

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

In Senate Chamber
Tuesday
February 23, 1999

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

Prayer by Senator Georgette B. Berube of Androscoggin County.

Senator **BERUBE**: I had thought that today was to be a morning session and so for a moment, if you will, we will pretend that this is indeed morning since I selected a reading which is entitled "Welcome Morning" by the late poet, Ann Sexton.

Welcome Morning.
There is joy in all,
in the hair I brush each morning,
in the Cannon towel newly washed that I rub my body with each morning,
in the outcry from the kettle that heats my coffee each morning,
in the spoon and the chair that cry "hello there" each morning.
All this is God, right here in my pea green house each morning.
And I may though often forget to give thanks,
to faint down by the kitchen table in a prayer of rejoicing
as the holy birds at the kitchen window peck into their marriage of seeds.
So while I think of it, let me paint a thank you on palm for this God,
this laughter of the morning,
lest it go unspoken.
The joy that isn't shared, I've heard, dies young.
Amen.

Pledge of Allegiance led by Senator Lloyd P. LaFountain III of York County.

Doctor of the day, John Burton, M.D., Falmouth.

Reading of the Journal of Thursday, February 18, 1999.

PAPERS FROM THE HOUSE

House Papers

Resolve, to Encourage Replanting of Hardwood Trees
H.P. 1005 L.D. 1416

Bill "An Act Concerning Blueberry Growing Practices"
H.P. 1007 L.D. 1418

Bill "An Act to Require All Landowners in LURC's Jurisdiction to Be Notified of Regulatory Restrictions"
H.P. 1009 L.D. 1420

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.

Off Record Remarks

Bill "An Act to Implement the Recommendations of the Joint Committee on Substance Abuse"
H.P. 962 L.D. 1360

Comes 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.

Bill "An Act to Require Insurance Coverage for the Treatment of Infertility" (EMERGENCY)
H.P. 1013 L.D. 1424

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

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

Bill "An Act to Increase the Requirement that Drugs be Confiscated from 48 Hours to One Year"
H.P. 963 L.D. 1361

Bill "An Act to Transfer Responsibility for Youth Corrections from the Department of Corrections to the Department of Human Services"
H.P. 971 L.D. 1369

Bill "An Act to Require That Both the Northern Maine Regional Juvenile Detention Facility and the Maine Youth Center Receive Detainees"
H.P. 984 L.D. 1382

Resolve, to Establish a Police Cadet Program for the State Police
H.P. 988 L.D. 1386

Bill "An Act to Amend Juvenile Corrections Laws and to Establish a Juvenile Records Repository"

H.P. 1002 L.D. 1400

Bill "An Act to Amend the Definition of Firearms to Include Paint Guns"

H.P. 1010 L.D. 1421

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

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

Bill "An Act to Amend the Law Regarding Conflict of Interest"

H.P. 956 L.D. 1354

Bill "An Act to Require the Coordination of School Calendars"

H.P. 975 L.D. 1373

Bill "An Act to Promote School Achievement"

H.P. 999 L.D. 1397

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

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

Bill "An Act to Protect Citizens from the Detrimental Effects of Tobacco"

H.P. 951 L.D. 1349

Bill "An Act to Increase the Availability of Glucose Screenings"

H.P. 965 L.D. 1363

Bill "An Act to Give a Caretaker the Same Temporary Assistance for Needy Families as a Custodial Parent"

H.P. 974 L.D. 1372

Bill "An Act to Ensure Access to Long-term Care Services for Persons with Dementia"

H.P. 980 L.D. 1378

Bill "An Act Concerning Due Process Regarding Certified Nursing Assistants"

H.P. 995 L.D. 1393

Bill "An Act to Amend the Maine Health Data Organization Statutes"

H.P. 1003 L.D. 1401

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

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

Bill "An Act to Ensure a Fair Distribution of Hunting Permits"

H.P. 970 L.D. 1368

Bill "An Act to Reduce the Age at which a Maine Citizen May Obtain a Free Fishing and Hunting License and to Provide Free Licenses for Military Personnel"

H.P. 972 L.D. 1370

Bill "An Act to Facilitate Moose Hunting Permits for Active Military Personnel"

H.P. 989 L.D. 1387

Bill "An Act to Expand Hunting Options for Disabled Military Veterans"

H.P. 992 L.D. 1390

Bill "An Act to Establish an Exemption from Horsepower Limitations on Lower Range Pond to Allow an Annual One-day Waterskiing Tournament"

