

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Nineteenth Legislature
State of Maine

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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
Monday
April 5, 1999

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

Prayer by Reverend Kathy Merrick of the Lovell United Church of Christ in Lovell.

REVEREND MERRICK: Let us pray. Gracious God, You have created each of us here to be unique. You have gifted us with different interests and skills so that each person in this room can bring something that is needed to the Senate Chamber. We each carry our special interests and our prejudices within us, tempered by the experiences of our individual histories. We also carry with us the memory of our successes and our failures, both personal and public. As we debate the issues that impact the lives of Mainers throughout our state, may we not forget those who sent us here. Help us to put aside partisan wrangling and keep before our faces the needs of the people and not simply our own political party. May the gifts You have given us and the gift of ourselves, our laughter, our tears, our anger and our joy, be used in this place to make a difference. Amen.

Pledge of Allegiance led by Senator Paul Davis of Piscataquis County.

Doctor of the day, John Saucier, M.D., Yarmouth.

Off Record Remarks

Reading of the Journal of Wednesday, March 31, 1999.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act to Improve the State Budgeting Process"
S.P. 729 L.D. 2079

In Senate, March 30, 1999, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

Comes from the House, **REFERRED** to the Committees on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and **TAXATION**, in **NON-CONCURRENCE**.

On motion by Senator **PINGREE** of Knox, the Senate **RECEDED** and **CONCURRED**.

House Papers

Bill "An Act to Enforce the Laws Governing Family Medical Leave"
H.P. 1488 L.D. 2126

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

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

Bill "An Act to Amend the Laws Governing the Licensure of Dental Hygienists"
H.P. 1490 L.D. 2128

Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

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

Bill "An Act to Allow the Direct Submission to Voters of Municipal Charter Revisions"
H.P. 1489 L.D. 2127

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

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

Bill "An Act Regarding Regulations and Compensation to Property Owners"
H.P. 1481 L.D. 2121

Committee on **STATE AND LOCAL GOVERNMENT** 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.

**Pursuant to Statutes
Criminal Law Advisory Commission**

The **Criminal Law Advisory Commission**, pursuant to Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asked leave to report that the accompanying Bill "An Act to Bring Certain Criminal Code Provisions Addressing Fines Into Conformity with Recently Amended Criminal Code Provisions Addressing Restitution"

H.P. 1491 L.D. 2129

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

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

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

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

Joint Resolution

The following Joint Resolution: H.P. 1492

**JOINT RESOLUTION MEMORIALIZING THE CONGRESS
OF THE UNITED STATES TO REMOVE THE
REQUIREMENT FOR 2%-BY-WEIGHT OXYGENATE
IN GASOLINE**

WE, your Memorialists, the Members of the One Hundred and Nineteenth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the members of the Congress of the United States, as follows:

WHEREAS, the Federal Government under the Clean Air Act requires the use of an oxygenate for gasoline at a minimum of 2% of content by weight; and

WHEREAS, the State has serious concerns about the presence of methyl tertiary-butyl ether or MTBE, an oxygenate in reformulated gasoline, in groundwater; and

WHEREAS, the prescriptive requirements in the Clean Air Act for oxygenate content limit our State's ability to address our groundwater contamination issues; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the United States Congress remove the requirement in the Clean Air Act for 2%-by-weight oxygenate in reformulated gasoline so that additional alternate fuel mixtures may be available for use in Maine; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable William J. Clinton, President of the United States, the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to each member of the Maine Congressional Delegation.

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

READ and **ADOPTED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 155

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

March 24, 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. 395 An Act to Protect Traditional Access to the Allagash Wilderness Waterway
- L.D. 853 An Act to Prohibit the Destruction of Structures in Baxter State Park Without Prior Legislative Approval
- L.D. 1248 An Act to Resolve Technical Inconsistencies in the Nutrient Management Act

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. 156

**STATE OF MAINE
ONE HUNDRED AND NINETEENTH LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND FINANCIAL
AFFAIRS**

March 24, 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 Appropriations and Financial Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 104 An Act to Fund a Cranberry Specialist Position in the Department of Agriculture, Food and Rural Resources
- L.D. 547 An Act to Restore Advocacy Services for Children with Disabilities
- L.D. 599 An Act to Expand Peer Support Services for the Mentally Ill
- L.D. 887 An Act to Authorize a General Fund Expenditure of \$1,000,000 to Provide Water Safety Zone Marker Buoys for Maine's Lakes and Ponds for the Facilitation of Compliance with Safe Boating Laws
- L.D. 1004 An Act Regarding Access to Higher Education
- L.D. 1013 An Act to Provide Funding to Install Water Mains on Certain Roads in Standish
- L.D. 1152 An Act to Fund the Maine Resident Homestead Property Tax Exemption Program

