

MAINE STATE LEGISLATURE

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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 28, 1999

Senate called to order by President Pro Tem Chellie Pingree of Knox County.

Prayer by Reverend Charles Reed of the Second Baptist Church in Bowdoinham.

REVEREND CHARLES REED: Let us pray. Our Father, we come this day to praise You for the most wondrous and all mighty God that You are. Thank You, Father, for Your total awesomeness. Thank You for this day, for life, for living and for the opportunity that You have given to us to serve You. Father we praise You for Your greatness, for Your power, for every thing in Heaven and Earth are Yours. And, oh God, You have given us stewardship of it. I thank You Father for this body of women and men who have given of their life and time to serve You. I ask that You would surround them with the fullness of Your presence, Your love, and, above all, Your wisdom in the decisions that they have to make and the choices which they make to serve You. I thank You Father for their families, for their lives, for their wives, their children and I ask that You would touch their families as they spend time away from them to serve this state and this nation under Your guiding eyes. Father touch their families, bless their ministries and their love together. And Lord as we come this day we commit this session to You, we commit ourselves to You, asking that in everything You be glorified. Thank You Father for the Governor of this State. We ask that You administer through him uniquely. Father we ask that Your spirit would be fresh upon us this day. In Christ's name. Amen.

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

Reading of the Journal of Tuesday, January 26, 1999.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator RAND of Cumberland, the following Joint Order:
S.P. 273

ORDERED, the House concurring, that when the House and Senate Adjourn they do so until Tuesday, February 2, 1999, at 3:00 in the afternoon.

READ and PASSED.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Increase Consumer Confidence in Insurance Companies"

H.P. 459 L.D. 622

Bill "An Act to Establish a Patient's Bill of Rights"

H.P. 468 L.D. 631

Come 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 Require Certain Disclosures by Providers of Funeral Services"

H.P. 525 L.D. 732

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

REFERRED to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and ordered printed, in concurrence.

Bill "An Act to Require Completion of an Ambulance Operator Course"

H.P. 471 L.D. 678

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

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

Bill "An Act to Create a Seamless Treatment Plan for the Juvenile Offender with Substance Abuse Problems" (EMERGENCY)

H.P. 466 L.D. 629

Bill "An Act to Give the Commissioner of Public Safety Law Enforcement Powers"

H.P. 477 L.D. 684

Bill "An Act to Provide for Sentence Reform"

H.P. 489 L.D. 696

Bill "An Act to Assist the Department of Public Safety in Implementing the Requirements of Fingerprint-based Background Checks" (EMERGENCY)
H.P. 534 L.D. 741

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

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

Bill "An Act to Require Public Hearings for School Administrative District Referenda"
H.P. 461 L.D. 624

Bill "An Act to Establish the Maine Communities in the New Century Program"
H.P. 467 L.D. 630

Bill "An Act to Amend Voting Procedures for School Unions" (EMERGENCY)
H.P. 493 L.D. 700

Bill "An Act to Provide Educational Opportunities for Persons Who Resided in Foster Care as Children"
H.P. 501 L.D. 708

Bill "An Act to Amend the Law Relating to School Construction and School Facilities"
H.P. 509 L.D. 716

Bill "An Act to Form a New Local Education Agency" (EMERGENCY)
H.P. 532 L.D. 739

Come 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 Increase State Funding for the Purchase of School Buses"
H.P. 522 L.D. 729

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

On motion by Senator **MICHAUD** of Penobscot, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed, in **NON-CONCURRENCE**.

Sent down for concurrence.

Bill "An Act Concerning the Authority of the Maine Health and Higher Educational Facilities Authority"
H.P. 462 L.D. 625

Bill "An Act to Allow Medical History and Other Information to be Distributed to Immediate Family" (EMERGENCY)
H.P. 481 L.D. 688

Bill "An Act to Alter the Administration of the Dental Cub Care Program"
H.P. 486 L.D. 693

Bill "An Act to Amend the Radon Registration Act"
H.P. 514 L.D. 721

Bill "An Act to Clarify Confidentiality of Mental Health Information"
H.P. 518 L.D. 725

Bill "An Act to Require the Department of Human Services to Pursue the Elderly Drug Waiver"
H.P. 526 L.D. 733

Bill "An Act to Strengthen the Child Care Licensing Laws"
H.P. 527 L.D. 734

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 Adoptions"
H.P. 515 L.D. 722

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **JUDICIARY**.

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

Off Record Remarks

Bill "An Act to Repeal Prior Registration for Noncommercial Whitewater Rafting Trips" (EMERGENCY)
H.P. 494 L.D. 701

Bill "An Act to Prohibit Closed Hunts"
H.P. 521 L.D. 728

Bill "An Act to Allow Certain Disabled Persons to Fly-fish With Open-faced Reels"
H.P. 523 L.D. 730

Bill "An Act to Extend the Open Water Fishing Season"
H.P. 530 L.D. 737

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.

