

MAINE STATE LEGISLATURE

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



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

Senate Legislative Record
One Hundred and Nineteenth Legislature
State of Maine

Volume 1

First Regular Session
December 2, 1998 to May 4, 1999

Pages 1 - 746

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

In Senate Chamber
Thursday
January 7, 1999

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

Prayer by Senator Marge L. Kilkelly of Lincoln County.

SENATOR KILKELLY: Let us pray. All Mighty God, known to each of us in your own way, we face many challenges as we tackle the work you've set before us. Be with us each day, help us be mindful that you are the source of our comfort in times of sorrow, the source of our wisdom in times of confusion, the source of our solace in our times of grief, the source of our joy in times of thankfulness. You are the source of all that we have, all that we are, and all that we can be. We are here to do your will. Be with us each day, guide us to be wise just stewards of the great State of Maine. Amen.

Doctor of the day, David J. Simmons, M.D., Calais.

Reading of the Journal of Wednesday, January 6, 1999.

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. 31

ORDERED, the House concurring, that when the House and Senate Adjourn they do so until Monday, January 11, 1999, at 3 o'clock in the afternoon.

READ and PASSED.

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

Off Record Remarks

Out of order and under Suspension of the Rules, on motion by Senator PINGREE of Knox, the following Senate Order:
S.O. 11

ORDERED, that a message be sent to the House of Representatives proposing a Joint Convention of the two Branches of the Legislature to be held at 6:30 in the evening at the Augusta Civic Center for the purpose of administering to the Honorable Angus S. King, Jr., Governor-elect, the oaths required by the Constitution to qualify his to enter upon the discharge of his official duties.

READ and PASSED.

The Chair appointed the Senator from Knox, Senator PINGREE to deliver the message to the House of Representatives. The Sergeant-At-Arms escorted the Senator to the House of Representatives.

Subsequently, the Senator from Knox, Senator PINGREE reported that she had delivered the message with which she was charged.

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Increase the Deer Hunting Day by 15 Minutes"
H.P. 30 L.D. 39

Bill "An Act to Allow the Use of Camouflage Hunter Orange Clothing"
H.P. 31 L.D. 40

Come from the House REFERRED to the Committee on INLAND FISHERIES AND WILDLIFE and ordered printed.

REFERRED to the Committee on INLAND FISHERIES AND WILDLIFE and ordered printed, in concurrence.

Pursuant to Resolve
Commission to Examine Rate Setting and the Financing of
Maine's Long-term Care Facilities

The Commission to Examine Rate Setting and the Financing of Maine's Long-term Care Facilities, pursuant to Resolves 1997, chapter 81 and chapter 129 asked leave to report that the accompanying Bill "An Act to Implement the Recommendations of the Commission to Examine the Rate Setting and Financing of Maine's Long-term Care Facilities" (EMERGENCY)
H.P. 33 L.D. 42

Be REFERRED to the Committee on HEALTH AND HUMAN SERVICES 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 HEALTH AND HUMAN SERVICES and ordered printed pursuant to Joint Rule 218.

Report READ and ACCEPTED, in concurrence.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statutes
Maine State Retirement System**

The **Maine State Retirement System**, pursuant to the Maine Revised Statutes, Title 5, section 17103, subsection 13 asked leave to report that the accompanying Bill "An Act to Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 2000" (EMERGENCY)

H.P. 32 L.D. 41

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

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

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

COMMUNICATIONS

The Following Communication: S.P. 34

**THE SENATE OF MAINE
OFFICE OF THE PRESIDENT
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

January 5, 1999

Joy J. O'Brien
Secretary of the Senate
3 State House Station
Augusta, Maine 04333

Dear Secretary O'Brien:

Pursuant to my authority under the Senate Rules and the Joint Rules, I have appointed the following Senators to the Special Committee on Legislative Rules:

Senator Mark Lawrence of York, Chair;
Senator Anne Rand of Cumberland;
Senator Sharon Treat of Kennebec;
Senator Jane Amero of Cumberland;
Senator Peter Mills of Somerset.

Please let me know if you have questions regarding these appointments.

Sincerely,

S/Mark W. Lawrence
President of the Senate

READ and **ORDERED PLACED ON FILE.**

Sent down for concurrence.

The Following Communication: S.P. 40

**THE SENATE OF MAINE
OFFICE OF THE PRESIDENT
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

January 6, 1998

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

Dear Secretary O'Brien:

Pursuant to my authority under Senate Rule 201.1.C, I have made the following appointments to various Joint Standing Committees as well as the Joint Select Committee on Research and Development.

Agriculture, Conservation and Forestry
John M. Nutting, Chair (D-Androscoggin)
Marge L. Kilkelly (D-Lincoln)
R. Leo Kieffer (R-Aroostook)

Appropriations and Financial Affairs
Michael H. Michaud, Chair (D-Penobscot)
Mary R. Cathcart (D-Penobscot)
Phillip E. Harriman (R-Cumberland)

Banking and Insurance
Lloyd P. LaFountain III, Chair (D-York)
Neria R. Douglass (D-Androscoggin)
I. Joel Abromson (R-Cumberland)

Business and Economic Development
Carol A. Kontos, Chair (D-Cumberland)
Susan W. Longley (D-Waldo)
Bruce W. MacKinnon (R-York)

Education and Cultural Affairs
Georgette B. Berube, Chair (D-Androscoggin)
Robert E. Murray, Jr. (D-Penobscot)
Mary E. Small (R-Sagadahoc)

Criminal Justice
Robert E. Murray, Jr., Chair (D-Penobscot)
William B. O'Gara (D-Cumberland)
Paul T. Davis, Sr. (R-Piscataquis)

