

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Nineteenth Legislature
State of Maine

Volume 2

First Regular Session (Continued)
May 6, 1999 to June 18, 1999

Pages 747 - 1547

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

In Senate Chamber
Wednesday
May 5, 1999

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

Prayer by Reverend Pat Parker of the First Baptist Church in Waterville.

REVEREND PARKER: Would you join me in prayer. Our God, our gracious, merciful and just God. In these moments we pause to give You thanks. Thanks for life. Life that is precious even in the face of pain or loss. And on this spring morning, our God, we give You thanks for new life. New life in the refreshment of spring flowers. New life in greening grass and bursting foliage. New life in bird and peeper song. Life, our God, is Your great gift to us. In these moments we give You thanks. We give You thanks in these moments for the men and women of this Body who are here today, whose years of service are represented by those we welcome back. We give You thanks for those who have been called into service in this session. Service in the interest of life. The life of Your creations and Your creatures here in the state of Maine. For these men and women we give You thanks. And for the sake of the servant role to which You have called them, we ask You, our God, to lead them, to show them what is good, what You require of them, the way of justice, the love of kindness and the walk of humility with one another and with You. Give the members of this Body Your spirit of wisdom in mind, Your spirit of truth in speaking and always Your spirit of love in heart. Give them this we pray as they debate and decide the issues before them this day. May Your name of mercy, grace and justice be glorified. Amen.

Doctor of the day, Behzad Fakhery, M.D., Auburn.

Reading of the Journal of Tuesday, May 4, 1999.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Require the Commission on Governmental Ethics and Election Practices to Report Delinquent Filers"

H.P. 177 L.D. 255

Majority - **Ought Not to Pass** (10 members)

Minority - **Ought to Pass** (2 members)

In House, April 29, 1999, the Minority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

In Senate, May 3, 1999, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

Comes from the House, that Body **ADHERED**.

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

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Create Staff Positions at the Maine Commission on Domestic Abuse"

S.P. 689 L.D. 1935
(C "A" S-140)

Majority - **Ought Not to Pass** (8 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-140)** (5 members)

In Senate, May 3, 1999, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-140)**.

Comes from the House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Restrict Circulators of Initiated Petitions from Being within 250 Feet of Voting Places"

S.P. 117 L.D. 314
(C "A" S-42)

Report **"A" - Ought to Pass as Amended by Committee Amendment "A" (S-42)** (7 members)

Report "B" - Ought Not to Pass (4 members)

Report "C" - Ought to Pass as Amended by Committee Amendment "B" (S-43) (1 member)

In Senate, April 14, 1999, Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-42) READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-42)**.

Comes from the House, Bill and accompany papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Bill "An Act to Strengthen Enforcement of Lobster Trap Limits"
S.P. 452 L.D. 1327
(C "A" S-113)

In Senate, April 27, 1999, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-113)**.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-113) AND HOUSE AMENDMENT "A" (H-336)**, in **NON-CONCURRENCE**.

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

House Paper

**Pursuant to Statutes
Department of Human Services**

Report of the **Department of Human Services**, pursuant to Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Sections 61, 62, 63, 68, 69 and 73 of 10-149, Chapter 5: Bureau of Elder and Adult Services Policy Manual, a Major Substantive Rule of the Department of Human Services (EMERGENCY)

H.P. 1572 L.D. 2220

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

Comes from the House with the Report **READ and ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

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

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

Joint Orders

The following Joint Order: H.P. 1568

ORDERED, the Senate concurring, that the Commission to Study the Fairness of the Maine Turnpike is established as follows.

1. Commission established. The Commission to Study the Fairness of the Maine Turnpike, referred to in this order as the "commission," is established.

2. Membership. The commission consists of 15 members appointed as follows:

A. One member of the House of Representatives each from York County, Cumberland County, Androscoggin County and Kennebec County, appointed by the Speaker of the House of Representatives;

B. One member of the House of Representatives from Oxford County or Franklin County, appointed by the Speaker of the House of Representatives;

C. One member appointed by the York County Board of Commissioners;

D. One member appointed by the Cumberland County Board of Commissioners;

E. One member appointed by the Androscoggin County Board of Commissioners;

F. One member appointed by the Kennebec County Board of Commissioners;

G. Two Senators, appointed by the President of the Senate;

H. The Executive Director of the Maine Turnpike Authority or the executive director's designee;

I. The Commissioner of Economic and Community Development or the commissioner's designee;

J. The Commissioner of Transportation or the commissioner's designee; and

K. One representative from the Maine Chamber and Business Alliance.

3. Chairs; quorum. The first Senate member named is the Senate chair and the first House member named is the House chair. A quorum consists of a majority of those appointed.

4. Appointments; convening committee. All appointments must be made no later than 30 days following the effective date of this order. The appointing authorities shall notify the Executive Director of the Legislative Council upon making their appointments. When the appointment of all members is complete, the chairs of the commission shall call and convene the first meeting of the commission no later than July 15, 1999.

5. Duties. The commission shall study whether the Maine Turnpike is operated in a manner that is fair to all users of the Maine Turnpike and to the communities and counties that are adjacent to the Maine Turnpike, including the issues of cost and convenience to the users, accountability of the Maine Turnpike Authority to the Legislature and the public and accessibility from the most practical locations in the communities adjacent to the Maine Turnpike, including the Lincoln Street area of Lewiston.

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

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

8. Report. The commission shall submit a report along with any recommended legislation to the Joint Standing Committee on Transportation by December 1, 1999. Following receipt of the report, the Joint Standing Committee on Transportation may introduce legislation to the Second Regular Session of the 119th Legislature. If the commission requires an extension of time to make its report, it may apply to the Legislative Council, which may grant the extension.

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

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

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

The following Joint Order: H.P. 1571

ORDERED, the Senate concurring, that the Joint Standing Committee on Banking and Insurance and the Joint Standing Committee on Health and Human Services shall jointly report out legislation to the House that delays implementation of changes to the mail order prescription plan under the State of Maine health insurance program required under the Maine Revised Statutes, Title 5, chapter 13, subchapter II.

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

READ.

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

COMMUNICATIONS

The Following Communication: S.P. 813

119TH MAINE LEGISLATURE

May 4, 1999

Senator Lloyd LaFountain III
Representative Jane Saxl
Chairpersons
Joint Standing Committee on Banking and Insurance
119th Legislature
Augusta, Maine 04333

Dear Senator LaFountain and Representative Saxl:

Please be advised that S. Catherine Longley, Commissioner of the Department of Professional and Financial Regulation, has nominated William N. Lund for reappointment as Director of the Office of Consumer Credit Regulation.

Pursuant to 9-A MRSA §6-103, this nomination will require review by the Joint Standing Committee on Banking and Insurance and confirmation by the Senate.

Sincerely,

S/Mark W. Lawrence
President of the Senate

S/G. Steven Rowe
Speaker of the House

READ and **REFERRED** to the Committee on **BANKING AND INSURANCE**.

Sent down for concurrence.

ORDERS

Joint Resolution

On motion by Senator **DAGGETT** of Kennebec (Cosponsored by Representative **MADORE** of Augusta and Senator **AMERO** of Cumberland, Senator **BENNETT** of Oxford, Senator **CAREY** of Kennebec, Senator **CATHCART** of Penobscot, Senator **KONTOS** of Cumberland, President **LAWRENCE** of York, Representative **MITCHELL** of Vassalboro, Representative **MURPHY** of Kennebunk, Representative **O'BRIEN** of Augusta, Speaker **ROWE** of Portland, Representative **SAXL** of Portland), the following Joint Resolution:

S.P. 812

JOINT RESOLUTION RECOGNIZING BENNETT D. KATZ FOR HIS ROLE AT THE UNIVERSITY OF MAINE AT AUGUSTA

WHEREAS, Bennett D. Katz of Augusta served his country as a major and senior pilot in the United States Army Air Corps during World War II; and

WHEREAS, Bennett D. Katz has been a business leader in the Augusta community for over 50 years; and

WHEREAS, Bennett D. Katz served the people of the State of Maine as a member of Maine's House of Representatives during the 101st and 102nd Legislatures; and

WHEREAS, Bennett D. Katz served the people of the State of Maine as a member of Maine's Senate during the 103rd to 109th Legislatures, where he served as Senate Majority Leader; and

WHEREAS, Bennett D. Katz served in an advisory capacity for numerous community agencies regarding such issues as health, education, business and transportation; and

WHEREAS, Bennett D. Katz served 10 years as a member of the Board of Trustees of the University of Maine System and his lifelong goal has been to improve the educational resources for the people of Maine; and

WHEREAS, in the 1960s, Bennett D. Katz organized and led a citizens' committee to help create the University of Maine at Augusta and was instrumental in securing the state funding necessary for the creation of the University of Maine at Augusta; and

WHEREAS, the University of Maine at Augusta is dedicating its library and establishing a scholarship fund to be named The Bennett D. Katz Scholarship and Library Fund in his honor; now, therefore, be it

RESOLVED: That We, the members of the One Hundred Nineteenth Legislature, now assembled in the First Regular Session, honor Bennett D. Katz by designating May 5, 1999 as Bennett D. Katz Day; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to Bennett D. Katz.

READ.

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

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **JUDICIARY** on 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

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 Resolve, Regarding Legislative Review of Chapter 565: Nutrient Management Rules, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources (EMERGENCY) H.P. 460 L.D. 623

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-334).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-334).**

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

READ ONCE.

Committee Amendment "A" (H-334) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **BANKING AND INSURANCE** on Bill "An Act to Protect Customers of Nonbank Cash-dispensing Machines" H.P. 1384 L.D. 1991

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-344).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-344).**

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

READ ONCE.

Committee Amendment "A" (H-344) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Establish the Birth Defects Program"
H.P. 1322 L.D. 1905

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-268).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-268).**

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

READ ONCE.

Committee Amendment "A" (H-268) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **LABOR** on Bill "An Act to Allow Former Employees of Head Start Credit in the Maine State Retirement System"
H.P. 743 L.D. 1033

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-360).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-360).**

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

READ ONCE.

Committee Amendment "A" (H-360) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **LABOR** on Bill "An Act Promoting Technology in Business Recordkeeping"
H.P. 985 L.D. 1383

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-362).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-362).**

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

READ ONCE.

Committee Amendment "A" (H-362) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **LEGAL AND VETERANS AFFAIRS** on Resolve, to Study Standardized Periods of Military Service for Award of State of Maine Veterans' Benefits (EMERGENCY)
H.P. 76 L.D. 89

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-312).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-312).**

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

READ ONCE.

