

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

In Senate Chamber
Thursday
January 14, 1999

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

Prayer by Senator Betty Lou Mitchell of Penobscot County.

Senator **MITCHELL**: Good morning. Our prayer this morning is combined from excerpts from a very old prayer that some of you will recognize I'm sure and a prayer that was given to our Congressional delegation. Please join me.

Gracious God, to whom we turn for guidance in our working lives, we ask for the people of this State and the members of this Senate that You will be pleased to direct and prosper all of our deliberations to the advancement of Your will, the safety, honor and welfare of all the people. Grant us, in our doubts and uncertainties, the grace to ask what You would have us do, that the spirit of wisdom may save us from all false choices and that in Your light we may see light and in Your straight path may we not stumble. Grant us that peace and happiness, well-being, truth, and justice may prevail among us. Amen.

Reading of the Journal of Monday, January 11, 1999.

Out of order and under suspension of the Rules, on motion by Senator PINGREE of Knox, the following Joint Order:
S.P. 142

ORDERED, the House concurring, that when the House and Senate Adjourn they do so until Tuesday, January 19, 1999, at 3:00 in the afternoon.

READ and **PASSED**.

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

Off Record Remarks

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Provide Funds for the Repair of Schools"
H.P. 152 L.D. 214

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

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

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

Bill "An Act to Authorize a General Fund Bond Issue for the Repair and Renovation of Schools"
H.P. 191 L.D. 269

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

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

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

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$25,000,000 to Build or Rehabilitate Regional Psychiatric Facilities"
H.P. 193 L.D. 271

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

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

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

Bill "An Act to Make it an Unfair Claims Practice for Insurers Who Fail to Deal in Good Faith with Claimants to Resolve Claims"
H.P. 202 L.D. 280

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

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

Bill "An Act to Make Purposeful Misrepresentation and Stolen Identity of Another Person a Class C Crime"
H.P. 180 L.D. 258

Bill "An Act to Require Records Checks for Persons Providing Direct Care to Clients of the Department of Mental Health, Mental Retardation and Substance Abuse Services"
H.P. 188 L.D. 266

Bill "An Act to Prohibit the Misuse of Laser Pointers"
(EMERGENCY)
H.P. 190 L.D. 268

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

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

Resolve, Establishing a Commission to Study High-speed Chases
(EMERGENCY)
H.P. 194 L.D. 272

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

Comes from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE**.

On motion by Senator **O'GARA** of Cumberland, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Bill "An Act to Enhance the Health of Maine Citizens by Improving Community Health Programs"
H.P. 178 L.D. 256

Bill "An Act to Change the Municipal General Assistance Shelter Allowance"
H.P. 179 L.D. 257

Bill "An Act to Allow Registered Lab Technicians and Certified Phlebotomists to Draw Blood for Forensic Purposes"
H.P. 196 L.D. 274

Bill "An Act to Require Review under the Certificate of Need Law When Health Care Services Are Terminated"
H.P. 198 L.D. 276

Bill "An Act to Amend the Laws Concerning Release of Information on Hospitalized Individuals" (EMERGENCY)
H.P. 208 L.D. 286

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

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

Bill "An Act to Give Citizens 70 Years of Age and Older Free Bear and Duck Hunters Stamps"
H.P. 171 L.D. 249

Bill "An Act to Secure Wounded Deer"
H.P. 181 L.D. 259

Bill "An Act to Allow a Person Hunting with a Muzzle-loader to Take an Antlerless Deer"
H.P. 197 L.D. 275

Come from the House, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

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

Bill "An Act to Impose Stricter OUI Penalties on Operators of Watercraft, ATVs and Snowmobiles"
H.P. 209 L.D. 287

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

Comes from the House, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE**.

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

Bill "An Act to Enhance the Enforcement of Civil and Criminal Violations"
H.P. 182 L.D. 260

Bill "An Act to Amend the Uniform Unclaimed Property Act concerning Tangible Property Held by Landlords or by State Institutions"
H.P. 211 L.D. 289

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

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

Bill "An Act to Restrict Recreational Activities in Cemeteries"
H.P. 174 L.D. 252

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

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

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

Resolve, to Direct the Department of Labor to Set Up and Operate Employment Offices in the 16 Counties of the State
H.P. 183 L.D. 261

Bill "An Act to Amend the Laws Relative to Vesting in the Maine State Retirement System"
H.P. 189 L.D. 267

Bill "An Act to Prohibit the Employment of Minors in Places Providing Nude Entertainment"
H.P. 199 L.D. 277

Bill "An Act to Increase the Number of Members of the Board of Trustees of the Maine State Retirement System"
H.P. 206 L.D. 284

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

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

Bill "An Act to Require the Commission on Governmental Ethics and Election Practices to Report Delinquent Filers"
H.P. 177 L.D. 255

Come from the House, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed.

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

Bill "An Act to Increase the Appropriation to the Saco River Corridor Commission"
H.P. 155 L.D. 217

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

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

Resolve, to Name the State Office Building the Burton M. Cross Building
H.P. 172 L.D. 250

Resolve, to Cable Televisе the Proceedings of the Legislature
H.P. 175 L.D. 253

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

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

Bill "An Act to Establish English as the Official State Language"
H.P. 186 L.D. 264

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

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

Bill "An Act to Increase the Snowmobile Trail Fund"
H.P. 173 L.D. 251

Bill "An Act to Exempt Children's Clothing from Sales Tax"
H.P. 176 L.D. 254

Bill "An Act to Amend the BETR Program Regarding Reimbursement and Eligibility"
H.P. 184 L.D. 262

Bill "An Act to Increase the Cigarette Tax 63 Cents Per Pack"
H.P. 185 L.D. 263

Bill "An Act to Adjust the Taxation of Public Pensions"
H.P. 201 L.D. 279

Bill "An Act to Protect Municipalities from Property Tax Loss when Land is Acquired by the State"
H.P. 205 L.D. 283

Bill "An Act to Amend the Required Sales Tax on the Purchase of Firearms"
H.P. 207 L.D. 285

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

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

Bill "An Act to Provide for License Plates in Support of Domestic Violence Prevention Programs"
H.P. 187 L.D. 265

Bill "An Act to Require New and Reconstructed Bridges to Provide for Safe Recreational Use"
H.P. 195 L.D. 273

Bill "An Act to Place Direction Signs on I-95 for the Lakeland Trail"
H.P. 200 L.D. 278

Bill "An Act to Dedicate the Revenue from the Increase in the Inspection Fee to the State Police and to Establish a Safety Inspection Advisory Board"

H.P. 203 L.D. 281

Bill "An Act to Allow Motor Vehicle Safety Inspection Stations to Set Their Own Fees for Inspections and to Require the Inspection of Brake Friction Material"

Sent down for concurrence.

H.P. 204 L.D. 282

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

The Following Communication: S.P. 137

119th MAINE LEGISLATURE

January 11, 1999

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

Senator Carol A. Kontos
Representative Gary L. O'Neal
Chairpersons
Joint Standing Committee on Business and Economic Development
119th Legislature

Bill "An Act to Create the Washington County Electricity Agency"
H.P. 192 L.D. 270

Dear Senator Kontos and Representative O'Neal:

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

Please be advised that Governor Angus S. King, Jr. has nominated Daniel LaPointe of Van Buren, Paul R. Cariani of Presque Isle and Albert L. Watt of Sinclair for reappointment and Philip A. Cyr of Caribou for appointment as members of the Loring Development Authority.

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

Pursuant to Title 5, M.R.S.A., §13080-B, these nominations will require review by the Joint Standing Committee on Business and Economic Development and confirmation by the Senate.

COMMUNICATIONS

The Following Communication: S.P. 136

119th MAINE LEGISLATURE

Sincerely,

January 11, 1999

S/Mark W. Lawrence
President of the Senate

Senator Carol A. Kontos
Representative Gary L. O'Neal
Chairpersons
Joint Standing Committee on Business and Economic Development
119th Legislature
Augusta, Maine 04333

S/G. Steven Rowe
Speaker of the House

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

Dear Senator Kontos and Representative O'Neal:

Sent down for concurrence.