Health and Human Services

Judy Paradis, Chair (D-Aroostook)
Georgette B. Berube (D-Androscoggin)
Betty Lou Mitchell (R-Penobscot)

Inland Fisheries and Wildlife

Marge L. Kilkelly, Chair (D-Lincoln)
Richard P. Ruhlin (D-Penobscot)
R. Leo Kieffer (R-Aroostook)

Judiciary

Susan W. Longley, Chair (D-Waldo)
Sharon Anglin Treat (D-Kennebec)
John W. Benoit (R-Franklin)

Labor

Neria R. Douglass, Chair (D-Androscoggin)
Lloyd P. LaFountain III (D-York)
S. Peter Mills (R-Somerset)

Legal and Veterans Affairs

Beverly C. Daggett, Chair (D-Kennebec)
Richard J. Carey (D-Kennebec)
Norman K. Ferguson, Jr. (R-Oxford)

Marine Resources

Jill M. Goldthwait, Chair (I-Hancock)
Peggy A. Pendleton (D-Cumberland)
Bruce W. MacKinnon (R-York)

Natural Resources

Sharon Anglin Treat, Chair (D-Kennebec)
John M. Nutting (D-Androscoggin)
James D. Libby (R-York)

State and Local Government

Peggy A. Pendleton, Chair (D-Cumberland)
Jill M. Goldthwait (I-Hancock)
Paul T. Davis (R-Piscataquis)

Taxation

Richard P. Ruhlin, Chair (D-Penobscot)
Beverly C. Daggett (D-Kennebec)
S. Peter Mills (R-Somerset)

Transportation

William B. O'Gara, Chair (D-Cumberland)
Judy Paradis (D-Aroostook)
Vinton E. Cassidy (R-Washington)

Utilities and Energy

Richard J. Carey, Chair (D-Kennebec)
Carol A. Kontos (D-Cumberland)
Betty Lou Mitchell (R-Penobscot)

Joint Select Committee on Research
and Development

Carol A. Kontos, Chair (D-Cumberland)
Peggy A. Pendleton (D-Cumberland)
Richard A. Bennett (R-Oxford)

Sincerely,

S/Mark W. Lawrence
President of the Senate

READ and ORDERED PLACED ON FILE.

Sent down for concurrence.

The Following Communication:

H.P. 26

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA, MAINE 04333-0002**

December 21, 1998

G. Steven Rowe
Speaker of the House
119th Legislature

Mark W. Lawrence
President of the Senate
119th Legislature

Dear Mr. Speaker and Mr. President:

On December 21, 1998, twenty bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 21, 1998, as follows:

Appropriations and Financial Affairs

Bill "An Act to Authorize a General Fund Bond Issue to Create Affordable Housing" (H.P. 25) (L.D. 35) (Presented by Representative BRENNAN of Portland) (Cosponsored by Representatives: BERRY of Livermore, BRUNO of Raymond, CAMERON of Rumford, KANE of Saco, QUINTO of Portland, SHIAH of Bowdoinham, STEVENS of Orono, Senator: KONTOS of Cumberland)

Banking and Insurance

Bill "An Act to Repeal the Community Rating Law" (H.P. 23) (L.D. 33) (Presented by Representative PERKINS of Penobscot) (By Request)

Bill "An Act to Protect the Choice of Hospital Care for HMO Enrollees" (H.P. 24) (L.D. 34) (Presented by Representative MAYO of Bath) (Cosponsored by Representative McALEVEY of Waterboro)

Business and Economic Development

Bill "An Act to Require That Stores Close for a Half Day on Memorial Day and Veterans' Day" (H.P. 9) (L.D. 19) (Presented by Representative GAGNE of Buckfield) (Cosponsored by Representatives: DUNLAP of Old Town, HEIDRICH of Oxford, JACOBS of Turner, TRIPP of Topsham)

Resolve, Regarding Legislative Review of Chapter 15: Fees, Section 15.8: Inspection Fees-Tramway, a Major Substantive Rule of the Board of Elevator and Tramway Safety (EMERGENCY) (H.P. 19) (L.D. 29) (Submitted by the Board of Elevator and Tramway Safety pursuant to the Maine Revised Statutes, Title 5, section 8072.)

Resolve, Regarding Legislative Review of Chapter 5: Standards for Continuing Professional Education for Acupuncturists and Naturopathic Doctors; Chapter 6: Standards Relating to Prescriptive Authorities and Collaborative Relationships; and Chapter 9: Fees, Section 1, Major Substantive Rules of the Department of Professional and Financial Regulation (EMERGENCY) (H.P. 20) (L.D. 30) (Submitted by the Department of Professional and Financial Regulation pursuant to the Maine Revised Statutes, Title 5, section 8072.)

Resolve, Regarding Legislative Review of Chapter 8: Fees, Section 1, a Major Substantive Rule of the Board of Veterinary Medicine (EMERGENCY) (H.P. 21) (L.D. 31) (Submitted by the Board of Veterinary Medicine pursuant to the Maine Revised Statutes, Title 5, section 8072.)

