

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Eighteenth Legislature
State of Maine

Volume 1

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December 6, 1996 to May 19, 1997

Pages 1 - 980

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

In Senate Chamber
Wednesday
April 30, 1997

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

Prayer by Chaplain (LTC) E. Raymond Dupere of the Maine Army National Guard in Hampden.

CHAPLAIN (LTC) E. RAYMOND DUPERE: Two hundred and eight years ago today, April 30, 1789, on the balcony of Federal Hall in New York City, George Washington, took the oath of office as the first President of the United States of America. Following the swearing-in ceremony, he then went inside the hall to address the Congress of the United States. Among other things, he said the following:

"It would be peculiarly improper to omit, in this first official act, my fervent supplication to the Almighty Being who rules over the universe, who presides in the councils of nations, and whose providential aids can supply every human defect, that His benediction may consecrate to the liberties and happiness of the people of the United States..."

Let us pray. Our Father in heaven, we here, in this blessed land we call the United States of America, have sought Your guidance for over two hundred years and we humbly seek it again today. We have recognized Your sovereign reign over the enduring life of our nation, and we willingly acknowledge it again today. And, we have admitted our need for Your providential care on occasions far too numerous to count, and we gladly admit it again today. And Father, in the same way that we as a country have asked for Your undeserved blessing, so we here in the great State of Maine, ask for Your blessing as well today. We also ask that You would enable these men and women of the Maine State Senate to conduct their business in a manner wholly fitting and proper for the position they hold. Enable them to see themselves, even in the smallest of tasks, as Your instruments, seeking to do Your will. Give them courage and conviction, coupled with honesty and humility. And when they have done Your work for this day, grant them rest and strength for tomorrow. I pray these things in the name of Your Son, Jesus Christ. Amen.

Colors were posted by the Maine Army National Guard Select Honor Guard, NCOIC Sgt. 1st Class, Frank Norwood.

Swearing in of Maine National Guard members by Major General Earl L. Adams.

Off Record Remarks

Doctor of the Day, John Burton, M.D., Falmouth.

Reading of the Journal of Tuesday, April 29, 1997.

Pursuant to Senate Rule 201.1, the President appointed the Senator from York, Senator **LIBBY** to serve as President Pro Tem for the session on Thursday, May 1, 1997.

COMMUNICATIONS

The Following Communication: S.C. 215

**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON CRIMINAL JUSTICE**

April 28, 1997

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 118th Maine Legislature, the Joint Standing Committee on Criminal Justice has had under consideration the nomination of Martin A. Magnusson of Thomaston, for appointment as the Commissioner of the Department of Corrections.

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

YEAS: Senators	3	Murray of Penobscot, O'Gara of Cumberland, Mitchell of Penobscot
Representatives	9	Povich of Ellsworth, Bunker of Kossuth Township, Frechette of Biddeford, Jones of Greenville, McAlevey of Waterboro, Peavey of Woolwich, Wheeler of Bridgewater, O'Brien of Augusta, Tobin of Dexter

NAYS: 0

ABSENT: 1 Rep. Muse of South Portland

Twelve members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Martin A. Magnusson of Thomaston, for appointment as the Commissioner of the Department of Corrections be confirmed.

Signed,

S/Robert E. Murray, Jr.
Senate Chair

S/Edward J. Povich
House Chair

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

The Chair noted the absence of the Senator from Aroostook, Senator **KIEFFER** and further excused the same Senator from today's Roll Call votes.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **CRIMINAL JUSTICE** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 506 of the 118th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following result:

ROLL CALL

YEAS: Senators: None

NAYS: Senators: **ABROMSON, AMERO, BENNETT, BENOIT, BUTLAND, CAREY, CASSIDY, CATHCART, CLEVELAND, DAGGETT, FERGUSON, GOLDTHWAIT, HALL, HARRIMAN, JENKINS, KILKELLY, LAFOUNTAIN, LIBBY, LONGLEY, MACKINNON, MICHAUD, MILLS, MITCHELL, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RUHLIN, SMALL, TREAT, RAND, THE PRESIDENT - MARK W. LAWRENCE**

EXCUSED: Senator: **KIEFFER**

Senator **PARADIS** of Aroostook requested and received leave of the Senate to change her vote from YEA to NAY.

No Senators having voted in the affirmative and 34 Senators having voted in the negative, with no Senators being absent, and 1 Senator being excused, and none being less than two-thirds of the Membership present it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and nomination of **Martin A. Magnusson**, for appointment as the Commissioner of the Department of Corrections was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication: S.C. 216

**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND FINANCIAL
AFFAIRS**

April 28, 1997

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

Dear President Lawrence and Speaker Mitchell:

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

L.D. 560 An Act to Strengthen the Career Advantage Program

L.D. 674 An Act to Promote Economic Development through Research

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

Sincerely,

S/Sen. Michael H. Michaud
Senate Chair

S/Rep. George J. Kerr
House Chair

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

The Following Communication: S.C. 217

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

April 28, 1997

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

Dear President Lawrence and Speaker Mitchell:

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

L.D. 112 An Act to Aid Enforcement of the Laws Regarding Mandatory Insurance for Motor Vehicles

L.D. 622 An Act to Deter Automobile Owners from Canceling their Insurance and to Require Notification of Cancellation

L.D. 668 An Act to Amend the Laws Pertaining to Motor Vehicle Financial Responsibility and Insurance

L.D. 836 An Act Concerning the Lapse of Automobile Insurance

- L.D. 1206 An Act to Ensure Patient Choice and Access to Health Care by Offering a Point-of-service Plan
- L.D. 1371 An Act Regarding Compensation for Restricting Medical Care
- L.D. 1417 An Act to Prohibit Certain Accidents from Being Used by Insurers to Increase Insurance Premiums
- L.D. 1625 An Act to Create an Independent Ombudsman for Consumer Protection in Managed Care
- L.D. 1664 An Act to Require Bids from Health Care Providers for State Employees to Include Medicaid Coverage

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

Sincerely,

S/Sen. Lloyd P. LaFountain III
Senate Chair

S/Rep. Jane W. Saxl
House Chair

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

The Following Communication: S.C. 218

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

April 28, 1997

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

Dear President Lawrence and Speaker Mitchell:

