

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

S.P. 971

In Senate Chamber
Tuesday
February 8, 2000

Tabled - January 24, 2000, by Senator **MITCHELL** of Penobscot.

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

(In Senate, January 24, 2000, on motion by Senator **MITCHELL** of Penobscot, **READ**.)

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

At the request of Senator **MITCHELL** of Penobscot, the Resolution **READ**.

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

Prayer by Father Louis Phillips of St. Paul's Center in Augusta.

FATHER PHILLIPS: Let us pray. Grant us wisdom, God of wisdom, because to live calmly and at peace with other people today sometimes demands a wisdom beyond our reach. And grant also to us the courage to act upon our wisdom. To see beyond our problems and deal with all people justly sometimes seems like an impossible ideal. And thank You for Your patience, not expecting us to be wiser than we are. And for reminding us that true wisdom is given by You if we but ask. May Your spirit come down upon these chambers with the fullness of Your power, Your light, and Your strength so that our hearts and minds might be running over with Your gifts of wisdom, understanding and knowledge. Help us today, Lord, and in the days ahead to use the gifts of Your spirit for Your glory and the good of all people. Amen.

Senator **MITCHELL:** Thank you Mr. President. Good morning, ladies and gentlemen of the Senate. It is a pleasure and honor this morning to rise and ask you to join me in celebration of the life of our Senator Alton E. Cianchette. Chuck was no stranger to any of us here and he is a legion to the people of our State. He brought his leadership, management skills, and people skills to this Senate after serving seven years as the first Chair of the Maine Indian Tribal State Commission. There, I'm told, his even-tempered and strong leadership provided his ability to negotiate through exceedingly complex State and Tribal situations and issues of jurisdiction. Chuck touched the lives of many as a friend and a mentor. I'm no exception. His warm smile and his big bear hug quickly erased any fears or lack of confidence you might have and his wise words of wisdom quickly enabled you to proceed with being able to be successful in the endeavors that you sought. During his time here in the Senate, his leadership and abilities provided the guidance to provide a better State government for the people of Maine. His accomplishments during his life exceed the goals and dreams of most of us. In his memory, I would like to share with you today the following parable.

Pledge of Allegiance led by Senator Joel Abromson of Cumberland County.

In a beautiful blue lagoon, on a clear day, a fine sailing ship spreads its brilliant white canvas in a fresh morning breeze and sails out to the open seas. She is an object of beauty and strength and I stand and watch until at last she grows smaller and smaller as she nears the horizon. Finally, where the sea and sky meet, she slips silently from sight. Someone near me says there, she is gone. Gone where? Gone from sight. That is all. She is still just as large in mast and hull and sail as she was when she left my side. She is just as able to bear her load of living freight to the place of destination. Her diminished size is in me, not in her. We can be sure that as we say there, she has gone, there are other eyes watching her coming and other voices ready to take up the glad shout of here she comes.

Doctor of the day, Fred C. Holler, M.D., Auburn.

Reading of the Journal of Monday, January 24, 2000.

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

ORDERS OF THE DAY

Unfinished Business

The following matter 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 (1/24/00) Assigned matter:

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

Senator **HARRIMAN:** Thank you and good morning Mr. President. Ladies and gentlemen of the Senate, it is indeed a pleasure, in fact an honor, to rise this morning to say a few words in celebration of the life of Senator Chuck Cianchette. Like so many of us in this hallowed chamber and many others well beyond, I feel fortunate to have become a friend and colleague of his. If it pleases the Senate, allow me just a few moments to share with you some of my more memorable experiences with him.

JOINT RESOLUTION - In Memory of Alton E. Cianchette

And let me say at the onset, for the benefit of the public who are with us here this morning, that the most cherished seats in this chamber are the seats along the back. They're reserved for the veterans, if you will, and the newcomers to this chamber get to sit in the front. When I first arrived, Senator Cianchette sat actually here to my left where Senator Ferguson from Oxford sits and I sat where the good Senator from Penobscot, Senator Mitchell, now sits. Well, as the newcomer, I was constantly turning around in my seat asking Senator Cianchette what was on the agenda, what the motion was, and usually he was very helpful. Occasionally, he would give me the wrong answer. So I would have to go through the painful parliamentary procedure of asking the President to reconsider our actions whereby, etc., etc. That was in 1992. Times were tough for Maine. We were in the midst of what I called an economic forest fire. There were too many unmet needs and even fewer dollars to pay for them. As we began that session of the Maine Legislature in January of 1992, we were made aware that we were facing a budget deficit of one billion, two hundred million dollars. It reminds me of the story of the father who told his son that if he had borrowed \$50,000 from the bank and couldn't repay, that he had a big problem. But if he had borrowed \$5 million from the bank and couldn't repay, the bank had a big problem. Well, we were the bank and we were facing big problems. In his statesman-like way, Chuck told me that he had a plan. And it was a good one. And that it would get us out of the mess that we were in and move Maine forward. So, perhaps like many of you here at the time, over the next several weeks I watched with curiosity as he traversed around this building, going from the Governor's Office to the Speaker's Office to the President's Office. He was a picture of constant motion in a flurry of papers. Finally one day, he took me aside, in fact we sat right here, and he said I want you to take a look at my plan and see if it makes sense to you. And before I could take the papers from his hand, he was assuring me that he had double checked his numbers and that they had been looked at by the fiscal office and they had been cross-checked by an economist from UNUM, a man by the name of Keith Forrest. What Chuck had come up with was so simple it was brilliant. He had calculated the economic benefit of someone leaving the social services we have in favor of a good job. The swing in Maine's financial picture from its dismal reality to its brighter future was found by creating more tax payers. He said Phil, if every Maine employer would hire just one new employee, we'll put over 30,000 people back to work. Indeed, it was a good plan. And it was one that everyone understood and could embrace. In fact, it was such a great plan that our current Governor used it as a major initiative of his economic development policy. He called it Plus One. I called it Chuck's Plan. Since then we've seen 40,000 net new jobs. Our \$1.2 billion deficit is now a \$250 million surplus. So today, in honor of Chuck's Plan, I'm wearing my Plus One pin that Governor King gave me when my little company hired a new employee.