Bill "An Act Regarding Wrongful Death Actions"
H.P. 480 L.D. 687

Bill "An Act to Require Courts to Reimburse Jurors for Parking Expenses"
H.P. 490 L.D. 697

Bill "An Act Concerning Minors' Consent for Services"
H.P. 492 L.D. 699

Bill "An Act to Create the Maine Civil Rights Act of 1999"
H.P. 496 L.D. 703

Bill "An Act to Expedite Treatment of Certain Persons with Mental Illness"
H.P. 499 L.D. 706

Bill "An Act to Define Paralegals and Legal Assistants"
H.P. 517 L.D. 724

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

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

Bill "An Act to Require an Audit and Program Review of the Maine Governmental Facilities Authority"
H.P. 504 L.D. 711

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

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

On motion by Senator **RAND** of Cumberland, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

Bill "An Act to Revise the Fact-finding Process under the Public Employees Labor Relations Laws"
H.P. 495 L.D. 702

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

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

Resolve, to Allow James E. Segien of Eastport to Sue the State and the Town of Eastport

H.P. 457 L.D. 620

Bill "An Act to Amend the Election Laws"
H.P. 510 L.D. 717

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 Allow Lawsuit Against the State of Maine
H.P. 448 L.D. 611

Committee on **LEGAL AND VETERANS AFFAIRS** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **JUDICIARY**.

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

Bill "An Act Concerning the Method of Taking of Soft Shell Clams"
H.P. 513 L.D. 720

Bill "An Act to Establish a Marine Recreation Fishing Conservation and Management Fund"
H.P. 516 L.D. 723

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

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

Bill "An Act to Clarify the Reporting of Discharges of Hazardous Matter"
H.P. 485 L.D. 692

Resolve, Creating a Task Force to Investigate the Effects of Unratified International Treaties Implemented by State Agencies
H.P. 505 L.D. 712

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

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

Bill "An Act to Allow Towns to Sand and Plow Private Ways"
H.P. 458 L.D. 621

Bill "An Act to Require the Legislature to Examine Executive Orders for Violations of Separation of Powers"
H.P. 464 L.D. 627

Bill "An Act to Allow the Revocation of Certain Licenses and Automobile Registrations for Payment by an Insufficient Funds Check"
H.P. 476 L.D. 683

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide 4-year Terms for Members of the Senate and the House of Representatives
H.P. 508 L.D. 715

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 Create a Uniform Standard Governing Legislative Leave of Absence"
H.P. 502 L.D. 709

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

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

Bill "An Act to Eliminate the Vehicle Excise Tax"
H.P. 465 L.D. 628

Bill "An Act to Cut the Gasoline Tax by 5 Cents Per Gallon"
H.P. 473 L.D. 680

Bill "An Act to Require Sellers of Property to Notify Purchasers of Tax Due"
H.P. 484 L.D. 691

Bill "An Act to Exempt from Income Tax Pension Income Earned Outside of the State"
H.P. 500 L.D. 707

Bill "An Act to Increase the Homestead Exemption"
H.P. 519 L.D. 726

Bill "An Act to Exclude the Purchase and Lease of Telecommunications and Internet Equipment from Sales and Use Tax"
H.P. 524 L.D. 731

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 Exempt the East-west Highway and Interstate 95 North of Houlton from the Sensible Transportation Policy Act"
H.P. 456 L.D. 619

Bill "An Act to Withhold Work-restricted Licenses from Habitual Offenders Newly Convicted of Operating under the Influence or Who are not in Treatment Program"
H.P. 478 L.D. 685

Bill "An Act to Allow Motorcycles Operated for Traffic Enforcement to Emit a Combination of Blue and Red Light"
H.P. 488 L.D. 695

Comes 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 Allow for Cooperative Purchase of Electricity by Governmental Units" (EMERGENCY)
H.P. 497 L.D. 704

Bill "An Act Regarding Criteria for Approval of a Public Utility Reorganization by the Public Utilities Commission"
H.P. 503 L.D. 710

Bill "An Act Authorizing the Public Utilities Commission to Award Damages to Customers Damaged by Substandard Utility Service"
H.P. 528 L.D. 735

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.

