

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Eighteenth Legislature
State of Maine

Volume 2

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

In Senate Chamber
Thursday
February 19, 1998

Senate called to order by President Mark W. Lawrence of York County.

Prayer by Reverend Henry Wyman of the High Street Congregational Church in Newport.

REVEREND HENRY WYMAN: Oh God, Our Father, we gather as war clouds hover and some in our great state are being called to service. We pray for them, and for wisdom in the decisions to be made. We gather this day to discuss, to debate, to enact laws which all will look at in hope it will help them as individuals and help them collectively as citizens of this great state. It would be easy to be partisan, to forget that most people are interested not so much in politics as in what you as a body do that furthers and fulfills the needs of us all. Help us not to overlook the needs of individuals and small towns. Help us not to favor the interests of large corporations that often use their money and their power in an attempt to persuade You to satisfy their needs. Stir our concerns for the weak and the infirm, and for the betterment and the beauty of this great state. Help it in its diversity while enhancing the cohesiveness of its loyalty and in its love as this day we move on. Grant us wisdom. Grant us courage for the facing of this day and all days. Amen.

Reading of the Journal of Wednesday, February 18, 1998.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator PINGREE of Knox, the following Joint Order:
S.P. 827

ORDERED, the House concurring, that when the House and Senate Adjourn they do so until Monday, February 23, 1998, at 10:00 in the morning.

READ and PASSED.

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

PAPERS FROM THE HOUSE

House Papers

Resolve, Regarding Legislative Review of Chapter 301: Rules for Standard Offer Service, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)
H.P. 1591 L.D. 2220

Bill "An Act to Dissolve the Ogunquit Sewer District and Establish a Sewerage Department" (EMERGENCY)
H.P. 1592 L.D. 2221

Come from the House, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed.

REFERRED to the Committee on **UTILITIES AND ENERGY** and ordered printed, in concurrence.

COMMUNICATIONS

The Following Communication: S.P. 828

118TH MAINE LEGISLATURE

February 18, 1998

Senator Mary Cathcart
Representative Pamela Hatch
Chairpersons
Joint Standing Committee on Labor
118th Legislature
Augusta, Maine 04333

Dear Senator Cathcart and Representative Hatch:

Please be advised that Governor Angus S. King, Jr. has nominated Gwendolyn Gatcomb of Winthrop for reappointment as the Primary Employee Representative, Wayne E. Whitney of Brunswick for reappointment as the Alternate Employee Representative, Carol B. Gilmore of Charleston for reappointment as the Alternate Employee Representative and Karl Dornish, Jr. of Winslow for appointment as the Primary Employer Representative of the Maine Labor Relations Board.

Pursuant to Title 26, M.R.S.A., subsection 968, these nominations will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

Sincerely,

S/Mark W. Lawrence
President of the Senate

S/Elizabeth H. Mitchell
Speaker of the House

READ and REFERRED to the Committee on **LABOR**.

Sent down for concurrence.

The Following Communication: S.P. 829

118TH MAINE LEGISLATURE

February 18, 1998

Senator Peggy Pendleton
Representative Shirley Richard
Chairpersons
Joint Standing Committee on Education and Cultural Affairs
118th Legislature
Augusta, Maine 04333

Dear Senator Pendleton and Representative Richard:

Please be advised that Governor Angus S. King, Jr. has nominated Steven Janik of Castine for appointment as the student member of the Maine Maritime Academy Board of Trustees.

Pursuant to P.L. 1975, Ch. 771, Section 428, this nomination will require review by the Joint Standing Committee on Education and Cultural Affairs and confirmation by the Senate.

Sincerely,

S/Mark W. Lawrence
President of the Senate

S/Elizabeth H. Mitchell
Speaker of the House

READ and REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

Sent down for concurrence.

The Following Communication: S.C. 524

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

February 11, 1998

The Honorable Mark W. Lawrence
President of the Senate
3 State House Station
Augusta, Maine 04333-0003

Dear President Lawrence:

Enclosed please find a Majority and Minority report of the Joint Standing Committee on Taxation. The reports consist of recommendations made by the committee pursuant to P.L. 1997, c. 24, Part E and c. 560, Part A whereby we were required to recommend to the Legislature a method or methods of providing tax relief to the citizens of Maine. The committee worked diligently on its task but was ultimately unable to reach consensus on specific recommendations.

