

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Nineteenth Legislature
State of Maine

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

In Senate Chamber
Tuesday
March 9, 1999

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

Prayer by Pastor Edward Hatch of the Palermo Christian Church in Palermo.

PASTOR HATCH: Let's bow for prayer. Our heavenly Father, we thank You for the blessings of today. We thank You for the special love that You have for each one of us. I thank You for the men and women of this body who represent the people of the State of Maine. Help them today to have the wisdom necessary to do the tasks that are before them. Give them a sense of rightness so that the decisions they make will benefit the people who deserve justice. I pray that You will bless them for their efforts and give them the strength and wisdom that they need. In Jesus name. Amen.

Pledge of Allegiance led by Senator Beverly C. Daggett of Kennebec County.

Doctor of the day, Paul A. Liebow, M.D., Bucksport.

Reading of the Journal of Thursday, March 4, 1999.

Off Record Remarks

THE PRESIDENT: Today we have the privilege of receiving the "Kids Count" report once again. As Legislators it's our responsibility to provide and protect the needs of the people we represent and there is no greater constituency, there is none more in need of our leadership and our counsel than children. Kids count on us to make them our number one priority. Kids count on us today to provide them with basic needs and values that will enable them to become the leaders of tomorrow. For example, there is universal support across the Legislature for increased funding to education. This Legislature recognizes the importance a strong education has on the state's economy today and tomorrow in that it prepares today's children to meet the challenges of tomorrow's workforce and also Maine's future. Kids count on us to look after their needs and to provide for their future. That's why this year we will be considering legislation to address the health and safety conditions of the schools that our

children learn in and legislation that will give assistance to parents as first teachers. Kids count on us to provide the tools and necessities they need today. This Legislature's commitment to education, early childhood development, childcare, healthcare, and school safety is a commitment to those needs. Kids count on us to prepare today for a better tomorrow. We can honor that obligation by paying our bills, by maintaining a responsible budget that will not become a burden on future generations. Kids count. The people at the Maine Children's Alliance have traditionally come to the Legislature to speak on behalf of Maine children. Their Kids Count annual book gives us the data necessary for us to see where we are and where we need to be on the issues that are important to Maine's children. Every year the Maine Children's Alliance comes to the Legislature to remind us that kids count. They are the voice of the many kids who count on them to speak to their needs and their priorities. Day to day, year to year, issues change and needs will change. One of the things that remains the same year in and year out is that kids count on us to face those issues and meet their needs. The Chair is pleased to recognize in the Chamber board members of the Maine Children's Alliance, I believe most of whom are here and I'd ask them to rise when I read their names. Dana Connors; Dean Crocker; Nancy DeSisto; Mary Majorowicz; Dale McCormick; Barbara Reinertsen; Jack Rosser; Cheryl Lee Rust; Peggy Schaffer; Sydney Sewall; John Shoos; Pete Thibodeau; Ellie Goldberg, Executive Director of the Maine Children's Alliance. I'd ask them to stand if they are here and receive the greetings and the thanks of the Senate.

Off Record Remarks

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Exempt from Certain Regulations Crabmeat That Does Not Cross State Lines" H.P. 1163 L.D. 1674

Bill "An Act to Protect Holders of Camp Lot Leases" H.P. 1178 L.D. 1689

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 Amend the Conservation Easement Laws" H.P. 1159 L.D. 1670

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

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

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

Bill "An Act to Provide Adequate Maine State Museum Services"
H.P. 1164 L.D. 1675

Bill "An Act to Provide Funding for the Frye Island Ferry"
H.P. 1171 L.D. 1682

Come 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 Enhance the Integrity of Processing Insurance Claims Relating to Motor Vehicle Glass"
H.P. 1166 L.D. 1677

Bill "An Act to Expand and Clarify the Opportunities for Small Employers to Purchase Health Insurance"
H.P. 1167 L.D. 1678

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 License Installers of Septic Systems"
H.P. 1165 L.D. 1676

Come 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 Clarify the Regulation of Viatical Settlement Contracts When Sold as Investments"
H.P. 1182 L.D. 1693

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

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

Bill "An Act to Broaden Victim Notification of Release of Defendant Placed in Institutional Confinement Following a Verdict of Not Criminally Responsible by Reason of Insanity"
H.P. 1160 L.D. 1671

Bill "An Act Regarding Supervised Community Confinement"
H.P. 1168 L.D. 1679

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 Relating to Medicaid Liens"
H.P. 1176 L.D. 1687

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 Require the Inspection of Commercial Inland Vessels"
H.P. 1175 L.D. 1686

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 to Amend the Abandoned Property Laws"
H.P. 1162 L.D. 1673

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 Concerning Service Relating to the Disclosure of Financial Records"
H.P. 1161 L.D. 1672

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

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

**Pursuant to Statutes
Public Utilities Commission**

Bill "An Act Governing Privileged Communications between
Victims of Crimes and Governmental Victim Witness Advocates"
H.P. 1174 L.D. 1685

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

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

Bill "An Act to Protect Maine's Lakes and Ponds from Camp
Road Runoff"
H.P. 1180 L.D. 1691

Bill "An Act to Expedite the Contaminated Groundwater
Remediation Process"
H.P. 1181 L.D. 1692

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 Establish a Flat Tax Rate for the Maine Income
Tax"
H.P. 1170 L.D. 1681

Bill "An Act to Require the State to Pay Interest on Refunds of
Taxes and Fees"
H.P. 1177 L.D. 1688

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 Require the Equitable Taxation of Motor Vehicles"
H.P. 1169 L.D. 1680

Bill "An Act Regulating the Transportation of People and Dogs in
Pickup Trucks"
H.P. 1179 L.D. 1690

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

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

The **Public Utilities Commission**, pursuant to Maine Revised
Statutes, Title 5, section 8072 asked leave to report that the
accompanying Resolve, Regarding Legislative Review of Chapter
307: Sale of Capacity and Energy of Undivested Generation
Assets, Extension of Divestiture Deadline, a Major Substantive
Rule of the Public Utilities Commission (EMERGENCY)
H.P. 1172 L.D. 1683

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 Resolve **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 Maine Revised
Statutes, Title 5, section 8072 asked leave to report that the
accompanying Resolve, Regarding Legislative Review of Chapter
306: Uniform Disclosure and Informational Filing Requirements, a
Major Substantive Rule of the Public Utilities Commission
(EMERGENCY)
H.P. 1173 L.D. 1684

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 Resolve **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.

Joint Orders

The following Joint Order: H.P. 1158

ORDERED, the Senate concurring, that the Joint Standing
Committee on State and Local Government report out to the
House such legislation as is necessary to revise the salaries of
county officers and lay the county taxes for the calendar year
1999.

Comes from the House, **READ** and **PASSED**.

READ and PASSED, in concurrence.