Please be advised that Governor Angus S. King, Jr. has nominated Steven H. Levesque of Farmingdale as Commissioner of the Department of Economic and Community Development

The Following Communication: S.P. 151

119th MAINE LEGISLATURE

Pursuant to Title 5, M.R.S.A., §13057, this nomination will require review by the Joint Standing Committee on Business and Economic Development and confirmation by the Senate.

January 13, 1999

Sincerely,

Senator Richard J. Carey
Representative Thomas M. Davidson
Chairpersons
Joint Standing Committee on Utilities and Energy
119th Legislature
Augusta, Maine 04333

S/Mark W. Lawrence
President of the Senate

S/G. Steven Rowe
Speaker of the House

Dear Senator Carey and Representative Davidson:

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

Please be advised that Governor Angus S. King, Jr. has nominated Thomas L. Welch of Hancock for reappointment as the Chairman of the Maine Public Utilities Commission.

Pursuant to Title 35-A, M.R.S.A., §105, this nomination will require review by the Joint Standing Committee on Utilities and Energy 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 **UTILITIES AND ENERGY**.

Sent down for concurrence.

The Following Communication: H.C. 22

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA, MAINE 04333-0002**

January 14, 1999

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

Dear Secretary O'Brien:

On January 7, 1999 the Speaker appointed the following Representatives to the Joint Select Committee on the Gubernatorial Vote on the part of the House:

Representative TUTTLE of Sanford
Representative GAMACHE of Lewiston
Representative CHIZMAR of Lisbon
Representative FISHER of Brewer
Representative GAGNE of Buckfield
Representative LABRECQUE of Gorham
Representative MAYO of Bath
Representative PERKINS of Penobscot
Representative HEIDRICH of Oxford
Representative MCKENNEY of Cumberland

On January 7, 1999 the Speaker appointed a Committee to wait upon the Honorable ANGUS S. KING, JR., and inform him he had been duly elected Governor of the State of Maine for the political years 1999, 2000, 2001, and 2002, the following members on the part of the House:

Representative AHEARNE of Madawaska
Representative BAGLEY of Machias
Representative RINES of Wiscasset

Representative McDONOUGH of Portland
Representative TWOMEY of Biddeford
Representative BUMPS of China
Representative KASPRZAK of Newport
Representative JODREY of Bethel
Representative RICHARDSON of Greenville
Representative GERRY of Auburn
Representative SOCTOMAH of the Passamaquoddy Tribe

Sincerely,

S/Joseph W. Mayo
Clerk of the House

READ and ORDERED PLACED ON FILE.

Off Record Remarks

SENATE PAPERS

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

Sponsored by Senator ABROMSON of Cumberland.
Cosponsored by Representative BRUNO of Raymond and Senators: BENNETT of Oxford, HARRIMAN of Cumberland, MILLS of Somerset, PENDLETON of Cumberland, SMALL of Sagadahoc, Representatives: COLWELL of Gardiner, SAXL of Portland.

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

Sent down for concurrence.

Resolve, to Honor Farmers' Contributions to Maine's Agricultural Heritage and Promote Tourism

S.P. 109 L.D. 306

Sponsored by Senator LONGLEY of Waldo.
Cosponsored by Representative COWGER of Hallowell and Senators: MILLS of Somerset, NUTTING of Androscoggin, Representatives: CHICK of Lebanon, PIEH of Bremen, TOBIN of Dexter.

Bill "An Act to Allow Assistants to Physicians to Perform Certain Tasks outside the Direct Supervision of the Physicians"

S.P. 127 L.D. 324

Sponsored by Senator GOLDTHWAIT of Hancock.
Cosponsored by Senator: PENDLETON of Cumberland,
Representative: BROOKS of Winterport.

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

S.P. 115 L.D. 312

Sent down for concurrence.

Sponsored by Senator BENOIT of Franklin.
Cosponsored by Representative GOOLEY of Farmington and Representative: WATERHOUSE of Bridgton.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent down for concurrence.

Bill "An Act to Allow a Person to Erect One Advertising Sign"
S.P. 126 L.D. 323

Sponsored by Senator DAVIS of Piscataquis.
Cosponsored by Representative PIEH of Bremen and Senators: BENOIT of Franklin, KILKELLY of Lincoln, MacKINNON of York, MITCHELL of Penobscot, Representatives: CARR of Lincoln, JABAR of Waterville, RICHARDSON of Greenville, STANLEY of Medway.

Bill "An Act to Implement a Recommendation of the Joint Select Committee on Research and Development Relating to Math and Science Training for Maine Educators"

S.P. 135 L.D. 373

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

Sponsored by Senator GOLDTHWAIT of Hancock.
Cosponsored by Representative DUGAY of Cherryfield and Senators: BENNETT of Oxford, CATHCART of Penobscot, President LAWRENCE of York, Representative: BELANGER of Caribou.

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

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

On motion by Senator **PINGREE** of Knox, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

Bill "An Act to Establish the Crime of Aggravated Criminal Trespass"
S.P. 110 L.D. 307

Sponsored by Senator LONGLEY of Waldo.
Cosponsored by Representatives: McALEVEY of Waterboro, O'BRIEN of Augusta, POVICH of Ellsworth.

Sent down for concurrence.

Bill "An Act to Implement the Recommendations of the 118th Legislative Joint Select Committee to Implement a Program for the Control, Care and Treatment of Sexually Violent Predators"
S.P. 111 L.D. 308

Bill "An Act Regarding the Funding of Search and Rescue Efforts by the Department of Inland Fisheries and Wildlife"
S.P. 112 L.D. 309

Sponsored by Senator MURRAY of Penobscot.
Cosponsored by Representative THOMPSON of Naples and Senators: LaFOUNTAIN of York, MITCHELL of Penobscot, Representatives: JABAR of Waterville, MADORE of Augusta, McALEVEY of Waterboro, PIEH of Bremen, POWERS of Rockport, WHEELER of Bridgewater.

Sponsored by Senator KILKELLY of Lincoln.
Cosponsored by Representative DUNLAP of Old Town and Senator: DAVIS of Piscataquis, Representative: SAVAGE of Buxton.

Bill "An Act to Amend the OUI Laws Related to License Suspensions" (EMERGENCY)
S.P. 125 L.D. 322

Bill "An Act to Allow Children to Fish from the Banks of Rivers Designated as Quality Fishing Rivers" (EMERGENCY)
S.P. 113 L.D. 310

Sponsored by Senator BENOIT of Franklin.
Cosponsored by Senator: DAVIS of Piscataquis.

Sponsored by Senator KIEFFER of Aroostook.
Cosponsored by Representative DUNLAP of Old Town and Senator: DAVIS of Piscataquis, Representatives: AHEARNE of Madawaska, CLARK of Millinocket, O'NEAL of Limestone, USHER of Westbrook.

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

Bill "An Act to Create a Registration Plate for Members of the Maine Snowmobile Association"
S.P. 114 L.D. 311

Sent down for concurrence.

Sponsored by Senator BENNETT of Oxford.

Bill "An Act to Prohibit the University of Maine System and the Public Vocational Schools from Competing in the Printing Industry"

Bill "An Act to Change the Time of the Moose Hunting Season"
S.P. 128 L.D. 325

Sponsored by Senator BENOIT of Franklin.
Cosponsored by Senators: DAVIS of Piscataquis, LONGLEY of
Waldo.

Bill "An Act to Allow a Person Who Possesses an Archery Hunting
License to Shoot a Deer During the Regular Hunting Season"
S.P. 129 L.D. 326

Sponsored by Senator DAVIS of Piscataquis.
Cosponsored by Representative CARR of Lincoln and
Representatives: JOY of Crystal, MACK of Standish, STANLEY of
Medway.