We look forward to whatever legislation is developed as a result of these recommendations, along with the ensuing discussion and debate of the ideas they embody.

Sincerely,

S/Richard P. Ruhlin
Senate Chair

S/Verdi L. Tripp
House Chair

READ and with accompanying papers **ORDERED PLACED ON FILE**.

The Following Communication: S.C. 532

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

February 11, 1998

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

Dear Mr. President and Madam Speaker:

Pursuant to Title 3 Maine Revised Statutes, Chapter 35, we are pleased to submit the findings and recommendations of the Joint Standing Committee on Business and Economic Development from the review and evaluation of the Maine Development Foundation under the State Government Evaluation Act. In its review, the committee found that the Department is operating within its statutory authority. However, the committee does make several recommendations for statutory and administrative changes that are outlined in the report.

Sincerely,

S/Senator John T. Jenkins
Senate Chair

S/Representative Marc J. Vigue
House Chair

READ and with accompanying papers **ORDERED PLACED ON FILE**.

The Following Communication: S.C. 533

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

February 11, 1998

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

Dear Mr. President and Madam Speaker:

Pursuant to Title 3 Maine Revised Statutes, Chapter 35, we are pleased to submit the findings and recommendations of the Joint Standing Committee on Business and Economic Development from the review and evaluation of the Department of Economic

and Community Development under the State Governmental Evaluation Act. In its review, the committee found that the Department is operating within its statutory authority. However, the committee does make several recommendations for statutory and administrative changes that are outlined in the report.

Sincerely,

S/Senator John T. Jenkins Senate Chair
S/Representative Marc J. Vigue House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 537

**MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333**

February 17, 1998

The Honorable Mark W. Lawrence, President
Maine State Senate
The Honorable Elizabeth H. Mitchell, Speaker
Maine House of Representatives
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to PL 1997, chapter 560, part E, the Task Force on Improving Access to Prescription Drugs for the Elderly is pleased to submit its final report including recommended legislation. Copies of the report have been transmitted to the Legislative Council and the Joint Standing Committee on Health and Human Services in accordance with the law. Copies of the report have also been placed on file with the Law and Legislative Reference Library.

Sincerely,

S/Sen. Chellie Pingree, Chair
Task Force on Improving Access to
Prescription Drugs for the Elderly

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 534

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

February 17, 1998

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 Business and Economic Development has had under consideration the nomination of David J. Lakari of Portland, for reappointment as the Executive Director of the Maine State Housing Authority.

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

- | | | | |
|---------|------------------|---|--|
| YEAS: | Senators: | 2 | Rand of Cumberland,
MacKinnon of York |
| | Representatives: | 8 | Vigue of Winslow, Sirois of
Caribou, Farnsworth of
Portland, Shannon of
Lewiston, Wright of Berwick,
Cameron of Rumford,
Bodwell of Brunswick,
MacDougall of North Berwick |
| NAYS: | | 0 | |
| ABSENT: | | 3 | Sen. Jenkins of
Androscoggin, Rep. Murphy
of Kennebunk, Rep. Mack of
Standish |

Ten 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 David J. Lakari of Portland, for reappointment as the Executive Director of the Maine State Housing Authority be confirmed.

Signed,

S/John T. Jenkins
Senate Chair

S/Marc J. Vigue
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** 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 Chair noted the absence of the Senator from Waldo, Senator **LONGLEY**, the Senator from Penobscot, Senator **MITCHELL**, and the Senator from Kennebec, Senator **DAGGETT**, and further excused the same Senators from today's Roll Call votes.

