

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
Wednesday
March 15, 2000

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

Prayer by Pastor Joseph Pauliks of the First Baptist Church of Hallowell in West Gardiner.

PASTOR PAULIKS: Unite our hearts in prayer. Our Heavenly Father and our God Lord, we are thankful this morning that we can be here in this place. And, Father, we're also thankful that Your word says that we can be rejoicing in this day because You have made this day. Father, we pray for all the Senators that are here this morning. We pray that You will guide them, that You will lead them, Father. And, Lord, we're just thankful that we can be part of this great country that You have so blessed. Father, we pray that You will continue to bless us here in this place. Father, bless the Senators as they work, Lord, and the Senator's families. Lord, we'd just like to say this morning that we love You. In Jesus' precious name we pray. Amen.

Doctor of the day, Alan J. Barker, M.D., Boothbay.

Reading of the Journal of Tuesday, March 14, 2000.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act to Appropriate Matching Funds for the Study of Nondefense Uses of the United States Naval Shipyard in Kittery, Maine"

S.P. 1031 L.D. 2611

In Senate, March 9, 2000, **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and ordered printed.

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

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

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 548

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

March 9, 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 Appropriations and Financial Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 2493 An Act to Provide Funding to Wild Blueberry Growers to Develop Alternative Water Sources
- L.D. 2572 An Act to Fund the Cost of the Waiver of Tuition, Fees and Other Expenses for Native American Students in the Maine Technical College System, University of Maine System and Maine Maritime Academy

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. 549

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

March 7, 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 Health and Human Services has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 1378 An Act to Ensure Access to Long-term Care Services for Persons with Dementia
- L.D. 1432 An Act to Improve Care to Nursing Home Residents by Requiring Adequate Staff to Provide Hands-on Care
- L.D. 1733 An Act to Amend the Laws Regarding the Provision of Services to Persons with Alzheimer's Disease
- L.D. 1807 Resolve, to Encourage Access and Quality Care for People with Alzheimer's Disease in Residential Care Facilities
- L.D. 1838 An Act to Include Mental Retardation, Developmental Disability and Substance Abuse Services in the Community Service System of the Department of Mental Health, Mental Retardation and Substance Abuse Services and to Consolidate Those Advisory Bodies to the Department
- L.D. 1839 An Act to Maintain High-quality Services in Long-term Care in Maine
- L.D. 2495 An Act to Coordinate and Improve Access to Health Care for Women

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. 550

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

March 9, 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 Health and Human Services has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 2150 An Act to Ensure Community-based Services for Persons With Mental Retardation or Autism
- L.D. 2212 An Act to Revise Laws Regarding Persons with Mental Retardation

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. 551

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

March 9, 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 Inland Fisheries and Wildlife has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 343 An Act to Protect Deer in Wintering Areas
- L.D. 481 An Act to Keep Public Lands Open to Hunting, Fishing and Trapping

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. 552

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

March 7, 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. 1820 An Act to Decriminalize Certain Fish and Wildlife Statutes

L.D. 2348 An Act to Enact the Maine Death with Dignity Act

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. 553

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

March 9, 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 Labor has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 2177 An Act to Require the Spouse of a Member of the Maine State Retirement System to Receive the Member's Death Benefits

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

Sincerely,

S/Sen. Neria R. Douglass
Senate Chair

S/Rep. Pamela H. Hatch
House Chair

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

The Following Communication: S.C. 560

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

March 9, 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 Education and Cultural Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 2366 An Act to Create Equity in Access to Secondary Education

L.D. 2485 An Act to Promote Educational Opportunity and Economic Development

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. 546

**119TH LEGISLATURE
SENATE OF MAINE
OFFICE OF THE PRESIDENT**

March 8, 2000

Joy J. O'Brien
Secretary of the Senate
3 State House Station
Augusta, Maine 04333

Dear Secretary O'Brien:

Pursuant to my authority under 5 MRSA, Section 3358, I have re-appointed Senator Robert E. Murray, Jr. of Penobscot to the Maine Criminal Justice Commission.

