

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD
OF THE
One Hundred And Seventeenth Legislature
OF THE
State Of Maine

VOLUME I

FIRST REGULAR SESSION

House of Representatives
December 7, 1994 to May 23, 1995

ONE HUNDRED AND SEVENTEENTH MAINE LEGISLATURE
FIRST REGULAR SESSION
3rd Legislative Day
Wednesday, January 4, 1995

The House met according to adjournment and was called to order by the Speaker.

Prayer by Reverend Ron Patnaude, Jr., Norridgewock Federated Church.

Pledge of Allegiance.

The Journal of Thursday, December 8, 1994 was read and approved.

COMMUNICATIONS

The following Communication: (H.P. 9)
SUBCOMMITTEE OF THE
JOINT STANDING COMMITTEE
ON TAXATION TO REVIEW CHANGES
IN TREE GROWTH AND OPEN SPACE LAWS
November 29, 1994

Honorable Dan Gwadosky, Chair
Legislative Council
116th Maine State Legislature
Augusta, Maine 04333

Dear Speaker Gwadosky,

The Subcommittee of the Joint Standing Committee on Taxation to Review Changes in Tree Growth and Open Space Laws is pleased to provide the Legislative Council with the attached report of our study of the Tree Growth Tax Law pursuant to PL 1993, c. 576. We hope that the recommendations in this report will improve certain provisions of the Tree Growth Tax Law.

Sincerely,
S/Annette M. Hoglund
Chair

Was read and with accompanying report ordered placed on file and sent up for concurrence.

The following Communication: (H.C. 15)
HEALTHY START TASK FORCE
December 12, 1994

The Honorable Dan A. Gwadosky
The Honorable Jeffrey H. Butland
Maine Legislature
State House
Augusta, ME 04333

Dear Speaker Gwadosky and President Butland:

The Healthy Start Task Force is pleased to submit its report to the Legislature pursuant to Resolves, 1993, Chapters 25 & 54.

Sincerely,
S/Pamela Correll, R.N.
Chair
396 Griffen Rd.
Bangor, ME 04401

Was read and with accompanying report ordered placed on file.

The following Communication: (H.C. 16)
MAINE HEALTH CARE REFORM COMMISSION
9 Green Street
Augusta, Maine 04333
December 22, 1994

The Honorable Dan Gwadosky

Speaker of the House
Maine Legislature
State House Station 2
Augusta, Maine 04333

Dear Mister Speaker:

I am pleased to submit the first interim report of the Maine Health Care Reform Commission. There are great challenges in our effort to develop the health system reform options for Maine, but we are making progress toward the objectives outlined in the legislative mandate which established the Commission.

An important part of this report is the "Principle for Health Care Reform." These principles constitute the basis on which our specific recommendations for reform will be built. In developing these principles, we drew heavily on the work of our "Phase One" advisory committees. We are heartened by the enthusiasm and dedication to the task that has been shown by the great number of people who have joined us in this effort. The energy and insight of our many advisory committee members and those members of the public who have actively participated in our meetings and hearings have been a significant help to us. It is only with such broad based involvement that Maine will be able to successfully address the difficult job of reforming our health care system.

Over the next year we will be working toward completion of the legislatively mandated tasks. We will have at least three plans available for public review and comment in June. Refinements to those proposals will be made in the early fall, in response to comments received in public hearings that will be held over the course of the summer. Final proposals will be submitted in November, 1995.

Please do not hesitate to call me, Peter Hayes, Neil Rolde or our staff person, Ellen Schneider, with any questions or concerns.

Sincerely,
S/Robert B. Keller, M.D.
Chairman

Was read and with accompanying report ordered placed on file pursuant to PL 1993, Ch. 707, Part AA, Sec. AA-10, sub-sec. 2.

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, December 8, 1994, have preference in the Orders of the Day and continue with such preference until disposed of as provided by Rule 24.

Resolve, Directing the Department of Environmental Protection to Extend the Deadline for Licensure of the Transfer Station on Long Island (EMERGENCY) (H.P. 4) (L.D. 1) (Committee on **Energy & Natural Resources** suggested)

TABLED - December 8, 1994 (Till Later Today) by Representative JACQUES of Waterville.

PENDING - Reference.

On motion of Representative JACQUES of Waterville, the Resolve was tabled unassigned pending reference.

JOINT ORDER - Relative to the Joint Rules of the 117th Legislature. (H.P. 6)

- In House, Read on December 7, 1994.

TABLED - December 8, 1994 (Till Later Today) by Representative JACQUES of Waterville.

PENDING - Passage.

On motion of Representative JACQUES of Waterville, the Joint Order (H.P. 6) was tabled pending passage and later today assigned.

The following item was taken up out of order by unanimous consent:

SENATE PAPERS

The following Joint Order: (S.P. 10)

ORDERED, the House concurring, that the Joint Rules of the 117th Legislature are as follows:

JOINT RULES - 117TH LEGISLATURE

GENERAL PROVISIONS

1. Printing. Whenever a document shall be printed under the Joint Rules governing the procedure following a favorable committee report, a sufficient number of copies shall be delivered to the Sergeant-at-Arms of each House for the members and officers thereof and the balance shall be delivered to the Document Clerk, who shall reserve sufficient copies for the departments and binding, twenty copies for the committee having the same under consideration, and shall be responsible for the equitable distribution of the remainder.

2. Consideration of Legislation. Every bill or resolve reported in either House by a committee shall be printed and distributed in both Houses before having its first reading. Bills not already printed and new drafts shall be printed immediately after the reports are deposited in the office of the Secretary of the Senate or the Clerk of the House. The printed copies shall show by what committee the bill or resolve was reported.

When a bill, resolve, order or memorial shall pass one House, if rejected in the other House, it shall be returned by the Secretary or Clerk, as the case may be, for further consideration.

3. Debate and Amendment. No debate or amendment shall be permitted on any bill or resolve until such bill or resolve is before the Senate in the second reading or before the House in the second reading, provided the favorable report of the committee to which the bill or resolve has been referred has been accepted.

4. Rejection of Bills. No bill or resolve, constitutional resolution, resolution, memorial or order that is finally rejected shall be recalled from the legislative files except by joint order approved by a vote of two-thirds of both Houses.

4-A. Engrossing of Bills. Notwithstanding Senate Rule 23 and House Rule 48, the President of the Senate or the Speaker of the House may order any bill or resolve to be engrossed upon its introduction to either the Senate or the House. Any bill or resolve engrossed pursuant to this rule shall be committed to the Committee on Engrossed Bills whose duties shall be to examine the same and to see that the same have been truly engrossed. Before any bill shall pass to be enacted, or any resolve finally passed, it shall be reported by that committee to be truly and strictly engrossed, and the title thereof read by the President or the Speaker.