The following Joint Order:

H.P. 1183

WHEREAS, the Legislature finds that the Governor Baxter School for the Deaf is a unique institution in Maine, a state-funded school for the deaf and hard-of-hearing, with a statewide obligation and role to help local schools educate deaf and hard-of-hearing children and a critical role as the centerpiece of deaf culture in the State; and

WHEREAS, the Legislature finds that to take best advantage of its unique features, the Governor Baxter School for the Deaf needs a governance system and management powers that reflect the school's unique status; and

WHEREAS, the Committee to Review the Governance Structure of the Governor Baxter School for the Deaf concluded that the current governance system of the Governor Baxter School for the Deaf does not fit the Governor Baxter School for the Deaf School Board's need to effectively and efficiently govern the school and further recommended that a new governance system must be designed to give the school greater autonomy in managing its affairs; and

WHEREAS, the Legislature finds that there is an urgent need for a task force to redesign the governance system of the Governor Baxter School for the Deaf; now, therefore, be it

ORDERED, the Senate concurring, that the Task Force to Redesign the Governance System of the Governor Baxter School for the Deaf is established as follows.

1. Task force established. The Task Force to Redesign the Governance System of the Governor Baxter School for the Deaf, referred to in this order as the "task force," is established.

2. Task force membership. The task force consists of 11 members as follows.

A. The President of the Senate shall appoint 3 members from the Senate, including one member who serves on the Joint Standing Committee on Education and Cultural Affairs, one member who serves on the Joint Standing Committee on Health and Human Services and one member who serves on the Joint Standing Committee on Agriculture, Conservation and Forestry.

B. The Speaker of the House of Representatives shall appoint 3 members from the House of Representatives, including one member who serves on the Joint Standing Committee on Education and Cultural Affairs, one member who serves on the Joint Standing Committee on Health and Human Services and one member who serves on the Joint Standing Committee on Agriculture, Conservation and Forestry.

C. The President of the Senate shall appoint 2 members from the Committee to Review the Governance Structure of the Governor Baxter School for the Deaf who represent the deaf community.

D. The Speaker of the House shall appoint one member from the Committee to Review the Governance Structure of the Governor Baxter School for the Deaf who represents an interested party other than a state agency or the deaf community.

E. The Commissioner of Education or the commissioner's designee must be a member of the task force.

F. One of the school board co-chairs of the Governor Baxter School for the Deaf or the school board co-chairs' designee must be a member of the task force.

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

4. Appointments; convening task force. 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 task force shall call and convene the first meeting of the task force no later than July 1, 1999.

5. Duties. The task force shall design a new governance system for the Governor Baxter School for the Deaf and shall prepare a plan that will help the school develop the capacity to implement a system that is more autonomous from the State than the current governance system. In conducting this review, the task force shall:

A. Request, as appropriate, the assistance of the Department of Education, the Department of Administrative and Financial Services, the Bureau of Parks and Lands within the Department of Conservation, the Department of the Attorney General, the School Board of the Governor Baxter School for the Deaf, the College of Education within the University of Southern Maine and other appropriate state agencies and educational institutions;

B. Invite the participation of experts and interested parties;

C. Hire an impartial consultant to help the school, the Department of Education and other state agencies to redefine their roles and shift responsibilities;

D. Define the basic structure of the new governance system by addressing what it means for the school to have autonomy from State Government and defining the respective roles and responsibilities of the school board, school administrators and state agencies;

E. Identify the resources needed for the school board to develop the capacity to perform functions that the school would take over from state agencies, such as personnel and budget management functions. If the School Board of the Governor Baxter School for the Deaf is to bargain directly with employee unions and is to address employee relations issues such as grievance proceedings, the school must build the capacity to undertake these functions as well. This may involve securing additional staff for the school to strengthen its personnel management capacity;

F. Develop a plan to address the recommendations from the Department of Education's basic school approval review conducted in December 1998 and conduct any other necessary reviews, such as a comprehensive review of the residential program at the school. A plan to address the results of these reviews should be developed and factored into the transition planning for the new governance system;

G. Consult with Governor Baxter School for the Deaf employees and their representatives so that their interests can be taken into account in designing a new governance system. Employees have an interest in the potential for changes in salary, benefits and working conditions. The task force must take into account existing employee rights under union contracts or state law that may impact the timing or scope of change that may occur at the school;

H. Develop strategies for properly managing state-owned facilities and the natural resources of the island. The deed from Governor Baxter granting Mackworth Island to the State requires the island to be used and managed in a certain way. The strategies must address what role, if any, state agencies play in managing school property and Mackworth Island, what improvements are needed in the school's physical plant, who should make the improvements and whether a state agency should continue to be involved in managing the island or only in overseeing the school's compliance;

I. Establish benchmarks to measure the school's progress toward a more autonomous governance system and require that the consultant, the school and the Department of Education make progress reports to interested parties, including the Joint Standing Committee on Education and Cultural Affairs; and

J. Draft legislation to create the new governance system in Maine law. The redesigned governance system must be implemented by July 1, 2000. The legislation must be submitted to the Second Regular Session of the 119th Legislature by December 3, 1999.

6. Staff assistance; interpreter services; consultant. The task force may request staffing assistance from the Legislative Council. The task force, with the approval of the Legislative Council, may contract with interpreter services to provide appropriate interpreting services for the deaf and hard-of-hearing and shall contract with a consultant to provide professional services for reviewing and analyzing the status of the governance system of the Governor Baxter School for the Deaf.

7. Expenses. Legislative members of the task force are entitled to receive the legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of the task force. Public members not otherwise compensated by their employers or other entities whom they represent are entitled to receive reimbursement of necessary expenses and a per diem equal to the legislative per diem for their attendance at authorized meetings of the task force.

8. Report. No later than December 3, 1999, the task force shall submit a report that must include its findings, together with any recommendations for legislation to the Joint Standing Committee on Education and Cultural Affairs or for supplemental budget appropriations to the Joint Standing Committee on

Appropriations and Financial Affairs. The Joint Standing Committee on Education and Cultural Affairs is authorized to report out any legislation during the Second Regular Session of the 119th Legislature concerning the findings and recommendations of the task force. If the task force requires an extension of the reporting deadline, it may apply to the Legislative Council, which may grant the extension.

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

Upon request from the task force, the Executive Director of the Legislative Council or the Executive Director's designee shall provide the chairs and staff with a status report on the task force budget, expenditures incurred and paid and available funds.

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

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

Senate at Ease.

Senate called to order by the President.

