

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

In Senate Chamber
Thursday
April 27, 2000

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

Prayer by Senator Vinton E. Cassidy of Washington County.

SENATOR CASSIDY: Thank you Mr. President. Good afternoon fellow colleagues. It's a pleasure to have an opportunity to say the prayer. Hopefully, this is our last day, of this session at least. If you will join me.

Heavenly Father, we thank You for this day as we enter the waning hours of this session. We pray that we are ever mindful of the needs of the citizens of the State of Maine. Although sometimes we have different visions, may we have understanding and respect for each other as we complete our work. Lord, we thank You for the colleagues and friends we have come to know while serving the people in our respective districts. May we always cherish the memories of this place. Finally, Lord, as we return home, we thank You for our families and our loved ones and may we take the time to rest, relax, and share our love with each of them. We ask this in Jesus' name. Amen

I'd also like to share something with you on behalf of some of my fellow colleagues, Senator Kilkelly, Senator Murray, Senator O'Gara, Senator Ruhlín, and myself. I'd like to leave you with this wonderful Irish blessing and I know you've all heard it and I'll read it once more.

May the road rise to meet you. May the wind always be at your back. May the sun shine warm upon your face, the rain fall soft upon you fields. Until we meet again, may God hold you in the palm of his hand.

Shalom. Peace. Thank you.

Reading of the Journal of Wednesday, April 26, 2000.

Senate at Ease.

Senate called to order by the President.

COMMUNICATIONS

The Following Communication: H.C. 437

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

April 26, 2000

The Honorable Joy J. O'Brien
Secretary of the Senate
119th Maine Legislature
Augusta, Maine 04333

Dear Madam Secretary:

Senate Paper 987 Legislative Document 2540 "An Act Concerning Fingerprinting and Background Checks for School Employees" having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

Sixty voted in favor and sixty-six against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Sincerely,

S/Joseph W. Mayo
Clerk of the House

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

Off Record Remarks

ORDERS OF THE DAY

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Measure

An Act to Reduce the State Tax Valuation for the Town of Standish

S.P. 990 L.D. 2545
(C "A" S-538)

Tabled - March 27, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 16, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-538).**)

(In House, March 23, 2000, **PASSED TO BE ENACTED.**)

The Chair noted the absence of the Senator from Androscoggin, Senator **BERUBE**, the Senator from York, Senator **LAFOUNTAIN**, and the Senator from Sagadahoc, Senator **SMALL**, and further excused the same Senators from today's Roll Call votes.

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.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Measure

An Act to Establish Municipal Cost Components for Unorganized Territory Services to be Rendered in Fiscal Year 2000-01
H.P. 1831 L.D. 2567
(C "A" H-989)

Tabled - April 4, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 3, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-989)**, in concurrence.)

(In House, April 4, 2000, **PASSED TO BE ENACTED**.)

THE PRESIDENT: The Chair recognizes the Senator from Senator from Oxford, Senator Ferguson.

Senator **FERGUSON:** Thank you very much Mr. President. In regard to this Bill, I'd like to make a few comments if I may.

THE PRESIDENT: The Senator may proceed.

Senator **FERGUSON:** In section 2 of this Bill, there's a payment to Hancock County. This was debated last year, where we did appropriate, or directed the County Commissioners, I don't know whether we directed them or not, but there was a discussion in this body where \$5,000 was inserted into their budget for ferry service. I questioned this item last year and I was assured that this \$5,000 had been approved by the Hancock County Commissioners. Subsequent action by them indicates that they didn't want to make the expenditure. This Bill is going against the wishes of the Hancock County Commissioners in that we are withholding \$5,000 from them and the state is going to make the payment directly to this ferry company. In my judgment, we are injecting ourselves into county business. In my judgment, we

have no business doing that. Therefore, I would hope the members of the Senate would allow me to table this Bill and go down and get an amendment to delete this \$5,000 from the Bill. I would move that it be tabled at this time, Mr. President. Thank you.

On motion by Senator **BENNETT** of Oxford, **TABLED** until Later in Today's Session, pending **ENACTMENT**, in concurrence.

Off Record Remarks

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Enhance the Enforcement of Civil and Criminal Violations

H.P. 182 L.D. 260
(C "A" H-1056)

Tabled - April 8, 2000, by Senator **CATHCART** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 6, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1056)**, in concurrence.)

(In House, April 7, 2000, **PASSED TO BE ENACTED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1056)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-1056), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-741) to Committee Amendment "A" (H-1056) **READ** and **ADOPTED**.

Committee Amendment "A" (H-1056) as Amended by Senate Amendment "A" (S-741) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1056) AS AMENDED BY SENATE AMENDMENT "A" (S-741) thereto, in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Establish the Child Ombudsman Office and Improve Child Protective Procedures

H.P. 397 L.D. 528
(C "A" H-1080)

Tabled - April 8, 2000, by Senator **CATHCART** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 7, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1080)**, in concurrence.)

(In House, April 7, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1080)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-1080), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-742) to Committee Amendment "A" (H-1080) **READ** and **ADOPTED.**

Committee Amendment "A" (H-1080) as Amended by Senate Amendment "A" (S-742) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1080) AS AMENDED BY SENATE AMENDMENT "A" (S-742) thereto, in **NON-CONCURRENCE.**

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Measure

An Act to Create a Seamless Treatment Plan for the Juvenile Offender with Substance Abuse Problems

H.P. 466 L.D. 629
(C "A" H-851)

Tabled - March 23, 2000, by Senator **HARRIMAN** of Cumberland.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 16, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-851)**, in concurrence.)

(In House, March 22, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-851)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-851), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-743) to Committee Amendment "A" (H-851) **READ** and **ADOPTED.**

Committee Amendment "A" (H-851) as Amended by Senate Amendment "A" (S-743) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-851) AS AMENDED BY SENATE AMENDMENT "A" (S-743) thereto, in **NON-CONCURRENCE.**

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Require Completion of an Ambulance Operator Course
H.P. 471 L.D. 678
(C "A" H-888)

Tabled - March 29, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 27, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-888)**, in concurrence.)

(In House, March 29, 2000, **PASSED TO BE ENACTED.**)

The same Senator moved the **RULES BE SUSPENDED.**

Senator **HARRIMAN** of Cumberland **OBJECTED.**

The Chair ordered a Division. 12 Senators having voted in the affirmative and 8 Senators having voted in the negative, and 12 being less than two-thirds of the Members present and voting, the motion by Senator **MICHAUD** of Penobscot to **SUSPEND THE RULES, FAILED.**

On motion by Senator **MICHAUD** of Penobscot, Bill and accompanying papers **COMMITTED** to Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in **NON-CONCURRENCE.**

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Measure

An Act to Improve Elver Fishery Management

S.P. 304 L.D. 906
(C "A" S-543)

Tabled - March 30, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 21, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-543).**)

(In House, March 30, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-543).**

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-543).

On further motion by same Senator, Senate Amendment "A" (S-745) to Committee Amendment "A" (S-543) **READ** and **ADOPTED.**

Committee Amendment "A" (S-543) as Amended by Senate Amendment "A" (S-745) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-543) AS AMENDED BY SENATE AMENDMENT "A" (S-745) thereto, in **NON-CONCURRENCE.**

Sent down for concurrence.

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

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

H.P. 928 L.D. 1305
(C "B" H-1005)

Tabled - April 4, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 3, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-1005)**, in concurrence.)

(In House, April 4, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-1005)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "B" (H-1005), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-746) to Committee Amendment "B" (H-1005) **READ** and **ADOPTED.**

Committee Amendment "B" (H-1005) as Amended by Senate Amendment "A" (S-746) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-1005) AS AMENDED BY SENATE AMENDMENT "A" (S-746) thereto, in NON-CONCURRENCE.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Regulate Commercial Large Game Shooting Areas
S.P. 457 L.D. 1332
(H "A" H-1134)

Tabled - April 24, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 14, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-1134)**, in concurrence.)

(In House, April 14, 2000, **PASSED TO BE ENACTED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-1134)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** House Amendment "A" (H-1134) , in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-747) to House Amendment "A" (H-1134) **READ** and **ADOPTED**.

House Amendment "A" (H-1134) as Amended by Senate Amendment "A" (S-747) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-1134) AS AMENDED BY SENATE AMENDMENT "A" (S-747) thereto, in NON-CONCURRENCE.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve

Resolve, to Create the Commission to Study the Establishment of an Environmental Leadership Program

S.P. 529 L.D. 1562
(C "A" S-516)

Tabled - March 21, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, March 7, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-516)**.)

(In House, March 16, 2000, **FINALLY PASSED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-516)**.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-516).

On further motion by same Senator, Senate Amendment "A" (S-786) to Committee Amendment "A" (S-516) **READ** and **ADOPTED**.

Committee Amendment "A" (S-516) as Amended by Senate Amendment "A" (S-786) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-516) AS AMENDED BY SENATE AMENDMENT "A" (S-786) thereto, in NON-CONCURRENCE.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Resolve

Resolve, to Establish the Committee to Develop a Compensation Program for Victims of Abuse at the Governor Baxter School for the Deaf and to Continue Oversight of Multiagency Cooperation
H.P. 1135 L.D. 1620
(C "A" H-979)

Tabled - April 4, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, March 31, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-979)**, in concurrence.)

(In House, April 4, 2000, **FINALLY PASSED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-979)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-979), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-770) to Committee Amendment "A" (H-979) **READ** and **ADOPTED**.

Committee Amendment "A" (H-979) as Amended by Senate Amendment "A" (S-770) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-979) AS AMENDED BY SENATE AMENDMENT "A" (S-770) thereto, in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Provide Services for Children in Need of Supervision
H.P. 1138 L.D. 1623
(C "A" H-1103)

Tabled - April 11, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 8, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1103)**, in concurrence.)

(In House, April 11, 2000, **PASSED TO BE ENACTED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE**

ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1103), in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-1103), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-768) to Committee Amendment "A" (H-1103) **READ** and **ADOPTED**.

Committee Amendment "A" (H-1103) as Amended by Senate Amendment "A" (S-768) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1103) AS AMENDED BY SENATE AMENDMENT "A" (S-768) thereto, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Amend the Franchise Law

S.P. 681 L.D. 1931
(S "A" S-642 to C "A" S-554)

Tabled - April 8, 2000, by Senator **CATHCART** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 6, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-554) AS AMENDED BY SENATE AMENDMENT "A" (S-642)** thereto.)

(In House, April 7, 2000, **PASSED TO BE ENACTED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-554) AS AMENDED BY SENATE AMENDMENT "A" (S-642)** thereto.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-554) as Amended by Senate Amendment "A" (S-642) thereto.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Senate Amendment "A" (S-642) to Committee Amendment "A" (S-554).

On further motion by same Senator, Senate Amendment "A" (S-642) to Committee Amendment "A" (S-554) **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE.**

On further motion by same Senator, Senate Amendment "B" (S-787) to Committee Amendment "A" (S-554) **READ** and **ADOPTED.**

Committee Amendment "A" (S-554) as Amended by Senate Amendment "B" (S-787) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-554) AS AMENDED BY SENATE AMENDMENT "B" (S-787) thereto, in **NON-CONCURRENCE.**

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve

Resolve, to Establish the Round Table to Study Economic and Labor Issues Relating to the Forest Products Industry
H.P. 1400 L.D. 2005
(H "A" H-875 to C "A" H-865)

Tabled - March 30, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, March 28, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-865) AS AMENDED BY HOUSE AMENDMENT "A" (H-875)** thereto, in concurrence.)

(In House, March 30, 2000, **FINALLY PASSED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT**

"A" (H-865) AS AMENDED BY HOUSE AMENDMENT "A" (H-875) thereto, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-865) as Amended by House Amendment "A" (H-875) thereto, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator the Senate **RECONSIDERED** whereby it **ADOPTED** House Amendment "A" (H-875) to Committee Amendment "A" (H-865), in concurrence.

On further motion by same Senator, House Amendment "A" (H-875) to Committee Amendment "A" (H-865) **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE.**

On further motion by same Senator, Senate Amendment "A" (S-771) to Committee Amendment "A" (H-865) **READ** and **ADOPTED.**

Committee Amendment "A" (H-865) as Amended by Senate Amendment "A" (S-771) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-865) AS AMENDED BY SENATE AMENDMENT "A" (S-771) thereto, in **NON-CONCURRENCE.**

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Provide for the Establishment of Alcohol and Drug Treatment Programs in Maine Courts

H.P. 1409 L.D. 2014
(C "A" H-1047)

Tabled - April 7, 2000, by Senator **CATHCART** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 5, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1047)**, in concurrence.)

(In House, April 6, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1047)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-1047), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-748) to Committee Amendment "A" (H-1047) **READ** and **ADOPTED**.

Committee Amendment "A" (H-1047) as Amended by Senate Amendment "A" (S-748) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1047) AS AMENDED BY SENATE AMENDMENT "A" (S-748) thereto, in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Reduce the Release of Mercury into the Environment from Consumer Products

S.P. 734 L.D. 2084
(C "A" S-648)

Tabled - April 10, 2000, by Senator **CATHCART** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 6, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-648)**.)

