

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

In Senate Chamber  
Thursday  
February 11, 1999

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

Prayer by Pastor David Kelly of Grace Bible Church in Sangerville.

**PASTOR KELLY:** Will you please bow with me in prayer this morning. Almighty God and heavenly Father, we are grateful for another day, another session to conduct the business of the Senate in this State of Maine and another opportunity to begin this moment with bowed heads, hearts and minds before the Creator and Sustainer of life. Strengthen those weakened by the flu or colds, support those weary with personal unspoken heartaches, open the Legislators' ears and minds to hear and think clearly about the items coming before the Senate floor this day. Care for the needs of our families, our wives or husbands, daughters and sons, or grandchildren; especially while we have our minds and time preoccupied with the pressures of this day. Help us to focus on the issues and cast our votes not only with the Party in mind or those of our constituents, but with a conscious understanding the God Himself sees our actions, hears our words, and reads our hearts. As it is written "for in You we live and move and have our being". We ask You to lead us and help these Legislators lead our State in such a way that we all may live peaceful and quiet lives in all godliness and holiness. I ask these things in the name of the Lord Jesus. Amen.

Doctor of the day, Rebecca Chagrasulis, M.D., Casco.

Reading of the Journal of Tuesday, February 9, 1999.

Off Record Remarks

**THE PRESIDENT:** The Chair is pleased to recognize in the rear of the Chamber the artist for February, Nancy Bryant Trider of Leeds, Maine. Her watercolors can be seen in the President's office, the Secretary of the Senate's office, the Senate Majority office, the House Majority office throughout the month of February. She is the Aunt of the Senator from Androscoggin, Senator Nutting. She is joined today by her husband, David, her sister, Catherine McNear, mother of the Senator from

Androscoggin, Senator Nutting, and her husband, Gerald. Would they please rise and accept the greetings of the Senate.

**THE PRESIDENT:** The Chair recognizes the Senator from Androscoggin, Senator **NUTTING**.

**SENATOR NUTTING:** Ladies and gentlemen of the Senate, I'm pleased that President Lawrence gave me 30 minutes to speak this morning on this matter. No, not really. I'm reminded of a young dairy farmer in the mid 80's. The first time he went to run for the House of Representatives he had a Leed's fund raiser at his dairy farm. It was an ice cream social. I'm reminded of that day because the draw for that day was the Secretary of State at that time, Rodney Quinn, and Rodney was very impressed when he arrived at the farm for the Leed's ice cream social and found that there were close to 100 people there. Rodney told me sometime afterwards that after he met everybody there, he wasn't quite so impressed because he realized then that they all were family. We are all very proud of Nancy. I thought my radical brother, Paul, was going to come today, we call him that because he moved three miles down the road from the farm. There are also a couple of "small world" things and I always like "small world" things. My Uncle Dave, one of his first jobs as a electrician was the wiring of the State Office Building when it was constructed. Dave and Nancy's son, Chris, was the foreman for Eastern Electric a few years later now that took over the Economic and Community Development and the Marine Resources Committee hearing room and he was the supervisor and foreman for all the electrical work that was just done on the other Chamber and this Chamber. Nancy's work that is in President Lawrence's office pretty much all comes from the Island of Monhegan. That's another "small world" thing for me. One of the Monhegan fishermen that I met last year when they were passing and lobbying for the Monhegan Bill. He was a real nice gentleman by the name of Matthew Tompkins. I found out this Summer, when my Aunt goes to Monhegan, she and her husband stay with Matthew Tompkins. So that was another "small world" thing that I was very impressed with and surprised and pleased to learn of. But Nancy, we're proud of you. You've got a lot of compliments so far on the quality of your work and you've received a lot of compliments so far on how reasonable your work is priced. Thank you very much.

Out of order and under suspension of the Rules, on motion by Senator PINGREE of Knox, the following Joint Order:  
S.P. 402

**ORDERED**, the House concurring, that when the House and Senate Adjourn they do so until Tuesday, February 16, at 3:00 in the afternoon.

**READ and PASSED.**

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

Out of order and under suspension of the Rules, on motion by Senator PINGREE of Knox, the following Senate Order:  
S.O. 13

**ORDERED**, that a message be sent to the House of Representatives proposing a Joint Convention of both Branches to be held in the Hall of the House at 11:00 in the morning for the purpose of extending to the Honorable Daniel E. Wathen, Chief Justice of the Supreme Judicial Court, an invitation to attend the Convention and make such communication as pleases him.

**READ and PASSED.**

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

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

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**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act to Prohibit Permanent Committees Authorized by the Baxter State Park Authority"  
H.P. 765 L.D. 1088

Bill "An Act to Provide Farm Cooperatives More Flexibility in Establishing Officers and Using Titles for Various Officers"  
H.P. 770 L.D. 1093

Bill "An Act to Make Public Certain Information Regarding Forest Practices"  
H.P. 821 L.D. 1144

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.

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Bill "An Act to Provide Funding for the Advisory Commission on Women Veterans"  
H.P. 732 L.D. 1022

Bill "An Act to Prevent Tampering With Indian Archeological Sites"  
H.P. 738 L.D. 1028

Bill "An Act to Protect Children from Internet Predators"  
H.P. 747 L.D. 1037

Bill "An Act to Enhance the Drug Testing Law"  
H.P. 795 L.D. 1118

Bill "An Act to Provide Funding for the Education Research Institute"  
H.P. 820 L.D. 1143

Bill "An Act to Fund the Maine Resident Homestead Property Tax Exemption Program"  
H.P. 829 L.D. 1152

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.