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

- L.D. 1506 An Act to Provide Dealership Protection to Forestry, Construction and Utility Contracts
- L.D. 1512 An Act Pertaining to the Real Estate Consumer's Right to Seller Disclosure Information
- L.D. 1595 An Act to License Home Building Contractors
- L.D. 1645 An Act to Establish the Maine Franco-American Center in Bangor

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

Sincerely,

S/Sen. John T. Jenkins
Senate Chair

S/Rep. Marc J. Vigue
House Chair

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

The Following Communication: S.C. 219

**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

April 28, 1997

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

Dear President Lawrence and Speaker Mitchell:

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

- L.D. 600 Resolve, Directing the Department of Education to Review the Laws Governing Applied Technology Centers and Regions
- L.D. 654 An Act to Amend the Charter of the University of Maine
- L.D. 1099 An Act to Modify School Construction Laws for Renovation Projects
- L.D. 1195 An Act to Establish Funding for Repair and Renovation Projects under the State School Construction Program
- L.D. 1329 An Act to Amend the Reimbursement Policy Pertaining to Vocational Education
- L.D. 1638 An Act to Establish a Higher Standard for Appropriate Education of Students with Disabilities

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

Sincerely,

S/Sen. Peggy A. Pendleton
Senate Chair

S/Rep. Shirley K. Richard
House Chair

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

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

Sincerely,

The Following Communication: S.C. 220

S/Sen. Judy Paradis
Senate Chair

S/Rep. J. Elizabeth Mitchell
House Chair

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

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

April 28, 1997

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

The Following Communication: S.C. 221

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

April 28, 1997

Dear President Lawrence and Speaker Mitchell:

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

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

Dear President Lawrence and Speaker Mitchell:

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

- L.D. 333 An Act to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to Child Care Funding
- L.D. 455 An Act to Create a Compliance Plan for Certain Residents of Mental Health Facilities
- L.D. 559 Resolve, to Make Maine Welfare Laws Conform to Federal Welfare Laws
- L.D. 579 An Act to Ensure Equal Treatment of Lawful Aliens in Providing Medical Assistance and Aid to Needy Families
- L.D. 664 An Act Regarding the Regulation of Day Care Facilities and Home Baby-sitting Services
- L.D. 819 An Act to Continue to Provide Emergency Assistance to Low- income Families with Children
- L.D. 912 An Act to Ensure Access to Child Support for Low-income Children
- L.D. 1006 An Act to Legalize Marijuana for Medical Purposes
- L.D. 1224 An Act to Require Minimum Standards for State-funded Child Care Providers
- L.D. 1255 An Act to Simplify Child Care Regulation in Maine
- L.D. 1432 Resolve, to Encourage Nonprofit Entities to Work Together in a Community P.R.I.D.E. Program
- L.D. 1496 An Act to Streamline the Long-term Care Regulatory System

- L.D. 60 An Act to Provide for the Collection of Data Relating to the Risks from Exposure to Chemicals in the Workplace
- L.D. 168 An Act to Amend the Eligibility Requirements for Collecting Unemployment Benefits
- L.D. 173 An Act to Provide Disclosure of the Bureau of Unemployment Compensation Records and Reports to Authorized Agents
- L.D. 270 An Act to Have Taxi Drivers Deemed as Independent Contractors
- L.D. 452 An Act to Protect the Rights of Employees Who Volunteer Their Time as Firefighters
- L.D. 462 An Act to Require Employers to Pay the Legal Fees of an Employee Who Wins a Workers' Compensation Case
- L.D. 630 An Act to Create a Toll-free Number for Regional Unemployment Offices
- L.D. 683 An Act to Increase the Penalties for Violations of State Wage and Hour Laws
- L.D. 879 An Act to Establish Occupational Health and Safety Standards for Operators of Video Display Terminals

- L.D. 979 An Act to Allow Options within the Legislative Retirement System
- L.D. 1014 An Act to Give State Employees the Option of Entering the Social Security System
- L.D. 1110 An Act to Decrease the Threshold Amount Required for Receiving Unemployment
- L.D. 1127 An Act to Change the Definition of Occupational Disease for Purposes of the Occupational Disease Law
- L.D. 1130 An Act Restoring the Right to Sue to Workers Injured Due to Negligence
- L.D. 1131 An Act Restoring the Right to Sue to Workers Injured Due to Gross Negligence
- L.D. 1259 Resolve, to Phase Out the Maine State Retirement System and Replace it with a System of Individual Retirement Accounts
- L.D. 1309 An Act to Provide for the Interception of an Individual's Unemployment Compensation to Repay an Overissue of Food Stamp Coupons
- L.D. 1497 An Act to Amend the Benefits Received by Legislators

- L.D. 59 An Act to Authorize Actions under the Unfair Trade Practices Act Regarding Habitability of Dwelling Units
- L.D. 672 An Act to Prohibit the State Auditor and Constitutional Officers from Engaging in Political Fund-raising Activities
- L.D. 845 An Act to Prohibit the Clerk of the House and the Secretary of the Senate from Participating in Political Activities while in Office
- L.D. 867 An Act to Clarify the Requirement for Party Affiliation of Replacement Candidates
- L.D. 936 An Act to Permit Voters to Affirmatively Vote against All Named Candidates
- L.D. 1056 An Act to Authorize Courts to Suspend Driving Privileges for Youth Who Violate Tobacco Laws
- L.D. 1300 An Act to Increase the Number of Signatures Required for a Name to Appear on the Ballot for Certain Offices
- L.D. 1360 An Act Allowing Political Parties to Nominate by Caucus or Convention
- L.D. 1515 An Act to Allow Unenrolled Voters to Serve as Election Workers at Polls
- L.D. 1520 An Act to Amend Various Election Laws
- L.D. 1547 An Act to Require that All State-owned Flag Poles Fly the Prisoner-of-war Flag

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

Sincerely,

S/Sen. Mary R. Cathcart
Senate Chair

S/Rep. Pamela H. Hatch
House Chair

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

The Following Communication: S.C. 222

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

April 28, 1997

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

Dear President Lawrence and Speaker Mitchell:

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

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

Sincerely,

S/Sen. Beverly C. Daggett
Senate Chair

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

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

The Following Communication: S.C. 223

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

April 28, 1997

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

Dear President Lawrence and Speaker Mitchell:

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

- L.D. 776 An Act to Exempt Permitted Auto Recyclers from the Solid Waste Management Rules
- L.D. 1621 An Act to Clarify the Fine for Violation of Certain Land Use Laws

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

Sincerely,

S/Sen. Sharon Anglin Treat
Senate Chair

S/Rep. G. Steven Rowe
House Chair

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

The Following Communication: S.C. 224

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

April 28, 1997

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

Dear President Lawrence and Speaker Mitchell:

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

- L.D. 362 An Act to Revise the Procurement of Products and Services from Rehabilitation Facilities and Work Centers
- L.D. 510 An Act to Designate Agency Rules That Increase Fees or Restrict Licenses as Major Substantive Rulemaking
- L.D. 781 An Act to Provide Legislators with the Same Health Benefits as State Employees
- L.D. 1612 Resolve, Concerning the Construction of a State Playground at Capitol Park

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

Sincerely,

S/Sen. John M. Nutting
Senate Chair

S/Rep. Douglas J. Ahearne
House Chair

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

The Following Communication: S.C. 225

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

April 28, 1997

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

Dear President Lawrence and Speaker Mitchell:

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

- L.D. 70 An Act to Provide a State Income Tax Credit for the Costs of Health Insurance Paid by Individuals
- L.D. 345 An Act to Eliminate the Sales Tax on the Sale of Hay and Animal Bedding
- L.D. 547 An Act to Eliminate Income Tax Deductions for Losing Lottery Tickets
- L.D. 770 An Act Relating to the Application of the Real Estate Transfer Tax to Mobile Home Transfers
- L.D. 1574 An Act to Implement the Recommendations of the Commission to Study Poverty Among Working Parents Regarding the Threshold for Filing Personal Income Tax

- L.D. 1623 Resolve, to Implement a Single State Tax System

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

Sincerely,

S/Sen. Richard P. Ruhlin
Senate Chair

S/Rep. Verdi L. Tripp
House Chair

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

The Following Communication: S.C. 226

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

April 28, 1997

April 28, 1997

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

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

Dear President Lawrence and Speaker Mitchell:

Dear President Lawrence and Speaker Mitchell:

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

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

- L.D. 243 An Act to Require the Department of Transportation to Include Timber in the Bidding Process for Construction of New Bridges or Bridge Repair
- L.D. 279 An Act to Require the Department of Transportation to Include Additional Criteria When Determining Whether to Take Over a Road
- L.D. 595 An Act to Clarify the State's Authority to Acquire and Preserve Rail Corridors for Use as Transportation Corridors
- L.D. 1319 An Act to Equalize Tolls on the Maine Turnpike
- L.D. 1418 An Act to Allow Certain Overweight Trucks to Proceed without Being Off-loaded
- L.D. 1480 An Act to Decriminalize Various Traffic Violations and Enhance Collectibility of Associated Penalties
- L.D. 1641 An Act Regarding the Taking of Tolls on the Maine Turnpike
- L.D. 1659 An Act Concerning the Disclosure of Motor Vehicle Records

- L.D. 578 An Act to Prohibit Retrofits of Nuclear Power Plants without Permission of the Public Utilities Commission

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

Sincerely,

S/Sen. Richard J. Carey
Senate Chair

S/Rep. Kyle W. Jones
House Chair

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

SENATE PAPERS

Bill "An Act to Reorganize and Clarify the Laws Relating to the Establishment, Powers and Duties of the Bureau of Parks and Lands"
S.P. 635 L.D. 1852

Presented by Senator KILKELLY of Lincoln
Cosponsored by Representative BUNKER, JR. of Kossuth Township and Senator: CASSIDY of Washington,
Representatives: CROSS of Dover-Foxcroft, DEXTER of Kingfield, SHIAH of Bowdoinham
Submitted by the Department of Conservation pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act to Allow the Town of Chester to Annex a Certain Parcel of Land"
S.P. 633 L.D. 1850

Presented by Senator MICHAUD of Penobscot
Cosponsored by Representative: STANLEY of Medway
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

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

Sincerely,

S/Sen. William B. O'Gara
Senate Chair

S/Rep. Joseph D. Driscoll
House Chair

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

The Following Communication: S.C. 227

**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON UTILITIES AND ENERGY**

Bill "An Act to Amend the Laws Regarding Proposed Unaccepted Streets" S.P. 634 L.D. 1851

Presented by Senator AMERO of Cumberland
Cosponsored by Senator: GOLDTHWAIT of Hancock
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

ORDERS

Joint Orders

On motion by Senator O'GARA of Cumberland, the following Joint Order: S.P. 632

ORDERED, the House concurring, that the Joint Standing Committee on Transportation report out legislation regarding the widening of the Maine Turnpike to the Senate.

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

Sent down for concurrence.

COMMITTEE REPORTS

House

Pursuant to Joint Order

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Authorize Department of Transportation Bond Issues in the Amount of \$40,500,000 to Match Available Federal Funds for Improvements to Municipal and State Roads and State and Local Bridges" H.P. 1299 L.D. 1842

Reported that the same be **REFERRED** to the Committee on **TRANSPORTATION** pursuant to Joint Order (H.P. 148).

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TRANSPORTATION**.

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

The Bill **REFERRED** to the Committee on **TRANSPORTATION**, pursuant to Joint Order (H.P. 148), in concurrence.

Ought to Pass

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Amend the Penobscot County Budget Committee Process" H.P. 511 L.D. 702

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

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

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

The Bill **READ ONCE**.

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

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Amend the Charter of the Lucerne-in-Maine Village Corporation" H.P. 795 L.D. 1083

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

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

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

The Bill **READ ONCE**.

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

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Remove the Sunset for the Employment of an Owner's Representative" H.P. 960 L.D. 1323

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

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

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

The Bill **READ ONCE**.

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

Ought to Pass As Amended

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Transfer a Certain Parcel of Land from the Department of Conservation to the Department of Agriculture, Food and Rural Resources" H.P. 823 L.D. 1128

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-220)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-220)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-220) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

The Committee on **BANKING AND INSURANCE** on Resolve, to Establish a Commission to Study Insurance Fraud
H.P. 681 L.D. 933

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-238)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-238)**.

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

The Resolve **READ ONCE**.

Committee Amendment "A" (H-238) **READ** and **ADOPTED**, in concurrence.

