

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Nineteenth Legislature
State of Maine

Volume 3

First Confirmation Session
October 14, 1999

Second Regular Session
January 5, 2000 to April 13, 2000

Pages 1548 - 2331

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

In Senate Chamber
Tuesday
February 22, 2000

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

Prayer by Father Harry Politis of the Greek Orthodox Church of the Holy Trinity in Lewiston.

FATHER POLITIS: Good morning. I would like to thank all of you and especially Senator Berube for this honor. I bring to you the love and the prayers of my parishioners. In my church, before every meeting we sing a short hymn, a short invocation to the Holy Spirit, which is the spirit of holiness and truth. (He sang traditional hymn.)

Let us pray to the Lord. Lord, bless those who praise You and sanctify those who trust in You. Save Your people and bless Your inheritance. Protect all those who believe in You. Sanctify those who love the beauty of Your church. Glorify them by Your divine power and do not forsake us who hope in You. Grant peace to Your world, to our nation, the President, the armed forces of our country, to all those in public service, and to all Your people. For every good and perfect gift is from above, coming from You, the Father of lights. To You we give glory, thanksgiving and worship. To the Father and the Son and the Holy Spirit, now and forever into the ages of ages. Amen. May God bless you all. Have a good day.

Pledge of Allegiance led by Senator Richard Carey of Kennebec County.

Doctor of the day, Bruce Bates, D.O., Scarborough.

Reading of the Journal of Friday, February 18, 2000.

Off Record Remarks

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

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator GOLDTHWAIT for the Committee on **MARINE RESOURCES** on Bill "An Act Regarding Elver Fishing Licenses" (EMERGENCY)

S.P. 904 L.D. 2356

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-503).**

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

READ ONCE.

Committee Amendment "A" (S-503) **READ** and **ADOPTED.**

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-503).**

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

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator RAND of Cumberland, the following Senate Order:
S.O. 25

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

READ and **PASSED.**

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

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Resolve, to Promote Natural Resource-based Industries
S.P. 585 L.D. 1665

In Senate, February 15, 2000, **PASSED TO BE ENGROSSED.**

Comes from the House, Bill and accompanying papers
COMMITTED to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT**, in **NON-CONCURRENCE**.

On motion by Senator **KONTOS** of Cumberland, the Senate
RECEDED and **CONCURRED**.

Joint Orders

The following Joint Order: H.P. 1840

ORDERED, the Senate concurring, that the Joint Standing Committee on Inland Fisheries and Wildlife report out, to the House, a bill implementing the recommendations from municipalities regarding surface water use on great ponds.

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

READ and **PASSED**, in concurrence.

The following Joint Order: H.P. 1841

ORDERED, the Senate concurring, that the Joint Standing Committee on Natural Resources report out, to the House, a bill concerning the recommendations of the Task Force to Study the Improvement of Public Water Supply Protection.

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

READ and **PASSED**, in concurrence.

The following Joint Order: H.P. 1842

ORDERED, the Senate concurring, that the Joint Standing Committee on Health and Human Services report out, to the House, a bill on registration of unlicensed health care assistive personnel.

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

READ and **PASSED**, in concurrence.

Joint Resolution

The following Joint Resolution: H.P. 1838

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES, THE CONGRESS OF THE UNITED STATES AND THE SECRETARY OF ENERGY TO RELEASE FUEL FROM THE STRATEGIC PETROLEUM RESERVE AND STABILIZE REGIONAL FUEL SUPPLIES

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

WHEREAS, there are 325,000 households in the State of Maine dependent upon heating oil; and

WHEREAS, the retail price of heating oil has doubled in the last year; and

WHEREAS, the supply of heating oil is well below demand, creating a critical shortage; and

WHEREAS, 8 weeks of the heating season remain; now, therefore, be it

RESOLVED: That We, your Memorialists, request the President of the United States, the Congress of the United States and the Secretary of Energy to release fuel from the Strategic Petroleum Reserve for sale to critically affected regions; and be it further

RESOLVED: That policies necessary to help with the emergency delivery and distribution of this fuel to refineries be implemented, with priority of sale given to critically affected regions; and be it further

RESOLVED: That policies conducive to the establishment of a home heating oil reserve for the benefit of the Northeast Region be implemented; and be it further

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

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

READ and **ADOPTED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 501

119TH MAINE LEGISLATURE

January 19, 2000

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

Dear Chancellor MacTaggart:

We are pleased to invite you to address a Joint Session of the 119th Maine Legislature on Tuesday, February 22, 2000 at 11:00 a.m. concerning the State of the University of Maine System and any other matters that you may care to bring to our attention.