Bill "An Act to Implement a Recommendation of the Joint Select Committee on Research and Development Relating to the Employment Needs of Growing High-technology Companies"
H.P. 479 L.D. 686

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

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

Bill "An Act to Implement a Recommendation of the Joint Select Committee on Research and Development to Establish a Center for Advanced Law and Management"

H.P. 491 L.D. 698

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

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

**Pursuant to Statutes
Department of Agriculture, Food and Rural Resources**

The **Department of Agriculture, Food and Rural Resources**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 565: Nutrient Management Rules, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources (EMERGENCY)

H.P. 460 L.D. 623

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** 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 **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statutes
Department of Education**

The **Department of Education**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 64: Maine School Facilities Program and School Revolving Renovation Fund, a Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 469 L.D. 632

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** 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 **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statutes
Department of Education**

The **Department of Education**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 64: Rules Relating to the Maine School Facilities Program and School Revolving Renovation Fund, Major Substantive Rules of the Department of Education (EMERGENCY)

H.P. 512 L.D. 719

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** 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 **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statutes
Maine Turnpike Authority**

The **Maine Turnpike Authority**, pursuant to the Maine Revised Statutes, Title 23, section 1961, subsection 6 asked leave to report that the accompanying Bill "An Act Pertaining to Maturity Dates of Bonds of the Maine Turnpike Authority"

H.P. 511 L.D. 718

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

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

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

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

Senate at Ease.

January 26, 1999

Senate called to order by President Pro Tem
CHELLIE PINGREE of Knox County.

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

COMMUNICATIONS

Dear Secretary O'Brien:

The Following Communication: S.C. 30

Pursuant to my authority under 3 M.R.S.A., §227, I have appointed the following Senators to the Maine-Canadian Legislative Advisory Commission:

**119TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL**

Senator Judy Paradis of Aroostook
Senator Lloyd LaFountain of York
Senator Richard Ruhlin of Penobscot
Senator Georgette Berube of Androscoggin

January 21, 1999

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

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

Dear Secretary O'Brien:

Sincerely,

This is to notify you that pursuant to our authority under Joint Rule 501, the members of the Legislative Council representing the majority party appoint Nancy B. Kelleher as Partisan Staff Assistant for Nominations.

S/Mark W. Lawrence
President of the Senate

READ and ORDERED PLACED ON FILE.

Sincerely,

S/Mark W. Lawrence
President of the Senate

The Following Communication: S.C. 32

S/G. Steven Rowe
Speaker of the House

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

S/Chellie Pingree
Senate Majority Leader

January 26, 1999

S/Michael V. Saxl
House Majority Leader

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

S/Anne M. Rand
Assistant Senate Majority Leader

Dear Secretary O'Brien:

S/David C. Shiah
Majority Whip

Pursuant to my authority under 3 M.R.S.A., §231, I have appointed the following Senators to the New England and Eastern Canada Legislative Commission:

READ and ORDERED PLACED ON FILE.

Senator Judy Paradis of Aroostook
Senator Richard Ruhlin of Penobscot

The Following Communication: S.C. 31

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.

SENATE PAPERS

Bill "An Act Requiring Labeling of Unpasteurized Milk Products"
S.P. 281 L.D. 799

Sponsored by Senator NUTTING of Androscoggin.
Cosponsored by Representative PIEH of Bremen and Senators:
GOLDTHWAIT of Hancock, KILKELLY of Lincoln, PINGREE of
Knox, Representatives McKEE of Wayne, JACOBS of Turner,
VOLENIK of Brooklin.

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

Sent down for concurrence.

Resolve, Authorizing the Director of the Bureau of Parks and
Land to Convey a Well and Waterline Easement
S.P. 270 L.D. 763

Sponsored by Senator PARADIS of Aroostook.
Cosponsored by Representative DESMOND of Mapleton and
Senator: KIEFFER of Aroostook.
Submitted by the Department of Conservation pursuant to Joint
Rule 204.

Committee on **AGRICULTURE, CONSERVATION AND
FORESTRY** suggested and ordered printed.

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

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

S.P. 279 L.D. 797

Sponsored by Senator AMERO of Cumberland.
Cosponsored by Representative SAXL of Portland and Senators:
ABROMSON of Cumberland, President LAWRENCE of York,
PINGREE of Knox, SMALL of Sagadahoc, Representatives:
MURPHY of Kennebunk, Speaker ROWE of Portland, STEVENS
of Orono.

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

S.P. 289 L.D. 807

Sponsored by Senator BENNETT of Oxford.

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

Sent down for concurrence.

Bill "An Act Regarding the Assignment of Insurance Benefits for
Dental Care"

S.P. 260 L.D. 755

Sponsored by Senator ABROMSON of Cumberland.
Cosponsored by Senator: MURRAY of Penobscot,
Representatives: BROOKS of Winterport, JONES of Pittsfield,
LINDAHL of Northport, SAXL of Portland.

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

S.P. 267 L.D. 760

Sponsored by Senator LaFOUNTAIN of York.
Cosponsored by Representative MAYO of Bath and Senator:
ABROMSON of Cumberland, Representatives: JONES of
Pittsfield, O'NEIL of Saco, SAXL of Bangor.

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

Sent down for concurrence.

Bill "An Act to Improve the Collection of Restitution"

S.P. 268 L.D. 761

Sponsored by Senator MURRAY of Penobscot.
Cosponsored by Representatives: McALEVEY of Waterboro,
PEAVEY of Woolwich.
Submitted by the Department of Corrections pursuant to Joint
Rule 204.