Mr. President, I also did a little research on Senator Cianchette's legislative record. I was impressed by how many of the Bills he sponsored or co-sponsored actually became law. And those of us who sit in these seats know that many of the Bills we sponsor never see the light of day, let alone get onto the law books. His name in support was on a wide ranging number of Bills from creating the Purple Heart license plate, access to capital for small businesses, educational needs for children with special needs, improving childcare services, workable environmental laws and rules, stabilizing our electric rates, and

assuring a sustainable forestry and paper industry, and many, many other Bills that he sponsored that became law.

And, as we all know, the hours and days here sometimes become blurred and fatigue and frustration sets in. It was during those times that Chuck was at his best. He would know the precise time to rise to his feet, ask the President for permission to address the Senate off the record, and, in his warm and sincere way, he would recite poetry that he had just written. It would always lighten up the moment and every once in a while it was actually pretty good.

Perhaps more than anything, I'll remember the day that Chuck told me that he wasn't going to run for re-election. He said the job that he had come here to do had been done and that it was time to go home and spend more time with his wife, Helen. And without a moments hesitation, he transferred that enthusiasm of his about Maine's future to building a high performance airplane, traveling with Helen and enjoying his children and grandchildren even more. My last memory of Chuck in this chamber was sitting at his desk, cleaning it out, with the help of his daughter Andrea's children. It was really something special watching him laugh as his grandchildren were leaving here with more stationery, pins, buttons and maps than they could possibly carry.

The Joint Resolution before us is a fitting celebration to a man who had greatness within him and bestowed upon him. He carried them with grace and dignity. It's truly remarkable that this Joint Resolution is about just one man. A man who was motivated not by wealth, rank or honor, simply because he cared enough about his family, his community and his State to want to make a difference. And at the end of the day, there is a big difference between well said and well done. Chuck Cianchette accomplished both. I'm honored to call Chuck Cianchette my friend, honored that I had the opportunity to serve with him, and so thankful to his wife Helen, his children and grandchildren for sharing him with us. Thank you Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Arostook, Senator Paradis.

Senator **PARADIS:** Thank you Mr. President. Men and women of the Senate and dear family members of my seatmate Chuck Cianchette, he was a man of incredible reasoning ability. He must have been absolutely frustrated many many times that, even when the best solution was being put forth, he was not able to bring all the parties together. That is the frustration of our public service. As you know, there's very little fanfare. We're public servants. We come. We go. The last day, as we left here at dawn, I caught up with him on I-95 and I thought how, after all these years of service to our State of Maine, to just leave alone. So we traveled together for a while until he turned off I-95. But he taught us about civility. No matter how frustrated he got, you never knew it. He was a trouble-shooter par excellent in his personal life, in his business life and I think he tried to do it in his public life. He will always be remembered and always loved and treasured for the wonderful service he gave to the people of Maine.

The President requested the Sergeant-At-Arms escort the Senator from Knox, Senator **PINGREE** to the rostrum where she assumed the duties as President Pro Tem.

The President took a seat on the floor.

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

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from York, Senator Lawrence.

Senator **LAWRENCE:** Thank you Madam President. Men and women of the Senate, it's very hard to say good-bye to Chuck Cianchette. He's someone you almost turn around and expect him to come bounding into the chamber. He was someone who we all knew and loved very much and had a lot of dealings with and had a lot of respect for. And he served a special role in this chamber during a very special time in our State history. Each of us have a very individual relationship with him. So today is a very emotional day for all of us to say good-bye to Chuck. I just wanted to share with you one of my last memories of Chuck. In fact, in December, I had a chance to call him and I talked to him. It was about a month and a half after my daughter Katie died. We had a chance, he and I, to talk about that and to talk about his grand-kids and his sense of life and what truly gave it meaning in life. That's what I remember most about Chuck, his philosophy of life, his kindness, his gentleness, his compassion, and his wisdom. It was very comforting for me to talk to him and it was very easy for me to talk to him then in December as it always was here in the chamber. I think that was one of Chuck's greatest gifts in life, his ability to talk to people, his ability to relate to all people, his ability to make a connection with so many people. So as we leave here today, I know his spirit will live on in each and every one of us. He touched us and made us realize that the job we do is not just simply voting, it's how we perform our jobs and how we treat each other and how we treat people with respect, with kindness, with dignity, and with a civility that makes our society. Thank you very much.

The President Pro Tem requested the Sergeant-At-Arms escort the Senator from York, Senator **LAWRENCE** to the rostrum where he resumed his duties as President.

The Sergeant-At-Arms escorted the Senator from Knox, Senator **PINGREE** to her seat on the floor.

Senate called to order by the President.

THE PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Longley.

Senator **LONGLEY:** Thank you Mr. President. Colleagues in the Senate, at Chuck's funeral his daughter Andrea said what she would like to hear is more stories, and as a daughter who's lost a father I'm not capable of telling stories today about fathers. But I would like to talk about Chuck as a friend. My story is this. In high school, my best friend was DeeDee. Everyone in her family loved to Skidoo and I liked to just cross-country ski. I liked the

quiet. I had a quiet family, she had a really noisy family. Anyway, whenever I was with DeeDee I had to lighten up and go with all the noise. The day after Chuck's funeral I decided to take a walk up to the top of a blueberry hill that overlooks my district. At the top it was perfectly quiet, just beautiful. A beautiful winter day. Then along in the distance I hear this buzz of a single engine airplane coming and getting closer and closer. I must say that just as DeeDee has taught me to enjoy snowmobiling, Chuck will always put a smile on my face now whenever I'm out for quiet and I hear a single engine floating by. Lastly, I'd like to say that as a grandfather, it was obvious how thrilled he was his last day in the Senate when three Cianchette grandchildren came stumbling in and falling all over him. It was complete joy and it was very obvious how much he loved his family. Thank you.