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Bill "An Act to Revise the Purpose and Authority of the Long-term Care Steering Committee"  
H.P. 734 L.D. 1024

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

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

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Bill "An Act to Eliminate Discrimination in Accident Insurance Coverage"  
H.P. 769 L.D. 1092

Bill "An Act to Regulate Motor Vehicle Insurance Rates"  
H.P. 774 L.D. 1097

Bill "An Act to Allow Insurance for Drivers of Multiple Vehicles"  
H.P. 789 L.D. 1112

Bill "An Act to Ensure that Emergency Mental Health Services are a Covered Benefit"  
H.P. 796 L.D. 1119

Resolve, to Study Maine's Individual Health Insurance Market (EMERGENCY)  
H.P. 804 L.D. 1127

Bill "An Act to Ensure that a Person with Pervasive Development Disorder is Not Penalized under the Insurance Laws"  
H.P. 812 L.D. 1135

Bill "An Act to Authorize the Department of Defense, Veterans and Emergency Management to Establish a Disaster Relief Trust Fund"  
H.P. 828 L.D. 1151

Bill "An Act to Ensure Equality in Mental Health Coverage for Children and Adults"

H.P. 835 L.D. 1158

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.

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Bill "An Act to Promote Economic Development in Northern Maine"

H.P. 771 L.D. 1094

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

H.P. 803 L.D. 1126

Bill "An Act to Decriminalize Resource Protection Violations by Seafood Dealers"

H.P. 824 L.D. 1147

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.

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Bill "An Act to Allow a Movie Rental Company Restitution if a Person Fails to Return a Movie"

H.P. 731 L.D. 1021

Bill "An Act to Require Notification by Law Enforcement Officers Before Tape-recording Certain Conversations"

H.P. 754 L.D. 1044

Bill "An Act to Expand the Geographic Availability of the Supervised Community Confinement Program"

H.P. 772 L.D. 1095

Bill "An Act to Protect Cemeteries"

H.P. 817 L.D. 1140

Bill "An Act to Increase the Penalties for Persons in Possession of Crack Cocaine in Conformity with the Penalties for Similarly Dangerous Drugs"

H.P. 822 L.D. 1145

Bill "An Act to Require Counties to be Reimbursed 100% for all Prisoners Incarcerated in Jail From Other Jurisdictions From Arrival Until Departure"

H.P. 830 L.D. 1153

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.

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Bill "An Act to Make Schools Safer"

H.P. 773 L.D. 1096

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

Comes from the House, Bill and Accompanying Papers **INDEFINITELY POSTPONED**.

On motion by Senator **MURRAY** of Penobscot, Bill and Accompanying Papers **INDEFINITELY POSTPONED**, in concurrence.

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Bill "An Act to Establish a Scholarship Fund for Law Enforcement Education"

H.P. 760 L.D. 1050

Bill "An Act to Amend the Qualifications for Participation in the High School Aspirations Incentives Program"

H.P. 762 L.D. 1085

Bill "An Act to Require Consideration of Part-time Students for Dean's List and other Academic Honors within the Maine Technical College System"

H.P. 766 L.D. 1089

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.

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Resolve, to Lengthen the Screening Period for Long-term Care Assessments

H.P. 735 L.D. 1025

Bill "An Act to Create a Monitoring Program in the Department of Human Services"

H.P. 761 L.D. 1084

Resolve, Regarding the Competitive Bidding Process for Mental Health Services

H.P. 782 L.D. 1105

Bill "An Act to Establish Ratios of Direct-care Providers to Nursing Home Residents"

H.P. 783 L.D. 1106

Bill "An Act to Modify the State's Safe Drinking Water Laws"

H.P. 802 L.D. 1125

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.

H.P. 737 L.D. 1027

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Bill "An Act to Require the Department of Human Services to Provide Disclosure in Child Protection Proceedings"  
H.P. 764 L.D. 1087

Committee on **HEALTH AND HUMAN SERVICES** 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.

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Bill "An Act to Amend the Laws Pertaining to the Maine HIV Advisory Committee"  
H.P. 806 L.D. 1129

Committee on **HEALTH AND HUMAN SERVICES** 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.

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Bill "An Act to Allow Crossbow Use During Archery Season by a Person who has Lost the Use of a Hand"  
H.P. 736 L.D. 1026

Bill "An Act to Create the Coyote-snaring Season"  
H.P. 740 L.D. 1030

Bill "An Act to Improve Snowmobile Trail Grooming"  
H.P. 763 L.D. 1086

Bill "An Act to Lower the September Bowhunting License Fee" (EMERGENCY)  
H.P. 780 L.D. 1103

Bill "An Act to Create the Home Port Rule"  
H.P. 785 L.D. 1108

Bill "An Act to Amend the Moose Hunting Laws"  
H.P. 827 L.D. 1150

Comes 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.