The Resolve as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

Off Record Remarks

The Committee on **BANKING AND INSURANCE** on Bill "An Act to Ensure Fair Pricing for Consumers of Health Care Services under Managed Care Plans"
H.P. 794 L.D. 1082

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-236)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-236)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-236) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

The Committee on **BANKING AND INSURANCE** on Bill "An Act to Increase Access to and Affordability of Mental Health Services"
H.P. 1062 L.D. 1500

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-237)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-237)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-237) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Amend the Charter of Foxcroft Academy"
H.P. 608 L.D. 833

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-223)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-223)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-223) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Permit the Temporary Removal of Gravestones from Cemeteries for the Purpose of Repair" H.P. 549 L.D. 740

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-224)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-224)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-224) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING.**

The Committee on **MARINE RESOURCES** on Bill "An Act Concerning Sea Urchin Management" H.P. 362 L.D. 507

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-233).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-233).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (H-233) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING.**

The Committee on **NATURAL RESOURCES** on Bill "An Act to Continue the State's Dioxin Monitoring Program" H.P. 220 L.D. 284

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-225).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-225).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (H-225) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING.**

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act Relating to the State's Deferred Compensation Plan" H.P. 685 L.D. 937

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-232).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-232).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (H-232) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING.**

The Committee on **TRANSPORTATION** on Bill "An Act to Amend the Motor Vehicle Laws Regarding Proof of Financial Responsibility and to Increase the Required Minimum Amounts of Liability Insurance Coverage" H.P. 138 L.D. 180

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-218).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-218) AND HOUSE AMENDMENT "A" (H-258).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (H-218) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING.**

The Committee on **TRANSPORTATION** on Bill "An Act Regarding the Enforcement of the Motor Vehicle Laws" H.P. 809 L.D. 1097

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-230).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-230).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (H-230) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING.**

Ought to Pass in New Draft under New Title

The Committee on **MARINE RESOURCES** on Bill "An Act Authorizing the St. George River Shellfish Management Committee to Determine Availability of and Fees for Clam Licenses" H.P. 314 L.D. 436

Reported that the same **Ought to Pass in New Draft under New Title** Bill "An Act to Authorize Shellfish Management Committees to Determine Fees for Clam Licenses"

H.P. 1292 L.D. 1837

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill in **NEW DRAFT** under **NEW TITLE PASSED TO BE ENGROSSED**.

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

The Bill in **NEW DRAFT** under **NEW TITLE READ ONCE**.

The Bill in **NEW DRAFT** under **NEW TITLE, TOMORROW ASSIGNED FOR SECOND READING**.

Divided Report

The Majority of the Committee on **BANKING AND INSURANCE** on Bill "An Act to Amend the Process of Competitive Bidding for Insurance by School Boards"

H.P. 296 L.D. 360

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

Signed:

Senators:

LAFOUNTAIN III of York
MURRAY, JR. of Penobscot
ABROMSON of Cumberland

Representatives:

PERRY of Bangor
DAVIDSON of Brunswick
CARLETON, JR. of Wells
SAXL of Bangor
WINN of Glenburn
O'NEIL of Saco
BRUNO of Raymond
STANLEY of Medway
JONES, JR. of Pittsfield

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-235)**.

Signed:

Representative:

MAYO III of Bath

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

Which Reports were **READ**.

Senator LAFOUNTAIN of York moved the Senate **ACCEPT** the Majority **UGHT NOT TO PASS** Report, in concurrence.

On motion by Senator PINGREE of Knox, **TABLED** until Later in Today's Session, pending the motion by Senator LAFOUNTAIN of York to **ACCEPT** the Majority **UGHT NOT TO PASS** Report, in concurrence.

Divided Report

The Majority of the Committee on **MARINE RESOURCES** on Bill "An Act to Modify the Process for Aquaculture Leases"

H.P. 379 L.D. 524

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

Signed:

Senators:

GOLDTHWAIT of Hancock
PENDLETON of Cumberland
MACKINNON of York

Representatives:

ETNIER of Harpswell
GOODWIN of Pembroke
BAGLEY of Machias
PIEH of Bremen
PINKHAM of Lamoine
VOLENIK of Brooklin
LAYTON of Cherryfield
HONEY of Boothbay
PINKHAM of Brunswick

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-227)**.

Signed:

Representative:

PERKINS of Penobscot

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

Which Reports were **READ**.

On motion by Senator GOLDTHWAIT of Hancock, the Majority **UGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Ensure that the Composition of the Legislature Reflects the Socio-economic Makeup of the Population of the State

H.P. 356 L.D. 479

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

Signed:

Senators:

NUTTING of Androscoggin
GOLDTHWAIT of Hancock
LIBBY of York

Representatives:

AHEARNE of Madawaska
FISK, JR. of Falmouth
BAGLEY of Machias
BUMPS of China
GIERINGER, JR. of Portland
KASPRZAK of Newport
SANBORN of Alton
DUTREMBLE of Biddeford

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-231).**

Signed:

Representatives:

GERRY of Auburn
LEMKE of Westbrook

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

Which Reports were **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Butland.

Senator **BUTLAND:** Thank you Mr. President. I'd like to pose a question through the Chair to any member of the committee.

THE PRESIDENT: The Senator may pose his question.

Senator **BUTLAND:** Thank you Mr. President, ladies and gentlemen of the Senate. During my tenure in the other Body, I had the opportunity and privilege of serving with Brad Boutilier who is a former State Representative from the city of Lewiston and towards the end of every session Representative Boutilier would present plaques to the people who had introduced different bills during the session. They would either have imaginative titles, bizarre titles or otherwise, somewhat, noteworthy titles. I've read the title of this bill. I've read the bill, and at the risk of seeming frivolous, if someone could give me a two minute tutorial on how this bill is going to work, I certainly would sleep better tonight. Thank you.

THE PRESIDENT: The Senator from Cumberland, Senator Butland poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Androscoggin, Senator Nutting.

Senator **NUTTING:** Thank you Mr. President. I'm going to attempt to answer the good Senator from Cumberland, Senator Butland, that after quite a lengthy work session, none of us on the committee were sure how the bill would work, could not come

near to giving anybody a two minute tutorial on the bill, and that is why it's an Ought Not to Pass report. Thank you.