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, CAREY, CASSIDY, CATHCART, CLEVELAND, FERGUSON, GOLDTHWAIT, HALL, HARRIMAN, KIEFFER, KILKELLY, LAFOUNTAIN, LIBBY, MACKINNON, MICHAUD, MILLS, MURRAY, NUTTING, O'GARA, PENDLETON, PINGREE, RAND, RUHLIN, SMALL, TREAT, THE PRESIDENT - MARK W. LAWRENCE**

ABSENT: Senators: **BUTLAND, JENKINS, PARADIS**

EXCUSED: Senators: **DAGGETT, LONGLEY, MITCHELL**

No Senators having voted in the affirmative and 29 Senators having voted in the negative, with 3 Senators being absent and 3 Senators 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 **David J. Lakari** for reappointment as the Executive Director of the Maine State Housing Authority was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication: S.C. 535

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

February 17, 1998

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 Business and Economic Development has had under consideration the nomination of William S. Randall of

Skowhegan, for appointment as a Commissioner of the Maine State Housing Authority.

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

YEAS: Senators: 2 Rand of Cumberland, MacKinnon of York

Representatives: 9 Vigue of Winslow, Sirois of Caribou, Farnsworth of Portland, Shannon of Lewiston, Wright of Berwick, Cameron of Rumford, Bodwell of Brunswick, MacDougall of North Berwick, Mack of Standish

NAYS: 0

ABSENT: 2 Sen. Jenkins of Androscoggin, Rep. Murphy of Kennebunk

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of William S. Randall of Skowhegan, for appointment as a Commissioner of the Maine State Housing Authority be confirmed.

Signed,

S/John T. Jenkins
Senate Chair

S/Marc J. Vigue
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** 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, FERGUSON, GOLDTHWAIT, HALL, HARRIMAN, KIEFFER, KILKELLY, LAFOUNTAIN, LIBBY, MACKINNON, MICHAUD, MILLS, MURRAY, NUTTING, O'GARA, PENDLETON, PINGREE, RAND, RUHLIN, SMALL, TREAT, THE PRESIDENT - MARK W. LAWRENCE**

ABSENT: Senators: JENKINS, PARADIS

EXCUSED: Senators: DAGGETT, LONGLEY, MITCHELL

No Senators having voted in the affirmative and 30 Senators having voted in the negative, with 2 Senators being absent and 3 Senators 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 **William S. Randall** for appointment as a Commissioner of the Maine State Housing Authority was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

SENATE PAPERS

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$16,000,000 to Construct Water Pollution Control Facilities; to Close and Clean Up Municipal Solid Waste Landfills; to Clean Up Tire Stockpiles; to Investigate, Abate, Clean Up and Mitigate Hazardous Substance Discharges; to Mitigate Storm Water Pollution through a Comprehensive Watershed Protection Program; and to Make Drinking Water System Improvements"
S.P. 826 L.D. 2224

Presented by Senator MICHAUD of Penobscot.
Cosponsored by Senator PARADIS of Aroostook,
Representatives COWGER of Hallowell, KNEELAND of
Easton.

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

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

ORDERS

Joint Order

On motion by Senator PINGREE of Knox, under unanimous consent on behalf of President LAWRENCE of York County, the following Joint Order: S.P. 831

ORDERED, the House concurring, that the Joint Select Committee on Research and Development is established. The select committee consists of 3 members from the Senate, to be appointed by the President of the Senate and 10 members from the House of Representatives to be appointed by the Speaker of the House. The first named members appointed from each body are cochair of the committee. The members must include at least one member from each of the following joint standing committees: the Joint Standing Committee on Agriculture, Conservation and Forestry; the Joint Standing Committee on Appropriations and Financial Affairs; the Joint Standing Committee on Business and Economic Development; the Joint Standing Committee on Education and Cultural Affairs; the Joint Standing Committee on Marine Resources; the Joint Standing Committee on Natural Resources; and the Joint Standing

Committee on Taxation. The select committee shall review all legislation relating to research and development and report its findings and recommendations to the Legislature.

READ and PASSED.

Sent down for concurrence.