(In House, April 8, 2000, **PASSED TO BE ENACTED**.)

The same Senator moved the **RULES BE SUSPENDED**.

Senator **LIBBY** of York **OBJECTED**.

The Chair ordered a Division. 10 Senators having voted in the affirmative and 9 Senators having voted in the negative, and 10 being less than two-thirds of the Members present and voting, the motion by Senator **MICHAUD** of Penobscot to **SUSPEND THE RULES**, **FAILED**.

On motion by Senator **MICHAUD** of Penobscot, Bill and accompanying papers **COMMITTED** to Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Preserve the State's Farm Economy and Heritage
S.P. 736 L.D. 2086
(C "A" S-574)

Tabled - March 31, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 27, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-574)**.)

(In House, March 31, 2000, **PASSED TO BE ENACTED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-574)**.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-574).

On further motion by same Senator, Senate Amendment "A" (S-788) to Committee Amendment "A" (S-574) **READ** and **ADOPTED**.

Committee Amendment "A" (S-574) as Amended by Senate Amendment "A" (S-788) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-574) AS AMENDED BY SENATE AMENDMENT "A" (S-788) thereto, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Measure

An Act to Protect the Citizens of Maine from the Dangers of Counterfeit Consumer Goods

S.P. 775 L.D. 2174
(C "A" S-612)

Tabled - April 4, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 31, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-612).**)

(In House, April 4, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-612).**

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-612).

On further motion by same Senator, Senate Amendment "A" (S-781) to Committee Amendment "A" (S-612) **READ** and **ADOPTED.**

Committee Amendment "A" (S-612) as Amended by Senate Amendment "A" (S-781) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-612) AS AMENDED BY SENATE AMENDMENT "A" (S-781) thereto, in **NON-CONCURRENCE.**

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve

Resolve, to Establish a Commission to Study Kindergarten-to-grade-12 Educator Recruitment and Retention

H.P. 1658 L.D. 2327
(C "A" H-1097)

Tabled - April 11, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, April 8, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1097)**, in concurrence.)

(In House, April 11, 2000, **FINALLY PASSED.**)

The same Senator moved the **RULES BE SUSPENDED.**

At the request of Senator **HARRIMAN** of Cumberland a Division was had. 11 Senators having voted in the affirmative and 8 Senators having voted in the negative, and 11 being less than two-thirds of the Members present and voting, the motion by Senator **MICHAUD** of Penobscot to **SUSPEND THE RULES**, **FAILED.**

On motion by Senator **MICHAUD** of Penobscot, Resolve and accompanying papers **COMMITTED** to Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in **NON-CONCURRENCE.**

(See action later today.)

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Resolve

Resolve, to Establish the Task Force to Reduce the Burden of Home Heating Costs on Low-income Households

H.P. 1677 L.D. 2343
(H "A" H-977 to C "A" H-841)

Tabled - April 4, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, March 31, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-841) AS AMENDED BY HOUSE AMENDMENT "A" (H-977)**, thereto in concurrence.)

(In House, April 4, 2000, **FINALLY PASSED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-841) AS AMENDED BY HOUSE AMENDMENT "A" (H-977)** thereto, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment

"A" (H-841) as Amended by House Amendment "A" (H-977) thereto, in concurrence.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** House Amendment "A" (H-977) to Committee Amendment "A" (H-841), in concurrence.

On further motion by same Senator, House Amendment "A" (H-977) to Committee Amendment "A" (H-841) **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

On further motion by same Senator, Senate Amendment "A" (S-773) to Committee Amendment "A" (H-841) **READ** and **ADOPTED**.

Committee Amendment "A" (H-841) as Amended by Senate Amendment "A" (S-773) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-841) AS AMENDED BY SENATE AMENDMENT "A" (S-773) thereto, in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Amend the Maine Seed Capital Tax Credit Program
S.P. 905 L.D. 2357
(C "A" S-539)

Tabled - March 27, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 16, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-539)**.)

(In House, March 23, 2000, **PASSED TO BE ENACTED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-539)**.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-539).

On further motion by same Senator, Senate Amendment "A" (S-789) to Committee Amendment "A" (S-539) **READ** and **ADOPTED**.

Committee Amendment "A" (S-539) as Amended by Senate Amendment "A" (S-789) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-539) AS AMENDED BY SENATE AMENDMENT "A" (S-789) thereto, in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate **RECONSIDERED** whereby it **COMMITTED** to Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in **NON-CONCURRENCE**, the following:

Resolve

Resolve, to Establish a Commission to Study Kindergarten-to-grade-12 Educator Recruitment and Retention

H.P. 1658 L.D. 2327
(C "A" H-1097)

(In Senate, April 8, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1097)**, in concurrence.)

(In House, April 11, 2000, **FINALLY PASSED**.)

(In Senate, April 27, 2000, motion by Senator **MICHAUD** of Penobscot to **SUSPEND THE RULES FAILED**. On further motion by same Senator, Resolve and accompanying papers **COMMITTED** to Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in **NON-CONCURRENCE**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1097)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-1097), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-794) to Committee Amendment "A" (H-1097) **READ** and **ADOPTED**.

Committee Amendment "A" (H-1097) as Amended by Senate Amendment "A" (S-794) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

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

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1097) AS AMENDED BY SENATE AMENDMENT "A" (S-794) thereto, in NON-CONCURRENCE.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

ORDERS OF THE DAY

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Establish an Office of Women's Health
S.P. 923 L.D. 2374
(C "A" S-585)

Tabled - April 3, 2000 by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 28, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-585).**)

(In House, April 3, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-585).**

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-585).

On further motion by same Senator, Senate Amendment "A" (S-749) to Committee Amendment "A" (S-585) **READ** and **ADOPTED.**

Committee Amendment "A" (S-585) as Amended by Senate Amendment "A" (S-749) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-585) AS AMENDED BY SENATE AMENDMENT "A" (S-749) thereto, in NON-CONCURRENCE.

Sent down for concurrence.

An Act to Help Support the Medical Ride Volunteer Service
S.P. 933 L.D. 2383
(C "A" S-517)

Tabled - March 21, 2000 by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 7, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-517).**)

(In House, March 16, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-517).**

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-517).

On further motion by same Senator, Senate Amendment "A" (S-750) to Committee Amendment "A" (S-517) **READ** and **ADOPTED.**

Committee Amendment "A" (S-517) as Amended by Senate Amendment "A" (S-750) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-517) AS AMENDED BY SENATE AMENDMENT "A" (S-750) thereto, in **NON-CONCURRENCE.**

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Create Employment Opportunities by Clarifying Maine's Tax Laws Regarding Mutual Fund Companies
H.P. 1694 L.D. 2400
(H "A" H-1133 to C "A" H-867)

Tabled -April 24, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 14, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-867) AS AMENDED BY HOUSE AMENDMENT "A" (H-1133)** thereto, in concurrence.)

(In House, April 24, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-867) AS AMENDED BY HOUSE AMENDMENT "A" (H-1133)** thereto, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-867) as Amended by House Amendment "A" (H-1133) thereto, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** House Amendment "A" (H-1133) to Committee Amendment "A" (H-867), in concurrence.

On further motion by same Senator, House Amendment "A" (H-1133) to Committee Amendment "A" (H-867) **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE.**

On further motion by same Senator, Senate Amendment "A" (S-783) to Committee Amendment "A" (H-867) **READ** and **ADOPTED.**

Committee Amendment "A" (H-867) as Amended by Senate Amendment "A" (S-783) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-867) AS AMENDED BY SENATE AMENDMENT "A" (S-783) thereto, in **NON-CONCURRENCE.**

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Increase the Number of Domestic Violence Prosecutors
H.P. 1699 L.D. 2405
(C "A" H-876)

Tabled - March 27, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 22, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-876)**, in concurrence.)

(In House, March 23, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-876)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-876), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-751) to Committee Amendment "A" (H-876) **READ** and **ADOPTED.**

Committee Amendment "A" (H-876) as Amended by Senate Amendment "A" (S-751) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-876) AS AMENDED BY SENATE AMENDMENT "A" (S-751) thereto, in **NON-CONCURRENCE.**

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act Regarding the Solid Waste Hauling and Disposal Industry
H.P. 1736 L.D. 2442
(C "A" H-1086)

Tabled - April 10, 2000 by Senator **CATHCART** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 7, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1086)**, in concurrence.)

(In House, April 8, 2000, **PASSED TO BE ENACTED.**)

The same Senator moved the **RULES BE SUSPENDED.**

At the request of Senator **LIBBY** of York a Division was had. 14 Senators having voted in the affirmative and 9 Senators having voted in the negative, and 14 being less than two-thirds of the Members present and voting, the motion by Senator **MICHAUD** of Penobscot to **SUSPEND THE RULES, FAILED.**

On motion by Senator **MICHAUD** of Penobscot, Bill and accompanying papers **COMMITTED** to Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in **NON-CONCURRENCE.**

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Require the State Sealer to Conduct Spot Checks at Timber Mills
H.P. 1751 L.D. 2457
(C "A" H-835)

Tabled - March 27, 2000 by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 21, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-835)**, in concurrence.)

(In House, March 23, 2000, **PASSED TO BE ENACTED.**)

The same Senator moved the **RULES BE SUSPENDED.**

At the request of Senator **HARRIMAN** of Cumberland a Division was had. 13 Senators having voted in the affirmative and 9 Senators having voted in the negative, and 13 being less than two-thirds of the Members present and voting, the motion by Senator **MICHAUD** of Penobscot to **SUSPEND THE RULES, FAILED.**

On motion by Senator **MICHAUD** of Penobscot, Bill and accompanying papers **COMMITTED** to Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in **NON-CONCURRENCE.**

Sent down for concurrence.

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Establish Criteria for Tax Incentive Programs
H.P. 1754 L.D. 2460
(H "A" H-1055 to C"A" H-1021)

Tabled - April 10, 2000 by Senator **CATHCART** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 7, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1021) AS AMENDED BY HOUSE AMENDMENT "A" (H-1055)** thereto, in concurrence.)

(In House, April 8, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1021) AS AMENDED BY HOUSE AMENDMENT "A" (H-1055)** thereto, in concurrence

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-1021) as Amended by House Amendment "A" (H-1055) thereto, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-766) to Committee Amendment "A" (H-1021) **READ.**

At the request of Senator **HARRIMAN** of Cumberland a Division was had. 14 Senators having voted in the affirmative and 8 Senators having voted in the negative, the motion by Senator **MICHAUD** of Penobscot to **ADOPT** Senate Amendment "A" (S-766) to Committee Amendment "A" (H-1021), **PREVAILED.**

Committee Amendment "A" (H-1021) as Amended by Senate Amendment "A" (S-766) and House Amendment "A" (H-1055) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1021) AS AMENDED BY SENATE AMENDMENT "A" (S-766) AND HOUSE AMENDMENT "A" (H-1055) thereto, in **NON-CONCURRENCE.**

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Fund the Lakes Heritage Trust Fund
H.P. 1764 L.D. 2470
(C "A" H-972)

Tabled - April 3, 2000 by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 30, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-972)**, in concurrence.)

(In House, April 3, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-972)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-972), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-755) to Committee Amendment "A" (H-972) **READ** and **ADOPTED.**

Committee Amendment "A" (H-972) as Amended by Senate Amendment "A" (S-755) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-972) AS AMENDED BY SENATE AMENDMENT "A" (S-755) thereto, in **NON-CONCURRENCE.**

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Measure

An Act to Ensure Adequate Funding of Adult Education
H.P. 1778 L.D. 2492
(C "A" H-848)

Tabled - March 21, 2000 by Senator **CATHCART** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 15, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-848)**, in concurrence.)

(In House, March 21, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-848)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-848), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-756) to Committee Amendment "A" (H-848) **READ** and **ADOPTED.**

Committee Amendment "A" (H-848) as Amended by Senate Amendment "A" (S-756) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-848) AS AMENDED BY SENATE AMENDMENT "A" (S-756) thereto, in **NON-CONCURRENCE.**

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Support Child Care Education and Services
S.P. 963 L.D. 2505
(C "A" S-580)

Tabled - April 3, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 28, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-580).**)

(In House, April 3, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-580).**

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-580).

On further motion by same Senator, Senate Amendment "A" (S-782) to Committee Amendment "A" (S-580) **READ** and **ADOPTED.**

Committee Amendment "A" (S-580) as Amended by Senate Amendment "A" (S-782) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-580) AS AMENDED BY SENATE AMENDMENT "A" (S-782) thereto, in **NON-CONCURRENCE.**

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Improve Standards for Public Assistance to Maine Employers
S.P. 967 L.D. 2516
(S "A" S-689 to C "A" S-637)

Tabled - April 14, 2000, by Senator **CATHCART** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 12, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-637) AS AMENDED BY SENATE AMENDMENT "A" (S-689)** thereto.)