REFERRED to the Committee on **CRIMINAL JUSTICE** and
ordered printed.

Sent down for concurrence.

Bill "An Act to Permit Local Control and Funding of An
Educational Building in Accordance With a Municipal Charter"
S.P. 280 L.D. 798

Sponsored by Senator DOUGLASS of Androscoggin.

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

Sent down for concurrence.

Bill "An Act to Allow Preliminary Steps to be Taken in Preparation for the Mandatory Use of Conviction Data in Teacher Screening" (EMERGENCY)

S.P. 274 L.D. 792

Sponsored by Senator BERUBE of Androscoggin.
Cosponsored by Representative TESSIER of Fairfield and Representative: WHEELER of Eliot.
Submitted by the Department of Public Safety pursuant to Joint Rule 204.

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

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

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

S.P. 263 L.D. 758

Sponsored by Senator MITCHELL of Penobscot.
Cosponsored by Representative QUINT of Portland and Representatives: BRAGDON of Bangor, BROOKS of Winterport, KANE of Saco, SHIELDS of Auburn, SNOWE-MELLO of Poland, WILLIAMS of Orono.
Submitted by the Department of Human Services pursuant to Joint Rule 204.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent down for concurrence.

Bill "An Act to Amend the Moose Hunting Laws" (EMERGENCY)
S.P. 256 L.D. 751

Sponsored by Senator MICHAUD of Penobscot.
Cosponsored by Senator: CATHCART of Penobscot.

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

Sent down for concurrence.

Bill "An Act to Ensure That Child Support Obligations are Met"
S.P. 276 L.D. 794

Sponsored by Senator NUTTING of Androscoggin.

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

Sent down for concurrence.

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

S.P. 278 L.D. 796

Sponsored by Senator AMERO of Cumberland.
Cosponsored by Representative MARVIN of Cape Elizabeth and Senators: HARRIMAN of Cumberland, MacKINNON of York, MITCHELL of Penobscot, Representatives: BRUNO of Raymond, CIANCHETTE of South Portland, GLYNN of South Portland, KNEELAND of Easton, LINDAHL of Northport.

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

S.P. 288 L.D. 806

Sponsored by Senator CATHCART of Penobscot.
Cosponsored by Representative SAXL of Portland and Senators: DOUGLASS of Androscoggin, PINGREE of Knox, RAND of Cumberland, Representatives: CLARK of Millinocket, DUNLAP of Old Town, HATCH of Skowhegan, SAMSON of Jay, STANLEY of Medway.

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

Sent down for concurrence.

Bill "An Act to Expedite Disputes among Commercial Landlords and Tenants"

S.P. 266 L.D. 759

Sponsored by Senator DAGGETT of Kennebec.
Cosponsored by Representatives: FISHER of Brewer, MADORE of Augusta, MURPHY of Berwick, TUTTLE of Sanford.

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

Sent down for concurrence.

Bill "An Act to Confine Tribal Gaming to the Reservation of the Licensed Organization"

S.P. 275 L.D. 793

Sponsored by Senator MILLS of Somerset.

Committee on **LEGAL AND VETERANS AFFAIRS** suggested and ordered printed.

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

Bill "An Act Concerning Recreational Clam Harvesting Licenses"
S.P. 262 L.D. 757

Sponsored by Senator GOLDTHWAIT of Hancock.
Cosponsored by Representatives: HONEY of Boothbay, USHER of Westbrook, VOLENIK of Brooklin.
Submitted by the Department of Marine Resources pursuant to Joint Rule 204.

Bill "An Act to Strengthen Marine Fisheries Conservation Protection"
S.P. 283 L.D. 801

Sponsored by Senator GOLDTHWAIT of Hancock.
Cosponsored by Representative HONEY of Boothbay and Senator: MacKINNON of York, Representatives: LEMONT of Kittery, McNEIL of Rockland, USHER of Westbrook, VOLENIK of Brooklin.
Submitted by the Department of Marine Resources pursuant to Joint Rule 204.

Bill "An Act to Make Technical Changes in the Marine Resources Laws"
S.P. 284 L.D. 802

Sponsored by Senator GOLDTHWAIT of Hancock.
Cosponsored by Representative HONEY of Boothbay and Senator: MacKINNON of York, Representative: VOLENIK of Brooklin.
Submitted by the Department of Marine Resources pursuant to Joint Rule 204.

Bill "An Act to Increase the Penalties for Violation of Lobster Conservation Laws"
S.P. 285 L.D. 803

Sponsored by Senator GOLDTHWAIT of Hancock.
Cosponsored by Representative HONEY of Boothbay and Senator: MacKINNON of York, Representatives: LEMONT of Kittery, McNEIL of Rockland, PIEH of Bremen, USHER of Westbrook, VOLENIK of Brooklin.
Submitted by the Department of Marine Resources pursuant to Joint Rule 204.

