, section 152, subsection 11 asks leave to report that the accompanying Bill "An Act to Eliminate the Requirement That the Employment Rehabilitation Fund Reimburse Employers and Insurers for Benefits Paid pursuant to the Benefits Adjustments"

(S.P. 269) (L.D. 762)

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

Came from the Senate, Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **LABOR** and ordered printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **LABOR** in concurrence.

---

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

Bill "An Act to Increase the State's Contribution for the Cost of Health Insurance Premiums for Retired Educators" (H.P. 589) (L.D. 829)

Presented by Representative BERRY of Belmont. Cosponsored by Senator PENDLETON of Cumberland and Representatives: BELANGER of Caribou, FOSTER of Gray, JOY of Crystal, LABRECQUE of Gorham, MacDOUGALL of North Berwick, MURPHY of Kennebunk, SNOWE-MELLO of Poland, Senator: PARADIS of Aroostook.

Which was **TABLED** by Representative BRENNAN of Portland pending **REFERENCE**.

On motion of the same Representative, the Bill was **REFERRED** to the Committee on **LABOR**, ordered printed and sent for concurrence.

---

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

---

On motion of Representative DAVIS of Falmouth, the House adjourned at 11:43 a.m., until 3:00 p.m., Tuesday, February 2, 1999 pursuant to the Joint Order (S.P. 273).