Committee Amendment "A" (H-312) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Amend the Liquor Licensing Laws Regarding Bed and Breakfasts"
H.P. 913 L.D. 1291

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-314).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-314).**

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

READ ONCE.

Committee Amendment "A" (H-314) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Provide Equity for Eviction Notification" H.P. 1237 L.D. 1766

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-311)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-311)**.

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

READ ONCE.

Committee Amendment "A" (H-311) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **STATE AND LOCAL GOVERNMENT** on Resolve, to Authorize the Knox County Commissioners to Borrow Not More Than \$600,000 to Build the Knox County Communications Center (EMERGENCY) H.P. 40 L.D. 54

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-324)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-324)**.

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

READ ONCE.

Committee Amendment "A" (H-324) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Amend the Maine Administrative Procedure Act" H.P. 1195 L.D. 1705

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-364)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-364)**.

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

READ ONCE.

Committee Amendment "A" (H-364) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **STATE AND LOCAL GOVERNMENT** on Resolve, That the Director of the Maine State Museum Shall Include the Portraits of Outstanding Indians in the State House H.P. 1315 L.D. 1898

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-325)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-325)**.

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

READ ONCE.

Committee Amendment "A" (H-325) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Require Legislative Approval to Lease Certain Land to the Federal Government" H.P. 1460 L.D. 2092

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-363)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-363)**.

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

READ ONCE.

Committee Amendment "A" (H-363) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **UTILITIES AND ENERGY** on Bill "An Act to Allow for Cooperative Purchase of Electricity by Governmental Units" (EMERGENCY) H.P. 497 L.D. 704

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-331)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-331)**.

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

READ ONCE.

Committee Amendment "A" (H-331) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **UTILITIES AND ENERGY** on Resolve, Regarding Legislative Review of Chapter 301: Standard Office Service, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)

H.P. 547 L.D. 768

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-328)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-328)**.

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

READ ONCE.

Committee Amendment "A" (H-328) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **UTILITIES AND ENERGY** on Resolve, Regarding Legislative Review of Chapter 304: Standard of Conduct for Transmission and Distribution Utilities and Affiliated Competitive Electricity Providers, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)

H.P. 548 L.D. 769

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-329)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-329)**.

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

READ ONCE.

Committee Amendment "A" (H-329) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **UTILITIES AND ENERGY** on Bill "An Act Authorizing the Release of Information to a Competitive Electricity Provider"

H.P. 857 L.D. 1214

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-330)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-330)**.

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

READ ONCE.

Committee Amendment "A" (H-330) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **UTILITIES AND ENERGY** on Bill "An Act Confirming the Charter of the Addison Point Water District" (EMERGENCY)

H.P. 1153 L.D. 1650

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-333)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-333)**.

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

READ ONCE.

Committee Amendment "A" (H-333) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **UTILITIES AND ENERGY** on Resolve, Regarding Legislative Review of Chapter 307: Sale of Capacity and Energy of Undivested Generation Assets, Extension of Divestiture Deadline, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)

H.P. 1172 L.D. 1683

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-332)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-332)**.

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

READ ONCE.

Committee Amendment "A" (H-332) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Provide Funds for a New Historical Atlas of Maine"

H.P. 901 L.D. 1279

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-297)**.

Signed:

Senators:

MICHAUD of Penobscot
CATHCART of Penobscot

Representatives:

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

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

Signed:

Senator:

HARRIMAN of Cumberland

Representatives:

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

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-297)**.

Reports **READ**.

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

Divided Report

Seven members of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Implement Funding the Recommendations of the Interagency Task Force on Homelessness and Housing Opportunities in the November 1997 Task Force Report"

H.P. 1471 L.D. 2111

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-294)**.

Signed:

Senator:

CATHCART of Penobscot

Representatives:

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

Four members of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-295)**.

Signed:

Senators:

MICHAUD of Penobscot
HARRIMAN of Cumberland

Representatives:

KNEELAND of Easton
NASS of Acton

One member of the same Committee on the same subject reported in Report "C" that the same **Ought to Pass as Amended by Committee Amendment "C" (H-296)**.

Signed:

Representative:

BRUNO of Raymond

Comes from the House with Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-294)** READ and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-294)**.

Reports **READ**.

Senator **MICHAUD** of Penobscot moved the Senate **ACCEPT** Report "B", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-295)**, in **NON-CONCURRENCE**.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending motion by same Senator to **ACCEPT** Report "B", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-295)**, in **NON-CONCURRENCE**.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Credit a Town for Payment of School Construction" (EMERGENCY) H.P. 1324 L.D. 1907

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

Signed:

Senators:
BERUBE of Androscoggin
MURRAY of Penobscot
SMALL of Sagadahoc

Representatives:
RICHARD of Madison
WESTON of Montville
WATSON of Farmingdale
STEDMAN of Hartland
DESMOND of Mapleton
BRENNAN of Portland
BAKER of Bangor
BELANGER of Caribou

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-318)**.

Signed:

Representatives:
ANDREWS of York
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 **PINGREE** of Knox, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Establish Educational Excellence for the Towns of Mechanic Falls, Minot and Poland" H.P. 1360 L.D. 1958

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

Signed:

Senators:
BERUBE of Androscoggin
MURRAY of Penobscot
SMALL of Sagadahoc

Representatives:
RICHARD of Madison
WESTON of Montville
WATSON of Farmingdale
BRENNAN of Portland
DESMOND of Mapleton
ANDREWS of York
BAKER of Bangor
BELANGER of Caribou
SKOGLUND of St. George

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

Signed:

Representative:
STEDMAN of Hartland

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **LABOR** on Bill "An Act to Provide an Option for Employers to Pay Employees Biweekly" H.P. 307 L.D. 423

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

Signed:

Senators:
DOUGLASS of Androscoggin
MILLS of Somerset
LaFOUNTAIN of York

Representatives:

MUSE of South Portland
GOODWIN of Pembroke
FRECHETTE of Biddeford
MATTHEWS of Winslow
SAMSON of Jay
HATCH of Skowhegan

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-349).**

Signed:

Representatives:

DAVIS of Falmouth
MacDOUGALL of North Berwick
MACK of Standish
TREADWELL of Carmel

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

Reports **READ**.

Senator **PINGREE** of Knox moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

Senator **GOLDTHWAIT** of Hancock requested a Division.

THE PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Mills.

Senator **MILLS:** Mr. President, men and women of the Senate, this was probably one of the hardest issues in the Labor Committee this year. It's hard to let it pass with a Division without at least saying something about it. My own curiosity was why it became such a hot issue, because it seems to me simply a matter of bringing the state of Maine into conformance with practices that are widely accepted in the other states of the Union. Somewhat to our credit, in the early years of this century we passed a law that said most employers, not all, but employers in certain categories will oblige to pay their employees weekly. And as a further provision, when you were paid you had to be paid within eight days. When you go to work for the first time for one of these industries, under current law, it is possible to go for as much as fifteen days without your first paycheck. If you're on leave and you come back, you can go for up to fifteen days without a paycheck and thereafter must be paid every seven on a regular basis. We had extensive testimony and letter evidence from many employers in this state, who have a national presence, that it is extremely awkward and difficult to abide by the rule that is now relatively peculiar to the state of Maine. I do urge that you vote against the pending motion which is Ought Not to Pass. In the event that this matter is Tabled I will say more later. Thank you.

On motion by Senator **PINGREE** of Knox, **TABLED** until Later in Today's Session, pending motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence. (Division Requested)

Divided Report

The Majority of the Committee on **MARINE RESOURCES** on Bill "An Act Regarding Lobster Trap Escape Vent Dimensions" H.P. 609 L.D. 849

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

Signed:

Senators:

GOLDTHWAIT of Hancock
PENDLETON of Cumberland
MackINNON of York

Representatives:

STANWOOD of Southwest Harbor
USHER of Westbrook
ETNIER of Harpswell
McNEIL of Rockland

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

Signed:

Representatives:

HONEY of Boothbay
VOLENIK of Brooklin
PINKHAM of Lamoine
PIEH of Bremen
BAGLEY of Machias

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

Reports **READ**.

Senator **GOLDTHWAIT** of Hancock moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, 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 NOT TO PASS** Report, in concurrence.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Increase Fees for Civil Process of Filing State Papers"

H.P. 1212 L.D. 1741

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-291).**

Signed:

Senators:

PENDLETON of Cumberland
GOLDTHWAIT of Hancock
DAVIS of Piscataquis

Representatives:

AHEARNE of Madawaska
BAGLEY of Machias
RINES of Wiscasset
McDONOUGH of Portland
TWOMEY of Biddeford
BUMPS of China
JODREY of Bethel
GERRY of Auburn

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

Signed:

Representatives:

KASPRZAK of Newport
RICHARDSON of Greenville

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-291)**.

Reports **READ**.

On motion by Senator **PENDLETON** of Cumberland, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-291) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Prevent Conflicts of Interest" H.P. 1337 L.D. 1920

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-288)**.

Signed:

Senators:

PENDLETON of Cumberland
DAVIS of Piscataquis

Representatives:

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

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

Signed:

Senator:

GOLDTHWAIT of Hancock

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-288)**.

Reports **READ**.

Senator **PENDLETON** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

On motion by Senator **PINGREE** of Knox, **TABLED** until Later in Today's Session, pending motion by Senator **PENDLETON** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

Senate

Ought to Pass As Amended

Senator **NUTTING** for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Establishing a Task Force to Study the Need for an Agricultural Vitality Zone Program

S.P. 393 L.D. 1172

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-196)**.

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

READ ONCE.

Committee Amendment "A" (S-196) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator MURRAY for the Committee on **CRIMINAL JUSTICE** on Bill "An Act to Make More Uniform the Training of Firefighters" S.P. 656 L.D. 1878

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-194).**

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

READ ONCE.

Committee Amendment "A" (S-194) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator MURRAY for the Committee on **CRIMINAL JUSTICE** on Bill "An Act to Modify the Juvenile Code with Regard to the Service of Juvenile Summonses" S.P. 690 L.D. 1936

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-193).**

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

READ ONCE.

Committee Amendment "A" (S-193) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator BERUBE for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, to Establish the John H. Reed-Kenneth M. Curtis Peace Fellowship S.P. 789 L.D. 2201

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-195).**

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

READ ONCE.

Committee Amendment "A" (S-195) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator LaFOUNTAIN for the Committee on **BANKING AND INSURANCE** on Bill "An Act to Require Disclosure to Insurance Consumers That Long-term Care Insurance Policies Meet the Standards for the Deductibility of Premiums" S.P. 140 L.D. 376

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-197).**

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

READ ONCE.