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

Sincerely,

S/Sen. Michael H. Michaud S/Rep. Elizabeth Townsend
Senate Chair House Chair

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

The Following Communication: S.C. 157

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

March 24, 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. 1060 An Act to Allow Credit Card Users to Purchase Payment Insurance
- L.D. 1097 An Act to Regulate Motor Vehicle Insurance Rates
- L.D. 1112 An Act to Allow Insurance for Drivers of Multiple Vehicles
- L.D. 1127 Resolve, to Study Maine's Individual Health Insurance Market
- L.D. 1409 An Act to Clarify Discounts to Nonsmokers in Health Insurance Premium Rates

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

Sincerely,

S/Sen. Lloyd P. LaFountain III S/Rep. Jane W. Saxl
Senate Chair House Chair

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

The Following Communication: S.C. 158

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

March 24, 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. 178 An Act to Appropriate Block Grants for Regional Tourism Promotion
- L.D. 1304 An Act to Amend the Laws Regarding the Hiring of Physicians for Maine Summer Camps
- L.D. 1482 An Act to Amend the Laws Governing Denturists
- L.D. 1483 An Act to Promote Parity on the Board of Licensure in Medicine and on the Board of Osteopathic Licensure
- L.D. 1611 An Act to Integrate the Maine Economic Growth Council's Economic Growth Plan with the State's Economic Strategic Development Plan

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. 159

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

March 24, 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. 1320 An Act to Create a Penalty for the Intentional Transmission of a Sexually Transmitted Disease
- L.D. 1443 An Act to Set Aside a Portion of Juvenile Justice Block Grant Money for Quality Child and After-school Care Programs

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. 160

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

March 24, 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. 517 An Act to Amend the School Funding Formula by Taking Sales Tax in Account
- L.D. 578 An Act to Remove the Percentage Reduction Method from the School Funding Law
- L.D. 589 An Act to Reduce Property Taxes by the State Reimbursing Special Education Costs
- L.D. 999 An Act to Reduce Property Taxes by Reimbursing Out-of-District Special Education Placements and to Establish Oversight of Those Costs
- L.D. 1216 An Act to More Equitably Distribute General Purpose Aid to Schools Based on Property Values
- L.D. 1264 An Act to Ensure Freedom of Speech and Association on Campus
- L.D. 1287 An Act to Use State Educational Facilities Efficiently
- L.D. 1297 An Act to Provide for Timely Implementation of the Maine College Savings Program
- L.D. 1470 Resolve, to Establish the Task Force to Study the Simplification of the School Funding Formula

L.D. 1663 An Act to Restore Fairness and Equity to the Allocation of School Subsidies

S/Sen. Judy Paradis
Senate Chair

S/Rep. Thomas J. Kane
House Chair

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

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

Sincerely,

S/Sen. Georgette B. Berube
Senate Chair

S/Rep. Michael F. Brennan
House Chair

The Following Communication: S.C. 162

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

**STATE OF MAINE
ONE HUNDRED AND NINETEENTH LEGISLATURE
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

March 24, 1999

The Following Communication: S.C. 161

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

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

March 24, 1999

Dear President Lawrence and Speaker Rowe:

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

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

Dear President Lawrence and Speaker Rowe:

L.D. 296 An Act to Require Written Permission from Landowners for Hunting

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":

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

Sincerely,

L.D. 207 An Act to Clarify the Confidentiality of Health Care Information

S/Sen. Marge L. Kilkelly
Senate Chair

S/Rep. Matthew Dunlap
House Chair

L.D. 286 An Act to Amend the Laws Concerning Release of Information on Hospitalized Individuals

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

L.D. 645 An Act to Require Disclosure of Ingredients in Tobacco Products

L.D. 688 An Act to Allow Medical History and Other Information to be Distributed to Immediate Family

The Following Communication: S.C. 163

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

L.D. 1105 Resolve, Regarding the Competitive Bidding Process for Mental Health Services

March 24, 1999

L.D. 1283 An Act to Expand Access to the Elderly Low-cost Drug Program

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

L.D. 1511 An Act to Provide Efficient and Continuous High-quality Service to Mental Health Consumers

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

Dear President Lawrence and Speaker Rowe:

Sincerely,

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. 889 An Act to Increase Public Awareness in Child Protection Cases
- L.D. 908 An Act to Create Standards for Guardians Ad Litem in Certain Domestic Relations Matters
- L.D. 1109 An Act to Prevent Children From Being Placed with a Parent Who is a Batterer or an Abuser
- L.D. 1230 An Act Allowing Certain Exceptions to 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. 164

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

March 24, 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. 796 An Act to Require Employees to be Paid at Least Once Every 2 Weeks

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. 165

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

March 24, 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 Legal and Veterans Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 668 An Act to Amend the Term "Veteran" for Property Tax and Burial Purposes
- L.D. 714 An Act to Allow Multipart Referendum Questions for Referenda at the Municipal Level
- L.D. 898 An Act to Require Proof of Liquor Liability Insurance Upon Demand by a Municipality
- L.D. 920 An Act to Create a Lottery Ticket to Reduce Hunger in Maine

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.