(In House, April 14, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-637) AS AMENDED BY SENATE AMENDMENT "A" (S-689)** thereto.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-637) as Amended by Senate Amendment "A" (S-689) thereto.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Senate Amendment "A" (S-689) to Committee Amendment "A" (S-637).

On further motion by same Senator, Senate Amendment "A" (S-689) to Committee Amendment "A" (S-637) **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

On further motion by same Senator, Senate Amendment "B" (S-784) to Committee Amendment "A" (S-637) **READ** and **ADOPTED**.

Committee Amendment "A" (S-637) as Amended by Senate Amendment "B" (S-784) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-637) AS AMENDED BY SENATE AMENDMENT "B" (S-784) thereto, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve

Resolve, to Improve Access to Technical Education and Ensure a Skilled Work Force

S.P. 973 L.D. 2519

Tabled - April 6, 2000 by Senator **CATHCART** of Penobscot.

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, April 3, 2000, **PASSED TO BE ENGROSSED**.)

(In House, April 5, 2000, **FINALLY PASSED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED**

On further motion by same Senator, Senate Amendment "A" (S-769) **READ** and **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-769) in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Establish a Memorial Dedicated to the Civilian Conservation Corps

H.P. 1797 L.D. 2522
(C "A" H-940)

Tabled - March 31, 2000 by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 29, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-940)**, in concurrence.)

(In House, March 31, 2000, **PASSED TO BE ENACTED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-940)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-940), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-767) to Committee Amendment "A" (H-940) **READ** and **ADOPTED**.

Committee Amendment "A" (H-940) as Amended by Senate Amendment "A" (S-767) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-940) AS AMENDED BY SENATE AMENDMENT "A" (S-767) thereto, in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Provide Payment for Overtime Amounts Due and to Reimburse for Costs Incurred in an Action to Recover those Amounts

H.P. 1803 L.D. 2530

(C "A" H-1076)

Tabled - April 8, 2000 by Senator **CATHCART** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 7, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1076)**, in concurrence.)

(In House, April 7, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1076)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-1076), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-752) to Committee Amendment "A" (H-1076) **READ** and **ADOPTED.**

Committee Amendment "A" (H-1076) as Amended by Senate Amendment "A" (S-752) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1076) AS AMENDED BY SENATE AMENDMENT "A" (S-752) thereto, in **NON-CONCURRENCE.**

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Implement the Recommendations of the Task Force to Study the Need for an Agricultural Vitality Zone Program
S.P. 982 L.D. 2532
(C "A" S-548)

Tabled - March 29, 2000 by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 21, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-548).**)

(In House, March 28, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-548).**

On further motion by same Senator, Senate Amendment "A" (S-761) **READ** and **ADOPTED.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-548) AND SENATE AMENDMENT "A" (S-761), in **NON-CONCURRENCE.**

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve

Resolve, to Establish the Commission to Study Ownership Patterns in Maine

H.P. 1809 L.D. 2535
(C "A" H-932)

Tabled - March 31, 2000 by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, March 29, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-932)**, in concurrence.)

(In House, March 31, 2000, **FINALLY PASSED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-932)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-932), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-775) to Committee Amendment "A" (H-932) **READ** and **ADOPTED.**

Committee Amendment "A" (H-932) as Amended by Senate Amendment "A" (S-775) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-932) AS AMENDED BY SENATE AMENDMENT "A" (S-775) thereto, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

Off Record Remarks

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Implement the Recommendations of the Task Force to Study the Operation of and Support for the Board of Environmental Protection

H.P. 1814 L.D. 2547
(C "A" H-1027)

Tabled - April 6, 2000 by Senator **CATHCART** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 4, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1027)**, in concurrence.)

(In House, April 5, 2000, **PASSED TO BE ENACTED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1027)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-1027), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-762) to Committee Amendment "A" (H-1027) **READ** and **ADOPTED**.

Committee Amendment "A" (H-1027) as Amended by Senate Amendment "A" (S-762) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1027) AS AMENDED BY SENATE AMENDMENT "A" (S-762) thereto, in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Implement Recommendations Concerning Protection of Indian Archaeological Sites

H.P. 1816 L.D. 2549

Tabled - March 30, 2000 by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 28, 2000, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, March 30, 2000, **PASSED TO BE ENACTED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED**, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-763) **READ** and **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-763), in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Implement the Recommendations of the Committee on Sawmill Biomass

H.P. 1817 L.D. 2551
(C "A" H-899)

Tabled - March 30, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 28, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-899)**, in concurrence.)

(In House, March 30, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-899)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-899), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-785) to Committee Amendment "A" (H-899) **READ** and **ADOPTED.**

Committee Amendment "A" (H-899) as Amended by Senate Amendment "A" (S-785) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-899) AS AMENDED BY SENATE AMENDMENT "A" (S-785) thereto, in **NON-CONCURRENCE.**

Sent down for concurrence.

Off Record Remarks

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve

Resolve, Regarding Access to Marijuana for Medical Use
S.P. 1012 L.D. 2580
(C "A" S-597)

Tabled - April 3, 2000 by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, March 29, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-597).**)

(In House, April 3, 2000, **FINALLY PASSED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-597).**

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-597).

On further motion by same Senator, Senate Amendment "A" (S-776) to Committee Amendment "A" (S-597) **READ** and **ADOPTED.**

Committee Amendment "A" (S-597) as Amended by Senate Amendment "A" (S-776) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-597) AS AMENDED BY SENATE AMENDMENT "A" (S-776) thereto, in **NON-CONCURRENCE.**

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Measure

An Act to Provide Education Benefits For Maine National Guard Members

S.P. 1017 L.D. 2585
(C "A" S-583)

Tabled - April 3, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 28, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-583).**)

(In House, April 3, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-583).**

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-583).

On further motion by same Senator, Senate Amendment "A" (S-791) to Committee Amendment "A" (S-583) **READ** and **ADOPTED**.

Committee Amendment "A" (S-583) as Amended by Senate Amendment "A" (S-791) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-583) AS AMENDED BY SENATE AMENDMENT "A" (S-791) thereto, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Implement the Land Use Recommendations of the Task Force on State Office Building Location, Other State Growth-related Capital Investments and Patterns of Development
S.P. 1027 L.D. 2600
(C "A" S-660)

Tabled - April 12, 2000, by Senator **CATHCART** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 10, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-660)**.)

(In House, April 11, 2000, **PASSED TO BE ENACTED**.)

Senator **MICHAUD** of Penobscot moved the **RULES BE SUSPENDED**.

At the request of Senator **LIBBY** of York a Division was had. 14 Senators having voted in the affirmative and 6 Senators having voted in the negative, and 14 being more than two-thirds of the Members present and voting, the motion by Senator **MICHAUD** of Penobscot to **SUSPEND THE RULES, PREVAILED**.

On motion by Senator **MICHAUD** of Penobscot, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-660)**.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-660).

On further motion by same Senator, Senate Amendment "A" (S-792) to Committee Amendment "A" (S-660) **READ**.

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

Senator **LIBBY:** Thank you Mr. President. Senate Amendment "A" to the infamous sprawl Bill. What it does, unfortunately, is to take the only part of the sprawl Bill that had any meaning whatsoever, and that was funding to the local county elements that are involved in planning. There's a lot of different names for them. In my area it's Southern Maine Regional Planning but in other areas they are called other things. What it does is reduce the appropriation down to \$100,000, I believe. I guess the thing that remains is all of the onerous, centralized attempts to control local planning and the work of local planning boards from here in this building. I can't imagine passing the sprawl Bill without funding. It makes no sense. You can't possibly implement the things that are asked for in the sprawl Bill without funding. So instead, what it has been replaced with is a sentence that says, "the center shall develop a plan for ongoing funding for the center." I'm calling it the sprawl Bill, but I know you all know what it is. The sprawl Bill is, in my opinion, the wrong way to go. It takes away local control. Now it does so without really any funding at the local level whatsoever. It establishes a center and provides a little bit of money for that but that's just about it.

I know you're familiar with the debate, but I cannot imagine that we'd even want to go forward with this Bill in the version that it has been presented. It makes no sense whatsoever. Frankly, I'm a little bit offended that it goes outside the committee process to make some substitutive changes to the Bill. We might as well have not heard the Bill. We might as well have sent it down to appropriations and let them do what they will with it. I've got a problem with that. I've got a big problem with that. It doesn't make sense to me. So in this late hour there's not enough money. Okay. Good idea. Bring it back next term if that's the way you feel about it. But don't take the Bill and completely change it and then tell us that it was something that the committee all worked together really hard on and came out with this product. This is not the product that we came out with.

We're going through the Appropriations Table, I realize, and there are all kinds of elements to the changes that we've looked at. But if you really think that we should all just sit here while Bills are changed in a substantive manner, not just money, substantive, than I don't understand that. I've seen it on a few of these Bills and it really makes the committee process a mockery. I feel badly about this because, even though I strongly disagree with this sprawl Bill, I also see some of the merits in the Bill as it was passed by the committee and the Bill that the majority of the committee members did support. A Bill that many people spoke on behalf of. But also a Bill that a lot of people around the state really had a problem with. Now, to just put it in this version, it doesn't even make sense. Thank you very much, Senate chamber, to let me vent a little bit. This really does bother me. It certainly is not the right thing to do and if we're going to go ahead and do it, that's fine. Thank you.

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

Senator **TREAT:** Thank you Mr. President. Men and women of the Senate, I know that we have been here for many days and months and sometimes it's hard to keep track of just where things are at. This is the sprawl Bill and perhaps the good Senator from York has been unable to find all the sprawling pieces of the Bill. So he has fixed on one amendment. I admit that if you were to read just that amendment, you would read the fiscal note. It says "reduces the money from \$9 million down to \$100,000." You would say, "boy, we've had a 20 page Bill, we've had a task force, etc., etc.. This is pretty pathetic." Well, in fact, the budget has \$1.7 million for assistance to communities. This amendment that's before us now is an additional \$100,000 for one of the pieces of the smart growth proposal that did not get into the budget. It is an additional appropriation.

The money that's in the budget is not to be used for onerous impositions upon communities. In fact, it is assistance, direct grants, to communities. There is not one position, not one position, in the budget for money for some agency. Indeed, it's \$1.7 million. I would like to tell you what that money is for. It provides money for planning grants to municipalities. Grants to regional councils to provide technical assistance. Grants to municipalities for plan implementation and update. Alternative growth management initiatives, including pilot projects, including regional projects. Two things did not get into the budget. Both have positions on them. One was the GIS coordinator. The other was the downtown center.

As the good Senator pointed out, probably the most popular item that was in the smart growth package was the downtown center. Therefore, there was a concerted effort among those who supported this legislation to see if something could be done. \$250,000 was allocated in the original Committee Amendment for the downtown center, to provide technical assistance and one time pilot grant monies that could be used to revitalize downtowns. The result of the amendment that the Senator is concerned about is that it will provide \$100,000. The committee had wanted \$250,000, the Appropriations Committee agreed to \$100,000. Which I think is actually pretty good. We all would like to have everything but sometimes a little less than half is pretty good. What the amendment does is almost identical to the language in the Bill itself and in the Committee Amendment. The only difference is that it makes it a one-time appropriation because these are the rules we are playing under, that this is one-time money. So we said let's do the best we can. We'll give a \$100,000 grant to the State Planning Office, which is the place where all the money is going to be handed out from. Give them the responsibility to get this up and running. See if they can get some matching funds to continue it in the future. I think that's doing very very well. It's a serious commitment to this part of the Bill. I think the Appropriations Committee should be commended for being willing to go beyond what was in the Governor's budget to put this additional piece on to better reflect what the committee wanted. This is something the committee wanted that was not in the original proposal that came in with the budget that the Appropriations Committee considered. So it's a very good amendment. It's a very good Bill. I certainly hope everyone will go along with the pending motion.

The Chair ordered a Division. 18 Senators having voted in the affirmative and 4 Senators having voted in the negative, the

motion by Senator **MICHAUD** of Penobscot to **ADOPT** Senate Amendment "A" (S-792) to Committee Amendment "A" (S-660), **PREVAILED.**

Committee Amendment "A" (S-660) as Amended by Senate Amendment "A" (S-792) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-660) AS AMENDED BY SENATE AMENDMENT "A" (S-792) thereto, in **NON-CONCURRENCE.**

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Improve Educational Programming at Juvenile Correctional Facilities

H.P. 1872 L.D. 2608
(C "A" H-956)

Tabled - April 3, 2000 by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 30, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-956)**, in concurrence.)

(In House, April 3, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-956)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-956) , in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-777) to Committee Amendment "A" (H-956) **READ** and **ADOPTED.**

Committee Amendment "A" (H-956) as Amended by Senate Amendment "A" (S-777) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-956) AS AMENDED BY SENATE AMENDMENT "A" (S-777) thereto, in **NON-CONCURRENCE.**

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Appropriate Matching Funds for the Study of Nondefense Uses of the United States Naval Shipyard in Kittery, Maine

S.P. 1031 L.D. 2611
(C "A" S-616)

Tabled - April 4, 2000 by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 31, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-616).**)

(In House, April 4, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-616)**, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-759) **READ** and **ADOPTED.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-616) AND SENATE AMENDMENT "A" (S-759), in **NON-CONCURRENCE.**

(See action later today.)