Bill "An Act to Allow Reimbursement of Registered Nurse First Assistants for Surgical Procedures" (H.P. 22) (L.D. 32) (Presented by Representative BROOKS of Winterport) (Cosponsored by Senator GOLDTHWAIT of Hancock and Representatives: BAKER of Bangor, BRAGDON of Bangor, CHIZMAR of Lisbon, DUNLAP of Old Town, HATCH of Skowhegan, SHIELDS of Auburn, SNOWE-MELLO of Poland, Senator: CATHCART of Penobscot)

Education and Cultural Affairs

Bill "An Act to Change the Name of the 'Department of Education' to the 'Department of Schooling'" (H.P. 14) (L.D. 24) (Presented by Representative PERKINS of Penobscot)

Inland Fisheries and Wildlife

Bill "An Act to Clarify the Responsibility of a Municipality in Enforcing Personal Watercraft Regulations" (H.P. 16) (L.D. 26) (Presented by Representative PERKINS of Penobscot)

Bill "An Act to Change the Name of the Department of Inland Fisheries and Wildlife" (H.P. 17) (L.D. 27) (Presented by Representative PERKINS of Penobscot)

Labor

Bill "An Act to Increase Health Insurance Benefits for Retired Educators" (H.P. 13) (L.D. 23) (Presented by Representative GAGNE of Buckfield) (Cosponsored by Representative FULLER of Manchester and Representatives: BRENNAN of Portland, GREEN of Monmouth, JACOBS of Turner, McKEE of Wayne, SULLIVAN of Biddeford, TWOMEY of Biddeford, Senators: KONTOS of Cumberland, O'GARA of Cumberland)

Marine Resources

Bill "An Act to Close Elver Fishing on the West Bank of the Narramissic River" (EMERGENCY) (H.P. 6) (L.D. 16) (Presented by Representative PERKINS of Penobscot)

Natural Resources

Bill "An Act to Eliminate the Use of MTBE in Maine" (H.P. 11) (L.D. 21) (Presented by Representative TRIPP of Topsham) (Cosponsored by Senator LIBBY of York and Representatives: BOUFFARD of Lewiston, CHIZMAR of Lisbon, LOVETT of Scarborough, MacDOUGALL of North Berwick, MENDROS of Lewiston, SNOWE-MELLO of Poland, TUTTLE of Sanford, WATERHOUSE of Bridgton)

State and Local Government

Bill "An Act to Require a Mortgagee to Notify Annually the Municipality in Which Mortgaged Property Is Located" (H.P. 7) (L.D. 17) (Presented by Representative PERKINS of Penobscot) (By Request)

Bill "An Act to Designate Wintergreen as the State Herb" (H.P. 12) (L.D. 22) (Presented by Representative BAKER of Bangor) (Cosponsored by Senator DAGGETT of Kennebec and Representatives: BROOKS of Winterport, DESMOND of Mapleton, GAGNE of Buckfield, HATCH of Skowhegan, LOVETT of Scarborough, McKEE of Wayne, O'BRIEN of Augusta, POWERS of Rockport)

Bill "An Act to Repeal Observation of Daylight Savings Time" (H.P. 15) (L.D. 25) (Presented by Representative ROSEN of Bucksport) (By Request)

Taxation

Bill "An Act to Exempt from the State Sales Tax Adult Incontinence Undergarments" (H.P. 8) (L.D. 18) (Presented by Representative PERKINS of Penobscot) (Cosponsored by Representatives: BUCK of Yarmouth, McKEE of Wayne, POVICH of Ellsworth, WATERHOUSE of Bridgton)

Bill "An Act to Prohibit the Taxing of Veterans' Pensions" (H.P. 10) (L.D. 20) (Presented by Representative GAGNE of Buckfield) (Cosponsored by Representatives: CHIZMAR of Lisbon, DUNLAP of Old Town, GOODWIN of Pembroke, HEIDRICH of Oxford, JACOBS of Turner, MAILHOT of Lewiston, TRIPP of Topsham, TRUE of Fryeburg)

Transportation

Bill "An Act to Exempt a Person Running for Public Office from the Mandatory Seat Belt Law" (H.P. 18) (L.D. 28) (Presented by Representative PERKINS of Penobscot)

Sincerely,

S/Joseph W. Mayo
Clerk of the House

S/Joy J. O'Brien
Secretary of the Senate

Comes from the House, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE**, in concurrence.

The Following Communication: H.P. 29

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA, MAINE 04333-0002**

December 29, 1998

G. Steven Rowe
Speaker of the House
119th Legislature

Mark W. Lawrence
President of the Senate
119th Legislature

Dear Mr. Speaker and Mr. President:

On December 29, 1998, two bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 29, 1998, as follows:

Appropriations and Financial Affairs

Bill "An Act to Appropriate Funds to Ensure Forestry Industry Training Education" (H.P. 27) (L.D. 36) (Presented by Representative MARTIN of Eagle Lake)

Judiciary

Bill "An Act Providing for a Vote of Confidence before a Judge Is Eligible for Reappointment" (H.P. 28) (L.D. 37) (Presented by Representative MARTIN of Eagle Lake)

Sincerely,

S/Joseph W. Mayo
Clerk of the House

S/Joy J. O'Brien
Secretary of the Senate

Comes from the House, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE**, in concurrence.

The Following Communication: H.P. 34

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

TO: Joseph W. Mayo
Clerk of the House

FROM: G. Steven Rowe
Speaker of the House

DATE: December 29, 1998

RE: Committee Appointments
119th Legislature

Pursuant to my authority under House Rule 201.1(l)(a), I have made the following appointments to the various Joint Standing Committees as well as the Joint Select Committee on Research and Development.