On motion by Senator **MITCHELL** of Penobscot, **ADOPTED.**

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber members of the Cianchette family: Helen Cianchette; Tam Bryce, Chuck's daughter; Lynn Cianchette, Chuck's daughter; Andrea Maker, Chuck's daughter; Chuck's son Charlie; Chuck's nephew Representative Peter Cianchette; Chuck's brother and Peter's father Bud Cianchette; and Peter Vigue, President of Cianbro. Would they all please rise and receive the greetings of the Senate.

The Chair would ask the Sergeant-At-Arms to escort the Senator from Penobscot, Senator Mitchell, and the members of the Cianchette family to the rostrum where we may present them with the Resolution.

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

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator PINGREE of Knox, the following Joint Order:
S.P. 985

ORDERED, the House concurring, that when the House and Senate adjourn the House does so until Tuesday, February 15, 2000 at 9 o'clock in the morning and the Senate does so until Tuesday, February 15, 2000 at 10 o'clock in the morning.

READ and PASSED.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act to Encourage Energy Efficiency in Government Facilities"

H.P. 1740 L.D. 2446

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

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

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

Joint Order

The following Joint Order: H.P. 1786

ORDERED, the Senate concurring, that the Joint Standing Committee on Judiciary report out, to the House, a bill to implement the recommendations of the court unification task force convened pursuant to Resolve 1997, chapter 107.

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

READ and **PASSED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 459

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

January 20, 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. 1717 An Act to Make Privileged Communication Between a Licensed Counseling Professional and a Patient

L.D. 1971 An Act Regarding Property Tax Liens

L.D. 2213 An Act to Create and Regulate the Profession of Legal Document Technician

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. 460

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

January 20, 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 State and Local Government has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 86 An Act to Establish a Children's Bureau within the Executive Department to Serve the Department of Human Services, the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Department of Education and the Department of Corrections

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

Sincerely,

S/Sen. Peggy A. Pendleton
Senate Chair

S/Rep. Douglas J. Ahearn
House Chair

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

The Following Communication: S.C. 461

**STATE OF MAINE
ONE HUNDRED AND NINETEENTH LEGISLATURE**

COMMITTEE ON CRIMINAL JUSTICE

January 18, 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 Criminal Justice has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 1858 An Act to Amend the Possession of Firearms by Felons
- L.D. 1899 Resolve, to Require the Department of Public Safety to Study the Security and Protection of State Government Employees
- L.D. 2069 An Act to Establish a Critical Incident Review Panel Regarding Physical Force Used by Officers Causing Serious Bodily Injury or Death to Another Person

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

Sincerely,

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

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

The Following Communication: S.C. 462

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

January 24, 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 Marine Resources has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 129 An Act to Prohibit the Harvesting of Elvers

- L.D. 173 An Act to Outlaw the Use of Fyke Nets in the Taking of Elvers

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

Sincerely,

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

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

The Following Communication: S.C. 463

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

January 24, 2000

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

Dear President Lawrence and Speaker Rowe:

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

- L.D. 1149 An Act to Require the Municipal Clerk to Attend at Least One Training Session that is Approved by the Secretary of State Every 2 Years Regarding the Conduct of Elections
- L.D. 1439 An Act to Ensure the Preservation of Maine's Commercial Racetracks
- L.D. 1932 An Act to Create the Beano and Games of Chance Commission
- L.D. 2148 An Act to Improve Harness Racing in the State

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

Sincerely,

S/Sen. Beverly C. Daggett S/Rep. John L. Tuttle, Jr.
Senate Chair House Chair

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

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

The Following Communication: S.C. 464

January 20, 2000

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

Dear President Lawrence and Speaker Rowe:

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

- L.D. 464 An Act Concerning Notification by Oil Burner Technicians of Inadequate Chimneys
- L.D. 1176 An Act to Amend the Real Estate Brokerage Laws Regarding Property Disclosure
- L.D. 1253 An Act to Create the Board of Cemetery and Crematory Services
- L.D. 2057 An Act to Amend the Regulation of Dentists Regarding the Use of Anesthesia

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

Sincerely,

S/Sen. Carol A. Kontos
Senate Chair

S/Rep. Gary O'Neal
House Chair

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

The Following Communication: S.C. 465

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

January 24, 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 Criminal Justice has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1280 An Act to Provide Funding for School Drug Awareness and Education Programs

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

Sincerely,

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

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

The Following Communication: S.C. 466

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

January 20, 2000

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

Dear President Lawrence and Speaker Rowe:

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

L.D. 1921 An Act to Promote Land Conservation at the Local Level

L.D. 1940 An Act to Create Standards of Eligibility Governing Certain Tax-exempt Organizations and to Phase in a Reduction of the Rate of Exemption to Reflect the Cost of Providing Essential Municipal Services

L.D. 2023 An Act to Authorize a Local Option Tax on Wages Earned in a Municipality

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

Sincerely,

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

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

The Following Communication: S.C. 467

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

January 20, 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 Transportation has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 319 An Act to Require Commercial Vehicle Operators Involved in Fatal Motor Vehicle Accidents to Submit to Drug Testing

L.D. 1579 An Act to Evaluate the Compensation of Members of the Maine Turnpike Authority

L.D. 2149 An Act to Amend Motor Vehicle Title Laws

L.D. 2171 Resolve, to Require the Department of Transportation to Build a Truck Escape Ramp on Route 16 in Bingham

L.D. 2208 An Act to Remove Restrictions on Changeable Signs

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

Sincerely,

S/Sen. William B. O'Gara Senate Chair
S/Rep. Joseph M. Jabar, Sr. House Chair

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

The Following Communication: S.C. 468

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

January 20, 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 bills out "Ought Not to Pass":

- L.D. 1166 An Act to Establish Occupational Health and Safety Standards for Operators of Video Display Terminals
- L.D. 1377 Resolve, Directing the Department of Labor to Establish Standards for Providing Heat in Buildings