5. Enactment of Bills. Every bill that shall have passed both Houses to be enacted and all resolutions having the force of law, that shall have finally passed both Houses, shall be presented by the Secretary of the Senate to the Governor for approval; and the Secretary of the Senate shall enter on the

journal of the Senate the day on which such bills or resolutions are so presented to the Governor.

6. Responsibility for Legislative Papers. All endorsements on papers while on their passage between the two Houses shall be under the signature of the Secretary of the Senate or the Clerk of the House, respectively; but after the final passage of bills and resolves they shall be signed by the presiding officer of each House.

Where one House has passed upon a legislative paper and forwarded it to the other, the receiving House shall promptly, upon receipt, place that paper on its calendar.

7. Conventions. No business may be transacted in convention of the two Houses unless by unanimous consent of the convention in the convention, except for such business as may be agreed upon by the two Houses before the convention is formed.

8. Communications. Whenever a message shall be sent from the Senate to the House, the Chair shall appoint a messenger, who after being recognized, shall announce the message respectfully to the Chair.

In a like manner, messages from the House shall be communicated to the Presiding Officer of the Senate.

9. Rules. Except as otherwise provided in Joint Rules 13-B and 14, no joint rule or order shall be suspended or amended without the consent of two thirds of the members present in each House.

10. Conflict of Interest. No member shall be permitted to vote on any question in either branch of the Legislature or in committee whose private right, as distinct from the public interest, is immediately involved.

11. Employees. The salaries of all officers and employees of the Senate and House of Representatives shall be established by the President of the Senate, the Speaker of the House and the Majority Floor Leaders of both the House and Senate. The Secretary of the Senate is authorized and directed to certify vouchers of the officers and employees of the Senate and the Clerk of the House is authorized and directed to certify vouchers of the officers and employees of the House in conformance with this Rule to the Executive Director of the Legislative Council.

Upon request from any member of the Legislature, the Executive Director of the Legislative Council shall provide salary range information for any position in the Legislature, including, but not limited to, employees of the President of the Senate, the Speaker of the House, the Secretary of the Senate, the Clerk of the House, the partisan offices, the nonpartisan offices, the chamber staff, the leadership staff and the committee clerks.

12. Transaction of Legislative Business after 9:00 p.m. No business shall be transacted in either House after the hour of 9:00 p.m. without the affirmative vote of 2/3 of the members present and voting.

12-A. Duration of Roll Calls; Calls for Yeas and Nays. A roll call in the Senate, or a call for yeas and nays in the House must close no more than 30 minutes after such call was commenced.

12-B. Questions Posed to Chair. When a question is posed to the Chair by a member in the Senate or the House, the presiding officer must respond to the question within 7 legislative days. Pending the presiding officer's response to the question, the item about which the question was posed must be tabled.

12-C. Records of Certain Legislator Expenses.

Upon request of any member of the Legislative Council in the majority party, the presiding officers shall provide to the requestor records of total monthly or annual aggregate expenditures for telephone and postage solely for members in the majority party and, upon request of any member of the Legislative Council in the minority party, shall provide the same information to the requestor solely for members in the minority party.

LEGISLATIVE COMMITTEES

13. Legislative Committees. Committees play an essential role in the legislative process. The purposes of committee rules are outlined in the Committee Handbook. The rules of procedure in committee are the same as the rules of the Senate and House to the extent these are applicable.

The following rules govern the activity of all committees in the Legislature.

There shall be no more than 17 Joint Standing Committees which shall be appointed as follows at the commencement of the first regular session, viz:

- On Agriculture, Conservation and Forestry
- On Appropriations and Financial Affairs
- On Banking and Insurance
- On Business and Economic Development
- On Criminal Justice
- On Education and Cultural Affairs
- On Human Resources
- On Inland Fisheries and Wildlife
- On Judiciary
- On Labor
- On Legal and Veterans Affairs
- On Marine Resources
- On Natural Resources
- On State and Local Government
- On Taxation
- On Transportation
- On Utilities and Energy

Membership. Each of these committees shall consist of no more than 3 on the part of the Senate and no more than 10 on the part of the House. The first named Senate member shall be the Senate chair. The first named House member shall be the House chair. The Senate chair shall preside and in the Senate chair's absence, the House chair shall preside and, thereafter, as the need may arise, the chair shall alternate between the members from each House in the order of their appointment to the committee. Every member of the House of Representatives and the Senate is entitled to at least one initial committee assignment.

Committee Clerks. The hiring of all committee clerks must be mutually agreeable to both the Senate and House chairs. If not agreeable to both, the President of the Senate and Speaker of the House shall decide. Committee clerks serve at the pleasure of the President of the Senate and the Speaker of the House. The salaries of each committee clerk are established by the President of the Senate and the Speaker of the House and must terminate no later than the end of the session.

Procedures for Public Hearings and Work Sessions.

At the beginning of each legislative biennium, all committees shall adopt procedures that govern public hearings, work sessions and confirmation hearings. Copies of the procedures must be sent to the presiding officers, the Secretary of the Senate, the Clerk of the House and the Executive Director of the Legislative Council upon adoption.

Committee procedures must be consistent with these rules and posted and made available upon request at all public hearings and work sessions.

These committees may report by bill or otherwise. The presiding chair shall decide all questions of order, subject to appeal to the committee. The chair's ruling shall stand unless overruled by a majority vote of the committee membership.

Scheduling of bills to be considered in public hearing and working sessions shall be arranged by the Senate chair with the agreement of the House chair; if agreement is not reached, the committee, by majority vote, shall decide.

Scheduling Public Hearings and Work Sessions. At the beginning of each regular session, each committee shall recommend to the presiding officers specific days for its public hearings and work sessions, taking into consideration the availability of assigned staff and hearing rooms. Upon approval of the schedule by the presiding officers, the chairs shall try to schedule all committee work on those days. Each committee shall distribute a detailed list of hearings and work sessions that have been scheduled for the following week to all committee members. This schedule must also be posted.

Participation in Budget Hearings and Work Sessions. As used in this Rule, "policy committee" means a joint standing committee or joint select committee of the Legislature having subject matter jurisdiction other than the Joint Standing Committee on Appropriations and Financial Affairs.