Agriculture, Conservation and Forestry

Wendy Pieh, Chair (D-Bremen)
Paul Volenik (D-Brooklin)
Elizabeth Watson (D-Farmingdale)
Scott W. Cowger (D-Hallowell)
Rosita Gagne (D-Buckfield)
Ruel P. Cross (R-Dover-Foxcroft)*
Walter R. Gooley (R-Farmington)
Clifton E. Foster (R-Gray)
Roderick W. Carr (R-Lincoln)
Barry G. Gillis (R-Danforth)

Appropriations and Financial Affairs

Elizabeth Townsend, Chair (D-Portland)
Kathleen A. Stevens (D-Orono)
Randall L. Berry (D-Livermore)
Richard H. Mailhot (D-Lewiston)
Judith A. Powers (D-Rockport)
Paul L. Tessier (D-Fairfield)
Richard Kneeland (R-Easton)*
Tom J. Winsor (R-Norway)
Joseph Bruno (R-Raymond)
Richard A. Nass (R-Acton)

Banking and Insurance

Jane W. Saxl, Chair (D-Bangor)
Christopher P. O'Neil (D-Saco)
Joseph C. Perry (D-Bangor)
Benjamin F. Dudley (D-Portland)
John G. Richardson, Jr. (D-Brunswick)
Nancy B. Sullivan (D-Biddeford)
Arthur F. Mayo III (R-Bath)*
Sumner A. Jones, Jr. (R-Pittsfield)
Kevin J. Glynn (R-South Portland)
Robert W. Nutting (R-Oakland)

Business and Economic Development

Gary L. O'Neal, Chair (D-Limestone)
 Rosaire J. Sirois (D-Caribou)
 Verdi L. Tripp (D-Topsham)
 Ronald E. Usher (D-Westbrook)
 Brian Bolduc (D-Auburn)
 Jean Ginn Marvin (R-Cape Elizabeth)*
 David E. Bowles (R-Sanford)
 Harold A. Clough (R-Scarborough)
 Stavros J. Mendros (R-Lewiston)
 Kevin L. Shorey (R-Calais)

Criminal Justice

Edward J. Povich, Chair (D-Ellsworth)
 Roger D. Frechette (D-Biddeford)
 Christopher T. Muse (D-South Portland)
 Nancy L. Chizmar (D-Lisbon)
 Michael W. Quint (D-Portland)
 Michael J. McAlevee (R-Waterboro)*
 Judith B. Peavey (R-Woolwich)
 Julie Ann O'Brien (R-Augusta)
 James H. Tobin, Jr. (R-Dexter)
 Roger L. Sherman (R-Hodgdon)

Education and Cultural Affairs

Michael F. Brennan, Chair (D-Portland)
 Shirley K. Richard (D-Madison)
 Mabel J. Desmond (D-Mapleton)
 James G. Skoglund (D-St. George)
 Elizabeth Watson (D-Farmingdale)
 Christina L. Baker (D-Bangor)
 Vaughn A. Stedman (R-Hartland)*
 Irvin G. Belanger (R-Caribou)
 Mary Black Andrews (R-York)
 Carol Weston (R-Montville)

Health and Human Services

Thomas J. Kane, Chair (D-Saco)
 Joseph E. Brooks (D-Winterport)
 Elaine Fuller (D-Manchester)
 Michael W. Quint (D-Portland)
 Edward R. Dugay (D-Cherryfield)
 Daniel B. Williams (D-Orono)
 Glenys P. Lovett (R-Scarborough)*
 Tarren R. Bragdon (R-Bangor)
 Lois A. Snowe-Mello (R-Poland)
 Thomas F. Shields (R-Auburn)

Inland Fisheries and Wildlife

Matthew Dunlap, Chair (D-Old Town)
 Richard H. C. Tracy (D-Rome)
 Joseph E. Clark (D-Millinocket)
 Bruce S. Bryant (D-Dixfield)
 William R. Cote (D-Lewiston)
 Royce W. Perkins (R-Penobscot)*
 Howard A. Chick (R-Lebanon)
 Harry G. True (R-Fryeburg)
 Ken Honey (R-Boothbay)
 A. David Trahan (R-Waldoboro)

Judiciary

Richard H. Thompson, Chair (D-Naples)
 Thomas Bull (D-Freeport)
 Charles C. LaVerdiere (D-Wilton)
 Patricia T. Jacobs (D-Turner)
 Charles E. Mitchell (D-Vassalboro)
 William S. Norbert (D-Portland)
 Debra D. Plowman (R-Hampden)*
 David R. Madore (R-Augusta)
 G. Paul Waterhouse (R-Bridgton)
 William J. Schneider (R-Durham)
 Donna M. Loring (Penobscot Nation)

Labor

Pamela Henderson Hatch, Chair (D-Skowhegan)
 Roland B. Samson (D-Jay)
 Zachary E. Matthews (D-Winslow)
 Roger D. Frechette (D-Biddeford)
 Albion D. Goodwin (D-Pembroke)
 Christopher T. Muse (D-South Portland)
 Russell P. Treadwell (R-Carmel)*
 Jay MacDougall (R-North Berwick)
 Adam Mack (R-Standish)
 Gerald M. Davis (R-Falmouth)

Legal and Veterans Affairs

John L. Tuttle, Jr., Chair (D-Sanford)
 Albert P. Gamache (D-Lewiston)
 Nancy L. Chizmar (D-Lisbon)
 Charles D. Fisher (D-Brewer)
 Rosita Gagne (D-Buckfield)
 Janice E. Labrecque (R-Gorham)*
 Arthur F. Mayo III (R-Bath)
 Royce W. Perkins (R-Penobscot)
 Theodore H. Heidrich (R-Oxford)
 Terrence P. McKenney (R-Cumberland)

Marine Resources

David M. Etnier, Chair (D-Harpswell)
 Paul Volenik (D-Brooklin)
 Martha A. Bagley (D-Machias)
 Wendy Pieh (D-Bremen)
 Ronald E. Usher (D-Westbrook)
 William D. Pinkham (R-Lamoine)*
 Kenneth F. Lemont (R-Kittery)
 Ken Honey (R-Boothbay)
 Deborah Kaler McNeil (R-Rockland)
 Robert E. Stanwood (R-Southwest Harbor)

Natural Resources

John L. Martin, Chair (D-Eagle Lake)
 Scott W. Cowger (D-Hallowell)
 Linda Rogers McKee (D-Wayne)
 David M. Etnier (D-Harpswell)
 Joseph E. Clark (D-Millinocket)
 Robert W. Duplessie (D-Westbrook)
 Henry L. Joy (R-Crystal)*
 Robert A. Cameron (R-Rumford)
 Robert A. Daigle (R-Arundel)
 David L. Tobin (R-Windham)

