

Whereas, the Omnibus Budget Reconciliation Act of 1993 included a provision, §13612 (a) (C), that discourages additional states from implementing such partnerships; and

Whereas, this provision requires states to make recovery from the estates of persons who had enjoyed enhanced Medicaid asset protection, thereby making the asset protection provided by the public/private partnerships only temporary; and

Whereas, the General Assembly, pursuant to Senate Joint Resolution No. 365 (1997), urged Congress to repeal §13612 (a) (C) of the Omnibus Budget Reconciliation Act of 1993; and

Whereas, the Governor has requested that Congress remove §13612 (a) (C) and allow additional states to establish asset protection programs for individuals who purchase qualified long-term care insurance policies without requiring that states recover such assets upon a beneficiary's death; and

Whereas, the removal of §13612 (a) (C) would make such partnerships much more attractive to potential participants, especially if they are motivated by a desire to pass some of their assets on to their children; and

Whereas, having long-term care insurance reduces the possibility that individuals will spend down to Medicaid eligibility levels; and

Whereas, long-term care insurance, by reducing the Medicaid expenditures for policyholders, helps states control Medicaid costs; and

Whereas, Congress has not yet acted to repeal §13612 (a) (C) of the Omnibus Budget Reconciliation Act of 1993; now, therefore, be it

*Resolved* by the Senate the House of Delegates concurring, That the Congress of the United States be urged to establish a limited pilot program which exempts the Commonwealth of Virginia from the provisions of §13612 (a) (C) of the Omnibus Budget Reconciliation Act of 1993 requiring states to make recovery from the estates of persons who had enjoyed enhanced Medicaid asset protection; and, be it

*Resolved Further*, That the Clerk of the Senate transmit a copy of this resolution to the President of the United States Senate, the Speaker of the House of Representatives, and the Congressional Delegation of Virginia in order that they may be apprised of the sense of the General Assembly of Virginia in this matter.

POM-123. A joint resolution adopted by the Legislature of the State of Maine relative to the interstate truck weight limits; to the Committee on Commerce, Science, and Transportation.

#### JOINT RESOLUTION

We, your Memorialists, the Members of the One Hundred and Nineteenth Legislature of the State of Maine, now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the United States Congress, as follows:

Whereas, the issue of interstate truck weight limits is of great concern for a number of reasons; and

Whereas, economic development interests in northern and central Maine are increasingly frustrated at their loss of transportation productivity due to the disparity in weight limits between the state highways and the Interstate Highway System; and

Whereas, this disparity has resulted in the diversion of heavy through trucks from the Interstate Highway System to more congested State highways, raising safety concerns in the Legislature and in municipal groups. A fatal crash on Route 9 in Dixmont

and a fuel truck crash in Augusta have further raised concern; and

Whereas, an increase in the interstate gross vehicle weight limit for 6-axle combination vehicles, from 80,000 pounds to between 90,000 and 95,000 pounds, is supported by an engineering review that was recently conducted by the Maine Department of Transportation; and

Whereas, a recommendation to increase interstate weight limits is also supported by the Maine State Police, the Maine Department of Economic and Community Development, the Maine Turnpike Authority, the Maine Better Transportation Association, the Maine Chamber and Business Alliance and the Maine Motor Transportation Association, now, therefore, be it

*Resolved*, That We, your Memorialists, request that the President of the United States and the United States Congress amend federal law to increase the interstate gross vehicle weight limits for 6-axle combination vehicles to between 90,000 and 95,000 pounds and maintain the current freeze on longer combination vehicles; and be it further

*Resolved*, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable William J. Clinton, President of the United States; the President of the United States Senate; the Speaker of the House of Representatives of the United States and each member of the Maine Congressional Delegation.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 303. A bill to amend the Communications Act of 1934 to enhance the ability of direct broadcast satellite and other multi-channel video providers to compete effectively with cable television systems, and for other purposes (Rept. No. 106-51).

#### EXECUTIVE REPORTS OF A COMMITTEE

The following executive reports of a committee were submitted:

By Mr. THOMPSON, for the Committee on Governmental Affairs:

John T. Spotila, of New Jersey, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

Lorraine Pratte Lewis, of the District of Columbia, to be Inspector General, Department of Education.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Hiram E. Puig-Lugo, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Stephen H. Glickman, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

Eric T. Washington, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

(The above nominations were reported with the recommendation that they be confirmed.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mrs. HUTCHISON (for herself, Mr. DURBIN, Mr. HELMS, and Mrs. FEINSTEIN):

S. 1086. A bill to amend the Internal Revenue Code of 1986 to waive the income inclusion on a distribution from an individual retirement account to the extent that the distribution is contributed for charitable purposes; to the Committee on Finance.

By Mr. HUTCHINSON:

S. 1087. A bill to amend title 38, United States Code, to add bronchioloalveolar carcinoma to the list of diseases presumed to be service-connected for certain radiation-exposed veterans; to the Committee on Veterans Affairs.

By Mr. KYL:

S. 1088. A bill to authorize the Secretary of Agriculture to convey certain administrative sites in national forests in the State of Arizona, to convey certain land to the City of Sedona, Arizona for a wastewater treatment facility, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. SNOWE (for herself, Mr. MCCAIN, Mr. HOLLINGS, Mr. KERRY, Mr. BREAUX, and Mr. INOUE):

S. 1089. A bill to authorize appropriations for fiscal years 2000 and 2001 for the United States Coast Guard, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CHAFEE (for himself, Mr. SMITH of New Hampshire, and Mr. LOTT):

S. 1090. A bill to reauthorize and amend the Comprehensive Environmental Response, Liability, and Compensation Act of 1980; to the Committee on Environment and Public Works.

By Mr. DEWINE (for himself, Mr. KENNEDY, and Mr. BOND):

S. 1091. A bill to amend the Public Health Service Act to provide for the establishment of a pediatric research initiative; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRAPO:

S. 1092. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to regulation of pharmacists, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BINGAMAN:

S. 1093. A bill to establish the Galisteo Basin Archaeological Protection Sites, to provide for the protection of archaeological sites in the Galisteo Basin of New Mexico, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DURBIN:

S. 1094. A bill to require a school to forward certain information regarding transferring students; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CONRAD (for himself and Mr. HATCH):

S. 1095. A bill to amend section 29 of the Internal Revenue Code of 1986 to extend the placed in service date for biomass and coal facilities; to the Committee on Finance.

By Mr. HUTCHINSON (for himself and Mrs. LINCOLN):

S. 1096. A bill to preserve and protect archaeological sites and historical resources of