In regard to the Governor's biennial budget recommendations, the Legislature shall set priorities and implement policy as follows:

1. Budget recommendations made by the Governor on areas within the jurisdiction of a policy committee must be initially heard jointly by the Appropriations and Financial Affairs Committee and the appropriate policy committee having jurisdiction over the subject matter presented;

2. Each policy committee shall appoint a subcommittee of three of its members to serve as liaisons to the Appropriations and Financial Affairs Committee. One member of the subcommittee must be appointed by the Senate chair of the policy committee and the remaining two members must be appointed by the House chair of the policy committee. This subcommittee must include members of both the majority and minority parties. Whenever possible, the Appropriations and Financial Affairs Committee shall notify each subcommittee in a timely manner of all subsequent deliberations on budget items relative to that subcommittee's jurisdiction. Each subcommittee shall advise the Appropriations and Financial Affairs Committee of its respective policy committee's recommendations regarding budget items relative to that committee's jurisdiction and may participate in all subsequent deliberations of the Appropriations and Financial Affairs Committee on these budget items;

3. The membership of each subcommittee must be published in the Legislative Calendar and, if time permits, printed in the Senate and House Register;

4. Each policy committee shall provide the Appropriations and Financial Affairs Committee with the policy committee's recommendations regarding the relevant part of the Governor's budget. These recommendations must be delivered within a time period set by the chairs of the

Appropriations and Financial Affairs Committee after consultation with the chairs of the policy committee and in no case may the time period be less than ten days following the initial joint hearing unless mutually agreed upon. The recommendations must be made within the budgetary constraints set by the Appropriations and Financial Affairs Committee;

5. Following submission of the policy committee's biennial budget recommendations within established budget constraints, each policy committee may recommend additional funds for program priorities that exceed the original budgeting constraints and if recommendations for additional funds are made, the committee shall explain those recommendations;

6. The Appropriations and Financial Affairs Committee shall consider the policy committees' budget recommendations during the Appropriations and Financial Affairs Committee's deliberations, but retains sole decision-making authority on budget matters; and

7. In addition, within five legislative days after reporting out all bills involving appropriations or revenues, the policy committees shall submit to the Appropriations and Financial Affairs Committee a list indicating these committees' priorities for final passage of these bills.

Testimony. Notwithstanding Joint Rule 38, the use of testimony under oath for public hearings pursuant to the Maine Revised Statutes, Title 3, section 165, subsection 7 requires prior approval by the Legislature.

All written materials presented to the committee must bear the name, address and affiliation, if applicable, of the presenter and the date presented.

A committee member who testifies on a bill referred to that committee may not ask questions of other persons testifying on that bill at the public hearing.

Advertising. Public hearings must be advertised two weekends in advance of the hearing date. All exceptions to this rule must be approved by both presiding officers.

Advance Notification to Bill Sponsors. The committee shall direct the committee clerk to notify the bill sponsors as soon as the bill is scheduled for public hearing and for all committee work sessions.

Questions of Order. The presiding chair shall decide all questions of order, subject to appeal to the committee. The chair's ruling stands unless overruled by a majority vote of the committee membership. A quorum of seven or more members must be present to take a vote. If a quorum is present, but there is not a Senator among them, the committee may take a vote only with the authorization of the presiding officers.

Smoking. No one may smoke in committee rooms at any time.

Confidentiality. The committee shall protect confidential records, including those records excluded from the definition of "public records" under the freedom of access laws, Maine Revised Statutes, Title 1, section 402, subsection 3 from public disclosure by holding executive sessions to discuss information contained in such records. Executive sessions must be held in accordance with the provisions of the freedom of access laws, Maine Revised Statutes, Title 1, section 401, et seq.

Before the committee files leave the custody of the committee, the committee chairs shall direct the custodian of the files to protect the confidentiality of the records in any appropriate manner, including returning the records to the person or department from which they came; destroying the records; or blocking out personally identifying information in the records and retaining them in the files, if the law declaring the records confidential permits disclosure in this manner.

The committee chairs shall also ensure that the files include a notation indicating what type of confidential records were reviewed by the committee.

Notice to Report. A joint standing committee to which a bill or resolve has been referred shall, after receiving notice of the reporting deadline from the President of the Senate and the Speaker of the House, report that bill out of committee to the floor for consideration in accordance with that deadline.

13-A. Joint Select Committee on Indian Affairs. There shall be a Joint Select Committee on Indian Affairs to review all legislation relating to Indians and Indian land claims after its submission to a joint standing committee but before a public hearing is held on that legislation. The committee shall consist of the representatives from House Districts 121, 134 and 142, the Senators from Senate Districts 3, 4 and 7, the member of the Penobscot Nation and the member of the Passamaquoddy Tribe elected to represent their people at the Legislature and the executive secretary of the Tribal State Commission. The President of the Senate and the Speaker of the House of Representatives shall serve as ex officio members of the committee. The Joint Select Committee on Indian Affairs may make recommendations to the joint standing committee to which the legislation is referred.

13-B. Amendments to Rules. Notwithstanding Joint Rule 9, proposed amendments to the rules may be adopted by a majority vote in each House, until and including the end of the session on the 3rd Friday in January.

14. Reference of Bills to Committee. All bills must be referred to committee; except that this provision may be suspended by a majority vote taken by a division. The Secretary of the Senate and the Clerk of the House shall, after conferring together, suggest an appropriate committee reference for every bill, resolve and petition offered in either House. Upon their agreement, the suggested reference shall be placed upon the calendar of each House. If, however, they are unable to agree, the question of reference shall be referred to a conference of the President of the Senate and the Speaker of the House. Upon their agreement, the suggested reference shall be placed upon the calendar of each House. If, however, they are unable to agree, the question of suggested reference shall be referred to the Legislative Council for resolution. Upon the decision of the Legislative Council, the suggested reference shall be placed upon the calendar of each House.

When the Legislature is in recess the Clerk of the House and Secretary of the Senate shall refer the bills to the appropriate joint standing committee for public hearing and order printing, subject to the approval of the Speaker of the House and the President of the Senate.

Each suggested reference appearing upon the calendar of each House shall contain a recommendation

for the printing of the document being referred and may contain a recommendation on the number of copies of that document to be printed.

Any member may move for reconsideration of a committee reference on the floor. Notwithstanding House Rule 53, Senate Rule 33 and Joint Rule 9, a majority vote shall be necessary to overturn the original committee of reference.

14-A. Notification of Meetings of the Legislative Council. Meeting times of the Legislative Council must be publicized at a minimum by posting on the door of the meeting room in a timely fashion. Other means of notification may be employed as deemed necessary or feasible.

15. Reports of Bills from Committee.

1. Deadline for Reports. The Joint Standing Committees shall report out every bill which has been referred to them in the manner prescribed in these rules in accordance with deadlines established by the presiding officers.

2. Committee Reports. Committees shall report out every bill that has been referred to them in accordance with deadlines established by the presiding officers and in the manner prescribed in these rules. The report of the committee must include a recommendation. Reports that may be recommended unanimously or by a plurality of the committee include:

- Ought to Pass
- Ought to Pass as Amended
- Ought to Pass in New Draft. The use of this report requires the approval of both presiding officers.
- Ought Not to Pass

The report Referral to Another Committee requires a unanimous vote of the committee.