On motion by Senator **NUTTING** of Androscoggin, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **TAXATION** on **RESOLUTION**, Proposing an Amendment to the Constitution of Maine to Provide Tax Relief for Maine Senior Citizens
H.P. 733 L.D. 997

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

Signed:

Senators:

RUHLIN of Penobscot
DAGGETT of Kennebec
MILLS of Somerset

Representatives:

GAGNON of Waterville
TRIPP of Topsham
GREEN of Monmouth
SPEAR of Nobleboro
CIANCHETTE of South Portland
MORGAN of South Portland
ROWE of Portland
LEMONT of Kittery
TUTTLE, JR. of Sanford

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-222).**

Signed:

Representative:

BUCK of Yarmouth

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

Which Reports were **READ**.

On motion by Senator **RUHLIN** of Penobscot, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Committee of Conference

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve, Recognizing the Theta Chi Building Association as a Nonprofit Corporation
S.P. 145 L.D. 424

Have had the same under consideration, and asks leave to report:

That the House **recede** and **concur** with the Senate.

Signed

Representatives: TRUE of Fryeburg
MAYO of Bath

Senators: DAGGETT of Kennebec
TREAT of Kennebec
FERGUSON of Oxford

Comes from the House with the Committee of Conference Report **READ** and **ACCEPTED**, the House **RECEDED** and **CONCURRED** to **PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-28)**, in concurrence.

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

Senate

Ought to Pass As Amended

Senator PARADIS for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Provide Training in Sudden Infant Death Syndrome to Emergency Response Personnel"
S.P. 435 L.D. 1381

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-154)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-154) **READ** and **ADOPTED**.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Amend Certain Benefits Offered Legislators"
S.P. 139 L.D. 418

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

Signed:

Senators: NUTTING of Androscoggin
LIBBY of York

Representatives: AHEARNE of Madawaska
BAGLEY of Machias
GERRY of Auburn
LEMKE of Westbrook

GIERINGER, JR. of Portland
KASPRZAK of Newport
SANBORN of Alton
DUTREMBLE of Biddeford
FISK, JR. of Falmouth

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

Signed:

Senator: GOLDTHWAIT of Hancock

Representative: BUMPS of China

Which Reports were **READ**.

Senator **NUTTING** of Androscoggin moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

SECOND READERS

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

House

Bill "An Act to Prohibit an Employer from Hiring Replacement Workers During a Strike"
H.P. 41 L.D. 66

Which was **READ A SECOND TIME**.

On motion by Senator **FERGUSON** of Oxford, Senate Amendment "A" (S-167) **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Ferguson.

Senator **FERGUSON:** Thank you very much Mr. President, ladies and gentlemen of the Senate. This is a simple amendment that prohibits the discharge for the first 45 days of strikers. In other words, for the first 45 days, strikers cannot be permanently replaced. For a long time it's been offensive to me that people that choose to go out on strike are discharged from their jobs. They permanently lose their jobs. Sometimes this occurs even before the strike occurs. And, I know over in Jay, the I.P. strike, that the company was advertising for replacement workers before the strike even began and I found that extremely offensive. What this is, this is an amendment that would allow the strikers to have a cooling off period, if you may, for 45 days, where they couldn't permanently be replaced. I do have a letter here that was addressed to a member of the other Body. It was dated April 23rd, from our Attorney General, Andrew Ketterer, and I'm not going to read the whole letter but, in essence, what it says, "that if L.D. 66 would be enacted, it would be unconstitutional." My amendment, if enacted would be

unconstitutional for the first 45 days then it would be legal, so I would hope the Body would take this under consideration. It's a middle ground and it's maybe a veto proof amendment, hopefully it would be, and I would hope you would join me in supporting this amendment and I would like to call for a roll call when we do vote on this, Mr. President. Thank you very much for your indulgence.

The same Senator requested a Roll Call.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Rand.

Senator **RAND:** Thank you Mr. President, men and women of the Senate. I hope that you will reject this amendment. One of the facts that has come out in the past several years, there's a history behind this whole strike breaker legislation. As we know there was S-55, which was filibustered to death in Congress and the Senate. There is some question as to constitutionality and it's a lawyer's argument to be made. A case could be made either way. The point though, that I think that has to be made is that there's only four countries in the world, that I know of, that permanently replace striking workers, North Korea, China, Cuba and the United States of America. This is a condition that has to change. Every other democratic country in the world operates under the assumption that workers have the right to withhold their labors and then when the dispute is settled, they have the right to get their job back. And also, remember that the constitutional dispute hinges on a couple of very important things. When the Congress passed laws that insured that striking workers could have their jobs back, they said in that legislation they will not lose their jobs. After the strike they can be rehired. The problem exists, of course, in the other part of the law which says they can't be fired but they can be permanently replaced. This will all come to a head eventually if states like Maine and the representatives of the working people who serve in the state legislatures support the working people of their states. I would ask you to, please, oppose and vote no on the proposed amendment. Thank you.

On motion by Senator **PINGREE** of Knox, **TABLED** until Later in Today's Session, pending the motion by Senator **FERGUSON** of Oxford to **ADOPT** Senate Amendment "A" (S-167). (Roll Call Requested)

Senate

Bill "An Act to Ensure Enforcement of Protection from Abuse Laws" S.P. 387 L.D. 1272

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

Sent down for concurrence.