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

Sincerely,

S/Sen. Neria R. Douglass S/Rep. Pamela H. Hatch
Senate Chair House Chair

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

The Following Communication: S.C. 469

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

January 18, 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 bill out "Ought Not to Pass":

- L.D. 1561 An Act to Require High School Students to Earn a Certificate of Mastery Before Graduating

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

Sincerely,

S/Sen. Georgette B. Berube S/Rep. Michael F. Brennan
Senate Chair House Chair

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

The Following Communication: S.C. 470

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

February 1, 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 bill out "Ought Not to Pass":

- L.D. 1881 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Limit the Debt Issued by the Maine Governmental Facilities Authority

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

Sincerely,

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

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

The Following Communication: S.C. 474

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

February 1, 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. 1964 An Act to Establish the Charter School Authority
- L.D. 2299 An Act to Set Minimum Air Quality Standards for Schools
- L.D. 2425 An Act to Amend a Formula to Allocate Child Development Funds

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

The Following Communication: S.C. 475

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

February 1, 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 Marine Resources has voted unanimously to report the following bill out "Ought Not to Pass":

- L.D. 871 An Act to Amend the Process for Granting Aquaculture Leases

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

Sincerely,

S/Sen. Jill M. Goldthwait Senate Chair	S/Rep. David Etnier House Chair
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READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: S.C. 476

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

February 1, 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 Natural Resources has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 1311 An Act to Repeal the Emissions Testing Program in Cumberland County
- L.D. 1506 Resolve, to Require the Department of Environmental Protection to Reimburse Homeowners for Malfunctioning On-site Peat Sewage Disposal Systems

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

Sincerely,

S/Sen. Sharon Anglin Treat Senate Chair	S/Rep. John L. Martin House Chair
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READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: S.C. 471

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

February 1, 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 Business and Economic Development has had under consideration the nomination of Charles J. Spies III of Topsham, for appointment as the Chief Executive Officer of the Finance Authority of Maine.

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	Kontos of Cumberland, Longley of Waldo, MacKinnon of York
	Representatives	10	O'Neal of Limestone, Bolduc of Auburn, Bowles of Sanford, Clough of Scarborough, Marvin of Cape Elizabeth, Mendros of Lewiston, Shorey of Calais, Sirois of Caribou, Tripp of Topsham, Usher of Westbrook
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 Charles J. Spies III of Topsham, for appointment as the Chief Executive Officer of the Finance Authority of Maine, be confirmed.

Signed,

S/Carol A. Kontos
Senate Chair

S/Gary O'Neal
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** 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 (#274)

YEAS: Senators: None

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

ABSENT: Senator: MILLS

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, 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 **Charles J. Spies III** of Topsham for appointment as the Chief Executive Officer of the Finance Authority of Maine was **CONFIRMED**.

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

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber the new Chief Executive Officer of the Finance Authority of Maine, Charles J. Spies III; his wife, Bonnie; and children, Kevin, Kate, and Alex. Would they please rise and receive the greetings of the Senate.

The Following Communication: S.C. 477

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

February 4, 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 Alan P. Brigham of Windham, for reappointment to the Maine Indian Tribal-state 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
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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

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

Off Record Remarks

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 Alan P. Brigham of Windham, for reappointment to the Maine Indian Tribal-state Commission be confirmed.

Signed,

S/Susan W. Longley
Senate Chair

S/Richard H. Thompson
House Chair

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 (#275)

YEAS: Senators: None

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

ABSENT: Senator: MILLS

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, 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 **Alan P. Brigham** of Windham for reappointment to the Maine Indian Tribal-state Commission was **CONFIRMED**.

SENATE PAPERS

Resolve, to Make Community College Partnership Programs More Accessible and Affordable

S.P. 986 L.D. 2539

Sponsored by President LAWRENCE of York. Cosponsored by Speaker ROWE of Portland and Senators: BERUBE of Androscoggin, MICHAUD of Penobscot, RAND of Cumberland, Representatives: CAMPBELL of Holden, KNEELAND of Easton, SAXL of Portland, TESSIER of Fairfield. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

Sent down for concurrence.

Bill "An Act Requiring Professional Development for Administrators, Teachers and Educational Technicians"

S.P. 984 L.D. 2538

Sponsored by Senator MILLS of Somerset. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act Concerning Fingerprinting and Background Checks for School Employees"

S.P. 987 L.D. 2540

Sponsored by Senator BERUBE of Androscoggin. Cosponsored by Representative BRENNAN of Portland. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Resolve, to Ensure Equity to High School Athletes Participating in Skiing (EMERGENCY)

S.P. 991 L.D. 2546

Sponsored by Senator NUTTING of Androscoggin. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

Bill "An Act to Establish Fair Pricing for Prescription Drugs"
S.P. 980 L.D. 2523

Sponsored by Senator PINGREE of Knox.
Cosponsored by Representative QUINT of Portland and
President LAWRENCE of York, Senators: PARADIS of
Aroostook, RAND of Cumberland, RUHLIN of Penobscot,
Representatives: DUGAY of Cherryfield, GAGNON of Waterville.
Approved for introduction by a majority of the Legislative Council
pursuant to Joint Rule 203.

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

Sent down for concurrence.

Bill "An Act Concerning Technical Changes to the Tax Laws"
(EMERGENCY)

S.P. 981 L.D. 2524

Sponsored by Senator RUHLIN of Penobscot.
Cosponsored by Representative: GAGNON of Waterville.
Submitted by the Department of Administrative and Financial
Services pursuant to Joint Rule 204.

Bill "An Act to Promote Historic and Scenic Preservation"
S.P. 983 L.D. 2537

Sponsored by Senator AMERO of Cumberland.
Cosponsored by Representative MURPHY of Kennebunk and
Senators: HARRIMAN of Cumberland, RAND of Cumberland,
Representatives: ETNIER of Harpswell, MAYO of Bath.
Approved for introduction by a majority of the Legislative Council
pursuant to Joint Rule 205.