H.P. 1008 L.D. 1419

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

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

Bill "An Act Regarding the Collection of Child Support by Custodial Parents"

H.P. 973 L.D. 1371

Bill "An Act to Provide Prejudgment and Post-judgment Interest in Small Claims Actions"

H.P. 977 L.D. 1375

Bill "An Act Requiring Notice to Be Given to Alleged Perpetrators"

H.P. 1011 L.D. 1422

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

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

Bill "An Act to Allow the State to Initiate Default Proceedings in Order to Obtain Forfeited Assets When the Defendant Fails to Appear in a Court Proceeding"

H.P. 964 L.D. 1362

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

On motion by Senator **PINGREE** of Knox, **REFERRED** to the Committee on **CRIMINAL JUSTICE** and ordered printed, in **NON-CONCURRENCE**.

Sent down for concurrence.

Bill "An Act to Exclude Intentional Tort Claims from the Application of the Maine Workers' Compensation Act of 1992"
H.P. 952 L.D. 1350

Bill "An Act to Require that Members of the Workers' Compensation Board be Subject to Review by the Joint Standing Committee on Labor"
H.P. 953 L.D. 1351

Bill "An Act to Ensure That All Employees Receive Full Workers' Compensation Benefits"
H.P. 954 L.D. 1352

Bill "An Act to Amend the Workers' Compensation Laws as They Pertain to Wage Statements"
H.P. 955 L.D. 1353

Resolve, to Create a Commission to Study the Hearing Process of the Workers' Compensation Board (EMERGENCY)
H.P. 959 L.D. 1357

Bill "An Act to Promote Stability in Labor Management Relations in the Public Sector"
H.P. 960 L.D. 1358

Bill "An Act to Make the Unemployment Compensation Program More Responsive to the Needs of Today's Workforce and to Ensure the Solvency of the Unemployment Compensation Trust Fund"
H.P. 961 L.D. 1359

Bill "An Act to Amend the Retirement Benefit Qualifications for Department of Corrections Employees"
H.P. 978 L.D. 1376

Resolve, Directing the Department of Labor to Establish Standards for Providing Heat in Buildings
H.P. 979 L.D. 1377

Bill "An Act Promoting Technology in Business Recordkeeping"
H.P. 985 L.D. 1383

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

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

Bill "An Act to Simplify the Licensing of Seafood Dealers in the State"
H.P. 1001 L.D. 1399

Bill "An Act to Create a Senior Lobster and Crab Fishing License"
H.P. 1006 L.D. 1417

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.

Bill "An Act to Allow Game Wardens to Approve Beaver Dam Removal"
H.P. 958 L.D. 1356

Resolve, Establishing a Commission to Study the Future Use and Reclamation of Number One Pond in Sanford
H.P. 997 L.D. 1395

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.

Bill "An Act to Require Pollution Prevention as a Criterion for Awarding State Contracts"
H.P. 968 L.D. 1366

Bill "An Act Regarding Notification to Parties Affected by Marine Construction"
H.P. 969 L.D. 1367

Bill "An Act Regarding Municipal Firearm Discharge Ordinances"
H.P. 981 L.D. 1379

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

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

Bill "An Act to Amend the Procedures under the So-called Circuit Breaker Program" (EMERGENCY)
H.P. 967 L.D. 1365

Bill "An Act to Create a Sales Tax Exemption for Child Abuse and Neglect Councils"
H.P. 976 L.D. 1374

Bill "An Act Providing a Tax Credit for Private School Tuition"
H.P. 982 L.D. 1380

Bill "An Act to Promote the Sale of Traditional Passamaquoddy Crafts"
H.P. 986 L.D. 1384

Bill "An Act to Amend the Sales and Use Tax Law Regarding the Food Service and Lodging Industries"
H.P. 990 L.D. 1388

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

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

Bill "An Act to Make the Use of Halogen Lights on Motor Vehicles Illegal"

H.P. 983 L.D. 1381

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

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

Bill "An Act Concerning the Lapse of Automobile Insurance"

H.P. 994 L.D. 1392

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

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

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

Bill "An Act to Allow Emergency Medical Technicians to Draw Blood Samples for Alcohol Analysis"

H.P. 987 L.D. 1385

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

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

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

Bill "An Act to Limit the Idling Time for Diesel Motor Vehicles"

H.P. 996 L.D. 1394

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

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

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

Bill "An Act to Provide for the Collection of Storm Water in the City of Hallowell"