Senate As Amended

Bill "An Act to Create the Position of Director of Econometric Research within the Bureau of Taxation" S.P. 74 L.D. 213 (C "A" S-141)

Bill "An Act to Amend the Laws Pertaining to Wine Tasting" S.P. 108 L.D. 387 (C "B" S-122)

Bill "An Act to Create an Historic Preservation Tax Credit" S.P. 126 L.D. 405 (C "A" S-139)

Bill "An Act to Provide Municipal Notification of Utility Services" S.P. 183 L.D. 601 (C "A" S-146)

Bill "An Act to Provide for an Additional Staff Member for the Business Enterprise Program" S.P. 187 L.D. 605 (C "A" S-145)

Bill "An Act Relating to Value of Property Held by Portland Yacht Club" S.P. 210 L.D. 669 (C "A" S-149)

Bill "An Act Concerning Trust Investments by Trustees in Affiliated Securities and Bonds" S.P. 278 L.D. 886 (C "A" S-151)

Resolve, Establishing a Commission to Study the Funding and Distribution of Teletypewriters and Other Telecommunications Equipment for People with Disabilities S.P. 293 L.D. 944 (C "A" S-152)

Bill "An Act to Protect the Confidentiality of Financial Records" S.P. 295 L.D. 946 (C "A" S-148)

Bill "An Act to Ensure the Accurate Collection of Excise Tax on New Motor Vehicles" S.P. 303 L.D. 1011 (C "A" S-140)

Bill "An Act to Increase Access to Education, Training and Employment for Displaced Homemakers" S.P. 328 L.D. 1106 (C "A" S-142)

Bill "An Act to Require Economic Impact Criteria on State Procurement Procedures" S.P. 361 L.D. 1220 (C "A" S-147)

Bill "An Act to Amend the Maine Probate Code to Eliminate Interest on Claims of Creditors of Insolvent Estates" S.P. 401 L.D. 1296 (C "A" S-150)

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

Sent down for concurrence.

Bill "An Act to Require the Purchaser of Tobacco Products to Produce Suitable Identification" S.P. 133 L.D. 412 (C "A" S-132)

Which was **READ A SECOND TIME**.

On motion by Senator **MITCHELL** of Penobscot, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-132).

On further motion by same Senator, Senate Amendment "A" (S-157) to Committee Amendment "A" (S-132) **READ**.

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

Senator **MITCHELL:** Thank you Mr. President, women and men of the Senate. I speak to you this morning on behalf of the small businesses which provide entertainment or services in an environment requiring no admittance by minors. By us enacting this bill without my amendment that I presented, we are incurring an added expense to these businesses by requiring them to acquire licenses to sell cigarettes in particular environments. These environments are billiard rooms, off track betting, lounges, beanos, and private clubs. It is the request from these businesses that we acknowledge and allow vending machines in these particular environments where no minors are allowed. If minors are allowed, they are accompanied by an adult for supervision. By us accepting this amendment and voting for it, we will be allowing these businesses to conduct their businesses as they currently are without having to have the vending machines removed and incurring the additional expense. So I would ask you at this time to, please, support this amendment to allow this to pursue under the current operation. So please join me in voting for this amendment.

On motion by Senator **PINGREE** of Knox, **TABLED** until Later in Today's Session, pending the motion by Senator **MITCHELL** of Penobscot to **ADOPT** Senate Amendment "A" (S-157) to Committee Amendment "A" (S-132).

Bill "An Act to Provide for State and Federal Criminal Record Checks on Educational Personnel in the State"
S.P. 174 L.D. 503
(C "A" S-127)

Which was **READ A SECOND TIME**.

On motion by Senator **PENDLETON** of Cumberland, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-127).

On further motion by same Senator, Senate Amendment "A" (S-169) to Committee Amendment "A" (S-127) **READ** and **ADOPTED**.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Pendleton.

Senator **PENDLETON:** Thank you Mr. President, men and women of the Senate. I hope you'll vote with me to Adopt this amendment. This amendment is attached to "An Act to Provide for State and Federal Criminal Record Checks on Educational Personnel in the State." It's an issue that came out of the committee unanimous. However, we had a date for it's implementation as January 1, 1999, and found that it would cause us to have to have a fiscal note, so we moved the date to July 1, 1999. Thank you.

Committee Amendment "A" (S-127) as Amended by Senate Amendment "A" (S-169) thereto, **ADOPTED**.

Which was **PASSED TO BE ENGROSSED, As Amended**.

Sent down for concurrence.

ENACTORS

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

An Act to Provide for Long-range Revenue Forecasts
S.P. 62 L.D. 172
(C "A" S-105)

An Act to Establish a 30-day Temporary Sea Urchin and Scallop Diving Tender License
H.P. 252 L.D. 316
(H "A" H-205 to C "A" H-192)

An Act to Streamline the Eviction Process
H.P. 262 L.D. 326
(C "A" H-190)

An Act to Change the Burden of Proof for Timber Trespass and Timber Theft Violations
S.P. 118 L.D. 397
(C "A" S-103)

An Act to Ensure Responsible Coordination of Medical Care under Managed Care
H.P. 401 L.D. 546
(S "A" S-113)

An Act Concerning the Importation of Marine Organisms That May Be Dangerous to Indigenous Marine Life or Its Environment
H.P. 501 L.D. 692
(C "A" H-193)

An Act to Increase the Department of Marine Resources' Involvement in Dredge Permitting
H.P. 595 L.D. 786
(C "A" H-194)

An Act to Clarify the Duties of the Office of the Public Advocate
S.P. 241 L.D. 810
(C "A" S-109)

An Act to Permit Teachers to Transfer Retirement System Creditable Service Earned as a Teacher's Aide while Employed by a School and Covered by a Participating Local District
H.P. 750 L.D. 1027
(C "A" H-177)

An Act to Enhance Live Animal and Embryo Exports From Maine
S.P. 355 L.D. 1174
(C "A" S-102)

An Act to Extend the Removal Deadline for Certain Repaired Concrete Underground Oil Storage Tanks
S.P. 395 L.D. 1292
(C "A" S-108)

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

An Act to Fund Research Regarding the Reinstatement of a Meat Inspection Program
S.P. 50 L.D. 160

On motion by Senator **MICHAUD** of Penobscot, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**.

An Act to Increase the Number of High-stakes Beano Games
H.P. 426 L.D. 576
(C "A" H-146)

Senator **BENNETT** of Oxford requested a Division.

On motion by Senator **PINGREE** of Knox, **TABLED** until Later in Today's Session, pending **ENACTMENT**. (Division Requested)

Emergency

An Act to Amend the Maine Health Data Organization Laws
S.P. 560 L.D. 1693
(H "A" H-206)

On motion by Senator **MICHAUD** of Penobscot, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**.