When the committee recommendation is not unanimous, a minority report or reports are required. All reports on any legislative document must be submitted to the Legislature at the same time.

3. Unanimous Ought Not to Pass Report. When all 13 members of a Joint Standing Committee vote to report a bill Ought Not to Pass, the committee shall notify the presiding officers, the sponsor and cosponsors of the bill of their action. This communication must appear on the calendar in each House, and the bill shall, upon notification of both Houses, be placed in the legislative file and disposed of as provided in subsection 4 as prescribed herein.

4. Two-thirds Required. When a bill or resolve is placed in the legislative file pursuant to subsection 3, no further action shall be taken following such disposition unless the bill or resolve is recalled for reconsideration by a vote of two-thirds of both Houses.

5. New Drafts. When the changes voted by the committee are major, the committee may elect to report the bill out Ought to Pass in New Draft with authorization of the presiding officers. When a plurality of the committee recommends this report, the chairs shall submit a request for authority to report the bill out in this fashion. When the committee recommendation is not unanimous, a minority report is required. New drafts printed pursuant to these rules shall include the legislative document number that the new bill replaces with the names of the original sponsor and cosponsors. The Secretary of the

Senate and the Clerk of the House shall determine the number of copies which shall be printed of each new draft.

6. Committee Voting. A quorum, comprising a majority of the committee, which equals seven members for a thirteen-member committee, must be present in order for a vote to be taken. If a quorum is present, but there is not a Senator among them, the committee may take a vote only with the authorization of the presiding officers. The committee clerk shall prepare the committee jacket or jackets following the vote and obtain signatures from committee members as required. A committee member who is absent from the committee on the day of the vote has 48 hours to register the member's vote.

Except for a motion to adjourn, no question may be decided and no official action may be taken in the absence of a quorum.

16. Joint Select Committees. Joint Select Committees shall consist of three on the part of the Senate and seven on the part of the House, unless the order creating the same shall provide a different number.

Whenever a select committee shall be appointed by either House and be joined by the other, it shall be the duty of the Secretary of the Senate, or the Clerk of the House, as the case may be, to transmit one to the other the names of the members so joined, in order that they may be entered upon the journal of each House.

17. Conference Committees. Committees of conference shall consist of three members on the part of each House, representing its vote. A committee of conference shall meet and submit a report, agreed to by a majority of each committee or unable to agree within 10 legislative days to the branch asking the conference. This report may be either accepted or rejected, but no other action shall be had except through another committee of conference. If the committee of conference is unable to agree, the President of the Senate and the Speaker of the House may appoint a new committee.

18. Committee Inquiries and Reports. Orders directing inquiry in relation to an existing statute shall state the subject matter of such statute and also the title and section to which the inquiry is directed.

In presenting a report upon any matter referred to a committee, such report shall set forth the subject referred, and the substance shall also be briefly endorsed on the back of the same.

If a committee responds to an order directing inquiry upon any matter by presenting a report recommending legislation, such legislation shall be introduced when the report is transmitted to the Legislature. This legislation shall bear the designation of the committee reporting.

19. Study Reports. Committees shall take final action on studies authorized by the Legislative Council, including reports and accompanying legislation by the date established annually by the Legislative Council.

Any committee which finds that it is unable to comply with these deadlines shall submit a written request for an extension to the Legislative Council prior to the deadline.

20. Legislation filed pursuant to law or resolve. Any Legislation filed pursuant to law or resolve shall specify the source of the legislation

and shall cite the law or resolve which authorizes the filing. The legislation shall be introduced in the House of the sponsor or the House of origin of the authorizing law or resolve.

21. Reporting out Errors and Inconsistencies Legislation. Prior to reporting out any omnibus bill concerning errors and inconsistencies in the Laws of Maine, the Joint Standing Committee on Judiciary shall, after giving notice and an opportunity to be heard, hear proposed amendments and determine which amendments shall be included in the bill reported out. No floor amendment shall be entertained in either House unless the amendment is printed and distributed at least 24 hours prior to introduction.

22. Fiscal Notes. Every bill or resolve affecting state revenues, appropriations or allocations or that requires a local unit of government to expand or modify that unit's activities so as to necessitate additional expenditures from local revenues and that has a committee recommendation other than Ought Not to Pass must include a fiscal note. This statement must be incorporated in the bill before it is reported out of committee. Any amendment introduced that would affect the fiscal impact of the original bill must also include a fiscal note. The Office of Fiscal and Program Review has the sole responsibility for preparing all fiscal notes.

LEGISLATION

23. Prefiling. Any member-elect may present bills and resolves to the Clerk of the House or Secretary of the Senate for introduction prior to the convening of any first regular session after which they become the property of the Legislature and may not be withdrawn by the sponsor. The Clerk or Secretary shall number and print such measures in advance of convening.

24. Cloture for State Department, Agency or Commission Bills or Resolves.

1. Deadlines for Requests. No request for a bill or resolve may be submitted to the Revisor of Statutes on behalf of any state department, agency or commission after the first Wednesday in December. If the Governor has been newly elected in November preceding the convening of the first regular session, any bill or resolve introduced on behalf of a state department, agency or commission shall be submitted within 30 days after the Governor is administered the oath of office.

2. Identification of Agency. Each bill or resolve submitted for preparation under this rule shall clearly designate, under the title, the department, agency or commission upon whose behalf the bill or resolve is submitted.

3. After-Deadline Requests. Any request for a bill or resolve submitted under this rule after the first Wednesday in December in either the first or second regular session shall be considered an after cloture request and shall be transmitted to the Legislative Council by the Revisor of Statutes. The Legislative Council shall consider the facts supporting introduction notwithstanding cloture. If two-thirds of the Legislative Council approve the request for the bill or resolve, it shall be accepted for introduction. Notice of that action shall appear on the calendar of the appropriate House.

25. Cloture at the First Regular Session. During any first regular session, all other requests for

bills and resolves submitted by Legislators shall be submitted in complete form to the Revisor of Statutes by 4:00 p.m. on the 3rd Friday in December; except that for the First Regular Session of the 117th Legislature, cloture is 4:00 p.m. on the first Friday in January.

26. Cloture at the Second Regular or Special Sessions. The Legislative Council shall establish procedures for submission of legislation to the Revisor of Statutes at any second regular or special session. Procedures established for any second regular session shall ensure compliance with the requirements of the Maine Constitution, Article IV, Part Third, Section 1.