On the same day, following your address, John Fitzsimmons, President of the Maine Technical College System will be addressing the Joint Session.

We look forward to seeing you then. Best wishes.

Sincerely,

S/Mark W. Lawrence
President of the Senate

S/G. Steven Rowe
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 502

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

January 28, 2000

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

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

Dear President Lawrence and Speaker Rowe:

It is with exceptional pleasure that I accept your invitation to address a Joint Session of the 119th Maine Legislature on Tuesday, February 22, 2000 at 11:00 a.m.

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

Thank you and best wishes.

Sincerely,

S/Terrence J. MacTaggart
Chancellor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 503

119TH MAINE LEGISLATURE

January 19, 2000

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

Dear President Fitzsimmons:

We are pleased to invite you to address a Joint Session of the 119th Maine Legislature on Tuesday, February 22, 2000 concerning the State of the Maine Technical College System and any other matters that you may care to bring to our attention. We will begin the Joint Session at 11:00 a.m. with an address from Chancellor MacTaggart. You will address the Legislature directly following the Chancellor.

We look forward to seeing you then. Best wishes.

Sincerely,

S/Mark W. Lawrence
President of the Senate

S/G. Steven Rowe
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 504

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

January 24, 2000

The Honorable Mark W. Lawrence
President of the Senate
3 State House Station
Augusta, ME 04333-0003

The Honorable G. Steven Rowe
Speaker of the House
2 State House Station
Augusta, ME 04333-0002

Dear President Lawrence and Speaker Rowe:

Thank you for your letter of January 19, 2000, inviting me to address a Joint Session of the 119th Maine Legislature on February 22nd. On behalf of Maine's Technical College employees and students, it is with great pride that I accept your kind invitation. I look forward to sharing with you my thoughts on the "state" of the Maine Technical College System.

Thank you again for your invitation.

Sincerely yours,

S/John Fitzsimmons
President

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 507

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

February 14, 2000

Honorable Mark W. Lawrence
President of the Senate
Honorable G. Steven Rowe
Speaker of the House of Representatives
119th Maine Legislature
Augusta, ME 04333-0003

Dear President Lawrence and Speaker Rowe:

Pursuant to the Government Evaluation Act, Maine Revised Statutes, Title 3, chapter 35, we submit the findings and recommendations of the Joint Standing Committee on State and Local Government with respect to the State Civil Service Appeals Board.

The committee has concluded that the State Civil Service Appeals Board is operating in accordance with its statutory authority. The committee encourages the board to continue with its efforts to establish protocols that will assist both current and future members of the board in conducting the board's business in a timely, but fair, manner.

The committee also restates a recommendation made by the Committee on Audit and Program Review in its 1989 review of the board. This recommendations suggested a separate activity within the Commissioner of Administrative and Financial Services' appropriation account be established for the State Civil Service Appeals Board and that board funding be transferred to the commissioner's account from the Bureau of Human Resources. This would establish a more autonomous relationship between the State Civil Service Appeals Board and the Bureau of Human Resources, which is always the defendant in reclassification appeals made to the board.

Attached please find a copy of the committee's full report on the State Civil Service Appeals Board.

Sincerely,

S/Sen. Peggy Pendleton
Senate Chair

S/Rep. Douglas Ahearne
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 508

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

February 14, 2000

Honorable Mark W. Lawrence
President of the Senate
Honorable G. Steven Rowe
Speaker of the House of Representatives
119th Maine Legislature
Augusta, ME 04333-0003

Dear President Lawrence and Speaker Rowe:

Pursuant to the Government Evaluation Act, Maine Revised Statutes, Title 3, chapter 35, we submit the findings and recommendations of the Joint Standing Committee on State and Local Government with respect to the State Claims Commission.

