

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

In Senate Chamber
Friday
May 7, 1999

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

Prayer by Lt. Daryl Willett, Commanding Officer of the Salvation Army in Bath.

LT. DARYL WILLETT: Would you join with me in prayer. Our Father, God, in Heaven, we thank You for who You are. We thank You for Your provision and today, Lord, we thank You for the opportunity that we all have to make a difference in our communities and in our state. Today I would just ask that You would be among us. May Your guidance guide us in all the decisions that are made here today. We thank You, we love You. In Your name. Amen.

Doctor of the day, Andrew Lackoff, M.D., Waldoboro.

Reading of the Journal of Thursday, April 6, 1999.

Off Record Remarks

SENATE PAPERS

Bill "An Act to Retain Jobs at Paper Production Facilities in the State" (EMERGENCY)

S.P. 816 L.D. 2222

Sponsored by Senator MICHAUD of Penobscot.
Cosponsored by Representative CLARK of Millinocket and Senators: CATHCART of Penobscot, DAVIS of Piscataquis, President LAWRENCE of York, Representatives: CAMPBELL of Holden, CARR of Lincoln, JOY of Crystal, Speaker ROWE of Portland, STANLEY of Medway.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

ORDERS

Joint Resolutions

On motion by Senator PINGREE of Knox, under unanimous consent on behalf of President LAWRENCE of York (Cosponsored by Speaker ROWE of Portland and Senator BENNETT of Oxford, Senator KILKELLY of Lincoln, Senator PINGREE of Knox, Senator RAND of Cumberland, Representative MURPHY of Kennebunk, Representative SAXL of Portland, Representative SHIAH of Bowdoinham), the following Joint Resolution: S.P. 810

**JOINT RESOLUTION DECLARING MAY 7, 1999
AS STAND UP FOR RURAL MAINE DAY**

WHEREAS, there are over 50 nonprofit community-based development groups hard at work improving housing and economic conditions in the State's rural communities, while preserving the rural communities' natural and cultural heritage and the values and quality of life that define rural Maine; and

WHEREAS, Maine's nonprofit community-based developers are recognized as leaders in development in the State and their efforts and determination are appreciated by members of the Maine Legislature and the Maine residents they represent; and

WHEREAS, Maine is the 3rd most rural state in the Union with 55% of its population living outside urban areas; and

WHEREAS, 17% of rural Maine residents live in poverty compared to 13% in urban areas and per capita personal income in rural Maine in 1989 was 79% of that in urban areas; and

WHEREAS, 60% of unemployed Maine residents live in rural areas; and

WHEREAS, Maine's community-based development groups support the Stand Up for Rural America Campaign, a national initiative to strengthen rural community-based development organizations and secure additional federal, banking and philanthropic resources to help these development organizations; and

WHEREAS, to promote greater awareness of the needs of rural Maine residents, Maine's community-based development organizations, the Maine Rural Development Council and the Stand Up for Rural America Campaign are recognizing May 7, 1999 as Stand Up for Rural Maine Day; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Nineteenth Legislature, now assembled in the First Regular Session, declare May 7, 1999 as Stand Up for Rural Maine Day, a day for all Maine residents to celebrate the accomplishments of community-based development groups, recognize the need for more private and public support for the efforts of these groups and call on the Federal Government, banks and philanthropic organizations to invest more resources in helping these groups help Maine residents help themselves.

READ and ADOPTED.

Sent down for concurrence.

On motion by Senator PINGREE of Knox, under unanimous consent on behalf of President LAWRENCE of York (Cosponsored by Speaker ROWE of Portland and Senator DAGGETT of Kennebec, Senator PINGREE of Knox, Senator RAND of Cumberland, Senator TREAT of Kennebec, Representative COWGER of Hallowell, Representative MADORE of Augusta, Representative MITCHELL of Vassalboro, Representative O'BRIEN of Augusta, Representative SAXL of Portland, Representative SHIAH of Bowdoinham), the following Joint Resolution: S.P. 815

JOINT RESOLUTION PROCLAIMING MAY 8, 1999 AS DOHERTY FAMILY LETTER CARRIERS' FOOD DRIVE DAY

WHEREAS, the National Association of Letter Carriers will conduct its annual food drive on Saturday, May 8, 1999; and

WHEREAS, this food drive in the Augusta-Hallowell area is the most recent effort in the work that the Augusta office of the National Association of Letter Carriers, Branch Number 92, has accomplished over the years to provide services to the community including helping to feed those in need; and

WHEREAS, the members of the Doherty Family, including Rusty, Sean, Ariana and Faith, have donated their time and effort to previous National Association of Letter Carriers food drives in the Augusta-Hallowell area and have made a major impact on the success of previous food drives; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Nineteenth Legislature now assembled in the First Regular Session, take this occasion to proclaim May 8, 1999 as "Doherty Family Letter Carriers' Food Drive Day" in the Augusta-Hallowell area and urge all citizens of these communities to join the Doherty Family and National Association of Letter Carriers Branch Number 92 in working to aid those in need in our communities by participating in the annual food drive; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Angus S. King, the Doherty Family and the National Association of Letter Carriers Branch Number 92 in honor of the occasion.

READ.

On motion by Senator PINGREE of Knox, **TABLED** until Later in Today's Session, pending motion by President LAWRENCE of York to **ADOPT**.

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **BANKING AND INSURANCE** on Bill "An Act to Clarify the Regulation of Viatical Settlement Contracts When Sold as Investments"

H.P. 1182 L.D. 1693

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-402)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-402) AND HOUSE AMENDMENT "A" (H-474)**.

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

READ ONCE.

Committee Amendment "A" (H-402) **READ** and **ADOPTED**, in concurrence.

House Amendment "A" (H-474) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **CRIMINAL JUSTICE** on Bill "An Act to Amend Juvenile Corrections Laws and to Establish a Juvenile Records Repository"

H.P. 1002 L.D. 1400

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-428)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-428) AND HOUSE AMENDMENT "A" (H-475)**.

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

READ ONCE.

Committee Amendment "A" (H-428) **READ** and **ADOPTED**, in concurrence.

House Amendment "A" (H-475) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Decrease the Time by Which Rent Is Considered Late" H.P. 635 L.D. 885

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-285)**.

Comes from the House with the Bill and accompanying papers **COMMITTED** to the Committee on **LEGAL AND VETERANS AFFAIRS**.

On motion by Senator **DAGGETT** of Kennebec, Bill and accompanying papers **COMMITTED** to the Committee on **LEGAL AND VETERANS AFFAIRS**, in concurrence.