H.P. 966 L.D. 1364

Bill "An Act to Amend the Charter of the Dover-Foxcroft Water District"

H.P. 993 L.D. 1391

Bill "An Act Relating to Contractual Obligations of Electric Utilities after Restructuring"

H.P. 998 L.D. 1396

Bill "An Act to Secure Environmental and Economic Benefits from Electric Utility Restructuring"

H.P. 1000 L.D. 1398

Bill "An Act to Create the Telemarketing Registration and Fraud Prevention Act"

H.P. 1004 L.D. 1402

Bill "An Act to Revise the Staffing and Resources of the Office of Public Advocate"

H.P. 1012 L.D. 1423

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

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

COMMUNICATIONS

The Following Communication:

S.C. 58

**UNIVERSITY OF MAINE
MARGARET CHASE SMITH CENTER FOR PUBLIC POLICY
5715 COBURN HALL
ORONO, MAINE 04469**

February 10, 1999

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

Re: Maine State Government Internship Program 1998 Annual Report

Dear Secretary O'Brien:

In accordance with 1967 Public Law, Chapter 493, Section 294, Item 8, I am enclosing copies of the 1998 State Government Internship Report for distribution to the members of the Maine Senate.

Thank you for your assistance in making this Report available to the members of the Senate.

Yours truly,

S/Suzanne K. Hart
Research Associate
Director, State Government Internship Program

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

The Following Communication:

S.C. 60

**STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

February 23, 1999

The Honorable Mark W. Lawrence
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Lawrence:

I am pleased to present to you and members of the 119th Legislature a copy of MDOT's Biennial Transportation Improvement Program (BTIP) for the FY 2000 - FY 2001 biennium. This document represents priority capital improvements associated with all modes of transportation and continues the principles established under Maine's Sensible Transportation Policy Act (STPA) and the Federal Transportation Efficiency Act (TEA-21). This program also reflects priorities established through a multi-tiered public involvement process in the development and updates of the 20-Year Statewide Improvement Program and Six-Year Plan.

The goals of this program are to:

- Maintain and improve Maine's highway system
- Continue an increased level of investment in aging state and local bridges
- Support and enhance the state's passenger transportation system
- Further expand freight transportation options for Maine business and industry
- Continue needed improvements at airports
- Promote safety for all modes of transportation
- Promote bicycle and pedestrian projects, and
- Continue activities that enhance the environment

Funding necessary to deliver this program is anticipated from federal, state and local sources, and represents a total investment of \$440 Million. The state share of this program is 25% and has been set forth under Governor King's Highway Fund Budget and bonding proposals.

This BTIP reflects a stronger state role with regard to capital projects inside urban compact areas and it represents a renewed commitment to rural economic development associated with the lifting of springtime postings on state roads.

We look forward to working with all interested parties on accomplishing the goals of this program.

Sincerely,

S/John G. Melrose
Commissioner

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

The Following Communication:

S.C. 59

**THE SENATE OF MAINE
OFFICE OF THE PRESIDENT
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

February 17, 1999

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

Dear Secretary O'Brien:

Pursuant to Senate Rule 201.1.C, I have appointed the Honorable Rochelle Pingree, Senate Majority Leader, as President Pro Tempore for the First Regular Session of the 119th Maine Legislature.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

S/Mark W. Lawrence
President of the Senate

READ and **ORDERED PLACED ON FILE.**

SENATE PAPERS

Bill "An Act to Enhance Equity Under the Maine Milk Pool Laws"
S.P. 489 L.D. 1474

Sponsored by Senator MILLS of Somerset.

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

Sent down for concurrence.

Bill "An Act to Ensure the Preservation of Maine's Commercial Racetracks"

S.P. 479 L.D. 1439

Sponsored by Senator DAGGETT of Kennebec.

Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested and ordered printed.

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

Sent down for concurrence.

Resolve, to Require the Department of Mental Health, Mental Retardation and Substance Abuse Services to Contract for the Operation of a Stabilization Facility

S.P. 493 L.D. 1478

Sponsored by Senator BERUBE of Androscoggin.
Cosponsored by Senator: DOUGLASS of Androscoggin.

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

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

Bill "An Act to Conform Maine Law to Federal Law Regarding Long-term Care Insurance for Tax Purposes"

S.P. 491 L.D. 1476

Sponsored by Senator KONTOS of Cumberland.
Cosponsored by Representative GAGNON of Waterville and Senators: DAGGETT of Kennebec, DOUGLASS of Androscoggin, MILLS of Somerset, PINGREE of Knox, Representatives: MAYO of Bath, O'NEIL of Saco, SAXL of Bangor.