State and Local Government

Douglas J. Ahearn, Chair (D-Madawaska)
Martha A. Bagley (D-Machias)
Benjamin L. Rines, Jr. (D-Wiscasset)
John F. McDonough (D-Portland)
Joanne T. Twomey (D-Biddeford)
Randall L. Bumps (R-China)*
Susan Kasprzak (R-Newport)
Arian R. Jodrey (R-Bethel)
Earl E. Richardson (R-Greenville)
Belinda A. Gerry (I-Auburn)
Donald G. Soctomah (Passamaquoddy Tribe)

Comes from the House, **READ and ORDERED PLACED ON FILE.**

READ and ORDERED PLACED ON FILE, in concurrence.

Taxation

Kenneth T. Gagnon, Chair (D-Waterville)
Bonnie Green (D-Monmouth)
Thomas M. Davidson (D-Brunswick)
Patrick Colwell (D-Gardiner)
Stephen S. Stanley (D-Medway)
David G. Lemoine (D-Old Orchard Beach)
Kenneth F. Lemont (R-Kittery)*
Eleanor M. Murphy (R-Berwick)
John T. Buck (R-Yarmouth)
Peter E. Cianchette (R-South Portland)

The Following Communication: H.P. 35

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

January 5, 1999

Honorable Joseph W. Mayo
Clerk of the House
2 State House Station
Augusta, Maine 04333-0002

Dear Clerk Mayo:

Pursuant to my authority under House Rule 201.1(l)(a), I have made the following appointments to the Special Committee on Legislative Rules:

G. Steven Rowe (D) Portland, Chair
Richard H. Thompson (D) Naples
Joseph M. Jabar, Sr. (D) Waterville
Michael J. McAlevey (R) Waterboro
Janice E. Labrecque (R) Gorham

Sincerely,

S/G. Steven Rowe
Speaker of the House

Comes from the House, **READ and ORDERED PLACED ON FILE.**

READ and ORDERED PLACED ON FILE, in concurrence.

Transportation

Joseph M. Jabar, Sr., Chair (D-Waterville)
Gerald N. Bouffard (D-Lewiston)
Charles D. Fisher (D-Brewer)
Gary J. Wheeler (D-Eliot)
Laura J. Sanborn (D-Alton)
David A. Lindahl (R-Northport)*
Christine R. Savage (R-Union)
Robert A. Cameron (R-Rumford)
Edgar Wheeler (R-Bridgewater)
Ronald F. Collins (R-Wells)

The Following Communication: S.C. 22

**STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE**

January 6, 1999

To the President of the Senate of the One Hundred and Nineteenth Legislature:

I, DAN A. GWADOSKY, Secretary of State, in accordance with the Constitution and laws of the State of Maine, having tabulated the returns of the votes cast for Governor at the General Election held on the third day of November in the year one thousand nine hundred and ninety-eight;

Utilities and Energy

Thomas M. Davidson, Chair (D-Brunswick)
Patrick Colwell (D-Gardiner)
Charles C. LaVerdiere (D-Wilton)
Bruce S. Bryant (D-Dixfield)
Monica McGlocklin (D-Embden)
William R. Savage (D-Buxton)
Donald P. Berry, Sr. (R-Belmont)*
Harry G. True (R-Fryeburg)
Richard H. Duncan (R-Presque Isle)
Richard W. Rosen (R-Bucksport)

Joint Select Committee on Research and Development

Scott W. Cowger, Chair (D-Hallowell)
Kathleen A. Stevens (D-Orono)
Paul L. Tessier (D-Fairfield)
Verdi L. Tripp (D-Topsham)
Elizabeth Watson (D-Farmingdale)
Albion D. Goodwin (D-Pembroke)
Irvin G. Belanger (R-Caribou)*
Ken Honey (R-Boothbay)
Glenys P. Lovett (R-Scarborough)
James H. Tobin, Jr. (R-Dexter)

*Ranking Republican Member

LEGISLATIVE RECORD - SENATE, THURSDAY, JANUARY 7, 1999

REPORT AS FOLLOWS; that Angus S. King Jr., having received a plurality of the votes cast, appears to have been elected Governor of the State of Maine:

CLARKE (UNENROLLED)

ANDROSCOGGIN	1512	4.7%
AROOSTOOK	1100	4.9%
CUMBERLAND	1798	1.9%
FRANKLIN	306	3.0%
HANCOCK	823	4.6%
KENNEBEC	1529	4.1%
KNOX	487	3.6%
LINCOLN	388	2.8%
OXFORD	676	3.9%
PENOBSCOT	2516	5.5%
PISCATAQUIS	378	5.7%
SAGADAHOC	367	3.0%
SOMERSET	729	4.6%
WALDO	677	5.8%
WASHINGTON	714	6.5%
YORK	1293	2.3%
TOTAL:	15293	3.6%

CONNOLLY (DEMOCRAT)

ANDROSCOGGIN	3939	12.3%
AROOSTOOK	3090	13.7%
CUMBERLAND	13222	13.7%
FRANKLIN	1316	13.0%
HANCOCK	1532	8.5%
KENNEBEC	4690	12.5%
KNOX	1174	8.6%
LINCOLN	1205	8.7%
OXFORD	2047	11.9%
PENOBSCOT	5486	11.9%
PISCATAQUIS	708	10.7%
SAGADAHOC	1148	9.5%
SOMERSET	1845	11.6%
WALDO	1090	9.4%
WASHINGTON	1416	12.9%
YORK	6598	11.9%
TOTAL:	50506	12.0%