Bill "An Act to Provide Revenue Sharing to Relieve the Municipal
Service Component of the Property Tax"
S.P. 988 L.D. 2541

Sponsored by Senator MILLS of Somerset.
Approved for introduction by a majority of the Legislative Council
pursuant to Joint Rule 203.

Bill "An Act to Reduce the State Tax Valuation for the Town of
Standish" (EMERGENCY)

S.P. 990 L.D. 2545

Sponsored by Senator O'GARA of Cumberland.
Cosponsored by Senator: DAGGETT of Kennebec,
Representative: COLWELL of Gardiner.
Approved for introduction by a majority of the Legislative Council
pursuant to Joint Rule 205.

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

Sent down for concurrence.

Bill "An Act to Ensure Cost Effective and Safe Highways in the State"

S.P. 992 L.D. 2550

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

Cosponsored by Representative JABAR of Waterville and Senators: MacKINNON of York, TREAT of Kennebec, Representatives: COLLINS of Wells, GAGNON of Waterville, LINDAHL of Northport, MADORE of Augusta, SAVAGE of Union, WHEELER of Eliot.

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

Sent down for concurrence.

**Pursuant to Resolve
Joint Standing Committee on Agriculture, Conservation and Forestry**

Senator NUTTING for the Joint Standing Committee on **Agriculture, Conservation and Forestry** pursuant to Resolve 1999, chapter 81, section 8 asked leave to report that the accompanying Bill "An Act to Implement the Recommendations of the Task Force to Study the Need for an Agricultural Vitality Zone Program"

S.P. 982 L.D. 2532

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

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

Change of Committee

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to State Earned Income Credit"

H.P. 90 L.D. 103

Reported that the same be **REFERRED** to the Committee on **TAXATION**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TAXATION**.

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

REFERRED to the Committee on **TAXATION**, in concurrence.

The Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Amend the Qualifications of Weighmasters"

H.P. 848 L.D. 1182

Reported that the same be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

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

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

The Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Create a Patent Program in Maine"

H.P. 1690 L.D. 2396

Reported that the same be **REFERRED** to the Joint Select Committee on **RESEARCH AND DEVELOPMENT**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Joint Select Committee on **RESEARCH AND DEVELOPMENT**.

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

REFERRED to the Joint Select Committee on **RESEARCH AND DEVELOPMENT**, in concurrence.

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Decriminalize Certain Fish and Wildlife Statutes"

H.P. 1266 L.D. 1820

Reported that the same be **REFERRED** to the Committee on **JUDICIARY**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY**.

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

REFERRED to the Committee on **JUDICIARY**, in concurrence.

Senate

Ought to Pass

Senator RUHLIN for the Committee on **TAXATION** on Bill "An Act to Provide Equity in the Taxation of Public Pensions"
S.P. 989 L.D. 2542

Reported that the same **Ought to Pass**, pursuant to Joint Order S.P. 860.

Report **READ**.

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

Senator PENDLETON for the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Make Minor Changes to the Community Development Definitions to Maintain Compatibility with Federal Regulations"
S.P. 885 L.D. 2300

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

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

READ ONCE.

TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

Senator LaFOUNTAIN for the Committee on **BANKING AND INSURANCE** on Bill "An Act to Amend the Maine Banking Code Pertaining to Interlocking Directors"
S.P. 861 L.D. 2259

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-477)**.

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

READ ONCE.

Committee Amendment "A" (S-477) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator SMALL for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Provide Degree-granting Authority to the SALT Center for Documentary Field Studies"
S.P. 862 L.D. 2260

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-476)**.

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

READ ONCE.

Committee Amendment "A" (S-476) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator DOUGLASS for the Committee on **LABOR** on Bill "An Act to Provide Health Insurance Benefits to Dwight Parsons" (EMERGENCY)
S.P. 852 L.D. 2251

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-481)**.
Report **READ** and **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-481) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Provide Funding for Background Checks and Fingerprinting for School District Employees and Volunteers"
S.P. 951 L.D. 2490

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-474)**.

Signed:

Senators:
BERUBE of Androscoggin
MURRAY of Penobscot
SMALL of Sagadahoc

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "B" (S-475).**

Signed:

Representative:

STEDMAN of Hartland

Reports **READ.**

On motion by Senator **PINGREE** of Knox, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT.**

Divided Report

The Majority of the Committee on **LABOR** on Bill "An Act to Validate Voluntary Collective Bargaining Provisions that May Affect Educational Policies"

S.P. 333 L.D. 987

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

Signed:

Senators:

DOUGLASS of Androscoggin
LaFOUNTAIN of York
MILLS of Somerset

Representatives:

GOODWIN of Pembroke
MATTHEWS of Winslow
DAVIS of Falmouth
MacDOUGALL of North Berwick
MACK of Standish
TREADWELL of Carmel

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

Signed:

Representatives:

HATCH of Skowhegan
MUSE of South Portland
SAMSON of Jay

Reports **READ.**

On motion by Senator **DOUGLASS** of Androscoggin, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT.**

Divided Report

The Majority of the Committee on **LABOR** on Bill "An Act to Increase Health Insurance Benefits for Retired Educators"
S.P. 607 L.D. 1730

Reported that the same **Ought to Pass as Amended by Committee Amendment "B" (S-480).**

Signed:

Senators:

DOUGLASS of Androscoggin
LaFOUNTAIN of York
MILLS of Somerset

Representatives:

HATCH of Skowhegan
MUSE of South Portland
GOODWIN of Pembroke
MATTHEWS of Winslow
SAMSON of Jay
MacDOUGALL of North Berwick
TREADWELL of Carmel
DAVIS of Falmouth

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

Signed:

Representative:

MACK of Standish

Reports **READ.**

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

READ ONCE.