Joint Resolution

On motion by Senator BENNETT of Oxford County (Cosponsored by Representative UNDERWOOD of Oxford), the following Joint Resolution: S.P. 830

JOINT RESOLUTION RECOGNIZING THE 200TH ANNIVERSARY OF THE TOWN OF OTISFIELD

WHEREAS, the beautiful country town of Otisfield was first granted to the founders in 1777 in reward for services in campaigns against Canada in 1690, named for proprietors and early patriots James and Samuel Otis and incorporated in 1798; and

WHEREAS, parts of the original territory of Otisfield were incorporated into the towns of Casco, Harrison, Naples, Oxford and Poland, and when the Town of Otisfield was incorporated it became the State's 115th town; and

WHEREAS, the Town of Otisfield seceded from Cumberland County in 1978 to join Oxford County, bringing the town closer to its county seat and neighboring towns in the same school administrative district; and

WHEREAS, the Town of Otisfield, with its lakes, ponds, woods and hills, is a lovely and pleasant home to many summer residents and native townspeople alike; and

WHEREAS, the Town of Otisfield reflects the best of all that small towns in this State have to offer with its history of one-room schoolhouses, saw mills and grist mills, tanneries and self-sufficient farms where the present is so closely linked to the past; and now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Eighteenth Legislature, now assembled in the Second Regular Session, take this occasion to recognize the Bicentennial of the incorporation of the Town of Otisfield, to commend its inhabitants and town officials for the success that they have achieved for two centuries and to extend our sincere hopes and best wishes for continued achievement for the future; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the town officials of this proud community in honor of this occasion.

READ and ADOPTED.

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

REPORTS OF COMMITTEES

House

Ought to Pass

From the Committee on **CRIMINAL JUSTICE** on Bill "An Act to Require the Development of a Plan for the Recovery, Identification and Disposition of Human Remains in a Disaster"
H.P. 1429 L.D. 1993

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

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

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

READ ONCE.

TOMORROW ASSIGNED FOR SECOND READING.

From the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act Concerning Reporting Deadlines of Studies Authorized by Law" (EMERGENCY)
H.P. 1552 L.D. 2181

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

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

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

READ ONCE.

TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

From the Committee on **UTILITIES AND ENERGY** on Bill "An Act to Amend the Charter of the Guilford-Sangerville Water District to Increase the Bond Authorization" (EMERGENCY)
H.P. 1361 L.D. 1912

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-793)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-793)**.

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

READ ONCE.

Committee Amendment "A" (H-793) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

From the Committee on **UTILITIES AND ENERGY** on Bill "An Act to Amend the Charter of the Bath Water District" (EMERGENCY)
H.P. 1421 L.D. 1985

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-794)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-794)**.

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

READ ONCE.

Committee Amendment "A" (H-794) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Encourage Regionalization of Municipal Services"
H.P. 297 L.D. 361

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-782)**.

Signed:

Senators:

NUTTING of Androscoggin
GOLDTHWAIT of Hancock

Representatives:

AHEARNE of Madawaska
FISK of Falmouth
LEMKE of Westbrook
GIERINGER of Portland
KASPRZAK of Newport
SANBORN of Alton

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

Signed:

Senator:

LIBBY of York

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-782)**.

Reports **READ**.

On motion by Senator **PINGREE** of Knox, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

Senate

Ought to Pass As Amended

Senator O'GARA for the Committee on **CRIMINAL JUSTICE** on Bill "An Act to Make Corrections to the Laws Governing the Maine Bail Code" (EMERGENCY) S.P. 744 L.D. 2022

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-459)**.

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

READ ONCE.

Committee Amendment "A" (S-459) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator O'GARA for the Committee on **CRIMINAL JUSTICE** on Bill "An Act to Promote the Receipt of Federal Funds and to Clarify the Maine Juvenile Code" S.P. 752 L.D. 2030

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-458)**.

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

READ ONCE.

Committee Amendment "A" (S-458) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator HARRIMAN for the Committee on **UTILITIES AND ENERGY** on Bill "An Act to Make Additional Allocations from the Public Utilities Commission Regulatory Fund for the Fiscal Year Ending June 30, 1998" (EMERGENCY) S.P. 690 L.D. 1925

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-457)**.

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

READ ONCE.

