

MAINE STATE LEGISLATURE

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



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

Senate Legislative Record
One Hundred and Nineteenth Legislature
State of Maine

Volume 1

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

Pages 1 - 746

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

In Senate Chamber
Wednesday
March 10, 1999

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

Prayer by Reverend Michelle Grube of the Peoples United Methodist Church in Union.

REVEREND GRUBE: Let us pray. Eternal God, in whose appointment our life stands and who committed our work to us, we come before You this morning offering ourselves to You as we begin yet another day. We come thanking You for the newness of this day and the opportunity that we have, not only to serve the people we represent but also to serve You, O Holy One, the ultimate lawmaker. Give us this day Your grace so that we may contribute to establishing Maine as the example of the way life should be everywhere. We pray this morning, gracious God, that You may give to these men and women the gifts, graces, and tolerance they need to hear and follow Your will. As You allowed Samuel to dream and hear Your call of service, I pray that You would give these servants fresh dreams and visions for the future of our state, allowing them to continually hear Your call. As You gave courage and strength to David to persevere until he was finally crowned king, I pray that You will give these Senators a portion of that strength and courage so that they may not be content to seek the false comfort of easy answers but will persevere to do the hard work of seeking Your will with each new decision. And as you gave wisdom to Solomon to build up and successfully lead the people of Israel, I pray that You might also give these men and women a portion of that wisdom so that they may make bold, responsible and just decisions for all Your people in Maine. May this day then be for each of us a prayer, a lesson, and an opportunity to be servants to those who we represent and to You, ever living God, for it is in Your name that we lift our prayers before You. Amen.

Doctor of the day, Ann Hanlon, M.D., Hampden.

Reading of the Journal of Tuesday, March 9, 1999.

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

Senator **CATHCART:** Thank you, Mr. President. Mr. President and men and women of the Senate, I'm honored today to have a very special guest here in the Senate and wanted you all to join me in recognizing him. Professor Irving Kornfield, a Professor at the University of Maine School of Marine Science, has been

named Maine Professor of the Year by the Carnegie Foundation for the Advancement of Teaching. This award is presented annually in recognition of college faculty members who excel as teachers and influence the lives and the careers of their students. We who represent the University of Maine and also the State of Maine are very proud to have such outstanding teachers teaching here in our midst. We welcome him and his wife, Torrie Kornfield, and also President Peter Hoff of the University of Maine. We will be having a Sentiment for Professor Kornfield and we are very glad to welcome him today and please join me in doing so. Thank you, Mr. President.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber Professor Irving Kornfield and his wife and ask them to rise and receive the greetings of the Senate.

Off Record Remarks

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

ORDERS

Senate Order

On motion by Senator **PINGREE** of Knox, the following Senate Order: S.O. 15

ORDERED, that a message be sent to the House of Representatives proposing a Joint Convention of the two branches of the Legislature to be held in the Hall of the House, at 11:00 in the morning for the purpose of extending to the Honorable John Fitzsimmons, President of the Maine Technical College System and the Honorable Terrence MacTaggart, Chancellor of the University of Maine System, an invitation to attend the Convention and make such communication as pleases them.

READ and PASSED.

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Ensure Compliance With Disability Access Laws by the Baxter State Park Authority"

H.P. 1189 L.D. 1699

Bill "An Act to Eliminate the Use of Nongovernmental Entities in Acquiring and Managing Lands"
H.P. 1208 L.D. 1737

Resolve, to Allow the Modification of a Conservation Easement on Property Leased to Robert Vadas
H.P. 1209 L.D. 1738

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.

Resolve, to Increase Access to Maine's Technical College System
H.P. 1191 L.D. 1701

Bill "An Act to Create Fairness in Mental Health Funding for Southern York County"
H.P. 1213 L.D. 1742

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 Clarify the Law Concerning Representations Made in Insurance Contracts"
H.P. 1233 L.D. 1762

Bill "An Act to Update the Laws Concerning Prearranged Funerals"
H.P. 1248 L.D. 1777

Bill "An Act to Make Corrections in the Mental Health Insurance Laws"
H.P. 1249 L.D. 1778

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 Increase the Number of Plumbing Inspectors"
H.P. 1192 L.D. 1702

Bill "An Act to Create a Business Incentive Program"
H.P. 1206 L.D. 1735

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 Amend the Restitution Law for Prisoners"
H.P. 1188 L.D. 1698

Bill "An Act to Amend the Home-release Monitoring Program"
H.P. 1198 L.D. 1708

Bill "An Act to Amend the Victims' Compensation Fund Law"
H.P. 1229 L.D. 1758

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 Strengthen Maine's Animal Welfare Laws"
H.P. 1199 L.D. 1709

Committee on **CRIMINAL JUSTICE** suggested and ordered printed.