Divided Report

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Ensure Compliance With Disability Access Laws by the Baxter State Park Authority"

H.P. 1189 L.D. 1699

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

Signed:

Senators:

- NUTTING of Androscoggin
- KILKELLY of Lincoln
- KIEFFER of Aroostook

Representatives:

- COWGER of Hallowell
- GOOLEY of Farmington
- VOLENIK of Brooklin
- PIEH of Bremen
- WATSON of Farmingdale
- GAGNE of Buckfield
- CROSS of Dover-Foxcroft
- GILLIS of Danforth

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-381)**.

Signed:

Representatives:

- CARR of Lincoln
- FOSTER of Gray

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-381)**.

Reports **READ**.

On motion by Senator **NUTTING** of Androscoggin, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Prohibit Rewards to Fish and Wildlife Informants"

H.P. 134 L.D. 196

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

Signed:

Senators:

- KILKELLY of Lincoln
- RUHLIN of Penobscot
- KIEFFER of Aroostook

Representatives:

- DUNLAP of Old Town
- CHICK of Lebanon
- HONEY of Boothbay
- TRUE of Fryeburg
- CLARK of Millinocket
- BRYANT of Dixfield
- COTE of Lewiston

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-282)**.

Signed:

Representatives:

- PERKINS of Penobscot
- TRAHAN of Waldoboro
- TRACY of Rome

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

Reports **READ**.

On motion by Senator **KILKELLY** of Lincoln, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Allow Hunters to Carry and Use a Standard-size Flashlight"

H.P. 559 L.D. 780

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

Signed:

Senators:

KILKELLY of Lincoln
RUHLIN of Penobscot
KIEFFER of Aroostook

Representatives:

DUNLAP of Old Town
PERKINS of Penobscot
CHICK of Lebanon
TRAHAN of Waldoboro
HONEY of Boothbay
TRUE of Fryeburg
BRYANT of Dixfield
COTE of Lewiston

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-284)**.

Signed:

Representatives:

TRACY of Rome
CLARK of Millinocket

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

Reports **READ**.

On motion by Senator **KILKELLY** of Lincoln, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **LABOR** on Bill "An Act to Change the Child Labor Laws"

H.P. 1239 L.D. 1768

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
DAVIS of Falmouth
TREADWELL of Carmel

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-353).**

Signed:

Representatives:

MacDOUGALL of North Berwick
MACK of Standish

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

Reports **READ**.

On motion by Senator **PINGREE** of Knox, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **NATURAL RESOURCES** on Bill "An Act to Amend Environmental Penalties to Prohibit Fines on First-time Violators"

H.P. 1245 L.D. 1774

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

Signed:

Senators:

TREAT of Kennebec
NUTTING of Androscoggin
LIBBY of York

Representatives:

MARTIN of Eagle Lake
ETNIER of Harpswell
McKEE of Wayne
CLARK of Millinocket
COWGER of Hallowell
DAIGLE of Arundel

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-435).**

Signed:

Representative:

JOY of Crystal

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, to Amend the Constitution of Maine to Elect 2 Senators from Each County

H.P. 452 L.D. 615

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-408).**

Signed:

Senators:

PENDLETON of Cumberland
GOLDTHWAIT of Hancock
DAVIS of Piscataquis

Representatives:

AHEARNE of Madawaska
BAGLEY of Machias
RINES of Wiscasset
BUMPS of China
KASPRZAK of Newport
JODREY of Bethel
RICHARDSON of Greenville
GERRY of Auburn

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

Signed:

Representatives:

McDONOUGH of Portland
TWOMEY of Biddeford

Comes from the House with the Resolution and accompanying papers **COMMITTED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Reports **READ**.

On motion by Senator **PINGREE** of Knox, Resolution and accompanying papers **COMMITTED** to the Committee on **STATE AND LOCAL GOVERNMENT**, in concurrence.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Amend the Androscoggin County Budget Process"

H.P. 758 L.D. 1048

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-321).**

Signed:

Senators:

PENDLETON of Cumberland
GOLDTHWAIT of Hancock
DAVIS of Piscataquis

Representatives:

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

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

Signed:

Representative:

GERRY of Auburn

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-321)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-321) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Amend the InforME Laws"
H.P. 1308 L.D. 1867

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

Signed:

Senators:

PENDLETON of Cumberland
GOLDTHWAIT of Hancock
DAVIS of Piscataquis

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-414)**.

Signed:

Representative:

GERRY of Auburn

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

Reports **READ**.

On motion by Senator **PINGREE** of Knox, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Allow the Direct Submission to Voters of Municipal Charter Revisions"

H.P. 1489 L.D. 2127

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

Signed:

Senators:

GOLDTHWAIT of Hancock
DAVIS of Piscataquis

Representatives:

TWOMEY of Biddeford
BUMPS of China
KASPRZAK of Newport
JODREY of Bethel
RICHARDSON of Greenville

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

Signed:

Senator:

PENDLETON of Cumberland

Representatives:

AHEARNE of Madawaska
BAGLEY of Machias
RINES of Wiscasset
McDONOUGH of Portland
GERRY of Auburn

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

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 **STATE AND LOCAL GOVERNMENT** on Joint Order - relative to locating an on-site day-care center in the capitol complex

H.P. 58

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

Signed:

Senators:

PENDLETON of Cumberland
GOLDTHWAIT of Hancock
DAVIS of Piscataquis

Representatives:

BAGLEY of Machias
RINES of Wiscasset
McDONOUGH of Portland
KASPRZAK of Newport
JODREY of Bethel
RICHARDSON of Greenville

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-443)**.

Signed:

Representatives:

AHEARNE of Madawaska
TWOMEY of Biddeford
BUMPS of China
GERRY of Auburn

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Joint Order **PASSED**.

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

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

Signed:

Senators:

PARADIS of Aroostook
CASSIDY of Washington

Representatives:

FISHER of Brewer
COLLINS of Wells
SANBORN of Alton
CAMERON of Rumford
WHEELER of Eliot
LINDAHL of Northport
BOUFFARD of Lewiston
SAVAGE of Union
WHEELER of Bridgewater

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-431)**.

Signed:

Senator:

O'GARA of Cumberland

Representative:

JABAR of Waterville

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

Reports **READ**.

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

Senate

Ought to Pass As Amended

Senator **LONGLEY** for the Committee on **JUDICIARY** on Bill "An Act to Enact the Uniform Foreign Money-judgments Recognition Act"

S.P. 380 L.D. 1081

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-226)**.