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Bill "An Act to Extend the Waiting Period for Obtaining a Divorce"

Bill "An Act to Require that Child Support Benefits Designated Children"  
H.P. 741 L.D. 1031

Bill "An Act to Create a Respondent's Bill of Rights in Adjudicatory Proceedings"  
H.P. 775 L.D. 1098

Bill "An Act to Require Consistency When Interviewing Children in Criminal and Civil Cases"  
H.P. 778 L.D. 1101

Bill "An Act to Prevent Children From Being Placed with a Parent Who is a Batterer or an Abuser"  
H.P. 786 L.D. 1109

Bill "An Act Regarding the Calculation of Child Support When the Child Receives Disability Benefits"  
H.P. 787 L.D. 1110

Bill "An Act to Amend the Uniform Health Care Decisions Act"  
H.P. 797 L.D. 1120

Bill "An Act to Clarify the Laws Governing Service of Protection from Abuse Orders in Court" (EMERGENCY)  
H.P. 798 L.D. 1121

Bill "An Act Creating Offenses Against Unborn Children"  
H.P. 805 L.D. 1128

Bill "An Act to Allow Police Officers to Prosecute Their Own Traffic Infractions in District Court"  
H.P. 814 L.D. 1137

Bill "An Act to Provide for Suit Against Certain State Employees"  
H.P. 819 L.D. 1142

Bill "An Act to Amend the Maine Tort Claims Act"  
H.P. 825 L.D. 1148

Bill "An Act to Amend the Laws Regarding Abandoned Property"  
H.P. 832 L.D. 1155

Bill "An Act to Repeal the Elective Share Available to Surviving Spouses under the Probate Code"  
H.P. 833 L.D. 1156

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

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

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

morning for the purpose of extending to the Honorable Daniel E. Wathen, Chief Justice of the Supreme Judicial Court, an invitation to attend the Convention and make such communication as pleases him.

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Bill "An Act to Require That a Translator Be Available to Employees In the Workers' Compensation Process"  
H.P. 726 L.D. 1016

Bill "An Act to Ensure That Funds Received from Penalties Due to Lack of Workers' Compensation Coverage Go to the Workers' Compensation Board"  
H.P. 727 L.D. 1017

Bill "An Act to Amend the Prevailing Wage Laws"  
H.P. 728 L.D. 1018

Bill "An Act to Limit Mandatory Overtime"  
H.P. 729 L.D. 1019

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

Bill "An Act to Prohibit the Employment of Professional Strikebreakers"  
H.P. 756 L.D. 1046

Bill "An Act to Increase the Penalty for Failure to Secure Workers' Compensation Insurance"  
H.P. 757 L.D. 1047

Bill "An Act to Amend Maine State Retirement System Rules to Allow Monthly Partial Direct Service Payments to Purchase Service Credit"  
H.P. 768 L.D. 1091

Bill "An Act to Repeal Bedding, Upholstered Furniture and Stuffed Toys Laws"  
H.P. 794 L.D. 1117

Bill "An Act to Reward Academic Excellence for Students Who are 16 and 17 Years of Age"  
H.P. 810 L.D. 1133

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

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

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Bill "An Act to Require Maine's Off-track Betting Facilities to Promote Maine Racing"  
H.P. 745 L.D. 1035

Bill "An Act to Allow Horse Racing Commencing at Noon on Sundays"  
H.P. 749 L.D. 1039

Bill "An Act to Require Liability Insurance for Sellers of Liquor Consumed on the Premises"  
H.P. 752 L.D. 1042

Bill "An Act to Clarify the Guidelines for the Allocation of Tri-state Lottery Machines"  
H.P. 753 L.D. 1043

Bill "An Act to Remove the Limitation on Nonprofit Organizations Holding Games of Chance"  
H.P. 779 L.D. 1102

Resolve, to Allow David Prentiss to Sue the State (EMERGENCY)  
H.P. 801 L.D. 1124

Bill "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"  
H.P. 826 L.D. 1149

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.

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Bill "An Act to Repeal Term Limits for Legislators and Constitutional Officers"  
H.P. 746 L.D. 1036

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

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

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Bill "An Act to Clarify the Lobster V-Notch Law"  
H.P. 788 L.D. 1111

Bill "An Act to Prohibit Elver Fyke Nets on Certain Rivers"  
H.P. 790 L.D. 1113

Bill "An Act to Ensure Safety in the Sale of Shellfish"  
H.P. 792 L.D. 1115

Bill "An Act to Clarify Minimum Size Standards for Marine Species under Aquaculture"  
H.P. 793 L.D. 1116

Bill "An Act to Amend the Law for Children of Lobster License Holders"  
H.P. 816 L.D. 1139

Bill "An Act to Make November 1st the Opening Day of the Scallop Season throughout the State"  
H.P. 831 L.D. 1154

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.

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Bill "An Act to Repeal the Enhanced Inspection Requirements for Motor Vehicles Registered in Cumberland County"  
H.P. 759 L.D. 1049

Bill "An Act to Permit Telescopes and Other Scientific Instruments to be Shielded from the Weather"  
H.P. 791 L.D. 1114

Bill "An Act to Amend Certain Laws Administered by the Department of Environmental Protection, Bureau of Land and Water Quality"  
H.P. 837 L.D. 1160

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.

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Bill "An Act to Prohibit Conflicts of Interest for Persons Serving on State Agencies, Boards or Commissions"  
H.P. 748 L.D. 1038

Bill "An Act to Amend the Androscoggin County Budget Process"  
H.P. 758 L.D. 1048

Bill "An Act to Prohibit Municipalities from Imposing Licensing Standards for Businesses and Occupations"  
H.P. 784 L.D. 1107

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.