Bill "An Act to Prohibit the Appointment of Lobbyists to the New England Fishery Management Council"
S.P. 286 L.D. 804

Sponsored by Senator HARRIMAN of Cumberland.
Cosponsored by Representative HONEY of Boothbay and Representative: SAXL of Portland.

Bill "An Act to Close Certain Areas to the Harvesting of Herring"
S.P. 287 L.D. 805

Sponsored by Senator HARRIMAN of Cumberland.
Cosponsored by Representative SAXL of Portland and Representative: HONEY of Boothbay.

REFERRED to the Committee on **MARINE RESOURCES** and ordered printed.

Sent down for concurrence.

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

S.P. 257 L.D. 752

Sponsored by Senator CAREY of Kennebec.

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

S.P. 259 L.D. 754

Sponsored by Senator GOLDTHWAIT of Hancock.
Cosponsored by Senator: BERUBE of Androscoggin, Representative: PINKHAM of Lamoine.

Bill "An Act to Encourage Responsible Employment Practices"
S.P. 292 L.D. 810

Sponsored by Senator CATHCART of Penobscot.
Cosponsored by Representative SHIAH of Bowdoinham and Senators: DOUGLASS of Androscoggin, LaFOUNTAIN of York, Representatives: BRYANT of Dixfield, CLARK of Millinocket, HATCH of Skowhegan, MUSE of South Portland, SAMSON of Jay, STANLEY of Medway.

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

Sent down for concurrence.

Bill "An Act to Amend the Homestead Exemption to Include Homeowners' Cooperatives"
S.P. 258 L.D. 753

Sponsored by President LAWRENCE of York.
Cosponsored by Senators: MILLS of Somerset, RUHLIN of Penobscot.

Bill "An Act to Create a Tax Credit for Licensing Fees Paid for the Use of University Patents on Wood Fiber Reinforced Products"
S.P. 282 L.D. 800

Sponsored by Senator MILLS of Somerset.
Cosponsored by Senator NUTTING of Androscoggin; Representatives: BAGLEY of Machias, WHEELER of Bridgewater.

Bill "An Act to Amend the Homestead Exemption Law"
S.P. 290 L.D. 808

Sponsored by Senator NUTTING of Androscoggin.
Cosponsored by Representative GAGNON of Waterville and Senators: DOUGLASS of Androscoggin, PINGREE of Knox, TREAT of Kennebec, Representative: SHIAH of Bowdoinham.

Bill "An Act to Create a Local Option Sales and Use Tax"
S.P. 291 L.D. 809

Sponsored by Senator MURRAY of Penobscot.
Cosponsored by Representative GAGNON of Waterville and
Senator: NUTTING of Androscoggin, Representatives: PERRY of
Bangor, SAXL of Bangor.

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

Sent down for concurrence.

Bill "An Act to Amend Certain Aviation Laws"
S.P. 271 L.D. 764

Sponsored by Senator PARADIS of Aroostook.
Cosponsored by Representative BOUFFARD of Lewiston and
Representatives: COWGER of Hallowell, FISHER of Brewer.
Submitted by the Department of Transportation pursuant to Joint
Rule 204.

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

Sent down for concurrence.

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

Sponsored by Senator GOLDTHWAIT of Hancock.
Cosponsored by Representatives: DAVIDSON of Brunswick,
STANWOOD of Southwest Harbor.

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

Sponsored by Senator NUTTING of Androscoggin.
Cosponsored by Representative JACOBS of Turner.

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

Sent down for concurrence.

**Pursuant to Statutes
Worker's Compensation Commission**

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

S.P. 269 L.D. 762

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

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

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

Sent down for concurrence.

ORDERS

Joint Order

On motion by Senator DOUGLASS of Androscoggin, the
following Joint Order: S.P. 272

WHEREAS, there is a wide variation among schools across
the State in the availability of adequate classroom space, in the
quality of other school facilities and in access to appropriate
levels of technology for students; and

WHEREAS, the existence of that variation often results in
unequal educational opportunities for students, depending on the
school that they attend; and

WHEREAS, it is necessary for the Legislature to have
adequate information on the issue of classroom equity in order to
decide whether policy changes are warranted; now, therefore be
it

ORDERED, the House concurring, that the Joint Select
Committee to Study Classroom Equity is established as follows.

1. Committee established. The Joint Select Committee to
Study Classroom Equity, referred to in this order as the
"committee," is established.

2. Membership. The committee consists of 7 members
appointed as follows.

A. The President of the Senate shall appoint 2 members from
the Senate who either serve on the Joint Standing Committee on
Education and Cultural Affairs or are interested in the issue of
classroom equity.