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

Senator **AMERO**: Thank you, Mr. President, ladies and gentlemen of the Senate. It's a great deal of pleasure to receive today, the fifth year in a row, Maine's Kids Count book. I always like to look at what's going well in the State of Maine with our kids. There are a lot of good things happening in the State of Maine that we need to point out and I think we should be proud of. First of all, early childhood indicators - we have many scores that are very high. Our infant mortality rate continues to decrease and is the lowest in the United States. That is a real achievement for the State of Maine. The percentage of live births in Maine for which prenatal care began in the first trimester continues to increase and remains one of the highest. Tied only with Massachusetts, Maine has the highest immunization rate among 2 year old children. The percent of low birth weight infants born in Maine continues to decline and remains less than the National rate. I'm pleased to say that school based health centers in Maine are expanding and that we now have 16 of these health centers based in schools across the state of Maine providing health services to many young people who would otherwise not have access to such care. We all know that Maine's high school graduation is one of the highest in the whole country. In fact, our drop out rate is the sixth lowest, another way of looking at that. But another figure that we're all concerned about is the fact that our high school graduates do not go on to higher education in the numbers that high school graduates do in

the rest of the country. We, as the Legislature, I think are taking many actions that will help to encourage more students, more of our graduates, to go onto higher ed. I'm particularly excited about the concept of a community college system in the state of Maine that will make access to higher education more affordable for Maine students. Another program providing grants and low interest loans to students also will provide such encouragement. Another factor that I think the Legislature can help take a little claim for providing some impetus for better health care coverage for children is in the number of children who were not covered back in 1997, it was an astronomically high number that we read about and that was over 30,000 of our children at that time who were not insured. Due to action taken by the Legislature and also by the Department of Health to try to make more families aware of the fact that they could receive Medicaid coverage for their children. We have reached out to over 5,000 children who are now receiving health care insurance and we know that there are another 10,000 children who are eligible who still need to be signed up. So we're making progress in that regard and I'm pleased that in the state of Maine we are making our children a priority and I know that through this legislative session we'll be passing more legislation which will, I'm sure, show up in future Kids Count data books as moving in a positive way in this state. Thank you, Mr. President.

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

Senator **LONGLEY**: Thank you, Mr. President. Colleagues in the Senate, I'd like to add to what the good Senator from Cumberland just said and specifically focus on Cub Care, which in addition to the expanded Medicaid program, is a program that reaches families up to 185% of poverty which is our middle class in Maine. Basically, as you talk to your constituents, if you could remind them that it's compliments of our entire Federal delegation, Republicans and Democrats in this Chamber and in the other Chamber and signed by the Governor, we have this Cub Care program and compliments of work with the Department of Human Services it's a simple, one page application and families can fill it out and get their kids to a doctor and we're all better off in the end. Thank you.

Senator **BENNETT** of Oxford was granted unanimous consent to address the Senate on the Record.

Senator **BENNETT**: Thank you, Mr. President. Fellow members of the Senate, I too want to add my voice to those before me who have talked about some of the good news in this book. Too often in this building we focus on the bad things. It's sort of the nature of our undertakings here that we try to deal with problems and solve them. One that I noted in this book in particular was the question of access to dental care, which, as we know, has plagued the people of the state and kids around the state for some time. It's reared it's head through various public policy issues that have come before us in the Legislature. The two primary roadblocks to dental care for children are money and availability. Low income families with children are often unable to pay for dental care at the time services are delivered. Access is also a problem for children covered by Medicaid. It is estimated that no more than 1/3 of the children accessed preventive oral health services in 1997. There are over 400 general practice dentists and orthodontists practicing in Maine but less than 275 provided preventive services to children with Medicaid coverage

in 1997. Reasons for lack of participation by dentists in the State Medicaid Program include various social, economic and administrative issues that frustrate not only the dentist, of course, but also the families covered by Medicaid. This is particularly a problem in rural Maine where dentists are even rarer to be found. One key in this is the problem of reimbursement rates. I just want to remind this Legislature that within the last two years we've taken some positive steps in that area increasing the reimbursement rates so that kids will have more access to dentists because more dentists will be willing to make the sacrifices necessary to serve Medicaid kids. I think that once in a while we ought to step back and use this book that comes before us every year as a yardstick for our own achievements and here's one area where I think that we've done something pro-active, done something positive. So my message today is simple. Books like these come across our desks all the time, we get reports and studies benchmarking our progress in various areas. Too often those books are just shelved and gather dust somewhere in an office. I just want to say thank you to the people who collaborate to put this information together. It's very useful and at least in one area, dental services, this Legislature is recognizing a problem and dealing with it. We have a long way to go but every step counts and I want to thank the Senate and thank the Legislature for attending to this particular issue. Thank you.

Senator **CATHCART** of Penobscot was granted unanimous consent to address the Senate on the Record.

Senator **CATHCART**: Thank you, Mr. President. I too want to recognize the importance of having healthy children for Maine's 21st century and to congratulate the Maine Children's Alliance on this 1999 Kids Count Data Book. The data book highlights the impact that child abuse can have on early brain development. What can we do to protect our children? The need for stronger child protective services must be addressed. In addition, Maine needs to focus resources at the front end to prevent child abuse and neglect by supporting and educating parents to better meet the challenging task of raising their children. Early intervention programs that help educate and support families in their child rearing responsibilities starting even before a child is born have proven highly effective. Working to improve the economic well-being of families with small children is also vital. Thank you, Mr. President.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 96

**STATE OF MAINE
ONE HUNDRED AND NINETEENTH LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND
FORESTRY**

March 1, 1999

Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

- L.D. 234 An Act to Create a Toll-free Telephone Line for the State Parks System
- L.D. 677 An Act to Change the Way Ginseng License and Registration Fees Are Established

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

Sincerely,

S/Sen. John M. Nutting
Senate Chair

S/Rep. Wendy Pieh
House Chair

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

The Following Communication: S.C. 97

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

March 1, 1999

Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

- L.D. 569 An Act to Require Insurance Companies to Cover Cervical Cancer Screening
- L.D. 608 An Act to Require Health Insurers to Reply to Payment Requests by Family Practice Nurse Practitioners within a Certain Time
- L.D. 634 Resolve, to Direct the Superintendent of Insurance to Evaluate a Separate Workers' Compensation Classification Code for Milk Haulers

L.D. 649 An Act to Allow the Use of the 1990 American Dental Association Form for Submission of Insurance Claims

L.D. 831 An Act to Limit the Maximum Finance Charge to 10.5%

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

Sincerely,

S/Sen. Lloyd P. LaFountain III
Senate Chair

S/Rep. Jane W. Saxl
House Chair

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

The Following Communication: S.C. 98

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

March 1, 1999

Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

L.D. 640 An Act to Require Informed Consent when Using Mercury in Dental Procedures

L.D. 784 An Act to Prohibit the Use of Social Security Numbers for Identification Purposes

L.D. 814 An Act to Create a Lemon Law for Inboard Motorboats

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

Sincerely,

S/Sen. Carol A. Kontos
Senate Chair

S/Rep. Gary O'Neal
House Chair

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

The Following Communication: S.C. 99

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

March 1, 1999

Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

- L.D. 111 An Act to Amend the Laws Regarding Penalties for the Purchase of Cigarettes by a Minor
- L.D. 244 An Act to Permit the Release and Publication of the Name of a Juvenile 14 Years of Age or Older Who Commits a Crime
- L.D. 344 An Act to Make a Traffic Infraction That Results in Bodily Injury to the Offending Driver or Another Person a Class E Crime
- L.D. 466 An Act Concerning Payment of Medical Costs for Prisoners in County Correctional Facilities
- L.D. 530 An Act to Require the State to Pay the Salaries of Sheriffs and County Jail Employees
- L.D. 607 An Act Making It a Crime for Failure of a Junk Dealer to Keep Certain Records

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

Sincerely,

S/Sen. Robert E. Murray, Jr. Senate Chair
S/Rep. Edward J. Povich House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 100