Any vote of the Legislative Council to accept or reject a bill or resolve proposed for introduction under the procedures established under this Joint Rule shall be taken by the yeas and nays, and that vote shall be recorded and made available for public inspection.

27. Filing after Cloture. Any request for a bill or resolve submitted to the Revisor of Statutes by a Legislator after the cloture date shall be transmitted to the Legislative Council. The Council shall ascertain from the sponsor the facts supporting the request notwithstanding cloture. If a majority of the Council approves, notice of that approval shall appear on the calendar of the appropriate House.

27-A. Primary Sponsorship. Notwithstanding any other Joint Rule, legislation may have 2 primary sponsors, one from each House. Notwithstanding Joint Rule 28, a bill, resolve, order, resolution or memorial shall originate in whichever House agreed to by the primary sponsors, except that a revenue-raising bill must originate in the House of Representatives, in accordance with the Constitution of Maine, Article IV, Part Third, Section 9. This Rule takes effect on September 1, 1993.

28. Sponsorship and Identification of Agency. A sponsor of legislation may authorize an unlimited number of members of either House to cosponsor a bill, resolve, order, resolution or memorial. For duplicate or closely related bills or resolves, the Legislative Council may establish a policy for combination of requests and the number of cosponsors permitted on combined requests. A bill, resolve, order, resolution or memorial having cosponsors shall originate in the House of the sponsor. Each bill or resolve requested by the Governor or a department, agency or commission shall indicate the requestor below the title.

29. Requirements for Drafting. A request for a bill or resolve filed with the Revisor of Statutes shall be considered complete when the request is properly titled and accompanied by sufficient instructions, information and data required for its preparation. Drafts prepared by an outside source must be filed in final form by the appropriate cloture date.

30. Statement of Fact. The Revisor of Statutes shall prepare and include a concise statement of fact on all bills, resolves and amendments. The purpose of the statement of fact is to provide a brief summary of the bill, resolve or amendment.

31. Form. All bills and other instruments, including bills proposed by initiative, shall be allocated to the Revised Statutes as appropriate and corrected as to matters of form, legislative style and grammar by the Revisor of Statutes before printing.

32. Signing of Bills, Resolves and Amendments.

The sponsor and any cosponsor of a bill or resolve shall be notified by the Revisor of Statutes that the bill or resolve is ready in final form for signature. The sponsor and any cosponsors shall sign the bill or notify the Revisor of any changes that are necessary within deadlines established by the presiding officers. If the sponsor does not contact the Office of the Revisor of Statutes within this period, the bill shall be considered voided.

If changes are requested, the Revisor of Statutes shall notify the sponsor when changes have been made and the bill is available for signature; and the sponsor and cosponsors shall sign the bill within the established deadlines. Further changes must be proposed to the committee of reference. If the sponsor does not sign the bill within this period, it shall be voided. If cosponsors do not sign the bill within either period, their names shall be removed from the bill.

33. Errors. Mistakes in bills and resolves, merely clerical, may be corrected upon suggestion without motion to amend.

34. Expressions of Legislative Sentiment. All expressions of legislative sentiment shall conform to guidelines issued by the President of the Senate and the Speaker of the House and shall be presented in such manner as standardized by the Revisor of Statutes. Notwithstanding House Rule 55, the member of the Penobscot Nation and the member of the Passamaquoddy Tribe elected to represent their people at the biennial session of the Legislature shall have the right and privilege to sponsor and cosponsor expressions of Legislative sentiment as if a regular member of the House.

The expressions of legislative sentiment shall not be part of the permanent journal or the legislative record but shall appear on the printed calendar or advance journal of each body. The Clerk of the House and Secretary of the Senate shall cause said expressions to appear in an appendix to the legislative record. When the Legislature is not in session the Speaker of the House and the President of the Senate may authorize expressions of legislative sentiment at the request of legislative members.

35. Memorials. No memorial shall be in order for introduction unless approved by a majority of the Legislative Council.

35-A. Actions Relating to the United States Constitution. All memorials, resolutions, applications and petitions which relate to the Legislature's functions under the United States Constitution, Article V, shall be in order for introduction without approval from the Legislative Council. Passage of these items shall be accomplished as follows:

1. Any item requesting the calling of a United States Constitutional Convention shall require a two-thirds vote of the members present in each House;

2. Any item requesting ratification of an amendment to the United States Constitution shall require a majority vote of the members present in each House; and

3. Any item requesting any other action under the United States Constitution, Article V, shall require a majority vote of the members present in each House.

36. Claims against the State. A claim of an amount of \$2,000 or less shall be in order for

introduction only after the claim has been first disapproved or partially approved for payment under the Revised Statutes, Title 5, section 1510-A. A claim of an amount greater than \$2,000 shall be in order for introduction only in the form of a resolve authorizing a suit against the State.

36-A. Amendments to "AN ACT to Implement the Maine Indian Claims Settlement." A bill amending "AN ACT to Implement the Maine Indian Claims Settlement," Revised Statutes, Title 30, chapter 601, of which approval by an Indian tribe or Indian nation is required by the United States Code, Title 25, Section 1725 (e), shall contain a section stating that the Legislature has received and accepted a statement of that approval or a section containing a provision that the bill shall not take effect until that approval is received.

A bill amending the Revised Statutes, Title 30, section 6205, subsection 1, paragraph B or subsection 2, paragraph B, and adding lands to or including lands within Indian territory, shall contain a section stating the recommendation of the Maine Indian Tribal-State Commission.

37. Measures Rejected at any Prior Session. No measure which has been introduced and finally rejected in any regular or special session shall be introduced in any subsequent regular or special session of the same Legislature except by vote of two-thirds of both Houses.

LEGISLATIVE CONFIRMATIONS

38. Legislative Confirmation of Gubernatorial Appointments. Upon receipt by the President of the Senate and Speaker of the House of notification from the Governor of the name of a nominee and of the office to which that person is nominated, the President of the Senate and Speaker of the House shall, without delay, forward that notice and copies of accompanying materials to the Chairs of the Joint Standing Committee which is charged by law with reviewing nominations to that office, to the Legislative Information Office and to the 2 partisan staff assistants for nominations.

The Legislative Information Office shall establish an official file for each nominee.

The joint standing committee shall hold a prehearing conference within 21 days of the notification from the Governor unless the committee decides otherwise. The prehearing conference must be consistent with the Maine Revised Statutes, Title 3, chapter 6.