Committee Amendment "A" (S-457) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

SECOND READERS

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

House

Bill "An Act to Restore the Requirement That Certain Expenditures of the Waldoboro Utility District Be Approved by District Vote" (EMERGENCY) H.P. 1382 L.D. 1937

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

House As Amended

Bill "An Act to Amend the Charter of the Bingham Water District" H.P. 1426 L.D. 1990 (C "A" H-791)

READ A SECOND TIME and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Senate As Amended

Bill "An Act to Provide Access to Veterinary Education for Maine Students" S.P. 739 L.D. 2017 (C "A" S-456)

READ A SECOND TIME and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

ENACTORS

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

Emergency

An Act to Restore the Managing General Agents Act H.P. 1458 L.D. 2049

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with no Senators having voted in the negative, and 29 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.

An Act to Amend the Election Laws S.P. 686 L.D. 1917 (C "A" S-451)

An Act to Clarify the Authority of the Chief of the Bureau of Liquor Enforcement to Conduct Appeal Hearings S.P. 750 L.D. 2028

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 Provide Health Insurance Coverage for Prostate Cancer Screening
S.P. 320 L.D. 1060
(S "A" S-452)

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

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 (2/18/98) Assigned matter:

HOUSE REPORT - from the **Task Force on Improving Access to the Prescription Drugs for the Elderly** on Bill "An Act to Implement the Recommendations of the Task Force on Improving Access to Prescription Drugs for the Elderly"
H.P. 1587 L.D. 2218

Report - **Refer to the Committee on Health and Human Services** pursuant to Public Law 1997, chapter 560, Part E.

Tabled - February 18, 1998, by Senator **KIEFFER** of Arostook.

Pending - **ACCEPTANCE OF THE REPORT**, in concurrence

(In House, February 17, 1998, Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** pursuant to Public Law 1997, chapter 560, Part E.)

(In Senate, February 18, 1998, Report **READ**.)

Report **ACCEPTED**, in concurrence.

On motion by Senator **PINGREE** of Knox, **REFERRED** to the Committees on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and **HEALTH AND HUMAN SERVICES** in **NON-CONCURRENCE**.

Sent down for concurrence.

Senate at Ease

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Revise and Update the Charter of the Maine Employers' Mutual Insurance Company in Furtherance of its Mission"
H.P. 1593 L.D. 2222

Comes from the House, **REFERRED** to the Committee on **BANKING AND INSURANCE** and ordered printed.

REFERRED to the Committee on **BANKING AND INSURANCE** and ordered printed, in concurrence.

Pursuant to Resolve

Joint Standing Committee on Natural Resources

The **Joint Standing Committee on Natural Resources**, pursuant to Resolve 1997, chapter 57, asked leave to report that the accompanying Bill "An Act to Reduce Air Pollution from Motor Vehicles and to Meet Requirements of the Federal Clean Air Act"
H.P. 1594 L.D. 2223

Be **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

Senator **RUHLIN:** Thank you Mr. President. I just would like to remind the fellow Senators that the work that we do in this building, 90% is done in our Committee rooms. A lot of people don't realize that. They hear the debate or see it on television. They don't realize that that's just the tip of the iceberg. Our real work, our real accomplishments in this building will be in our Committee rooms. When we're down there working, our effectiveness is really governed by how effective and capable our staff is.

As chair of the Taxation Committee, I've been especially blessed to have as our analyst from the office of Fiscal and Program Review, Kevin Madigan to assist us. Kevin has been not just a help. He's been that, but he's also been a mentor. He's been my favorite tax historian. He, I think, knows more about the history of taxes in the state of Maine than probably anybody that I've discussed it with. Kevin has been in State employ for 16 years. Ten of those years as the analyst for the Taxation Committee. So, his experience, before he even got to the Taxation Committee, gave him a good breadth of knowledge.

I am sorry to have to report to the Senate that we are going to be losing Kevin after all these years. He has taken an offer

elsewhere in Rhode Island working in the fiscal office there. They don't have a Taxation Committee. They have a different type. Still it's a Committee that works with the finances of the state, and Kevin will be in a supervisory role there. It looks like an excellent advancement for him. So, for that reason I am happy for him. But I'm still a little upset that he is leaving us. But our loss is surely Rhode Island's gain. So, this afternoon I would like to have you join with me in wishing a happy goodbye to my friend and work mate, Kevin Madigan.