B. The Speaker of the House of Representatives shall appoint 5
members from the House of Representatives who either serve on
the Joint Standing Committee on Education and Cultural Affairs
or are interested in the issue of classroom equity.

3. Chairs. The first Senate member named is the Senate
chair and the first House member named is the House chair.

4. Appointments; convening committee. All appointments
must be made no later than 30 days following the effective date
of this order. The appointing authorities shall notify the Executive
Director of the Legislative Council upon making their
appointments. When the appointment of all members is

complete, the chairs of the committee shall call and convene the first meeting of the committee no later than May 15, 1999.

5. Duties. In conducting its study the committee shall:

A. Review relevant previous studies and analyses on appropriate classroom size, use of classroom space, the availability of other school facilities and access to computer and other current technologies;

B. Meet with state and national experts on those issues; and

C. Hold one or more public meetings to gather input on those issues.

6. Staff assistance. Upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the committee.

7. Compensation. Members of the committee are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2 and reimbursement for travel and other necessary expenses for attendance at meetings of the committee.

8. Report. The committee shall submit a report on the plan developed along with any recommended legislation to the Legislature by October 15, 1999. If the committee requires an extension of time to make its report, it may apply to the Legislative Council, which may grant the extension.

9. Committee budget. The chairs of the committee, with assistance from the committee staff, shall administer the committee's budget. Within 10 days after its first meeting, the committee shall present a work plan and proposed budget to the Legislative Council for its approval. The committee may not incur expenses that would result in the committee exceeding its approved budget.

Upon request from the committee, the Executive Director of the Legislative Council or the executive director's designee shall provide the committee chair and staff with a status report on the study budget, expenditures incurred and paid and available funds.

READ.

On motion by Senator **RAND** of Cumberland, **TABLED** until Later in Today's Session, pending motion by Senator **DOUGLASS** of Androscoggin to **PASS**.

Senate at Ease.

Senate called to order by President Pro Tem **CHELLIE PINGREE** of Knox County.

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

Senator **AMERO** of Cumberland was granted unanimous consent to address the Senate off the Record.

Senate at Ease.

Senate called to order by President Pro Tem **CHELLIE PINGREE** of Knox County.

Off Record Remarks

THE PRESIDENT PRO TEM: The Chair is pleased to recognize in the rear of the Chamber the 1998 Class A State Football Champions from Sanford High School along with their Head Coach, Michael Fallon; the Assistant Coaches, Richard Wilkins, Mark Boissonneault, Rod Beaulieu; Athletic Director, Gordon Salls; Co-Captains, Dustin Dugre, Kendall O'Gorman, and John Tederous. Will they please wave at us and would the Senators please rise and recognize them in the rear of the Chamber.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from York, Senator MacKinnon.

Senator **MACKINNON:** Thank you, Madame President. Women and men of the Senate, it gives me a great deal of pleasure to be before you today to honor a group of young men, coaches, support staff, cheerleaders, and managers who have brought a tremendous amount of recognition to our community. If we look at this group of young men who entered high school four years ago, they certainly have set a precedent. If you look at the graduates of Sanford High School four years ago, they went through high school and did not see their football team win a game. So this year's college seniors did not see a winning high school game, period. This group of people going through now have taken it from the one end of the spectrum to the other and for that we are very appreciative. But more importantly, this win has energized our community. That so many times we look at times within our area and say "oh, where are you from, oh, your from this place or that place". What these gentlemen have done and their coaching staff and athletic director has brought a tremendous amount of pride to our area. They mobilize the people, not only for games, not only for activities after championship games, not only for victories, this team started out losing its' first two games of the year. It's the only state championship that Sanford has had in public high school football since Sanford High School's been there. As the former principal of that school who went through many years of knowing that we did not win, also as a coach of that community in basketball, I'm extremely proud of these people. Many of these people I have had the opportunity to know since birth, now they are graduating, going on, so we can really go back to the President's concept birth through careers, that I'm very involved with these people. Also I've been very fortunate to either coach or to have their parents in school and I even have a lot of these people who played as freshmen basketball and for that I'm very appreciative and I'm very thankful that you people here today. I stand here to

recognize you in front of the Senate in the State of Maine. Wish you the best and hopefully that you people will carry it forward and keep this spark going for our community. For that we thank you.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Cumberland, Senator Amero.