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

READ ONCE.

Committee Amendment "A" (S-226) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator **FERGUSON** for the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Improve Alcohol Server Education Courses"

S.P. 320 L.D. 954

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-228)**.

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

READ ONCE.

Committee Amendment "A" (S-228) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator **CAREY** for the Committee on **UTILITIES AND ENERGY** on Bill "An Act Concerning Damage to Lands and Natural Resources Caused by Natural Gas Pipelines"

S.P. 679 L.D. 1929

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-224)**.

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

READ ONCE.

Committee Amendment "A" (S-224) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on **LABOR** on Bill "An Act to Exclude Claims for Intentional Criminal Acts from the Application of the Workers' Compensation Act of 1992"

S.P. 47 L.D. 118

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-227)**.

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

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

Signed:

Representatives:

DAVIS of Falmouth
MacDOUGALL of North Berwick
MACK of Standish
TREADWELL of Carmel

Reports **READ**.

Senator **PINGREE** of Knox, moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

SECOND READERS

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

House

Resolve, Regarding Legislative Review of Certain Sections of Chapter II, Section 67, Nursing Facility Services, of Chapter 101: Maine Medical Assistance Manual, a Major Substantive Rule of the Department of Human Services (EMERGENCY)
H.P. 1535 L.D. 2188

Resolve, Regarding Legislative Review of Chapter 231: Rules Relating to Drinking Water, a Major Substantive Rule of the Department of Human Services (EMERGENCY)
H.P. 1536 L.D. 2189

Bill "An Act to Allow the Fort Kent Utility District to be Dissolved and Combined With the Town of Fort Kent" (EMERGENCY)
H.P. 1538 L.D. 2193

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

House As Amended

Bill "An Act to Add to the List of Mandatory Reporters of Suspected Child Abuse Children's Summer Camp Employees"
H.P. 75 L.D. 88
(C "A" H-441)

Bill "An Act to Require That the State of Maine Comply with Federal Public Law 96-272, the Adoption Assistance and Child Welfare Act of 1980"
H.P. 297 L.D. 405
(C "A" H-440)

Bill "An Act to Require Certain Disclosures by Providers of Funeral Services"
H.P. 525 L.D. 732
(C "A" H-398)

Bill "An Act to Amend the Animal Welfare Laws"
H.P. 535 L.D. 742
(C "A" H-444)

Resolve, Regarding Legislative Review of Chapter 380: Energy Conservation Programs by Electric Transmission and Distribution Utilities, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)
H.P. 569 L.D. 790
(C "A" H-400)

Bill "An Act to Require the State to Be Responsible for the Costs of School Employee Criminal History Records Checks and Fingerprinting"
H.P. 628 L.D. 878
(C "A" H-405)

Resolve, Authorizing the Knox County Commissioners to Borrow Not More than \$2,500,000 for Construction or Renovation of a District Court and Office Areas in Knox County (EMERGENCY)
H.P. 703 L.D. 970
(C "A" H-407)

Bill "An Act Regarding the Effective Date of Guardian Ad Litem Training"
H.P. 856 L.D. 1213
(C "A" H-439)

Bill "An Act to Make Courses that Teach English as a 2nd Language Reimbursable by the State"
H.P. 860 L.D. 1217
(C "A" H-373)

Bill "An Act Relating to Automobile Rental Supplemental Liability Insurance"
H.P. 861 L.D. 1218
(C "A" H-341)

Bill "An Act to Allow the Town of Cornville to Receive its 1997 Tree Growth Tax Reimbursement"
H.P. 867 L.D. 1224
(C "A" H-389)

LEGISLATIVE RECORD - SENATE, FRIDAY, MAY 7, 1999

Bill "An Act to Raise Penalties for Cases of Cruelty to Animals or Birds"

H.P. 903 L.D. 1281
(C "A" H-419)

Bill "An Act to Clarify the Law Governing Disbursements from the Groundwater Oil Clean-up Fund"

H.P. 1201 L.D. 1711
(C "A" H-426)

Bill "An Act to Establish and Fund Conflict Resolution Programs in the Public Schools"

H.P. 928 L.D. 1305
(C "A" H-317)

Resolve, Creating a Commission to Study the Multicultural Education Needs of Maine Teachers to Ensure Multicultural Awareness and Understanding for All Maine Students

H.P. 1230 L.D. 1759
(C "A" H-319)

Bill "An Act to Allow Sharing of Information for Child Protective Investigations"

H.P. 1038 L.D. 1460
(C "A" H-438)

Bill "An Act to Update the Laws Concerning Prearranged Funerals"

H.P. 1248 L.D. 1777
(C "A" H-342)

Bill "An Act to Conform the Maine Tax Laws for 1998 With the United States Internal Revenue Code" (EMERGENCY)

H.P. 1053 L.D. 1484
(C "A" H-387)

Bill "An Act to Amend the Definition of Lender Under the Uncontrolled Hazardous Substance Sites Law"

H.P. 1254 L.D. 1808
(C "A" H-423)

Resolve, to Establish a Task Force to Study the Improvement of Public Water Supply Protection

H.P. 1103 L.D. 1550
(C "A" H-425)

Bill "An Act to Limit the Imposition of Excise Taxes on Watercraft"

H.P. 1284 L.D. 1845
(C "A" H-385)

Bill "An Act to Clarify the Definition of Terms Relating to Scheduled Drugs"

H.P. 1107 L.D. 1566
(C "A" H-420)

Bill "An Act Allowing the Appointment of Temporary Guardians of Minors"

H.P. 1299 L.D. 1860
(C "A" H-437)

Bill "An Act to Criminalize Internet Dissemination of Child Pornography"

H.P. 1116 L.D. 1575
(C "A" H-418)

Bill "An Act to Revise Procedures for Probation Revocation"

H.P. 1310 L.D. 1871
(C "A" H-427)

Bill "An Act to Require a Mortgagee to Record the Discharge of a Mortgage Within 30 Days"

H.P. 1127 L.D. 1586
(C "A" H-382)

Bill "An Act to Prevent Conflicts of Interest"

H.P. 1337 L.D. 1920
(C "A" H-288)

Bill "An Act to Allow the Surviving Veteran Spouse of a Veteran to Continue to Receive the Property Tax Exemption"

H.P. 1128 L.D. 1587
(C "A" H-388)

Bill "An Act to Establish the Maine Dental Education Loan Program"