Please let me know if you have questions regarding this appointment.

Sincerely,

S/Mark W. Lawrence
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 547

**119TH MAINE LEGISLATURE
SENATE OF MAINE
OFFICE OF THE PRESIDENT**

March 8, 2000

Joy J. O'Brien
Secretary of the Senate
3 State House Station
Augusta, Maine 04333

Dear Secretary O'Brien:

Pursuant to my authority under 5 MRSA, Section 3358, I have re-appointed Senator Betty Lou Mitchell of Penobscot to the Maine Criminal Justice Commission.

Please let me know if you have questions regarding this appointment.

Sincerely,

S/Mark W. Lawrence
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 554

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

March 13, 2000

The Honorable Mark W. Lawrence
President of the Senate of Maine
119th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 119th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of the Honorable Howard H. Dana, Jr. of Portland, for reappointment as an Associate Justice of the Maine Supreme Judicial Court.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

| | | | |
|------|-----------------|----|---|
| YEAS | Senators | 3 | Longley of Waldo, Benoit of Franklin, Treat of Kennebec |
| | Representatives | 10 | Thompson of Naples, Bull of Freeport, Jacobs of Turner, LaVerdiere of Wilton, Madore of Augusta, Mitchell of Vassalboro, Norbert of Portland, Plowman of Hampden, Schneider of Durham, Waterhouse of Bridgton |

NAYS 0

ABSENT 0

Thirteen members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of the Honorable Howard H. Dana, Jr. of Portland, for reappointment as an Associate Justice of the Maine Supreme Judicial Court be confirmed.

Signed,

S/Susan W. Longley
Senate Chair

S/Richard H. Thompson
House Chair

READ and ORDERED PLACED ON FILE.

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

The Following Communication: S.C. 555

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

March 13, 2000

The Honorable Mark W. Lawrence
President of the Senate of Maine
119th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 119th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of the Honorable Ellen Gorman of Durham, for appointment as a Maine Superior Court Justice.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

| | | | |
|------|-----------------|---|--|
| YEAS | Senators | 3 | Longley of Waldo, Benoit of Franklin, Treat of Kennebec |
| | Representatives | 9 | Thompson of Naples, Bull of Freeport, Jacobs of Turner, LaVerdiere of Wilton, Mitchell of Vassalboro, Norbert of Portland, Plowman of Hampden, Schneider of Durham, Waterhouse of Bridgton |

NAYS 0

ABSENT 1 Rep. Madore of Augusta

Twelve members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of the Honorable Ellen Gorman of Durham, for appointment as a Maine Superior Court Justice be confirmed.

Signed,

S/Susan W. Longley
Senate Chair

S/Richard H. Thompson
House Chair

READ and ORDERED PLACED ON FILE.

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

The Following Communication: S.C. 556

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

March 13, 2000

The Honorable Mark W. Lawrence
President of the Senate of Maine
119th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 119th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of the Honorable Nancy D. Mills of Cornville, for reappointment as a Superior Court Justice.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

| | | | |
|------|-----------------|----|---|
| YEAS | Senators | 3 | Longley of Waldo, Benoit of Franklin, Treat of Kennebec |
| | Representatives | 10 | Thompson of Naples, Bull of Freeport, Jacobs of Turner, LaVerdiere of Wilton, Madore of Augusta, Mitchell of Vassalboro, Norbert of Portland, Plowman of Hampden, Schneider of Durham, Waterhouse of Bridgton |

NAYS 0

ABSENT 0

Thirteen members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of the Honorable Nancy D. Mills of Cornville, for reappointment as a Superior Court Justice be confirmed.

Signed,

S/Susan W. Longley
Senate Chair

S/Richard H. Thompson
House Chair

READ and ORDERED PLACED ON FILE.