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

March 1, 1999

Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

- L.D. 59 An Act to Change the Date a Child Starts School
- L.D. 124 An Act to Provide for Direct Reimbursement for Special Education Costs
- L.D. 199 An Act to Require That All Schools Employ a Gifted and Talented Teacher
- L.D. 312 An Act to Prohibit the University of Maine System and the Public Vocational Schools from Competing in the Printing Industry
- L.D. 700 An Act to Amend Voting Procedures for School Unions

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

Sincerely,

S/Sen. Georgette B. Berube Senate Chair
S/Rep. Michael F. Brennan House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 101

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

March 1, 1999

Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

- L.D. 149 An Act to Enact a Medicaid Anti-kickback Law
- L.D. 563 An Act to Create Accountability for Money Spent on Auto Insurance for Participants in the TANF Program
- L.D. 595 An Act to Require the Department of Human Services to Pay Legal Expenses in Custody Cases When the Department of Human Services Loses
- L.D. 625 An Act Concerning the Authority of the Maine Health and Higher Educational Facilities Authority

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

Sincerely,

S/Sen. Judy Paradis
Senate Chair

S/Rep. Thomas J. Kane
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 102

**STATE OF MAINE
ONE HUNDRED AND NINETEENTH LEGISLATURE
COMMITTEE ON JUDICIARY**

March 1, 1999

Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

- L.D. 385 An Act to Collect Unpaid Fines in the State
- L.D. 596 An Act to Allow Citizens 70 Years of Age or Older the Option of Serving Jury Duty

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

Sincerely,

S/Sen. Susan W. Longley
Senate Chair

S/Rep. Richard H. Thompson
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 103

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

March 1, 1999

Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

- L.D. 284 An Act to Increase the Number of Members of the Board of Trustees of the Maine State Retirement System
- L.D. 821 Resolve, to Amend the Qualifications for Participation in the Governor's Training Initiative Program

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

Sincerely,

S/Sen. Neria R. Douglass
Senate Chair

S/Rep. Pamela H. Hatch
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 104

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

March 1, 1999

Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Sincerely,

S/Sen. Jill M. Goldthwait
Senate Chair

S/Rep. David Etnier
House Chair

Dear President Lawrence and Speaker Rowe:

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

- L.D. 396 An Act to Give Standing to Any Person Who Witnesses a Violation at a Polling Place
- L.D. 420 An Act to Require Lobbyists to Disclose Whether They are Compensated by a Committee Member
- L.D. 461 An Act to Allow a Holder of a Retail Liquor License to Sell to Other Licensed Entities
- L.D. 560 An Act to Promote Ballot Clarity

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

Sincerely,

S/Sen. Beverly C. Daggett
Senate Chair

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

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

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

The Following Communication: S.C. 106

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

March 1, 1999

Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

- L.D. 638 An Act to Amend the Closure and Remediation Cost-sharing Program Concerning Landfills
- L.D. 692 An Act to Clarify the Reporting of Discharges of Hazardous Matter

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

Sincerely,

S/Sen. Sharon Anglin Treat
Senate Chair

S/Rep. John L. Martin
House Chair

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

The Following Communication: S.C. 105

**STATE OF MAINE
ONE HUNDRED AND NINETEENTH LEGISLATURE
COMMITTEE ON MARINE RESOURCES**

March 1, 1999

Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

- L.D. 805 An Act to Close Certain Areas to the Harvesting of Herring

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

The Following Communication: S.C. 107

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

March 1, 1999

Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

- L.D. 68 An Act to Require That a Certified Copy of Municipal Ordinances Be Recorded in the County Registry of Deeds
- L.D. 164 An Act to Require Notice Prior to the Posting of Roads by Municipalities
- L.D. 352 An Act to Encourage Qualified Persons to Enter and Remain in Law Enforcement Administration
- L.D. 482 An Act Concerning County Treasurers
- L.D. 507 An Act to Allow Municipalities to Advertise Legal Notices in Weekly Newspapers
- L.D. 510 An Act to Favor Maine Companies in Awarding Bids

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

Sincerely,

S/Sen. Peggy A. Pendleton
Senate Chair

S/Rep. Douglas J. Ahearne
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 108

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

March 1, 1999

Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

- L.D. 128 An Act to Exempt Pregnancy Care Centers from the Sales Tax
- L.D. 163 An Act to Eliminate the Marriage Penalty under the Income Tax Laws
- L.D. 226 An Act to Decrease Individual Income Tax by 20%
- L.D. 254 An Act to Exempt Children's Clothing from Sales Tax
- L.D. 285 An Act to Amend the Required Sales Tax on the Purchase of Firearms
- L.D. 291 An Act to Provide a State Income Tax Credit for the Costs of Health Insurance Paid by Individuals
- L.D. 440 An Act to Exempt Business Equipment Used by Christmas Tree Farmers from the Sales Tax
- L.D. 460 An Act to Provide Sales Tax Relief on Purchases of Clothing
- L.D. 508 An Act to Exempt Clothing from the Sales Tax

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

Sincerely,

S/Sen. Richard P. Ruhlin
Senate Chair

S/Rep. Kenneth T. Gagnon
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 109

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

March 1, 1999

Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

LEGISLATIVE RECORD - SENATE, TUESDAY, MARCH 9, 1999

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

- L.D. 28 An Act to Exempt a Person Running for Public Office from the Mandatory Seat Belt Law
- L.D. 167 An Act to Allow Persons with Disabilities to Obtain More than One Disability Registration Plate
- L.D. 189 An Act to Require Seat Belts on School Buses
- L.D. 210 An Act to Require Mandatory All-way Stops at Intersections with Nonfunctional Electrical Traffic Signals
- L.D. 218 An Act Concerning Motor Vehicle Inspection Fees
- L.D. 229 An Act to Aid Enforcement of the Laws Regarding Insurance for Motor Vehicles
- L.D. 278 An Act to Place Direction Signs on I-95 for the Lakeland Trail
- L.D. 281 An Act to Dedicate the Revenue from the Increase in the Inspection Fee to the State Police and to Establish a Safety Inspection Advisory Board
- L.D. 443 An Act to Require Notification of Automobile Registration Renewal Due Dates
- L.D. 451 An Act Concerning Capacity of School Buses
- L.D. 463 An Act concerning the Use of Road Repair or Construction Signs on State Highways
- L.D. 495 An Act to Exempt Newspaper Deliverers from the Seat Belt Law
- L.D. 619 An Act to Exempt the East-west Highway and Interstate 95 North of Houlton from the Sensible Transportation Policy Act
- L.D. 695 An Act to Allow Motorcycles Operated for Traffic Enforcement to Emit a Combination of Blue and Red Light
- L.D. 779 An Act to Increase Motor Vehicle Inspection Fees BY REQUEST
- L.D. 786 An Act to Limit the Storage Fee Charged for Impounded Vehicles
- L.D. 828 An Act to Coincide Motor Vehicle Registration and Inspection Dates

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

Sincerely,

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

S/Rep. Joseph M. Jabar, Sr.
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication:

S.C. 89

119TH MAINE LEGISLATURE

February 26, 1999

John Fitzsimmons, President
Maine Technical College System
131 State House Station
Augusta, Maine 04333

Dear President Fitzsimmons:

We are pleased to invite you to address a Joint Session of the 119th Maine Legislature on Wednesday, March 10, 1999 at 11:00 a.m. concerning the State of the Maine Technical College System and any other matters that you may care to bring to our attention.