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Bill "An Act Regarding Municipal Notification and Approval in the Siting of Community Living Arrangements Within a Municipality"  
H.P. 808 L.D. 1131

Comes 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 Establish Minimum Criteria for Siting Community Living Arrangements"  
H.P. 809 L.D. 1132

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

Comes from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

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

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Bill "An Act to Increase Eligibility Levels for Access to Prescription Drugs for the Elderly"  
H.P. 733 L.D. 1023

Bill "An Act to Encourage Support of Passamaquoddy Tribal Government Through On-reservation Business Activities"  
H.P. 739 L.D. 1029

Bill "An Act to Amend Municipal Revenue Sharing to Take Into Account Sales Tax Revenues"  
H.P. 751 L.D. 1041

Bill "An Act to Increase the State Income Tax Brackets to Match the Federal Income Tax Brackets"  
H.P. 755 L.D. 1045

Bill "An Act to Change the Tax Treatment of Truck Campers"  
H.P. 767 L.D. 1090

Bill "An Act to Return a Percentage of the Meals and Lodging Tax to the Municipality in Which Those Taxes were Levied"  
H.P. 799 L.D. 1122

Bill "An Act to Set Fees for Services for Tax-exempt Property in Municipalities"  
H.P. 800 L.D. 1123

Bill "An Act to Extend the Maine Residents Property Tax Program to Persons Living in Subsidized Housing Who Receive Certain Disability Payments"  
H.P. 811 L.D. 1134

Bill "An Act to Provide an Inflation Adjustment for the Elderly Low-cost Drug Program"  
H.P. 813 L.D. 1136

Bill "An Act to Provide Fairness for Nondrinkers in Restaurants"  
H.P. 818 L.D. 1141

Bill "An Act to Ensure the Payment of Real Estate Taxes on Transferred Property" (EMERGENCY)  
H.P. 834 L.D. 1157

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

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

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Bill "An Act to Improve Cultural Information on the Interstate"  
H.P. 730 L.D. 1020

Bill "An Act to Require Motor Vehicles to Stop for All Pedestrians in a Crosswalk"  
H.P. 742 L.D. 1032

Resolve, Directing the Department of Transportation to Repair Route 2 Between Skowhegan and Newport  
H.P. 744 L.D. 1034

Bill "An Act to Allow all Fines Collected by the Maine Court System as a Result of Evasion of Fare Laws to be Transferred to the Maine Turnpike Authority"  
H.P. 750 L.D. 1040

Bill "An Act to Exempt the Requirement that All Municipal Taxes Be Paid in Advance of Moving a Mobile Home"  
H.P. 776 L.D. 1099

Bill "An Act to Improve the Enforcement of Traffic Laws"  
H.P. 777 L.D. 1100

Bill "An Act to Set Minimum Standards for Motor Vehicle Safety Inspection Stations"  
H.P. 815 L.D. 1138

Bill "An Act to Create the Calais to Eastport Rail Authority and Transfer State Ownership of Certain Railroad Rights-of-way"  
H.P. 836 L.D. 1159

Bill "An Act to Create the East-West Highway Authority"  
H.P. 838 L.D. 1161

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

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

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**Pursuant to Resolve  
Task Force to Study Telecommunications Taxation**

The **Task Force to Study Telecommunications Taxation** pursuant to Resolve 1997, chapter 121, section 7 asked leave to report that the accompanying Bill "An Act to Implement the Recommendations of the Task Force to Study Telecommunications Taxation"  
H.P. 807 L.D. 1130

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

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

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

The Chair noted the absence of the Senator from Cumberland, Senator **KONTOS**, the Senator from Kennebec, Senator **TREAT**, and the Senator from Kennebec, Senator **CAREY** and further excused the same Senators from today's Roll Call votes.

Off Record Remarks

**COMMUNICATIONS**

The Following Communication: S.C. 42

**119<sup>TH</sup> MAINE LEGISLATURE**

January 26, 1999

Honorable Angus S. King, Jr.  
Governor of Maine  
1 State House Station  
Augusta, Maine 04333

Dear Governor King:

We are pleased to invite you to address a Joint Session of the 119<sup>th</sup> Maine Legislature on Tuesday, February 16, 1999 at 3:30 p.m. concerning the biennial budget and any other matters that you may care to bring to our attention.

We look forward to seeing you then.

Sincerely,

S/Mark W. Lawrence                      S/G. Steven Rowe  
President of the Senate                  Speaker of the House

**READ** and **ORDERED PLACED ON FILE.**

The Following Communication: S.C. 46

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

February 9, 1999

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 Education and Cultural Affairs has had under consideration the nomination of Bruce N. Schatz of Augusta, for appointment to the Maine Public Broadcasting System Board of Trustees.

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	Berube of Androscoggin, Murray of Penobscot, Small of Sagadahoc
	Representatives	9	Brennan of Portland, Andrews of York, Belanger of Caribou, Desmond of Mapleton, Richard of Madison, Skoglund of St. George, Stedman of Hartland, Watson of Farmingdale, Weston of Montville
NAYS		0	
ABSENT		1	Rep. Baker of Bangor

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 Bruce N. Schatz of Augusta, for appointment to the Maine Public Broadcasting System Board of Trustees be confirmed.

Signed,

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

**READ** and **ORDERED PLACED ON FILE.**

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

The Following Communication: S.C. 47

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

February 9, 1999

The Honorable Mark W. Lawrence



President of the Senate of Maine  
119th Maine Legislature  
State House  
Augusta, Maine 04333-0003

President of the Senate of Maine  
119th Maine Legislature  
State House  
Augusta, Maine 04333-0003

Dear Mr. President:

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 Education and Cultural Affairs has had under consideration the nomination of Kristy Lingley of Dennysville, for appointment to the Maine Maritime Academy Board of Trustees.

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 Education and Cultural Affairs has had under consideration the nomination of Harrison L. Richardson of South Portland, for reappointment to the Maine Maritime Academy Board of Trustees.