Committee Amendment "B" (S-480) **READ** and **ADOPTED.**

TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

Eleven members of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Prohibit the State from Competing with Private Industry"

S.P. 179 L.D. 533

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (S-478).**

Signed:

Senators:

PENDLETON of Cumberland
GOLDTHWAIT of Hancock
DAVIS of Piscataquis

Representatives:

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

One member of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass as Amended by Committee Amendment "B" (S-479).**

Signed:

Representative:

GERRY of Auburn

One member of the same Committee on the same subject reported in Report "C" that the same **Ought Not to Pass.**

Signed:

Representative:

TWOMEY of Biddeford

Reports **READ.**

On motion by Senator **PENDLETON** of Cumberland, Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-478), ACCEPTED.**

READ ONCE.

Committee Amendment "A" (S-478) **READ** and **ADOPTED.**

TOMORROW ASSIGNED FOR SECOND READING.

SECOND READERS

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

Senate

Bill "An Act to Realign Capital Requirements for Specialty Bank Charters"
S.P. 875 L.D. 2283

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

Sent down for concurrence.

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

READ A SECOND TIME.

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

Senate As Amended

Bill "An Act Relating to Certain Commercial Insurance Contracts"
S.P. 866 L.D. 2264
(C "A" S-472)

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

Sent down for concurrence.

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

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:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Provide Funding for Mental Retardation Day Services and Residential Services for Nonclass Members"
H.P. 1810 L.D. 2536

Bill "An Act to Allocate from the Fund for a Healthy Maine" (EMERGENCY)
H.P. 1818 L.D. 2552

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 Broaden Business Ownership in Maine"
H.P. 1809 L.D. 2535

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

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

Bill "An Act to Institute a System of Parole for Certain Maine Criminal Code Prisoners"
H.P. 1804 L.D. 2531

Comes 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.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Implement Recommendations Concerning Protection of Indian Archaeological Sites"
H.P. 1816 L.D. 2549

Comes 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 Restore Federal Protections to Maine State Employees"
H.P. 1803 L.D. 2530

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

On motion by Senator **PINGREE** of Knox, **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 Create a New Category of Liquor License and to Exempt Pool Halls, Bowling Alleys and Off-track Betting Facilities from the Prohibition Against Smoking"
H.P. 1807 L.D. 2533

Bill "An Act to Raise Production Limits for Microbreweries"
H.P. 1815 L.D. 2548

Comes 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 Establish Minimum Environmental Compliance Standards for Subsidized Employers"
H.P. 1799 L.D. 2526

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

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

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

PAPERS FROM THE HOUSE

House Papers

Resolve, Authorizing Reimbursement to John Calley for Expenses Incurred as a Result of an Overassessment of Sales Tax
H.P. 1800 L.D. 2527

Bill "An Act to Implement the Recommendations of the Committee on Sawmill Biomass"
H.P. 1817 L.D. 2551

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Amend the Charter of the Small Point Water Company" (EMERGENCY)
H.P. 1798 L.D. 2525

Bill "An Act to Amend the Charter of the Moscow Water District"
H.P. 1802 L.D. 2529

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.

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

PAPERS FROM THE HOUSE

House Papers

**Pursuant to Resolve
Joint Standing Committee on Marine Resources**

The **Joint Standing Committee on Marine Resources** pursuant to Resolve 1999, chapter 69, section 4 asked leave to report that the accompanying Bill "An Act Regarding Limited Entry Into the Maine Shrimp Fishery"
H.P. 1811 L.D. 2543

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

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

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

**Pursuant to Resolve
Joint Standing Committee on Natural Resources**

The **Joint Standing Committee on Natural Resources** pursuant to Resolve 1999, chapter 85, section 9 asked leave to report that the accompanying Bill "An Act to Implement the Recommendations of the Task Force to Study the Operation of and Support for the Board of Environmental Protection"
H.P. 1814 L.D. 2547

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

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

REFERRED to the Committee on **NATURAL RESOURCES** 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

House Papers

**Pursuant to Resolve
Committee to Establish a Memorial Dedicated to the Civilian Conservation Corps**

The **Committee to Establish a Memorial Dedicated to the Civilian Conservation Corps** pursuant to Resolve 1999, chapter 83 asked leave to report that the accompanying Bill "An Act to Establish a Memorial Dedicated to the Civilian Conservation Corps"
H.P. 1797 L.D. 2522

Be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** 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 **STATE AND LOCAL GOVERNMENT** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statutes
Department of Agriculture, Food and Rural Resources**

The **Department of Agriculture, Food and Rural Resources**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter (unassigned): Rules Governing the Licensing and Inspection of Farm Cheese, a Major Substantive

Rule of the Department of Agriculture, Food and Rural Resources (EMERGENCY)

H.P. 1801 L.D. 2528

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** 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 **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** 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

House Papers

Pursuant to Statutes

Department of Agriculture, Food and Rural Resources

The **Department of Agriculture, Food and Rural Resources**, pursuant to Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying 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

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** 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 **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statutes
Department of Transportation**

The **Department of Transportation**, pursuant to Maine Revised Statutes, Title 5, section 8072 asked leave to report that the

accompanying Resolve, Regarding Legislative Review of Chapter 305: Rules and Regulations Pertaining to Traffic Movement Permits, a Major Substantive Rule of the Department of Transportation (EMERGENCY)

H.P. 1819 L.D. 2553

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

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

REFERRED to the Committee on **TRANSPORTATION** 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. 1805

JOINT RESOLUTION HONORING NELSON MANDELA

WHEREAS, Nelson Rolihlahla Mandela, former State President of South Africa, is 81 years old and retired from the grueling task of leading a nation that has undergone remarkable change in the last decade; and

WHEREAS, Nelson Mandela was born at Qunu, near Umtata, on July 18, 1918 and has struggled his whole life to help bring equality to all the people of his nation; and

WHEREAS, for decades he courageously fought the South African system of apartheid, which oppressed the black majority, and, risking his life, was forced to live apart from his family as he led the outlawed African National Congress; and

WHEREAS, Nelson Mandela was imprisoned for 27 years because he fought for the ideal that he cherished "of a democratic and free society in which all persons live together in harmony and with equal opportunities"; and

WHEREAS, in 1990, as the brutal and oppressive apartheid system in South Africa was crumbling, Nelson Mandela was released from prison to worldwide acclaim and he set out to attain his lifelong goals of freedom and equality for all the people of South Africa; and

WHEREAS, in 1991 he was elected President of the African National Congress, which had been banned for decades, in 1993 he was awarded the Nobel Peace Prize and in 1994 he was inaugurated as State President of South Africa; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Nineteenth Legislature of the State of Maine, now assembled in the Second Regular Session, take this opportunity to thank Nelson Mandela for his perseverance in fighting apartheid, for inspiring oppressed people everywhere, for reaching out to blacks and whites alike in his quest to bring true democracy to South Africa and for the personal sacrifices and suffering he endured; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to President Nelson Mandela and to each Member of the Maine Congressional Delegation.