On the same day, following your address, Terrence MacTaggart, Chancellor, University of Maine System, will be addressing the Joint Session.

We look forward to seeing you then. Best wishes.

Sincerely,

S/Mark W. Lawrence
President of the Senate

S/G. Steven Rowe
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication:

S.C. 90

119TH MAINE LEGISLATURE

February 26, 1999

Terrence MacTaggart, Chancellor
University of Maine System
107 Maine Avenue
Bangor, ME 04401

Dear Chancellor MacTaggart:

We are pleased to invite you to address a Joint Session of the 119th Maine Legislature on Wednesday, March 10, 1999 concerning the State of the University and any other matters that you may care to bring to our attention. We will begin the Joint Session at 11:00 a.m. with an address from President Fitzsimmons. You will address the Legislature directly following the President.

We look forward to seeing you then. Best wishes.

Sincerely,

S/Mark W. Lawrence
President of the Senate

S/G. Steven Rowe
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 111

**UNIVERSITY OF MAINE SYSTEM
107 MAINE AVENUE
BANGOR, MAINE 04401**

March 3, 1999

The Honorable Mark W. Lawrence
President of the Senate

The Honorable G. Steven Rowe
Speaker of the House
State of Maine
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

It is with particular pleasure that I accept your invitation to address a Joint Session of the 119th Maine Legislature on Wednesday, March 10, 1999, at 11:00 a.m.

I consider this a distinct privilege and look forward to reporting on the State of the University of Maine System.

Sincerely,

S/Terrence J. MacTaggart
Chancellor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 112

**MAINE TECHNICAL COLLEGE SYSTEM
OFFICE OF THE PRESIDENT
323 STATE STREET
AUGUSTA, MAINE 04330**

March 3, 1999

The Honorable Mark W. Lawrence
President of the Senate
119th Maine Legislature
Augusta, ME 04333

The Honorable G. Steven Rowe
Speaker of the House
119th Maine Legislature
Augusta, ME 04333

Dear President Lawrence and Speaker Rowe:

Thank you for your invitation to address a Joint Session of the 119th Maine Legislature on Wednesday, March 10, 1999. It is with a great deal of pleasure that I accept your invitation and I look forward to the opportunity to talk with you and members of the 119th Maine Legislature about Maine's Technical Colleges.

Again, thank you for this opportunity.

Sincerely yours,

S/John Fitzsimmons
President

READ and ORDERED PLACED ON FILE.

The Following Communication: H.C. 55

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

March 4, 1999

Honorable Joy J. O'Brien
Secretary of the Senate
119th Legislature
Augusta, Maine 04333

Dear Madam Secretary:

The Chair ruled today that Bill "An Act to Amend the Maine Governmental Facilities Authority" (H.P. 781) (L.D. 1104) and Bill "An Act to Amend the Laws Authorizing the Renovation of the State Capitol Building and Other State Buildings" (H.P. 823) (L.D. 1146) were not properly before the body pursuant to House Rule 107.

Sincerely,

S/Joseph W. Mayo
Clerk of the House

READ and with accompanying papers ORDERED PLACED ON FILE.

SENATE PAPERS

Bill "An Act to Amend the Maine Banking Code Regarding Extensions of Credit" (EMERGENCY)

S.P. 595 L.D. 1719

Sponsored by Senator ABROMSON of Cumberland.
Cosponsored by Representative SAXL of Bangor and Senator: LaFOUNTAIN of York, Representatives: MAYO of Bath, PERRY of Bangor, SULLIVAN of Biddeford.

Bill "An Act to Prohibit Certain Bank Penalties" (EMERGENCY)

S.P. 609 L.D. 1732

Sponsored by Senator RAND of Cumberland.
Cosponsored by Representative QUINT of Portland and Senator: DOUGLASS of Androscoggin, Representative: HATCH of Skowhegan.

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

Sent down for concurrence.

Bill "An Act to Amend the Petroleum Market Share Act"

S.P. 592 L.D. 1716

Sponsored by Senator RAND of Cumberland.
Cosponsored by Senator: PINGREE of Knox.

Bill "An Act to Ensure Fair Competition within the Motor Fuels Industry"

S.P. 603 L.D. 1726

Sponsored by Senator CASSIDY of Washington.
Cosponsored by Representative BUCK of Yarmouth and Senator: MILLS of Somerset, Representatives: WHEELER of Bridgewater, WHEELER of Eliot.

Bill "An Act to Improve the Licensing Procedures for Veterinarians"

S.P. 624 L.D. 1789

Sponsored by Senator DAGGETT of Kennebec.
Cosponsored by Representative GAGNON of Waterville and Senators: KILKELLY of Lincoln, KONTOS of Cumberland.

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

Sent down for concurrence.

Bill "An Act to Create the Sex Offender Registration and Notification Act of 1999"

S.P. 597 L.D. 1721

Sponsored by Senator MURRAY of Penobscot.
Cosponsored by Representative O'BRIEN of Augusta and Representative: McALEVEY of Waterboro.

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

Bill "An Act to Amend the Maine Criminal Code Regarding Improper Gifts"

S.P. 617 L.D. 1782

Sponsored by Senator CAREY of Kennebec.

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

Sent down for concurrence.

Bill "An Act to Allow the Towns of Wells and Ogunquit to Withdraw from Their Community School District"

S.P. 602 L.D. 1725

Sponsored by President LAWRENCE of York.
Cosponsored by Representative WHEELER of Eliot.

Bill "An Act to Make Changes to the Student Incentive Scholarship Program"

S.P. 614 L.D. 1779

Sponsored by Senator MURRAY of Penobscot.

Bill "An Act to Provide Financial Incentives for the Initiation of Early Childhood Programs and Services in Public Schools"

S.P. 615 L.D. 1780

Sponsored by Senator MITCHELL of Penobscot.
Cosponsored by Representative PLOWMAN of Hampden and Senators: BERUBE of Androscoggin, DAVIS of Piscataquis, KONTOS of Cumberland, Representatives: BRAGDON of Bangor, BROOKS of Winterport.

Bill "An Act to Establish School Assessment Tests for 2nd Graders"

S.P. 619 L.D. 1784

Sponsored by Senator MILLS of Somerset.

Bill "An Act Regarding Funding for Vocational Technical Schools"

S.P. 628 L.D. 1793

Sponsored by Senator KONTOS of Cumberland.
Cosponsored by Senators: AMERO of Cumberland, RAND of Cumberland, Representatives: BRENNAN of Portland, CIANCHETTE of South Portland, CLOUGH of Scarborough, QUINT of Portland, TOWNSEND of Portland, WATSON of Farmingdale.

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

Sent down for concurrence.