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Implement the Recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry Relating to Review of the Maine Seed Potato Board Under the State Government Evaluation Act

H.P. 1892 L.D. 2633

Tabled - March 27, 2000 by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 22, 2000, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, March 23, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED**, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-764) **READ** and **ADOPTED.**

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-764), in **NON-CONCURRENCE.**

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Resolve

Resolve, to Create the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft

H.P. 1901 L.D. 2645

Tabled - March 30, 2000 by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, March 28, 2000, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, March 30, 2000, **FINALLY PASSED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED**, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-778) **READ** and **ADOPTED.**

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-778), in **NON-CONCURRENCE.**

Sent down for concurrence.

Under suspension of the Rules, all matters thus acted upon, with exception of those matters being held, were ordered sent down forthwith for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Resolve

Resolve, to Establish the Commission to Study Domestic Violence

H.P. 1906 L.D. 2651
(C "A" H-1017)

Tabled - April 6, 2000 by Senator **CATHCART** of Penobscot.

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, April 4, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1017)**, in concurrence.)

(In House, April 5, 2000, **FINALLY PASSED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1017)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-1017), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-779) to Committee Amendment "A" (H-1017) **READ** and **ADOPTED**.

Committee Amendment "A" (H-1017) as Amended by Senate Amendment "A" (S-779) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1017) AS AMENDED BY SENATE AMENDMENT "A" (S-779) thereto, in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Implement the Tax Policy Recommendations of the Task Force Created to Review Smart Growth Patterns of Development

H.P. 1923 L.D. 2669

Tabled - April 6, 2000 by Senator **CATHCART** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 4, 2000, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, April 5, 2000, **PASSED TO BE ENACTED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED**, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-753) **READ** and **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-753), in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Establish the Council on Children and Families and to ensure the Continuation of the Governor's Children's Cabinet
S.P. 1076 L.D. 2679

Tabled - April 10, 2000 by Senator **CATHCART** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 7, 2000, **PASSED TO BE ENGROSSED**.)

(In House, April 8, 2000, **PASSED TO BE ENACTED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED**.

On further motion by same Senator, Senate Amendment "A" (S-780) **READ** and **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-780), in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Provide Equal Treatment for State Employees under Certain Federal Employment Laws
H.P. 1939 L.D. 2682

Tabled - April 12, 2000 by Senator **CATHCART** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 11, 2000, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, April 11, 2000, **PASSED TO BE ENACTED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED**, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-765) **READ** and **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-765), in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act Related to Sales Tax on Vehicles Leased and Removed from the State and Watercraft Used in Interstate Commerce
S.P. 1082 L.D. 2686

Tabled - April 11, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 8, 2000, **PASSED TO BE ENGROSSED**.)

(In House, April 11, 2000, **PASSED TO BE ENACTED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED**.

On further motion by same Senator, Senate Amendment "A" (S-754) **READ** and **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED SENATE AMENDMENT "A" (S-754), in **NON-CONCURRENCE**.

Sent down for concurrence.

Under suspension of the Rules, all matters thus acted upon, with exception of those matters being held, were ordered sent down forthwith for concurrence.

Off Record Remarks

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Implement a Maine Meat and Poultry Inspection Program

S.P. 1083 L.D. 2687
(H "A" H-1119)

Tabled - April 14, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 12, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-1119)**, in concurrence.)

(In House, April 13, 2000, **PASSED TO BE ENACTED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-1119)**, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-793) **READ** and **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-1119) AND SENATE AMENDMENT "A" (S-793), in **NON-CONCURRENCE**.

Sent down for concurrence.

Under suspension of the Rules, all matters thus acted upon, with exception of those matters being held, were ordered sent down forthwith for concurrence.

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

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

ORDERS

Joint Order

On motion by Senator TREAT of Kennebec, the following Joint Order:
S.P. 1090

ORDERED, the House concurring, that the Task Force to Study Growth Management is established as follows.

1. Task force established. The Task Force to Study Growth Management, referred to in this order as the "task force," is established.

2. Appointments. The task force consists of 14 members appointed as follows:

A. One member from the Senate appointed by the President of the Senate. When making the appointment, the President of the Senate shall give preference to a member who serves on the Joint Standing Committee on Natural Resources;

B. Two members from the House of Representatives, at least one of whom is a member a political party that does not hold a majority of seats in that body, appointed by the Speaker of the House;

C. Two members representing environmental interests, one of whom is appointed by the President of the Senate and one of whom is appointed by the Speaker of the House;

D. Three members representing municipal interests, 2 of whom are appointed by the President of the Senate and one of whom is appointed by the Speaker of the House;

E. Two members representing regional councils, one of whom is appointed by the President of the Senate and one of whom is appointed by the Speaker of the House;

F. One member representing a statewide planning association, appointed by the Speaker of the House;

G. One member representing real estate or development interests, appointed by the President of the Senate;

H. One member representing business interests, appointed by the Speaker of the House; and

I. One member representing farming, fishing and forestry industries, appointed by the Speaker of the House.

The Director of the State Planning Office or the director's designee, the Commissioner of Environmental Protection or the commissioner's designee, the Commissioner of Economic and

Community Development or the commissioner's designee and the Commissioner of Conservation or the commissioner's designee serve as nonvoting members.

3. Chairs; appointments; convening of task force. The Senate member is the Senate chair and the first named House member is the House chair. All appointments must be made no later than 30 days following the effective date of this order. The appointing authorities shall notify the Executive Director of the Legislative Council upon making their appointments. The chairs of the task force shall call and convene the first meeting of the task force within 30 days of the date the last member is appointed. The task force may hold up to 6 meetings.

4. Duties. The duties of the task force are as follows.

A. The task force shall conduct a targeted review of the growth management laws with the goal of improving the laws to make them more responsive to the issues of sprawl. In its review, the task force shall evaluate whether the growth management program works well in very small municipalities and in municipalities experiencing greater or less growth. The task force shall also consider ways to clarify and improve the State's enabling legislation for impact fees in order to make impact fees useful as a tool to manage growth. The task force shall consider differentiated levels of impact fees based on the costs of infrastructure improvements in different areas and designed to provide an incentive for growth to occur within locally designated growth areas, the effect of impact fees on the affordability of homes, the effect of impact fees on land and real estate values and impact fees related to regional impacts of development such as the cost of regional school facilities. The task force shall develop recommendations to make the growth management laws more effective in controlling sprawl, including recommendations on funding, staffing and statutory changes. In developing its recommendations, the task force shall consider appropriate regional models for growth management.

B. The task force shall establish an advisory working group, including people outside of the task force, to review municipal subdivision law and its impact on local planning and growth management and to consider recommendations to streamline the local review process and to make the law a more effective tool in the planning process. The task force may establish additional advisory working groups as it considers appropriate.

5. Report. The task force shall complete its work by November 1, 2000 and submit its report to the joint standing committee of the Legislature having jurisdiction over natural resources matters. The task force may submit a bill implementing its recommendations for consideration by the First Regular Session of the 120th Legislature. If the task force requires an extension of time to make its report, it may apply to the Legislative Council, which may grant the extension.

6. Compensation. Members of the task force who are Legislators are entitled to receive the legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of the task force. Public members not otherwise compensated by their employers or other entities whom they represent are entitled to receive reimbursement of necessary

expenses for their attendance at authorized meetings of the task force.

7. Staff. Upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the task force.

8. Budget. The cochairs of the task force, with assistance from the task force staff, shall administer the task force's budget. Within 10 days after its first meeting, the task force shall present a work plan and proposed budget to the Legislative Council for approval. The task force may not incur expenses that would result in the task force exceeding its approved budget.

READ and PASSED.

Sent down for concurrence.

Senate at Ease.

Senate called to order by the President.

Under suspension of the Rules, all matters thus acted upon, with exception of those matters being held, were ordered sent down forthwith for concurrence.

Off Record Remarks

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Resolve

Resolve, to Create the Commission to Study the Feasibility of Televising Senate and House Sessions

H.P. 175 L.D. 253
(C "A" H-771)

Tabled - February 25, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, February 15, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-771)**, in concurrence.)

(In House, February 22, 2000, **FINALLY PASSED.**)

On further motion by same Senator, Resolve and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Resolve

Resolve, to Create the Committee to Study the Governance of the Unorganized Territories of Maine

H.P. 221 L.D. 299
(S "A" S-559 to C "A" H-782)

Tabled - April 6, 2000, by Senator **CATHCART** of Penobscot.

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, April 4, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-782) AS AMENDED BY SENATE AMENDMENT "A" (S-559)** thereto.)

(In House, April 5, 2000, **FINALLY PASSED.**)

On further motion by same Senator, Resolve and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve

Resolve, to Study Pension Plan Design and Benefits under the Maine State Retirement System

H.P. 595 L.D. 835
(C "A" H-1054)

Tabled - April 7, 2000, by Senator **CATHCART** of Penobscot.

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, April 5, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1054)**, in concurrence.)

(In House, April 6, 2000, **FINALLY PASSED.**)

On further motion by same Senator, Resolve and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Ensure the Provision of Long-term Care Services
S.P. 447 L.D. 1322
(C "A" S-678)

Tabled - April 11, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 8, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-678).**)

(In House, April 11, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

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 "B" H-787)

Tabled - March 7, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, February 25, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-787)**, in concurrence.)

(In House, March 3, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Ensure that an Eligible Work Force is Promptly Certified for Trade Act Assistance and Has Full Access to Training and Education Services as Provided by Law

S.P. 677 L.D. 1927
(C "A" S-569)

Tabled - March 30, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, March 23, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-569).**)

(In House, March 30, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve

Resolve, to Study Youth Homelessness
H.P. 1534 L.D. 2187
(C "A" H-975)

Tabled - April 4, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, March 31, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-975)**, in concurrence.)

(In House, April 4, 2000, **FINALLY PASSED.**)

On further motion by same Senator, Resolve and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Resolve

Resolve, to Establish a Legislative Committee to Study Access to Private and Public Land in Maine
H.P. 1775 L.D. 2486
(C "A" H-1057)

Tabled - April 7, 2000 by Senator **CATHCART** of Penobscot.

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, April 5, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1057)**, in concurrence.)

(In House, April 6, 2000, **FINALLY PASSED.**)

On further motion by same Senator, Resolve and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Support Maine's Only Representative to the Nation's Capital Bicentennial Celebration

S.P. 1042 L.D. 2630
(CC "A" S-701)

Tabled - April 14, 2000 by Senator **CATHCART** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 13, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE OF CONFERENCE AMENDMENT "A" (S-701).**)

(In House, April 14, 2000, **PASSED TO BE ENACTED.**)

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Implement the Recommendations of the Commission to Consider the Enhancement of Fire Protection Services Throughout the State

H.P. 1940 L.D. 2685

Tabled - April 11, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 8, 2000, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, April 11, 2000, **PASSED TO BE ENACTED.**)

On further motion by same Senator, Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Off Record Remarks

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Provide Funding to the Maine Center for the Blind and Visually Impaired

H.P. 123 L.D. 154
(C "A" H-772)

Tabled - February 29, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, February 22, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-772)**, in concurrence.)

(In House, February 25, 2000, **PASSED TO BE ENACTED.**)

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act Regarding Wrongful Death Actions

H.P. 480 L.D. 687
(C "A" H-871; S "A" S-606)

Tabled - April 4, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence (Roll Call Requested)

(In Senate, March 29, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-871) AND SENATE AMENDMENT "A" (S-606).**)

(In House, April 4, 2000, **PASSED TO BE ENACTED.**)

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Establish Consistent Requirements in Maine State Retirement System Plans for Minimum Creditable Service for Eligibility to Receive Retirement Benefits

H.P. 1878 L.D. 2614
(C "A" H-1110)

Tabled - April 12, 2000, by Senator **CATHCART** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 11, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1110)**, in concurrence.)

(In House, April 11, 2000, **PASSED TO BE ENACTED**.)

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Clarify the Tuition Waiver Program for Persons Who Resided in Foster Care as Children

H.P. 1909 L.D. 2657
(H "A" H-1073)

Tabled - April 8, 2000, by Senator **CATHCART** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 6, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-1073)**, in concurrence.)

(In House, April 7, 2000, **PASSED TO BE ENACTED**.)

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

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Implement the Recommendations of the Task Force to Review the Educational Program and the Governance System of the Governor Baxter School for the Deaf

H.P. 1946 L.D. 2690

Tabled - April 14, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 12, 2000, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, April 13, 2000, **PASSED TO BE ENACTED**.)

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

Off Record Remarks

ORDERS OF THE DAY

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

Emergency Measure

An Act to Establish Municipal Cost Components for Unorganized Territory Services to be Rendered in Fiscal Year 2000-01

H.P. 1831 L.D. 2567
(C "A" H-989)

Tabled - April 27, 2000, by Senator **BENNETT** of Oxford.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 3, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-989)**, in concurrence.)