The Following Communication: S.C. 166

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

March 24, 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. 160 An Act to Establish a Sliding Scale for That Portion of the Lobster License Fee Paid to the Lobster Promotion Council
- L.D. 203 An Act to Clarify That a Person Who Fishes for Lobster May Fish in More than One Zone
- L.D. 1173 An Act Regarding Elver Fishing
- L.D. 1288 An Act to Establish a Lobster License for 30-year Residents of the State Who are 65 Years of Age or Older
- L.D. 1399 An Act to Simplify the Licensing of Seafood Dealers in the State

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

Sincerely,

S/Sen. Jill M. Goldthwait S/Rep. David Etnier
Senate Chair House Chair

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

The Following Communication: S.C. 167

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

March 24, 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. 712 Resolve, Creating a Task Force to Investigate the Effects of Unratified International Treaties Implemented by State Agencies
- L.D. 1114 An Act to Permit Telescopes and Other Scientific Instruments to be Shielded from the Weather
- L.D. 1298 An Act to Amend the Certification Process of Code Enforcement Officers

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

Sincerely,

S/Sen. Sharon Anglin Treat S/Rep. John L. Martin
Senate Chair House Chair

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

The Following Communication: S.C. 168

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

March 24, 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. 17 An Act to Require a Mortgagee to Notify Annually the Municipality in Which Mortgaged Property Is Located (BY REQUEST)
- L.D. 602 An Act to Require Mandatory Training for Harbor Masters
- L.D. 946 An act to Change the Composition of the Somerset County Budget Committee
- L.D. 1038 An Act to Prohibit Conflicts of Interest for Persons Serving on State Agencies, Boards or Commissions
- L.D. 1178 An Act Concerning Public Postings by Political Parties (BY REQUEST)

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

Sincerely,

S/Sen. Peggy A. Pendleton S/Rep. Douglas J. Ahearne
Senate Chair House Chair

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

The Following Communication: S.C. 169

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

March 24, 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. 102 An Act to Change Eligibility for the Elderly Low Cost Drug Program
- L.D. 174 An Act to Modify the Eligibility Standards for Medicaid and Elderly Low-Cost Drug Programs by Discounting the Amount Spent for Prescription Drugs from the Computation of Eligible Income
- L.D. 279 An Act to Adjust the Taxation of Public Pensions
- L.D. 434 An Act to Increase Accessibility to the Elderly Low-cost Drug Program
- L.D. 542 An Act to Increase the Income Eligibility Limits for the Elderly Low Cost Drug Program
- L.D. 789 An Act to Reduce the Amount of Property Acquired by Municipalities for Nonpayment of Property Tax
- L.D. 927 An Act to Establish Property Tax Relief for the State's Senior Citizens
- L.D. 928 An Act to Allow Sales Tax Collectors to Keep a Portion of Revenue Collected for the State
- L.D. 963 An Act to Promote Good Health Practices in Maine
- L.D. 964 An Act to Protect Personal Property
- L.D. 969 An Act to Exempt Food That is Medically Necessary From Sales Tax
- L.D. 982 An Act to Reimburse Municipalities for the Property Tax Loss for County Property that is Used but not Leased by the State
- L.D. 1023 An Act to Increase Eligibility Levels for Access to Prescription Drugs for the Elderly

- L.D. 1041 An Act to Amend Municipal Revenue Sharing to Take Into Account Sales Tax Revenues
- L.D. 1069 An Act to Create Additional Incentives for Landowners to Voluntarily Conserve Land in the State's Conservation Land Program
- L.D. 1136 An Act to Provide an Inflation Adjustment for the Elderly Low-cost Drug Program
- L.D. 1157 An Act to Ensure the Payment of Real Estate Taxes on Transferred Property
- L.D. 1252 An Act to Explain the Check-off Box on Maine Tax Returns for Campaign Financing
- L.D. 1299 An Act to Enhance the Elderly Low Cost Drug Program
- L.D. 1490 An Act to Repeal All State Inheritance Taxes

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

Sincerely,

S/Sen. Richard P. Ruhlín
Senate Chair

S/Rep. Kenneth T. Gagnon
House Chair

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

The Following Communication: S.C. 170

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

March 24, 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 Transportation has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 539 An Act to Establish a Citizen Road Watch Program
- L.D. 830 An Act to Remove Uninsured Vehicles from State and Town Roads
- L.D. 896 An Act to Require Identification for Hearing Impaired Persons

- L.D. 977 An Act to Improve Motorcycle Safety
- L.D. 1020 An Act to Improve Cultural Information on the Interstate
- L.D. 1034 Resolve, Directing the Department of Transportation to Repair Route 2 Between Skowhegan and Newport
- L.D. 1100 An Act to Improve the Enforcement of Traffic Laws
- L.D. 1161 An Act to Create the East-West Highway Authority
- L.D. 1250 An Act to Allow a Change in a Vehicle Registration Date
- L.D. 1307 An Act Regarding Required Lights on Plow Trucks

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: H.C. 110

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

March 31, 1999

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

Dear Madam Secretary:

House Paper 339 Legislative Document 455 "An Act to Repeal the Law Requiring Retailers to Post Motor Vehicle Fuel Prices" having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

Seventy voted in favor and seventy-one against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

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 Laws Governing Financial Institutions"
S.P. 762 L.D. 2152

Sponsored by Senator DOUGLASS of Androscoggin.
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act to Create the Capital Riverfront Improvement District"
S.P. 760 L.D. 2136

Sponsored by Senator DAGGETT of Kennebec.
Cosponsored by Representative MADORE of Augusta and Senator: RAND of Cumberland, Representatives: MITCHELL of Vassalboro, MURPHY of Kennebunk, O'BRIEN of Augusta.

Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

On motion by Senator PINGREE of Knox, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Sent down for concurrence.

Resolve, Directing the Commission on Governmental Ethics and Election Practices to Simplify the Reporting Form for Candidates
S.P. 757 L.D. 2133

Sponsored by Senator LIBBY of York.
Cosponsored by Senators: BENOIT of Franklin, DAVIS of Piscataquis, FERGUSON of Oxford, LaFOUNTAIN of York, MacKINNON of York.

Bill "An Act to Improve Maine's Ballot Access Law"
S.P. 758 L.D. 2134

Sponsored by President LAWRENCE of York.
Cosponsored by Senators: GOLDTHWAIT of Hancock, MacKINNON of York, TREAT of Kennebec, Representatives: GAGNON of Waterville, MAYO of Bath.

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

Sent down for concurrence.

Bill "An Act to Revise the State's Water Quality Standards"
S.P. 761 L.D. 2151

Sponsored by Senator RUHLIN of Penobscot.
Cosponsored by Senators: CAREY of Kennebec, MITCHELL of Penobscot, Representatives: BERRY of Belmont, CAMERON of Rumford, MARTIN of Eagle Lake.

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

Sent down for concurrence.

Bill "An Act to Make Supplemental Allocations from the Highway Fund and Other Funds for the Fiscal Year Ending June 30, 1999" (EMERGENCY)

S.P. 759 L.D. 2135

Sponsored by Senator O'GARA of Cumberland. (GOVERNOR'S BILL)
Cosponsored by Representative JABAR of Waterville and Senator: PARADIS of Aroostook, Representatives: BOUFFARD of Lewiston, COLLINS of Wells, FISHER of Brewer, SANBORN of Alton, WHEELER of Bridgewater.

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

Sent down for concurrence.

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

ORDERS

Joint Resolution

On motion by Senator PINGREE of Knox, under unanimous consent on behalf of President LAWRENCE of York (Cosponsored by Representative NORBERT of Portland and Senator KILKELLY of Lincoln, Senator RAND of Cumberland), the following Joint Resolution:

S.P. 753

JOINT RESOLUTION RECOGNIZING PARKINSON'S DISEASE AWARENESS MONTH

WHEREAS, Parkinson's disease, or paralysis agitans, is a brain disorder that usually affects adults over 40 years of age, although it can occur in any of 3 forms: late life Parkinson's disease, young onset Parkinson's disease, which affects adults under 40 years of age, and juvenile Parkinson's disease; and

WHEREAS, Parkinson's disease is a devastating, painful and incurable brain disorder of unknown origin that disrupts and may end the lives of those who suffer from the disease, as well as overwhelming the lives of their families and friends; and

WHEREAS, more individuals suffer from Parkinson's disease than multiple sclerosis, muscular dystrophy and Lou Gehrig's disease combined; and

WHEREAS, Parkinson's disease often takes an enormous emotional, psychological and physical toll on the families and friends surrounding their suffering loved ones; and

WHEREAS, Parkinson's disease appears eventually in approximately one of 4 persons older than 80 years of age and in one of 10 persons older than 60 years of age, touching the lives of at least one of every 10 families in the State; and

WHEREAS, according to the American Parkinson Disease Association there are approximately 1,500,000 people in the United States diagnosed with Parkinson's disease, of which an estimated 7,000 or more are in the State of Maine; and

WHEREAS, the symptoms of Parkinson's disease, which are tremors, slowness of movement, shuffling gait, difficulty with balance, malfunction of vocal cords, intestinal difficulties and emotional changes, are often mistaken as a normal part of the aging process; and

WHEREAS, the cause of Parkinson's disease is due to a loss of cell function deep within the brain, and the reasons for this loss are unknown. Medications can only control some of the symptoms of Parkinson's disease for uncertain periods of time; and

WHEREAS, there is a great need for further training and education in the health care and legal professions to protect the rights of persons with Parkinson's disease; and

WHEREAS, full implementation of federal law, the Morris K. Udall Parkinson's Disease Research Act of 1997, which, starting with the current fiscal year, directs the National Institutes of Health to spend up to \$100,000,000 annually on Parkinson's disease research, is critical; and

WHEREAS, April 11th has been proclaimed to be World Parkinson's Day, a day for all to recognize the need for more research and help in dealing with the devastating effects of Parkinson's disease; and

WHEREAS, increased education and research are needed to help find more effective treatments and ultimately to find a cure for Parkinson's disease and to provide more effective support programs and services to Parkinson's disease patients and their caregivers and families; and

WHEREAS, the leading public officials of the State and leading officials in the State's medical community are now called upon to aid in reversing the invisibility and voicelessness of its citizens suffering from Parkinson's disease; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Nineteenth Legislature, now assembled in the First Regular Session, recognize the month of April as Parkinson's Disease Awareness Month throughout the State; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Parkinson Society and the American Parkinson Disease Association, Maine State Chapter.