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

On motion by Senator **RAND** of Cumberland, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed, in concurrence.

Resolve, to Conduct and Report on a Comprehensive Needs Assessment for Coordinated School Health Programs
H.P. 1196 L.D. 1706

Bill "An Act to Extend Certain Survivor Benefits to the Spouses of Emergency Medical Services Providers"
H.P. 1197 L.D. 1707

Bill "An Act to Ensure Adequate Funding for Maine Schools"
H.P. 1202 L.D. 1712

Bill "An Act to Amend the Habitual Truancy Law"
H.P. 1211 L.D. 1740

Resolve, Creating a Commission to Study the Multicultural Education Needs of Maine Teachers to Ensure Multicultural Awareness and Understanding for All Maine Students
H.P. 1230 L.D. 1759

Bill "An Act to Require that Tuition for Foster Children Attending a School in a Union be Paid by the State"
H.P. 1232 L.D. 1761

Bill "An Act to Establish a Standard Line-item Budget Format for All School Budgets"
H.P. 1247 L.D. 1776

Bill "An Act Regarding the School Funding Formula"
H.P. 1251 L.D. 1799

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 Repeal the 6% Supplemental Rebate on Prescription Drugs to Conform to the Requirements of Federal Regulations"
H.P. 1193 L.D. 1703

Bill "An Act to Protect Children from Secondhand Smoke in Motor Vehicles"
H.P. 1194 L.D. 1704

Bill "An Act to Improve Access to Dental Care for Children"
H.P. 1226 L.D. 1755

Resolve, to Create the Commission to Study the Provision of Mental Health Services to the Elderly (EMERGENCY)
H.P. 1231 L.D. 1760

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 Support the Work of the Maine Rabies Work Group"
H.P. 1228 L.D. 1757

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

Come from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

On motion by Senator **NUTTING** of Androscoggin, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed, in concurrence.

Bill "An Act to Allow Child-placing Agencies to License Preadoptive Homes as Foster Care Homes for a Child Placed in that Home Awaiting Adoption"
H.P. 1215 L.D. 1744

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

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

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

Bill "An Act to Allow the Department of Inland Fisheries and Wildlife to Offer an Annual License Instead of a Lifetime License"
H.P. 1227 L.D. 1756

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 Provide Immunity to Enhanced 9-1-1 Developers and Providers"
H.P. 1185 L.D. 1695
(See action later today.)

Bill "An Act to Require Noncustodial Parents to Contribute to the Higher Education of Their Children"
H.P. 1224 L.D. 1753

Bill "An Act to Establish a Limit on Noneconomic Damages in Medical Malpractice Actions"
H.P. 1242 L.D. 1771

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

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

Resolve, to Grant Salvage Rights for Revolutionary War Vessels Submerged in the Penobscot River to the Brewer Historical Society and the Bangor Historical Society (EMERGENCY)
H.P. 1184 L.D. 1694

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

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

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

Bill "An Act to Amend the Retirement Plan for Maine State Troopers"
H.P. 1218 L.D. 1747

Bill "An Act to Correct Inconsistencies within the Maine State Retirement System"
H.P. 1219 L.D. 1748

Bill "An Act to Allow Recovery of Provisional Payments by Employee Benefit Plans"
H.P. 1238 L.D. 1767

Bill "An Act to Change the Child Labor Laws"
H.P. 1239 L.D. 1768

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

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

Bill "An Act to Allow Charitable Nonprofit Organizations to Conduct Limited Video Gaming"
H.P. 1205 L.D. 1715

Bill "An Act to Preserve Live Harness Racing in the State"
H.P. 1214 L.D. 1743

Bill "An Act to Require the Secretary of State to Establish a Central Voter List for the State"
H.P. 1220 L.D. 1749

Bill "An Act to Require Voters to Sign Their Names Prior to Voting"
H.P. 1222 L.D. 1751

Bill "An Act to Require Certain Proof of Identity to be Presented When Registering to Vote"
H.P. 1223 L.D. 1752

Resolve, Requiring the Director of Alcoholic Beverages and Lottery Operations to Investigate the Requirements for Maine to Join the PowerBall Lottery
H.P. 1236 L.D. 1765

Bill "An Act to Provide Equity for Eviction Notification"
H.P. 1237 L.D. 1766

Resolve, to Develop a Disaster Relief Food Assistance Program (EMERGENCY)
H.P. 1246 L.D. 1775

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.