Bill "An Act to Enhance the Marketing and Promotion Capabilities
of the Department of Inland Fisheries and Wildlife"
S.P. 138 L.D. 374

Sponsored by Senator KILKELLY of Lincoln.
Cosponsored by Representative BRYANT of Dixfield and
Representatives: CHICK of Lebanon, CLARK of Millinocket,
CROSS of Dover-Foxcroft, DAVIS of Falmouth, DUNLAP of Old
Town, PERKINS of Penobscot, SCHNEIDER of Durham,
TRAHAN of Waldoboro.
Submitted by the Department of Inland Fisheries and Wildlife
pursuant to Joint Rule 204.

Bill "An Act to Amend the Laws Pertaining to Turkey Hunting"
S.P. 150 L.D. 419

Sponsored by Senator KILKELLY of Lincoln.
Cosponsored by Representative: DUNLAP of Old Town.
Submitted by the Department of Inland Fisheries and Wildlife
pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act to Prohibit Discrimination Against Motorcyclists"
S.P. 144 L.D. 413

Sponsored by Senator PENDLETON of Cumberland.
Cosponsored by Representative LEMONT of Kittery and
Senators: DAVIS of Piscataquis, O'GARA of Cumberland,
Representatives: AHEARNE of Madawaska, COLWELL of
Gardiner, COWGER of Hallowell, O'NEIL of Saco, SAXL of
Bangor, SULLIVAN of Biddeford.

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

Sent down for concurrence.

Bill "An Act to Prohibit the Replacement of Striking Workers"
S.P. 133 L.D. 330

Sponsored by Senator CATHCART of Penobscot.
Cosponsored by Representative HATCH of Skowhegan and
Senator: RAND of Cumberland, Representatives: BERRY of
Livermore, BRYANT of Dixfield, DUNLAP of Old Town,

DUPLESSIE of Westbrook, TRACY of Rome, USHER of Westbrook.

Bill "An Act to Amend the Obligations of Direct Reimbursement Employers"

S.P. 139 L.D. 375

Sponsored by President LAWRENCE of York.
Cosponsored by Representative WHEELER of Eliot,
Representative BROOKS of Winterport, and Representatives:
HATCH of Skowhegan, LEMONT of Kittery.

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

Sent down for concurrence.

Bill "An Act to Allow Honorably Discharged Veterans to Be Buried in the Veterans' Memorial Cemetery"

S.P. 116 L.D. 313

Sponsored by Senator HARRIMAN of Cumberland.
Cosponsored by Representative BUCK of Yarmouth and
Senators: DAVIS of Piscataquis, FERGUSON of Oxford.

Bill "An Act to Restrict Circulators of Initiated Petitions from Being within 250 Feet of Voting Places"

S.P. 117 L.D. 314

Sponsored by Senator KIEFFER of Aroostook.
Cosponsored by Senators: BENOIT of Franklin, CASSIDY of
Washington, MacKINNON of York, Representatives: KNEELAND
of Easton, MAYO of Bath, SHERMAN of Hodgdon.

Bill "An Act to Ensure the Maintenance, Protection and Repair of Veterans' Graves, Headstones, Monuments and Markers"

S.P. 147 L.D. 416

Sponsored by Senator LIBBY of York.
Cosponsored by Senator NUTTING of Androscoggin.

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

Sent down for concurrence.

Bill "An Act to Amend the Laws Governing the Marine Resources Advisory Council"

S.P. 118 L.D. 315

Sponsored by Senator HARRIMAN of Cumberland.
Cosponsored by Representative HONEY of Boothbay and
Representatives: COLWELL of Gardiner, O'NEIL of Saco.

Bill "An Act to Alter Eligibility for New Lobster and Crab Fishing Licenses during the Current Moratorium" (EMERGENCY)

S.P. 119 L.D. 316

Sponsored by Senator MILLS of Somerset.

Bill "An Act to Provide for Additional Management Measures of the Scallop Industry"

S.P. 130 L.D. 327

Sponsored by Senator GOLDTHWAIT of Hancock.
Cosponsored by Representative PINKHAM of Lamoine and
Representatives: DUGAY of Cherryfield, STANWOOD of
Southwest Harbor.

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

Sent down for concurrence.

Bill "An Act to Exclude Retail Stores from Participation in Tax Increment Financing Districts"

S.P. 120 L.D. 317

Sponsored by Senator MILLS of Somerset.

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

S.P. 121 L.D. 318

Sponsored by Senator GOLDTHWAIT of Hancock.
Cosponsored by Representative MADORE of Augusta and
Senators: DAGGETT of Kennebec, FERGUSON of Oxford,
Representatives: COLWELL of Gardiner, LABRECQUE of
Gorham, McDONOUGH of Portland, NASS of Acton, POVICH of
Ellsworth, STANWOOD of Southwest Harbor.

Bill "An Act to Establish Parity in Property Taxation for Commercial Dairy Farmers"

S.P. 131 L.D. 328

Sponsored by Senator MILLS of Somerset.

Bill "An Act to Exclude Food and Lodging Establishments from Participating in Tax Increment Financing Districts"

S.P. 132 L.D. 329

Sponsored by Senator MILLS of Somerset.

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

S.P. 141 L.D. 377

Sponsored by Senator DAGGETT of Kennebec.
Cosponsored by Representative GAGNON of Waterville and
Senator: AMERO of Cumberland, Representative: BERRY of
Belmont.

Bill "An Act to Include Property in a Tax Increment Financing District Approved after October 1, 1999 in a Municipality's State Valuation for Purposes of Education Funding"

S.P. 143 L.D. 412

Sponsored by Senator MILLS of Somerset.
Cosponsored by Representative ETNIER of Harpswell.

Bill "An Act to Allow a Municipality to Request a Joint Check from the Circuit Breaker Program in the Event of Nonpayment of Taxes"

S.P. 145 L.D. 414

Sponsored by Senator LIBBY of York.
Cosponsored by Representative CIANCHETTE of South Portland and Representatives: MACK of Standish, McALEVEY of Waterboro.

Bill "An Act to Limit a Property Owner's Tax Liability to the Time Prior to Sale of the Property"

S.P. 146 L.D. 415

Sponsored by Senator RUHLIN of Penobscot.
Cosponsored by Representative LEMONT of Kittery and Senator: O'GARA of Cumberland, Representatives: DUNLAP of Old Town, FISHER of Brewer.

Bill "An Act to Reduce the Threshold at which the State Sales Tax is Automatically Reduced"

S.P. 148 L.D. 417

Sponsored by Senator LIBBY of York.
Cosponsored by Senators: BENNETT of Oxford, MacKINNON of York, MILLS of Somerset, Representative: GERRY of Auburn.

Bill "An Act to Reduce the Meals and Lodging Tax to the Same Rate as the State Sales Tax"

S.P. 149 L.D. 418

Sponsored by Senator LIBBY of York.
Cosponsored by Representative: NASS of Acton.

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

Sent down for concurrence.

Bill "An Act to Require Commercial Vehicle Operators Involved in Fatal Motor Vehicle Accidents to Submit to Drug Testing"

S.P. 122 L.D. 319

Sponsored by Senator CASSIDY of Washington.
Cosponsored by Representative WHEELER of Eliot and Representatives: LINDAHL of Northport, MARTIN of Eagle Lake.

Bill "An Act to Amend the Law regarding Reportable Motor Vehicle Accidents"

S.P. 123 L.D. 320

Sponsored by Senator DAVIS of Piscataquis.
Cosponsored by Representative CROSS of Dover-Foxcroft and Senators: ABROMSON of Cumberland, KIEFFER of Aroostook, MacKINNON of York, MURRAY of Penobscot, Representatives: CARR of Lincoln, JOY of Crystal, STANLEY of Medway, Representative WHEELER of Bridgewater.

Bill "An Act to Create a License Plate for Veterans Who Served in Iwo Jima, Normandy or Desert Storm"

S.P. 124 L.D. 321

Sponsored by Senator HARRIMAN of Cumberland.
Cosponsored by Representative BUCK of Yarmouth and Senator: DAVIS of Piscataquis.

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

Sent down for concurrence.

Bill "An Act to Amend the Renewable Resource Portfolio Requirement for Competitive Electricity Providers"

S.P. 134 L.D. 331

Sponsored by Senator CAREY of Kennebec.