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:

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	Berube of Androscoggin, Murray of Penobscot, Small of Sagadahoc
	Representatives	10	Brennan of Portland, Andrews of York, Baker of Bangor, Belanger of Caribou, Desmond of Mapleton, Richard of Madison, Skoglund of St. George, Stedman of Hartland, Watson of Farmingdale, Weston of Montville
NAYS		0	
ABSENT		0	

YEAS	Senators	3	Berube of Androscoggin, Murray of Penobscot, Small of Sagadahoc
	Representatives	10	Brennan of Portland, Andrews of York, Baker of Bangor, Belanger of Caribou, Desmond of Mapleton, Richard of Madison, Skoglund of St. George, Stedman of Hartland, Watson of Farmingdale, Weston of Montville
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 Kristy Lingley of Dennysville, for appointment to the Maine Maritime Academy Board of Trustees be confirmed.

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 Harrison L. Richardson of South Portland, for reappointment to the Maine Maritime Academy Board of Trustees be confirmed.

Signed,

Signed,

S/Georgette B. Berube  
Senate Chair

S/Michael F. Brennan  
House Chair

S/Georgette B. Berube  
Senate Chair

S/Michael F. Brennan  
House Chair

**READ and ORDERED PLACED ON FILE.**

**READ and ORDERED PLACED ON FILE.**

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

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

The Following Communication: S.C. 48

The Following Communication: S.C. 49

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

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

February 9, 1999

February 9, 1999

The Honorable Mark W. Lawrence

The Honorable Mark W. Lawrence

President of the Senate of Maine  
119th Maine Legislature  
State House  
Augusta, Maine 04333-0003

Submitted by the Department of Conservation pursuant to Joint Rule 204.

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 Education and Cultural Affairs has had under consideration the nomination of Margaret D. Copelin of Benton, for appointment to the Maine School of Science and Mathematics Board of Trustees.

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	Berube of Androscoggin, Murray of Penobscot, Small of Sagadahoc
	Representatives	10	Brennan of Portland, Andrews of York, Baker of Bangor, Belanger of Caribou, Desmond of Mapleton, Richard of Madison, Skoglund of St. George, Stedman of Hartland, Watson of Farmingdale, Weston of Montville
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 Margaret D. Copelin of Benton, for appointment to the Maine School of Science and Mathematics Board of Trustees be confirmed.

Signed,

S/Georgette B. Berube  
Senate Chair

S/Michael F. Brennan  
House Chair

**READ and ORDERED PLACED ON FILE.**

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

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**SENATE PAPERS**

Bill "An Act to Amend Law Enforcement Powers of Maine Forest Rangers"

S.P. 397 L.D. 1188

Sponsored by Senator KIEFFER of Aroostook.  
Cosponsored by Representative CARR of Lincoln and Senator: KILKELLY of Lincoln.

Bill "An Act to Ensure that Land for Maine's Future Acquisitions Include Lands of Local or Regional Significance"  
S.P. 404 L.D. 1193

Sponsored by Senator LONGLEY of Waldo.  
Cosponsored by Senators: BENOIT of Franklin, CAREY of Kennebec, MICHAUD of Penobscot.

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

Sent down for concurrence.

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Resolve, to Preserve the Temporary Assistance to Needy Families Block Grant Funds Reserved for Future Use (EMERGENCY)  
S.P. 396 L.D. 1187

Sponsored by Senator MICHAUD of Penobscot.  
Cosponsored by Senator: HARRIMAN of Cumberland, Representatives: BRAGDON of Bangor, KANE of Saco, MAILHOT of Lewiston, NASS of Acton.  
Submitted by the Department of Human Services pursuant to Joint Rule 204.

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 to Promote the Cranberry Industry"  
S.P. 400 L.D. 1191

Sponsored by Senator CASSIDY of Washington.  
Cosponsored by Speaker ROWE of Portland and Senators: AMERO of Cumberland KIEFFER of Aroostook, NUTTING of Androscoggin, Representatives: DUGAY of Cherryfield, KNEELAND of Easton.

Bill "An Act to Expand Opportunities for Education, Training and Employment for Displaced Homemakers"  
S.P. 409 L.D. 1198

Sponsored by Senator PINGREE of Knox.  
Cosponsored by Representative HATCH of Skowhegan and Senators: AMERO of Cumberland, CATHCART of Penobscot, DOUGLASS of Androscoggin, MILLS of Somerset, Representatives: GOODWIN of Pembroke, POWERS of Rockport, SHIAH of Bowdoinham, TESSIER of Fairfield.

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

Sent down for concurrence.

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Bill "An Act to Update Insurance Financial Standards"  
S.P. 401 L.D. 1192

Sponsored by Senator LaFOUNTAIN of York.  
Cosponsored by Representative MAYO of Bath and Senator: DOUGLASS of Androscoggin, Representatives: O'NEIL of Saco, SULLIVAN of Biddeford.

Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Bill "An Act to Encourage the Acquisition of Long-term Care Insurance"  
S.P. 408 L.D. 1197

Sponsored by Senator HARRIMAN of Cumberland.

Bill "An Act Concerning Access to Obstetrical and Gynecological Services Provided Through Managed Care Plans"  
S.P. 416 L.D. 1205

Sponsored by Senator MURRAY of Penobscot.  
Cosponsored by Representative FULLER of Manchester and Senators: KONTOS of Cumberland, RAND of Cumberland, Representatives: DUDLEY of Portland, GAGNON of Waterville, O'NEIL of Saco, PERRY of Bangor, SAXL of Portland.