Resolve, to Establish Reimbursement Funding for Transportation Costs to and From Dialysis Treatment Facilities
S.P. 601 L.D. 1724

Sponsored by Senator O'GARA of Cumberland.
Cosponsored by Representative QUINT of Portland and Senators: AMERO of Cumberland, DAGGETT of Kennebec, PARADIS of Aroostook, PINGREE of Knox, Representatives: BRAGDON of Bangor, BRENNAN of Portland, MAYO of Bath, SNOWE-MELLO of Poland.

Bill "An Act to Require the Office of Substance Abuse to Report on Certain Child Care Services"
S.P. 604 L.D. 1727

Sponsored by Senator LONGLEY of Waldo.
Cosponsored by Representative: O'BRIEN of Augusta.

Bill "An Act to Amend the Laws Regarding the Provision of Services to Persons with Alzheimer's Disease"
S.P. 610 L.D. 1733

Sponsored by Senator KILKELLY of Lincoln.
Cosponsored by Senators: DAGGETT of Kennebec, KONTOS of Cumberland, PARADIS of Aroostook, Representatives: KANE of Saco, PIEH of Bremen, TESSIER of Fairfield.

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

Sent down for concurrence.

Bill "An Act to Make Privileged Communication Between a Licensed Counseling Professional and a Patient"
S.P. 593 L.D. 1717

Sponsored by Senator ABROMSON of Cumberland.
Cosponsored by Representative BRENNAN of Portland and Senators: BENOIT of Franklin, HARRIMAN of Cumberland, MILLS of Somerset, MURRAY of Penobscot, Representatives: NORBERT of Portland, QUINT of Portland.

Bill "An Act to Recover Economic Loss Attributable to Tobacco Use"
S.P. 596 L.D. 1720

Sponsored by Senator MILLS of Somerset.

Bill "An Act to Clarify the Limited Liability for Recreational or Harvesting Activities"
S.P. 618 L.D. 1783

Sponsored by Senator MURRAY of Penobscot.

Bill "An Act to Promote Effective Management of Occupational Exposure to HIV"
S.P. 626 L.D. 1791

Sponsored by Senator GOLDTHWAIT of Hancock.

Cosponsored by Senators: PENDLETON of Cumberland, RAND of Cumberland, Representatives: BROOKS of Winterport, PIEH of Bremen.

Bill "An Act Relating to the Admissibility of Medical Records and Reports"
S.P. 627 L.D. 1792

Sponsored by Senator MILLS of Somerset.

Bill "An Act to Validate Pierringer Releases and Reform Procedures in Multiparty Lawsuits"
S.P. 630 L.D. 1795

Sponsored by Senator MILLS of Somerset.

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

Sent down for concurrence.

Bill "An Act to Ensure that Displaced Workers Have Access to Appropriate Job Training, Education and Employment Services through a Peer Support Program"
S.P. 594 L.D. 1718

Sponsored by Senator TREAT of Kennebec.
Cosponsored by Representative COLWELL of Gardiner and Senators: BENNETT of Oxford, CASSIDY of Washington, FERGUSON of Oxford, MICHAUD of Penobscot, O'GARA of Cumberland, Representatives: DUPLESSIE of Westbrook, McKEE of Wayne, STANLEY of Medway.

Bill "An Act to Increase Health Insurance Benefits for Retired Educators"
S.P. 607 L.D. 1730

Sponsored by Senator CATHCART of Penobscot.
Cosponsored by Representative HATCH of Skowhegan and Senators: PARADIS of Aroostook, TREAT of Kennebec, Representatives: BELANGER of Caribou, DUGAY of Cherryfield, GAGNE of Buckfield, JACOBS of Turner, SHERMAN of Hodgdon, SULLIVAN of Biddeford.

Bill "An Act to Allow Minors to Work Over the Labor Day Weekend"
S.P. 608 L.D. 1731

Sponsored by President LAWRENCE of York.
Cosponsored by Representative: LEMONT of Kittery.

Bill "An Act Relative to Freedom of Employment in the Broadcasting Industry"
S.P. 616 L.D. 1781

Sponsored by Senator PINGREE of Knox.
Cosponsored by Speaker ROWE of Portland and Senator: AMERO of Cumberland, Representatives: CAMPBELL of Holden, DUDLEY of Portland, DUPLESSIE of Westbrook, MURPHY of Kennebunk, QUINT of Portland, SAXL of Bangor, SAXL of Portland.

Bill "An Act to Amend the Laws Governing the Designation of a Beneficiary of Maine State Retirement System Benefits"
S.P. 625 L.D. 1790

Sponsored by Senator MURRAY of Penobscot.

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

Sent down for concurrence.

Bill "An Act Regarding Dependent and Family Coverage in the State Employee Health Insurance Program"
S.P. 622 L.D. 1787

Sponsored by Senator DAGGETT of Kennebec.
Cosponsored by Senators: DOUGLASS of Androscoggin, RAND of Cumberland, Representative: TESSIER of Fairfield.

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

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

Resolve, Authorizing Certain Members of the Sullivan Family to Bring Suit Against the State
S.P. 605 L.D. 1728

Sponsored by Senator LONGLEY of Waldo.
Cosponsored by Representative: WESTON of Montville.

Bill "An Act to Clarify 7-day Evictions in Tenancies at Will"
S.P. 623 L.D. 1788

Sponsored by Senator DAGGETT of Kennebec.
Cosponsored by Representative MADORE of Augusta and Senator: KONTOS of Cumberland, Representative: TUTTLE of Sanford.

Bill "An Act to Improve the Absentee Voting Process"
S.P. 631 L.D. 1796

Sponsored by Senator DAGGETT of Kennebec.
Cosponsored by Representative TUTTLE of Sanford.
Submitted by the Secretary of State pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act to Encourage the Implementation of Pollution Prevention in Maine"
S.P. 629 L.D. 1794

Sponsored by Senator AMERO of Cumberland.

Cosponsored by Representative MARTIN of Eagle Lake and Senator: BENNETT of Oxford, Representatives: COWGER of Hallowell, DAIGLE of Arundel, McKEE of Wayne.
Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.

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

Sent down for concurrence.

Resolve, Regarding the Conveyance of a Right-of-way Across the Elizabeth Levinson Center in Bangor
S.P. 620 L.D. 1785

Sponsored by Senator MURRAY of Penobscot.

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

Sent down for concurrence.

Bill "An Act to Provide a State Income Tax Credit for the Costs of Health Insurance Paid by Individuals"
S.P. 599 L.D. 1722

Sponsored by Senator AMERO of Cumberland.
Cosponsored by Senators: HARRIMAN of Cumberland, LONGLEY of Waldo, MITCHELL of Penobscot, Representatives: BRENNAN of Portland, SHOREY of Calais.

Bill "An Act to Bring the State's Household Employee Tax into Compliance with Federal Tax Law"
S.P. 606 L.D. 1729

Sponsored by Senator LONGLEY of Waldo.

Bill "An Act to Offer Tax Credits for Certain Value-added Wood Products Produced in Maine"
S.P. 611 L.D. 1734

Sponsored by Senator LONGLEY of Waldo.