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

The Following Communication: S.C. 557

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

March 13, 2000

The Honorable Mark W. Lawrence
President of the Senate of Maine
119th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 119th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of the Honorable Rae Ann French of Augusta, for appointment as a Maine District Court Judge.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

| | | | |
|--------|-----------------|---|---|
| YEAS | Senators | 3 | Longley of Waldo, Benoit of Franklin, Treat of Kennebec |
| | Representatives | 9 | Thompson of Naples, Bull of Freeport, Jacobs of Turner, LaVerdiere of Wilton, Madore of Augusta, Mitchell of Vassalboro, Norbert of Portland, Schneider of Durham, Waterhouse of Bridgton |
| NAYS | | 1 | Rep. Plowman of Hampden |
| ABSENT | | 0 | |

Twelve members of the Committee having voted in the affirmative and one in the negative, it was the vote of the Committee that the nomination of the Honorable Rae Ann French of Augusta, for appointment as a Maine District Court Judge be confirmed.

Signed,

S/Susan W. Longley
Senate Chair

S/Richard H. Thompson
House Chair

READ and ORDERED PLACED ON FILE.

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

The Following Communication: S.C. 558

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

March 13, 2000

The Honorable Mark W. Lawrence
President of the Senate of Maine
119th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 119th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Linda E. Abromson of Portland, for reappointment to the Maine Human Rights Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

| | | | |
|--------|-----------------|---|---|
| YEAS | Senators | 3 | Longley of Waldo, Benoit of Franklin, Treat of Kennebec |
| | Representatives | 8 | Thompson of Naples, Bull of Freeport, Jacobs of Turner, Madore of Augusta, Norbert of Portland, Plowman of Hampden, Schneider of Durham, Waterhouse of Bridgton |
| NAYS | | 0 | |
| ABSENT | | 2 | Rep. LaVerdiere of Wilton, Rep. Mitchell of Vassalboro |

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Linda E. Abromson of Portland, for reappointment to the Maine Human Rights Commission be confirmed.

Signed,

S/Susan W. Longley
Senate Chair

S/Richard H. Thompson
House Chair

READ and ORDERED PLACED ON FILE.

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

The Following Communication: S.C. 559

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

March 13, 2000

The Honorable Mark W. Lawrence
President of the Senate of Maine
119th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 119th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Warren C. Kessler of Readfield, for appointment to the Maine Human Rights Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

| | | | |
|--------|-----------------|---|---|
| YEAS | Senators | 1 | Longley of Waldo |
| | Representatives | 7 | Thompson of Naples, Bull of Freeport, Jacobs of Turner, Madore of Augusta, Norbert of Portland, Schneider of Durham, Waterhouse of Bridgton |
| NAYS | | 0 | |
| ABSENT | | 5 | Sen. Benoit of Franklin, Rep. LaVerdiere of Wilton, Rep. Mitchell of Vassalboro, Rep. Plowman of Hampden, Sen. Treat of Kennebec |

Eight members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Warren C. Kessler of Readfield, for appointment to the Maine Human Rights Commission be confirmed.

Signed,

S/Susan W. Longley
Senate Chair

S/Richard H. Thompson
House Chair

READ and ORDERED PLACED ON FILE.

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

SENATE PAPERS

Bill "An Act to Support Maine's Only Representative to the Nation's Capital Bicentennial Celebration" (EMERGENCY)
S.P. 1042 L.D. 2630

Sponsored by Senator RUHLIN of Penobscot.
Cosponsored by Representative CAMPBELL of Holden and Senators: MITCHELL of Penobscot, PINGREE of Knox, Representatives: FISHER of Brewer, PLOWMAN of Hampden. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Bill "An Act to Appropriate Funds for the Sunset Bay Company" (EMERGENCY)
S.P. 1045 L.D. 2632

Sponsored by Senator GOLDTHWAIT of Hancock.
Cosponsored by Representative VOLENIK of Brooklin and Senators: PINGREE of Knox, RUHLIN of Penobscot, Representative: ETNIER of Harpswell. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Improve Licensing Efficiency within the Department of Agriculture, Food and Rural Resources"
H.P. 1742 L.D. 2448

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-864)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-864)**.