Bill "An Act to Clarify the Law Governing Disbursements from the Groundwater Oil Clean-up Fund"
H.P. 1201 L.D. 1711

Bill "An Act to Clarify and Improve the State's Solid Waste Management Laws"
H.P. 1204 L.D. 1714

Bill "An Act to Amend the Site Location of Development Laws to Include the Location and Safety of Transmission Towers"
H.P. 1207 L.D. 1736

Bill "An Act to Require the Department of Environmental Protection to Mail the Department's Monthly Activity Report to Legislators on the Joint Standing Committees on Natural Resources and Health and Human Services"
H.P. 1234 L.D. 1763

Bill "An Act to Require Tire Manufacturers to Accept Tires for Return"
H.P. 1243 L.D. 1772

Bill "An Act to Amend Environmental Penalties to Prohibit Fines on First-time Violators"
H.P. 1245 L.D. 1774

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 Amend the Municipal Board of Appeals Process"
H.P. 1190 L.D. 1700

Bill "An Act to Amend the Maine Administrative Procedure Act"
H.P. 1195 L.D. 1705

Bill "An Act to Amend the Membership of the Information Services Policy Board"
H.P. 1200 L.D. 1710

Resolve, Authorizing the Commissioner of Administrative and Financial Services to Sell or Lease the Interests of the State in the Maine Criminal Justice Academy in Waterville; Part of the Kennebec Arsenal in Augusta; Part of the Maine Youth Center in South Portland; and 2 Parcels in Gray Near the Pineland Center
H.P. 1203 L.D. 1713

Bill "An Act to Increase Fees for Civil Process of Filing State Papers"
H.P. 1212 L.D. 1741

Bill "An Act to Require State Departments and Agencies to Comply with Certain Laws Applied to the Public"
H.P. 1240 L.D. 1769

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 Exempt Utility Work from Certain Sales Tax Requirements"
H.P. 1186 L.D. 1696

Bill "An Act Requiring Towns to Conduct a Revaluation of Properties Every 10 Years"
H.P. 1187 L.D. 1697

Bill "An Act Regarding the Interest and Penalties on Unpaid Taxes when the Taxpayer Files for Bankruptcy"
H.P. 1216 L.D. 1745

Bill "An Act to Change the Method of Sales Tax Calculation for Heavy Equipment"
H.P. 1221 L.D. 1750

Bill "An Act to Repeal Tax Incentives for Certain Shipbuilding Facilities"
H.P. 1235 L.D. 1764

Bill "An Act to Exempt Resold Camper Caps From Being Taxed Separately"
H.P. 1241 L.D. 1770

Bill "An Act to Allow for a Prorated Application of Property Tax Exemptions for Charitable and Benevolent Institutions and Literary and Scientific Institutions"
H.P. 1244 L.D. 1773

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 Relating to New and Used Car Document Fees"
H.P. 1210 L.D. 1739

Bill "An Act to Amend the Definition of Bicycle to Promote Road Safety"
H.P. 1217 L.D. 1746

Bill "An Act to Establish a Speed Limit at Toll Plaza Approaches on the Maine Turnpike"
H.P. 1225 L.D. 1754

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

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

**Pursuant to Resolve
Commission to Study Providing Educators with More
Authority to Remove Violent Students
from Educational Settings**

The **Commission to Study Providing Educators with More Authority to Remove Violent Students from Educational Settings** pursuant to Resolve 1997, chapter 119 asked leave to report that the accompanying Bill "An Act to Implement the Recommendations of the Commission to Study Providing Educators with More Authority to Remove Violent Students from Educational Settings"

H.P. 1250 L.D. 1798

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 Resolve **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.

On motion by Senator **PINGREE** of Knox, the Senate **RECONSIDERED** whereby it **REFERRED** to Committee on **JUDICIARY**, in concurrence, the following:

Bill "An Act to Provide Immunity to Enhanced 9-1-1 Developers and Providers"
H.P. 1185 L.D. 1695

(In House, March 9, 1999, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.)

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

Off Record Remarks

SENATE PAPERS

Bill "An Act to Clarify the Definition and Licensure of Insurance Consultants, Financial Planners and Investment Advisors"
S.P. 639 L.D. 1806

Sponsored by Senator LaFOUNTAIN of York.
Cosponsored by Representative SAXL of Bangor.