H.P. 1367 L.D. 1965
(C "A" H-406)

Bill "An Act to Amend the Abandoned Property Laws"

H.P. 1162 L.D. 1673
(C "A" H-436)

Bill "An Act to Maintain Protection of Sand Dunes Under Existing Law"

H.P. 1442 L.D. 2063
(C "A" H-424)

Resolve, to Conduct and Report on a Comprehensive Needs Assessment for Coordinated School Health Programs

H.P. 1196 L.D. 1706
(C "A" H-365)

Bill "An Act to Protect Library Materials in Circulation and to Designate Secure Archival Repositories"

H.P. 1449 L.D. 2070
(C "A" H-416)

Bill "An Act to Extend Certain Survivor Benefits to the Spouses of Emergency Medical Services Providers"

H.P. 1197 L.D. 1707
(C "A" H-366)

Bill "An Act to Amend the Charter of the Richmond Utilities District"

H.P. 1459 L.D. 2091
(C "A" H-399)

Bill "An Act to Amend the Home-release Monitoring Program"

H.P. 1198 L.D. 1708
(C "A" H-417)

Bill "An Act to Improve the Effectiveness of the Driver Education and Evaluation Programs"

H.P. 1546 L.D. 2202

(C "A" H-403)

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

Bill "An Act to Promote Stability in Labor Management Relations in the Public Sector"

H.P. 960 L.D. 1358
(C "A" H-433)

READ A SECOND TIME.

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

Bill "An Act to Require the Display of the Prisoner of War - Missing in Action Flag"

H.P. 1287 L.D. 1848
(C "A" H-369)

READ A SECOND TIME.

On motion by Senator **MURRAY** of Penobscot, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENGROSSED AS AMENDED**, in concurrence.

Bill "An Act to Establish Municipal Cost Components for Unorganized Territory Services to be Rendered in Fiscal Year 1999-00" (EMERGENCY)

H.P. 1311 L.D. 1872
(C "A" H-386)

READ A SECOND TIME.

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

Bill "An Act to Increase Load Weight on Farm Vehicles"

H.P. 1443 L.D. 2064
(C "A" H-380)

READ A SECOND TIME.

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

Off Record Remarks

Senate As Amended

(C "A" S-219)

Bill "An Act to Reclassify Certain Waters of the State"
S.P. 319 L.D. 953
(C "A" S-220)

Bill "An Act to Establish the Early Care and Revolving Loan Program"
S.P. 362 L.D. 1066
(C "A" S-223)

Bill "An Act to Amend the Laws Governing the Aroostook Water and Soil Management Board and to Provide Funding for a Low-flow Study"
S.P. 430 L.D. 1267
(C "A" S-212)

Bill "An Act Regarding Hospital Cooperation"
S.P. 536 L.D. 1598
(C "A" S-221)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Revoke Voting Rights of Convicted Felons While they are in Prison
S.P. 545 L.D. 1607
(C "A" S-172)

Bill "An Act to Amend the Laws Relating to Development and Centralized Listing of Municipal Ordinances that Apply to Forestry Practices"
S.P. 666 L.D. 1888
(C "A" S-211)

Bill "An Act to Fund a Minimum Level of Services for Deaf and Hard-of-Hearing Persons in all Regions of the State"
S.P. 693 L.D. 1939
(C "A" S-206)

Resolve, to Establish a Commission to Encourage Incorporations in Maine (EMERGENCY)
S.P. 697 L.D. 1972
(C "A" S-215)

Resolve, to Transfer a Parcel of State Land to the Town of Carrabassett Valley
S.P. 699 L.D. 1974
(C "A" S-210)

Bill "An Act to Improve Access to Residential Care in Rural Maine" (EMERGENCY)
S.P. 717 L.D. 2039
(C "A" S-222)

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

Sent down for concurrence.

Bill "An Act to Amend Motor Vehicle Laws"
S.P. 587 L.D. 1667

READ A SECOND TIME.

On motion by Senator **MURRAY** of Penobscot, Senate Amendment "A" (S-230) **READ** and **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED AS AMENDED BY SENATE AMENDMENT "A" (S-230) AND COMMITTEE AMENDMENT "A" (S-219).

Sent down for concurrence.

Bill "An Act to Update, Clarify and Amend Licensure Requirements for Occupations and Professions and Registrations"

S.P. 720 L.D. 2042
(C "A" S-214)

READ A SECOND TIME.

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

ENACTORS

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

Emergency Measure

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government and Highway Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2000 and June 30, 2001

H.P. 691 L.D. 958
(C "A" H-255)

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

Emergency Measure

An Act to Continue Restorative Justice

S.P. 374 L.D. 1075

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with no Senators having voted in the negative, and 24 being two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE**

ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Measure

An Act to Simplify the Collection of Fees for the Maine Dairy Promotion Board and Maine Dairy Nutrition Council
S.P. 460 L.D. 1335
(C "A" S-104)

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

Emergency Measure

An Act to Clarify Basic Health Care Services to be Offered by Maine Health Maintenance Organizations
S.P. 584 L.D. 1664
(C "A" S-112)

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

Emergency Measure

An Act to Amend the Maine Banking Code Regarding Extensions of Credit
S.P. 595 L.D. 1719

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

Emergency Measure

An Act to Provide Labeling for Cider
S.P. 705 L.D. 1980
(C "A" S-119)

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with no Senators having voted in the negative, and 24 being two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE**

ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Measure

An Act to Appropriate \$125,000 for the Fort Knox Visitor Center
S.P. 744 L.D. 2103
(C "A" S-115)

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

Emergency Measure

An Act to Ensure Adequate Nutrition for Low-income Legal Aliens
H.P. 1470 L.D. 2110
(C "A" H-267)

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

Emergency Measure

An Act to Make Supplemental Allocations from the Highway Fund and Other Funds for the Fiscal Year Ending June 30, 1999
S.P. 759 L.D. 2135
(C "A" S-116)

This being an Emergency Measure and having received the affirmative vote of 25 Members of the Senate, with no Senators having voted in the negative, and 25 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.