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

READ ONCE.

Committee Amendment "A" (H-864) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Support and Expand the Maine Writing Project"

H.P. 1708 L.D. 2414

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-859).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-859).**

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

READ ONCE.

Committee Amendment "A" (H-859) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **BANKING AND INSURANCE** on Bill "An Act to Update and Amend the Preferred Provider Arrangement Act"
H.P. 1422 L.D. 2029

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-860).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-860).**

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

READ ONCE.

Committee Amendment "A" (H-860) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **CRIMINAL JUSTICE** on Bill "An Act to Create a Seamless Treatment Plan for the Juvenile Offender with Substance Abuse Problems" (EMERGENCY)

H.P. 466 L.D. 629

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-851).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-851).**

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

READ ONCE.

Committee Amendment "A" (H-851) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **LABOR** on Bill "An Act to Clarify the Workers' Compensation Laws Regarding the Agricultural Laborer Exemption"

H.P. 1390 L.D. 1995

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-857).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-857).**

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

READ ONCE.

Committee Amendment "A" (H-857) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **TRANSPORTATION** on Bill "An Act to Strengthen the Motor Vehicle Laws Pertaining to Registration of Motor Vehicles"

H.P. 1117 L.D. 1576

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-863).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-863).**

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

READ ONCE.

Committee Amendment "A" (H-863) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **UTILITIES AND ENERGY** on Bill "An Act to Expand the Opportunities for State Companies to Provide Distributed Electric Generation Services"

H.P. 1691 L.D. 2397

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-856).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-856)**.

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

READ ONCE.

Committee Amendment "A" (H-856) **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 Adequately Fund Poison Control Services"

H.P. 1693 L.D. 2399

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-849)**.

Signed:

Senators:

MICHAUD of Penobscot
CATHCART of Penobscot

Representatives:

TOWNSEND of Portland
STEVENS of Orono
BERRY of Livermore
MAILHOT of Lewiston
POWERS of Rockport
KNEELAND of Easton
WINSOR of Norway
BRUNO of Raymond
NASS of Acton
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

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-849)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-849) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

Senate

Ought to Pass

Senator KONTOS for the Joint Select Committee on **RESEARCH AND DEVELOPMENT** on Bill "An Act to Amend the Comprehensive Research and Development Evaluation"
S.P. 1043 L.D. 2631

Reported that the same **Ought to Pass**, pursuant to Joint Order S.P. 1006.

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

READ ONCE.

TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

Senator DAGGETT for the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Allow for Expeditious Improvements to Commercial Tracks"
S.P. 478 L.D. 1438

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-541)**.

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

READ ONCE.

Committee Amendment "A" (S-541) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator RUHLIN for the Committee on **TAXATION** on Bill "An Act to Amend the Maine Seed Capital Tax Credit Program"
S.P. 905 L.D. 2357

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-539)**.

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

READ ONCE.

Committee Amendment "A" (S-539) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator RUHLIN for the Committee on **TAXATION** on Bill "An Act to Reduce the State Tax Valuation for the Town of Standish" (EMERGENCY)

S.P. 990 L.D. 2545

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-538)**.

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

READ ONCE.