Committee Amendment "A" (S-197) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator LaFOUNTAIN for the Committee on **BANKING AND INSURANCE** on Bill "An Act to Protect Beneficiaries of Structured Settlements" S.P. 680 L.D. 1930

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-203).**

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

READ ONCE.

Committee Amendment "A" (S-203) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on **BANKING AND INSURANCE** on Bill "An Act to Change the Reimbursement Policy on Mental Health Services" S.P. 309 L.D. 911

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

Signed:

Senators:

LaFOUNTAIN of York
DOUGLASS of Androscoggin
ABROMSON of Cumberland

Representatives:

JONES of Pittsfield
RICHARDSON of Brunswick
NUTTING of Oakland
O'NEIL of Saco
SAXL of Bangor
SULLIVAN of Biddeford
PERRY of Bangor
GLYNN of South Portland
MAYO of Bath

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-198).**

Signed:

Representative:
DUDLEY of Portland

Reports **READ.**

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **BANKING AND INSURANCE**
on Bill "An Act to Increase Access to Nontraditional Medical
Alternatives"

S.P. 326 L.D. 980

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

Signed:

Senators:
LaFOUNTAIN of York
DOUGLASS of Androscoggin
ABROMSON of Cumberland

Representatives:
JONES of Pittsfield
NUTTING of Oakland
O'NEIL of Saco
SAXL of Bangor
SULLIVAN of Biddeford
PERRY of Bangor
MAYO of Bath
GLYNN of South Portland

The Minority of the same Committee on the same subject
reported that the same **Ought to Pass as Amended by
Committee Amendment "A" (S-199).**

Signed:

Representatives:
RICHARDSON of Brunswick
DUDLEY of Portland

Reports **READ.**

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **BANKING AND INSURANCE**
on Bill "An Act to Provide Equity in Prescription Insurance for
Contraceptive Coverage"

S.P. 389 L.D. 1168

Reported that the same **Ought to Pass as Amended by
Committee Amendment "A" (S-200).**

Signed:

Senators:
LaFOUNTAIN of York
DOUGLASS of Androscoggin
ABROMSON of Cumberland

Representatives:
JONES of Pittsfield
RICHARDSON of Brunswick
NUTTING of Oakland
DUDLEY of Portland
O'NEIL of Saco
SAXL of Bangor
SULLIVAN of Biddeford
PERRY of Bangor
MAYO of Bath

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

Signed:

Representative:
GLYNN of South Portland

Reports **READ.**

On motion by Senator **LAFOUNTAIN** of York, the Majority
OUGHT TO PASS AS AMENDED Report **ACCEPTED.**

READ ONCE.

Committee Amendment "A" (S-200) **READ** and **ADOPTED.**

TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on **BANKING AND INSURANCE**
on Bill "An Act Relating to Uninsured Vehicle Coverage"
S.P. 421 L.D. 1258

Reported that the same **Ought to Pass as Amended by
Committee Amendment "A" (S-201).**

Signed:

Senators:

LaFOUNTAIN of York
DOUGLASS of Androscoggin
ABROMSON of Cumberland

Representatives:

DUDLEY of Portland
O'NEIL of Saco
SAXL of Bangor
SULLIVAN of Biddeford
PERRY of Bangor
MAYO of Bath

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

Signed:

Representatives:

JONES of Pittsfield
RICHARDSON of Brunswick
NUTTING of Oakland
GLYNN of South Portland

Reports **READ**.

On motion by Senator **LAFOUNTAIN** of York, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-201) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on **BANKING AND INSURANCE** on Bill "An Act to Prohibit Certain Bank Penalties" (EMERGENCY)

S.P. 609 L.D. 1732

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

Signed:

Senators:

LaFOUNTAIN of York
ABROMSON of Cumberland

Representatives:

JONES of Pittsfield
RICHARDSON of Brunswick
NUTTING of Oakland
DUDLEY of Portland
O'NEIL of Saco
SAXL of Bangor
PERRY of Bangor
GLYNN of South Portland
MAYO of Bath

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-202)**.

Signed:

Senator:

DOUGLASS of Androscoggin

Representative:

SULLIVAN of Biddeford

Reports **READ**.

Senator **LAFOUNTAIN** of York 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.

Divided Report

The Majority of the Committee on **BANKING AND INSURANCE** on Bill "An Act to Clarify Underinsured Motor Vehicle Coverage" S.P. 723 L.D. 2043

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-204)**.

Signed:

Senators:

LaFOUNTAIN of York
DOUGLASS of Androscoggin
ABROMSON of Cumberland

Representatives:

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

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

Signed:

Representatives:

JONES of Pittsfield
GLYNN of South Portland

Reports **READ**.

On motion by Senator **LAFOUNTAIN** of York, the Majority **UGHT TO PASS AS AMENDED** Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-204) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Off Record Remarks

SECOND READERS

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

House

Bill "An Act to Require that Members of the Workers' Compensation Board be Subject to Review by the Joint Standing Committee on Labor"

H.P. 953 L.D. 1351

READ A SECOND TIME and **PASSED TO BE ENGROSSED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

House As Amended

Bill "An Act Regarding Exhibition of Licenses from the Department of Inland Fisheries and Wildlife"

H.P. 232 L.D. 336
(C "A" H-283)

Bill "An Act to Allow Municipalities to Set Speed Limits and Determine Whether Passing Is Advisable on State Roads"

H.P. 258 L.D. 362
(C "A" H-236)

Resolve, Naming the Beach Next to the Lincolnville Ferry Terminal French Beach

H.P. 264 L.D. 368
(C "A" H-293)

Bill "An Act Regarding Shooting Across or From a Public Paved Way"

H.P. 296 L.D. 404
(C "A" H-287)

Bill "An Act Regarding the Waiver Process Under the Lobster Apprenticeship Program"

H.P. 300 L.D. 408
(C "A" H-308)

Bill "An Act to Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2000"

H.P. 396 L.D. 527
(C "A" H-237)

Bill "An Act to Create Minimum Education Requirements for Prisoners in the Department of Corrections System"

H.P. 616 L.D. 856
(C "A" H-299)

Bill "An Act to Establish a Part-time Liquor License"

H.P. 649 L.D. 899
(C "A" H-286)

Bill "An Act to Allow the Bureau of Labor Standards to Assess Administrative Civil Money Penalties for Labor Law Violations"

H.P. 693 L.D. 960
(H "A" H-327 to C "A" H-261)

Bill "An Act to Increase Internal Plumbing Fees and Remedy Inconsistencies in Plumbing Laws"

H.P. 803 L.D. 1126
(C "A" H-233)

Bill "An Act to Amend the Maine Emergency Medical Services Act of 1982"

H.P. 1051 L.D. 1473
(C "A" H-301)

Resolve, to Establish a Task Force to Study Limited Entry in the Shrimp Fishery

H.P. 1079 L.D. 1526
(C "A" H-307)

Bill "An Act Concerning the Sea Urchin Fishery"

H.P. 1275 L.D. 1836
(C "A" H-306)

Resolve, to Create a Committee to Establish a Memorial Dedicated to the Civilian Conservation Corps

H.P. 1394 L.D. 1999
(C "A" H-305)

Resolve, Establishing an Improved Capital Planning Process

H.P. 1480 L.D. 2120
(C "A" H-298)

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

Senate

Bill "An Act to Validate Voluntary Collective Bargaining Provisions that May Affect Educational Policies"

S.P. 333 L.D. 987

READ A SECOND TIME and PASSED TO BE ENGROSSED.

Sent down for concurrence.

Senate As Amended

Bill "An Act to Provide State Funding for the Wells National Estuarine Research Reserve"

S.P. 68 L.D. 171
(C "A" S-166)

Bill "An Act to Facilitate Compliance with the Federal Communications Act of 1996"

S.P. 141 L.D. 377
(C "A" S-175)

Bill "An Act to Promote the Recycling of Fish Scales as Agricultural Fertilizer"

S.P. 204 L.D. 593
(C "A" S-183)

Bill "An Act Concerning Recreational Clam Harvesting Licenses"

S.P. 262 L.D. 757
(C "A" S-164)

Bill "An Act to Amend the Tax Law Regarding Tax Liability of Innocent Spouses"

S.P. 308 L.D. 910
(C "A" S-173)

Bill "An Act to Reauthorize and Amend the Diesel-powered Motor Vehicle Emission Opacity Testing Program" (EMERGENCY)

S.P. 381 L.D. 1082
(C "A" S-184)

Bill "An Act Concerning the Review of State Solid Waste Management Policies" (EMERGENCY)

S.P. 391 L.D. 1170
(C "A" S-185)

Bill "An Act to Ensure Adequate Funding of Certain Public Safety Programs of Occupational or Professional Licensure Boards"

S.P. 398 L.D. 1189
(C "A" S-178)

Bill "An Act to Amend the Local Highway Laws"

S.P. 418 L.D. 1207
(C "A" S-169)

Bill "An Act to Provide for Fair and Open Procedures for a Waiver of Department of Education Rules"

S.P. 461 L.D. 1348
(C "A" S-165)

Bill "An Act to Create the Business Advisory Commission on Quality Child Care Financing" (EMERGENCY)

S.P. 486 L.D. 1446
(C "A" S-179)

Bill "An Act to Clarify the Sales Tax Exemption for Food Service in Educational Institutions"

S.P. 534 L.D. 1596
(C "A" S-174)

Resolve, to Direct the Department of Environmental Protection and the Department of Economic and Community Development to Devise a Proposal for Long-term Funding of the Removal of Tire Dumps

S.P. 539 L.D. 1601
(C "A" S-186)

Bill "An Act to Implement the Recommendations of the Advisory Committee on Results-based Initial Certification of Teachers"

S.P. 568 L.D. 1635
(C "A" S-170)

Bill "An Act to Renew Maine's Economy"

S.P. 569 L.D. 1636
(C "A" S-190)

Bill "An Act to Amend the Laws Governing the Maine State Pilotage Commission" (EMERGENCY)

S.P. 572 L.D. 1639
(C "A" S-168)

Bill "An Act Concerning Standards for Operation and Maintenance of Radio Antenna Towers"

S.P. 633 L.D. 1800
(C "A" S-180)

Bill "An Act to Update the Statutes and Provide for the Basic Needs of the Maine Conservation Corps"

S.P. 735 L.D. 2085
(C "A" S-171)

Bill "An Act to Ensure that Agency Use of Collaborative Decision-making and Stakeholder Processes is Fair and Consistent with the Goals of the Maine Administrative Procedure Act"

S.P. 755 L.D. 2131
(C "A" S-181)

Bill "An Act to Amend the Laws Concerning Life and Health Insurance"

S.P. 765 L.D. 2157
(C "A" S-182)

Bill "An Act to Amend the Calculation of Service Credits Under the Maine State Retirement System Pertaining to the Comprehensive Education and Training Act of 1973 Employees"

S.P. 792 L.D. 2204
(C "A" S-177)

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

Sent down for concurrence.