Resolve

Resolve, to Encourage Public Schools to Adopt a Conflict Resolution Model
H.P. 301 L.D. 365
(C "A" H-186)

Resolve, Directing the Office of Tourism and Community Development and the Maine Tourism Commission to Include Lewiston as Part of Southern or South-central Maine and Directing the Maine Turnpike Authority to Change Turnpike Signs to Accurately Reflect Access to the Sunday River Ski Area by Way of Exits 11 and 12
S.P. 315 L.D. 1055
(C "A" S-106)

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

Emergency Mandate

An Act to Increase the Debt Limit of the Waldoboro Utility District
H.P. 683 L.D. 935
(C "A" H-178)

This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

COMMITTEE REPORTS

Senate

Ought to Pass As Amended

Senator **MACKINNON** for the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Better Inform Car Repair Customers" S.P. 352 L.D. 1171

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-160)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-160) **READ** and **ADOPTED**.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

Senator **MACKINNON** for the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Resolve, to Establish Regional Service Centers S.P. 465 L.D. 1437

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-159)**.

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

The Resolve **READ ONCE**.

Committee Amendment "A" (S-159) **READ** and **ADOPTED**.

The Resolve as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

Senator **MACKINNON** for the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Amend Professional Licensing Boards Laws" S.P. 500 L.D. 1562

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-158)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-158) **READ** and **ADOPTED**.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

Senator NUTTING for the Committee on **NATURAL RESOURCES** on Bill "An Act to Ensure Adequate Review of Maintenance Dredging" S.P. 409 L.D. 1330

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-155)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-155) **READ** and **ADOPTED**.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

Off Record Remarks

Senator CAREY for the Committee on **UTILITIES AND ENERGY** on Bill "An Act to Require Fair Compensation for Ratepayer Assets Used by a Subsidiary or an Affiliate of a Utility" S.P. 173 L.D. 502

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-161)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-161) **READ** and **ADOPTED**.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

Senator CLEVELAND for the Committee on **UTILITIES AND ENERGY** on Bill "An Act to Create and Incorporate the Jackman Utility District by Merger of the Jackman Water District and the Jackman Sewer District" (Emergency) S.P. 208 L.D. 667

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-165)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-165) **READ** and **ADOPTED**.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

Senator CAREY for the Committee on **UTILITIES AND ENERGY** on Bill "An Act to Require the Public Utilities Commission to Align Telecommunications Carrier Access Rates with Costs to Foster Economic Development and Competition throughout the State" S.P. 243 L.D. 812

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-162)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-162) **READ** and **ADOPTED**.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

Senator CLEVELAND for the Committee on **UTILITIES AND ENERGY** on Bill "An Act to Create the Mt. Blue Standard Water District" (Emergency) S.P. 423 L.D. 1344

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-164)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-164) **READ** and **ADOPTED**.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

Senator CAREY for the Committee on **UTILITIES AND ENERGY** on Bill "An Act to Provide for Enforcement of the Laws Regarding the Protection of Underground Utility Facilities" S.P. 514 L.D. 1598

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-163)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-163) **READ** and **ADOPTED**.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Repeal the Requirement That All-terrain Vehicles Be Equipped with Brake Lights"
S.P. 101 L.D. 380

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-166)**.

Signed:

Senators:

KILKELLY of Lincoln
RUHLIN of Penobscot
HALL of Piscataquis

Representatives:

PAUL of Sanford
CHICK of Lebanon
DUNLAP of Old Town
TRUE of Fryeburg
USHER of Westbrook
GOODWIN of Pembroke
CROSS of Dover-Foxcroft
PERKINS of Penobscot

The Minority of the same Committee on the same subject reported that the same **Ought Not to Pass**.

Signed:

Representatives:

CLARK of Millinocket
UNDERWOOD of Oxford

Which Reports were **READ**.

On motion by Senator **KILKELLY** of Lincoln, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-166)** Report **ACCEPTED**.

The Bill **READ ONCE**.

Committee Amendment "A" (S-166) **READ and ADOPTED**.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

Off Record Remarks

Senate at Ease

Senate called to order by the President.

Off Record Remarks

ORDERS OF THE DAY

Unfinished Business

The following matter in the consideration of which the Senate was engaged at the time of Adjournment had preference in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

The Chair laid before the Senate the following Tabled and Later (4/10/97) Assigned matter:

SENATE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Impose a Surcharge on Documents Recorded in a Registry of Deeds to Fund Preservation of Registry Documents" S.P. 47 L.D. 157

Report "A" - **Ought to Pass as Amended by Committee Amendment "A" (S-93)** (11 members)

Report "B" - **Ought to Pass as Amended by Committee Amendment "B" (S-94)** (1 member)

Report "C" - **Ought Not to Pass** (1 member)

Tabled - April 10, 1997, by Senator **NUTTING** of Androscoggin.

Pending - motion by same Senator to **ACCEPT Report "A", OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-93)**

(In Senate, April 10, 1997, Reports **READ**.)

Senator **NUTTING** of Androscoggin requested and received leave of the Senate to withdraw his motion to **ACCEPT Report "A", OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-93)**.

Senator **GOLDTHWAIT** of Hancock moved the Senate **ACCEPT Report "B", OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-94)**.

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Goldthwait.

Senator **GOLDTHWAIT:** Thank you Mr. President, ladies and gentlemen of the Senate. The bill itself, I consider a very important and valuable effort to assist county government in preservation of official records. Some of the records that exist in the county registries date back to the 1600's and are hand written, and are in a state of serious disrepair, largely because of the extremely high expense of keeping those records in good condition and the very high use that they get. This proposal is an effort, by way of a \$3 surcharge on all records recorded to raise money specifically for the purpose of preservation and maintenance of those records, a cost which runs into the hundreds of thousands of dollars for most counties in the state. The amendments A and B are identical with two exceptions. The amendment B, which is now before us would make this optional with the county so that they could choose to levy this surcharge or not, and it does exempt documents filed by municipalities, therefore it is not a municipal mandate. In contrast, the amendment on the motion which was withdrawn exempted both the state and municipalities. So, this amendment exempts

municipalities only and makes the surcharge optional in the county and I hope you will join me in supporting Report B. Thank you.