Committee Amendment "A" (S-538) **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 Increase the Availability of Family Foster Homes" H.P. 1625 L.D. 2272

Resolve, Regarding Legislative Review of Chapter 267: License Fees to Sell Nursery Stock, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources (EMERGENCY)

H.P. 1813 L.D. 2544

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

House As Amended

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Allow Persons with Mental Illness to Vote

H.P. 1514 L.D. 2162
(H "A" H-850 to C "A" H-796)

Bill "An Act to Provide Equity Between Private and Public Electrical Training Programs"

H.P. 1619 L.D. 2266
(C "A" H-846)

Bill "An Act Increasing the Authorized Indebtedness of the Veazie Sewer District"

H.P. 1648 L.D. 2317
(H "A" H-866 to C "A" H-832)

Bill "An Act to Provide Special Motor Vehicle Registration Plates for Korean War Veterans" (EMERGENCY)

H.P. 1652 L.D. 2321
(C "A" H-845)

Bill "An Act to Specify Eligibility for Land Purchases Under the Agricultural Marketing Loan Fund"

H.P. 1674 L.D. 2340
(C "A" H-833)

Bill "An Act to Make a One-time Energy Appropriation to Support Shortfalls in the Low-income Home Energy Assistance Program" (EMERGENCY)

H.P. 1677 L.D. 2343
(C "A" H-841)

Bill "An Act to Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 2001" (EMERGENCY)

H.P. 1685 L.D. 2352
(C "A" H-844)

Bill "An Act to Appropriate Funding for the Maine School of Science and Mathematics for Fiscal Year 2000-01"

H.P. 1687 L.D. 2393
(C "A" H-842)

Bill "An Act to Ensure Adequate Funding of Adult Education" (EMERGENCY)

H.P. 1778 L.D. 2492
(C "A" H-848)

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

Resolve, to Recognize Veterans of the Vietnam War in the State House Hall of Flags

H.P. 1765 L.D. 2471
(C "A" H-837)

READ A SECOND TIME.

On motion by Senator **PENDLETON** of Cumberland, Senate Amendment "A" (S-540) **READ**.

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

Senator **PENDLETON:** Thank you Mr. President. Men and women of the Senate, simply what this Amendment does is it is a technical Amendment. The day that we wrote up the Bill we were not feeling very scholarly so we put in one section plaques and in another section we put in plaque. In one section we put flags, and in another section flag. The Revisor's office said you can't do that. And we said why don't you do it. They said no, you do it. So this is what we are attempting to do. Thank you.

On motion by Senator **PENDLETON** of Cumberland, Senate Amendment "A" (S-540) **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-837) AND SENATE AMENDMENT "A" (S-540), in NON-CONCURRENCE.

Sent down for concurrence.

Bill "An Act to Clarify the Process for a County Bond Referendum Election"

H.P. 1706 L.D. 2412
(C "A" H-805)

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

Sent down for concurrence.

Bill "An Act to Provide Safety for Forest Rangers and the Public"

H.P. 1686 L.D. 2392
(C "A" H-836)

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, in NON-CONCURRENCE.**

Senate

Bill "An Act to Amend the Charter of Hospital Administrative District No. 4"

S.P. 997 L.D. 2559

READ A SECOND TIME and PASSED TO BE ENGROSSED.

Sent down for concurrence.

Senate As Amended

Resolve, Relating to the State Valuation for the Town of Milo (EMERGENCY)

S.P. 901 L.D. 2353
(C "A" S-536)

Bill "An Act to Amend Certain Transportation Laws"

S.P. 918 L.D. 2370
(C "A" S-532)

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

Sent down for concurrence.

ENACTORS

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

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Allow the Legislature to Provide for Assessment of Property Used for Commercial Fishing at Current Use

H.P. 1716 L.D. 2422
(C "A" H-820)

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

Emergency Measure

An Act to Provide Standard-offer Service to Certain Customers

H.P. 1638 L.D. 2289

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with no Senators having voted in the negative, and 29 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Acts

An Act to Amend the Installment Payment Order Capability of the Disclosure Court

H.P. 243 L.D. 347
(C "A" H-816)

An Act to Provide for a Limited Waiver of Immunity

H.P. 916 L.D. 1294
(C "A" H-815)

An Act to Eliminate Regulation of Public Heating Utilities

H.P. 1637 L.D. 2288

An Act to Clarify the Law Relating to the Renewal of Liquor Licenses

S.P. 883 L.D. 2298
(C "A" S-509)