THE PRESIDENT: The Chair would note that it's rumored that Mr. Madigan is going to work for the Senate Fiscal Review Department. So, he considers it a promotion to work for the Senate side.

Off Record Remarks

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

Senator **TREAT:** Thank you Mr. President and men and women of the Senate. I just wanted to say a few words about three of the honoraries who I have the great distinction that they happen to either live in my district, or teach, or administrate at schools within my district. Roy Crawford is the Principal of the Monmouth Academy. He is one of the Millikan awardees. He has been known for his quiet leadership at Monmouth Academy and his innovation. It's a very special place. Those of you who have been to Monmouth Academy and walked through the halls, as I have, really notice that it's a place where kids really want to be in school. It's a wonderful atmosphere. Suzanne Olson is also an administrator. And I think it's wonderful that people that work in administration are getting recognized by a national organization for their innovation and their work. She is administrator in the Hall-Dale School, in Farmingdale. Linda Tukey teaches in the Jay School District but lives in my district, so I'm going to take some credit here as well. I think, often, people stand up and they talk a lot about the York County delegation or the county, or Washington County. Of course, none of us can compete with that. You rarely here people talking about Kennebec County as some distinguished place in the scheme of things where great things are happening. So, I would like to do that today. I think there's some really wonderful things happening out in our schools these days, and there's some wonderful things happening in central Maine, in my district and others. I just want to take this opportunity to recognize the work of these individuals who have really inspired their students as well as the faculty in their schools, and deserve the national recognition that they're getting. They're all being flown out to California for, what I understand to be, almost an Academy Awards type event. They get a huge grant of money in recognition of their work. It's a very special thing. As we continue to work to improve Maine's education system, we should take time to recognize the efforts of these truly innovative and special teachers and administrators. So, thank you very much.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator LaFountain.

Senator **LAFOUNTAIN:** Thank you Mr. President and men and women of the Senate. Like the good Senator from

Kennebec, I would also like to recognize a Millikan Foundation winner from my district and that's Donald Berthiaume from Kennebunkport who teaches at Biddeford High School. Biddeford High School is very fortunate to have Mr. Berthiaume teaching in our system. In fact, we are the only high school in Maine to have had the benefit of Mr. Berthiaume. His first teaching job in 1974 was with Biddeford and he's there presently, today. He's had a distinguished career in education at Biddeford High School. He's taught biology for a number of years. As I told him earlier today, in 1977 I was a sophomore biology student and after three days in the class I desperately tried to get out and get enrolled in Mr. Berthiaume's class. However, the class was full and I had to stay and suffer where I was, and my grades reflect that. Also, at Biddeford High School, he's coached a number of sports including football and both indoor and outdoor track. In 1994 he was named the biology teacher of the year. He was instrumental in developing the first biotechnology program in Maine's high schools. In addition to being a recipient of the Millikan Foundation award, he will be traveling to Washington D. C. in June, with his wife, where he will be receiving an award from President Clinton. He was named President's award for education winner, one of two for post secondary, here in the state of Maine. Congratulations.

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

Senator **PENDLETON:** Thank you Mr. President and men and women of the Senate. I just had to add my two cents, being chair of the Education Committee, also having been a student teacher a year and a half ago. I also was able to go with the teachers last year, the recipients that went to the Millikan Foundation. I hope that the Senate realizes only 150 teachers are recognized throughout the United States for this honor. You are flown to Los Angeles. You're selected based on exceptional educational talent and distinguished achievement in developing innovative education curricular. I think we don't recognize teachers enough. You're going to walk down a ramp and be presented with a check for a sizable amount of money to spend anywhere you want to. I hope, for the male teacher, that you do have a tuxedo because you'll need it. And for the ladies, you'll need formal gowns and I think you're going to have a wonderful time because it is just like the Academy Awards, and you deserve it.

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

Off Record Remarks

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

Off Record Remarks

On motion by Senator **PINGREE** of Knox, **ADJOURNED**, pursuant to the Joint Order, until Monday, February 23, 1998, at 10:00 in the morning.