The joint standing committee shall hold a public hearing on the nomination in Augusta at a time convenient to the public within 30 days, or 35 days for judicial officers, from the date of the Governor's notice of the nomination to the President of the Senate and Speaker of the House. The Legislative Information Office shall cause to be published in the state paper and in a newspaper of general circulation in the area where the nominee resides at least 7 days before the hearing a notice of that hearing, which shall contain the time and place of the hearing, the name of the nominee, the office to which that person has been nominated and a general description of the duties of that office and a statement that written comments relevant to the qualifications of the nominee together with supporting materials may be filed with the Legislative Information Office by 9 a.m. on the hearing date. At the hearing, the committee shall take written or oral testimony which shall be limited

to relevant comments and questions regarding the qualifications of the nominee. All testimony taken at the hearing shall be transcribed by mechanical means, and testimony and other materials received by the committee shall be preserved according to the Maine Revised Statutes, Title 3, section 159. The 2 partisan assistants for nominations shall provide the committee with a written report of their investigations before the committee votes to recommend or deny confirmation.

Within 35 days, or 40 days for judicial officers, from the date of the Governor's notice of the nomination to the President of the Senate and Speaker of the House, the committee shall recommend confirmation or denial by majority vote of the committee members present and voting. The vote of the committee shall be taken only upon an affirmative motion to recommend confirmation of the nominee, and a tie vote of the committee shall be considered a recommendation of denial. A vote may not be taken sooner than 15 minutes after the close of the public hearing unless by agreement of all committee members present. The committee vote shall be by the yeas and nays. The chairs of the committee shall send written notices of the committee's recommendation to the President of the Senate. Within 45 days, or 50 days for judicial officers, from the date of the Governor's notification of the nomination to the President of the Senate and the Speaker of the House, the Senate shall review the recommendation of the committee on the nomination, and, after review, shall vote by the yeas and nays on that recommendation.

After vote by the Senate, the committee's recommendation shall become final action of confirmation or denial unless the Senate by a vote of 2/3 of those members present and voting overrides the committee's recommendation. If the committee recommends to deny confirmation, and the Senate votes, by a vote of 2/3 or greater of those members present and voting, to override the committee's recommendation, the nomination shall be deemed confirmed. Following Senate confirmation or denial, notice of the action taken shall be given to the Speaker of the House.

Once the Governor withdraws a nomination at any time prior to the Senate vote, by sending a written notice of withdrawal to the President of the Senate, the Legislature shall take no further action on that nomination.

If the Governor posts a nomination within 30 days preceding the statutory date of adjournment, a legislative committee to whom a nominee is to be referred for confirmation review may, by 2/3 vote, request the President of the Senate and the Speaker of the House of Representatives to delay this review in order to complete the committee's legislative work. If the President of the Senate and the Speaker of the House of Representatives approve the request, the time periods for legislative action begin on the date the Legislature adjourns.

39. Partisan Staff Assistants for Nominations. The members of the Legislative Council representing the party with the largest number of members in the Legislature shall, within 7 legislative days after the convening of the first regular session, appoint a partisan staff assistant for nominations. The members of the Legislative Council representing the party with the next largest number of members in the Legislature shall also, within 7 legislative days after the convening of the first regular session,

appoint a partisan staff assistant for nominations. Each of these assistants shall serve at the pleasure of the appointing authority during the biennium for which the assistant is chosen. A vacancy in either of these positions shall be filled for the remainder of the biennium in the same manner as the original appointment. Partisan staff assistants for nominations shall provide all necessary assistance to each joint standing committee required by law to recommend action on a gubernatorial nominee.

Came from the Senate, read and passed.

Was read.

Representative MURPHY of Berwick presented House Amendment "A" (H-1), which was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative Murphy.

Representative MURPHY: Mr. Speaker, Members of the House: I rise today to put this amendment on because as you can see in our Joint Rules they have taken out the Committee on Audit and Program Review. I feel very strongly that this is a very important committee and that it has done an excellent job over the years.

It was put into legislation in 1977. The L.D. that made Audit and Program Review possible was L.D. 262. It came out of committee as 1206. The purpose of that committee at that time was because the number and size of state departments and independent agencies had increased without sufficient legislative oversight and governmental accountability. The purpose of this act is to establish a system of periodic justification of departments and agencies of state government and for determination of agencies which have outlived their useful purpose.

The act requires the Legislature to evaluate the need for and performance of present and future departments and agencies on a periodic basis.

To me that need is still here today. We have got many agencies in the state that we have not been able to do a review on. Instead of using the word review I think the word oversight is probably a much better word to use. I believe every agency, every bureaucracy and every department in this state should have an oversight periodically.

This was set up to do one every ten years. It does not necessarily have to be set up that way. It could be changed. But, today, I would like to keep the Audit and Program Review Committee in the list of committees making 18 instead of 17.

By keeping it in there we can come back next week and we can make some changes to modernize it and to make it a truly oversight committee and work with it.

One of the other reasons that it was put in there and why it was so important — I quote Senator Katz here of Augusta who was in the Legislature at the time, "because of the large turnover in the legislature." Maine had at that time, in 1977, had one of the highest turnovers in the entire United States in its legislature.

Today that is even more true than it was back then. Because back then I think it was 59 percent. Now we are going to have a large turnover next time because most of us who have been here a while are not going to be back, at least here in the House. That is why it is also important that we have an oversight committee so that these agencies are not working with new legislators all the time, they are working with some seasoned people who maybe know and have to do some justification.

We are talking about bureau zero based budgets. Well, I don't know about any one else but it has not been explained to me what it is all about. If it takes care of some this, we can make some of those changes. But, I am not sure at this point that maybe it does, hopefully it will.

I think every agency should come before the Legislature and be justified.

Back in 1977, in February, there was a seminar held in Harrisburg, Pennsylvania and many states on the East Coast went to this seminar. What it was about was a seminar on sunset and justification of state agencies. The members from the State of Maine who went to that at that time was Senator Phil Jackson. Many of us served here in the House with Phil, he was in the Senate and came over to the House. He went, and Mr. Spencer went.

This bill, in 1977, was presented by Mr. Spencer of Standish, Mr. Ed Mackel of Wells. I never served with Mr. Mackel, he had left a couple of years before I came but I know him well. Mr. Ault of Wayne and Mr. Wilfong of Stow. So, I understand that is certainly a non-partisan group who sought to put this legislation in.

In the past years that I have served on Audit and Program Review some of the things that we have found out and made some changes — there will be some here who will tell you that it didn't amount to anything, we didn't do anything. But, when we did the Board of Electricians we found out there was a very strong commitment by the Board of Electricians to keep new electricians from taking the study for the master electricians test and that they had the time in-between and the hours that they had to work before they could even set for their masters license. To us, what that was doing, that was controlling people and was controlling the industry and we said that is wrong and we made those changes.