Emergency Resolve

An Act to Establish Lobster Hatcheries
H.P. 636 L.D. 886
(C "A" H-248)

This being an Emergency Measure and having received the affirmative vote of 25 Members of the Senate, with no Senators having voted in the negative, and 25 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, to Lengthen the Screening Period for Long-term Care Assessments
H.P. 735 L.D. 1025

(H "A" H-338 to C "A" H-207)

This being an Emergency Measure and having received the affirmative vote of 25 Members of the Senate, with no Senators having voted in the negative, and 25 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, to Establish the Energy Policy Commission

H.P. 851 L.D. 1185
(C "A" H-254)

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

Emergency Resolve

Resolve, to Review Traffic Congestion Including Truck Traffic along the Route 1 York Corridor

S.P. 571 L.D. 1638
(C "A" S-117)

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

Emergency Resolve

Resolve, Regarding Legislative Review of Chapter 306: Uniform Disclosure and Informational Filing Requirements, a Major Substantive Rule of the Public Utilities Commission

H.P. 1173 L.D. 1684
(C "A" H-243)

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

Acts

An Act to Prohibit the Taking of Another Person's Legal Identification

H.P. 162 L.D. 224
(H "A" H-315 to C "A" H-183)

An Act to Protect the Environment by Phasing Out the Use of Old Transformers that are Potential Sources of PCB Pollution

S.P. 243 L.D. 665
(C "A" S-125)

An Act to Expedite Disputes among Commercial Landlords and Tenants

S.P. 266 L.D. 759
(C "A" S-129)

An Act to Amend the Membership of the Commission on Safety and Health in the Maine Workplace

H.P. 566 L.D. 787
(C "A" H-260)

An Act to Amend Maine's Payroll Processing Laws

S.P. 297 L.D. 869
(C "A" S-105)

An Act to Allow the Department of Transportation to Designate No-passing Zones Upon Request From a Municipality

H.P. 682 L.D. 938
(C "A" H-256)

An Act to Require That Certified Public Accounting and Public Accounting Firms Have a Majority of Their Owners Hold Certificates

H.P. 685 L.D. 941
(C "A" H-234)

An Act to Amend the Motor Vehicle Laws

S.P. 317 L.D. 951
(C "A" S-107)

An Act to Clarify the Standard for Cause in the Request for Proposal Process for the Department of Mental Health, Mental Retardation and Substance Abuse Services

H.P. 692 L.D. 959
(C "A" H-229)

An Act to Require That a Translator Be Available to Employees in the Workers' Compensation Process

H.P. 726 L.D. 1016
(C "A" H-262)

An Act to Clarify the Laws Relating to Nonstate-funded School Construction Projects Approved by the Commissioner of Education that Replace Existing School Buildings

S.P. 349 L.D. 1053

An Act to Clarify Municipal Obligations to an Unlicensed Mobile Home Park

S.P. 367 L.D. 1068

An Act to Relate the State Liquor Tax to the Amount Transferred to the General Fund

S.P. 372 L.D. 1073

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
(C "A" H-278)

An Act to Require Legislative Review of Rules Regarding Campaign Report Filing Forms

S.P. 383 L.D. 1162
(H "A" H-241 to C "A" S-44)

LEGISLATIVE RECORD - SENATE, FRIDAY, MAY 7, 1999

An Act to Clarify Landlord Access to Premises in Residential Tenancies	S.P. 385 L.D. 1164	An Act to Amend the Membership of the Information Services Policy Board	H.P. 1200 L.D. 1710 (C "A" H-269)
An Act to Amend the Treatment of Security Deposits Upon the Sale of a Building	S.P. 443 L.D. 1318 (C "A" S-128)	An Act to Amend the Petroleum Market Share Act	S.P. 592 L.D. 1716
An Act to Ensure that Workers' Compensation Death Benefits are Paid to Dependents Without Regard to Country of Residence	H.P. 954 L.D. 1352 (C "A" H-263)	An Act to Amend the Charter of the East Pittston Water District	S.P. 600 L.D. 1723 (C "A" S-110)
An Act Regarding Notification to Parties Affected by Marine Construction	H.P. 969 L.D. 1367 (C "A" H-222)	An Act Relating to New and Used Car Document Fees	H.P. 1210 L.D. 1739 (C "A" H-240)
An Act to Prevent Forgery, Alterations or Counterfeiting of Maine State Lottery Tickets	S.P. 467 L.D. 1406	An Act to Amend the Habitual Truancy Law	H.P. 1211 L.D. 1740 (C "A" H-276)
An Act to Add Members to the Maine Turnpike Authority	H.P. 1018 L.D. 1429 (C "A" H-238)	An Act to Clarify the Law Concerning Representations Made in Insurance Contracts	H.P. 1233 L.D. 1762 (C "A" H-246)
An Act to Make Minor Corrections to the Laws Governing Financial Regulation and Debt Collection	H.P. 1023 L.D. 1434 (C "A" H-245)	An Act to Clarify the Definition and Licensure of Insurance Consultants, Financial Planners and Investment Advisors	S.P. 639 L.D. 1806 (C "A" S-111)
An Act to Reorganize the Real Estate Appraisers Law	H.P. 1026 L.D. 1437 (C "A" H-251)	An Act to Expressly Treat Involuntary Conduct as a Defense in the Maine Criminal Code	H.P. 1267 L.D. 1821 (H "A" H-339)
An Act Regarding the Operation of a Motorized or Electric Bicycle on a Public Way	H.P. 1058 L.D. 1489	An Act to Change the Names of Divisions within the Bureau of Forestry to More Accurately Reflect the Roles and Duties of Those Divisions	H.P. 1362 L.D. 1960
An Act to Amend the Charter of the Veazie Sewer District	H.P. 1110 L.D. 1569 (C "A" H-227)	An Act to Revise the Accountancy Laws	S.P. 706 L.D. 1981 (C "A" S-126)
An Act to Amend the Laws Regarding Professional Engineers	S.P. 556 L.D. 1618 (C "A" S-118)	An Act to Clarify the Duties of the State Auditor	H.P. 1399 L.D. 2004
An Act Regarding the Boundaries of State and State Aid Highways	S.P. 570 L.D. 1637 (C "A" S-108)	An Act to Amend the Maine Lemon Laws	H.P. 1405 L.D. 2010 (C "A" H-279)
An Act Concerning Service Relating to the Disclosure of Financial Records	H.P. 1161 L.D. 1672	An Act to Prohibit Deceptive Charitable Solicitations	S.P. 714 L.D. 2036
An Act to Provide Immunity to Enhanced 9-1-1 Developers and Providers	H.P. 1185 L.D. 1695 (C "A" H-253)	An Act to Revise the Lienholder Notification Law	S.P. 715 L.D. 2037
		An Act to Improve the State Budgeting Process	S.P. 729 L.D. 2079
		An Act to Make Commercial Vehicle Weight Limits Consistent with Federal Law	