(In House, April 4, 2000, **PASSED TO BE ENACTED**.)

The Chair noted the presence of the Senator from York, Senator **LAFOUNTAIN**.

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.

Under suspension of the Rules, all matters thus acted upon, with exception of those matters being held, were ordered sent down forthwith for concurrence.

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:

ENACTORS

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

Act

An Act to Make Changes to the Maine Rainy Day Fund
S.P. 62 L.D. 132
(C "A" S-714)

At the request of Senator **RAND** of Cumberland a Division was had. 15 Senators having voted in the affirmative and 3 Senators having voted in the negative, was **PASSED TO BE ENACTED** and having been signed by the President was presented by the Secretary to the Governor for his approval.

Senator **TREAT** of Kennebec requested and received leave of the Senate for members and staff to remove their jackets for the remainder of this Session.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act to Require Completion of an Ambulance Operator Course"

H.P. 471 L.D. 678
(C "A" H-888)

In Senate, April 27, 2000, Bill and accompanying papers **COMMITTED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in **NON-CONCURRENCE**.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-888) AS AMENDED BY HOUSE AMENDMENT "A" (H-1173)** thereto, in **NON-CONCURRENCE**.

Senator **RAND** of Cumberland moved the Bill be **TABLED** until Later in Today's Session, pending **FURTHER CONSIDERATION**. Subsequently, same Senator requested and received leave of the Senate to withdraw her motion to **TABLE** until Later in Today's Session, pending **FURTHER CONSIDERATION**.

The same Senator moved the Senate **RECEDE** and **CONCUR**.

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

Senator **HARRIMAN:** Thank you very much Mr. President. Ladies and gentlemen of the Senate, I'd just like to share with you for a moment why I am unable to support the pending motion. As we all have heard numerous times, one of the biggest concerns that we have is the effect of actions that we take that affect our property taxes. The Bill before us is a well-intentioned Bill. I think it's one that we ought to support and fully fund. Essentially what this Bill will say is that anyone who is involved in transporting people in a rescue unit, or in an ambulance, must go through a training course and that by the year 2003, everyone who is in that profession, or participates as a volunteer, must take this course.

The concern I have, Mr. President, is that there's only \$50,000 appropriated on a one-time basis to pay for this. The message is going out by law that you must complete this course. Many municipalities around the state are going to be counted upon to pay for this course and there's no money to pay for it. So, respectfully, Mr. President, I will be opposing the pending motion. Thank you.

The Chair ordered a Division. 11 Senators having voted in the affirmative and 8 Senators having voted in the negative, the

motion by Senator **RAND** of Cumberland to **RECEDE** and **CONCUR, PREVAILED.**

H.P. 1751 L.D. 2457
(C "A" H-835)

Non-Concurrent Matter

Bill "An Act to Reduce the Release of Mercury into the Environment from Consumer Products"

S.P. 734 L.D. 2084
(C "A" S-648)

In Senate, April 27, 2000, Bill and accompanying papers **COMMITTED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in **NON-CONCURRENCE.**

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-648) AS AMENDED BY HOUSE AMENDMENT "A" (H-1174)** thereto, in **NON-CONCURRENCE.**

Senator **TREAT** of Kennebec moved the Senate **RECEDE** and **CONCUR.**

On motion by Senator **BENNETT** of Oxford, **TABLED** until Later in Today's Session, pending the motion by Senator **TREAT** of Kennebec to **RECEDE** and **CONCUR.**

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act Regarding the Requirement of Notice in the Acquisition of Solid Waste Hauling, Incineration Residue Disposal and Related Assets"

H.P. 1736 L.D. 2442
(C "A" H-1086)

In Senate, April 27, 2000, Bill and accompanying papers **COMMITTED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in **NON-CONCURRENCE.**

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1086) AS AMENDED BY HOUSE AMENDMENT "B" (H-1177)** thereto, in **NON-CONCURRENCE.**

On motion by Senator **TREAT** of Kennebec, the Senate **RECEDED** and **CONCURRED.**

Non-Concurrent Matter

Bill "An Act to Require the State Sealer to Conduct Spot Checks at Timber Mills"

In Senate, April 27, 2000, Bill and accompanying papers **COMMITTED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in **NON-CONCURRENCE.**

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-835) AS AMENDED BY HOUSE AMENDMENT "A" (H-1175)** thereto, in **NON-CONCURRENCE.**

Senator **NUTTING** of Androscoggin moved the Senate **RECEDE** and **CONCUR.**

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

Senator **HARRIMAN:** Thank you very much Mr. President. Good evening ladies and gentlemen of the Senate. I rise once again to share with you why I am unable to support this Bill. It's yet another very worthy idea that will employ a sealer, someone to verify that the people who are in our logging industry are being paid for the proper board length or weight, however those services are paid for at our timber mills. The request was for \$50,000 and the Bill has been amended to \$10,000, one-time. In our hearing, we asked the Commissioner if he would still be able to do this program for \$10,000. The answer was that it would be a very short program. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Kilkelly.

Senator **KILKELLY:** Thank you Mr. President. Men and women of the Senate, in response to the fact that this would be a short pilot project, I'd like to respond to that. It did start out at \$50,000 and employing a person to, in fact, do these spot checks. It has been reduced to \$10,000. Part of the rationale behind that is that it is important to have an idea if, in fact, people are being paid appropriately for the wood that they're hauling into mills. One of the things that we can do with \$10,000 is that we can, in fact, have a number of checks that happen and determine if there is a problem, how significant that problem may be, and if we need to go further. We need to remember that what we're talking about is the hard work that people have put into logging and getting that wood to the mills and being paid the appropriate amount of money for the wood they're bringing in. This is the money that is paying for people to raise their families. These are their wages. Does it make sense for us to spend \$10,000 to check and see if people, in fact, are being paid fairly for their hard work? I think it does and I would hope that you would allow us to recede and concur and go on to pass this and determine how significant an issue this is. Thank you.

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

Senator **NUTTING:** Thank you Mr. President. Ladies and gentlemen of the Senate, I also would urge you to support the pending motion. I've always thought for years of being a farmer that no group of people ever talk to one another and communicated faster than one farmer does to another. But

because of my years of chairing of the Agriculture Conservation and Forestry Committee, I do think the loggers are right up there with farmers in how fast the word would spread from one end of the state to the other. In my opinion, if 1 or 2 timber mills are found to be shortchanging loggers on their logs, that word is going to spread like wildfire and the loggers are going to take their hard work elsewhere. I think that would very effectively get the message out to the industry. I think this small amount of money, frankly, is going to do a better job in retrospect than the \$50,000 that was originally asked for. I urge you to support the pending motion.

The Chair ordered a Division. 15 Senators having voted in the affirmative and 6 Senators having voted in the negative, the motion by Senator **NUTTING** of Androscoggin to **RECEDE** and **CONCUR**, **PREVAILED**.

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order: H.P. 1956

ORDERED, the Senate concurring, that Bill, "An Act to Appropriate Funding for the Maine School of Science and Mathematics for Fiscal Year 1999-00," H.P. 1687, L.D. 2393, and all its accompanying papers, be recalled from the legislative files to the House.

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

READ.

The Chair ordered a Division. 21 Senators having voted in the affirmative and 1 Senator having voted in the negative, and 21 being more than two-thirds of the Members present and voting, the Joint Order was **PASSED**, in concurrence.

Under suspension of the Rules, all matters thus acted upon, with exception of those matters being held, were ordered sent down forthwith for concurrence.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act to Regulate Push Polling"

S.P. 420 L.D. 1257
(C "B" S-502)

In Senate, April 26, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-502)**.

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-502) AS AMENDED BY HOUSE AMENDMENT "A" (H-1178)** thereto, in **NON-CONCURRENCE**.

Senator **RAND** of Cumberland moved the Senate **ADHERE**.

Senator **BENNETT** of Oxford moved the Senate **RECEDE** and **CONCUR**.

THE PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Mills.

Senator **MILLS:** Mr. President. I would urge the Senate to vote in favor of the pending motion mainly because it's important, I think, to get a Bill on the books that deals with this egregious problem. This is a problem that has been freely acknowledged by many people in political life, many who have been victimized by this practice. The Bill as presented to us by the amendment from the other body is a greatly weakened and watered down version of the Bill that this body passed in its wisdom. Nevertheless, I think it's important to have the law on the books to make sure that this state makes a positive statement about this egregious practice. With at least some law on the books, perhaps in future years we can work to strengthen as experience teaches us how. For that reason, I will support the good Senator's motion to recede and concur and would urge other members present to do the same.

The Chair ordered a Division. 17 Senators having voted in the affirmative and 7 Senators having voted in the negative, the motion by Senator **BENNETT** of Oxford to **RECEDE** and **CONCUR**, **PREVAILED**.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later (4/13/00) Assigned matter:

Resolve

Resolve, to Create a Commission to Study and Establish Moral Policies Regarding Foreign Investments and Foreign Purchasing by the State

H.P. 1755 L.D. 2461
(H "A" H-954; S "C" S-690
to C "A" H-870)

Tabled - April 13, 2000, by Senator **PINGREE** of Knox.

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, April 11, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-870) AS AMENDED BY SENATE AMENDMENT "C" (S-690) AND HOUSE AMENDMENT "A" (H-954)** thereto, in concurrence.)

(In House, April 12, 2000, **FINALLY PASSED.**)

On motion by Senator **MICHAUD** of Penobscot, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-870) AS AMENDED BY SENATE AMENDMENT "C" (S-690) AND HOUSE AMENDMENT "A" (H-954)** thereto, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-870) as Amended by Senate Amendment "C" (S-690) and House Amendment "A" (H-954) thereto, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** House Amendment "A" (H-954) to Committee Amendment "A" (H-870), in concurrence.

On further motion by same Senator, House Amendment "A" (H-954) to Committee Amendment "A" (H-870) **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE.**

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Senate Amendment "C" (S-690) to Committee Amendment "A" (H-870).

On further motion by same Senator, Senate Amendment "C" (S-690) to Committee Amendment "A" (H-870) **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE.**

On further motion by same Senator, Senate Amendment "D" (S-790) to Committee Amendment "A" (H-870) **READ and ADOPTED.**

Committee Amendment "A" (H-870) as Amended by Senate Amendment "D" (S-790) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

At the request of Senator **HARRIMAN** of Cumberland a Division was had. 14 Senators having voted in the affirmative and 7 Senators having voted in the negative, was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-870) AS AMENDED BY SENATE AMENDMENT "D" (S-790)** thereto, in **NON-CONCURRENCE.**

Sent down for concurrence.

Under suspension of the Rules, all matters thus acted upon, with exception of those matters being held, were ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later (4/24/00) Assigned matter:

An Act to Reconstruct 2 Small Dams on Rocky Lake in Whiting
H.P. 1768 L.D. 2481
(C "A" H-1137)

Tabled - April 24, 2000, by Senator **KILKELLY** of Lincoln.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 14, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1137)**, in concurrence.)

(In House, April 14, 2000, **PASSED TO BE ENACTED.**)

On motion by Senator **MICHAUD** of Penobscot, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1137)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-1137), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-760) to Committee Amendment "A" (H-1137) **READ and ADOPTED.**

Committee Amendment "A" (H-1137) as Amended by Senate Amendment "A" (S-760) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1137) AS AMENDED BY SENATE AMENDMENT "A" (S-760) thereto, in **NON-CONCURRENCE.**

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

Senate at Ease.

Senate called to order by the President.

HELD MATTER

On motion by Senator **MICHAUD** of Penobscot, the Senate **RECONSIDERED** whereby it **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-616) AND SENATE AMENDMENT "A" (S-759)**, in **NON-CONCURRENCE**, the following:

An Act to Appropriate Matching Funds for the Study of Nondefense Uses of the United States Naval Shipyard in Kittery, Maine

S.P. 1031 L.D. 2611
(C "A" S-616; S "A" S-759)

(In House, April 4, 2000, **PASSED TO BE ENACTED.**)

(In Senate, April 27, 2000, **RULES SUSPENDED.** On motion by Senator **MICHAUD** of Penobscot, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-616)**, in concurrence. On further motion by same Senator, Senate Amendment "A" (S-759) **READ** and **ADOPTED. PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-616) AND SENATE AMENDMENT "A" (S-759)**, in **NON-CONCURRENCE.**)

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Senate Amendment "A" (S-759).

On further motion by same Senator, Senate Amendment "A" (S-759) **INDEFINITELY POSTPONED.**

On further motion by same Senator, Senate Amendment "B" (S-796) **READ** and **ADOPTED.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-616) AND SENATE AMENDMENT "B" (S-796), in **NON-CONCURRENCE.**

Sent down for concurrence.

Senate at Ease.