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

Sent down for concurrence.

ORDERS OF THE DAY

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

Resolve, Establishing a Commission to Study High-speed Chases (EMERGENCY)

H.P. 194 L.D. 272

Tabled - January 14, 1999, by Senator **O'GARA** of Cumberland.

Pending - **REFERENCE**

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

(In House, January 11, 1999, **REFERRED** to the Committee on **CRIMINAL JUSTICE**.)

On motion by Senator **O'GARA** of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE** and ordered printed, in concurrence.

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

ORDERS

Senate Order

On motion by Senator RAND of Cumberland, the following Senate Order: S.O. 12

ORDERED, Senate Rule 511 be amended to read:

Rule 511. Enactment of engrossed bills. A bill or resolve may not pass to be engrossed until the bill or resolve has had 2 readings. All bills and resolves, immediately after being engrossed, must be committed to the Committee on Engrossed Bills to be examined; if found by the committee to be truly and strictly engrossed, and before any bill is passed to be enacted or any resolve is finally passed, the title of the bill or resolve must be read. The President of the Senate may order any bill or resolve to be engrossed upon its introduction to the Senate.

READ.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending motion by same Senator to **PASS**.

ORDERS OF THE DAY

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

Bill "An Act to Restrict Recreational Activities in Cemeteries"
H.P. 174 L.D. 252

Tabled - January 14, 1999, by Senator **PINGREE** of Knox.

Pending - **REFERENCE**

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

(In House, January 11, 1999, **REFERRED** to the Committee on **JUDICIARY**.)

On motion by Senator **LONGLEY** of Waldo, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator CATHCART for the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Transfer Funds from the Service Retirement Benefit Reserve to the Maine State Retirement System in Order to Fund the Modification of Retirement Laws for Certain Law Enforcement Personnel" (EMERGENCY)

S.P. 12 L.D. 1

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-7)**.

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

READ ONCE.

Committee Amendment "A" (S-7) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-7)**.

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

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later (1/7/99) Assigned matter:

JOINT ORDER - relative to creating the Joint Select Committee on Joint Rules for the Second Regular Session
S.P. 41

Tabled - January 7, 1999, by Senator **TREAT** of Kennebec.

Pending - Motion by same Senator to **PASS**

(In Senate, January 7, 1999, **READ**.)

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

The Chair laid before the Senate the following Tabled and Later (1/11/99) Assigned matter:

Bill "An Act to Provide Equitable Treatment of Visitor Information Centers"
S.P. 88 L.D. 191

Tabled - January 11, 1999, by Senator **MICHAUD** of Penobscot.

Pending - **REFERENCE**

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

On motion by Senator **MICHAUD** of Penobscot, **REFERRED** to the Committee on **APPROPRIATION AND FINANCIAL AFFAIRS**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (1/11/99) Assigned matter:

Bill "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"
S.P. 53 L.D. 123

Tabled - January 11, 1999, by Senator **MICHAUD** of Penobscot.

Pending - **REFERENCE**

(Committee on **INLAND FISHERIES AND WILDLIFE** suggested and ordered printed.)

On motion by Senator **MICHAUD** of Penobscot, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (1/11/99) Assigned matter:

Bill "An Act to Enhance Economic Development in Hancock County"
H.P. 121 L.D. 152

Tabled - January 11, 1999, by Senator **KONTOS** of Cumberland.

Pending - **REFERENCE**

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

(In House, January 11, 1999, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.)

On motion by Senator **CATHCART** of Penobscot, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed, in concurrence.

The Chair laid before the Senate the following Tabled and Later (1/11/99) Assigned matter:

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require a Referendum for a People's Veto to Be Held at a Primary or General Election
H.P. 166 L.D. 228

Tabled - January 11, 1999, by Senator **DAGGETT** of Kennebec.

Pending - **REFERENCE**

(Committee on **LEGAL AND VETERANS AFFAIRS** suggested and ordered printed.)

(In House, January 11, 1999, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.)

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

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

Bill "An Act to Allow a Person to Erect One Advertising Sign"
S.P. 126 L.D. 323

Tabled - January 14, 1999, by Senator **PINGREE** of Knox.

Pending - **REFERENCE**

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

REFERRED to the Committee on **NATURAL RESOURCES**.

Sent down for concurrence.

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

SENATE PAPERS

Bill "An Act Requiring Legislative Approval of Ecological Reserves"
S.P. 157 L.D. 477

Sponsored by Senator **KILKELLY** of Lincoln.
Cosponsored by Representative **DUNLAP** of Old Town.

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

Sent down for concurrence.

Bill "An Act to Promote Adult Education"
S.P. 155 L.D. 475

Sponsored by Senator **PENDLETON** of Cumberland.
Cosponsored by Representative **BERRY** of Belmont and Senators: **CATHCART** of Penobscot, **SMALL** of Sagadahoc, Representatives: **BELANGER** of Caribou, **BRENNAN** of Portland, **DESMOND** of Mapleton, **RICHARD** of Madison, **SKOGLUND** of St. George, **STEDMAN** of Hartland.

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

Sent down for concurrence.

Bill "An Act to Establish a Maine Agriculture Market and Production Development Program"

S.P. 158 L.D. 478

Sponsored by Senator KILKELLY of Lincoln.
Cosponsored by Representative PIEH of Bremen, Senator TREAT of Kennebec, and Senators: NUTTING of Androscoggin, PINGREE of Knox, Representatives: COWGER of Hallowell, WATSON of Farmingdale.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

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

Bill "An Act to Amend the Revised Maine Securities Act"

S.P. 152 L.D. 472

Sponsored by Senator ABROMSON of Cumberland.
Submitted by the Department of Professional and Financial Regulations pursuant to Joint Rule 204.

Bill "An Act to Require Insurers to Cover Procedures Performed by Licensed Denturists"

S.P. 164 L.D. 484

Sponsored by Senator MICHAUD of Penobscot.
Cosponsored by Representative STANLEY of Medway.

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

Sent down for concurrence.

Bill "An Act to Include a Denturist on the Board of Dental Examiners"

S.P. 163 L.D. 483

Sponsored by Senator MICHAUD of Penobscot.
Cosponsored by Representative STANLEY of Medway.

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

Sent down for concurrence.

Bill "An Act Relating to the Crime of Murder and to the Murder of Children"

S.P. 154 L.D. 474

Sponsored by Senator PENDLETON of Cumberland.
Cosponsored by Representative AHEARNE of Madawaska and Senators: BENOIT of Franklin, LONGLEY of Waldo, PARADIS of Aroostook, PINGREE of Knox, Representatives: DUNLAP of Old

Town, KASPRZAK of Newport, O'NEIL of Saco, SULLIVAN of Biddeford.

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

Sent down for concurrence.

Bill "An Act to Clarify the Laws Pertaining to the Importation of Fish"

S.P. 153 L.D. 473

Sponsored by Senator KILKELLY of Lincoln.
Cosponsored by Representative DUNLAP of Old Town and Representatives: BRYANT of Dixfield, CHICK of Lebanon, CLARK of Millinocket, PERKINS of Penobscot.
Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.

Bill "An Act Regarding Hunting on One's Own Land"

S.P. 160 L.D. 480

Sponsored by Senator KILKELLY of Lincoln.
Cosponsored by Representative DUNLAP of Old Town.

Bill "An Act to Keep Public Lands Open to Hunting, Fishing and Trapping"

S.P. 161 L.D. 481

Sponsored by Senator KILKELLY of Lincoln.
Cosponsored by Representative DUNLAP of Old Town and Senator: DAVIS of Piscataquis, Representatives: CHICK of Lebanon, COWGER of Hallowell, SAVAGE of Buxton.

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

Sent down for concurrence.

Bill "An Act to Prohibit the Negotiation of Severance Pay Lower than the State Minimum"

S.P. 156 L.D. 476

Sponsored by Senator MICHAUD of Penobscot.
Cosponsored by Representative STANLEY of Medway.

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

Sent down for concurrence.