S.P. 731 L.D. 2081

An Act to Amend the Laws Governing Financial Institutions

S.P. 762 L.D. 2152
(C "A" S-131)

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

An Act to Restore Municipal Revenue Sharing

H.P. 701 L.D. 968
(C "A" H-218)

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

An Act to Repeal Bedding, Upholstered Furniture and Stuffed Toys Laws

H.P. 794 L.D. 1117
(C "A" H-252)

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

An Act to Provide for Management of the Harvest of Seaweed

S.P. 392 L.D. 1171
(C "A" S-114)

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

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

H.P. 894 L.D. 1251
(C "A" H-277)

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

An Act to Provide Partial Funding for Construction of the Edmund S. Muskie School of Public Service

H.P. 925 L.D. 1302

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

An Act to Appropriate Additional Funding for Court-appointed Counsel

S.P. 442 L.D. 1317
(C "A" S-123)

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

An Act to Allow Student License Holders to Become Eligible for Commercial Lobster and Crab Fishing Licenses

H.P. 948 L.D. 1345
(C "A" H-249)

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

An Act to Repeal Registration Requirements of Cable Television Franchise Agreements and the Filing of Wage Rates and Benefits

S.P. 553 L.D. 1615
(C "A" S-109)

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

An Act to Clarify the Laws Regarding Fund Raising During the Legislative Session

S.P. 575 L.D. 1655
(S "A" S-68)

On motion by Senator **HARRIMAN** of Cumberland supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

On motion by Senator **PINGREE** of Knox, **TABLED** until Later in Today's Session, pending **ENACTMENT**, in concurrence. (Roll Call ordered)

An Act to Appropriate Funds for Marketing to Promote Economic Development

S.P. 664 L.D. 1886
(C "A" S-120)

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

An Act to Provide Increased Access to Dental Care in Maine

H.P. 1467 L.D. 2099

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

An Act to Provide Funds for a National World War II Memorial in Washington

H.P. 1476 L.D. 2116
(C "A" H-270)

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

An Act to Implement the Recommendations of the Commission on Eating Disorders

H.P. 1563 L.D. 2215

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

Resolves

Resolve, Directing the Department of Human Services to Study Methods to Increase Access to Health Care for Low-income Maine People

H.P. 605 L.D. 845
(C "A" H-265)

Resolve, to Prevent Tampering With Indian Archeological Sites

H.P. 738 L.D. 1028
(C "A" H-257)

Resolve Relating Basic Service Calling Areas

S.P. 405 L.D. 1194
(H "A" H-337 to C "A" S-91)

Resolve, to Direct the Maine Agricultural Experiment Station to Conduct a Pilot Project on Blueberry Cultivation in the St. John River Valley

H.P. 1007 L.D. 1418
(C "A" H-228)

Resolve, Directing the Department of Human Services to Conduct a Review of Certain Reimbursement Rates under the Medicaid Program

H.P. 1473 L.D. 2113
(C "A" H-275)

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

Resolve, to Increase Access to Maine's Technical College System

H.P. 1191 L.D. 1701
(H "A" H-316)

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

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

Off Record Remarks

ORDERS OF THE DAY

Unfinished Business

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

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

JOINT RESOLUTION - relative to Proclaiming May 8, 1999 As Doherty Family Letter Carriers' Food Drive Day
S.P. 815

Tabled - May 7, 1999, by Senator **PINGREE** of Knox.

Pending - motion by President **LAWRENCE** of York to **ADOPT**
(In Senate May 5, 1999, on motion by President **LAWRENCE** of York **READ**.)

On motion by President **LAWRENCE** of York, **ADOPTED**.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber family of Edward Rusty Doherty: father Peter Doherty; mother Linda Doherty; sister Colleen; and members of the National Association of Letter Carriers Branch Number 92; Leo Jacobson and Cheryl Holmgram. Would they all please rise and receive the greetings of the Senate.

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

The Chair laid before the Senate the following Tabled and Later (4/27/99) Assigned matter:

Resolve, to Create the Task Force to Explore Alternative Payment Mechanisms for Dental Health Care
H.P. 918 L.D. 1296
(C "A" H-146)

Tabled - April 27, 1999, by Senator **PINGREE** of Knox.

Pending - **FURTHER CONSIDERATION**

(In Senate, April 13, 1999, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-146)**, in concurrence.)

(In House, April 26, 1999, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-146) AS AMENDED BY HOUSE AMENDMENT "B" (H-264)** thereto, in **NON-CONCURRENCE.**)

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

The Chair laid before the Senate the following Tabled and Later (5/6/99) Assigned matter:

HOUSE REPORT - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Amend the Requirements of Full-time Students for State-funding Purposes" H.P. 573 L.D. 813

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-372)**

Tabled - May 6, 1999, by Senator **RAND** of Cumberland.

Pending - **ACCEPTANCE OF THE REPORT**, in concurrence

(In House, May 5, 1999, the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-372).**)

(In Senate, May 6, 1999, Report **READ.**)

Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-372) **READ** and **ADOPTED**, in concurrence.

TOMORROW ASSIGNED FOR SECOND READING.

Senate at Ease.

Senate called to order by the President.

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

Bill "An Act to Require the Display of the Prisoner of War - Missing in Action Flag"

H.P. 1287 L.D. 1848
(C "A" H-369)

Tabled - May 7, 1999, by Senator **MURRAY** of Penobscot.

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED**, in concurrence

(In House, May 5, 1999, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-369).**)

(In Senate, May 7, 1999, **READ A SECOND TIME.**)

On motion by Senator **MURRAY** of Penobscot, Senate Amendment "A" (S-231) **READ** and **ADOPTED.**

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-231), in NON-CONCURRENCE.

Sent down for concurrence.

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

ORDERS

Joint Order

On motion by Senator **MURRAY** of Penobscot, the following Joint Order: S.P. 821

ORDERED, the House concurring, that the Joint Standing Committee on Criminal Justice report out, to the Senate, a bill authorizing the Commissioner of Corrections and the Commissioner of Administrative and Financial Services to enter into a lease for up to 2 acres of land for an emergency youth shelter in South Portland.