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

Sent down for concurrence.

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Bill "An Act Regarding the Circumstances under Which a Physician May Be Disciplined"  
S.P. 395 L.D. 1186

Sponsored by Senator DAGGETT of Kennebec.

Bill "An Act to Ensure Adequate Funding of Certain Public Safety Programs of Occupational or Professional Licensure Boards"  
S.P. 398 L.D. 1189

Sponsored by Senator MacKINNON of York.  
Cosponsored by Representatives: O'NEAL of Limestone, SHOREY of Calais, TRIPP of Topsham, USHER of Westbrook.  
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Bill "An Act to Require Licensing Fees of Tobacco Products Manufacturers"  
S.P. 412 L.D. 1201

Sponsored by Senator LONGLEY of Waldo.  
Cosponsored by Senators: GOLDTHWAIT of Hancock, MILLS of Somerset, PARADIS of Aroostook, Representatives: ETNIER of Harpswell, KANE of Saco, VOLENIK of Brooklin.

Bill "An Act to Provide for the 1999 and 2000 Allocations of the State Ceiling on Private Activity Bonds" (EMERGENCY)  
S.P. 417 L.D. 1206

Sponsored by Senator KONTOS of Cumberland.  
Cosponsored by Representative O'NEAL of Limestone and Senators: MacKINNON of York, PINGREE of Knox, Representative USHER of Westbrook.

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

Sent down for concurrence.

Bill "An Act to Allow Greenings Island to Secede from the Town of Southwest Harbor"

S.P. 399 L.D. 1190

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Bill "An Act to Ensure Just Sentences"

S.P. 413 L.D. 1202

Sponsored by Senator GOLDTHWAIT of Hancock. (BY REQUEST)

Sponsored by Senator MILLS of Somerset.

Bill "An Act to Amend the Laws Pertaining to Excise Tax Collection"

S.P. 411 L.D. 1200

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

Sponsored by Senator GOLDTHWAIT of Hancock. Cosponsored by Senator: O'GARA of Cumberland, Representatives: KASPRZAK of Newport, RINES of Wiscasset, STANWOOD of Southwest Harbor.

Sent down for concurrence.

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

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Bill "An Act to Increase Access to Prescription Drugs for the Elderly and for Disabled Persons"

S.P. 414 L.D. 1203

Sent down for concurrence.

Sponsored by Senator PINGREE of Knox. Cosponsored by Representative LOVETT of Scarborough and Senator: BENNETT of Oxford, Representatives: BERRY of Livermore, BROOKS of Winterport, KANE of Saco, KNEELAND of Easton, QUINT of Portland, Speaker ROWE of Portland, TOWNSEND of Portland.

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Bill "An Act to Clarify the Amount of Meals and Lodging Tax Applicable When an Establishment Has Take-out and On-premise Food"

S.P. 407 L.D. 1196

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

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

Sent down for concurrence.

Bill "An Act to Tax Docking Fees for Pleasure Boats Greater than 19 Feet in Length"

S.P. 410 L.D. 1199

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Bill "An Act to Create Accountability in the Management of Trout and Salmon in Maine"

S.P. 406 L.D. 1195

Sponsored by Senator NUTTING of Androscoggin. Cosponsored by Representative GAGNON of Waterville and Senators: MICHAUD of Penobscot, MILLS of Somerset, Representatives: GREEN of Monmouth, TOWNSEND of Portland.

Sponsored by Senator KIEFFER of Aroostook. Cosponsored by Representative DUNLAP of Old Town and Senators: CAREY of Kennebec, CASSIDY of Washington, KILKELLY of Lincoln, Representatives: BELANGER of Caribou, JOY of Crystal, KNEELAND of Easton, TRUE of Fryeburg, WHEELER of Bridgewater.

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

Sent down for concurrence.

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Bill "An Act to Amend the Fishing Laws"

S.P. 415 L.D. 1204

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Bill "An Act to Amend the Local Highway Laws"

S.P. 418 L.D. 1207

Sponsored by Senator KILKELLY of Lincoln. Cosponsored by Representative DUNLAP of Old Town and Representatives: BERRY of Livermore, BRYANT of Dixfield, CAMERON of Rumford, COTE of Lewiston, RINES of Wiscasset, TRACY of Rome.

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

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

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

Sent down for concurrence.

Sent down for concurrence.

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Bill "An Act to Expand the Basic Service Calling Area in Certain Rural Areas"

S.P. 405 L.D. 1194

Sponsored by Senator LONGLEY of Waldo.  
Cosponsored by Senators: BENOIT of Franklin, PARADIS of Aroostook, Representatives: BERRY of Belmont, LaVERDIERE of Wilton, THOMPSON of Naples.

Bill "An Act to Amend the Enhanced 9-1-1 Laws" (EMERGENCY)  
S.P. 419 L.D. 1208

Sponsored by Senator KONTOS of Cumberland.  
Cosponsored by Representative MADORE of Augusta and Representatives: BERRY of Livermore, McALEVEY of Waterboro. Submitted by the Department of Public Safety pursuant to Joint Rule 204.

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

Sent down for concurrence.

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Off Record Remarks  
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**ORDERS**

**Joint Order**

On motion by Senator PINGREE of Knox, under unanimous consent, on behalf of Senator PENDLETON of Cumberland, the following Joint Order:

S.P. 403

**ORDERED**, the House concurring, that the Commission to Assess the Health Care Delivery System for the Elderly is established as follows.