Bill "An Act Concerning County Treasurers"

S.P. 162 L.D. 482

Sponsored by Senator FERGUSON of Oxford.

Cosponsored by Senators: LaFOUNTAIN of York, PENDLETON of Cumberland, Representatives: GAGNE of Buckfield, HEIDRICH of Oxford.

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

Sent down for concurrence.

Off Record Remarks

Bill "An Act Regarding the Taxation of Natural Gas in a Gas Pipeline"

S.P. 159 L.D. 479

Sponsored by Senator KILKELLY of Lincoln.
Cosponsored by Representative RINES of Wiscasset and Senator: TREAT of Kennebec, Representatives: COWGER of Hallowell, GAGNON of Waterville, WATSON of Farmingdale.

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

Sent down for concurrence.

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

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later (1/11/99) Assigned matter:

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

H.P. 165 L.D. 227

Tabled - January 11, 1999, by Senator **MURRAY** of Penobscot.

Pending - **REFERENCE**

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

(In House, January 11, 1999, **REFERRED** to the Committee on **CRIMINAL JUSTICE**.)

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

Sent down for concurrence.

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

COMMUNICATIONS

The Following Communication: S.P. 165

119th MAINE LEGISLATURE

January 13, 1999

Senator Carol A. Kontos
Representative Gary L. O'Neal
Chairpersons
Joint Standing Committee on Business and Economic Development
119th Legislature

Dear Senator Kontos and Representative O'Neal:

Please be advised that Governor Angus S. King, Jr. has nominated David M. Carlisle of Bangor, Mary B. Hatch of North Anson and Geraldine R. Canning of Portland for appointment as members of the Finance Authority of Maine.

Pursuant to Title 10, M.R.S.A., §965, these nominations will require review by the Joint Standing Committee on Business and Economic Development 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 **BUSINESS AND ECONOMIC DEVELOPMENT**.

Sent down for concurrence.

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

ORDERS

Joint Order

On motion of Senator TREAT of Kennebec, the following Joint Order: S.P.166

ORDERED, the House concurring, that the Joint Rules be amended to read:

Rule 354. Joint Select Committee on Joint Rules.

Beginning with the Second Regular Session of the 119th Legislature, there is established the Joint Select Committee on

Joint Rules. Notwithstanding Joint Rule 351, the committee consists of 5 Senators, appointed by the President of the Senate, and 5 members of the House of Representatives, appointed by the Speaker of the House. The first-named Senate member is the Senate chair; the first-named House member is the House chair.

The committee shall meet at least once annually and at other times agreed upon by the President of the Senate and the Speaker of the House to review the joint rules and recommend changes the committee determines necessary.

The committee shall invite the participation of the Secretary of the Senate, the Clerk of the House, the Executive Director of the Legislative Council, the Director of the Office of Fiscal and Program Review, the Director of the Office of Policy and Legal Analysis and the Director of the Office of the Revisor of Statutes. The Secretary of the Senate and the Clerk of the House shall provide necessary staffing services to the committee.

The committee shall report annually by October 15th with any suggested changes to the Joint Rules.

READ.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending motion by same Senator to **PASS**.

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

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

REPORTS OF COMMITTEES

House

Ought to Pass

From the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Delay the Implementation until October 1, 1999 of Public Law 1997, Chapter 793, "An Act to Provide for Confidentiality of Health Care Information" (EMERGENCY)
H.P. 359 L.D. 503

Reported that the same **Ought to Pass** pursuant to **Joint Order H.P. 270**.

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

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

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

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

On motion by Senator **PINGREE** of Knox, **RECESSED** until 12:30 pm.

After Recess

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Requiring That the Director of the Bureau of Parks and Lands Appoint the Executive Director of the Allagash Wilderness Waterway"
H.P. 216 L.D. 294

Bill "An Act to Protect Traditional Access to the Allagash Wilderness Waterway"
H.P. 287 L.D. 395

Bill "An Act to Reconcile Minor Technical Differences between Forest Practices Laws and Rules"
H.P. 299 L.D. 407

Bill "An Act Requiring Disclosures to be Made to Purchasers of Land Abutting Agricultural Land"
H.P. 333 L.D. 449

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

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Achieve Equity in Transportation Funding"
H.P. 281 L.D. 389

Bill "An Act to Permit Senior Citizens to Remain in Their Homes
by Providing Funds for Necessary Modifications"
H.P. 328 L.D. 444

Bill "An Act to Require That All Fines Collected by State Agencies
Be Deposited in the General Fund"
H.P. 346 L.D. 462

Bill "An Act to Strengthen Child Abuse Prevention in Maine"
H.P. 362 L.D. 487

Bill "An Act to Appropriate Funds for Acquisitions for the Maine
State Library and for Library Resource Sharing" (EMERGENCY)
H.P. 374 L.D. 499

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Improve the Delivery of Services in Insurance"
H.P. 246 L.D. 350

Bill "An Act to Require Insurance Companies to Provide Certain
Information to the Department of Human Services"
H.P. 301 L.D. 409

Bill "An Act Authorizing Municipalities to Create Nonprofit
Corporations for the Sole Purpose of Providing Homeowners
Liability Insurance to Citizens of the Municipalities"
H.P. 351 L.D. 467

Bill "An Act to Require Insurers to Disclose Insurance Data to
Schools and Municipalities"
H.P. 352 L.D. 468

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Require Life Imprisonment for Habitual Violent
Offenders"
H.P. 222 L.D. 300

Bill "An Act to Strengthen Manslaughter and Homicide Penalties
When the Victim is Under 16 Years of Age"
H.P. 234 L.D. 338

Bill "An Act to Make a Traffic Infraction That Results in Bodily
Injury to the Offending Driver or Another Person a Class E Crime"
H.P. 240 L.D. 344

Bill "An Act Regarding the Administration of Polygraph Tests to
Prospective Law Enforcement Personnel"
H.P. 249 L.D. 353

Bill "An Act to Establish Certain Crimes of Domestic Violence"
H.P. 250 L.D. 354

Bill "An Act to Establish Victims' Rights for the Victims of Juvenile
Crimes"
H.P. 276 L.D. 384

Bill "An Act Defining Witness, Informant and Victim for the Crime
of Tampering with a Witness, Informant or Victim Under the
Criminal Code"
H.P. 282 L.D. 390

Bill "An Act to Require the Revocation of Probation for a Person
Convicted of Domestic Violence if the Person Fails to Attend a
Certified Batterers' Intervention Program"
H.P. 290 L.D. 398

Bill "An Act to Treat All Assaults on Law Enforcement Officers as
Class C Crimes"
H.P. 317 L.D. 433

Bill "An Act to Establish an Appeal Process for Concealed
Firearms Permit Applications and to Grant Reciprocity to Other
States"
H.P. 320 L.D. 436

Bill "An Act to Establish the Crime of Rendering a Telephone
Inoperable during a Domestic Violence Incident"
H.P. 338 L.D. 454

Bill "An Act to Increase the Sanctions for Criminal Mischief Within
a Correctional Facility"
H.P. 341 L.D. 457

Bill "An Act Concerning Payment of Medical Costs for Prisoners
in County Correctional Facilities"

H.P. 350 L.D. 466

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

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

Bill "An Act to Remove the Prohibition against Carrying a Loaded Hunting Weapon in a Motor Vehicle"

H.P. 230 L.D. 334

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

On motion by Senator **MURRAY** of Penobscot, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and **ordered printed**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Bill "An Act to Collect Unpaid Fines in the State"

H.P. 277 L.D. 385

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

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Amend the Membership of the State Board of Funeral Service"

H.P. 305 L.D. 421

Bill "An Act to Repeal the Law Requiring Retailers to Post Motor Vehicle Fuel Prices"

H.P. 339 L.D. 455

Bill "An Act Concerning Notification by Oil Burner Technicians of Inadequate Chimneys"

H.P. 348 L.D. 464

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

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

Bill "An Act to Include Marine Products on Roadside Signs" (EMERGENCY)

H.P. 247 L.D. 351

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Increase Postsecondary Educational Opportunities"