READ and **PASSED.**

Off Record Remarks

Under suspension of the Rules, ordered sent down forthwith for 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:

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution: H.P. 1567

**JOINT RESOLUTION RECOGNIZING
THE UNIVERSITY OF MAINE BLACK
BEARS MEN'S HOCKEY TEAM
FOR WINNING THE NCAA CHAMPIONSHIP**

WHEREAS, the University of Maine Black Bears men's hockey team carries on a great tradition of collegiate hockey at the University of Maine that spans decades; and

WHEREAS, the Black Bears have won only one National Collegiate Athletic Association Division I championship before this year; and

WHEREAS, at the start of the 1998-99 season, the Black Bears were picked by NCAA Division I hockey league coaches to finish 2nd in Hockey East; and

WHEREAS, the Black Bears opened the season by sweeping the University of Nebraska-Omaha in the Black Bears' first 2 games; and

WHEREAS, the Black Bears hockey team only suffered one defeat in its first 20 games of the 1998-99 season; and

WHEREAS, the Black Bears were unbeaten in 13 consecutive games during the 1998-99 season despite several serious injuries to key players; and

WHEREAS, Black Bears Coach Shawn Walsh's strategic changes in the lineup of starting players and key contributions from freshman and sophomore players kept the team's winning record going during the season and allowed the younger players to gain crucial experience for the playoffs; and

WHEREAS, the Black Bears ended their season with an impressive 31-6-4 record and a berth in the NCAA championship tournament; and

WHEREAS, the Black Bears won a seat in the NCAA title game by beating Ohio State 4-2 in Round One of the tournament, Clarkson 7-2 in Round Two of the tournament and Boston College 2-1 in the tournament's Final Frozen Four; and

WHEREAS, the Black Bears earned the NCAA hockey championship by beating the Black Bears' rival and 1998-99 Hockey East Champion University of New Hampshire in an emotional and hard-fought 3-2 overtime win in Anaheim, California; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Nineteenth Legislature, now assembled in the First Regular Session, commend the 1998-99 University of Maine Black Bears men's hockey team on the Black Bears' championship season; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the University of Maine Peter Hoff, University of Maine Black Bears men's hockey coach Shawn Walsh and the

staff and players of the 1998-99 University of Maine Black Bears men's hockey team.

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

READ and **ADOPTED**, in concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber the University of Maine Black Bears men's hockey team. Would they please rise and receive the greetings of the Senate.

SHAWN WALSH: Thank you very much. I brought the trophy. I thought people would want to see it. I would first apologize, and it's a nice apology because I think it speaks highly to the emphasis on academics at Maine. I say this because today is the last day of final exam week. I can remember in my 15 years at Maine a while back before Peter Hoff came to Maine I would probably have the whole team here. But ¾ of our team are still in finals. In the old days you just didn't give a final, you just let the kids go before finals. I often wondered about that. Things have changed dramatically. I'm pleased for that. So I apologize in one way that some of our people aren't here but at the same time I think you understand. It's always pleasing to me to speak to this group and before I do I would like to introduce who is with us. I'll just go from my left over to my right. The first gentleman over here is Kevin Clauson who is a Defenseman with our team from, appropriately enough, the state of New Hampshire; next to Kevin is Adam Tate, another Defenseman from Ontario who will be graduating next year, a great student; our Athletic Director, Dr. Suzanne Tyler, who has done a great job solidifying our entire department and leading us to some of these great heights and doesn't get a lot of credit and deserves it; one of our Freshman Forwards from Massachusetts, the state of that school called Boston College, is Ed Boudreau; a key player who didn't score a lot but didn't have to, you have many roles in your Senate, this gentleman had a role in our team to be a Defensive Specialist and I think he's a terrific guy, Jim Leger; everybody remembers the championship goal and if you didn't remember it we're going to present you with it, I'll kind of get ahead of myself to break up the introductions. I see all these lovely pictures and paintings and I think these pictures and paintings represent Maine very well. You've got scenery. Maybe most importantly of all, you've got great people, which is the state. But you're missing a little of athletics. I decided to make sure we presented you, and maybe you'll find it appropriate, it's up to you to put it here. It's called 'The Goal' and it's signed by Marcus Gustafsson who scored the goal. Unfortunately Marcus is right now at Eastern Maine Medical Center awaiting the birth of his son or daughter any minute now. He could not come down and join us but he's at the hospital right now waiting. But the guy that set up the goal is my next introduction and he will say a few remarks later on. He's our Captain next year and our second leading scorer this year, comes from a sister area to us, from Campbellton New Brunswick, Cory Larose. This gentleman here scored the first goal in the National Championship game. A big strong powerful Forward but also a tremendous student. Just like Cory, a member of the Dean's list at the University of Maine, Ben Guite; our Head Athletic Trainer for Hockey at the University is a native Mainer from Auburn, Paul Culina. The gentleman who recruits for us, I consider him our Director of Personnel. He goes out and finds the guys that we want to represent the University of Maine. He's a tremendously

sage and intelligent guy and I think it's a privilege for you to meet Grant Standbrook. Finally, last but not least, not only the Captain of this year's team, not only the player who was a First Team All American but maybe more importantly, especially to you young people sitting out there, he's an Academic All American. He's one of those twenty people honored Nationally not just in ice hockey but in every winter sport that's given by the NCAA. Steve Kariya was considered such a great student and athlete that he was recognized as an Academic All American.

It is an inspiration to be here. Clearly we all respect what you do and we certainly appreciate everything you do for higher education. Steve and I actually two days ago spoke at the Weatherby School in Hampden, Maine. It's about the tenth different school I've spoken to since the season ended and it's non-stop. But that's a message I want to get out. You may not know that this particular team had the highest grade point average in the history of ice hockey at the University of Maine. They also are going to the White House May 20th. We're excited to represent the state there. I'm going to be a little more proud tomorrow morning. All five of our Seniors will be graduating on time, which is very difficult to do when you've got a two semester sport. It's an honor for them, but maybe more importantly, the rest of our team has decided they want to honor those five leaders of our team and they're all going to graduation as well. We're going to sit together and honor the graduates from the University of Maine tomorrow morning. So that's going to be a wonderful tie-in, much like you've tied-in higher education funding and education funding to the mission of the State of Maine. What do we do for the state, what do you do for the state? I'll give you one little story. ESPN told me that the Maine-New Hampshire game on national television was the highest rated college hockey game in history and nearly 3.5 million viewers nationwide saw that game. I like the fact that they saw one word across the front of our jersey and that word is Maine. I want to thank you for what you do for higher education, for education around the state for these little guys and girls right over here and the rest of them in their age group. Just on behalf of our team I want to say thanks. Corey Larose if you'd come up I think you have a presentation to give to the Senate as well.