READ and ADOPTED.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber guests of the Senate: Karen Bardo of ALMA, Vice President of the Maine Parkinson's Society; Carl Barker of Falmouth, President of the Maine Chapter of the American Parkinson's Association; Martha Cushing of Westbrook, Executive Director of the Maine Parkinson's Society; Janice Hollis of Portland, Personal Health Care Provider for people with Parkinson's Disease; Greg Leeman of Portland, President of the Maine Parkinson's Society; Ivan Suzman of South Portland, Legislative Liaison for the American Parkinson's Disease Association; and a group from the Capital Area Parkinson's Support Group representing Augusta, Waterville and Manchester. The Chair would ask them all to please rise and receive the greetings of the Senate.

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

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

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Fund Maine Agricultural Education Programs"

H.P. 407 L.D. 549

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.

The Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Amend Agency Disclosure within the Real Estate Brokerage Laws"

H.P. 1028 L.D. 1450

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 **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Increase the Number of Elm Trees in the State"

H.P. 487 L.D. 694

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-94)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-94)**.

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

READ ONCE.

Committee Amendment "A" (H-94) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Amend the Pulling Event Laws"

H.P. 623 L.D. 863

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-110)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-110)**.

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

READ ONCE.

Committee Amendment "A" (H-110) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Clarify the Governance of Soil and Water Conservation Districts"

H.P. 882 L.D. 1239

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-111)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-111)**.

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

READ ONCE.

Committee Amendment "A" (H-111) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, to Authorize the Director of the Bureau of Parks and Lands to Exchange Land between the State and Pownal Relating to Bradbury Mountain State Park (EMERGENCY)

H.P. 1045 L.D. 1467

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-109)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-109)**.

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

READ ONCE.

Committee Amendment "A" (H-109) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

Off Record Remarks

The Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Amend the Membership of the State Board of Funeral Service"

H.P. 305 L.D. 421

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-118)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-118)**.

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

READ ONCE.

Committee Amendment "A" (H-118) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, Regarding Legislative Review of Chapter 64: Maine School Facilities Program and School Revolving Renovation Fund, a Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 469 L.D. 632

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-107)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-107)**.

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

READ ONCE.

Committee Amendment "A" (H-107) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Fund Public School Alliances"

H.P. 474 L.D. 681

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-95)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-95)**.

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

READ ONCE.

Committee Amendment "A" (H-95) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Amend the Law Relating to School Construction and School Facilities"

H.P. 509 L.D. 716

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-108).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-108).**

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

READ ONCE.

Committee Amendment "A" (H-108.) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Increase Public Trust in Medical Care"

H.P. 722 L.D. 1012

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-93).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-93).**

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

READ ONCE.

Committee Amendment "A" (H-93) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Amend the Site Evaluator Licensing Laws"

H.P. 853 L.D. 1210

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-102).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-102).**

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

READ ONCE.

Committee Amendment "A" (H-102) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **JUDICIARY** on Bill "An Act to Clarify the Law Regarding Executive Sessions of Public Bodies"

H.P. 321 L.D. 437

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-104).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-104).**

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

READ ONCE.

Committee Amendment "A" (H-104) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **JUDICIARY** on Bill "An Act to Exempt Election Officials and Workers from Serving on Juries One Month Prior to an Election"

H.P. 325 L.D. 441

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-103).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-103).**

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

READ ONCE.

Committee Amendment "A" (H-103) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **JUDICIARY** on Bill "An Act to Amend the Laws Pertaining to Conveyance and Reservation of Real Estate"
H.P. 426 L.D. 568

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-101)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-101)**.

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

READ ONCE.

Committee Amendment "A" (H-101) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **MARINE RESOURCES** on Bill "An Act to Establish a Marine Recreation Fishing Conservation and Management Fund"

H.P. 516 L.D. 723

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-116)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-116)**.

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

READ ONCE.

Committee Amendment "A" (H-116) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **MARINE RESOURCES** on Bill "An Act to Amend the Laws Regarding the Scallop Fishing Season and Scallop Fishing Gear Requirements"

H.P. 651 L.D. 901

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-115)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-115)**.

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

READ ONCE.

Committee Amendment "A" (H-115) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **NATURAL RESOURCES** on Bill "An Act Relating to Transfer of Ownership of Dams" (EMERGENCY)
H.P. 373 L.D. 498

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-106)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-106)**.

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

READ ONCE.

Committee Amendment "A" (H-106) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **NATURAL RESOURCES** on Bill "An Act to Make the Laws Governing State Ambient Air Quality for Ozone and Particulate Matter Consistent with Federal Requirements"
H.P. 549 L.D. 770

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-105)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-105)**.