Bill "An Act to Terminate the Authority of the Governmental Facilities Authority"

S.P. 57 L.D. 127
(C "A" S-146)

READ A SECOND TIME.

On motion by Senator **PINGREE** of Knox, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENGROSSED AS AMENDED.**

Bill "An Act to Consolidate Traffic Movement Permits within the Department of Transportation" (EMERGENCY)

S.P. 756 L.D. 2132
(C "A" S-167)

READ A SECOND TIME.

On motion by Senator **O'GARA** of Cumberland, Senate Amendment "A" (S-192) **READ** and **ADOPTED.**

PASSSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-192).

Sent down for concurrence.

ENACTORS

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

Emergency Measure

An Act to Enhance Equity Under the Maine Milk Pool Laws
S.P. 489 L.D. 1474
(S "A" S-94)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 being more than two-thirds of the entire elected Membership of the Senate, was **PASSSED 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 Amend the Provisions Relating to Executive Sessions in Connection with the Transaction of Public or Government Business

S.P. 94 L.D. 233
(H "A" H-217)

An Act to Amend Certain Aviation Laws

S.P. 271 L.D. 764
(C "A" S-97)

An Act to Reduce the Cost to Ratepayers of Decommissioning and Nuclear Waste Storage at the Maine Yankee Nuclear Power Plant

S.P. 468 L.D. 1407
(C "A" S-102)

An Act to Conform Maine's Consumer Credit Laws to Federal Law and Make Other Changes

S.P. 546 L.D. 1608
(C "A" S-101)

An Act to Amend the Charter of the Waterville Sewerage District

S.P. 632 L.D. 1797
(C "A" S-103)

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

An Act to Allow Counties to Retain a Larger Share of the Real Estate Transfer Tax

S.P. 121 L.D. 318
(C "A" S-82)

On motion by Senator **MICHAUD** of Penobscot, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

An Act to Provide Funding for the Education Research Institute
H.P. 820 L.D. 1143
(C "A" H-174)

On motion by Senator **MICHAUD** of Penobscot, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

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

COMMUNICATIONS

The Following Communication: S.C. 202

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

April 29, 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. 603 An Act to Repeal the Licensing of Farmstead Cheese
- L.D. 931 An Act to Ensure Children's Safety from Uncontrolled Dogs
- L.D. 1181 An Act to Amend the Laws Pertaining to Dangerous Dogs
- L.D. 1343 An Act to Establish Blueberry Weight Accountability
- L.D. 1404 An Act to Amend the Laws Regarding Farmstead Cheese
- L.D. 1416 Resolve, to Encourage Replanting of Hardwood Trees
- L.D. 1497 An Act Authorizing the Maine Land Use Regulation Commission to Regulate Industrialized Farms within Unorganized and Deorganized Areas
- L.D. 1535 An Act to Require Notice to Abutters Prior to Commercial Applications of Pesticides
- L.D. 1565 Resolve, Directing the Maine Forest Service to Examine the Excessive Cutting of Mature Maple Trees
- L.D. 1642 An Act Regarding Equine Massage Therapy
- L.D. 1709 An Act to Strengthen Maine's Animal Welfare Laws
- L.D. 1738 Resolve, to Allow the Modification of a Conservation Easement on Property Leased to Robert Vadas
- L.D. 1757 An Act to Support the Work of the Maine Rabies Work Group
- L.D. 1979 An Act to Limit the Percentage of Forest Products Harvested from Certain Lands That May Be Sold to a Foreign Country
- L.D. 2006 An Act to Eliminate the Dog Licensing Requirement
- L.D. 2007 An Act to Amend the Laws Concerning Abuse of Domesticated Animals

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. 203

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

April 29, 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. 123 An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 for the Acquisition of Water Access Sites by the Department of Inland Fisheries and Wildlife
- L.D. 288 An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 to Assist Municipalities to Provide Water and Sewer Service to Areas Zoned by Municipalities for Industrial and Light Industrial Uses
- L.D. 360 An Act to Authorize a General Fund Bond Issue to Place Critical Land Tracts in Southern Maine into the Land for Maine's Future Program
- L.D. 361 An Act to Authorize a General Fund Bond Issue in the Amount of \$25,000,000 for the Expansion of the Fogler Library and Laboratories at the University of Maine
- L.D. 565 An Act to Authorize a General Fund Bond Issue in the Amount of \$30,000,000 for Infrastructure Improvements for the Maine Technical College System
- L.D. 740 An Act to Authorize a General Fund Bond Issue for Public Land Acquisition
- L.D. 842 An Act to Authorize a General Fund Bond Issue in the Amount of \$100,000,000 for School Construction and Renovation

- L.D. 862 An Act Authorizing a General Fund Bond Issue in the Amount of \$7,500,000 to Fund Seat Belts for School Buses
- L.D. 990 An Act to Authorize a General Fund Bond Issue to Reduce Household Hazardous Waste and Mercury Contamination and to Increase Recycling of Municipal Solid Waste through Investment in Capital Equipment and Collection Programs in the Amount of \$2,000,000
- L.D. 993 An Act to Reinvest in the Land for Maine's Future Fund
- L.D. 1059 An Act to Appropriate \$20,000 from the General Fund to Assist the Salmon Restoration Project on the St. Croix River
- L.D. 1389 An Act to Establish Fair Funding for Independent and 3rd-Party Legislators
- L.D. 1530 An Act to Authorize a General Fund Bond Issue in the Amount of \$120,000,000 for Land Acquisition by the Land for Maine's Future Board
- L.D. 1531 An Act to Authorize a General Fund Bond Issue in the Amount of \$13,500,000 for the Repair and Upgrading of Roads in the Bangor Area Comprehensive Transportation System
- L.D. 1675 An Act to Provide Adequate Maine State Museum Services
- L.D. 1682 An Act to Provide Funding for the Frye Island Ferry
- L.D. 1819 An Act Regarding the Use of Excess Funds in the State Treasury
- L.D. 1831 Resolve, to Require the State to Fully Fund All Educational Program Costs
- L.D. 1880 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for Protected Capital Reserve Funds
- L.D. 1928 An Act to Authorize a General Fund Bond Issue for Repairs, Renovations and Additions to Public Schools
- L.D. 1973 An Act to Increase the Availability of Home Care Services for Maine's Elderly
- L.D. 2126 An Act to Enforce the Laws Governing Family Medical Leave
- L.D. 2144 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
- L.D. 2145 An Act to Fund Continuing Public Access to Maine Lands

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

Sincerely,

S/Sen. Michael H. Michaud
Senate Chair

S/Rep. Elizabeth Townsend
House Chair

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

The Following Communication: S.C. 204

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

April 29, 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. 108 An Act to Protect Enrollees of Managed Care Plans
- L.D. 155 An Act to Amend the Health Plan Improvement Act
- L.D. 531 An Act to Require External Review of Coverage Decisions by Health Plans
- L.D. 631 An Act to Establish a Patient's Bill of Rights
- L.D. 1323 An Act to Ensure Affordable Access to Gynecological Services Provided by Nurse Practitioners

- L.D. 1498 An Act to Include Nontraditional Medical Alternatives under Health Insurance and Medicaid Coverage and to Allow the Patient to Choose the Method of Treatment
- L.D. 1604 An Act to Create a Standard Small Group Health Plan
- L.D. 1660 An Act to Provide Reasonable Compensation for Vehicles Damaged in Accidents
- L.D. 1661 An Act to Allow Fair Access to Long-term Care Insurance
- L.D. 1678 An Act to Expand and Clarify the Opportunities for Small Employers to Purchase Health Insurance
- L.D. 1890 An Act to Establish a Patients' Bill of Rights for Managed Care

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.**

- L.D. 1564 An Act to Require That Physician Signatures on Prescriptions Be Legible
- L.D. 1702 An Act to Increase the Number of Plumbing Inspectors
- L.D. 1735 An Act to Create a Business Incentive Program
- L.D. 1873 An Act to Require Prescription Labels to Include Certain Information
- L.D. 1877 An Act to Encourage Lending and Technical Assistance to Natural Resource-based and Micro Businesses
- L.D. 1884 An Act to Create a Matching Grant Fund to Provide Technical Assistance to Small Wood Products Manufacturers
- L.D. 1885 Resolve, to Create a Task Force to Study Counterfeiting and the Unauthorized Sale of Consumer Goods and Labels
- L.D. 1900 An Act to Give Consumers Restroom Access (BY REQUEST)
- L.D. 2025 An Act to Regulate Unused Property Markets
- L.D. 2112 An Act to Allow Doctors of Dentistry to Prescribe Physical Therapy
- L.D. 2130 An Act to Extend the Jurisdiction of the Real Estate Commission

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

Sincerely,

S/Sen. Carol A. Kontos S/Rep. Gary O'Neal
Senate Chair House Chair

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

The Following Communication: S.C. 205

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

April 29, 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. 1286 An Act to Expand Economic Development Opportunity
- L.D. 1545 An Act Requiring Registration of Surveys in the Registry of Deeds (BY REQUEST)

The Following Communication: S.C. 206

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

April 29, 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. 48 An Act to Amend the Definition of "Traffick" in the Drug Laws
- L.D. 195 An Act to Prohibit Sex Offenders from Being near Schools or Day Care Facilities
- L.D. 322 An Act to Amend the OUI Laws Related to License Suspensions
- L.D. 433 An Act to Treat All Assaults on Law Enforcement Officers as Class C Crimes
- L.D. 1044 An Act to Require Notification by Law Enforcement Officers Before Tape-recording Certain Conversations
- L.D. 1221 An Act Requiring a Mandatory Jail Sentence for a Person Convicted Twice of Sexual Abuse Against a Minor
- L.D. 1282 An Act to Make It a Class E Crime to Write a Check on a Closed Account
- L.D. 1293 An Act Concerning the Responsibility of County Sheriffs to Transport Juvenile Detainees
- L.D. 1334 An Act Concerning the Distribution of Certain Fines and Forfeitures
- L.D. 1421 An Act to Amend the Definition of Firearms to Include Paint Guns
- L.D. 1572 An Act to Establish Lifetime Probation for Multiple Sex Offenders
- L.D. 1610 An Act to Require Prior Agreement by Both the Sender and the Receiver for a Recording to Take Place
- L.D. 1632 An Act to Increase Penalties for Certain Drug-related Crimes Committed In or Near Low-income Housing
- L.D. 1679 An Act Regarding Supervised Community Confinement
- L.D. 1698 An Act to Amend the Restitution Law for Prisoners
- L.D. 1912 An Act to Provide for Tougher Treatment of Drunk Drivers
- L.D. 1925 An Act to Deter Environmental Terrorism in the State
- L.D. 1944 An Act to Establish the Crime of Assault Against Sports Officials