H.P. 260 L.D. 364

Bill "An Act to Ensure That All Students With Disabilities Exit School Ready for Employment or Postsecondary Education"

H.P. 291 L.D. 399

Bill "An Act to Remove Favorable Weighting of Consolidation in the School Funding Formula"

H.P. 308 L.D. 424

Bill "An Act to Assist Students with Disabilities"

H.P. 365 L.D. 490

Come from the House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act to 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"

H.P. 257 L.D. 361

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Provide Health Care Coverage to Certain Child Care Providers" H.P. 227 L.D. 305

Bill "An Act to Increase the Availability of Prescription Drugs for the State's Elderly" H.P. 228 L.D. 332

Bill "An Act to Improve the Proximity of Health and Safety Services to State-subsidized Homes for Children" H.P. 254 L.D. 358

Bill "An Act to Increase the Amount of Income That a Resident of a Nursing or Residential Care Facility Who Receives Medicaid May Retain" H.P. 265 L.D. 369

Resolve, Regarding Legislative Review of Chapter 125: Health Care Information that Directly Identifies an Individual, Major Substantive Rules of the Maine Health Data Organization (EMERGENCY) H.P. 298 L.D. 406

Resolve, to Ensure the Delivery of Medicare and Medicaid Benefits (EMERGENCY) H.P. 312 L.D. 428

Bill "An Act to Include the Supporting Statistical Data in Mercury Warnings Relating to the Consumption of Fish" H.P. 319 L.D. 435

Resolve, to Create a Study Group to Prepare Pharmaceutical Guidelines for Geriatric Residents in Long-term Care Settings H.P. 326 L.D. 442

Bill "An Act to Prohibit the Department of Human Services from Closing Adolescent Cases before 18 Years of Age" H.P. 337 L.D. 453

Resolve, to Study the Use of Gross and Net Income in Eligibility for Public Benefits H.P. 366 L.D. 491

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Require Written Permission from Landowners for Hunting" H.P. 218 L.D. 296

Bill "An Act Regarding Exhibition of Licenses from the Department of Inland Fisheries and Wildlife" H.P. 232 L.D. 336

Bill "An Act to Increase the Amount Retained by Agents Who Sell Hunting and Fishing Licenses" H.P. 237 L.D. 341

Bill "An Act to Protect Deer in Wintering Areas" H.P. 239 L.D. 343

Bill "An Act to Allow A Disabled Person to Use a Crossbow during Archery Hunting Season" H.P. 267 L.D. 371

Bill "An Act to Allow Sunday Hunting on Land Subject to the Jurisdiction of the Maine Land Use Regulation Commission" H.P. 284 L.D. 392

Bill "An Act to Redefine Hunting" H.P. 285 L.D. 393

Bill "An Act Regarding Hunting Implements" H.P. 286 L.D. 394

Bill "An Act to Allow Free Access to Waters Stocked With Fish by the State" H.P. 289 L.D. 397

Bill "An Act to Promote the Hunters for the Hungry Program" H.P. 293 L.D. 401

Bill "An Act to Establish a Fishing Rules Policy" H.P. 294 L.D. 402

Bill "An Act Regarding Shooting Across or From a Public Paved Way" H.P. 296 L.D. 404

Bill "An Act to Limit the Taking of Antlerless Deer by Property Owners" H.P. 314 L.D. 430

Bill "An Act to Amend the Application Process for the Moose Lottery" H.P. 330 L.D. 446

Bill "An Act to Allow Hunters to Kill a 2nd Deer during the Muzzle-loading Season" H.P. 334 L.D. 450

Resolve, to Permit the Maine Warden Service to Return a
Donated All-terrain Vehicle to the Donor
H.P. 349 L.D. 465

H.P. 371 L.D. 496

Bill "An Act Regarding Fish Stocking"
H.P. 361 L.D. 486

Come from the House, **REFERRED** to the Committee on
INLAND FISHERIES AND WILDLIFE and ordered printed.

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

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Regarding Survivor Benefits in the Event of Divorce"
H.P. 212 L.D. 290

Bill "An Act to Amend the Uniform Unclaimed Property Act"
H.P. 225 L.D. 303

Bill "An Act to Amend the Installment Payment Order Capability of
the Disclosure Court"
H.P. 243 L.D. 347

Bill "An Act to Provide the Right to a Jury Trial in Civil Actions for
Violations of Constitutional Rights"
H.P. 273 L.D. 381

Bill "An Act to Require That the State of Maine Comply with
Federal Public Law 96-272, the Adoption Assistance and Child
Welfare Act of 1980"
H.P. 297 L.D. 405

Bill "An Act to Adopt the Uniform Child Custody Jurisdiction and
Enforcement Act"
H.P. 316 L.D. 432

Bill "An Act to Clarify the Law Regarding Executive Sessions of
Public Bodies"
H.P. 321 L.D. 437

Bill "An Act to Exempt Election Officials and Workers from
Serving on Juries One Month Prior to an Election"
H.P. 325 L.D. 441

Bill "An Act Requiring Compensation for Loss of Property Value
Due to State or Local Regulation"
H.P. 354 L.D. 470

Bill "An Act to Amend the Statute of Limitations for Land
Surveyors"
H.P. 363 L.D. 488

Bill "An Act to Abrogate the Rule Against Perpetuities"

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Enhance the Payment Options for Certain
Employers"
H.P. 214 L.D. 292

Bill "An Act to Repeal the Prevailing Wage"
H.P. 224 L.D. 302

Bill "An Act to Treat All Employees Equitably with Respect to
Leaves of Absence for Legislative Service"
H.P. 235 L.D. 339

Bill "An Act to Require the State to Pay Medicare Costs for
Retired State Employees and Retired Teachers"
H.P. 245 L.D. 349

Bill "An Act Raising the Minimum Wage"
H.P. 253 L.D. 357

Bill "An Act to Repeal Certain Changes Made to State Employee
and Teacher Retirement Benefits"
H.P. 272 L.D. 380

Bill "An Act to Exempt Volunteer Fire Departments from Health
and Safety Laws"
H.P. 292 L.D. 400

Bill "An Act to Provide an Option for Employers to Pay Employees
Biweekly"
H.P. 307 L.D. 423

Bill "An Act to Raise the Minimum Wage"
H.P. 311 L.D. 427

Bill "An Act to Ensure Equity in the Competitive Bidding Process
for Construction Projects Supported by Public Funds"
H.P. 343 L.D. 459

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Regarding Lobbying by Government Agencies and Organizations That Receive Public Funds" H.P. 217 L.D. 295

Bill "An Act to Require Reimbursement to Municipalities for the Cost of State Special Elections" H.P. 231 L.D. 335

Bill "An Act to Increase the Number of Absentee Ballots That A Person May Request" H.P. 242 L.D. 346

Bill "An Act to Reduce Operating Under the Influence by Requiring Certification of On-premise Alcohol Servers" H.P. 259 L.D. 363

Bill "An Act to Clarify the Criteria for Renewal of Agency Liquor Store Licenses" H.P. 263 L.D. 367

Bill "An Act to Require a Minor Who is the Underlying Cause of a Liquor Violation to Provide Identification to a Law Enforcement Officer" H.P. 274 L.D. 382

Bill "An Act to Give Standing to Any Person Who Witnesses a Violation at a Polling Place" H.P. 288 L.D. 396

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Prohibit Fees for Activity Related to the Election Process H.P. 315 L.D. 431

Bill "An Act to Expedite Removal of Invalid Voter Names from Voter Lists" H.P. 322 L.D. 438

Bill "An Act to Amend the Election Laws concerning Vacancies in the House of Representatives" H.P. 329 L.D. 445

Bill "An Act to Allow a Holder of a Retail Liquor License to Sell to Other Licensed Entities" H.P. 345 L.D. 461

Bill "An Act to Establish an Administrative Procedure to Hear Polling Place Violation Complaints" H.P. 375 L.D. 500

Bill "An Act to Eliminate Voter Registration on Election Day" H.P. 376 L.D. 501

Come from the House, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed.