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

READ ONCE.

Committee Amendment "A" (H-105) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **STATE AND LOCAL GOVERNMENT** on Resolve, to Name the State Office Building the Burton M. Cross Building

H.P. 172 L.D. 250

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-117)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-117)**.

Divided Report

Report **READ**.

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Appropriate Funds for Acquisitions for the Maine State Library and for Library Resource Sharing" (EMERGENCY)

H.P. 374 L.D. 499

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

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

Signed:

The Committee on **UTILITIES AND ENERGY** on Bill "An Act to Amend the Charter of the Department of Electric Works Within the Town of Madison"

H.P. 229 L.D. 333

Senators:

MICHAUD of Penobscot
CATHCART of Penobscot

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-114)**.

Representatives:

TOWNSEND of Portland
STEVENS of Orono
BERRY of Livermore
MAILHOT of Lewiston
POWERS of Rockport
TESSIER of Fairfield

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-114)**.

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

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

Signed:

READ ONCE.

Committee Amendment "A" (H-114) **READ** and **ADOPTED**, in concurrence.

Senator:

HARRIMAN of Cumberland

TOMORROW ASSIGNED FOR SECOND READING.

Representatives:

KNEELAND of Easton
WINSOR of Norway
BRUNO of Raymond
NASS of Acton

The Committee on **UTILITIES AND ENERGY** on Bill "An Act to Create the Telemarketing Registration and Fraud Prevention Act"
H.P. 1004 L.D. 1402

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

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-113)**.

Reports **READ**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-113)**.

Senator **MICHAUD** of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT TO PASS** Report, in concurrence.

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

On further motion by same Senator, **TABLED** until Later in Today's Session, pending motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS** Report, in concurrence.

READ ONCE.

Committee Amendment "A" (H-113) **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 Change the Name of the "Department of Education" to the "Department of Schooling"
H.P. 14 L.D. 24

Off Record Remarks

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

Signed:

Senators:

BERUBE of Androscoggin
MURRAY of Penobscot
SMALL of Sagadahoc

Representatives:

RICHARD of Madison
WATSON of Farmingdale
DESMOND of Mapleton
BRENNAN of Portland
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:

WESTON of Montville
STEDMAN of Hartland
SKOGLUND of St. George

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act to Extend the Waiting Period for Obtaining a Divorce"
H.P. 737 L.D. 1027

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

Signed:

Senators:

LONGLEY of Waldo
TREAT of Kennebec
BENOIT of Franklin

Representatives:

THOMPSON of Naples
BULL of Freeport
MITCHELL of Vassalboro
NORBERT of Portland
JACOBS of Turner
LaVERDIERE of Wilton
MADORE of Augusta
PLOWMAN of Hampden
SCHNEIDER of Durham

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

Signed:

Representative:

WATERHOUSE of Bridgton

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

Reports **READ**.

On motion by Senator **LONGLEY** of Waldo, the Majority **UGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act to Expand the Number of Lights Firefighters May Use on Their Motor Vehicles"

H.P. 38 L.D. 52

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

Signed:

Senators:

O'GARA of Cumberland
CASSIDY of Washington

Representatives:

FISHER of Brewer
COLLINS of Wells
WHEELER of Eliot
LINDAHL of Northport
JABAR of Waterville
BOUFFARD of Lewiston
SAVAGE of Union

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-84)**.

Signed:

Representatives:

CAMERON of Rumford
WHEELER of Bridgewater

Comes from the House with the Minority **UGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-84)**.

Reports **READ**.

Senator **O'GARA** of Cumberland moved the Senate **ACCEPT** the Majority **UGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

Senate

Ought to Pass

Senator LaFOUNTAIN for the Committee on **BANKING AND INSURANCE** on Bill "An Act to Expand Term Limits of Maine Employers' Mutual Insurance Company Directors"
S.P. 540 L.D. 1602

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

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

READ ONCE.

TOMORROW ASSIGNED FOR SECOND READING.

Senator KONTOS for the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Clarify the Definition of "Area of Operation" for Municipal Housing Authorities"
S.P. 512 L.D. 1513

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

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

READ ONCE.

TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

Senator LaFOUNTAIN for the Committee on **BANKING AND INSURANCE** on Bill "An Act to Protect Consumers in Real Estate Mortgage Transactions"
S.P. 45 L.D. 116

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-59)**.

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

READ ONCE.

Committee Amendment "A" (S-59) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator LaFOUNTAIN for the Committee on **BANKING AND INSURANCE** on Bill "An Act to Update Insurance Financial Standards"

S.P. 401 L.D. 1192

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-54)**.

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

READ ONCE.

Committee Amendment "A" (S-54) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator KONTOS for the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Include a Denturist on the Board of Dental Examiners"

S.P. 163 L.D. 483

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-58)**.

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

READ ONCE.