- L.D. 1996 An Act to Allow the Forfeiture of Firearms Seized during a Lawful Search for Scheduled Drugs

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

Sincerely,

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

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

The Following Communication: S.C. 207

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

April 29, 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. 209 An Act to Amend the Definition of Exceptional Student
- L.D. 781 Resolve, to Provide Vouchers for School Choice (BY REQUEST)
- L.D. 879 An Act to Enable School Attendance
- L.D. 1269 An Act To Improve Indoor Air Quality in Schools
- L.D. 1413 An Act to Amend the Special Education Rules
- L.D. 1459 An Act to Establish Air Quality Standards for Rental Units Leased by Schools
- L.D. 1534 An Act to Facilitate the Transfer of Education Records for Students Transferring to Another Public School
- L.D. 1554 An Act to Create a Professional Development Fund for Maine Teachers
- L.D. 1559 An Act to Establish a Maine Student Leadership Pilot Program
- L.D. 1621 An Act to Assist Maine Students

- L.D. 1646 An Act to Amend Due Process Hearings for Exceptional Students
- L.D. 1761 An Act to Require that Tuition for Foster Children Attending a School in a Union be Paid by the State
- L.D. 1779 An Act to Make Changes to the Student Incentive Scholarship Program
- L.D. 1780 An Act to Provide Financial Incentives for the Initiation of Early Childhood Programs and Services in Public Schools
- L.D. 1784 An Act to Establish School Assessment Tests for 2nd Graders
- L.D. 1815 Resolve, to Create Grants for the Creation of After-school Child Care Programs in Public Elementary and Middle Schools
- L.D. 1826 An Act to Adjust and Modify the School Funding Formula
- L.D. 1833 An Act to Require All Students in Kindergarten to Grade 3 to be Bused to School
- L.D. 1875 An Act to Improve Access for Students with Learning Disabilities to the University of Maine System
- L.D. 1951 Resolve, to Establish the Task Force to Study the Funding of and to Develop an Improved Decision-making Process for the Residential Treatment of Youth with Mental Health Issues
- L.D. 1957 An Act to Require Reimbursement to Municipalities for the Education of Foster Children
- L.D. 1967 An Act to Assign Responsibility for Juveniles Who Are Not Receiving Schooling
- L.D. 1975 An Act to Promote Equitable Educational Opportunities
- L.D. 1976 An Act to Amend the Funding Formula Components that Determine the State and Local Share of School Funding
- L.D. 2000 An Act to Establish the Position of Early Childhood Consultant
- L.D. 2033 An Act to Provide the Opportunity for Students from All Parts of the State to Benefit from funding for Higher Education
- L.D. 2053 An Act to Reimburse Program Costs to School Districts at 100% of Actual Cost
- L.D. 2074 An Act to Allow Local School Officials Greater Freedom in Disciplining Students (BY REQUEST)

- L.D. 2077 An Act to Transfer the Child Development Services System to the Department of Human Services
- L.D. 2080 An Act to Provide Public School Choice
- L.D. 2083 An Act Regarding Out-of-District Placement

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

Sincerely,

S/Sen. Georgette B. Berube
Senate Chair

S/Rep. Michael F. Brennan
House Chair

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

The Following Communication: S.C. 208

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

April 29, 1999

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

Dear President Lawrence and Speaker Rowe:

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

- L.D. 134 An Act to Prohibit Family Planning Agencies from Using State Funds for Certain Expenses Related to Abortion Services
- L.D. 1132 An Act to Establish Minimum Criteria for Siting Community Living Arrangements
- L.D. 1372 An Act to Give a Caretaker the Same Temporary Assistance for Needy Families as a Custodial Parent
- L.D. 1703 An Act to Repeal the 6% Supplemental Rebate on Prescription Drugs to Conform to the Requirements of Federal Regulations
- L.D. 1704 An Act to Protect Children from Secondhand Smoke in Motor Vehicles (BY REQUEST)
- L.D. 1727 An Act to Require the Office of Substance Abuse to Report on Certain Child Care Services

- L.D. 1902 An Act to Allow Emergency Room Personnel to Search Patients Who have Threatened Themselves or Others
- L.D. 1926 Resolve, to Establish Maine's Business Advisory Committee on Prescription Drug Costs and Efficiencies
- L.D. 1955 An Act Regarding Youth Residence Laws
- L.D. 2078 An Act Allowing Increased Flexibility of Swing Beds

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

Sincerely,

S/Sen. Judy Paradis
Senate Chair

S/Rep. Thomas J. Kane
House Chair

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

The Following Communication: S.C. 209

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

April 29, 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 Inland Fisheries and Wildlife has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 40 An Act to Allow the Use of Camouflage Hunter Orange Clothing
- L.D. 200 An Act Regarding the Posting of Land Against Hunting
- L.D. 275 An Act to Allow a Person Hunting with a Muzzle-loader to Take an Antlerless Deer
- L.D. 430 An Act to Limit the Taking of Antlerless Deer by Property Owners
- L.D. 450 An Act to Allow Hunters to Kill a 2nd Deer during the Muzzle-loading Season

- L.D. 480 An Act Regarding Hunting on One's Own Land
- L.D. 604 An Act to Allow Maine Residents Over 70 Years of Age to Obtain Any Deer Permit
- L.D. 747 An Act to Prohibit Hunting of Migratory Waterfowl on Round Pond in Union
- L.D. 851 An Act to Establish a Lottery for Deer Hunters to Allow a Hunter to Take 2 Deer
- L.D. 854 An Act Concerning the Use of Foot-hold Traps for Coyote in the Unorganized Territory
- L.D. 1030 An Act to Create the Coyote-snaring Season
- L.D. 1072 An Act to Amend the Laws Regarding Antique Snowmobile Registration
- L.D. 1175 An Act to Create a 2-year Moratorium on the "Bucks Only" Restriction Imposed on Deer Hunters
- L.D. 1584 An Act to Limit the Caliber of Ammunition Allowed for Hunting White-tailed Deer and Black Bear (BY REQUEST)

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

Sincerely,

S/Sen. Marge L. Kilkelly
Senate Chair

S/Rep. Matthew Dunlap
House Chair

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

The Following Communication: S.C. 210

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

April 29, 1999

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

Dear President Lawrence and Speaker Rowe:

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

- L.D. 1324 An Act to Eliminate the Need for a Foster Home License for Adoptive Parents

- L.D. 1422 An Act Requiring Notice to Be Given to Alleged Perpetrators
- L.D. 1720 An Act to Recover Economic Loss Attributable to Tobacco Use
- L.D. 1865 An Act to Conform the Highway Defect Statute to the Maine Tort Claims Act
- L.D. 1949 An Act to Require a Waiting Period After the Completion of Certain Forensic Evaluations

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. 211

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

April 29, 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. 14 An Act to Protect Pensions of Teachers and Public Employees in a Fashion Consistent with Federal ERISA Standards
- L.D. 23 An Act to Increase Health Insurance Benefits for Retired Educators
- L.D. 290 An Act Regarding Survivor Benefits in the Event of Divorce
- L.D. 330 An Act to Prohibit the Replacement of Striking Workers
- L.D. 380 An Act to Repeal Certain Changes Made to State Employee and Teacher Retirement Benefits
- L.D. 506 An Act to Extend the Department of Labor Contribution Rate Table

- L.D. 566 Resolution, Proposing an Amendment to the Constitution of Maine to Establish a Contractual Obligation for Members of the Maine State Retirement System
- L.D. 646 An Act to Reform the Unemployment Compensation System
- L.D. 829 An Act to Increase the State's Contribution for the Cost of Health Insurance Premiums for Retired Educators
- L.D. 847 An Act to Reduce State Employee and Teacher Contributions to the Maine State Retirement System
- L.D. 995 Resolve, Directing the Maine State Retirement System to Provide Each Member with a Statement of Account No Later Than December 31, 1999
- L.D. 1017 An Act to Ensure That Funds Received from Penalties Due to Lack of Workers' Compensation Coverage Go to the Workers' Compensation Board
- L.D. 1047 An Act to Increase the Penalty for Failure to Secure Workers' Compensation Insurance
- L.D. 1350 An Act to Exclude Intentional Tort Claims from the Application of the Maine Workers' Compensation Act of 1992
- L.D. 1353 An Act to Amend the Workers' Compensation Laws as They Pertain to Wage Statements
- L.D. 1359 An Act to Make the Unemployment Compensation Program More Responsive to the Needs of Today's Workforce and to Ensure the Solvency of the Unemployment Compensation Trust Fund
- L.D. 1463 An Act to Require the Department of Labor to Pay for Workers' Compensation Related Translation Services
- L.D. 1614 An Act to Increase the Health Benefits for Retired Educators
- L.D. 1616 An Act Regarding the Calculation of Maine State Retirement System Benefits
- L.D. 1622 An Act to Restore the Cost-of-living Adjustment for State Employees and Teachers Who Retire Before Normal Retirement Age

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

L.D. 1555 An Act to Maintain the Viability of Maine's Liquor Industry

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

L.D. 1597 Resolve, to Transfer the National Guard Armory in Skowhegan to Somerset County for Use as a County Jail

The Following Communication: S.C. 212

L.D. 1749 An Act to Require the Secretary of State to Establish a Central Voter List for the State

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

L.D. 1751 An Act to Require Voters to Sign Their Names Prior to Voting

April 29, 1999

L.D. 1752 An Act to Require Certain Proof of Identity to be Presented When Registering to Vote

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. 1817 An Act to Facilitate the Recruiting of Ballot Clerks (BY REQUEST)

L.D. 1918 An Act to Change Certain Laws Affecting the State Legislature

Dear President Lawrence and Speaker Rowe:

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

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":

Sincerely,

S/Sen. Beverly C. Daggett
Senate Chair

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

L.D. 179 An Act to Reduce Lobbying Fees

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

L.D. 246 An Act to Clarify the Use of Campaign Funds

L.D. 445 An Act to Amend the Election Laws concerning Vacancies in the House of Representatives

L.D. 543 An Act to Amend the Laws Governing the Purchase of Liquor by Commercial Entities

L.D. 583 An Act to Promote Competition in the State's Liquor Industry

L.D. 600 An Act to Prohibit Convicted Felons from Voting

L.D. 1015 Resolve, to Implement the Recommendations of the Select Commission to Study the Opening of a Discount State Liquor Store in Fort Kent