KING (UNENROLLED)

ANDROSCOGGIN	20036	62.4%
AROOSTOOK	11609	51.3%
CUMBERLAND	59664	61.6%
FRANKLIN	6211	61.4%
HANCOCK	9666	53.5%
KENNEBEC	22221	59.1%
KNOX	8301	60.7%
LINCOLN	8627	62.1%
OXFORD	10818	62.9%
PENOBSCOT	23107	50.1%
PISCATAQUIS	3313	50.2%
SAGADAHOC	7807	64.4%
SOMERSET	8596	54.0%
WALDO	5954	51.2%
WASHINGTON	4926	44.9%

YORK	35916	64.7%
TOTAL:	246772	58.6%

LAMARCHE (UNENROLLED)

ANDROSCOGGIN	1399	4.4%
AROOSTOOK	1543	6.8%
CUMBERLAND	5555	5.7%
FRANKLIN	589	5.8%
HANCOCK	2408	13.3%
KENNEBEC	2802	7.5%
KNOX	1163	8.5%
LINCOLN	994	7.2%
OXFORD	815	4.7%
PENOBSCOT	4173	9.0%
PISCATAQUIS	446	6.8%
SAGADAHOC	821	6.8%
SOMERSET	1208	7.6%
WALDO	1444	12.4%
WASHINGTON	999	9.1%
YORK	2363	4.3%
TOTAL:	28722	6.8%

LONGLEY (REPUBLICAN)

ANDROSCOGGIN	5248	16.3%
AROOSTOOK	5274	23.3%
CUMBERLAND	16583	17.1%
FRANKLIN	1686	16.7%
HANCOCK	3646	20.2%
KENNEBEC	6349	16.9%
KNOX	2548	18.6%
LINCOLN	2672	19.2%
OXFORD	2843	16.5%
PENOBSCOT	10863	23.5%
PISCATAQUIS	1752	26.6%
SAGADAHOC	1979	16.3%
SOMERSET	3534	22.2%
WALDO	2468	21.2%
WASHINGTON	2909	26.5%
YORK	9362	16.9%
TOTAL:	79716	18.9%

I, DAN A. GWADOSKY, Secretary of State, hereby certify that the foregoing report is a true tabulation of the votes cast for Governor at the General Election, as reported to me on the returns from the cities, towns and plantations of the State.

S/Dan A. Gwadosky
Secretary of State

READ and with accompanying papers REFERRED to the Committee on GUBERNATORIAL VOTE.

The Following Communication: S.C. 23

**THE SENATE OF MAINE
OFFICE OF THE PRESIDENT
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

January 5, 1999

Joy J. O'Brien
Secretary of the Senate
3 State House Station
Augusta, Maine 04333

Dear Secretary O'Brien:

Pursuant to my authority under Chapter 506, P.L. 1997, I have reappointed Evelyn Desmond of Bath and David Cook of Scarborough to the State Compensation Commission.

Please let me know if you have any questions regarding these appointments.

Sincerely,

S/Mark W. Lawrence
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 24

**THE SENATE OF MAINE
OFFICE OF THE PRESIDENT
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

January 4, 1999

Joy J. O'Brien
Secretary of the Senate
3 State House Station
Augusta, Maine 04333

Dear Secretary O'Brien:

Pursuant to my authority under 20-A MRSA, §11002, I have reappointed Senator Mary Cathcart of Penobscot to the New England Board of Higher Education.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Mark W. Lawrence
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 25

**THE SENATE OF MAINE
OFFICE OF THE PRESIDENT
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

December 31, 1998

Joy J. O'Brien
Secretary of the Senate
3 State House Station
Augusta, Maine 04333

Dear Secretary O'Brien:

Pursuant to my authority under 38 MRSA, §551-A, I have appointed Mr. Walter Anderson of Yarmouth to the Oil Spill Advisory Committee.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Mark W. Lawrence
President of the Senate

READ and ORDERED PLACED ON FILE.

Off Record Remarks

SENATE PAPERS

Bill "An Act to Appropriate \$50,000 for the Muskie Memorial Committee in Rumford"
S.P. 35 L.D. 45

Sponsored by Senator FERGUSON of Oxford.
Cosponsored by Representative CAMERON of Rumford and Representative: BRYANT of Dixfield.

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

Sent down for concurrence.

Bill "An Act to Amend the Definition of "Traffick" in the Drug Laws"
S.P. 38 L.D. 48

Sponsored by Senator BENOIT of Franklin.

Committee on **JUDICIARY** suggested and ordered printed.

On motion by Senator **LONGLEY** of Waldo, **REFERRED** to the Committee on **CRIMINAL JUSTICE**.

Sent down for concurrence.

Bill "An Act to Amend the Drug Laws Related to Possession of a Firearm"

S.P. 39 L.D. 49

Sponsored by Senator **BENOIT** of Franklin.

Committee on **JUDICIARY** suggested and ordered printed.

On motion by Senator **LONGLEY** of Waldo **REFERRED** to the Committee on **CRIMINAL JUSTICE**.

Sent down for concurrence.

Bill "An Act Pertaining to Health Concerns in the Sale of Certain Personal Garments"

S.P. 37 L.D. 47

Sponsored by Senator **BENOIT** of Franklin.

REFERRED to the Committee on **LABOR** and ordered printed.

Sent down for concurrence.

Bill "An Act to Require Special Identification of Motor Vehicles Driven by Holders of Driver's License Permits"

S.P. 36 L.D. 46

Sponsored by Senator **ABROMSON** of Cumberland.

REFERRED to the Committee on **TRANSPORTATION** and ordered printed.

Sent down for concurrence.