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

Sent down for concurrence.

Bill "An Act to Revoke Probation and Require Incarceration for Repeated Domestic Abuse"
S.P. 636 L.D. 1803

Sponsored by Senator CATHCART of Penobscot.
Cosponsored by Representative: STANLEY of Medway.

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

Sent down for concurrence.

Bill "An Act to Restore the Distribution Formula Between Private and Public Colleges within the Maine Student Incentive Scholarship Program"
S.P. 635 L.D. 1802

Sponsored by Senator SMALL of Sagadahoc.
Cosponsored by Representative RICHARD of Madison.
REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent down for concurrence.

Bill "An Act to Ensure Prompt Payment of Unemployment Compensation Benefits to Displaced Workers"
S.P. 638 L.D. 1805

Sponsored by Senator TREAT of Kennebec.
Cosponsored by Representative COLWELL of Gardiner and Senators: CATHCART of Penobscot, MICHAUD of Penobscot, Representatives: BRYANT of Dixfield, CLARK of Millinocket, COWGER of Hallowell, DUPLESSIE of Westbrook, GREEN of Monmouth.

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

Sent down for concurrence.

Bill "An Act to Enable Small Wineries to Do Business in Maine"
S.P. 634 L.D. 1801

Sponsored by Senator KONTOS of Cumberland.

Cosponsored by Representative TUTTLE of Sanford and Senators: DAGGETT of Kennebec, President LAWRENCE of York, Representative: MAYO of Bath.

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

Sent down for concurrence.

Bill "An Act Concerning Standards for Operation and Maintenance of Radio Antenna Towers"
S.P. 633 L.D. 1800

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

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

Sent down for concurrence.

Bill "An Act to Authorize a Local Option Tax on Wages Earned in a Municipality"
S.P. 637 L.D. 1804

Sponsored by Senator RAND of Cumberland.

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

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

REPORTS OF COMMITTEES

House

Change of Committee

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Raise Penalties for Cases of Cruelty to Animals or Birds"
H.P. 903 L.D. 1281

Reported that the same be **REFERRED** to the Committee on **CRIMINAL JUSTICE**.

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

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

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

Ought to Pass

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Form a New Local Education Agency" (EMERGENCY)

H.P. 532 L.D. 739

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

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

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

READ ONCE.

TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

The Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Resolve, Regarding Legislative Review of Chapter 15: Fees, Section 15.8: Inspection Fees-Tramway, a Major Substantive Rule of the Board of Elevator and Tramway Safety (EMERGENCY)

H.P. 19 L.D. 29

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-31)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-31)**.

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

READ ONCE.

Committee Amendment "A" (H-31) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Resolve, Regarding Legislative Review of Chapter 8: Fees, Section 1: A Major Substantive Rule of the Board of Veterinary Medicine (EMERGENCY)

H.P. 21 L.D. 31

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-32)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-32)**.

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

READ ONCE.

Committee Amendment "A" (H-32) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Ensure That All Students With Disabilities Exit School Ready for Employment or Postsecondary Education" H.P. 291 L.D. 399

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-26)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-26)**.

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

READ ONCE.

Committee Amendment "A" (H-26) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, to Create a Study Group to Prepare Pharmaceutical Guidelines for Geriatric Residents in Long-term Care Settings H.P. 326 L.D. 442

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-24)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-24)**.

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

READ ONCE.

Committee Amendment "A" (H-24) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Clarify the Criteria for Renewal of Agency Liquor Store Licenses"

H.P. 263 L.D. 367

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-27).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-27).**

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

READ ONCE.

Committee Amendment "A" (H-27) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Remove Favorable Weighting of Consolidation in the School Funding Formula"

H.P. 308 L.D. 424

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

Signed:

Senators:

BERUBE of Androscoggin
MURRAY of Penobscot
SMALL of Sagadahoc

Representatives:

BRENNAN of Portland
RICHARD of Madison
WESTON of Montville
WATSON of Farmingdale
STEDMAN of Hartland
ANDREWS of York
BAKER of Bangor
BELANGER of Caribou

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

Signed:

Representatives:

DESMOND of Mapleton
SKOGLUND of St. George

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

Reports **READ.**

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

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Promote the Use of the Secret Ballot at Town Meetings"

H.P. 372 L.D. 497

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

Signed:

Senators:

PENDLETON of Cumberland
GOLDTHWAIT of Hancock
DAVIS of Piscataquis

Representatives:

AHEARNE of Madawaska
BAGLEY of Machias
McDONOUGH of Portland
TWOMEY of Biddeford
BUMPS of China
KASPRZAK of Newport
RICHARDSON of Greenville
RINES of Wiscasset
JODREY of Bethel

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

Signed:

Representative:

GERRY of Auburn

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

Reports **READ.**

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

Senate

Change of Committee

Senator **PARADIS** for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act Concerning the Distribution of Certain Fines and Forfeitures"

S.P. 459 L.D. 1334

Reported that the same be **REFERRED** to the Committee on **CRIMINAL JUSTICE.**

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

REFERRED to the Committee on **CRIMINAL JUSTICE.**

Sent down for concurrence.

Ought to Pass As Amended

Senator BERUBE for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Increase the Amount of State Contribution to Out-of-district Placements"

S.P. 96 L.D. 235

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

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

READ ONCE.

Committee Amendment "A" (S-21) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

SECOND READERS

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

House As Amended

Bill "An Act to Amend the Laws Prohibiting Terrorizing"

H.P. 69 L.D. 82
(C "A" H-20)

Bill "An Act to Allow Registered Lab Technicians and Certified Phlebotomists to Draw Blood for Forensic Purposes"

H.P. 196 L.D. 274
(C "A" H-21)

Resolve, Authorizing the Transfer of Certain State Historic Site Property

H.P. 398 L.D. 540
(C "A" H-22)

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

Senate

Resolve, Authorizing the Director of the Bureau of Parks and Land to Convey a Well and Waterline Easement

S.P. 270 L.D. 763

READ A SECOND TIME and PASSED TO BE ENGROSSED.

Sent down for concurrence.

Senate As Amended

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
(C "A" S-19)

Bill "An Act to Exempt Free Clinics from Payment of Pharmaceutical Registration Fees"

S.P. 168 L.D. 505
(C "A" S-20)

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 to Increase Nonregular Island Ferry Service from 24 to 36 Trips

S.P. 91 L.D. 194

This being an Emergency Measure and having received the affirmative vote of 25 Members of the Senate, with no Senators having voted in the negative, and 25 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 Designate the First Saturday of Each October as Firefighter's Recognition Day

S.P. 21 L.D. 13

An Act Concerning the Requirement for Surety Bonds for County Treasurers, Sheriffs and Chief Deputies

H.P. 353 L.D. 469

An Act to Increase the Amount Below Which Counties Do Not Need to Solicit Bids for Purchases

H.P. 380 L.D. 511

An Act to Include Counties in the Definition of Local Government in the Archives and Records Management Law

S.P. 238 L.D. 660

An Act Regarding the Assignment of Insurance Benefits for Dental Care

S.P. 260 L.D. 755

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:

JOINT ORDER - relative to establishing the Commission to Study the Statewide Redemption of Returnable Containers
H.P. 921

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

Pending - **FURTHER CONSIDERATION**

(In House, February 25, 1999, **READ** and **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT**.)

(In Senate, March 2, 1999, **READ** and **REFERRED** to the Committee on **NATURAL RESOURCES**, in **NON-CONCURRENCE**.)

(In House, March 3, 1999, that Body **ADHERED**.)

On motion by Senator **TREAT** of Kennebec, the Senate **ADHERED**.

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

Bill "An Act to Allocate the State Tax Windfall on the Sale of Generation-related Assets to the Reduction of Stranded Costs Otherwise Paid by Ratepayers"
H.P. 1030 L.D. 1452

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

Pending - **FURTHER CONSIDERATION**

(In House, February 23, 1999, **REFERRED** to the Committee on **TAXATION** and ordered printed.)

(In Senate, March 2, 1999, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in **NON-CONCURRENCE**.)

(In House, March 3, 1999, that Body **ADHERED**.)

On motion by Senator **RUHLIN** of Penobscot, the Senate **RECEDED** and **CONCURRED**.

The Chair laid before the Senate the following Tabled and Later (3/9/99) Assigned matter:

Bill "An Act to Clarify the Regulation of Viatical Settlement Contracts When Sold as Investments"
H.P. 1182 L.D. 1693

Tabled - March 9, 1999, by Senator **PINGREE** of Knox.

Pending - **REFERENCE**

(In House, March 4, 1999, **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and ordered printed.)