Senate called to order by the President.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later (4/26/00) Assigned matter:

An Act to Preserve Live Harness Racing in the State
H.P. 1214 L.D. 1743
(S "A" S-638 to C "A" H-913)

Tabled - April 26, 2000, by Senator **BENNETT** of Oxford.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 5, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-913) AS AMENDED BY SENATE AMENDMENT "A" (S-638)** thereto, in concurrence.)

(In House, April 6, 2000, **PASSED TO BE ENACTED**.)

At the request of Senator **BENNETT** of Oxford a Division was had. 13 Senators having voted in the affirmative and 7 Senators having voted in the negative, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

On motion by Senator **MICHAUD** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Improve School Safety and Learning Environments
S.P. 298 L.D. 870
(H "A" H-1102 to C "A" S-657)

Tabled - April 11, 2000, by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 8, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-657) AS AMENDED BY HOUSE AMENDMENT "A" (H-1102)** thereto, in concurrence.)

(In House, April 11, 2000, **PASSED TO BE ENACTED**.)

On motion by Senator **TREAT** of Kennebec, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-657) AS AMENDED BY HOUSE AMENDMENT "A" (H-1102)** thereto, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-657) as Amended by House Amendment "A" (H-1102) thereto, in concurrence.

On further motion by same Senator, Senate Amendment "B" (S-795) to Committee Amendment "A" (S-657) **READ** and **ADOPTED**.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** House Amendment "A" (H-1102) to Committee Amendment "A" (S-657), in concurrence.

On further motion by same Senator, House Amendment "A" (H-1102) to Committee Amendment "A" (S-657) **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Committee Amendment "A" (S-657) as Amended by Senate Amendment "B" (S-795) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-657) AS AMENDED BY SENATE AMENDMENT "B" (S-795) thereto, in **NON-CONCURRENCE**.

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

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 Reduce the Release of Mercury into the Environment from Consumer Products"

S.P. 734 L.D. 2084
(C "A" S-648)

Tabled - April 27, 2000, by Senator **BENNETT** of Oxford.

Pending - motion by Senator **TREAT** of Kennebec to **RECEDE** and **CONCUR**

(In Senate, April 27, 2000, Bill and accompanying papers **COMMITTED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in **NON-CONCURRENCE**.)

(In House, April 27, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-648) AS AMENDED BY HOUSE AMENDMENT "A" (H-1174)** thereto, in **NON-CONCURRENCE**.)

On motion by Senator **TREAT** of Kennebec, the Senate **RECEDED** and **CONCURRED**.

Sent down for concurrence.

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

Senate at Ease.

Senate called to order by the President.

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

An Act to Support Maine's Only Representative to the Nation's Capital Bicentennial Celebration

S.P. 1042 L.D. 2630
(CC "A" S-701)

Tabled - April 27, 2000 by Senator **MICHAUD** of Penobscot.

Pending - **ENACTMENT**, in concurrence

(In Senate, April 13, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE OF CONFERENCE AMENDMENT "A" (S-701).**)

(In House, April 14, 2000, **PASSED TO BE ENACTED.**)

Senator **HARRIMAN**: Thank you Mr. President. Point of clarification. I was certain this Bill was Ought Not to Pass?

THE PRESIDENT: The Chair would answer in the affirmative. That seems to be the vote from the committee.

Senator **BENNETT** of Oxford moved the Bill and accompanying papers be **INDEFINITELY POSTPONED**.

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

Senator **RUHLIN**: Thank you Mr. President. I know the hour is late, but I would like to tell you this is our opportunity to go forward with final enactment of this Bill. Picture, proudly, our Maine band going down the main street of Washington during its birthday, wearing the Maine tartan, stirring playing the Stein Song during the 200th birthday celebration. Therefore, I ask that you would defeat the motion to indefinitely postpone and go forward to enact this Bill.

The Chair ordered a Division.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#423)

YEAS: Senators: ABROMSON, AMERO, BENNETT, HARRIMAN, LIBBY, MILLS

NAYS: Senators: CATHCART, DAGGETT, DAVIS, DOUGLASS, FERGUSON, KILKELLY, KONTOS, LAFOUNTAIN, MICHAUD, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RAND, RUHLIN, TREAT, THE PRESIDENT - MARK W. LAWRENCE

ABSENT: Senators: BENOIT, CAREY, CASSIDY, GOLDTHWAIT, KIEFFER, LONGLEY, MACKINNON, MITCHELL

EXCUSED: Senators: BERUBE, SMALL

6 Senators having voted in the affirmative and 19 Senators having voted in the negative, with 8 Senators being absent and 2 Senators being excused, the motion by Senator **BENNETT** of Oxford to **INDEFINITELY POSTPONE** the Bill and accompanying papers, **FAILED**.

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

Senator **HARRIMAN**: Thank you very much Mr. President. Mr. President, ladies and gentlemen of the Senate, as we've all heard several times over the last few days, putting our fiscal house in a framework for the next session is a matter of establishing priorities. As I am sure you can appreciate, Mr. President, every single Bill that came down to our committee was given its fair hearing, its fair work session, and in many instances a 2nd, 3rd, and 4th work session.

This is one of those Bills that was given its day in the sunshine, its night in the illuminated time, and it was a unanimous Committee Report Ought Not to Pass. At some point, it seems to me that we ought to acknowledge that we have established the priorities, and unfortunately, this was not one of them. I hope you will join me, Mr. President, in voting "no". Thank you.

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

Senator **RUHLIN**: Thank you Mr. President. It is with regret I rise to mention to members of the Senate that it was, in fact, a divided report. Done after hearing very many reports during that evening. I've always been under the understanding that all committee recommendations are exactly that until they are acted upon by the full chamber. This is, as we've already mentioned, the shout of a worthy cause. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Bennett.

Senator **BENNETT**: Thank you Mr. President. I request permission to pose a question through the Chair.

THE PRESIDENT: The Senator may pose his question.

Senator **BENNETT**: Thank you Mr. President. I understand that Edward Little High School is going to Washington to represent northern New England; Maine, New Hampshire and Vermont at an event in Washington and is currently involved in doing some fund raising. I thought that it was for this same event, the celebration of the nation's capital bicentennial. I was just

wondering if anyone in the Senate could enlighten me as to whether or not that's the case. Thank you.

Senate at Ease.

Senate called to order by the President.

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

Senator **RUHLIN:** Thank you Mr. President. I would be more than glad to respond to the good gentleman from Oxford. The Edward Little High School band, an outstanding band I had the opportunity to learn more about this afternoon. I learned about their coming event to represent the State of Maine at the Fourth of July Independence Day celebration being held in Washington. A very distinct and different celebration from the 200th anniversary of our capital. The capital only has one 200th anniversary every 200 years. As important as the Fourth of July is, we do that annually. I would like to point out to the good gentleman from Oxford that Edward Little High School receives public funds for its director, many of its instruments, and support; whereas Maine's only representative to the 200th anniversary of our capital is strictly a private affair. As I said, I think they will greatly appreciate the support that we give them as they wear the Maine tartan in that parade. I think that answers the gentlemen's question, hopefully. Thank you, sir.

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

Senator **HARRIMAN:** Thank you very much Mr. President. Ladies and gentlemen of the Senate, I do need to rise and acknowledge my error. I have previously stated on the record that this was a unanimous Ought Not to Pass report. I do stand corrected and express my apologies to committee members and the chamber. It was a divided report.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Bennett.

Senator **BENNETT:** Thank you Mr. President. Fellow members of the Senate, I understand the gentleman from Penobscot, Senator Ruhlín's, concern. But it seems to me that where Edward Little High School is apparently representing northern New England at the nations 224th birthday celebration which, obviously, only occurs only every 224 years, I think that it's quite important. We're setting a precedent here. If we're going to fund one such group, we will fund others. If we don't fund others, we're going to have to justify why we didn't. So I just ask the Senate to please give this consideration, Mr. President, before voting.

It's a wonderful thing. If we don't give them money here today, I will send them a personal check to help them on their way. But if I'm going to give at the office, I'll give at the office. I think that that's a dangerous precedent to set here. Thank you, Mr. President.

The Chair ordered a Division. 18 Senators having voted in the affirmative and 7 Senators having voted in the negative, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

ENACTORS

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

Act

An Act to Enhance the Enforcement of Civil and Criminal Violations

H.P. 182 L.D. 260
(S "A" S-741 to C "A" H-1056)

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

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

ENACTORS

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

Act

An Act to Implement the Recommendations of the Task Force to Study the Need for an Ombudsman for the Department of Human Services and the Department of Mental Health, Mental Retardation and Substance Abuse Services Relating to the Department of Mental Health, Mental Retardation and Substance Abuse Services

H.P. 397 L.D. 528
(S "A" S-742 to C "A" H-1080)

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

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

ENACTORS

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

Emergency Resolve

Resolve, to Create a Seamless Treatment Plan for the Juvenile Offender with Substance Abuse Problems

H.P. 466 L.D. 629
(S "A" S-743 to C "A" H-851)

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.

Off Record Remarks

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

ENACTORS

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

Emergency Resolve

Resolve, to Establish the Committee to Develop a Compensation Program for Victims of Abuse at the Governor Baxter School for the Deaf and to Continue Oversight of Multiagency Cooperation

H.P. 1135 L.D. 1620
(S "A" S-770 to C "A" H-979)

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.

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

ENACTORS

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

Emergency Measure

An Act to Provide Services for Children in Need of Supervision
H.P. 1138 L.D. 1623
(S "A" S-768 to C "A" H-1103)

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.

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

ENACTORS

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

Emergency Measure

An Act to Amend the Franchise Law

S.P. 681 L.D. 1931
(S "B" S-787 to C "A" S-554)

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.

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

ENACTORS

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

Emergency Resolve

Resolve, to Establish the Round Table to Study Economic and Labor Issues Relating to the Forest Products Industry

H.P. 1400 L.D. 2005
(S "A" S-771 to C "A" H-865)

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.

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

ENACTORS

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

Emergency Measure

An Act to Protect the Citizens of Maine from the Dangers of Counterfeit Consumer Goods

S.P. 775 L.D. 2174
(S "A" S-781 to C "A" S-612)

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.

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

ENACTORS

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

Emergency Resolve

Resolve, to Establish the Task Force to Reduce the Burden of Home Heating Costs on Low-income Households

H.P. 1677 L.D. 2343
(S "A" S-773 to C "A" H-841)

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.

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

ENACTORS

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

Emergency Resolve

Resolve, to Establish a Commission to Study Kindergarten-to-grade-12 Educator Recruitment and Retention

H.P. 1658 L.D. 2327
(S "A" S-794 to C "A" H-1097)

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.

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

ENACTORS

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

Emergency Measure

An Act to Ensure Adequate Funding of Adult Education

H.P. 1778 L.D. 2492
(S "A" S-756 to C "A" H-848)

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.

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

ENACTORS

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

Emergency Resolve

Resolve, to Establish the Commission to Study Ownership Patterns in Maine

H.P. 1809 L.D. 2535
(S "A" S-775 to C "A" H-932)

This being an Emergency Measure and having received the affirmative vote of 21 Members of the Senate, with 4 Senators having voted in the negative, and 21 being less than two-thirds of the entire elected Membership of the Senate, **FAILED FINAL PASSAGE**, in **NON-CONCURRENCE**.

Senator **PINGREE** of Knox moved the Senate **RECONSIDER** whereby the Resolve **FAILED FINAL PASSAGE**, in **NON-CONCURRENCE**.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **RECONSIDER** whereby the Resolve **FAILED FINAL PASSAGE**, in **NON-CONCURRENCE**.

Emergency Resolve

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

ENACTORS

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

Emergency Resolve

Resolve, to Establish the National Guard Education Assistance Pilot Program

S.P. 1017 L.D. 2585
(S "A" S-791 to C "A" S-583)

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with 1 Senator 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.

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

ENACTORS

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

Emergency Measure

An Act to Improve Educational Programming at Juvenile Correctional Facilities

H.P. 1872 L.D. 2608
(S "A" S-777 to C "A" H-956)

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.

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

ENACTORS

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

Resolve, to Create the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft

H.P. 1901 L.D. 2645
(S "A" S-778)

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.

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

ENACTORS

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

Emergency Resolve

Resolve, to Establish the Commission to Study Domestic Violence

H.P. 1906 L.D. 2651
(S "A" S-779 to C "A" H-1017)

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.