Committee Amendment "A" (S-58) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator MURRAY for the Committee on **CRIMINAL JUSTICE** on Bill "An Act to Amend the Crime of Theft by Deception to Include False Impressions as to Identity"

S.P. 228 L.D. 650

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-60)**.

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

READ ONCE.

Committee Amendment "A" (S-60) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator LONGLEY for the Committee on **JUDICIARY** on Bill "An Act to Correct Errors and Inconsistencies in the Laws of Maine" (EMERGENCY)

S.P. 18 L.D. 3

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-53).**

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

READ ONCE.

Committee Amendment "A" (S-53) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator LONGLEY for the Committee on **JUDICIARY** on Bill "An Act to Amend the Provisions Relating to Executive Sessions in Connection with the Transaction of Public or Government Business"

S.P. 94 L.D. 233

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-55).**

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

READ ONCE.

Committee Amendment "A" (S-55) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Granting a Right-of-way Across Baxter State Park Authority Property in the Town of Harpswell to the Coffin Family (EMERGENCY)

S.P. 343 L.D. 997

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

Signed:

Senators:

NUTTING of Androscoggin
KILKELLY of Lincoln
KIEFFER of Aroostook

Representatives:

COWGER of Hallowell
CARR of Lincoln
FOSTER of Gray
GOOLEY of Farmington
VOLENIK of Brooklin
PIEH of Bremen
WATSON of Farmingdale
GILLIS of Danforth
CROSS of Dover-Foxcroft

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-52).**

Signed:

Representative:

GAGNE of Buckfield

Reports **READ**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act to Amend the Maine Tree Growth Tax Law"

S.P. 100 L.D. 239

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

Signed:

Senators:

DAGGETT of Kennebec
MILLS of Somerset

Representatives:

GAGNON of Waterville
GREEN of Monmouth
DAVIDSON of Brunswick
COLWELL of Gardiner
STANLEY of Medway
LEMOINE of Old Orchard Beach
CIANCHETTE of South Portland
LEMONT of Kittery

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-57).**

Signed:

Senator:

RUHLIN of Penobscot

Representatives:

MURPHY of Berwick
BUCK of Yarmouth

Reports **READ**.

Senator **RUHLIN** of Penobscot moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending motion by same Senator to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report.

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act to Establish Parity in Property Taxation for Commercial Dairy Farmers"

S.P. 131 L.D. 328

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

Signed:

Senator:

RUHLIN of Penobscot

Representatives:

- GAGNON of Waterville
- GREEN of Monmouth
- DAVIDSON of Brunswick
- COLWELL of Gardiner
- STANLEY of Medway
- LEMOINE of Old Orchard Beach
- MURPHY of Berwick
- BUCK of Yarmouth

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-56)**.

Signed:

Senators:

- DAGGETT of Kennebec
- MILLS of Somerset

Reports **READ**.

Senator **RUHLIN** of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

SECOND READERS

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

House

Bill "An Act to Transfer the Regulatory Responsibilities of the Arborist Examining Board to the Department of Agriculture, Food and Rural Resources"

H.P. 1025 L.D. 1436

Senate

Bill "An Act to Amend Law Enforcement Powers of Maine Forest Rangers"

S.P. 397 L.D. 1188

READ A SECOND TIME.

On motion by Senator **RAND** of Cumberland, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENGROSSED**, in concurrence.

House As Amended

Bill "An Act to Further Decriminalize Operating an Unregistered Vehicle"

H.P. 165 L.D. 227
(C "A" H-83)

Bill "An Act to Exempt Persons 70 Years of Age and Older From Paying the Fee for Commercial Shellfish Licenses"

H.P. 279 L.D. 387
(C "A" H-90)

Bill "An Act to Require Public Hearings for School Administrative District Referenda"

H.P. 461 L.D. 624
(C "A" H-87)

Bill "An Act to Amend the Radon Registration Act"

H.P. 514 L.D. 721
(C "A" H-91)

Resolve, to Transfer Land in Dennysville

H.P. 656 L.D. 912
(C "A" H-89)

Bill "An Act to Extend the Penobscot County Budget Committee"

H.P. 667 L.D. 923
(C "A" H-88)

Bill "An Act to Establish the Position of School Nurse Consultant"

H.P. 676 L.D. 932
(C "A" H-85)

Bill "An Act to Amend the Qualifications for Participation in the High School Aspirations Incentives Program"

H.P. 762 L.D. 1085
(C "A" H-86)

Bill "An Act to Modify the State's Safe Drinking Water Laws"

H.P. 802 L.D. 1125
(C "A" H-92)

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

READ A SECOND TIME and PASSED TO BE ENGROSSED.

Sent down for concurrence.