L.D. 1235 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Increase the Number of Signatures Required on Direct Initiative Petitions

L.D. 1244 An Act to Require Truth in Campaign Advertising

L.D. 1339 An Act to Provide Preference to Farmers for Disaster Relief

L.D. 1503 An Act to Require any Person or Organization That Gathers Signatures on Petitions for Referendum Questions to Make Full Financial Disclosure to the Commission on Governmental Ethics

The Following Communication: S.C. 213

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

April 29, 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. 142 An Act to Eliminate the Student Lobster License

L.D. 316 An Act to Alter Eligibility for New Lobster and Crab Fishing Licenses during the Current Moratorium

L.D. 504 An Act to Correct Inequities in Lobster and Crab Fishing Licensure Laws

L.D. 1111 An Act to Clarify the Lobster V-Notch Law

L.D. 1139 An Act to Amend the Law for Children of Lobster License Holders

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

Sincerely,

S/Sen. Jill M. Goldthwait
Senate Chair

S/Rep. David Etnier
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 214

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

April 29, 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. 1517 An Act Concerning Transportation of Radioactive Waste
- L.D. 1692 An Act to Expedite the Contaminated Groundwater Remediation Process
- L.D. 1736 An Act to Amend the Site Location of Development Laws to Include the Location and Safety of Transmission Towers
- L.D. 1763 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

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

Sincerely,

S/Sen. Sharon Anglin Treat
Senate Chair

S/Rep. John L. Martin
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 215

**STATE OF MAINE
ONE HUNDRED AND NINETEENTH LEGISLATURE
JOINT SELECT COMMITTEE ON RESEARCH AND DEVELOPMENT**

April 29, 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 Research and Development has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 248 An Act to Implement a Recommendation of the Joint Select Committee on Research and Development to Fund the Governor's Marine Studies Fellowship Program
- L.D. 293 An Act to Implement a Recommendation of the Joint Select Committee on Research and Development Relating to Capital Improvements to Support Research and Development in the University of Maine System
- L.D. 373 An Act to Implement a Recommendation of the Joint Select Committee on Research and Development Relating to Math and Science Training for Maine Educators
- L.D. 452 An Act to Implement a Recommendation of the Joint Select Committee on Research and Development Relating to Increased Opportunities for Maine Students in Math, Science and Engineering
- L.D. 492 An Act to Implement a Recommendation of the Joint Select Committee on Research and Development to Provide Adequate Laboratory Equipment in Maine Schools
- L.D. 643 An Act to Implement the Recommendation of the Joint Select Committee on Research and Development Relating to Funding the Maine Economic Improvement Fund

- L.D. 654 An Act to Implement a Recommendation of the Joint Select Committee on Research and Development Relating to Professional Development in the Use of Technology
- L.D. 666 Resolve, to Designate and Fund a State Research Library for Business, Science and Technology
- L.D. 686 An Act to Implement a Recommendation of the Joint Select Committee on Research and Development Relating to the Employment Needs of Growing High-technology Companies
- L.D. 698 An Act to Implement a Recommendation of the Joint Select Committee on Research and Development to Establish a Center for Advanced Law and Management
- L.D. 930 An Act to Implement a Recommendation of the Joint Select Committee on Research and Development to Provide Research Internship Opportunities for Teachers and Students

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. Scott W. Cowger
House Chair

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

The Following Communication: S.C. 216

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

April 29, 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. 994 An Act Regarding State Construction Projects
- L.D. 1014 An Act to Allow Private Maintenance of Public Easements

- L.D. 1131 An Act Regarding Municipal Notification and Approval in the Siting of Community Living Arrangements Within a Municipality
- L.D. 1190 An Act to Allow Greenings Island to Secede from the Town of Southwest Harbor (BY REQUEST)
- L.D. 1222 An Act to Change the Budget Approval Procedures for Somerset County
- L.D. 1227 Resolve, Regarding State Mandates Imposed Before Approval of the Constitutional Amendment Governing State Mandates
- L.D. 1231 An Act to Allow Special-use Access over Discontinued Municipal and County Roads
- L.D. 1289 An Act to Establish Municipal Zoning Regulations for Community Living Arrangements
- L.D. 1440 An Act to Designate Civil Rights Day
- L.D. 1700 An Act to Amend the Municipal Board of Appeals Process
- L.D. 1769 An Act to Require State Departments and Agencies to Comply with Certain Laws Applied to the Public
- L.D. 1843 An Act to Require That Local Officials Take On-the-record Stands When They Are Responsible for Laws That Decrease Property Taxes
- L.D. 1870 An Act to Change the Charter of the Eastport Port Authority
- L.D. 2013 An Act to Allow the East Side of Machiasport to Annex with East Machias (BY REQUEST)
- L.D. 2106 An Act to Allow Nonprofit Corporations to Retain Small Levels of Profits Realized on State Contracts

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

Sincerely,

S/Sen. Peggy A. Pendleton
Senate Chair

S/Rep. Douglas J. Ahearne
House Chair

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

The Following Communication: S.C. 217

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

April 29, 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":

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|-----------|---|-----------|---|
| L.D. 5 | An Act to Permit Retailers to Retain a 1% Service Fee for Collection of Sales Tax Revenue | L.D. 1333 | An Act to Establish a Personal Property Tax on Truck Tractors, Trailers and Semitrailers Registered in this State |
| L.D. 20 | An Act to Prohibit the Taxing of Veterans' Pensions | L.D. 1380 | An Act Providing a Tax Credit for Private School Tuition |
| L.D. 62 | An Act to Exempt from the Sales Tax Nonprofit Organizations That Provide Assistance to Children with Dyslexia | L.D. 1441 | An Act to Reimburse the Town of Wallagrass for Property under the Maine Tree Growth Tax Law |
| L.D. 213 | An Act to Exempt Sales of Clothing From Tax for One Week in August | L.D. 1452 | 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 |
| L.D. 263 | An Act to Increase the Cigarette Tax 63 Cents Per Pack | L.D. 1501 | An Act to Amend the Maine Tree Growth Tax Law |
| L.D. 329 | An Act to Exclude Food and Lodging Establishments from Participating in Tax Increment Financing Districts | L.D. 1518 | An Act to Establish a Sales Tax Exemption for Sales to Volunteer Organizations that Raise Funds to Benefit Local Charities |
| L.D. 386 | An Act to Equalize the Taxation Treatment of Health Insurance Companies and Health Maintenance Organizations | L.D. 1521 | An Act to Provide an Income Tax Deduction for the Purchase of Alternative Energy Equipment |
| L.D. 534 | An Act to Bring Equity to the Vehicle Excise Tax | L.D. 1522 | An Act to Eliminate the Income Tax, Sales Tax and Corporate Income Tax and Replace Them with a Flat Transaction Tax |
| L.D. 628 | An Act to Eliminate the Vehicle Excise Tax (BY REQUEST) | L.D. 1542 | An Act to Extend the Property Tax Exemption to Veterans of the Berlin Crisis |
| L.D. 890 | An Act to Amend the Captive Insurance Company Laws with Respect to Taxation | L.D. 1580 | An Act to Amend the Time for Filing Audit Reports |
| L.D. 979 | An Act to Use Funds From the Sale of Utility Company Properties to Help Offset Ice Storm 1998 Expenses | L.D. 1605 | An Act to Redefine Property Subject to the Business Equipment Tax Reimbursement Program to Include Manufacturing Real Estate and to Exclude Property That is not Used for Manufacturing or Research |
| L.D. 1045 | An Act to Increase the State Income Tax Brackets to Match the Federal Income Tax Brackets | L.D. 1606 | An Act to Make Manufacturing Real Estate Eligible for Business Equipment Property Tax Reimbursement |
| L.D. 1062 | An Act to Reduce the Excise Tax on the Resale of Program Cars in the Same Year | L.D. 1645 | An Act Regarding a Tax Refund when Money is Owed to Both the State and a Custodial Parent |
| L.D. 1177 | An Act to Amend the Property Tax Exemption for Hospitals | L.D. 1681 | An Act to Establish a Flat Tax Rate for the Maine Income Tax |
| L.D. 1272 | An Act to Adjust the Forest Fire Suppression Tax | L.D. 1688 | An Act to Require the State to Pay Interest on Refunds of Taxes and Fees |
| L.D. 1331 | An Act to Allow Local Option Excise Taxes on Vehicles | L.D. 1696 | An Act to Exempt Utility Work from Certain Sales Tax Requirements |
| | | L.D. 1697 | An Act Requiring Towns to Conduct a Revaluation of Properties Every 10 Years |
| | | L.D. 1722 | An Act to Provide a State Income Tax Credit for the Costs of Health Insurance Paid by Individuals |

- L.D. 1729 An Act to Bring the State's Household Employee Tax into Compliance with Federal Tax Law
- L.D. 1750 An Act to Change the Method of Sales Tax Calculation for Heavy Equipment (BY REQUEST)
- L.D. 1764 An Act to Repeal Tax Incentives for Certain Shipbuilding Facilities
- L.D. 1770 An Act to Exempt Resold Camper Caps From Being Taxed Separately
- L.D. 1811 Resolve, to Direct the State to Implement a Simplified Tax and Wage Reporting System with the Federal Government
- L.D. 1841 An Act to Require Review of a Property Tax Assessment When the Property Has Been Potentially Devalued by a Law
- L.D. 1851 An Act to Amend the Laws Pertaining to Taxation of Recreational Vehicles
- L.D. 1852 An Act to Create Tax Fairness for Private Purchases of Health Insurance
- L.D. 1855 An Act to Establish a New Rate for Excise Taxes of Vehicles
- L.D. 1861 An Act to Deter Export of Unprocessed Timber and Increase Maine Employment in Timber Harvesting and Processing
- L.D. 1866 An Act to Reform the Maine Tree Growth Tax Law
- L.D. 1874 An Act to Provide a Permanent Source of Funding for the Land for Maine's Future Fund
- L.D. 1882 An Act to Include in the Business Equipment Tax Reimbursement Program those Energy Facilities that Burn Production Residuals from Maine's Primary and Secondary Wood Products Industries

April 29, 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":