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

ENACTORS

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

Act

An Act to Provide for the Establishment of Alcohol and Drug Treatment Programs in Maine Courts

H.P. 1409 L.D. 2014
(S "A" S-748 to C "A" H-1047)

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

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

ENACTORS

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

Act

An Act to Preserve the State's Farm Economy and Heritage
S.P. 736 L.D. 2086
(S "A" S-788 to C "A" S-574)

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

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

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

ENACTORS

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

Act

An Act to Amend the Maine Seed Capital Tax Credit Program
S.P. 905 L.D. 2357
(S "A" S-789 to C "A" S-539)

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

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

ENACTORS

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

Resolve

Resolve, to Implement the Recommendations Contained in the Report Entitled "Women's Health: An Action Plan for Maine"
S.P. 923 L.D. 2374
(S "A" S-749 to C "A" S-585)

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

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

ENACTORS

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

Act

An Act to Help Support the Medical Ride Volunteer Service
S.P. 933 L.D. 2383
(S "A" S-750 to C "A" S-517)

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

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

ENACTORS

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

Act

An Act to Create Employment Opportunities by Clarifying Maine's Tax Laws Regarding Mutual Fund Companies
H.P. 1694 L.D. 2400
(S "A" S-783 to C "A" H-867)

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

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

ENACTORS

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

Act

An Act to Increase the Number of Domestic Violence Prosecutors
H.P. 1699 L.D. 2405
(S "A" S-751 to C "A" H-876)

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

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

ENACTORS

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

Act

An Act to Establish Criteria for Tax Incentive Programs
H.P. 1754 L.D. 2460
(H "A" H-1055; C "A" H-1021;
S "A" S-766 to C "A" H-1021)

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

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

ENACTORS

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

Act

An Act to Fund the Lakes Heritage Trust Fund
H.P. 1764 L.D. 2470
(S "A" S-755 to C "A" H-972)

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

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

ENACTORS

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

Act

An Act to Support Child Care Education and Services
S.P. 963 L.D. 2505
(S "A" S-782 to C "A" S-580)

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

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

ENACTORS

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

Act

An Act to Improve Standards for Public Assistance to Maine Employers
S.P. 967 L.D. 2516
(S "B" S-784 to C "A" S-637)

At the request of Senator **BENNETT** of Oxford a Division was had. 17 Senators having voted in the affirmative and 5 Senators having voted in the negative, was **PASSED TO BE ENACTED** and having been signed by the President was presented by the Secretary to the Governor for his approval.

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

ENACTORS

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

Resolve

Resolve, to Improve Access to Technical Education and Ensure a Skilled Work Force
S.P. 973 L.D. 2519
(S "A" S-769)

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

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

ENACTORS

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

Act

An Act to Establish a Memorial Dedicated to the Civilian Conservation Corps
H.P. 1797 L.D. 2522
(S "A" S-767 to C "A" H-940)

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

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

ENACTORS

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

Act

An Act to Provide Payment for Overtime Amounts Due and to Reimburse for Costs Incurred in an Action to Recover those Amounts

H.P. 1803 L.D. 2530
(S "A" S-752 to C "A" H-1076)

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

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

ENACTORS

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

Act

An Act to Implement the Recommendations of the Task Force to Study the Need for an Agricultural Vitality Zone Program

S.P. 982 L.D. 2532
(C "A" S-548; S "A" S-761)

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

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

ENACTORS

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

Act

An Act to Implement the Recommendations of the Task Force to Study the Operation of and Support for the Board of Environmental Protection

H.P. 1814 L.D. 2547
(S "A" S-762 to C "A" H-1027)

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

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

ENACTORS

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

Act

An Act to Implement Recommendations Concerning Protection of Indian Archaeological Sites

H.P. 1816 L.D. 2549
(S "A" S-763)

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

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

ENACTORS

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

Act

An Act to Implement the Recommendations of the Committee on Sawmill Biomass

H.P. 1817 L.D. 2551
(S "A" S-785 to C "A" H-899)

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

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

ENACTORS

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

Act

An Act to Implement the Recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry Relating to Review of the Maine Seed Potato Board Under the State Government Evaluation Act

H.P. 1892 L.D. 2633
(S "A" S-764)

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

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

ORDERS

Joint Order

On motion by Senator PINGREE of Knox, the following Joint Order: S.P. 1091

ORDERED, the House concurring, that Bill, "An Act to Establish Fairer Pricing for Prescription Drugs," S.P. 1026, L.D. 2599, and all its accompanying papers, be recalled from the Governor's desk to the Senate.

READ.

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

Senator **HARRIMAN:** Thank you very much Mr. President. Good morning ladies and gentlemen of the Senate. I was wondering if someone might be able to answer what recalling this from the Governor's desk is meant to accomplish?

THE PRESIDENT: The Senator from Cumberland, Senator Harriman, poses a question through the Chair to anyone who may be able to answer. The Chair recognizes the Senator from Knox, Senator Pingree.

Senator **PINGREE:** Thank you Mr. President. Men and women of the Senate, I apologize for not explaining this earlier. I didn't get a chance to push my button. I just want to say that I've had some conversations with the Governor today about some concerns that he has with the Bill in a couple of different areas. Implementation and another in the potential legal issues around the commerce clause. He has asked for a few days to discuss the Bill further and see if there's some compromise language that could work better for everybody on this Bill. I have decided that that's a good suggestion on his part and that it would be worthwhile taking some time to make sure that we have a very good piece of legislation. So I have proposed a Joint Order to recall it from his desk to give us the opportunity to do that.

PASSED.

Sent down for concurrence.

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

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

ENACTORS

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

Emergency Measure

An Act to Improve Elver Fishery Management

S.P. 304 L.D. 906
(S "A" S-745 to C "A" S-543)

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.

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

ENACTORS

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

Emergency Measure

An Act to Establish the Council on Children and Families and to Ensure the Continuation of the Governor's Children's Cabinet

S.P. 1076 L.D. 2679
(S "A" S-780)

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.

The following proceedings were conducted after 12:01 a.m., Friday, April 28, 2000.

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

REPORTS OF COMMITTEES

Senate

Divided Report

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Fund the Construction of Court Facilities in Maine"

S.P. 1034 L.D. 2619

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-757)**.

Signed:

Senators:

MICHAUD of Penobscot
CATHCART of Penobscot

Representatives:

TOWNSEND of Portland
STEVENS of Orono
BERRY of Livermore
MAILHOT of Lewiston
POWERS of Rockport
TESSIER of Fairfield

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

Signed:

Senator:

HARRIMAN of Cumberland

Representatives:

KNEELAND of Easton
WINSOR of Norway
BRUNO of Raymond
NASS of Acton

Reports **READ**.

Senator **MICHAUD** of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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

Senator **HARRIMAN:** Thank you very much Mr. President. Good morning ladies and gentlemen of the Senate. I hope you will join me in opposing the pending motion. This is yet another effort to increase the Government Facilities Authority, this time by an additional \$10 million. As you'll see from the committee report, it requires that the Government Facilities Authority, to proceed on the construction of additional court houses, or renovation to court houses, must still come back to the next session of the legislature to seek approval. It seems to me that we've already put the Government Facilities Authority now to a limit of \$201 million. This would take it to \$211 million. I

respectfully ask that we allow the next legislature to decide the wisdom of putting us deeper into debt. Thank you, Mr. President.

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

THE PRESIDENT: The Chair recognizes the Senator Penobscot, Senator Michaud.

Senator **MICHAUD:** Thank you Mr. President. Men and women of the Senate, I hope that you do support the majority Ought to Pass report. The good Senator from Cumberland, Senator Harriman, is correct. It does raise the limit from \$83 million to \$93 million. But they cannot spend any of that until they come to the next legislature. What this allows is the court system to proceed to make plans for a court facility in Rockland, and I believe in the Bangor area, Penobscot County. They need this so that they can show good faith as far as working with the County Commissioners. They cannot spend one penny until they come back to the next legislature. They need this for their planning purposes. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Penobscot, Senator Michaud to Accept the Majority Ought to Pass as Amended Report. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#424)

YEAS: Senators: CATHCART, DAGGETT, DOUGLASS, KILKELLY, KONTOS, LAFOUNTAIN, MICHAUD, MILLS, MURRAY, O'GARA, PARADIS, PENDLETON, PINGREE, RAND, RUHLIN, TREAT, THE PRESIDENT - MARK W. LAWRENCE

NAYS: Senators: ABROMSON, AMERO, BENNETT, DAVIS, FERGUSON, HARRIMAN, LIBBY, NUTTING

ABSENT: Senators: BENOIT, CAREY, CASSIDY, GOLDTHWAIT, KIEFFER, LONGLEY, MACKINNON, MITCHELL

EXCUSED: Senators: BERUBE, SMALL

17 Senators having voted in the affirmative and 8 Senators having voted in the negative, with 8 Senators being absent and 2 Senators being excused, the motion by Senator **MICHAUD** of Penobscot to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

READ ONCE.

Committee Amendment "A" (S-757) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-757)**.

Sent down for concurrence.

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

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

ENACTORS

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

Act

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

H.P. 928 L.D. 1305
(S "A" S-746 to C "B" H-1005)

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

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

ENACTORS

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

Act

An Act to Regulate Commercial Large Game Shooting Areas
S.P. 457 L.D. 1332
(S "A" S-747 to H "A" H-1134)

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

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

ENACTORS

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

Act

An Act to Implement the Land Use Recommendations of the Task Force on State Office Building Location, Other State Growth-related Capital Investments and Patterns of Development
S.P. 1027 L.D. 2600
(S "A" S-792 to C "A" S-660)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#425)

YEAS: Senators: ABROMSON, AMERO, BENNETT, CATHCART, DAGGETT, DAVIS, DOUGLASS, FERGUSON, KILKELLY, KONTOS, LAFOUNTAIN, MICHAUD, MILLS, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RAND, RUHLIN, TREAT, THE PRESIDENT - MARK W. LAWRENCE

NAYS: Senators: HARRIMAN, LIBBY

ABSENT: Senators: BENOIT, CAREY, CASSIDY, GOLDTHWAIT, KIEFFER, LONGLEY, MACKINNON, MITCHELL

EXCUSED: Senators: BERUBE, SMALL

23 Senators having voted in the affirmative and 2 Senators having voted in the negative, with 8 Senators being absent and 2 Senators being excused, was **PASSED TO BE ENACTED** and having been signed by the President was presented by the Secretary to the Governor for his approval.

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

ENACTORS

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

Act

An Act to Implement the Tax Policy Recommendations of the Task Force Created to Review Smart Growth Patterns of Development

H.P. 1923 L.D. 2669
(S "A" S-753)

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

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

ENACTORS

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

Act

An Act to Provide Equal Treatment for State Employees under Certain Federal Employment Laws

H.P. 1939 L.D. 2682
(S "A" S-765)

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

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

ENACTORS

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

Act

An Act Related to Sales Tax on Vehicles Leased and Removed from the State and Watercraft Used in Interstate Commerce

S.P. 1082 L.D. 2686
(S "A" S-754)

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

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later (4/24/00) Assigned matter:

An Act Regarding Length of Service, Retirement Age and Retirement Benefits for State Police Officers and Certain Other State Employees

S.P. 911 L.D. 2363
(C "A" S-643)

Tabled - April 24, 2000, by Senator **MICHAUD** of Penobscot.

Pending - motion by same Senator to **RECONSIDER ENACTMENT**

(In Senate, April 6, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-643).**)

(In House, April 7, 2000, **PASSED TO BE ENACTED.**)

(In Senate, April 24, 2000, **PASSED TO BE ENACTED**, in concurrence. Subsequently, Senator **MICHAUD** of Penobscot, moved to **RECONSIDER.**)

On motion by Senator **MICHAUD** of Penobscot, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENACTED**, in concurrence.

Senator **DOUGLASS** of Androscoggin moved the **RULES BE SUSPENDED.**

At the request of Senator **HARRIMAN** of Cumberland a Division was had. 18 Senators having voted in the affirmative and 5 Senators having voted in the negative, and 18 being more than two-thirds of the Members present and voting, the motion by Senator **DOUGLASS** of Androscoggin to **SUSPEND THE RULES, PREVAILED.**

On motion by Senator **DOUGLASS** of Androscoggin, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-643).**

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-643).

On further motion by same Senator, Senate Amendment "A" (S-739) to Committee Amendment "A" (S-643) **READ.**

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

Senator **DOUGLASS:** Mr. President. Men and women of the Senate, this is a Bill that was sent down to the Appropriations Table. It concerns a number of groups that sought retirement benefits and the committee decided to put them together. The major funding issue was the State Police, who had asked for retroactive benefits. That was put into the budget. Now this Bill comes back with 3 groups, mental health workers, DEP workers, and Capital Security, who are all in jobs parallel to those groups who are in law enforcement that are already in the '98 plan. This Bill puts those folks into the '98 special plan which gives them the possibility of retiring at age 55 without penalty if they've served 25 years. I urge you to pass this amendment on.

Senator **LIBBY** of York inquired as to whether Senate Amendment "A" (S-739) to Committee Amendment "A" (S-643) was **GERMANE.**

TABLED until Later in Today's Session, pending the **RULING OF THE CHAIR.**

The Chair laid before the Senate the following matter Tabled pending a Ruling of the Chair:

An Act Regarding Length of Service, Retirement Age and Retirement Benefits for State Police Officers and Certain Other State Employees

S.P. 911 L.D. 2363
(C "A" S-643)

Tabled - April 27, 2000, by Senator **RAND** of Cumberland.