1. Commission established. The Commission to Assess the Health Care Delivery System for the Elderly, referred to in this order as the "commission," is established.
2. Commission membership. The commission consists of 9 members appointed as follows:
  - A. One member appointed by the State Tax Assessor;
  - B. One member representing the Bureau of Elder and Adult Services appointed by the Commissioner of Human Services;
  - C. One member appointed by the Maine Association of Retirees;
  - D. The Senate Chair of the Joint Standing Committee on Health and Human Services;

E. One member of the Senate who sits on the Joint Standing Committee on Banking and Insurance appointed by the President of the Senate;

F. One member of the Senate appointed by the President of the Senate;

G. The House Chair of the Joint Standing Committee on Health and Human Services;

H. One member of the House of Representatives who sits on the Joint Standing Committee on Banking and Insurance, appointed by the Speaker of the House; and

I. One member of the House of Representatives appointed by the Speaker of the House.

3. Chairs. The first Senate member named is the Senate chair and the first House member named is the House chair.

4. Appointments. Appointments of members to the commission must be made no later than 30 days after the effective date of this order. The Executive Director of the Legislative Council must be notified by all appointing authorities once the selections have been made. Within 15 days after appointment of all members, the Chair of the Legislative Council shall call and convene the first meeting of the commission no later than July 1, 1999.

5. Duties. The commission shall hold public meetings, gather information, create working groups and request necessary data from public and private entities in order to:

A. Review all programs related to health care for the elderly to determine the adequacy of existing procedures, forms and processing time and to explore alternatives to increase the efficiency of the administration of the programs; and

B. Review eligibility requirements and income guidelines for programs related to health care for the elderly to determine whether the requirements and guidelines adequately address the elderly population in need and whether the denial of services or benefits unfairly affect the quality of life of the applicant.

6. Staff assistance. The commission may request assistance from the Department of Human Services.

7. Expenses. Those members of the commission who are Legislators are entitled to receive the legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of the commission. Other members of the commission who are not otherwise compensated by their employers or other entities whom they represent are entitled to receive reimbursement of necessary expenses incurred for their attendance at authorized meetings of the commission.

8. Report. By January 15, 2000, the commission shall submit a report of its findings to the Joint Standing Committee on Health and Human Services along with any implementing legislation. The Joint Standing Committee on Health and Human Services may report out legislation during the Second Regular Session of

the 119th Legislature concerning the findings and recommendations of the commission.

**READ.**

On motion by Senator **PINGREE** of Knox, **TABLED** until Later in Today's Session, pending motion by Senator **PENDLETON** of Cumberland to **PASS**.

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**REPORTS OF COMMITTEES**

**House**

**Change of Committee**

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Change Reporting Requirements of Certain HIV Test Results"

H.P. 43 L.D. 57

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.

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The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act Regarding the Composition of the Maine HIV Advisory Committee"

H.P. 44 L.D. 58

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.

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**Ought to Pass**

The Committee on **CRIMINAL JUSTICE** on Bill "An Act to Increase the Fee Charged by Bail Commissioners"

H.P. 122 L.D. 153

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.**

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**Senate**

**Ought to Pass**

Senator **DAVIS** for the Committee on **CRIMINAL JUSTICE** on Bill "An Act to Prevent Children from Acquiring Gunpowder"

S.P. 60 L.D. 130

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

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

**READ ONCE.**

**TOMORROW ASSIGNED FOR SECOND READING.**

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**Divided Report**

The Majority of the Committee on **LABOR** on Bill "An Act Pertaining to Health Concerns in the Sale of Certain Personal Garments"

S.P. 37 L.D. 47

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

Signed:

Senators:

DOUGLASS of Androscoggin  
LaFOUNTAIN of York  
MILLS of Somerset

Representatives:

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

Representative:

DAVIS of Falmouth

Reports **READ**.

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

Sent down for concurrence.

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**ORDERS OF THE DAY**

**Unfinished Business**

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

The Chair laid before the Senate the following Tabled and Later (1/28/99) Assigned matter:

Resolve, to Allow Lawsuit Against the State of Maine  
H.P. 448 L.D. 611

Tabled - January 28, 1999, by Senator **RAND** of Cumberland.

Pending - **REFERENCE**

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

(In House, January 26, 1999, **REFERRED** to the Committee on **JUDICIARY**.)

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

Sent down for concurrence.

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The Chair laid before the Senate the following Tabled and Later (2/2/99) Assigned matter:

Bill "An Act to Improve School Safety and Learning Environments"  
S.P. 298 L.D. 870

Tabled - February 2, 1999, by Senator **RAND** of Cumberland.

Pending - **REFERENCE**

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

On motion by Senator **RAND** of Cumberland, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

Sent down for concurrence.

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

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Off Record Remarks

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Senate at Ease.

Senate called to order by the President.

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

After Convention

In Senate Chamber

Senate called to order by the President.

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Off Record Remarks

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**ORDERS OF THE DAY**

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

NOMINATION - of Bruce N. Schatz of Augusta for appointment to the Maine Public Broadcasting System Board of Trustees

Tabled - February 11, 1999, by Senator **PINGREE** of Knox.