The committee has concluded that the State Claims Commission is operating in accordance with its statutory authority. Although the committee is satisfied that the State Claims Commission is conducting its work in accordance with its duties under the law, the committee is concerned that large highway projects that may be undertaken by the State in the future, such as the widening of the Maine Turnpike, the East-West Highway or the completion of Interstate-95 in Aroostook County, could significantly increase the workload of the commission. The committee recommends that the commission closely monitor its workload with respect to such additional potential endeavors and apprise both the Governor and the Legislature of any significant increase in the number of cases presented to the commission. The committee, however, recommends no changes in commission composition, staff or mission at this time.

Attached please find a copy of the committee's full report on the State Claims Commission.

Sincerely,

S/Sen. Peggy Pendleton
Senate Chair

S/Rep. Douglas Ahearne
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 509

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

February 14, 2000

Honorable Mark W. Lawrence
President of the Senate
Honorable G. Steven Rowe
Speaker of the House of Representatives
119th Maine Legislature
Augusta, ME 04333-0003

Dear President Lawrence and Speaker Rowe:

Pursuant to the Government Evaluation Act, Maine Revised Statutes, Title 3, chapter 35, we submit the findings and recommendations of the Joint Standing Committee on State and Local Government with respect to the Maine Governmental Facilities Authority.

The committee has concluded that the Maine Governmental Facilities Authority is operating in accordance with its statutory authority. We are recommending no administrative or statutory changes at this time.

Attached please find a copy of the committee's full report on the Maine Governmental Facilities Authority.

Sincerely,

S/Sen. Peggy Pendleton
Senate Chair

S/Rep. Douglas Ahearne
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 510

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

February 15, 2000

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

Dear Mr. President and Mr. Speaker:

Pursuant to Title 3 Maine Revised Statutes, chapter 35, we are pleased to submit the findings of the Joint Standing Committee on Marine Resources from the review and evaluation of the Lobster Advisory Council under the State Government Evaluation Act. In its review, the committee found that the Council is operating within its statutory authority. However, the committee does make one request in its report for additional information relating to the Lobster Fund.

Sincerely,

S/Senator Jill M. Goldthwait
Senate Chair

S/Representative David M. Etnier
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 512

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

February 10, 2000

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 bill out "Ought Not to Pass":

L.D. 2210 An Act to Encourage Expanded Use of Maine's Port Facilities

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Carol A. Kontos
Senate Chair

S/Rep. Gary O'Neal
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 513

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

February 11, 2000

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. 1990 An Act to Require Economic and Taking Impact Analyses to Protect Individual Rights
- L.D. 2314 An Act to Clarify the Maine Human Rights Act Concerning Compensatory and Punitive Damages
- L.D. 2474 An Act to Allow the Court Discretion in Providing Information to Parents or Custodians of a Child Removed from Their Home by the Department of Human Services

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. 514

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

February 10, 2000

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 bill out "Ought Not to Pass":

- L.D. 2024 An Act to Establish the Local Option Tax on Liquor, Meals and Lodging

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Richard P. Ruhlin
Senate Chair

S/Rep. Kenneth T. Gagnon
House Chair

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

The Following Communication: S.C. 515

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

February 11, 2000

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 bill out "Ought Not to Pass":

- L.D. 2459 An Act to Promote the Economic Security of Maine Citizens

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Richard P. Ruhlin
Senate Chair

S/Rep. Kenneth T. Gagnon
House Chair

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

The Following Communication: S.C. 516

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

February 15, 2000

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

Dear President Lawrence and Speaker Rowe:

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

- L.D. 2328 An Act Concerning the Rules of the Maine Veterans' Memorial Cemetery

L.D. 2371 An Act to Allow a State Agency to Accept a Donated Item and Conduct a Raffle to Benefit Fish and Wildlife Conservation Projects