On motion by Senator **AMERO** of Cumberland, **TABLED** until Later in Today's Session, pending the motion by Senator **GOLDTHWAIT** of Hancock to **ACCEPT** Report "B", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-94)**.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Create the Managed Care Ombudsman Program" (Emergency) H.P. 1305 L.D. 1848

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

Which was referred to the Committee on **BANKING AND INSURANCE** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Clarify the Charitable Status of Nonprofit Hospital and Medical Service Organizations, to Permit Their Creation of Health Insurance Affiliates and Their Conversion to Stock Insurers and to Ensure Regulatory Equity" H.P. 1306 L.D. 1849

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

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

Bill "An Act to Amend the Professional Service Corporation Act As It Relates to Eye Care Providers" H.P. 1301 L.D. 1844

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

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

Resolve, Directing the Department of Labor to Transfer Appropriate Functions and Positions to the Office that Houses the Fort Kent Employment Security Office (Emergency) H.P. 1300 L.D. 1843

Bill "An Act to Modify the Retirement Laws for the 38th Training Troop of the Maine State Police" H.P. 1304 L.D. 1847

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

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

Bill "An Act to Prohibit the Opening of Liquor Stores on the Maine Turnpike" (Emergency) H.P. 1303 L.D. 1846

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

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

Bill "An Act to Amend the Laws Regarding Legal Notices" H.P. 1302 L.D. 1845

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

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

Senate at Ease

Senate called to order by the President.

Off Record Remarks

On motion by Senator **PINGREE** of Knox, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

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

Off Record Remarks

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

COMMITTEE REPORTS

House

Ought to Pass

The Committee on **JUDICIARY** on Bill "An Act to Amend the Maine Probate Code" H.P. 751 L.D. 1028

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

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

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

The Bill **READ ONCE**.

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

The Committee on **JUDICIARY** on Bill "An Act to Implement the Recommendations of the Family Law Advisory Commission Concerning Parental Rights and Responsibilities" H.P. 776 L.D. 1053

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

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

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

The Bill **READ ONCE**.

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

Ought to Pass As Amended

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Promote Adult Education" H.P. 1095 L.D. 1538

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-246)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-246)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-246) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

The Committee on **JUDICIARY** on Bill "An Act to Modify Waiver of a Defense in the Criminal Law" H.P. 228 L.D. 292

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-254)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-254)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-254) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

The Committee on **JUDICIARY** on Bill "An Act to Amend Procedures Relating to Extradition Proceedings" H.P. 502 L.D. 693

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-255)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-255)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-255) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

The Committee on **MARINE RESOURCES** on Bill "An Act Concerning Applied Aquaculture Research in the Coastal Waters of the State" H.P. 584 L.D. 775

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-249)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-249)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-249) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

The Committee on **MARINE RESOURCES** on Bill "An Act to Require that Fish Raised in an Area Subject to a Lease Agreement with the Department of Marine Resources Be Processed in the United States" H.P. 687 L.D. 951

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-251)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-251)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-251) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

The Committee on **MARINE RESOURCES** on Bill "An Act to Eliminate the Need for a Retail Seafood License to Sell Prepared Seafood" H.P. 920 L.D. 1263

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-234)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-234) AS AMENDED BY HOUSE AMENDMENT "A" (H-259)** thereto.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-234) **READ**.

House Amendment "A" (H-259) to Committee Amendment "A" (H-234) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-234), as Amended by House Amendment "A" (H-259) thereto, **ADOPTED**, in concurrence.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

The Committee on **TAXATION** on Bill "An Act Concerning the Taxation of Manufactured Homes That Are Stock-in-trade" H.P. 72 L.D. 97

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-244)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-244)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-244) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

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

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-242)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-242)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-242) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

The Committee on **TAXATION** on Bill "An Act Relating to the State Valuation of the Town of Corinna" (Emergency) H.P. 253 L.D. 317

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-245)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-245)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-245) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

The Committee on **TAXATION** on Bill "An Act to Amend the Veteran's Estate Tax Exemption" H.P. 312 L.D. 434

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-243)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-243)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-243) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

Off Record Remarks

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

ENACTORS

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

An Act to Consider Cost-effectiveness When Providing Medicaid Coverage for Dental Services S.P. 95 L.D. 374

An Act to Extend Certain Survivor Benefits to the Spouses of Firefighters and Law Enforcement Officers and Expand the Definition of Law Enforcement Officers S.P. 120 L.D. 399

An Act to Amend the Laws Regarding the Licensure of Hearing Aid Dealers and Fitters H.P. 396 L.D. 541 (C "A" H-196)

An Act to Clarify Liability Coverage S.P. 233 L.D. 802 (S "A" S-117)

An Act to Regulate Money Transmitters and Amend Consumer Credit Laws H.P. 618 L.D. 843 (C "A" H-203; H "A" H-213)

An Act Regarding Penalties for Failure to Yield the Right-of-way to an Emergency Vehicle H.P. 661 L.D. 914 (C "A" H-198)

An Act to Implement Electronic Monitoring for Compliance with the Motor Vehicle Financial Responsibility Laws by 1999 and Make Other Changes in Those Laws S.P. 305 L.D. 1013 (C "A" S-110)

An Act to Create the Cobscook Bay Transit District H.P. 791 L.D. 1079 (C "A" H-197)

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

An Act to Enhance the Penalty for Operating a Motor Vehicle after Habitual Offender Revocation When the Actor Has Had a Prior Conviction for Operating after Revocation or Operating under the Influence within the Previous 10 Years

H.P. 400 L.D. 545
(C "A" H-199)

On motion by Senator **MICHAUD** of Penobscot, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**.

Emergency Resolve

Resolve, Concerning Reauthorization of the \$9,000,000 Bond Issue for Construction of Water Pollution Control Facilities S.P. 191 L.D. 609 (C "A" S-104)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Off Record Remarks

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

Bill "An Act to Clarify the Charitable Status of Nonprofit Hospital and Medical Service Organizations, to Permit Their Creation of Health Insurance Affiliates and Their Conversion to Stock Insurers and to Ensure Regulatory Equity" H.P. 1306 L.D. 1849

Tabled - April 30, 1997, by Senator **PINGREE** of Knox.

Pending - **REFERENCE**

(In House, April 30, 1997, referred to the Committee on **BANKING AND INSURANCE** and **ORDERED PRINTED**.)

Which was referred to the Committee on **BANKING AND INSURANCE** and **ORDERED PRINTED**, in concurrence.

Senate at Ease

Senate called to order by the President.

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

Off Record Remarks

Senator **KILKELLY** of Lincoln was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

Senator **RUHLIN** of Penobscot was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

On motion by Senator **PINGREE** of Knox, **ADJOURNED** until Thursday, May 1, 1997, at 9:00 in the morning.