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

Sent down for concurrence.

Bill "An Act to Create the Business Advisory Commission on Quality Child Care Financing" (EMERGENCY)

S.P. 486 L.D. 1446

Sponsored by Senator LONGLEY of Waldo.
Cosponsored by Speaker ROWE of Portland and Senators: AMERO of Cumberland, BENNETT of Oxford, KONTOS of Cumberland, MacKINNON of York, Representatives: BOWLES of Sanford, POWERS of Rockport.

Bill "An Act to Promote Maine's Family-friendly Business and Investment Strategies"

S.P. 487 L.D. 1447

Sponsored by Senator LONGLEY of Waldo.

Cosponsored by Speaker ROWE of Portland and Senators: KONTOS of Cumberland, MacKINNON of York, Representatives: BOLDUC of Auburn, O'NEAL of Limestone, SHOREY of Calais, SIROIS of Caribou, TRIPP of Topsham, USHER of Westbrook.

Bill "An Act to Amend the Laws Governing Denturists"

S.P. 497 L.D. 1482

Sponsored by Senator MICHAUD of Penobscot.

Cosponsored by Representative STANLEY of Medway and Representative: BERRY of Livermore.

Bill "An Act to Promote Parity on the Board of Licensure in Medicine and on the Board of Osteopathic Licensure"

S.P. 498 L.D. 1483

Sponsored by Senator RAND of Cumberland.

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

Sent down for concurrence.

Bill "An Act to Set Aside a Portion of Juvenile Justice Block Grant Money for Quality Child and After-school Care Programs"

S.P. 483 L.D. 1443

Sponsored by Senator LONGLEY of Waldo.

Cosponsored by Senators: DAVIS of Piscataquis, MURRAY of Penobscot.

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

Sent down for concurrence.

Bill "An Act to Promote Healthy Maine Families"

S.P. 492 L.D. 1477

Sponsored by Senator PINGREE of Knox.

Cosponsored by Representative KANE of Saco and Senators: CATHCART of Penobscot, GOLDTHWAIT of Hancock, MILLS of Somerset, PARADIS of Aroostook, Representatives: BERRY of Livermore, FULLER of Manchester, POWERS of Rockport, TOWNSEND of Portland.

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

Sent down for concurrence.

Bill "An Act to Eliminate the Legislative Retirement System"

S.P. 488 L.D. 1448

Sponsored by Senator HARRIMAN of Cumberland.

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

Sent down for concurrence.

Bill "An Act to Allow for Expeditious Improvements to Commercial Tracks"

S.P. 478 L.D. 1438

Sponsored by Senator DAGGETT of Kennebec.

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

Sent down for concurrence.

Bill "An Act to Designate Civil Rights Day"

S.P. 480 L.D. 1440

Sponsored by Senator DAGGETT of Kennebec.

On motion by Senator **PINGREE** of Knox, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

Sent down for concurrence.

Bill "An Act to Require Legislators to Contribute to Health and Dental Premiums"

S.P. 484 L.D. 1444

Sponsored by Senator HARRIMAN of Cumberland.

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

On motion by Senator **PINGREE** of Knox, **REFERRED** to the Committee on **LABOR**.

Sent down for concurrence.

Bill "An Act to Eliminate Health Insurance Benefits for Retired Legislators Elected in or After 1992"

S.P. 485 L.D. 1445

Sponsored by Senator HARRIMAN of Cumberland.

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

On motion by Senator **PINGREE** of Knox, **REFERRED** to the Committee on **LABOR**.

Sent down for concurrence.

Bill "An Act to Reimburse the Town of Wallagrass for Property under the Maine Tree Growth Tax Law" S.P. 481 L.D. 1441

Sponsored by Senator PARADIS of Aroostook. Cosponsored by Representative MARTIN of Eagle Lake and Representative: DESMOND of Mapleton.

Bill "An Act to Provide a State Income Tax Credit for Individual Contributions Made to Maine Charitable Organizations" S.P. 482 L.D. 1442

Sponsored by Senator AMERO of Cumberland. Cosponsored by Representatives: BRENNAN of Portland, CIANCHETTE of South Portland, LEMONT of Kittery, MADORE of Augusta, MARVIN of Cape Elizabeth, O'BRIEN of Augusta.