An Act to Amend the Department of Corrections Statutes

S.P. 896 L.D. 2315
(C "A" S-512)

An Act to Add Emergency Medical Services to the Municipal Fire Department Authority

H.P. 1676 L.D. 2342
(C "A" H-822)

An Act to Make Certain Public Utility Commission Rules Routine Technical Rules

H.P. 1722 L.D. 2428

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

An Act to Create a Purple Heart Motorcycle License Plate

H.P. 1653 L.D. 2322
(C "B" H-790)

On motion by Senator **O'GARA** of Cumberland, placed on the **SPECIAL HIGHWAY TABLE**, pending **ENACTMENT**, in concurrence.

RECALLED FROM ENGROSSING

Bill "An Act to Clarify the Laws Relating to Corporate and Other Entities"

H.P. 1664 L.D. 2333
(H "A" H-826 to C "A" H-818)

(In House, March 3, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-818) AS AMENDED BY HOUSE AMENDMENT "A" (H-826)** thereto.)

(In Senate, March 9, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-818) AS AMENDED BY HOUSE AMENDMENT "A" (H-826)** thereto, in concurrence.)

(**RECALLED** from Engrossing, pursuant to Joint Order (S.P. 1036), in concurrence.)

On motion by Senator **GOLDTHWAIT** of Hancock, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-818) AS AMENDED BY HOUSE AMENDMENT "A" (H-826)** thereto, in concurrence.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-818) as Amended by House Amendment "A" (H-826) thereto, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-533) to Committee Amendment "A" (H-818) **READ** and **ADOPTED**.

Committee Amendment "A" (H-818) as Amended by Senate Amendment "A" (S-533) and House Amendment "A" (H-826) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-818) AS AMENDED BY SENATE AMENDMENT "A" (S-533) AND HOUSE AMENDMENT "A" (H-826) thereto, in **NON-CONCURRENCE**.

Sent down for concurrence.

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later (3/7/00) Assigned matter:

Bill "An Act to Improve the Absentee Voting Process"
S.P. 631 L.D. 1796
(C "A" S-515)

Tabled - March 7, 2000, by Senator **PINGREE** of Knox.

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED**

(In Senate, March 7, 2000, **READ A SECOND TIME**.)

PASSED TO BE ENGROSSED AS AMENDED.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/14/00) Assigned matter:

HOUSE REPORTS - from the Committee on AGRICULTURE, CONSERVATION AND FORESTRY on Bill "An Act to Amend the Animal Welfare Laws"

H.P. 1646 L.D. 2306

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-834)** (11 members)

Minority - **Ought Not to Pass** (2 members)

Tabled - March 14, 2000, by Senator **NUTTING** of Androscoggin.

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence

(In House, March 9, 2000, 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-834).**)

(In Senate, March 14, 2000, Reports **READ.**)

On motion by Senator **NUTTING** of Androscoggin, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence

READ ONCE.

Committee Amendment "A" (H-834) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Create the Community Health Plan Demonstration Project"

H.P. 1889 L.D. 2627

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

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

**Pursuant to Statutes
Maine Criminal Justice Academy**

The **Maine Criminal Justice Academy**, pursuant to Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 6: Certification of Law Enforcement Officers, a Major Substantive Rule of the Maine Criminal Justice Academy (EMERGENCY)

H.P. 1888 L.D. 2628

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

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

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

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

ORDERS OF THE DAY

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

NOMINATION - of the Honorable Howard H. Dana, Jr. of Portland for reappointment as an Associate Justice of the Maine Supreme Judicial Court.

Tabled - March 15, 2000, by Senator **PINGREE** of Knox.

Pending - **CONSIDERATION**

(In Senate, March 15, 2000, Communication (S.C. 554) from the Committee on **JUDICIARY**, **READ** and **ORDERED PLACED ON FILE.**)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 119th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

The Chair noted the absence of the Senator from Cumberland, Senator **RAND** and further excused the same Senator from today's Roll Call votes.