In Mental Health and Mental Retardation we looked into that. One of the things we found there that the department was micromanaging the contractors, the service providers out there. When they went to hire somebody they had to come back to the department and had them sit on interviews. Now, these are private providers, they contract with the state. There was no problem with the contracts, it was just the states way of micromanaging. It was costing the service providers a lot of money because they would set up interviews with these people and they had already screened them so they knew their resumes were what they wanted, they were educated and they needed them — then the department couldn't meet with them on the interview. Well, this person needed a job so they didn't wait for the State of Maine to turn around and decide when they could meet and at their leisure, they went and got another job. That meant the service providers had to go out, readvertise, rescreen, do the whole process all over. As they told us, it was very costly.

When we go into these agencies, we don't just listen to the state side. We went out to the service providers and we asked them what their problems were. They brought their problems in to us and we tried to address them on both sides.

The report that we have got coming out will bring your attention to all of these concerns that I am telling you about now. True, the first time that the report came out the Commissioner of Mental Health and Mental Retardation, they were not happy with it. But, that is not what our job is (to make everybody

happy) it is to find out what was wrong with the agency. And, we did. We told them. The next day they came back and they said, you are right, we didn't realize how we were micromanaging those service providers.

So, once they looked into it, there were things going on that even the administration did not know was happening. Those are the things that we found.

I urge you today to join me in extending our committee numbers from 17 to 18 and keeping Audit and Program Review in there so that we can streamline it and make it work as an oversight committee and the people back home — I believe back in 1977, I think it was 72 percent of them that said we do not feel as though we are getting our dollar value from state government.

I would like to take a survey today and see what the percentage is. It probably will be 99 percent, never mind 72. This is the committee that was put in place in answer to that survey.

I feel very strongly that we should keep this committee so that we can have an oversight committee in this legislature and I think everybody should have an oversight. We certainly have an oversight and that is our constituents out there. If we are not doing what they think we should be doing they get rid of us and I don't blame them, they vote against us.

Well, I think every agency in state government should have an oversight (and there are some that maybe we should get rid of) to make sure these programs are working and doing the job that we think they are supposed to do when we put these programs in.

Hopefully we will preserve this Audit and Program Review Committee today so that we can go on to streamline it.

The SPEAKER: The Chair recognizes the Representative from South Berwick, Representative Farnum.

Representative FARNUM: Mr. Speaker, Members of the House: I shall be brief. The person that spoke just before me filled in most of the story. I call the Audit and Program Review Committee the watchdog committee for the citizens of this state. If we do not have this watch committee every organization in the state will be doing what they want to do, making their own rules, which they are doing now and getting away with it.

Whenever we look at a committee we look at everything that is being done.

One committee that we looked into just recently there are millions of dollars, not thousands and not hundreds of thousands but millions of dollars in the arrear on collecting bills. When questioned why they said the billing department was antiquated. Now, they have known this for ten years and why didn't they change it? We are making them change it.

This is just one example.

You, today, are going to be doing one of two things. You are going to be pound foolish and penny wise or you are going to keep this committee and make it stronger.

Representative Whitcomb of Waldo requested a vote on adoption of House Amendment "A" (H-1).

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Lemke.

Representative LEMKE: Mr. Speaker, Men and Women of the House: Before we vote on this motion I do want to say a few words relative to it.

This is presented as reform. It is presented as an example of reform at the beginning of our session

to send out a message to the people of Maine that we are serious about reforming the structure and actions of this body.

As such I have no problem whatsoever with that. Few members have probably shared or (I should probably say) inflicted upon other members of the House more bills for structural reform than this Representative has done in the past. If I thought this was seriously reform and if I thought this was cost effective and, certainly, if I thought this increased the efficiency of this body I would certainly be for it.

I have supported such measures from both sides of the aisle in the past. But, I have to say in all honesty that I don't think this is serious reform and, in fact, if we vote for it it will be counterproductive.

Certainly there is more actual evidence we can base that conclusion on than all of the various conjectures and suppositions built upon suppositions into the indefinite future upon which this is based.

What are the savings? We are told perhaps \$50,000. But, we have already lost that in the amount of time we have expended discussing this issue unnecessarily.

As far as savings in the future, we are adding on to the work load of other committees, those other committees (I assume) will now have to do the policy and oversight work which means that you will have to fund more to accomplish that in the future if you mean to do it seriously.

It is beyond me where the actual cost savings are in this.

Secondly, in terms of increased efficiency, and equalizing work loads I think there is a misconception perhaps about the Audit Committee, we don't generate bills, we deal with whole agencies and departments over a period of time. So, obviously it is not going to balance out in terms of numbers of bills.

In effect, what you are going to do, if you support this is you are going to do away with realistic, independent audit and program review any way you address it, unless you are willing to come up with additional appropriations or that is what you are going to accomplish by this — which strikes me as incredibly ironic.

If ever there were a time in this states history where you need effective, independent audit and program review this is that time.

Several years ago it was my pleasure to talk with members of a visiting delegation from the Federal Republic of Germany and they were very much interested in how our state government worked. And, of all the things that they expressed interest in, what they particularly expressed interest in, was the existence of an independent oversight committee. They said they wished they had that.

I am going to speak very frankly or attempt to do that. I think one of the problems with the Audit and Program Review Committee in recent times is it has not lived up to its original mandate, which is exactly what the Representative from Berwick was talking about. That doesn't do away with the importance of that mandate, it doesn't do away with the necessity of the committee.

What it really means is that we should act to strengthen that committee, give it the necessary staff, get rid of whatever leadership or legislative restraints on it and let it loose. You don't abolish

a particular committee because you have a disagreement with how it operates.

I might, for example, have a disagreement with the Taxation Committee. I wish they would lower taxes. I wish they had done this or that. I am not proposing that they therefore be abolished. I am proposing that you put them back to work and give them a fair shot.

I must say — and, I recognize the hard work that leadership from both sides has put into this, the desire for some kind of consensus so that we can move on but I don't think you are establishing a very good precedent for real reform if you vote for bad reform at the beginning of the session.

I really have to say that this isn't reform. What we are talking about here is political expediency. Perhaps if we do this we can then move on to do good reform in the future. I don't think that is a good precedent.

I have heard a lot of talk about symbolism. We shouldn't be voting symbolism in this chamber, we should be voting substance.

We shouldn't be voting simply political expediency, but substantive reform.

I don't think this merits it. I seriously urge you to vote for the pending motion. Keep the Audit and Program Review Committee, make necessary changes in the future and then finally we can then move on to serious real reform in this chamber.

The SPEAKER: The Chair will order a vote. The pending question is adoption of House Amendment "A" (H-1). Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

42 having voted in the affirmative, 91 in the negative, the motion to adopt House Amendment "A" (H-1) did not prevail.

Representative Gooley of Farmington offered House Amendment "C" (H-3) which was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Farmington, Representative Gooley.