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

READ and **ADOPTED**, 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. 1806

JOINT RESOLUTION HONORING THE MEMBERS OF THE WORCESTER FIRE DEPARTMENT WHO LOST THEIR LIVES IN THE LINE OF DUTY

WHEREAS, fire-fighting service is one of the most dangerous professions in the world and is staffed by men and women whose dedication and commitment to their jobs are unrivaled in their quest to protect lives and property; and

WHEREAS, it was on December 3, 1999 when 6 firefighters lost their lives responding to a fire in the City of Worcester, Massachusetts, that destroyed a warehouse; and

WHEREAS, the firefighters, Paul Brotherton, Jeremiah Lucey, James Lyons, Timothy Jackson, Joseph McGuirk and Thomas Spencer, died on search-and-rescue missions inside the burning building, attempting to save anyone left inside; and

WHEREAS, these brave men gave the ultimate sacrifice of their lives in order that others might be saved and this sacrifice must be acknowledged not only by other firefighters but by the public they serve; and

WHEREAS, while all members of the fire-fighting service grieve for their fallen comrades in their own private way, all people in Massachusetts, New England and beyond are made more aware of this perilous profession by this unspeakable tragedy, and for this we do honor the memory of these men; and

WHEREAS, the brave and selfless actions of Paul Brotherton, Jeremiah Lucey, James Lyons, Timothy Jackson, Joseph McGuirk and Thomas Spencer have earned them the

permanent gratitude and honor of people everywhere; now, therefore, be it

RESOLVED: That, We, the Members of the One Hundred and Nineteenth Legislature of the State of Maine, now assembled in the Second Regular Session, on behalf of the people of the State of Maine, extend our deepest sympathies to the families of the fallen firefighters and to the City of Worcester; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the City of Worcester, Massachusetts on behalf of the citizens of the State of Maine as a token of our condolences.

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

READ and **ADOPTED**, 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. 1812

JOINT RESOLUTION EXPRESSING SUPPORT FOR A NEW ENGLAND COALITION ON PRESCRIPTION DRUG PRICES

WHEREAS, prescription drugs provide essential treatment to all our citizens and are the most rapidly growing component of health care in the New England region and in the country; and

WHEREAS, retail expenditures on prescription drugs in most New England states have approximately doubled over the past 6 years, and national pharmaceutical expenditures during that time have grown at a rate approaching 15% each year, while inflation has ranged below 3% a year; and

WHEREAS, the pricing of most prescription drugs marketed and developed in the United States is clearly excessive, especially for those drugs still under patent protection and therefore not subject to government regulation as a monopoly or to price competition in an open market, allowing the pharmaceutical manufacturers to be among the most profitable industries in the world; and

WHEREAS, the response of the Federal Government has been to enact legislation only to ensure that federal programs, such as the Veterans Administration and Medicaid, enjoy lower prices for prescription drugs while continuing constitutional barriers to states that may similarly wish to protect their citizens and upholding federal policies that have exacerbated the excessive prescription drug prices imposed on most citizens of the states; and

WHEREAS, in the United States, in the absence of any form of national regulation of prices of patented drugs, pharmaceutical manufacturers can and do charge ordinary Americans monopoly-

like prices that exceed those charged in any other country in the world; and

WHEREAS, on average, in the United States prescription drugs are priced 34% higher than the same products sold in Canada, and a congressional study of the 10 prescription drugs most purchased by senior citizens in the United States found that such drugs cost on average 80% more than the same drugs in Canada; and

WHEREAS, United States citizens pay the highest prices in the world for prescription drugs, and such excessive prescription drug prices are particularly harmful to the people of this State who can least afford them, the uninsured and senior citizens, working families and families confronting serious illnesses like cancer and AIDS and chronic health problems; and

WHEREAS, lowering the prices of prescription drugs and providing more affordable access to needed prescriptions will lower overall health care costs by helping to avoid the necessity of hospital and emergency care, surgery and other expensive medical treatments; and

WHEREAS, the Commission to Study Bulk Purchasing of Prescription Drugs and Medical Supplies, an interim study commission of the 119th Legislature, recommended that the State investigate the possibility of joining with other states in the region to lower prescription drug costs to consumers; now, therefore, be it

RESOLVED: That, We, the Members of the One Hundred and Nineteenth Legislature, now assembled in the Second Regular Session, in order to address this problem of excessive drug prices, seek and demand fair prescription drug prices for all our citizens; and be it further

RESOLVED: That, although the most effective solutions are national and the responsibility of Congress, we recognize we must seek to build a multi-state or regional coalition of New England states and beyond, perhaps including the neighboring Canadian province of Quebec and the Maritimes; and be it further

RESOLVED: That, as a coalition, we must explore strategies to lower prescription drug costs in the near term and target the excessive pricing by manufacturers of prescription drugs, which is the underlying cause of high prescription drug costs. These strategies include:

1. Coordinating the passage and adoption of model state legislation to reduce prescription drug prices and guarantee to our citizens access to prescription drugs at lower prices;

2. Working with other states in the New England region and elsewhere to establish joint prescription drug pricing and purchasing agreements;

3. Developing multi-state proposals, agreements or compacts for price regulation of prescription drugs for all citizens;

4. Coordinating with other states to exercise the states' economic power in a way that causes drug companies to set lower prices; and

5. Working with other states to coordinate education of health professionals on the subject of cost-effective prescribing of drugs; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Speaker of the House and the President of the Senate, or their equivalents, of each of the other New England states.