Senator **AMERO:** Thank you. Madame President, ladies and gentlemen of the Senate, I rise to also congratulate this great team of champions from Sanford and I know what a great team they are because they became Western Maine Champions by defeating the city of South Portland's representative, South Portland High School, which I represent. I just want to say you provided our State with one of the most exciting games in a long time. That was a fabulous win and a great effort on the part of both teams. South Portland, as you all know, has a great winning tradition but I am pleased that such an outstanding team as the one that you represent from Sanford High School was able to bring the championship of the state to Western Maine and to your great city. I congratulate all of you on your effort.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Make Confidential Certain Information Collected from Maine Farmers and Agricultural Business"

H.P. 536 L.D. 743

Bill "An Act to Change the Way Nursery License Fees Are Established"

H.P. 537 L.D. 744

Bill "An Act to Amend the Maine Land Use Regulation Commission Laws to Prohibit Fines on First-time Violators of Maine Land Use Regulation Commission Laws or Rules"

H.P. 542 L.D. 749

Come 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 Authorize a General Fund Bond Issue in the Amount of \$100,000,000 for School Construction and Renovation"

H.P. 602 L.D. 842

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.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Establish a Patient's Bill of Rights"

H.P. 543 L.D. 750

Bill "An Act Regarding Civil Actions Involving Insurance Coverage"

H.P. 584 L.D. 824

Bill "An Act to Limit the Maximum Finance Charge to 10.5%"

H.P. 591 L.D. 831

Bill "An Act to Provide Insurance Coverage for Wigs Required for Medical Reasons"

H.P. 594 L.D. 834

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 Amend the Licensing Provisions Under the Propane and Natural Gas Act"

H.P. 538 L.D. 745

Bill "An Act to Prohibit the Use of Social Security Numbers for Identification Purposes"

H.P. 563 L.D. 784

Bill "An Act to Create a Lemon Law for Inboard Motorboats"

H.P. 574 L.D. 814

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

REFERRED to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Allow the State Police to Accept Revenue for Providing Services to Municipalities and Counties"
H.P. 572 L.D. 812

Bill "An Act to Ensure Proper Identification of Nonresident Concealed Firearms Permit Applicants"
H.P. 599 L.D. 839

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

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

Bill "An Act to Allow Municipal Review of Actual School Budget and Expenditures"
H.P. 539 L.D. 746

Resolve, to Provide Vouchers for School Choice
H.P. 560 L.D. 781

Bill "An Act to Amend the Requirements of Full-time Students for State-funding Purposes"
H.P. 573 L.D. 813

Bill "An Act Concerning Student Medication"
H.P. 586 L.D. 826

Resolve, Establishing a Commission to Study the Maine Education Assessment (EMERGENCY)
H.P. 596 L.D. 836

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.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Require Nursing Facilities to Use Standardized Contracts"
H.P. 556 L.D. 777

Comes 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 Prohibit Hunting of Migratory Waterfowl on Round Pond in Union"
H.P. 540 L.D. 747

Bill "An Act to Allow Deer Hunting on Sundays"
H.P. 550 L.D. 771

Bill "An Act to Revise Hunting and Fishing License Revocation Laws"
H.P. 554 L.D. 775

Bill "An Act to Allow Hunters to Carry and Use a Standard-size Flashlight"
H.P. 559 L.D. 780

Bill "An Act to Amend the Laws Governing Commercial Shooting Area Hunting Licenses"
H.P. 561 L.D. 782

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.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Strengthen the Collection of Money Judgments"
H.P. 541 L.D. 748

Bill "An Act to Clarify the Deceptive Trade Practices Act"
H.P. 567 L.D. 788

Bill "An Act to Rename the Harassment Based on Characteristic Law"
H.P. 582 L.D. 822

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

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

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 Workers' Compensation Law as It Pertains to Employer-selected Health Care Providers"
H.P. 555 L.D. 776

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

H.P. 557 L.D. 778

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

H.P. 564 L.D. 785

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

H.P. 566 L.D. 787

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

H.P. 581 L.D. 821

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

H.P. 595 L.D. 835

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

H.P. 598 L.D. 838

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

H.P. 600 L.D. 840

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

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

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 the Size of Rings on Scallop Drags"

H.P. 576 L.D. 816

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

H.P. 579 L.D. 819

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

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

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

H.P. 549 L.D. 770

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

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

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

PAPERS FROM THE HOUSE

House Papers

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

H.P. 578 L.D. 818

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

H.P. 583 L.D. 823

Comes 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 Require 90% of Estate Taxes Collected in Counties to Remain in the County Where Collected"

H.P. 577 L.D. 817

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

H.P. 592 L.D. 832

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

H.P. 601 L.D. 841

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

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

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

PAPERS FROM THE HOUSE

House Papers

Resolve, to Name the Route 160 Bridge in Brownfield Spanning the Saco River the Charles E. Hill Bridge (EMERGENCY)
H.P. 551 L.D. 772

Bill "An Act to Increase Motor Vehicle Inspection Fees"
H.P. 558 L.D. 779

Bill "An Act to Require That Farm Tractors and Skidders Driven on a Public Way be Registered and Insured"
H.P. 562 L.D. 783

Bill "An Act to Limit the Storage Fee Charged for Impounded Vehicles"
H.P. 565 L.D. 786

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

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

Bill "An Act to Coincide Motor Vehicle Registration and Inspection Dates"
H.P. 588 L.D. 828

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

Bill "An Act to Provide Special Registration Plates Free of Charge to Purple Heart Recipients"
H.P. 597 L.D. 837

Comes 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 Make Moving a Mobile Home with Unpaid Taxes Subject to a \$250 Forfeiture"
H.P. 553 L.D. 774

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

On motion by Senator **O'GARA** of Cumberland, **TABLED** until Later in Today's Session, pending **REFERENCE**.