Bill "An Act to Provide a \$500 State Income Tax Credit for Private School Tuition Payments"
S.P. 621 L.D. 1786

Sponsored by Senator AMERO of Cumberland.
Cosponsored by Senator: MITCHELL of Penobscot, Representatives: BUCK of Yarmouth, McKENNEY of Cumberland.

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

Sent down for concurrence.

Bill "An Act to Amend the Charter of the East Pittston Water District"

S.P. 600 L.D. 1723

Sponsored by Senator KILKELLY of Lincoln.
Cosponsored by Representative COWGER of Hallowell.

Bill "An Act to Amend the Charter of the Waterville Sewerage District"

S.P. 632 L.D. 1797

Sponsored by Senator CAREY of Kennebec.

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

Sent down for concurrence.

ORDERS

Joint Orders

On motion by Senator CATHCART of Penobscot (Cosponsored by Representative BERRY of Livermore, Senator PARADIS of Aroostook, Senator RAND of Cumberland, Representative SAXL of Portland, Representative SHIAH of Bowdoinham, Representative SKOGLUND of St. George, Representative TESSIER of Fairfield), the following Joint Order:

S.P. 598

ORDERED, the House concurring, that the Task Force to Study the Implementation of Alternative Programs and Interventions for Violent and Chronically Disruptive Students is established as follows.

1. Task force established. The Task Force to Study the Implementation of Alternative Programs and Interventions for Violent and Chronically Disruptive Students, referred to in this order as the "task force," is established.

2. Membership. The task force consists of 7 members appointed jointly by the chairs of the Joint Standing Committee on Education and Cultural Affairs after consultation with members of the committee. At least 2 of the appointees must be members of the public.

3. Chair. The chairs of the committee shall name a chair for the task force at the time they make the original appointments.

4. Appointments; convening task force. 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 chair of the task force shall call and convene the first meeting of the task force no later than June 15, 1999.

5. Duties. The task force shall:

A. Study the availability of a continuum of interventions for violent and chronically disruptive students, including the

existence of positive behavioral supports in classrooms, the availability of alternative educational settings for disruptive students and alternative community placements; and

B. Recommend a plan and strategies to develop an appropriate continuum of interventions.

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

7. Compensation. Members of the task force 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 task force.

8. Report. The task force shall submit a report on the plan developed along with any recommended legislation to the Joint Standing Committee on Education and Cultural Affairs no later than December 15, 1999. The committee has authority to introduce legislation during the Second Regular Session of the 119th Legislature. If the task force requires an extension of time to make its report, it may apply to the Legislative Council, which may grant the extension.

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

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

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

Sent down for concurrence.

On motion by Senator TREAT of Kennebec (Cosponsored by Representative HATCH of Skowhegan, Senator: PARADIS of Aroostook, Representative DUPLESSIE of Westbrook, Representative GAGNON of Waterville, Representative WATSON of Farmingdale), the following Joint Order:

S.P. 612

ORDERED, the House concurring, that the Task Force on Transportation Access, Air Pollution Reduction and Family Self-sufficiency is established as follows.

1. Task force established. The Task Force on Transportation Access, Air Pollution Reduction and Family Self-sufficiency, referred to in this order as the "task force," is established.

2. Membership. The task force consists of the following 8 members:

- A. One Senator, who is a member of the Joint Standing Committee on Health and Human Services, appointed by the President of the Senate;
- B. One Representative, who is a member of the Joint Standing Committee on Health and Human Services, appointed by the Speaker of the House of Representatives;
- C. One Senator, who is a member of the Joint Standing Committee on Natural Resources, appointed by the President of the Senate;
- D. One Representative, who is a member of the Joint Standing Committee on Natural Resources, appointed by the Speaker of the House of Representatives;
- E. One Senator, who is a member of the Joint Standing Committee on Transportation, appointed by the President of the Senate;
- F. One Representative, who is a member of the Joint Standing Committee on Transportation, appointed by the Speaker of the House of Representatives; and
- G. One Senator and one Representative, appointed respectively by the President of the Senate and the Speaker of the House of Representatives.

3. Chair and officers. The task force shall choose one of its members to serve as chair. The task force may select other officers and designate their duties.

4. Appointments; meetings. All appointments must be made no later than 30 days following the effective date of this order. The first meeting of the task force must convene no later than October 1, 1999. The task force may hold up to 6 meetings.

5. Duties. The task force shall study the feasibility of establishing a program to remove older polluting vehicles from the roads by providing newer and less polluting used vehicles through purchase or lease. The task force shall examine how such a program could complement the State's Temporary Assistance for Needy Families program and the State's so-called welfare-to-work program by making reliable transportation accessible to working people who qualify for Temporary Assistance for Needy Families. The task force shall also examine how such a program could be included in the State's plan for complying with federal clean air standards. The task force shall examine market incentives, including tax incentives and emission trading, to encourage businesses, rental car companies and others to donate vehicles to such a program. The task force shall identify funding sources and management strategies. It must seek the input of the Department of Transportation, the Department of Economic and Community Development, the Department of Human Services, the Department of Environmental Protection, the Maine Technical College System, the Temporary Assistance for Needy Families Advisory Council and representatives of auto dealers, public health agencies, environmental organizations, women's organizations, low-income families and business organizations.

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

7. Compensation. Members of the task force are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for each day's attendance at meetings of the task force. Task force members are entitled to reimbursement for travel and other necessary expenses upon application to the Legislative Council. The Executive Director of the Legislative Council shall administer the task force's budget.

8. Report. The task force shall submit its report, together with any recommended implementing legislation, to the Second Regular Session of the 119th Legislature no later than December 1, 1999. If the task force requires an extension of time to complete its report, it may apply to the Legislative Council, which may grant an extension.

READ and REFERRED to the Committee on HEALTH AND HUMAN SERVICES.

Sent down for concurrence.

On motion by Senator PINGREE of Knox, under unanimous consent on behalf of President LAWRENCE of York (Cosponsored by Representative WHEELER of Eliot and Representative LEMONT of Kittery), the following Joint Order:
S.P. 613

ORDERED, the House concurring, that the Commission to Review Municipal Shellfish Conservation Programs is established as follows:

1. Commission established. The Commission to Review Municipal Shellfish Conservation Programs, referred to in this joint study order as the "commission," is established.

2. Membership. The commission consists of the following 9 members:

A. Two members of the public, one who resides in a coastal municipality and one who resides in an inland municipality, appointed by the President of the Senate;

B. Two members of the public, one who resides in a coastal municipality and one who resides in an inland municipality, appointed by the Speaker of the House;

C. Four Legislators, 2 of whom are appointed by the President of the Senate and 2 of whom are appointed by the Speaker of the House; and

D. The Commissioner of Marine Resources, or the commissioner's representative.

3. Appointments; meetings. All appointments must be made no later than 30 days following the effective date of this joint study 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 Chair of the Legislative Council shall call and convene the first meeting of the commission no later than September 1, 1999. The commission may hold up to 4 meetings.

4. Duties. The commission shall study the distribution of municipal shellfish licenses between residents and nonresidents of a municipality as provided under the Maine Revised Statutes, Title 12, section 6671. The commission shall report its findings and any proposed legislation by December 1, 1999 to the Joint Standing Committee on Marine Resources.