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

Sincerely,

S/Sen. Beverly C. Daggett
Senate Chair

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

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

SENATE PAPERS

Bill "An Act to Provide for the Year 2000 Allocations of the State Ceiling on Private Activity Bonds" (EMERGENCY)
S.P. 1010 L.D. 2578

Sponsored by Senator KONTOS of Cumberland. (GOVERNOR'S BILL)

Cosponsored by Representative O'NEAL of Limestone and Representatives: AHEARNE of Madawaska, BOWLES of Sanford, CLOUGH of Scarborough, HATCH of Skowhegan, MARTIN of Eagle Lake, PIEH of Bremen, SAXL of Portland, SHIAH of Bowdoinham.

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

Sent down for concurrence.

Bill "An Act to Provide Legal Access to Marijuana for Medical Use"
S.P. 1012 L.D. 2580

Sponsored by Senator RAND of Cumberland.
Cosponsored by Representative QUINT of Portland and Senators: DAGGETT of Kennebec, PINGREE of Knox, Representatives: COWGER of Hallowell, DUDLEY of Portland, MITCHELL of Vassalboro, SAXL of Portland, VOLENIK of Brooklin.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

At this point a message was received from the House of Representatives, borne by Representative SAXL of Portland informing the Senate that the House concurred with the proposition for a Convention of the two branches of the Legislature to be held in the Hall of the House at 11:00 in the

morning for the purpose of extending to the Honorable John Fitzsimmons, President of the Maine Technical College System and the Honorable Terrence MacTaggart, Chancellor of the University of Maine System, an invitation to attend the Convention and make such communications as pleases them.

Bill "An Act to Provide an Angling Season for Atlantic Salmon" (EMERGENCY)

S.P. 1011 L.D. 2579

Sponsored by Senator RUHLIN of Penobscot.
Cosponsored by Representative DUNLAP of Old Town and Senators: CASSIDY of Washington, KIEFFER of Aroostook, Representatives: BAGLEY of Machias, CAMPBELL of Holden, DUGAY of Cherryfield, FISHER of Brewer, GOODWIN of Pembroke, LaVERDIERE of Wilton.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

Off Record Remarks

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Appropriate Funds for Acquisitions for the Maine State Library"

H.P. 1770 L.D. 2483

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

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

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

READ ONCE.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Increase the Bonding Limit of the Trustees of the City of Brewer High School District from \$2,500,000 to \$5,000,000" (EMERGENCY)

H.P. 1651 L.D. 2320

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

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

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

READ ONCE.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Maintain the Eel and Elver Management Fund and Regulate Permits for Eel Weirs"

H.P. 1632 L.D. 2284

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

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

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

READ ONCE.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **LABOR** on Bill "An Act to Correct Inconsistencies of the Taxable Wage Amount in the Unemployment Compensation Law"

H.P. 1713 L.D. 2419

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

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

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

READ ONCE.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **UTILITIES AND ENERGY** on Bill "An Act to Revise the Charter of the Madawaska Water District" (EMERGENCY)

H.P. 1666 L.D. 2335

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 **BANKING AND INSURANCE** on Bill "An Act to Permit Certain Referrals by Health Care Practitioners" (EMERGENCY)

H.P. 1578 L.D. 2225

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-786)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-786)**.

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

READ ONCE.

Committee Amendment "A" (H-786) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **NATURAL RESOURCES** on Bill "An Act to Address Financial Inequities in Special Waste Fees"

H.P. 1656 L.D. 2325

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-791)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-791)**.

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

READ ONCE.

Committee Amendment "A" (H-791) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

Off Record Remarks

The Committee on **TAXATION** on Bill "An Act to Allow the Surviving Veteran Spouse of a Veteran to Continue to Receive the Property Tax Exemption"

H.P. 1128 L.D. 1587

Reported that the same **Ought to Pass As Amended by Committee Amendment "B" (H-787)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-787)**.

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

READ ONCE.