COREY LAROSE: First of all, I'd like to say it's a pleasure and an honor. I represent the rest of the team. Unfortunately a lot of the guys couldn't be here this morning because of exams. The guys take our academics very seriously, as Coach said we did really well the past couple of semesters and I'd just like to say that it's an honor. I appreciate the opportunity to speak here. Without you people and all your help none of us would have the opportunity to go to the University of Maine and represent not only the University but the State of Maine in athletics as well as academics. I appreciate it very much. Thanks. I'd just like to present this goalie stick signed by all the guys and I hope you can put it somewhere really nice as a memento. Thanks a lot.

SHAWN WALSH: Maybe save that stick for a couple of hours because there's a rumor that the Governor from the state of New Hampshire will be parading around this building with a Maine jersey on. So you may want to save that stick for a couple of hours. Thank you again very much and have a great day.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Libby.

Senator LIBBY: Thank you Mr. President. It gives me great pleasure to see the University of Maine Hockey Team here today. And particularly for one special reason I would like to point out to the Coach and many players that may already know this. It was my good fortune in working toward a Doctorate in Higher Education Administration at the University of Maine to live in a place called Washburn Hall a couple of times a week, which is just on the other side of Route 2. During my years there, which have been an awful lot, the last 6 years I have been working towards a Ph.D. and this year it will finally all end. During my period there we took in a Swedish hockey player named Marcus Gustafsson, and also one named Robert Ek. So I had the privilege of living, to some extent, a couple of days a week with Marcus and you can't imagine how I felt when he moved to the right side of the goal keeper and was the only person on that side of the ice, and was able to push in his own rebound. I think I jumped right through the roof. I know that he is graduating tomorrow and I would like to make a special request if I could, Coach Walsh, of you and the team. I have a graduation gift for Marcus. I think you've probably already seen this photograph but it's not the same one you presented to us today. It's a picture of Marcus scoring the winning goal. If you would have your Captain take that and give it to Marcus tomorrow for graduation, if he is able to receive it. I understand he is about to have a new child and I'm awful pleased about that. Thank you very much. Congratulations.

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

PAPERS FROM THE HOUSE

Joint Order

Expression of Legislative Sentiment recognizing:

Shawn Walsh, of Veazie, coach of the University of Maine Black Bears men's hockey team, and in extending our congratulations and best wishes to him on winning the National Collegiate Athletic Association Division I Hockey Championship;
HLS 349

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

READ.

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

Senator MURRAY: Thank you Mr. President. Men and women of the Senate, I rise this morning with only the slightest bit of trepidation on this issue because I am a Boston College Graduate. It has taken me these last several weeks to try to explain to as many people as I could the significance of winning the Hockey East Championship over the National Championship but I just couldn't get anyone to buy it. So I gave up that argument. Whatever hesitation I had after the semi-finals were instantly wiped away when this University of Maine team so graciously defeated the University of New Hampshire. That was much sweeter than any loss that I have experienced previously. I

specifically want to speak to the pending motion before us that recognizes Coach Shawn Walsh. I think what is perhaps the greatest, with regard to this triumph of the team as a team, although he probably would not admit it to you, it a great triumph of an individual. That individual is Shawn Walsh. Because he as many of you know, experienced some very difficult times, the University experience in difficult and dark times after the past 3 years. And many among us, I think, who would have experienced something like that would have taken the easier course of starting anew somewhere else and forging on and putting the past behind him. Rather than taking that course Shawn Walsh showed great courage, showed great inspiration, and accomplished the best that you can accomplish by looking forward and learning from the mistakes and making that contribute to him being a better person. For all the reasons, he deserves our highest accolades. And I hope you will join me in supporting the pending motion.

PASSED, in concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber Shawn Walsh, Coach of the University of Maine Black Bears Men's Hockey Team.

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

PAPERS FROM THE HOUSE

Joint Resolution

Joint Resolution in Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of:

Richard "Dick" Andrew Britt, of Ellsworth, who was student equipment manager for the University of Maine Hockey Team for the past 5 years. Richard started playing hockey with the Brewer Youth Hockey Program, PVHC Hockey and for the John Bapst Crusaders where he was co-captain. He also was captain of the golf team during his junior and senior years at John Bapst. He will be missed by all those who knew him and will be especially remembered by the University of Maine Hockey Team who dedicated the season in his memory;

HLS 143

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

READ and **ADOPTED**, in concurrence.

THE PRESIDENT: The Chair recognizes in the rear of the Chamber Andrew Britt and Ann Britt, Richard's parents; Mary Britt, sister; and Tracy Britt, aunt. Would they please rise and receive the greetings of the Senate.

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

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

Off Record Remarks

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

After Recess

Senate called to order by the President.

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

REPORTS OF COMMITTEES

Senate

Ought to Pass

The Committee on **TAXATION** on Joint Order - relative to Establishing the Commission to Study Single-sales Factor Apportionment

S.P 771

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

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

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

Ought to Pass As Amended

Senator MICHAUD for the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Implement the Recommendations of the Wage Fairness Task Force"

S.P. 438 L.D. 1275

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-229)**.

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

READ ONCE.

Committee Amendment "A" (S-229) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator RUHLIN for the Committee on **TAXATION** on Bill "An Act to Create a Tax Credit for Licensing Fees Paid for the Use of University Patents on Wood Fiber Reinforced Products"

S.P. 282 L.D. 800

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-238)**.

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

READ ONCE.

Committee Amendment "A" (S-238) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator RUHLIN for the Committee on **TAXATION** on Bill "An Act to Create Quality Child Care Investment Incentives"

S.P. 359 L.D. 1063

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-237)**.

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

READ ONCE.

Committee Amendment "A" (S-237) **READ** and **ADOPTED**.

TOMORROW ASSIGNED FOR SECOND READING.

Senator MILLS for the Committee on **TAXATION** on Bill "An Act to Exempt from Use Tax Merchandise that is Donated to a Nonprofit Organization"

S.P. 743 L.D. 2102

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-236)**.

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

READ ONCE.

Committee Amendment "A" (S-236) **READ** and **ADOPTED**.

On motion by Senator **PINGREE** of Knox, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-236).

On further motion by same Senator, **TABLED** until Later in Today's Session, pending **ADOPTION** of Committee Amendment "A" (S-236).

Off Record Remarks

On motion by Senator **PINGREE** of Knox, **ADJOURNED**, until Monday, May 10, 1999, at 9:00 in the morning, in memory of and lasting tribute to Richard "Dick" Andrew Britt of Ellsworth.