- H.P. 1143 Joint Order – Relative to Establishing the Joint Select Committee to Study Building a Truck Bypass in the Town of Sanford
- L.D. 370 Resolve, to Lower Certain Tolls on the Maine Turnpike
- L.D. 518 Resolve, to Build Interchanges from the Maine Turnpike to Lincoln and Grove Streets in Lewiston
- L.D. 556 An Act Concerning Rules of the Road Governing Traffic Rotaries
- L.D. 647 An Act to Eliminate Tolls, from the Maine Turnpike, Abolish the Turnpike Authority and Adjust Taxes on Automotive Fuel
- L.D. 837 An Act to Provide Special Registration Plates Free of Charge to Purple Heart Recipients
- L.D. 1005 An Act to Equalize Tolls
- L.D. 1159 An Act to Create the Calais to Eastport Rail Authority and Transfer State Ownership of Certain Railroad Rights-of-way
- L.D. 1385 An Act to Allow Emergency Medical Technicians to Draw Blood Samples for Alcohol Analysis
- L.D. 1570 An Act to Require the Department of Transportation to Cut Brush and Trees Along a Highway at the Request of a Business (BY REQUEST)
- L.D. 1612 An Act to Clarify Language in the Motor Vehicle Laws with Respect to Farm Equipment
- L.D. 1680 An Act to Require the Equitable Taxation of Motor Vehicles
- L.D. 1746 An Act to Amend the Definition of Bicycle to Promote Road Safety
- L.D. 1754 An Act to Establish a Speed Limit at Toll Plaza Approaches on the Maine Turnpike
- L.D. 1853 An Act to Expand the Membership of the Northern New England Passenger Rail Authority

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

Sincerely,

S/Sen. Richard P. Ruhlin S/Rep. Kenneth T. Gagnon
 Senate Chair House Chair

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

The Following Communication: S.C. 218

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

L.D. 2139 An Act to Allow Authorized Emergency Vehicles to Display a Blue Light on the Rear of the Vehicle

L.D. 2146 An Act to Exempt from Registration Agricultural Motor Vehicles

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.**

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 (2/25/99) Assigned matter:

Bill "An Act to Expand the Homestead Exemption Program Based Upon the Level of Funds in a Homestead Tax Relief Fund"
H.P. 1031 L.D. 1453

Tabled - February 25, 1999, by Senator **PINGREE** of Knox.

Pending - **REFERENCE**

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

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/17/99) Assigned matter:

JOINT RESOLUTION - relative to Declaring a Maine Fitness Weekend
S.P. 644

Tabled - March 17, 1999, by Senator **PINGREE** of Knox.

Pending - **FURTHER CONSIDERATION**

(In Senate, March 11, 1999, on motion by Senator **HARRIMAN** of Cumberland, **READ** and **ADOPTED**.)

(In House, March 16, 1999, **READ** and **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, in **NON-CONCURRENCE**.)

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

The Chair laid before the Senate the following Tabled and Later (3/25/99) Assigned matter:

JOINT RESOLUTION - relative to memorializing Congress to Pass the Prescription Drug Fairness for Seniors Act
H.P. 1157

Tabled - March 25, 1999, by Senator **PINGREE** of Knox.

Pending - **ADOPTION** (Roll Call Ordered)

(In House, March 3, 1999, **READ** and **ADOPTED**.)

(In Senate, March 25, 1999 **READ**. On motion by Senator **AMERO** of Cumberland, Senate Amendment "A" (S-28) **READ**. Motion by Senator **BENNETT** of Oxford to **REFER** to the Committee on **HEALTH AND HUMAN SERVICES**, in **NON-CONCURRENCE**, **FAILED**. Subsequently, motion by Senator **AMERO** of Cumberland to **ADOPT** Senate Amendment "A" (S-28) **FAILED**.)

Senator **AMERO** of Cumberland requested a Roll Call.

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

Senator **AMERO:** Thank you Mr. President. Ladies and gentlemen of the Senate, when we last debated this item, we talked about the fact that the Senate was taking action which was quite unusual for the state of Maine. We were singling out one Bill that was before Congress regarding access to prescription drugs for the elderly. Since that time there have been over forty Bills introduced in Congress having to do with providing accessibility to prescription drugs for our senior citizens. One of them is the Bill before us, presented by Representative Allen, which is a Bill supported in a very partisan manner by one political party. Senator Snowe has brought forward a bipartisan Bill which addresses the same issue and has cosponsors from both political parties. I think that before we take this kind of action we ought to review other Bills that are before Congress. If this is the type of action that this Senate wants to take it should first be referred to Committee and have the Committee look at what other Bills are before Congress regarding prescription drugs. I do think however, the Legislature of the State of Maine has several other priorities that we should be considering. We should let Congress do their own work and go through their Committee process. I would urge that you vote in opposition to the pending motion of Adoption. When the Roll Call is taken, if

this is a successful Roll Call and the Bill is Adopted, I would ask that the Roll Call vote be sent to Congress, so the Congressmen will know what the vote was in the State of Maine Senate. Thank you very much.

THE PRESIDENT: The Chair recognizes the Senator from Knox, Senator Pingree.

Senator PINGREE: Thank you Mr. President. Men and women of the Senate, we debated this Joint Resolution quite a bit in the past. I will not take up a lot of your time this morning going over it again, even though it was quite a while ago. I feel very comfortable supporting this Bill. I think it's an excellent piece of legislation that is before Congress. Just to remind you about it, when the Congressional Budget Office did a study across the nation, they found wide spread price discrimination against seniors in purchasing prescription drugs. Many of them are forced to pay twice as much for their drugs as the drug manufacturers favorite customers. This as we all know has very devastating effects on our senior citizens and this Bill that is before Congress now will help to protect senior citizens from drug price discrimination. We do have some wonderful senior citizen legislation in our own Body this time, but we cannot do this alone. It's a very expensive proposition. It will be tough for us to fund the tremendous need. I hope you will all join me in supporting this Resolution so we can give our feelings to the Congress.

On motion by Senator AMERO of Cumberland, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#72)

YEAS: Senators: BERUBE, CAREY, CATHCART, DAGGETT, DOUGLASS, KILKELLY, KONTOS, LAFOUNTAIN, LIBBY, LONGLEY, MICHAUD, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RAND, RUHLIN, TREAT, THE PRESIDENT - MARK W. LAWRENCE

NAYS: Senators: ABROMSON, AMERO, BENNETT, BENOIT, CASSIDY, DAVIS, FERGUSON, GOLDTHWAIT, KIEFFER, MACKINNON, MILLS, MITCHELL, SMALL

ABSENT: Senator: HARRIMAN

21 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 1 Senator being absent, **ADOPTED**, in concurrence.

Off Record Remarks

On motion by Senator PINGREE of Knox, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

THE PRESIDENT: Today we have a truly great celebration as we get to welcome back so many members of the Senate. I always tell people that every thing I learned about the Legislature I learned on Sesame Street. That was to be kind to your neighbor and to know how to count. As I look out to count the former members, it's a great pleasure to have so many of them back in the Senate. It truly makes us feel so much a part of everything that has gone on here. Every accomplishment we do is built on the shoulders of those who have accomplished the things they have in the past. It's my pleasure to have some former Senate Presidents up here to speak. I happened to see Ken MacLeod in the hallway and gave him some restrictions on time and he said that he was bequeathed in Burton Cross's will, his time to speak. So I have no control over how long President MacLeod is going to go. I would ask the Honorable Kenneth MacLeod, President of the 104th, 105th and 106th Maine Senate to come up and address the Maine Senate.

KENNETH MACLEOD: He stole my lines. I won't give Governor Cross's speech then. That lasts about 22 minutes. It's really good to be back here meeting all my old friends, lobbyists, legislators and ex-legislators. It's really an old home week to me and for everyone else here. Particularly I enjoyed the warm hospitality that Mark gave us over the years and continues to give us this year. My speech from Burt Cross, I just can't give. Thank you.

THE PRESIDENT: At this time I would like to invite the Honorable Gerard Conley, Sr., President of the 111th Maine Senate to speak to the Senate.

GERARD CONLEY: Mr. President, members of this great Legislature and all my good friends that served with me and people that I've met through the years. Someone was telling me it's good to be back home again. This was my home for 16 years. I always like to tell the story that really means the most to me, because I spent 20 years in the Maine Legislature. My first Session was in the House, it was the 102nd with the Honorable John L. Martin who was a freshman, Joseph Brennan came in that class, he was a freshman, and myself as I stated. The Class of '65 did pretty well, but I came in the Majority party and I stayed in the House for one more term, and like Senator Berry and Katz I trickled on down to the Bankers. I served here in this house as a member of the Minority party for the next 14 years. In my closing Session we became the Majority and everybody crossed their fingers and said their beads that that Session of the Legislature, when I became Senate President, the State would come to no harm. I want to tell all the people that are serving in the Minority party today, there was nothing that I enjoyed better in those 16 years than serving in the Minority party. You were free to express yourself, you could give the President the business, you could give the Majority Floor Leader the business until he was ready to put a dagger through you. But it was a great time to exchange ideas and to get people more to the center to get

things accomplished. I enjoyed that to no end. Regret the day that you become the Majority party. Mr. President, Secretary of mine, I want to thank you very much for the extended invitation to be here today. It is a day that I treasure. Thank you very much.

THE PRESIDENT: Next I would like to invite the Honorable Dennis Dutremble, President of the 116th Maine Senate to the Rostrum.

DENNIS DUTREMBLE: I don't know how many of you remember, but I remember when Gerry Conley used to give the Majority party the business and it was quite something to watch. I remember Gerry's face used to get beat red, his veins were popping and you'd wonder, is he going to get through this one? I came to Legislature as a teacher. Teaching is a tough business and I figured I wanted to get into a profession to get away from sending each other notes and pulling pranks on each other. I came to the Legislature and found about the same thing. I really enjoyed my time in both the other Body and the fourteen years I spent in this Body. One of the things you miss the most when you leave this place are the people. You meet real good people, all with the same goal in mind, to make this State work. Besides meeting all the people and working with all the citizens in the different parts of the state, I had a real great privilege of serving for 16 years with my father, who served in the other Body. That was a real privilege for me and something that I will always remember. I thank you for welcoming me back. This is the first time I've set foot in this Body since I left in 1994 and it feels real good. I thank you all.

THE PRESIDENT: It's now my privilege to invite to the Rostrum, the immediate past Senate President. I happened to pass him in the hall and saw how slim he looked and I was wondering if that was the future for former Senate Presidents? I hope that it is. It's my privilege to invite to the Rostrum the Honorable Jeffery Butland, President of the 117th Maine Senate.

