

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Nineteenth Legislature
State of Maine

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May 6, 1999 to June 18, 1999

Pages 747 - 1547

Tabled - May 26, 1999, by Senator **GOLDTHWAIT** of Hancock.

Pending - motion by same Senator to **RECONSIDER** whereby the Senate **RECEDED** and **CONCURRED**

(In Senate, May 19, 1999, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-479)**, in **NON-CONCURRENCE**.)

(In House, May 25, 1999, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-479) AS AMENDED BY HOUSE AMENDMENT "A" (H-668)** thereto, in **NON-CONCURRENCE**.)

(In Senate, May 25, 1999, on motion by Senator **LONGLEY** of Waldo, **RECEDED** and **CONCURRED**.)

Senator **GOLDTHWAIT** of Hancock requested and received leave of the Senate to withdraw her motion to **RECONSIDER** whereby the Senate **RECEDED** and **CONCURRED**.

Senator **KONTOS** of Cumberland moved the Senate **RECONSIDER** whereby it **RECEDED** and **CONCURRED**.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending motion by same Senator to **RECONSIDER** whereby the Senate **RECEDED** and **CONCURRED**.

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

HOUSE REPORT - from the Committee on **JUDICIARY** on Bill "An Act to Amend the Maine Tort Claims Act"
H.P. 825 L.D. 1148

Report - **Ought to Pass As Amended by Committee Amendment "A" (H-691)**

Tabled - May 26, 1999, by Senator **RAND** of Cumberland.

Pending - **ADOPTION OF COMMITTEE AMENDMENT "A" (H-691)**, in concurrence

(In House, May 26, 1999, Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-691)**.)

(In Senate, May 26, 1999, Report **READ** and **ACCEPTED**, in concurrence. **READ ONCE**. Committee Amendment "A" (H-691) **READ**.)

Senator **LONGLEY** of Waldo requested a Division.

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

Senator **LONGLEY:** Thank you Mr. President. Colleagues in the Senate, we would just like to give you a heads up on this Bill so you know what your voting for. It came out of our Judiciary Committee unanimous Ought To Pass, and what it does is, it says that municipalities will be exempt from liability related to the Y2K issue. We went back and forth on it. It's a unanimous Ought To Pass to make municipalities exempt from Y2K and some of us are having second thoughts. For that reason I will be voting Against the motion because I am of the thinking that what is good for the goose is good for the gander. If we could figure out a way to exempt liability issues across the board fine. But seeing private sector businesses having to do what they need to do to be Y2K ready I just think that everybody should have the same obligation. And for that reason I will be voting Against this motion. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Benoit.

Senator **BENOIT:** Thank you Mr. President. May it please the Senate, I'll be brief and I do appreciate the comment that the good Senator from Waldo made, Senator Longley, as to the Report of the Committee and her concerns are legitimate. I would just read the purpose of the Bill. The purpose is to clarify that governmental entities under the Maine Court Claims Act are immune from liability for claims rising out of failures or malfunctions relating to the year 2000 compliance problem. I have from the Committee analyst the Report of the Public Hearing, there were several proponents, no one appeared in opposition, and it appears to be in regular form and deserving of Passage. Thank you. Sir.

At the request of Senator **LONGLEY** of Waldo a Division was had. 15 Senators having voted in the affirmative and 15 Senators having voted in the negative, Committee Amendment "A" (H-691) **FAILED ADOPTION**, in **NON-CONCURRENCE**.

Senator **LONGLEY** of Waldo moved the Bill and accompanying papers be **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Senator **BENNETT** of Oxford requested a Division.

On motion by Senator **LAFOUNTAIN** of York, **TABLED** until Later in Today's Session, pending motion by Senator **LONGLEY** of Waldo to **INDEFINITELY POSTPONE** the Bill and accompanying papers, in **NON-CONCURRENCE**. (Division Requested)

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

REPORTS OF COMMITTEES

House

Divided Report