Senate As Amended

Bill "An Act to Increase the Penalty for Failure to Yield the Right-of-way to a Visually Impaired Pedestrian"

S.P. 233 L.D. 655
(C "A" S-51)

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

Sent down for concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$50,000,000 to Finance the Acquisition of Lands and Interests in Lands for Conservation, Water Access, Outdoor Recreation, Fish and Wildlife Habitat and Farmland Protection and to Access \$25,000,000 in Matching Contributions from Public and Private Sources"

H.P. 1500 L.D. 2144

Bill "An Act to Fund Continuing Public Access to Maine Lands" (EMERGENCY)

H.P. 1504 L.D. 2145

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 Permit the Transfer of Liabilities by a Member of a Workers' Compensation Group Self-insurer"

H.P. 1494 L.D. 2138

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Change Laws Pertaining to the Loring Development Authority of Maine"

H.P. 1498 L.D. 2142

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

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

Bill "An Act to Ensure Community-based Services for Persons With Mental Retardation or Autism"

H.P. 1507 L.D. 2150

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

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

Bill "An Act to Ensure Just Cause Termination in Employment"

H.P. 1503 L.D. 2147

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Remove the Limit on the Amount of Complimentary Wine that a Wine Retailer may Receive Annually"

H.P. 1497 L.D. 2141

Bill "An Act to Improve Harness Racing in the State"

H.P. 1505 L.D. 2148

Bill "An Act to Modify the Campaign Finance Laws with Regard to Running for Federal Office"

H.P. 1508 L.D. 2153

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 Reduce the Income Tax"

H.P. 1499 L.D. 2143

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Allow Authorized Emergency Vehicles to Display a Blue Light on the Rear of the Vehicle"

H.P. 1495 L.D. 2139

Bill "An Act to Exempt from Registration Agricultural Motor Vehicles"

H.P. 1502 L.D. 2146

Bill "An Act to Amend Motor Vehicle Title Laws"

H.P. 1506 L.D. 2149

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

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

Bill "An Act to Enhance the Economic Security of Low-income Households with Respect to Utility Service"

H.P. 1496 L.D. 2140

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

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

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order:

H.P. 1501

ORDERED, the Senate concurring, that the Joint Standing Committee on Health and Human Services report out to the House legislation implementing the recommendations of the Commission on Eating Disorders established pursuant to Resolve 1997, chapter 118.

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

READ and **PASSED**, in concurrence.

Senate at Ease.

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

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 (3/2/99) Assigned matter:

Resolve, to Transfer the Functions and Responsibilities of the Maine Turnpike Authority to the Department of Transportation
S.P. 538 L.D. 1600

Tabled - March 2, 1999, by Senator **PINGREE** of Knox.

Pending - **REFERENCE**

(Committee on **TRANSPORTATION** suggested and ordered printed.)

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Oxford, Senator Bennett.

Senator **BENNETT:** Thank you Madam President. I move the Indefinite Postponement of this Bill and wish to speak briefly to my motion. Men and women of the Senate, this Bill is L.D. 1600 which I'm the prime Sponsor on. There's a couple of other members of this Body who have Cosponsored this Bill. What this Bill would do essentially would be to have the State Department of Transportation work over the next year to look at ways to integrate costs effectively with the Maine Turnpike Authority essentially merging their principal functions. I'm now moving that this Bill be killed notwithstanding my support for the idea of finding additional cost synergy between these two authorities. The DOT regulates about 8,300 miles of road in this state, the MTA regulates about 100 miles of road. I think there is some obvious synergy which could be realized but I'm happy to report today that the Maine Turnpike Authority and the Department of Transportation have signed an agreement to look over the balance of this year at ways that they can achieve some cost

synergy and begin to address the questions of redundancy and duplication between the two bodies. I think this is a step in the right direction. I'm happy to see it being done and for that reason, I today am happy to indefinitely Postpone this Bill. Thank you.

On motion by Senator **BENNETT** of Oxford, Resolve and Accompanying Papers **INDEFINITELY POSTPONED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/18/99) Assigned matter:

JOINT RESOLUTION - relative to Recognizing Parkinson's Disease Awareness Month

S.P. 685

Tabled - March 18, 1999, by Senator **PINGREE** of Knox.

Pending - motion by President **LAWRENCE** of York to **ADOPT**

(In Senate, March 18, 1999, on motion by President **LAWRENCE** of York, **READ**.)

On motion by Senator **RAND** of Cumberland, **INDEFINITELY POSTPONED**.

The Chair laid before the Senate the following Tabled and Later (3/31/99) Assigned matter:

Bill "An Act to Enhance Competition and Public Health"
H.P. 1479 L.D. 2119

Tabled - March 31, 1999, by Senator **RAND** of Cumberland.

Pending - **REFERENCE**

(In House, March 30, 1999, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed.)

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

Bill "An Act to Amend the Laws Governing the Licensure of Dental Hygienists"
H.P. 1490 L.D. 2128

Tabled - April 5, 1999, by Senator **PINGREE** of Knox.

Pending - **REFERENCE**

(Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** suggested and ordered printed.)

(In House, March 31, 1999, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.)

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

Off Record Remarks

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

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

Senator **GOLDTHWAIT** of Hancock was granted unanimous consent to address the Senate off the Record.

On motion by Senator **RAND** of Cumberland, **ADJOURNED**, until Wednesday, April 7, 1999, at 10:00 in the morning.