Committee Amendment "B" (H-787) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Prohibit the Scalping of Entertainment Tickets"

H.P. 1318 L.D. 1901

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

Signed:

Senators:

DAGGETT of Kennebec
FERGUSON of Oxford

Representatives:

FISHER of Brewer
GAGNE of Buckfield
LABRECQUE of Gorham
PERKINS of Penobscot
HEIDRICH of Oxford
McKENNEY of Cumberland
O'BRIEN of Lewiston

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-774)**.

Signed:

Senator:

CAREY of Kennebec

Representatives:

TUTTLE of Sanford
CHIZMAR of Lisbon
MAYO of Bath

Comes from the House with the Bill and accompanying papers **INDEFINITELY POSTPONED**.

Reports **READ**.

Senator **DAGGETT** of Kennebec moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

Senator **CAREY** of Kennebec was granted unanimous consent to address the Senate off the Record.

Senator **FERGUSON** of Oxford was granted unanimous consent to address the Senate off the Record.

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

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Resolve, Directing the Bureau of Liquor Enforcement to License an Agency Liquor Store in the City of Caribou

H.P. 1413 L.D. 2020

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-777)**.

Signed:

Senators:

CAREY of Kennebec
FERGUSON of Oxford

Representatives:

TUTTLE of Sanford
HEIDRICH of Oxford
McKENNEY of Cumberland
FISHER of Brewer
MAYO of Bath
LABRECQUE of Gorham
CHIZMAR of Lisbon
O'BRIEN of Lewiston
GAGNE of Buckfield
PERKINS of Penobscot

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

Signed:

Senator:

DAGGETT of Kennebec

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-777)**.

Reports **READ**.

Senator **DAGGETT** of Kennebec moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

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

Senate

Ought to Pass

Senator **KILKELLY** for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Clarify Granting Authority Under the Agricultural Development Grant Program"

S.P. 880 L.D. 2295

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

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

READ ONCE.

TOMORROW ASSIGNED FOR SECOND READING.

Senator **KILKELLY** for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Change the Name of the Natural Resources Information and Mapping Center to More Accurately Reflect its Roles and Duties and to Correct Inconsistent Statutes"

S.P. 925 L.D. 2376

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

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

READ ONCE.

TOMORROW ASSIGNED FOR SECOND READING.

Senator **KILKELLY** for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Change the Name in the Statutes of a Native American Organization Able to Issue Hunting and Fishing Licenses" (EMERGENCY)

S.P. 891 L.D. 2310

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

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

READ ONCE.

TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

Senator **NUTTING** for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act Requiring Legislative Approval of Ecological Reserves"

S.P. 157 L.D. 477

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-500)**.

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

READ ONCE.

Committee Amendment "A" (S-500) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator **PENDLETON** for the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Require Expenditure of Designated Funds for the Purpose for which the Legislature Designated the Funds"

S.P. 932 L.D. 2382

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-497)**.

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

READ ONCE.

Committee Amendment "A" (S-497) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator **RUHLIN** for the Committee on **TAXATION** on Bill "An Act to Enhance the Maine State College Savings Program"

S.P. 742 L.D. 2101

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-501)**.

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

READ ONCE.

Committee Amendment "A" (S-501) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Regulate Push Polling"
S.P. 420 L.D. 1257

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

Signed:

Senators:

DAGGETT of Kennebec
CAREY of Kennebec

Representatives:

CHIZMAR of Lisbon
TUTTLE of Sanford
O'BRIEN of Lewiston
GAGNE of Buckfield
FISHER of Brewer

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "B" (S-502)**.

Signed:

Senator:

FERGUSON of Oxford

Representatives:

LABRECQUE of Gorham
MAYO of Bath
PERKINS of Penobscot
HEIDRICH of Oxford
McKENNEY of Cumberland

Reports **READ**.

Senator **DAGGETT** of Kennebec 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 **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Make Technical Changes in the Law Authorizing the Capital Riverfront Improvement District"
S.P. 863 L.D. 2261

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-495)**.

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
KASPRZAK of Newport
JODREY of Bethel
RICHARDSON of Greenville

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "B" (S-496)**.