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

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

PAPERS FROM THE HOUSE

House Papers

- Bill "An Act to Allow Town and Municipal Governments to Add Periwinkles to Their Clam Ordinances" H.P. 220 L.D. 298
- Bill "An Act to Exempt Persons 70 Years of Age and Older From Paying the Fee for Commercial Shellfish Licenses" H.P. 279 L.D. 387
- Bill "An Act to Prohibit the Dragging for Mussels in Portions of Hancock County and Washington County for Certain Times of the Year" H.P. 280 L.D. 388
- Bill "An Act Regarding the Waiver Process Under the Lobster Apprenticeship Program" H.P. 300 L.D. 408
- Bill "An Act to Reinstate the Provision Allowing a Reduction in the Retail Seafood License Fee for Licenses Issued After September 30th" H.P. 331 L.D. 447

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

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

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

PAPERS FROM THE HOUSE

House Papers

- Bill "An Act to Amend the Open-burning Laws" H.P. 223 L.D. 301
- Bill "An Act to Amend the Laws Regarding the Fee Paid When Purchasing a New Tire or Battery" H.P. 238 L.D. 342
- Bill "An Act Relating to Transfer of Ownership of Dams" (EMERGENCY) H.P. 373 L.D. 498

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

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

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 a Governance System for Unorganized Towns" H.P. 221 L.D. 299
- Resolve, to Establish the State Office Building Location Task Force H.P. 226 L.D. 304
- Bill "An Act Requiring Audits on State Agencies" H.P. 244 L.D. 348
- Bill "An Act to Encourage Qualified Persons to Enter and Remain in Law Enforcement Administration" H.P. 248 L.D. 352
- RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require a Vote of 2/3 of Each House of the Legislature to Enact or Include a Tax or License Fee H.P. 255 L.D. 359

Bill "An Act to Amend the Laws Regarding Reporting Requirements for the Maine Health and Higher Educational Facilities Authority" H.P. 261 L.D. 365

Bill "An Act to Extend the Time Limits for Private Road Associations to Organize" H.P. 262 L.D. 366

Resolve, Naming the Beach Next to the Lincolnville Ferry Terminal French Beach H.P. 264 L.D. 368

Bill "An Act to Require Legislative Approval to Lease Land to the Federal Government" H.P. 275 L.D. 383

Bill "An Act to Develop a Department of Children" H.P. 283 L.D. 391

Bill "An Act to Amend the Amount of Retainage on Public Building Contracts" H.P. 303 L.D. 411

Bill "An Act to Require Lobbyists to Disclose Whether They are Compensated by a Committee Member" H.P. 304 L.D. 420

(See action later today.)

Bill "An Act to Require Voter Approval for Bonded Indebtedness of \$2,000,000 or More for Municipalities in Local and Regional Cooperation" H.P. 313 L.D. 429

Bill "An Act to Amend the Laws Governing the Hancock County Budget Process" H.P. 323 L.D. 439

Bill "An Act Concerning the Requirement for Surety Bonds for County Treasurers, Sheriffs and Chief Deputies" H.P. 353 L.D. 469

Bill "An Act to Facilitate Implementation of Municipal Growth Management Programs" H.P. 369 L.D. 494

Bill "An Act to Promote the Use of the Secret Ballot at Town Meetings" H.P. 372 L.D. 497

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Provide a State Income Tax Credit for the Costs of Health Insurance Paid by Individuals" H.P. 213 L.D. 291

Bill "An Act to Exempt Capital Gains from the Maine Income Tax" H.P. 219 L.D. 297

Bill "An Act to Reduce the Property Taxes on Old Business Equipment" H.P. 236 L.D. 340

Bill "An Act to Amend the Laws Regarding the Taxation of Certain Automotive Parts" H.P. 241 L.D. 345

Bill "An Act to Provide Tax Relief to Working Parents and Guardians of Children in Day Care" H.P. 251 L.D. 355

Bill "An Act to Change the Sales Tax Treatment of Rentals of Audio Equipment and Furniture" H.P. 252 L.D. 356

Bill "An Act to Roll Back All Sales Tax to 5%" H.P. 268 L.D. 372

Bill "An Act to Provide Tax-exempt Status to Organizations That Teach Reading" H.P. 271 L.D. 379

Bill "An Act to Equalize the Taxation Treatment of Health Insurance Companies and Health Maintenance Organizations" H.P. 278 L.D. 386

Bill "An Act to Allow a One-time Double Exemption for Income Tax Filers Who Adopt a Dependent Child" H.P. 295 L.D. 403

Bill "An Act to Reduce the Sales Tax to 5%" H.P. 302 L.D. 410

Bill "An Act to Amend the Laws Regarding when A Merchant Must Remit Sales Tax" H.P. 306 L.D. 422

Bill "An Act to Increase Accessibility to the Elderly Low-cost Drug Program" H.P. 318 L.D. 434

Bill "An Act to Exempt Business Equipment Used by Christmas Tree Farmers from the Sales Tax" H.P. 324 L.D. 440

Bill "An Act to Ensure Consistency between Federal and State Estate Tax Laws" H.P. 340 L.D. 456

Bill "An Act to Ensure Fair Taxation of Insurance and Securities Sales" H.P. 342 L.D. 458

Bill "An Act to Provide Sales Tax Relief on Purchases of Clothing" H.P. 344 L.D. 460

Bill "An Act to Exempt Military Retirees from State Income Taxes" H.P. 360 L.D. 485

Bill "An Act to Change the Homestead Exemption to 7% of Just Value" H.P. 364 L.D. 489

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Authorizing Permit-certified Police Dispatchers to Issue Temporary Permits to Operate Uninspected Vehicles" H.P. 233 L.D. 337

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

Resolve, to Lower Certain Tolls on the Maine Turnpike
H.P. 266 L.D. 370

Bill "An Act to Expand the Use of Emergency Equipment on Vehicles Operated by Liquor Enforcement Officers"
H.P. 269 L.D. 378

Bill "An Act to Repeal the Law That Requires the Display of a Registration Plate on the Front of a Motor Vehicle"
H.P. 309 L.D. 425

Bill "An Act to Require Notification of Automobile Registration Renewal Due Dates"
H.P. 327 L.D. 443

Bill "An Act Regarding the Maintenance of Private Roads"
H.P. 332 L.D. 448

Bill "An Act Concerning Capacity of School Buses"
H.P. 335 L.D. 451

Bill "An Act concerning the Use of Road Repair or Construction Signs on State Highways"
H.P. 347 L.D. 463

Bill "An Act to Amend the Laws Pertaining to Entrances to Highways"
H.P. 368 L.D. 493

Bill "An Act to Exempt Newspaper Deliverers from the Seat Belt Law"
H.P. 370 L.D. 495

Bill "An Act to Amend the Fines for Operating an Uninspected or Unregistered Vehicle"
H.P. 377 L.D. 502

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Amend the Charter of the Department of Electric Works Within the Town of Madison"
H.P. 229 L.D. 333

Bill "An Act to Repeal the Public Utilities Commission's Authority to Issue Certificates of Public Convenience and Necessity for Electric Transmission"
H.P. 355 L.D. 471

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

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

Pursuant to Resolves Maine Indian Tribal-State Commission

The **Maine Indian Tribal-State Commission** pursuant to Resolve 1997, chapter 45, section 3 asked leave to report that the accompanying Bill "An Act to Implement Recommendations of the Maine Indian Tribal-State Commission to Ensure Enforcement of Subpoenas by Tribal Courts"
H.P. 310 L.D. 426

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

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

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

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

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. 378

JOINT RESOLUTION MEMORIALIZING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO PROVIDE FUNDING FOR MAINE'S EMERGENCY SHELTERS FOR THE HOMELESS

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

WHEREAS, the United States Department of Housing and Urban Development awarded \$800,000,000 in funding nationwide this year to states to provide relief to the homeless from the misery of living on the streets; and

WHEREAS, in 1998, the State of Maine received \$3,500,000 from the United States Department of Housing and Urban Development to provide services that helped Maine children and families at risk of death, injury or illness; and

WHEREAS, just 2 days before Christmas Day, 1998, the State of Maine received the news that there would be no funding for 1999 homeless relief, which is shocking and heartbreaking news for a state that counted almost 15,000 homeless people in the previous year; and

WHEREAS, this funding cut is devastating to the State of Maine, where 30% of the people staying in shelters are young people and 21% of these young people are between 5 and 12 years of age with the average age of youth in shelters being 13 years of age; and

WHEREAS, the funding cut makes no sense since Maine has harsh and bitter winters and the need to protect its neediest citizens is as important this year as in any past year; and

WHEREAS, Maine provides more funding on a per capita basis for the elderly, disabled, mentally ill and the poor for services and support than most states, despite ranking 36th in per capita income, making this loss of funding a serious crisis; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully request that the United States Department of Housing and Urban Development restore the funding, of at the very least \$3,500,000, to the State of Maine, in order that we may treat the homeless in Maine with at minimum the same services they would receive in larger urban areas; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Andrew Cuomo, Secretary of the United States Department of Housing and Urban Development and to each Member of the Maine Congressional Delegation.