5. Staff assistance. The commission may request staffing and clerical assistance from the Legislative Council.

6. Reimbursement. Members of the commission who are Legislators are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for each day's attendance at meetings of the commission. All members of the commission are entitled to reimbursement for travel and other necessary expenses, upon application to the Legislative Council. The Executive Director of the Legislative Council shall administer the commission's budget.

READ and **REFERRED** to the Committee on **MARINE RESOURCES**.

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Change of Committee

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Establish Minimum Criteria for Siting Community Living Arrangements"

H.P. 809 L.D. 1132

Reported that the same be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

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

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

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Allow Emergency Medical Technicians to Draw Blood Samples for Alcohol Analysis"

H.P. 987 L.D. 1385

Reported that the same be **REFERRED** to the Committee on **TRANSPORTATION**.

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

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

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

Ought to Pass As Amended

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Authorizing the Transfer of Certain State Historic Site Property

H.P. 398 L.D. 540

Reported that the same **Ought to Pass As Amended** by **Committee Amendment "A" (H-22)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-22)**.

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

READ ONCE.

Committee Amendment "A" (H-22) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **CRIMINAL JUSTICE** on Bill "An Act to Amend the Laws Prohibiting Terrorizing"

H.P. 69 L.D. 82

Reported that the same **Ought to Pass As Amended** by **Committee Amendment "A" (H-20)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-20)**.

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

READ ONCE.

Committee Amendment "A" (H-20) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Allow Registered Lab Technicians and Certified Phlebotomists to Draw Blood for Forensic Purposes" H.P. 196 L.D. 274

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-21)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-21)**.

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

READ ONCE.

Committee Amendment "A" (H-21) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on **BANKING AND INSURANCE** on Bill "An Act to Require Insurance Companies to Provide Certain Information to the Department of Human Services" H.P. 301 L.D. 409

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

Signed:

Senators:

LaFOUNTAIN of York
DOUGLASS of Androscoggin
ABROMSON of Cumberland

Representatives:

RICHARDSON of Brunswick
DUDLEY of Portland
O'NEIL of Saco
SAXL of Bangor
SULLIVAN of Biddeford
PERRY of Bangor
GLYNN of South Portland
MAYO of Bath

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-23)**.

Signed:

Representatives:

JONES of Pittsfield
NUTTING of Oakland

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

Reports **READ**.

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

Senate

Ought to Pass

Senator **KILKELLY** for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Authorizing the Director of the Bureau of Parks and Land to Convey a Well and Waterline Easement

S.P. 270 L.D. 763

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

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

READ ONCE.

TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

Senator **KONTOS** for the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Exempt Free Clinics from Payment of Pharmaceutical Registration Fees"

S.P. 168 L.D. 505

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-20)**.

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

READ ONCE.

Committee Amendment "A" (S-20) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator **LONGLEY** for the Committee on **JUDICIARY** on Bill "An Act to Give the Probate Court Power to Order Child Support in Cases Involving Guardianship of a Minor"

S.P. 27 L.D. 38

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-19)**.

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

READ ONCE.

Committee Amendment "A" (S-19) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator DAGGETT for the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Establish Limits on Contributions to Political Action Committees That Support Candidates"

S.P. 72 L.D. 175

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-18).**

Report **READ.**

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

SECOND READERS

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

House

Bill "An Act to Allow the Bureau of Labor Standards to Better Secure Payment of Unpaid Wages and Severance Pay for Workers"

H.P. 128 L.D. 159

Bill "An Act to Prohibit the Employment of Minors in Places Providing Nude Entertainment"

H.P. 199 L.D. 277

Bill "An Act to Expand the Use of Emergency Equipment on Vehicles Operated by Liquor Enforcement Officers"

H.P. 269 L.D. 378

Bill "An Act to Repeal the Law Requiring Retailers to Post Motor Vehicle Fuel Prices"

H.P. 339 L.D. 455

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

Senate

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

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

Sent down for concurrence.

Bill "An Act to Prohibit the Negotiation of Severance Pay Lower than the State Minimum"

S.P. 156 L.D. 476

READ A SECOND TIME.

On motion by Senator **DOUGLASS** of Androscoggin Senate Amendment "A" (S-17) **READ.**

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Douglass.

Senator **DOUGLASS:** Mr. President, this amendment is simply a matter of clarification. Instead of putting the bill's text into a separate sub-section of the law, we adjusted the language of one of the exemptions. So if the comments that were made earlier are on the record still stand, this is an act to permit an agreement to severance pay that is equal too or greater than that required by the State in our Severance Pay Law and the amendment simply makes that more clear.

ADOPTED.

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-17).

Sent down for concurrence.

Senate As Amended

Bill "An Act to Make Maine Medicare Supplement Insurance Laws Consistent with Federal Laws" (EMERGENCY)

S.P. 48 L.D. 119
(C "A" S-15)

Bill "An Act to Amend the Maine Banking Code as it Pertains to ATM Surcharges"

S.P. 101 L.D. 240
(C "A" S-16)

Bill "An Act to Amend the Revised Maine Securities Act"

S.P. 152 L.D. 472
(C "A" S-14)

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

Sent down for concurrence.

ENACTORS

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

Emergency Measure

An Act Concerning the 1999 Elver Fishery

S.P. 303 L.D. 905
(C "A" S-13)

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with 1 Senator having voted in the negative, with 8 Senators being absent, and 26 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.

Senate at Ease.

Senate called to order by the President.

Mandate

An Act to Restrict the Posting on the Internet of Personal Information About Public School Students

S.P. 93 L.D. 232
(S "A" S-8)

This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, with 4 Senators being absent, and 31 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Acts

An Act to Make Materiality a Jury Issue Relative to the Crime of Perjury

H.P. 544 L.D. 765

An Act to Clarify the Criminal Code Relative to Strict Liability Crimes

H.P. 545 L.D. 766

An Act to Clarify Sentencing Alternatives Involving Probation and Unconditional Discharge Under the Criminal Code

H.P. 570 L.D. 791

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

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later (3/4/99) Assigned matter:

Bill "An Act to Repeal the Atlantic Salmon Authority"

H.P. 1155 L.D. 1652

Tabled - March 4, 1999, by Senator **PINGREE** of Knox.

Pending - **REFERENCE**

(Committee on **MARINE RESOURCES** suggested and ordered printed.)

(In House, March 3, 1999, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE**.)

On motion by Senator **PINGREE** of Knox, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE**, and ordered printed in concurrence.

The Chair laid before the Senate the following Tabled and Later (3/4/99) Assigned matter:

Bill "An Act to Protect the Public's Health through State-funded Rabies Testing"

S.P. 582 L.D. 1662

Tabled - March 4, 1999, by Senator **PINGREE** of Knox.

Pending - **REFERENCE**

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

On motion by Senator **PINGREE** of Knox, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

Sent down for concurrence.

Senator **PINGREE** of Knox 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**, until Wednesday, March 10, 1999, at 10:00 in the morning.