Signed:

Representative:

GERRY of Auburn

Reports **READ**.

On motion by Senator **PENDLETON** of Cumberland, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-495)** Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-495) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

SECOND READERS

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

House

Bill "An Act to Clarify the Laws Governing Service of Protection from Harassment Orders in Court" (EMERGENCY)
H.P. 1624 L.D. 2271

Bill "An Act to Expand the Maine Technology Institute Board"
H.P. 1636 L.D. 2287

Bill "An Act to Clarify the Requirements for Certifying Driving Time Prior to Obtaining a License"
H.P. 1654 L.D. 2323

Bill "An Act to Implement the Recommendations of the Joint Standing Committee on Utilities and Energy Arising from its State Government Evaluation Act Review of the Public Utilities Commission"
H.P. 1820 L.D. 2554

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

House As Amended

Bill "An Act to Provide Funding to the Maine Center for the Blind and Visually Impaired"

H.P. 123 L.D. 154
(C "A" H-772)

Bill "An Act to Amend Maine State Retirement System Rules to Allow Monthly Partial Direct Service Payments to Purchase Service Credit"

H.P. 768 L.D. 1091
(C "A" H-785)

Bill "An Act to Change the Reimbursement Rate for Law Enforcement Personnel Who Testify in Court"

H.P. 894 L.D. 1251
(C "B" H-783)

Bill "An Act to Amend the No Trespassing Zone Around the Water Intake Pipes of the Portland Water District"

H.P. 1042 L.D. 1464
(C "A" H-773)

Bill "An Act to Conform the Tax Laws of this State for 1998 With the United States Internal Revenue Code"

H.P. 1613 L.D. 2256
(C "A" H-779)

Resolve, to Provide Funds to the Bureau of Veterans' Services to Enhance the Efficiency of Regional Field Offices in Delivering Services to Veterans

H.P. 1667 L.D. 2336
(C "A" H-780)

Resolve, to Provide Funds to Assist in the Expansion of the Maine Veterans' Memorial Cemetery System

H.P. 1668 L.D. 2337
(C "A" H-775)

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

Senate

Bill "An Act to Grant Municipalities Greater Flexibility in their Arrangements for Tax Base Sharing Agreements"

S.P. 873 L.D. 2281

Bill "An Act to Implement Recommendations of the Commission on Performance Budgeting"

S.P. 930 L.D. 2380

Bill "An Act to Simplify the Approval Process of Existing State Tax Increment Financing Districts"

S.P. 941 L.D. 2391

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

Sent down for concurrence.

Senate As Amended

Bill "An Act to Amend the State's Fair Debt Collection Practices Laws and to Provide for Nonprofit Debt Management Services"
S.P. 865 L.D. 2263
(C "A" S-493)

Bill "An Act to Conform the Maine Tax Laws for 1999 with the United States Internal Revenue Code" (EMERGENCY)
S.P. 867 L.D. 2277
(C "A" S-490)

Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

S.P. 870 L.D. 2280
(C "A" S-494)

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

Sent down for concurrence.

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

ENACTORS

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

Emergency Measure

An Act to Amend the Elderly Low-cost Drug Program
H.P. 1795 L.D. 2518
(C "A" H-802)

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

Senate at Ease.

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

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

ENACTORS

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

Emergency Measure

An Act Regarding Elver Fishing Licenses

S.P. 904 L.D. 2356
(C "A" S-503)

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with no Senators having voted in the negative, and 24 being two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President Pro Tem, was presented by the Secretary to the Governor for his approval.

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

After Convention

In Senate Chamber

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

On motion by Senator **CAREY** of Kennebec, **ADJOURNED**, until Friday, February 25, 2000, at 10:00 in the morning.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act to Prohibit the Importation of Milfoil into State Waters"

H.P. 1843 L.D. 2581

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

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

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order: H.P. 1836

ORDERED, the Senate concurring, that the Joint Standing Committee on Education and Cultural Affairs report out, to the House, a bill, "An Act to Improve the Accountability of the Child Development Services System."

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

READ and **PASSED**, in concurrence.

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