ROLL CALL (#282)

YEAS: Senators: None

NAYS: Senators: **ABROMSON, AMERO, BENNETT, BENOIT, BERUBE, CASSIDY, CATHCART, DAGGETT, DAVIS, DOUGLASS, FERGUSON, GOLDTHWAIT, HARRIMAN, KIEFFER, KILKELLY, KONTOS, LAFOUNTAIN, LONGLEY, MACKINNON, MICHAUD, MILLS, MITCHELL, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RUHLIN, SMALL, TREAT, THE PRESIDENT - MARK W. LAWRENCE**

ABSENT: Senators: **CAREY, LIBBY**

EXCUSED: Senator: **RAND**

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being absent and 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Howard H. Dana, Jr.** of Portland for reappointment as an Associate Justice of the Maine Supreme Judicial Court was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

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

NOMINATION - of the Honorable Ellen Gorman of Durham for appointment as a Maine Superior Court Justice.

Tabled - March 15, 2000, by Senator **PINGREE** of Knox.

Pending - **CONSIDERATION**

(In Senate, March 15, 2000, Communication (S.C. 555) from the Committee on **JUDICIARY**, **READ** and **ORDERED PLACED ON FILE**.)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 119th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#283)

YEAS: Senators: None

NAYS: Senators: **ABROMSON, AMERO, BENNETT, BENOIT, BERUBE, CASSIDY, CATHCART, DAGGETT, DAVIS, DOUGLASS, FERGUSON, GOLDTHWAIT, HARRIMAN, KIEFFER, KILKELLY, KONTOS, LAFOUNTAIN, LONGLEY, MACKINNON, MICHAUD, MILLS, MITCHELL, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RUHLIN, SMALL, TREAT, THE PRESIDENT - MARK W. LAWRENCE**

ABSENT: Senators: **CAREY, LIBBY**

EXCUSED: Senator: **RAND**

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being absent and 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Ellen Gorman** of Durham for appointment as a Maine Superior Court Justice was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

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

NOMINATION - of the Honorable Nancy D. Mills of Cornville for reappointment as a Superior Court Justice.

Tabled - March 15, 2000, by Senator **PINGREE** of Knox.

Pending - **CONSIDERATION**

(In Senate, March 15, 2000, Communication (S.C. 556) from the Committee on **JUDICIARY**, **READ** and **ORDERED PLACED ON FILE**.)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 119th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

The Senator from Somerset, Senator **MILLS**, requested and received leave of the Senate to be excused from voting pursuant to Senate Rule 401.3.

ROLL CALL (#284)

YEAS: Senators: None

NAYS: Senators: **ABROMSON, AMERO, BENNETT, BENOIT, BERUBE, CASSIDY, CATHCART, DAGGETT, DAVIS, DOUGLASS, FERGUSON, GOLDTHWAIT, HARRIMAN, KIEFFER, KILKELLY, KONTOS, LAFOUNTAIN, LONGLEY, MACKINNON, MICHAUD, MITCHELL, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RUHLIN, SMALL, TREAT, THE PRESIDENT - MARK W. LAWRENCE**

ABSENT: Senators: CAREY, LIBBY

EXCUSED: Senators: MILLS, RAND

No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 2 Senators being absent and 2 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Nancy D. Mills** of Cornville for reappointment as a Superior Court Justice was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

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

NOMINATION - of the Honorable Rae Ann French of Augusta, for appointment as a Maine District Court Judge.

Tabled - March 15, 2000, by Senator **PINGREE** of Knox.