Pending - **CONSIDERATION**

(In Senate, February 11, 1999, Communication (S.C. 46) from the Committee on **EDUCATION AND CULTURAL AFFAIRS**, **READ** and **ORDERED PLACED ON FILE**.)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#11)**

YEAS: Senators: None

NAYS: Senators: AMERO, BENNETT, BENOIT, BERUBE, CASSIDY, CATHCART, DAGGETT, DAVIS, DOUGLASS, FERGUSON, GOLDTHWAIT, HARRIMAN, KILKELLY, LAFOUNTAIN, LIBBY, LONGLEY, MACKINNON, MICHAUD, MILLS, MITCHELL, MURRAY, NUTTING, PARADIS, PINGREE, RAND, RUHLIN, SMALL, THE PRESIDENT - MARK W. LAWRENCE

ABSENT: Senators: ABROMSON, KIEFFER, O'GARA, PENDLETON

EXCUSED: Senators: CAREY, KONTOS, TREAT

No Senator having voted in the affirmative and 28 Senators having voted in the negative, with 4 Senators being absent, and 3 Senators being excused, and none being less than two-thirds of the Membership present it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and nomination of **Bruce N. Schatz** of Augusta for appointment to the Maine Public Broadcasting System Board of Trustees was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

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

NOMINATION - of Kristy Lingley of Dennysville for appointment to the Maine Maritime Academy Board of Trustees

Tabled - February 11, 1999, by Senator **PINGREE** of Knox.

Pending - **CONSIDERATION**

(In Senate, February 11, 1999, Communication (S.C. 47) from the Committee on **EDUCATION AND CULTURAL AFFAIRS, READ and ORDERED PLACED ON FILE.**)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#12)**

YEAS: Senators: None

NAYS: Senators: AMERO, BENNETT, BENOIT, BERUBE, CASSIDY, CATHCART, DAGGETT, DAVIS, DOUGLASS, FERGUSON, GOLDTHWAIT, HARRIMAN, KILKELLY,

LAFOUNTAIN, LIBBY, LONGLEY, MACKINNON, MICHAUD, MILLS, MITCHELL, MURRAY, NUTTING, PARADIS, PINGREE, RAND, RUHLIN, SMALL, THE PRESIDENT - MARK W. LAWRENCE

ABSENT: Senators: ABROMSON, KIEFFER, O'GARA, PENDLETON

EXCUSED: Senators: CAREY, KONTOS, TREAT

No Senator having voted in the affirmative and 28 Senators having voted in the negative, with 4 Senators being absent, and 3 Senators being excused, and none being less than two-thirds of the Membership present it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and nomination of **Kristy Lingley** of Dennysville for appointment to the Maine Maritime Academy Board of Trustees was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

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

NOMINATION - of Harrison L. Richardson of South Portland for reappointment to the Maine Maritime Academy Board of Trustees

Tabled - February 11, 1999, by Senator **PINGREE** of Knox.

Pending - **CONSIDERATION**

(In Senate, February 11, 1999, Communication (S.C. 48) from the Committee on **EDUCATION AND CULTURAL AFFAIRS, READ and ORDERED PLACED ON FILE.**)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#13)**

YEAS: Senators: None

NAYS: Senators: AMERO, BENNETT, BENOIT, BERUBE, CASSIDY, CATHCART, DAGGETT, DAVIS, DOUGLASS, FERGUSON, GOLDTHWAIT, HARRIMAN, KILKELLY, LAFOUNTAIN, LIBBY, LONGLEY, MACKINNON, MICHAUD, MILLS, MITCHELL, MURRAY, NUTTING, PARADIS, PINGREE, RAND, RUHLIN, SMALL, THE PRESIDENT - MARK W. LAWRENCE



ABSENT: Senators: ABROMSON, KIEFFER, O'GARA, PENDLETON

EXCUSED: Senators: CAREY, KONTOS, TREAT

No Senator having voted in the affirmative and 28 Senators having voted in the negative, with 4 Senators being absent, and 3 Senators being excused, and none being less than two-thirds of the Membership present it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and nomination of **Harrison L. Richardson** of South Portland for reappointment to the Maine Maritime Academy Board of Trustees was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

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

NOMINATION - of Margaret D. Copelin of Benton for appointment to the Maine School of Science and Mathematics Board of Trustees

Tabled - February 11, 1999, by Senator **PINGREE** of Knox.

Pending - **CONSIDERATION**

(In Senate, February 11, 1999, Communication (S.C. 49) from the Committee on **EDUCATION AND CULTURAL AFFAIRS, READ and ORDERED PLACED ON FILE.**)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#14)**

YEAS: Senators: None

NAYS: Senators: AMERO, BENNETT, BENOIT, BERUBE, CASSIDY, CATHCART, DAGGETT, DAVIS, DOUGLASS, FERGUSON, GOLDTHWAIT, HARRIMAN, KILKELLY, LAFOUNTAIN, LIBBY, LONGLEY, MACKINNON, MICHAUD, MILLS, MITCHELL, MURRAY, NUTTING, PARADIS, PINGREE, RAND, RUHLIN, SMALL, THE PRESIDENT - MARK W. LAWRENCE

ABSENT: Senators: ABROMSON, KIEFFER, O'GARA, PENDLETON

EXCUSED: Senators: CAREY, KONTOS, TREAT

No Senator having voted in the affirmative and 28 Senators having voted in the negative, with 4 Senators being absent, and 3 Senators being excused, and none being less than two-thirds of the Membership present it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and nomination of **Margaret D. Copelin** of Benton for appointment to the Maine School of Science and Mathematics Board of Trustees was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

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Off Record Remarks

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

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Off Record Remarks

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On motion by Senator **PINGREE** of Knox, **ADJOURNED**, pursuant to the Joint Order, until Tuesday, February 16, 1999, at 3:00 in the afternoon.