Pending - **RULING OF THE CHAIR**

(In Senate, April 6, 2000, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-643).**)

(In House, April 7, 2000, **PASSED TO BE ENACTED.**)

(In Senate, April 24, 2000, **PASSED TO BE ENACTED**, in concurrence. Subsequently, Senator **MICHAUD** of Penobscot, moved to **RECONSIDER.**)

(In Senate, April 27, 2000, on motion by Senator **MICHAUD** of Penobscot, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENACTED**, in concurrence. **RULES SUSPENDED.** On motion by Senator **DOUGLASS** of Androscoggin, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-643).** **RULES SUSPENDED.** On motion by Senator **DOUGLASS** of Androscoggin, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-643). On further motion by same Senator, Senate Amendment "A" (S-739) to Committee Amendment "A" (S-643) **READ.** Senator **LIBBY** of York inquired as to whether Senate Amendment "A" (S-739) to Committee Amendment "A" (S-643) was **GERMANE.**)

THE CHAIR RULED SENATE AMENDMENT "A" (S-739) TO COMMITTEE AMENDMENT "A" (S-643) GERMANE.

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

Senator **LIBBY:** Thank you Mr. President. Mr. President, the reason I asked that question is a little bit confused because the original Bill was entitled "An Act Regarding the Length of Service for Retirement Benefits for State Police Officers." Now it seems to have broadened its scope to mental health workers and others. I think it's too bad, you know in the eleventh hour, to muddy up a Bill that many of us support. To expand it to this extent makes very little sense to me. I find it very disappointing. Maybe I can listen to the debate and understand a little bit why we're doing this.

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

Senator **DOUGLASS:** This Bill was passed with the 3 groups on it and was sent down to appropriations. When I was told that the

State Police had been included, I assumed that all the other groups had been as well. When I learned on Monday that the Bill had come back to the floor of the Senate, I assumed it was for the purpose of not being passed because everyone was taken care of. That was not the case. What the amendment does is to strip out the State Police from the Bill because they are now in the budget and in order not to double budget for their prospective and retroactive benefits, this amendment is needed to enact the other aims of the original Bill. Those aims being from the committee. It was an 11 to 2 vote in the committee that the matter ought to pass. I think it's important to note for the body, the fiscal note on this matter at this point is \$6,185. That is for a reserve account. I question whether it's really ongoing money. It's important to note that the groups the Bill includes, that are not State Police, are as of August 6 of 2000, and all benefits are only included prospectively from that date. There's no retroactivity whatsoever and there were no real costs to the state to this Bill.

Senate at Ease.

Senate called to order by the President.

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

Senator **LIBBY:** Thank you Mr. President. Mr. President, it's been brought to my attention that I may have supported this in the past. If so, I'm sorry that I mistakenly did so. The amendment, as it is written, amends the amendment by striking out everything after the substitute title and goes on to talk about these 3 groups that don't include the State Police. That is, I think, rather curious when you compare the original title of this and then see what the final product is. I'm really having a hard time understanding the ruling from the Chair, frankly, that this is germane. I guess it has played a role in the past, so there is a history here. I guess I can understand that. But I certainly don't understand this action at this late date. Thank you, Mr. President.

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

Senator **NUTTING:** Thank you Mr. President. Very briefly. I'm standing in support of this amendment. As a sponsor of the Bill that tried to include, and part of the Bill was wrapped in the original committee report, the Department of Environmental Protection Emergency Spill Response Team of 20. They put on the suits and go out to a site. They don't know what it is and a couple of them died of cancer in the last year. These people are in harm's way. I felt very strongly that they needed the same benefits that State Police do because they have very, very risky jobs. I do think there's a very, very tiny fiscal note to this. I'm standing in support of it. Thank you very much.

THE PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Mills.

Senator **MILLS:** Mr. President, there's been some representation that the fiscal note is either tiny or non-existent. That's

impossible. The inclusion of these people in the special plan adds greatly to the ongoing contributions that must be made to their pension system. If I'm reading the fiscal note correctly, I think it's on the order of \$56,000 per year. That seems small to me, given the number of people who would be added to this plan. This special plan was invented in the fall of 1997 by the Labor Committee in order to respond to the requests of law enforcement officials, namely the Warden Service, Maine State Police, and those who are in charge of prisoners at the state prisons. It was designed to afford an opportunity for those folks to retire at age 55 as a normal retirement age because of the likelihood that they have to physically encounter other human beings in postures of antagonism. They had to rely on their own strength and physical capacity often times to protect themselves for their own safety. We heard testimony from those who worked for the Department of Environmental Protection. I saw their demonstrations of what they have to do. It was nothing to compare with what is required of the Maine Warden Service, or the Marine Wardens, or even the Maine State Police on occasion. I've listened to all of these cases from all of these bargaining groups. I will tell you that, in my experience in watching this parade of people who have come through the Labor Committee, probably the Warden Service made the most compelling case for demonstrating that physical capacity, cardiovascular capacity, muscular capacity, and being in darn good shape was an important part of the job. I did not see that demonstrated by the groups that came to us who are included in this Bill. To include these groups in this special plan will erode the entire purpose of the 1998 special plan. It will begin expanding that plan well outside of law enforcement into other groups. It will be an open invitation for every little bargaining group in state service to come forward and say, "Oh, I have stress in my employment. I go to work and I encounter difficulties. I must have the opportunity to retire at age 55." One can easily make that case, I suggest to you, for every schoolteacher in this state. Why should schoolteachers at age 58 be put into a classroom with a bunch of 3rd graders and made to contend with them? That's a very compelling case. Yet, we have decided that we can't afford a retirement plan to let those folks retire early. This special plan had a narrow purpose to accommodate those few people in law enforcement who had daily rigorous physical challenges to meet. To adopt this Bill, to start eroding that plan, and to let everybody who knocks on the door gain entrance would violate the policy that the Labor Committee established in 1998. For that reason I urge that we vote against this amendment and against passage of the Bill.

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

Senator **DOUGLASS:** Mr. President. Men and women of the Senate, I rise to clarify what the fiscal note is on this Bill. It is a sum of \$6,185 to our General Fund and that's my understanding of what fiscal notes are about. What is the cost to our fiscal system. It is true that the note goes on to indicate that from other funds there are costs of up to \$50,000 from other accounts. As I understand it, the DEP workers in question, and perhaps some of the people who work at the Augusta Mental Health Institute, are funded with federal monies. So some of that contribution comes out of the federal funds that support their positions.

It's important to remember that the people who work at AMHI care for those who are judged to be not guilty by reason of insanity. Those people are subjected to the same kinds of stress

and physical work in making sure that individuals get back to their locations, if they're not cells, as do those in corrections. The '98 special plan applied to corrections and that is what these people do at AMHI, the first group. The second group similarly is in a particularly physical job as is the third, the people who guard us here. You might notice outside in the halls that we have some State Police who guard the Governor. They're the ones who look a little bit like Secret Service because they've got the earphones. The ones in the uniforms who guard us are currently, or will if you don't pass this law, treated differently from those who guard the Governor. I think it just makes good sense to treat those groups equally. That's what this Committee Amendment and this Bill did at the outset. That's what it should do when we leave these rooms. Thank you.

The Chair ordered a Division. 14 Senators having voted in the affirmative and 7 Senators having voted in the negative, the motion by Senator **DOUGLASS** of Androscooggin to **ADOPT** Senate Amendment "A" (S-739) to Committee Amendment "A" (S-643), **PREVAILED**.

Committee Amendment "A" (S-643) as Amended by Senate Amendment "A" (S-739) thereto, **ADOPTED**, IN **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-643) AS AMENDED BY SENATE AMENDMENT "A" (S-739) thereto, in **NON-CONCURRENCE**.

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

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

ENACTORS

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

Act

An Act to Implement a Maine Meat and Poultry Inspection Program

S.P. 1083 L.D. 2687
(H "A" H-1119; S "A" S-793)

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

Off Record Remarks

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

ENACTORS

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

Act

An Act to Reduce the Release of Mercury into the Environment from Consumer Products

S.P. 734 L.D. 2084
(H "A" H-1174 to C "A" S-648)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#426)

YEAS: Senators: ABROMSON, AMERO, BENNETT, CATHCART, DAGGETT, DAVIS, DOUGLASS, FERGUSON, HARRIMAN, KILKELLY, KONTOS, LAFOUNTAIN, LIBBY, MICHAUD, MILLS, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RAND, RUHLIN, TREAT, THE PRESIDENT - MARK W. LAWRENCE

NAYS: Senators: None

ABSENT: Senators: BENOIT, CAREY, CASSIDY, GOLDTHWAIT, KIEFFER, LONGLEY, MACKINNON, MITCHELL

EXCUSED: Senators: BERUBE, SMALL

25 Senators having voted in the affirmative and no Senator having voted in the negative, with 8 Senators being absent and 2 Senators being excused, was **PASSED TO BE ENACTED** and having been signed by the President was presented by the Secretary to the Governor for his approval.

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

ORDERS

Joint Order

On motion by Senator PINGREE of Knox, the following Joint Order: S.P. 1092

ORDERED, the House concurring, that when the House and Senate adjourn they do so until the call of the President of the Senate and the Speaker of the House, respectively, when there is a need to conduct business.

READ and PASSED.

Sent down for concurrence.

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

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

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

ENACTORS

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

Act

An Act to Require Completion of an Ambulance Operator Course
H.P. 471 L.D. 678
(H "A" H-1173 to C "A" H-888)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#427)

YEAS: Senators: CATHCART, DAGGETT, DOUGLASS, KILKELLY, KONTOS, LAFOUNTAIN, MICHAUD, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RAND, RUHLIN, TREAT, THE PRESIDENT - MARK W. LAWRENCE

NAYS: Senators: ABROMSON, AMERO, BENNETT, DAVIS, FERGUSON, HARRIMAN, LIBBY, MILLS

ABSENT: Senators: BENOIT, CAREY, CASSIDY, GOLDTHWAIT, KIEFFER, LONGLEY, MACKINNON, MITCHELL

EXCUSED: Senators: BERUBE, SMALL

17 Senators having voted in the affirmative and 8 Senators having voted in the negative, with 8 Senators being absent and 2

Senators being excused, was **PASSED TO BE ENACTED** and having been signed by the President was presented by the Secretary to the Governor for his approval.

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

ENACTORS

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

Act

An Act Regarding the Solid Waste Hauling and Disposal Industry
H.P. 1736 L.D. 2442
(H "B" H-1177 to C "A" H-1086)

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

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

Senator **LIBBY:** Thank you Mr. President. Just to remind the body, this is the Bill that singles out one industry and requires that that industry contact the Attorney General in advance if there happens to be any takeover activity or potential for a takeover. Thank you.

Senate at Ease.

Senate called to order by the President.

Senator **LIBBY** of York requested and received leave of the Senate to withdraw his motion for a Roll Call.

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

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

ENACTORS

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

Resolve

Resolve, to Require the State Sealer to Conduct Spot Checks at Timber Mills

H.P. 1751 L.D. 2457
(H "A" H-1175 to C "A" H-835)

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

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

RECALLED FROM GOVERNOR'S DESK

Bill "An Act to Establish Fairer Pricing for Prescription Drugs"
S.P. 1026 L.D. 2599
(C "A" S-686)

(In Senate, April 26, 2000, **PASSED TO BE ENACTED**, in concurrence.)

(**RECALLED** from the Governor's Desk, pursuant to Joint Order S.P. 1091, in concurrence.)

Senator **PINGREE** of Knox moved the **RULES BE SUSPENDED**.

Senator **LIBBY** of York **OBJECTED**.

The Chair ordered a Division. 19 Senators having voted in the affirmative and 6 Senators having voted in the negative, and 19 being more than two-thirds of the Members present and voting, the motion by Senator **PINGREE** of Knox to **SUSPEND THE RULES, PREVAILED**.

Senator **PINGREE** of Knox moved the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENACTED**, in concurrence.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **RECONSIDER** whereby the Bill was **PASSED TO BE ENACTED**, in concurrence.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act to Appropriate Funding for the Maine School of Science and Mathematics for Fiscal Year 1999-00"
H.P. 1687 L.D. 2393
(C "A" H-842)

In Senate, April 26, 2000, Bill and accompanying papers **INDEFINITELY POSTPONED**, in concurrence.

RECALLED from Legislative Files, pursuant to Joint Order, H.P. 1956, in concurrence.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-1180)**, in **NON-CONCURRENCE**.

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

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

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

ENACTORS

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

Emergency Resolve

Resolve, to Create a Commission to Study and Establish Moral Policies on Investments and Purchasing by the State
H.P. 1755 L.D. 2461
(S "D" S-790 to C "A" H-870)

Comes from the House, **FAILED FINAL PASSAGE**.

On motion by Senator **PINGREE** of Knox, **TABLED** until Later in Today's Session, pending **FINAL PASSAGE**, in **NON-CONCURRENCE**.

Act

An Act to Establish the Dam Repair and Reconstruction Fund and Reconstruct 2 Small Dams in Whiting
H.P. 1768 L.D. 2481
(S "A" S-760 to C "A" H-1137)

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

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

On motion by Senator **PINGREE** of Knox, **ADJOURNED**,
pursuant to the Joint Order, until the call of the President of the
Senate.