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

ORDERS

Joint Orders

On motion by Senator **TREAT** of Kennebec, the following Joint Order:
S.P. 41

ORDERED, the House concurring, that Joint Rule 354 be amended to read:

Rule 354. Joint Select Committee on Joint Rules.

Beginning with the 2nd Regular Session of the 119th Legislature, there is established the Joint Select Committee on Joint Rules. Notwithstanding Joint Rule 351, the committee consists of 5 Senators, appointed by the President of the Senate, and 5 members of the House of Representatives, appointed by the Speaker of the House. The first-named Senate member is the Senate chair; the first-named House member is the House chair.

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

The committee shall invite the participation of the Secretary of the Senate, the Clerk of the House, the Executive Director of the Legislative Council, the Director of the Office of Fiscal and Program Review, the Director of the Office of Policy and Legal Analysis and the Director of the Office of the Revisor of Statutes. Staffing is provided by the Office of Policy and Legal Analysis.

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

READ.

On motion by Senator **TREAT** of Kennebec, **TABLED** until Later in Today's Session, pending motion by same Senator to **PASS**.

On motion by Senator **PINGREE** of Knox, the following Joint Order:
S.P. 32

ORDERED, the House concurring, that the returns of votes for the Governor, given in the several cities, towns and plantations of the State for political years 1999, 2000, 2001 and 2002, be referred to a Joint Select Committee of seven on the part of the Senate, with such as the House may join.

READ and PASSED.

Sent down for concurrence.

On motion by Senator **RAND** of Cumberland, the following Joint Order:
S.P. 33

ORDERED, the House concurring, that a Committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon the Honorable Angus S. King, Jr., and inform him that he has been duly elected Governor of the State of Maine for the political years 1999, 2000, 2001 and 2002.

READ and PASSED.

Sent down for concurrence.

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

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

COMMUNICATIONS

The Following Communication: S.P. 42

**THE SENATE OF MAINE
OFFICE OF THE PRESIDENT
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

January 6, 1999

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

Dear Secretary O'Brien:

In compliance with Joint Order (S.P. 32), I am pleased to appoint the following members to the Gubernatorial Vote Committee:

- Senator Anne Rand of Cumberland
- Senator Lloyd LaFountain of York
- Senator John Nutting of Androscoggin
- Senator Jill Goldthwait of Hancock
- Senator Leo Kieffer of Aroostook
- Senator Norman Ferguson of Oxford
- Senator Vinton Cassidy of Washington.

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

Sincerely,

S/Mark W. Lawrence
President of the Senate

READ and ORDERED PLACED ON FILE.

Sent down for concurrence.

The Following Communication: S.P. 43

**THE SENATE OF MAINE
OFFICE OF THE PRESIDENT
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

January 6, 1999

The Honorable Joy J. O'Brien
Secretary of the Senate

3 State House Station
Augusta, ME 04333

Dear Secretary O'Brien:

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

- Senator Peggy Pendleton of Cumberland
- Senator Beverly Daggett of Kennebec
- Senator Phil Harriman of Cumberland

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

Sincerely,

S/Mark W. Lawrence
President of the Senate

READ and ORDERED PLACED ON FILE.

Sent down for concurrence.

Off Record Remarks

At this point, a message was received from the House of Representatives borne by Representative SAXL of Portland, informing the Senate that the House had concurred that a Joint Convention of both Branches of the Legislature be held at the Augusta Civic Center at 6:30 in the evening for the purpose of administering to the Honorable Angus S. King, Jr., Governor-elect, the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties.

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

THE PRESIDENT: The chair would request that the members of the Committee to inform the Honorable Angus S. King, Jr. that he has been duly elected Governor of the State of Maine meet their counterparts from the House in the rotunda and proceed to the Governor's office to discharge their duties. The Sergeant-At-Arms will escort the Committee to the Governor's office.

Subsequently, the Senator from Cumberland, Senator **PENDLETON**, reported that the Committee had delivered the message with which it was charged.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Amend the Forest Practices Laws"
H.P. 37 L.D. 51

Comes from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed, in concurrence.

Bill "An Act to Make Additional Appropriations and Allocations for the Expenditures of State Government for the Fiscal Year Ending June 30, 1999" (EMERGENCY)

H.P. 36 L.D. 50

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

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

Bill "An Act to Ensure Choice of Accredited Health Care Providers in Managed Care Programs"

H.P. 55 L.D. 69

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.

Bill "An Act to Change the Date a Child Starts School"

H.P. 45 L.D. 59

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

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act to Permit the Sale of Moose Bones" (EMERGENCY)
H.P. 46 L.D. 60

Bill "An Act to Establish Licensing Requirements for Boat Operators"

H.P. 52 L.D. 66

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

REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed, in concurrence.

Bill "An Act to Clarify Referendum Wording"

H.P. 41 L.D. 55

Bill "An Act Regarding Commercial Beano Halls"

H.P. 57 L.D. 71

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

REFERRED to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed, in concurrence.

Resolve, to Authorize the Knox County Commissioners to Borrow Not More Than \$600,000 to Build the Knox County Communications Center (EMERGENCY)

H.P. 40 L.D. 54

Bill "An Act to Require That Municipal Map and Lot Numbers Be on Deeds prior to Recording"

H.P. 53 L.D. 67

Bill "An Act to Require That a Certified Copy of Municipal Ordinances Be Recorded in the County Registry of Deeds"

H.P. 54 L.D. 68

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

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

Bill "An Act to Repeal the Snack Tax"

H.P. 42 L.D. 56

Bill "An Act to Exempt from the Sales Tax Nonprofit Organizations That Provide Assistance to Children with Dyslexia"

H.P. 48 L.D. 62

Bill "An Act to Exempt Leased Equipment from Sales Tax"

H.P. 49 L.D. 63

Come from the House, **REFERRED** to the Committee on **TAXATION** and ordered printed.