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/9/99) Assigned matter:

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

Tabled - March 9, 1999, by Senator **LONGLEY** of Waldo.

Pending - **REFERENCE**

(In House, March 4, 1999, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.)

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/9/99) Assigned matter:

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

Tabled - March 9, 1999, by Senator **LONGLEY** of Waldo.

Pending - **REFERENCE**

(In House, March 4, 1999, REFERRED to the Committee on JUDICIARY and ordered printed.)

On motion by Senator MURRAY of Penobscot, REFERRED to the Committee on CRIMINAL JUSTICE and ordered printed, in NON-CONCURRENCE.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/9/99) Assigned matter:

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

Tabled - March 9, 1999, by Senator PINGREE of Knox.

Pending - REFERENCE

(Committee on LABOR suggested and ordered printed.)

On motion by Senator LAFOUNTAIN of York, REFERRED to the Committee on BANKING AND INSURANCE.

Sent down for concurrence.

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

At this point a message was received from the House of Representatives, borne by Representative SAXL of Portland informing the Senate that the House concurred with the proposition for a Convention of the two branches of the Legislature to be held in the Hall of the House at 11:00 in the morning for the purpose of extending to the Honorable John Fitzsimmons, President of the Maine Technical College System and the Honorable Terrence Mac Taggart, Chancellor of the University of Maine System, an invitation to attend the Convention and make such communications as pleases them.

Off Record Remarks

At this point, the Senate retired to the Hall of the House where a Joint Convention was formed.

After Convention

In Senate Chamber

Senate called to order by the President

Off Record Remarks

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

On motion by Senator PINGREE of Knox, RECESSED until 4:30 p.m.

After Recess

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution: H.P. 1252

JOINT RESOLUTION COMMEMORATING YOM HASHOAH, THE DAY OF REMEMBRANCE OF THOSE WHO SUFFERED AS VICTIMS OF THE HOLOCAUST

WHEREAS, from 1933 to 1945, 6,000,000 Jews were murdered in the Nazi Holocaust as part of a systematic program of genocide and millions of other people suffered as victims of Nazism; and

WHEREAS, the people of the State of Maine should always remember the atrocities committed by the Nazis so that such horrors are never repeated; and

WHEREAS, the people of the State of Maine should always remember those who liberated the Nazi concentration camps, some at the cost of their lives and others with lifelong emotional suffering, as holding an honored place in our history; and

WHEREAS, the people of the State of Maine should continually rededicate themselves to the principle of equal justice for all people, remain eternally vigilant against all tyranny and recognize that bigotry provides a breeding ground for tyranny to flourish; and

WHEREAS, April 13, 1999 has been designated internationally as a Day of Remembrance of the Victims of the Nazi Holocaust, known as Yom HaShoah; and

WHEREAS, the national community pursuant to an Act of Congress will be commemorating the week of April 11th to April 18th as the Days of Remembrance of the Victims of the Nazi Holocaust; and

WHEREAS, it is appropriate for the people of the State of Maine to join in this international commemoration; now, therefore, be it

RESOLVED: That, We, the Members of the One Hundred and Nineteenth Legislature, now assembled in the First Regular Session, on behalf of the people we represent, pause in solemn memory of the victims of the Nazi Holocaust, and urge one and all to recommit themselves to the lessons of the Nazi Holocaust through this international week of commemoration and express our common desire to continually strive to overcome prejudice and inhumanity through education, vigilance and resistance; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the United States Holocaust Memorial Council in Washington, D.C., on behalf of the people of the State of Maine.

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

READ and **ADOPTED**, in concurrence.

The President requested the Sergeant-At-Arms escort the Senator from Knox, Senator **PINGREE** to the rostrum where she assumed the duties as President Pro Tem.

The President retired from the Senate Chamber.

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

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2000 and June 30, 2001" (EMERGENCY)

H.P. 455 L.D. 618

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-43)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-43) AS AMENDED BY HOUSE AMENDMENT "D" (H-51)** thereto.

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

READ ONCE.

Committee Amendment "A" (H-43) **READ**.

House Amendment "D" (H-51) to Committee Amendment "A" (H-43) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-43) as Amended by House Amendment "D" (H-51) thereto, **ADOPTED**, in concurrence.

Under Suspension Of The Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Under suspension of the Rules, ordered sent forthwith to the Engrossing Division.

On motion by Senator **AMERO** of Cumberland, **ADJOURNED**, until Thursday, March 11, 1999, at 10:00 in the morning.