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

READ and **ADOPTED**, in concurrence.

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

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

Off Record Remarks

On motion by Senator **RAND** of Cumberland, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

On motion by Senator **DAGGETT** of Kennebec, the Senate **RECONSIDERED** whereby it **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, in concurrence, the following:

Bill "An Act to Require Lobbyists to Disclose Whether They are Compensated by a Committee Member"
H.P. 304 L.D. 420

(In House, January 14, 1999, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.)

(In Senate, January 14, 1999, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.)

On further motion by same Senator, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed, in **NON-CONCURRENCE**.

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

ORDERS OF THE DAY

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

JOINT ORDER - relative to establishing a Joint Select Committee on Rules
S.P. 166

Tabled - January 14, 1999, by Senator **TREAT** of Kennebec.

Pending - Motion by same Senator to **PASS**.

(In Senate, January 14, 1999, **READ**.)

On motion by Senator **TREAT** of Kennebec, **PASSED**.

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

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

SENATE ORDER - Relative to Senate Rule 511, Enactment of Engrossed Bills
S.O. 12

Tabled - January 14, 1999, by Senator **RAND** of Cumberland.

Pending - Motion by same Senator to **PASS**.

(In Senate, January 14, 1999, **READ**.)

On motion by Senator **RAND** of Cumberland, **PASSED**.

Off Record Remarks

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 Order

The following Joint Order: H.P. 356

ORDERED, the Senate concurring, that the Joint Rules be amended by amending Joint Rule 105 to read:

Rule 105. Salary and Benefits of Legislative Employees is Public Information.

Salary and benefit information regarding employees and officers of the Legislature is public information and when requested must be provided within a reasonable time by the Secretary of the Senate for Senate employees, the Clerk of the House for House employees and the Executive Director of the Legislative Council for other legislative employees.

; and be it further

ORDERED, the Senate concurring, that the Joint Rules be amended by repealing Joint Rule 203-A.

; and be it further

ORDERED, the Senate concurring, that the Joint Rules be amended by amending Joint Rule 205 to read:

Rule 205. Filing after Cloture.

Any request for a bill or resolve submitted to the Revisor of Statutes by a Legislator, a department, agency or commission after the appropriate cloture date must be transmitted to the Legislative Council. The council shall ascertain from the sponsor the facts supporting the request notwithstanding cloture. If a majority of the council approves, the legislation is eligible for introduction as other legislation that is in compliance with Rule 202 or 203.

; and be it further

ORDERED, the Senate concurring, that the Joint Rules be amended by amending Joint Rule 206 to read:

Rule 206. Sponsorship.

1. Number; Governor's Bills. A bill, resolve, order, resolution or memorial may have up to 10 sponsors: one primary sponsor, one lead cosponsor from the other chamber and 8 cosponsors from either chamber. Each bill or resolve requested by the Governor or a department, agency or commission must indicate the requestor below the title.

2. Duplicate Requests; Chamber of Origin. For duplicate or closely related bills or resolves, the Legislative Council may establish a policy for combination of requests and the number of cosponsors permitted on combined requests. A bill, resolve, order, resolution or memorial having cosponsors must originate in the chamber of the primary sponsor.

3. Indian Representatives. The member of the Penobscot Nation and the member of the Passamaquoddy Tribe elected to represent their people at each biennial Legislature may sponsor legislation specifically relating to Indians and Indian land claims, may cosponsor any other legislation and may sponsor and cosponsor expressions of legislative sentiment in the same manner as other members of the House.

; and be it further

ORDERED, the Senate concurring, that the Joint Rules be amended by amending Joint Rule 301 to read:

Rule 301. Joint Standing Committee Responsibilities and Jurisdiction.

Joint standing committees are formed to assist the Legislature in the performance of its constitutional duties and are vested with the general authority granted in the Maine Revised Statutes, Title 3, section 165 and certain other specific authority granted from time to time by the Legislature. The responsibilities of joint standing committees include, but are not limited to:

1. Pending Legislation. Considering and reporting to both chambers on legislation pending before the Legislature;

2. Budget and Fiscal Policy Issues. Reviewing and making recommendations on budgeting and fiscal policy issues concerning State Government;

3. Actions of Departments and Agencies. Conducting oversight and review of the actions of departments and agencies of State Government, including, but not limited to, review of agency rules under Title 5, chapter 375, subchapters II and II-A and agency evaluations under the State Government Evaluation Act;

4. Gubernatorial Appointments. Reviewing and making recommendations on gubernatorial appointments that require legislative confirmation under Title 3, chapter 6; and

5. Other Tasks. Performing other tasks assigned to them, including, but not limited to, reviewing specific provisions of law, conducting studies on assigned topics, issuing reports on policy and legal issues of interest to the Legislature, reporting out specific legislation pursuant to joint order and authorizing the annual budgets of certain counties.

There are 17 joint standing committees, which must be appointed at the commencement of the first regular session and which exercise jurisdiction in the following areas:

Agriculture, conservation and forestry
Appropriations and financial affairs
Banking and insurance
Business and economic development
Criminal justice
Education and cultural affairs
Health and human services
Inland fisheries and wildlife
Judiciary
Labor
Legal and veterans affairs
Marine resources
Natural resources
State and local government
Taxation
Transportation
Utilities and energy

; and be it further

ORDERED, the Senate concurring, that the Joint Rules be amended by adding a new Joint Rule to read:

Rule 312-A. Constitutional Resolutions.

A committee may submit the question to be voted on under a resolution proposing to amend the Constitution of Maine to the Secretary of State for review prior to reporting the resolution out of committee with a recommendation other than "Ought Not to Pass" or "Referral to Another Committee." The Secretary of State shall apply the same standards of clarity to that question as to questions for the people's veto and initiative referenda under the Maine Revised Statutes, Title 21-A, section 906, subsection 6 and advise the committee and the sponsor of the resolution as to the recommended wording of the question.

; and be it further

ORDERED, the Senate concurring, that the Joint Rules be amended by repealing Joint Rule 405.

; and be it further

ORDERED, the Senate concurring, that the Joint Rules be amended by renumbering the Joint Rules to read consecutively.

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

READ and **PASSED**, in concurrence.

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 to Delay the Implementation until October 1, 1999 of Public Law 1997, Chapter 793, "An Act to Provide for Confidentiality of Health Care Information"

H.P. 359 L.D. 503

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with no Senator having voted in the negative, and 27 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.

On motion by Senator **PINGREE** of Knox, **ADJOURNED**, pursuant to the Joint Order, until Tuesday, January 19, 1999, at 3:00 in the afternoon.

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

ORDERS OF THE DAY

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

JOINT ORDER - relative to creating the Joint Select Committee on Joint Rules for the Second Regular Session
S.P. 41

Tabled - January 14, 1999, by Senator **TREAT** of Kennebec.

Pending - Motion by same Senator to **PASS**

(In Senate, January 7, 1999, **READ**.)

On motion by Senator **TREAT** of Kennebec, **INDEFINITELY POSTPONED**.

Off Record Remarks