REFERRED to the Committee on **TAXATION** and ordered printed, in concurrence.

Bill "An Act to Expand the Number of Lights Firefighters May Use on Their Motor Vehicles"

H.P. 38 L.D. 52

Resolve, Requiring the State to Reimburse Towns for the Construction of Salt and Sand Storage Facilities

H.P. 39 L.D. 53

Bill "An Act to Enact the Railroad Trespass Prevention Act"

H.P. 56 L.D. 70

Come from the House, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

REFERRED to the Committee on **TRANSPORTATION** and ordered printed, in concurrence.

Bill "An Act to Decriminalize Failure to Register a Motor Vehicle"

H.P. 47 L.D. 61

Comes from the House, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

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

Bill "An Act to Amend the Mexico Water District Charter"

H.P. 50 L.D. 64

Comes 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.

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:

Emergency Measure

An Act to Amend the State Compensation Commission Laws
S.P. 29 L.D. 43

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.

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:

Emergency Measure

An Act to Clarify Laws Relating to the Acceptance of Gifts of Intellectual and Other Property by the State
S.P. 30 L.D. 44

This being an Emergency Measure and having received the affirmative vote of 30 Members of the Senate, with no Senators having voted in the negative, and 30 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.

Senator **LONGLEY** of Waldo was granted unanimous consent to address the Senate on the Record.

Senator **LONGLEY**: I just request to know whether or not my vote was recorded.

THE PRESIDENT: Votes of individual Senators are not kept on a Division. We have no way of determining that, all that is recorded is the number of people who voted, not how they voted.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Change Reporting Requirements of Certain HIV Test Results"
H.P. 43 L.D. 57

Bill "An Act Regarding the Composition of the Maine HIV Advisory Committee"
H.P. 44 L.D. 58

Come from the House, REFERRED to the Committee on HEALTH AND HUMAN SERVICES and ordered printed.

REFERRED to the Committee on HEALTH AND HUMAN SERVICES and ordered printed, in concurrence.

Bill "An Act to Increase the Length of Probation for Domestic Violence from one Year to 2 Years" H.P. 51 L.D. 65

Committee on JUDICIARY suggested and ordered printed.

Comes from the House, REFERRED to the Committee on CRIMINAL JUSTICE.

REFERRED to the Committee on CRIMINAL JUSTICE and ordered printed, in 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

Joint Order

The following Joint Order: H.P. 58

WHEREAS, the need for day-care services is common among parents who work outside their homes; and

WHEREAS, many state employees are among those parents who utilize day-care services for the care of their young children; and

WHEREAS, locating an on-site day-care center in the capitol complex where there is a large concentration of state employees would provide convenience and comfort to the employees, knowing that their children are being cared for within a short distance from their workplace; and

WHEREAS, plans are currently being made for major improvements and renovations to the capitol complex; and

WHEREAS, the renovation of the capitol complex is an integral part of the plan to establish an on-site day-care center; now, therefore, be it

ORDERED, the Senate concurring, that the Committee to Locate an On-site Day-care Center in the Capitol Complex is established as follows.

1. Committee established. The Committee to Locate an On-site Day-care Center in the Capitol Complex, referred to in this order as the "committee," is established.

2. Committee membership. The committee consists of 7 members as follows:

A. One member of the Senate who is familiar with the operation of a day-care center or has utilized day-care services, appointed by the President of the Senate;

B. One member of the House of Representatives who is familiar with the operation of a day-care center or has utilized day-care services, appointed by the Speaker of the House;

C. The Director of the Bureau of General Services or the director's designee;

D. The Director of the Bureau of Child and Family Services or the director's designee;

E. The Executive Director of the Maine State Employees Association or the executive director's designee; and

F. One representative of the employees of the Legislative Council and one representative of local day-care providers in the greater Augusta area, appointed jointly by the President of the Senate and the Speaker of the House. These 2 members must be selected from among applications submitted to the Executive Director of the Legislative Council.

3. Appointments; convening committee. All appointments must be made no later than 15 days following the effective date of this order. The Executive Director of the Legislative Council must be notified by all appointing authorities once the selections have been made. Within 7 days after appointment of all members, the Chair of the Legislative Council shall call and convene the first meeting of the committee. At its first meeting, the committee shall select a chair from among its legislative members.

4. Duties. The committee shall develop a plan for locating a day-care center in the capitol complex. This plan must include the number of children to be served; the financial needs involved in establishing and operating a day-care center in the capitol complex; the staffing and other support services necessary for the operation of a day-care center; and the desired location of the day-care center.

5. Staff assistance; consultant. The committee may request staffing assistance from the Legislative Council. The committee may also consult with other professionals who provide day-care services.

6. Expenses. Legislative members of the committee are entitled to receive the legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of the committee.

7. Report. The committee shall submit its findings and plan, along with any necessary implementing legislation, to the First Regular Session of the 119th Legislature by May 14, 1999. If the committee requires an extension of time to make this report, it may apply to the Legislative Council, which may grant the extension.

Comes from the House, **READ** and **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

READ.

On motion by Senator **PINGREE**, of Knox, **TABLED** until Later in Today's Session, pending **PASSAGE**, in non-concurrence.

The Chair appointed as President Pro Tem for this evenings session after the Joint Convention the Senator from Cumberland, Senator **RAND**.

On motion by Senator **PINGREE**, of Knox, **RECESSED** until 6:00 this evening to convene at the Augusta Civic Center.

After Recess

Senate called to order by President-Pro-Tem **ANNE RAND** of Cumberland County.

On motion by Senator **CARY** of Kennebec, **ADJOURNED**, pursuant to the Joint Order, until Monday, January 11, 1999, at 3:00 in the afternoon.