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

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

On motion by Senator **LAFOUNTAIN** of York, **REFERRED** to the Committee on **BANKING AND INSURANCE** and ordered printed, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

PAPERS FROM THE HOUSE

House Papers

**Pursuant to Statutes
Criminal Law Advisory Commission**

The **Criminal Law Advisory Commission**, pursuant to Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asked leave to report that the accompanying Bill "An Act to Make Materiality a Jury Issue Relative to the Crime of Perjury"
H.P. 544 L.D. 765

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

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

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

**Pursuant to Statutes
Criminal Law Advisory Commission**

The **Criminal Law Advisory Commission**, pursuant to Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asked leave to report that the accompanying Bill "An Act to Clarify the Criminal Code Relative to Strict Liability Crimes"
H.P. 545 L.D. 766

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

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

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

**Pursuant to Statutes
Criminal Law Advisory Commission**

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

H.P. 570 L.D. 791

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

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

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

**Pursuant to Statutes
Public Utilities Commission**

The **Public Utilities Commission**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 311: Renewable Resource Portfolio Requirement, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)

H.P. 546 L.D. 767

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

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

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

**Pursuant to Statutes
Public Utilities Commission**

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

H.P. 547 L.D. 768

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

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

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

**Pursuant to Statutes
Public Utilities Commission**

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

H.P. 548 L.D. 769

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

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

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

**Pursuant to Statutes
Public Utilities Commission**

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

H.P. 569 L.D. 790

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

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

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

Senate at Ease.

Senate called to order by President Pro Tem
CHELLIE PINGREE of Knox County.

THE PRESIDENT PRO TEM: The Chair is pleased to have Charles O'Leary in the rear of the Chamber and to recognize him on the occasion of his retirement as the President of the Maine AFL-CIO. President O'Leary has headed the 60,000-member trade union organization for 20 years and provided effective leadership during that time. We send our appreciation to him for his commitment to the labor movement and offer him our best wishes and congratulations on his retirement;

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Penobscot, Senator **CATHCART**.

Senator **CATHCART:** Thank you, Madame President. Men and women of the Senate, I rise to congratulate my fine constituent, Charles O'Leary, to thank him for his 20 years of service and for being a strong and clear voice all those years for the working men and women and families of the State of Maine. I don't know how they'll do it without you, Charlie O'Leary, but as your Senator I'm happy that you're going to have some time to get out there with those kayaks and have some fun with the grandkids. I'm hoping that this means that I'll run into you more frequently at the store in Orono and we'll have time to actually sit and have coffee. But thanks so much and congratulations on your retirement. Thank you, Madame President.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Androscoggin, Senator **DOUGLASS**.

Senator **DOUGLASS:** Madame President, I also would like to congratulate Charles O'Leary for what he's done for the working people of Maine. Up and down this state, people know the name of Charlie O'Leary. We often hear him on public radio speaking on the conditions that he's fought to improve and we all owe you a debt of gratitude. Thank you.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Piscataquis, Senator **DAVIS**.

Senator **DAVIS:** Thank you, Madame President. Mr. O'Leary, you don't know me. I was a Maine State Trooper for 23 years and one time you came up the Interstate in the town of Hampden and I stopped you. I gave you a ticket for speeding, Mr. O'Leary, and you paid the fine. But the one thing that was remarkable to me, you were very professional, you were very polite, you called me Officer and it stuck in my memory. And any time I saw your name in the paper or anything, I often thought back to the day that you and I did have a conversation. And I say this, Mr. O'Leary, because not everyone who is in your position or like position treats police officers that way and I wish you a very good retirement. Thank you.

THE PRESIDENT PRO TEM: The chair would like to take moment just to thank Charlie for his dedication and hard work on behalf of the people of Maine. It's been a pleasure to work with you and also I'd like to take this moment to welcome Gwendolyn Gatcomb who is going to be the new chair of the Maine AFL-CIO and it's a pleasure to be a female Preceding Officer on the day another women President is going to join our ranks. So welcome. The chair would like to ask at this moment for Charlie O'Leary and Gwendolyn Gatcomb to rise and receive the congratulations and greetings of the chamber.

Senator **RAND** of Cumberland was granted unanimous consent to address the Senate off the Record.

Senator **AMERO** of Cumberland was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

On motion by Senator **RAND** of Cumberland, **ADJOURNED**, pursuant to the Joint Order, until Tuesday, February 2, 1999, at 3:00 in the afternoon.