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

READ and **ADOPTED**, in concurrence.

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

REPORTS OF COMMITTEES

House

Change of Committee

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Promote Workplace Safety"

H.P. 1532 L.D. 2185

Reported that the same be **REFERRED** to the Committee on **LABOR**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **LABOR**.

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

REFERRED to the Committee on **LABOR**, in concurrence.

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **LABOR** on Bill "An Act Concerning the Political Use of Union Dues"

H.P. 1303 L.D. 1864

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

Signed:

Senators:

DOUGLASS of Androscoggin
LaFOUNTAIN of York

Representatives:

HATCH of Skowhegan
GOODWIN of Pembroke
MATTHEWS of Winslow
SAMSON of Jay
DAVIS of Falmouth
MacDOUGALL of North Berwick

READ and **PASSED**.

Sent down for concurrence.

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

Signed:

Representatives:

MACK of Standish
TREADWELL of Carmel

On motion by Senator LONGLEY of Waldo, the following Joint Order: S.P. 994

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

Reports **READ**.

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

Senator **MURRAY** of Penobscot was granted unanimous consent to address the Senate off the Record.

Senate at Ease.

Senate called to order by the President.

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

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

ORDERS

Joint Orders

On motion by Senator LONGLEY of Waldo, the following Joint Order: S.P. 993

ORDERED, the House concurring, that the Joint Standing Committee on Business and Economic Development report out a bill to the Senate implementing the recommendations of the Business Advisory Commission on Quality Child Care Financing, established pursuant to Resolve 1999, chapter 66, regarding economic development incentives to encourage the development of quality child care facilities and services.

ORDERED, the House concurring, that the Joint Standing Committee on Health and Human Services report out a bill to the Senate implementing the recommendations of the Business Advisory Commission on Quality Child Care Financing, established pursuant to Resolve 1999, chapter 66, regarding the development of quality child care facilities and services.

READ and PASSED.

Sent down for concurrence.

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

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

Senator **CAREY**: Thank you Mr. President. Mr. President, members of the Senate, when term limits took effect, many people were concerned that the lobby would control the members of this Legislature. I disagreed and said that the bureaucrats would run wild, bloat their departments and attempt to abort the major rules which must go to committees of jurisdiction. The story in the KJ of Friday, February 4th, reassured me that I was correct. Judith McClean Lucarelli, Deputy Commissioner of Education, felt compelled, and I quote, to address a problem that came to her attention after a badly organized fingerprinting session up in Houlton. She said, again I quote, State Police complained about the behavior towards them by the school people. State Police Lt. Jackie Therrault down-played the State Police objections. Ms. Lucarelli has released a memo threatening to report teachers and school workers by asking State Police, quote, to inform her of names of individuals who are particularly rude so that I can pass this information along to the Superintendents. Lucarelli said she didn't mean this as a threat. I really don't know what a threat is if this isn't a threat. I don't know how well educated the Deputy Commissioner is but I must say that from her handling of this matter she is more suited to be Deputy Commissioner of Corrections than of Education. Thank you Mr. President.

Off Record Remarks

Senator **MILLS** of Somerset Senator **CAREY** of Kennebec was granted unanimous consent to address the Senate on the Record.

Senator **MILLS**: Mr. President and men and women of the Senate, I rise merely to point out that it was those of us subject to term limits in our wisdom who passed a Bill that forced Maine's 17,000 teachers to line up in auditoriums and have their fingers printed. I think we're the blame for starting this crisis. Thank you.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **JUDICIARY** on Bill "An Act to Allow Limited Access to Information Relating to Investigation of Abuse at the Governor Baxter School for the Deaf"

H.P. 1688 L.D. 2394

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-784).**

Comes from the House with the Report **READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-784).**

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

READ ONCE.

Committee Amendment "A" (H-784) **READ and ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME and PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act to Establish the Applied Technology Center System"
H.P. 1785 L.D. 2506

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

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

Senate at Ease.

Senate called to order by the President.

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

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Amend the Laws Governing the Work Center Product and Services Set Aside"

H.P. 1628 L.D. 2275

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

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

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

READ ONCE.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **TRANSPORTATION** on Bill "An Act to Amend the Law Regarding Disability License Plates"

H.P. 1623 L.D. 2270

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

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

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

READ ONCE.

TOMORROW ASSIGNED FOR SECOND READING.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **STATE AND LOCAL GOVERNMENT** on Resolve, to Cable Televisе the Proceedings of the Legislature

H.P. 175 L.D. 253

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-771)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-771)**.

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

READ ONCE.

Committee Amendment "A" (H-771) **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

Joint Order

The following Joint Order: H.P. 1821

ORDERED, the Senate concurring, that the Joint Standing Committee on Utilities and Energy hold public hearings on the rising cost of home heating fuel. In the course of its review, the committee shall examine:

1. The causes for the rise in price of home heating fuel;
2. The entities that are benefiting from the rise in price; and
3. The impact of these price increases on the people of the State.

After concluding its review, the committee may report out a bill containing its recommendations to the Second Regular Session of the 119th Legislature.

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 Allow Limited Access to Information Relating to Investigation of Abuse at the Governor Baxter School for the Deaf
H.P. 1688 L.D. 2394
(C "A" H-784)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 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.

Senator **LAFOUNTAIN** of York was granted unanimous consent to address the Senate off the Record.

Senator **RUHLIN** of Penobscot 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.

Senator **CATHCART** of Penobscot was granted unanimous consent to address the Senate off the Record.

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

Senator **LAFOUNTAIN** of York was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

On motion by Senator **AMERO** of Cumberland, **ADJOURNED**, pursuant to the Joint Order, until Tuesday, February 15, 2000, at 10:00 in the morning.