Pending - **CONSIDERATION**

(In Senate, March 15, 2000, Communication (S.C. 557) from the Committee on **JUDICIARY, READ and ORDERED PLACED ON FILE.**)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 119th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#285)

YEAS: Senators: None

NAYS: Senators: **ABROMSON, AMERO, BENNETT, BENOIT, BERUBE, CASSIDY, CATHCART, DAGGETT, DAVIS, DOUGLASS, FERGUSON, GOLDTHWAIT, HARRIMAN, KIEFFER, KILKELLY, KONTOS, LAFOUNTAIN, LONGLEY, MACKINNON, MICHAUD, MILLS, MITCHELL, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RUHLIN, SMALL, TREAT, THE PRESIDENT - MARK W. LAWRENCE**

ABSENT: Senators: CAREY, LIBBY

EXCUSED: Senator: RAND

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being absent and 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Rae Ann French** of Augusta for appointment as a Maine District Court Judge was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

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

NOMINATION - of Linda E. Abromson of Portland for reappointment to the Maine Human Rights Commission.

Tabled - March 15, 2000, by Senator **PINGREE** of Knox.

Pending - **CONSIDERATION**

(In Senate, March 15, 2000, Communication (S.C. 558) from the Committee on **JUDICIARY, READ and ORDERED PLACED ON FILE.**)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 119th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

The Senator from Cumberland, Senator **ABROMSON**, requested and received leave of the Senate to be excused from voting pursuant to Senate Rule 401.3.

ROLL CALL (#286)

YEAS: Senators: None

NAYS: Senators: **AMERO, BENNETT, BENOIT, BERUBE, CASSIDY, CATHCART, DAGGETT, DAVIS, DOUGLASS, FERGUSON, GOLDTHWAIT, HARRIMAN, KIEFFER, KILKELLY, KONTOS, LAFOUNTAIN, LONGLEY, MACKINNON, MICHAUD, MILLS, MITCHELL, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RUHLIN, SMALL, TREAT, THE PRESIDENT - MARK W. LAWRENCE**

ABSENT: Senators: CAREY, LIBBY

EXCUSED: Senators: ABROMSON, RAND

No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 2 Senators being absent and 2 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Linda E. Abromson** of Portland for reappointment to the Maine Human Rights Commission was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

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

NOMINATION - of Warren C. Kessler of Readfield for appointment to the Maine Human Rights Commission.

Tabled - March 15, 2000, by Senator **PINGREE** of Knox.

Pending - **CONSIDERATION**

(In Senate, March 15, 2000, Communication (S.C. 559) from the Committee on **JUDICIARY, READ** and **ORDERED PLACED ON FILE.**)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 119th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#287)

YEAS: Senators: None

NAYS: Senators: ABROMSON, AMERO, BENNETT, BENOIT, BERUBE, CASSIDY, CATHCART, DAGGETT, DAVIS, DOUGLASS, FERGUSON, GOLDTHWAIT, HARRIMAN, KIEFFER, KILKELLY, KONTOS, LAFOUNTAIN, LONGLEY, MACKINNON, MICHAUD, MILLS, MITCHELL, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RUHLIN, SMALL, TREAT, THE PRESIDENT - MARK W. LAWRENCE

ABSENT: Senators: CAREY, LIBBY

EXCUSED: Senator: RAND

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being absent and 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Warren C. Kessler** of Readfield for appointment to the Maine Human Rights Commission was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

Senate at Ease.

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution: H.P. 1890

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

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

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

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

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

WHEREAS, May 2, 2000 has been designated internationally as a Day of Remembrance of the Victims of the Nazi Holocaust, and is known as Yom HaShoah; and

WHEREAS, the national community pursuant to an Act of Congress will be commemorating the week of April 30th to May 7th as the Days of Remembrance of the Victims of the Nazi Holocaust; and

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

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

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

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

READ and **ADOPTED**, in concurrence.

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

Senator **PINGREE** of Knox was granted unanimous consent to address the Senate off the Record.

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

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

After Recess

Senate called to order by the President.

On motion by Senator **AMERO** of Cumberland, **ADJOURNED**, until Thursday, March 16, 2000, at 9:00 in the morning.