Bill "An Act to Clarify the Tree Growth Tax Law" S.P. 490 L.D. 1475

Sponsored by Senator PINGREE of Knox. Cosponsored by Representative GAGNON of Waterville and Senator: RUHLIN of Penobscot.

Bill "An Act to Amend the Sales Tax Exemption for Prosthetic Devices" S.P. 494 L.D. 1479

Sponsored by Senator MILLS of Somerset. Cosponsored by Representative: SCHNEIDER of Durham.

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

Sent down for concurrence.

Bill "An Act Relating to Electric Utility Rate Design" S.P. 495 L.D. 1480

Sponsored by Senator KONTOS of Cumberland.

Bill "An Act to Increase the Contingency Reserve Fund Percentage for Consumer-owned Electric Utilities" S.P. 496 L.D. 1481

Sponsored by Senator KONTOS of Cumberland.

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

Sent down for concurrence.

Off Record Remarks

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

After Recess

Senate called to order by the President.

Travis Marquis, of Gardiner, who won the 103-pound wrestling division at the 1999 Kennebec Valley Athletic Conference Tournament and who won first place at the 1999 State Class A Championship, and in extending our congratulations and best wishes to him on his achievements;

SLS 44

Sponsored by Senator TREAT of Kennebec. Cosponsored by Representative COLWELL of Gardiner.

Elijah McKay, of Gardiner, who won the 135-pound wrestling division at the 1999 Kennebec Valley Athletic Conference Tournament and who won first place at the 1999 State Class A Championship, and in extending our congratulations and best wishes to him on his achievements;

SLS 45

Sponsored by Senator TREAT of Kennebec. Cosponsored by Representative COLWELL of Gardiner.

Jake Cotnoir, of Gardiner, who won the 125-pound wrestling division championship at the 1999 Kennebec Valley Athletic Conference Tournament, and in extending our congratulations and best wishes to him on his achievement;

SLS 46

Sponsored by Senator TREAT of Kennebec. Cosponsored by Representative COLWELL of Gardiner.

READ

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Treat.

Senator **TREAT:** Thank you, Mr. President. Actually I wish to speak, if I could, on all three of the orders at once. I'm very honored today to have the opportunity to just say a few words and to recognize three very fine, truly outstanding, athletes from Gardiner Area High School, that's SAD 11 in my district. These three students are really fantastic wrestlers. I know right now, you turn on the TV and you just can't get away from basketball and that's also very important to my district, but I think it's a nice thing that we are able today to recognize students who are involved in another sport, wrestling, that perhaps does not get the attention that some of the other sports do. So I would like to mention and recognize each of these students in turn. First on the list is Travis

Marquis of Gardiner. He won the 103 pound wrestling division at the 1999 Kennebec Valley Athletic Conference Tournament and then went on to win the State Championship in the Class A Division. Also here today is Elijah McKay who won the 135 pound wrestling division in the 1999 Kennebec Valley Athletic Conference Tournament and he too went on to win the State Championship in Class A. Finally Jack Cotnoir who won the 125 pound wrestling division championship at the KVAC Tournament. They are here today with their coach, Fran Hanley, and also with Jack Merritt, who is the Superintendent of MSAD 11. I just hope that the Legislature could recognize them.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber Travis Marquis, Elijah McKay, and Jake Cotnoir. They are with their coach Fran Hanley and Superintendent Jack Merritt and parents Leanne McKay and Julie Cotnoir. Could they please rise and receive the greetings of the Senate.

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Prohibit Public Broadcasting Stations from Auctioning Alcoholic Beverages" H.P. 116 L.D. 147

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

Signed:

Senators:
DAGGETT of Kennebec
CAREY of Kennebec
FERGUSON of Oxford

Representatives:
TUTTLE of Sanford
CHIZMAR of Lisbon
LABRECQUE of Gorham
PERKINS of Penobscot
FISHER of Brewer

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

Signed:

Representatives:
MAYO of Bath
HEIDRICH of Oxford
McKENNEY of Cumberland
GAGNE of Buckfield

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

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Allow Honorably Discharged Veterans to Be Buried in the Veterans' Memorial Cemetery" S.P. 116 L.D. 313

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

Signed:

Senator:
FERGUSON of Oxford

Representatives:
TUTTLE of Sanford
McKENNEY of Cumberland
LABRECQUE of Gorham
MAYO of Bath
FISHER of Brewer
GAGNE of Buckfield
HEIDRICH of Oxford
CHIZMAR of Lisbon
PERKINS of Penobscot