JEFFREY BUTLAND: Good morning and thank you. Let me begin by thanking Secretary O'Brien for the invitation to come here today and thanking President Lawrence for allowing us all to come up and say a few words. When I think of Welcome Back Day, one name comes immediately to mind, Burton M. Cross. I know the Legislators sitting here are very familiar with Governor Cross and his career. For the guests that might not be that experienced with him, I'll give you a little bit of background. He had a long and distinguished career in politics in the State of Maine spanning over 24 years. It began here in Augusta as a member of the City Council, he was then elected to the House of Representatives down the hall, elected to the Maine Senate and was the presiding officer here for four years, two terms. In 1952 he was elected in his own right to be Governor of the State of Maine. He was a real conservative, a fiscal conservative, and he was a Republican. He lost his bid for re-election in 1954 when a political newcomer had graduated from that great institution of higher learning in Lewiston, Maine, Bates College. Of course I speak of how Edmund G. Muskie beat him for Governor in 1964. There are two things I can state about Burt Cross here today without any fear of contradiction from anyone. Number one, he really took his duties here at Welcome Back Day seriously. Number two, nobody ever accused Burt Cross during his long and illustrious career of being brief. His two favorite topics were Bonds and Budgets. I'm not sure what the former Governor would say about the fact that he may have a building next door

named after him, but he was very frugal. I hope that at some time during today's proceedings, during a quiet moment, that you have a moment to stop and think about someone that you admired who came to Augusta, who did the people's business in an exemplary manner and who has passed on whether it be of Burt Cross or Dana Childs. I will end today with the admonition that Burt Cross used to always give. Remember you have to cut the cloth to fit the pattern which means if you don't have it, you can't spend it. Thank you very much.

THE PRESIDENT: Now we will have recognition of a few members who have reached certain milestones. Recognition of former State Senator in the earliest State Senate Session, for male, Linwood E. Palmer, Senator who served in the earliest Session, elected to the Senate in the 95th Legislature in 1951. (Former Senator Palmer was not present.)

We'll go on to the former female Senator, Margaret Sproul, who served in the earliest Senate Session, the 101st in 1963. Would she please come up and accept a gift.

MARGARET SPROUL: I just wanted to say that I loved my time in the Legislature. It meant a lot to me then and it still does. Thank you all.

THE PRESIDENT: Katherine Caswell is the returning female Senator from the earliest Legislature and was recognized in the House, as being elected in the House in the 98th Legislature in 1957. I believe she is here today as well.

Now we will recognize the former Senator with the longest Legislative service, Senator Gerard P. Conley Sr., who served two sessions in the House, the 102nd and 103rd and served eight Sessions in the Senate, the 104th-111th for a total of 20 years of Legislative service.

Now we will recognize the present Senator serving in the earliest Legislative Session. Senator Richard J. Carey of Kennebec County, better known as Spike Carey, is the current Senator who served in the earliest Legislature having been elected to the House in the 103rd Legislature in 1967.

Senator **CAREY:** Thank you my friends and foes. Having started in the 103rd I learned parliamentary procedure from a man named David Kennedy. Many of you will remember him as one of the best Speakers, even though he was one of them. He was an excellent Speaker. And John Martin learned parliamentary procedure from David Kennedy. It took us a while to finally take over the House and when we did, things really started happening. I was in trouble most of the time, as I am today, unfortunately. Have you got enough candy over there? I'm in charge of feeding the animals. I do thank you very much for the honor of being the oldest one here and unless term limits change, I will not be around next time. I want to wish those of you who have less than four terms in the best of luck in the future. I will try to make it back someday. Thank you.

THE PRESIDENT: One of my first impressions of Senator Carey was, we were both elected to the same Session of the Senate and Senator Carey was returning to the Legislature. Upon coming back he was very upset by the fact that a lot of Legislators carried beepers on them. He was informed by the presiding officer that it was completely within the Rules of the Senate to have the beepers on. So Senator Carey came in the next week with one of the biggest beepers I have ever seen in my

life. It was about two weeks before we realized it was his garage door opener.

Now we will recognize the present Senator who has the longest continuous service, Senator Mary E. Small of Sagadahoc County, serving her 11th term.

Senator SMALL: Thank you very much. I often refer to myself as the Legislator who defied term limits, because I have served for 22 years and I still have one more term left. I think perhaps the only time in my memory that I have been wrong was when I was down in the House and I said I would never enjoy serving in the Senate. I'll never run for the Senate because I wouldn't like it down there. At the urging of some others, including my former Senator, Pam Cahill, I ran for the Senate. I came down here thinking I wouldn't like it much and, as I said, it's the only time that I will ever admit that I was wrong because I have loved working down here and I have certainly enjoyed serving with all of you. It's a very big privilege to be here in this Body. Thank you.

THE PRESIDENT: Now we will have the recognition of the present Senator with the longest Legislative service, Senator Georgette Berube of Androscoggin County, who is also the Dean of the Senate, having served both the longest in Senate service, beginning her 7th term, as well as the longest overall Legislative service for a Senator beginning her 13th term.

Senator BERUBE: I don't know what went on, but I've come out from a very good meeting with the Commissioner of Education and I think we will have very good news for all of you, that you want to hear on the Funding Bill. Someone asked me in the corridor if I was going to run again and I said let's see, Strom Thurman just said he's not running for another term, he's 96. I've got a long ways to go yet.

THE PRESIDENT: We have one more special thing to do in this Legislature, but before I do, I'd just like to comment on having Senator Small up here and Senator Berube up here. One of the great accomplishments in this Senate and one of the great accomplishments for the State of Maine is we now have elected the highest number of women in a Senate. The second highest in the Country, we have 16 women in the Senate, 19 men and I see a future where very soon I'm sure there's going to be a majority of women in the Senate some time. Would all the female Senators please rise.

I'm going to recognize in the Chamber former members of the Senate who are here. I would ask you to stand up and I'd ask that you hold the applause until the end until we've recognized all of the Senators. David R. Ault of the 109th and 110th Sessions; Severin M. Beliveau of the 104th; Donald Bernard of the 104th and 105th; Richard N. Berry of the 103rd thru the 107th; Joseph C. Brannigan of the 113th thru 116th; Linda Curtis Brawn of the 113th thru 115th; Beverly Miner Bustin Hatheway of the 110th thru 117th; Jeffrey H. Butland of the 116th thru 118th; Catherine Carswell of the 105th; John D. Chapman of the 108th thru 109th; Gerard P. Conley Sr. of the 104th thru 111th; Peter Danton of the 105th thru 112th; Charles G. Dow of the 111th thru 113th; Dennis L. Dutremble of the 110th thru 116th; Edgar E. Erwin of the 111th thru 114th; Stephen E. Hall of the 116th thru 118th; James R. Handy of the 116th; Emile Jaccques of the 99th thru 102nd; Willis A. Lord of the 117th; Kenneth P. MacLeod of the 103rd thru 106th; Carroll E. Minkowsky of the 104th thru 111th; Mary Najarian of the 109th thru 112th; Donald R. O'Leary of the 102nd, 107th thru 110th; Linwood E. Palmer of the 95th; Margaret Sproul of the 101st thru 103rd;

Charles E. Summers of the 115th thru 116th; Wakine G. Tanous of the 104th thru 106th; Bonnie Lewis Titcomb of the 114th thru 116th; Ronald E. Usher of the 108th thru 113th; and Mickey R. Marden of the 116th. Thank you all.

Is there any I missed. There are a couple I missed. Zacery Mathews of the 112th thru 115th; Bill Diamond of the 111th thru 112th; Bennett Katz of the 103rd thru 109th; John Tuttle of the 112th thru 113th; Paul Violette of the 110th thru 112th; Carlton Mendel of the 102nd; and John O'Dea of the 116th thru 117th. Thank you all very much for your service.

ORDERS OF THE DAY

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

JOINT RESOLUTION - relative to Recognizing Bennett D. Katz for his role at the University of Maine at Augusta
S.P. 812

Tabled - May 5, 1999, by Senator **DAGGETT** of Kennebec.

Pending - motion by same Senator to **ADOPT**

(In Senate, May 5, 1999, on motion by Senator **DAGGETT** of Kennebec, **READ**.)

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Daggett.

Senator DAGGETT: Thank you very much Mr. President and members of the Senate. On this day when we recognize the incredible amount of public service by an extraordinary amount of people, it's particularly a pleasure for me to have an opportunity to join with the other members of the Legislature and recognize Bennett Katz. Bennett has a long history of not only community service and great respect from all of those in this community, but he has had for many years given an extraordinary amount of his time and dedication to state service. I think as well, on this day, it is nice to have an opportunity to reflect on the positive things that are around us. Many times we get side tracked by the negative things that happen but there are so many positive people and wonderful people that this is truly a special occasion and Bennett is clearly one of those people. This weekend there will be a ceremony in which the library building at UMA is dedicated to Bennett. It is in recognition of his unfailing advocacy for education. I think that above all things that is the one thing that stands out, his strong dedication and his hard work to see that Maine citizens have access to education and that is certainly an issue that many of us share with him. I share it and we have had conversations about it over the years. It's particularly a pleasure to be a part of this and to have the Legislature recognize him for his work. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Cathcart.

Senator CATHCART: Thank you Mr. President, men and women of the Senate. I am proud to rise to honor my friend, Bennett Katz, today. No one deserves this Resolution more than he

does. I've gotten to know Bennett rather well through service on the New England Board of Higher Education. Bennett is a former Chair of that Board and is ongoing Treasurer. He still keeps us in line on the budget there. In these days of term limits and short institutional memory, I am so thankful that we have Bennett because any question that I've asked about education, in the past few decades in the state, whether it's how did they start the University of Maine System or why was this done, Bennett can give me an answer to that. He's such a valuable resource and such a great person and entertaining friend to spend an evening with. I hope now that Bennett is getting to enjoy a little satisfaction and even gloat, occasionally looking around at our neighboring states who are in the process of adopting or considering Uniform Property Taxes. Thank you Mr. President.

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

Senator **AMERO:** Thank you Mr. President. Ladies and gentlemen of the Senate, I rise to also give my praise to Senator Bennett Katz. He has had the passion for many years to support education in our great state. It is his work that goes back many years to trying to find a fair resolution to the School Funding Formula and how we support our public schools in this state of Maine that he worked so hard on during his years in the Maine Senate. As the good Senator from Androscoggin, Senator Berube, noted today, that's an issue that we're still working on and we do Session after Session. Senator Katz is known for the fairness which he always brought to that debate and for the fair resolution that he's supporting a controversial resolution, the Uniform Property Tax. I think that it is a great honor for all of us today to be standing here in praise of a man who gave great leadership to our state over so many years in education K-graduate school. We thank you so much Senator Katz for all your work on behalf of the children of the state of Maine.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber, the Honorable Bennett D. Katz of Augusta.

On motion by Senator **DAGGETT** of Kennebec, **ADOPTED.**

Sent down for concurrence.

Off Record Remarks

On motion by Senator **PINGREE** of Knox, **ADJOURNED**, until Thursday, May 6, 1999, at 9:00 in the morning.