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

Signed:

Senators:
DAGGETT of Kennebec
CAREY of Kennebec

Reports **READ.**

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

SECOND READERS

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

House

Bill "An Act to Permit the Sale of Moose Bones" (EMERGENCY)

H.P. 46 L.D. 60

Bill "An Act Relating to the Construction of a Locally Funded Arts and Technology Center in Maine School Administrative District No. 49" (EMERGENCY)

H.P. 431 L.D. 573

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

ENACTORS

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

Resolve

Resolve, to Name the Bridge Between Bath and Woolwich the Sagadahoc Bridge

S.P. 97 L.D. 236

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

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 (2/9/99) Assigned matter:

Bill "An Act to Restrict the Posting on the Internet of Personal Information About Public School Students"

S.P. 93 L.D. 232

Tabled - February 9, 1999, by Senator **RAND** of Cumberland.

Pending - **PASSAGE TO BE ENGROSSED**

(In Senate, February 9, 1999, **READ A SECOND TIME**.)

On motion by Senator **BERUBE** of Androscoggin, Senate Amendment "A" (S-8) **READ** and **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-8).

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (2/18/99) Assigned matter:

Bill "An Act to Increase Harness Racing Opportunities"
H.P. 849 L.D. 1183

Tabled - February 18, 1999, by Senator **RAND** of Cumberland.

Pending - **REFERENCE**

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

(In House, February 16, 1999, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.)

On motion by Senator **PINGREE** of Knox, **REFERRED** to the Committees on **AGRICULTURE, CONSERVATION AND FORESTRY** and **LEGAL AND VETERANS AFFAIRS** and ordered printed, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (2/18/99) Assigned matter:

Bill "An Act to Provide Preference to Farmers for Disaster Relief"
H.P. 942 L.D. 1339

Tabled - February 18, 1999, by Senator **RAND** of Cumberland.

Pending - **REFERENCE**

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

(In House, February 16, 1999, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.)

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

Sent down for concurrence.

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

Resolve, to Require the Department of Mental Health, Mental Retardation and Substance Abuse Services to Contract for the Operation of a Stabilization Facility

S.P. 493 L.D. 1478

Tabled - February 23, 1999, by Senator **PINGREE** of Knox.

Pending - **REFERENCE**

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

On motion by Senator **MICHAUD** of Penobscot, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (2/11/99) Assigned matter:

Bill "An Act to Revise the Purpose and Authority of the Long-term Care Steering Committee"

H.P. 734 L.D. 1024

Tabled - February 11, 1999, by Senator **RAND** of Cumberland.

Pending - **REFERENCE**

(In House, February 9, 1999, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.)

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

Off Record Remarks

The Chair laid before the Senate the following Tabled and Later (2/18/99) Assigned matter:

Bill "An Act Concerning the Distribution of Certain Fines and Forfeitures"

S.P. 459 L.D. 1334

Tabled - February 18, 1999, by Senator **MURRAY** of Penobscot.

Pending - **REFERENCE**

(In Senate, February 16, 1999, **REFERRED** to the Committee on **CRIMINAL JUSTICE** and ordered printed. Subsequently, on motion by Senator **MURRAY** of Penobscot, **RECONSIDERED**.)

On motion by Senator **PINGREE** of Knox, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

Sent down for concurrence.

Off Record Remarks

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

Off Record Remarks

Senator **DOUGLASS** of Androscoggin was granted unanimous consent to address the Senate on the Record.

Senator **DOUGLASS**: Mr. President, it is with regret that I inform the Senate that Representative Al Gamache of Lewiston passed away last night. He went to work in the Libby Mill in Lewiston at the age of 15 and served in this Body as one of the elder statesmen in the House for several years. His health was in very quick decline over this past summer and I know that it meant a lot to him that he could be sworn in and continue to serve for some days. But now that time has passed. We must look to the works that he provided while he was here. The visiting hours at Fortin Funeral Home in Lewiston are on Thursday the 25th from 2 to 4 and 7 to 9. Is it appropriate to ask for a moment of silence?

THE PRESIDENT: The Chair will answer in the affirmative. When the Senate adjourns today, they will do so in the memory of Representative Gamache. May we have a moment of silence for Representative Gamache.

On motion by Senator **DOUGLASS** of Androscoggin,
ADJOURNED, until Thursday, February 25, 1999, at 10:00 in the morning, in memory and tribute to Representative Al Gamache of Lewiston.