Representative GOOLEY: Mr. Speaker, Distinguished Colleagues of the House: I really feel that with Agriculture, Conservation and Forestry — and that is the first committee — then the thirteenth committee here that is mentioned, Natural Resources, that there is a big overlap in responsibilities. I really feel that it would be best if we did combine Conservation and Forestry with Natural Resources.

My own particular background is such that I have been a forester for 40 years and I spent 34 years with the Department of Conservation and the Maine Forest Service working on conservation measures and all of this in the natural resource area.

I think that with Conservation and Forestry that they should go into Natural Resources because Natural Resources, if you will look on the new committee jurisdiction it shows that general environmental policy, energy production — not necessarily facility siting, and natural resource protection and shoreland zoning — these are areas where Conservation and Forestry is already involved here. I really think that to prevent duplication of effort that it would expedite and make a more streamline committee if they dealt with Conservation and Forestry and Natural Resources.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Jacques.

Representative JACQUES: Mr. Speaker, Men and Women of the House: I fully intend to support this amendment offered by the good Representative from Farmington.

I think I should explain myself and why I am going to do that. Often times when you get elected into leadership and you are required to meet as leadership you are under the gun (so to speak) to try expedite matters and get them before the body. Most of the recommended changes that were made in leadership, I not only agreed with but wholeheartedly supported. This is one that personally I had a lot of problems with and I will explain that very quickly, in a short time.

Leaving the role of being the former House Chair of the Energy and Natural Resources Committee and having served on that Committee for 15 and a half years and taking on the role of being one of your leadership in here that I felt that that particular issue was one that could be debated at a later time and I hoped that it would be. But, I firmly believed that my first overall responsibility as part of a leadership group was to try to put something together that was at least a starting point a basis for discussion by the full body.

When the Senate Republicans came back and offered the addition of Agriculture and originally Forestry to just Agriculture I was kind of put back by that. When we got into discussion, made the mention that probably taking one bureau from one department and sticking it with another committee of jurisdiction was probably not the wisest thing to do but they should consider that if they are adamant about doing that and take in the whole department.

I did that, quite frankly, to try to point out the error of that way. Unfortunately it was taken by some as an endorsement of that move and that I thought that was the way to go. Clearly, when asked, I told some of the people that talked to me that the potential was there to improve things but I went on to say that in the matter of Fisheries and Wildlife Department, Marine Resources Committee, Agriculture Committee (specifically), and Forestry on the second tier that these three committees of jurisdiction were so important to the industry that whether we want to accept or not, are vital to the very economic backbone of this state that I felt that anything that you did to either lessen the importance of those committees or put on other burdens to those committees would send the wrong signal at this time especially to the farmers of the State of Maine who are struggling. We have dairy farmers, many of which are right on the edge right now of deciding whether to stay and try to tough out this winter, based on the loss of the subsidy they had or fold up their tent and cut their losses.

My suggestion was that these three committees should become a lot more pro-active than they have been. They should not only deal with the bills that come before them but they should actually go out and for once ask the people in those industries, are there things that we can do that don't come in in the form of an L.D. every year that will remove some of the road blocks and impediments that allow you to do what you do best? That allow these particular vocations in the State of Maine, these particular businesses in the State of Maine that play such an important role in all of our lives to not only to be able to turn the things around to try to be able to

try to prosper and grow but to deal with some of the real problems.

Clearly you can deal with how many moose permits we are going to issue in the department or whether BST should be used or not used in dairy cows and continue to deal with those every session of the legislature. But, in the mean time, these three agencies specifically Marine Resources, Agriculture and Fish and Wildlife are under dramatic changes, major changes, new pressures and we have been unable (unfortunately) to help deal with those other than in a peace meal fashion by particular L.D.'s that were brought forth.

I argued that day to the council that these departments should be kept separate. So, what should happen is the committees of jurisdiction should expand the way they are doing things, become very pro active instead of reactive and play an important part, an intricate role in the future of these industries.

Having said that, if you look at combining Conservation with Agriculture and removing it from the other natural resources you get into some problems. The least of which is shoreland zoning, Natural Resource Protection Act, and wetlands. Clearly, conservation under LURC has the jurisdiction over unorganized territories, and they do in all of these areas.

DEP, on the other hand, has jurisdiction in those areas in the organized territories, the towns. So, clearly, no matter what you do to separate these two out you are going to have two committees dealing with this same exact issues. Whether it be shoreland zoning, natural resource protection act, wetlands.

Wetlands, wetlands is of extreme importance to the future development of this state including the forestry industry. Including any type of economic development you are going to have in the 90 percent of this state that is still basically uninhabited.

The problem comes where you get into the same situation of two committees having to deal with the same issues that may end up promulgating not only passing laws but allowing departments to promulgate rules and regulations that many times will be in conflict with each other. The people of Maine will once again be divided in half and deal with two separate agencies that don't communicate and they will have no place to go because the committee of jurisdiction in the Legislature that used to deal with those will no longer be there. You will be running from one end of the building to the other end of the building dealing with the same subject, the only difference will be whether your town chose to be organized or unorganized.

So, even though I supported bringing this forth to you, I never really grasped and appreciated what was going to happen until I had time to think about it on my way home that evening and as the days went on and as I talked to people and as some of the people themselves came and stopped by the office and asked if there wasn't something we could do to prohibit that from occurring — the overlapping jurisdiction and the conflicts and all the other things.

Clearly, these two agencies, Conservation and DEP have a very important role in all our lives. And, developing expertise in those areas is not going to be an easy thing to do.

Clearly, if you divide it up into two separate committees you have four returning members of the old Energy and Natural Resources Committee and you have

one or two members in here who had served on it in the past that you could draw from from their experience. But, clearly, what you will be doing is taking the expertise you have left and even weakening it further by dividing because clearly you are going to have to put a couple on one committee and a couple on the other. That will leave ten or eleven brand new people on those two committees and these committees have major impacts.

Having said all that and not apologizing for making the move that I did, based on the leadership position but putting on the hat of someone who has not only been involved but sat on that committee for a long period of time and worked very hard to develop some expertise in those areas. I intend to support Representative Gooley's amendment. It will not change the overall number of committees. You will just have a Natural Resources Committee that will cover DEP and Conservation and a few energy items, the rest of the energy items will be going over to the Public Utilities Committee and you will have an Agriculture Committee that I believe should do more than just deal with the 30 or 40 bills they get, they should become very pro-active, be out there helping this industry before we sit down and say, "what happened to the farming industry in the State of Maine?" It will be too late if you wait much further to become pro-active and get involved with the farming community to see if there are other things that are above and beyond what we deal with every session that have to be dealt with to help this very important resource to our state.

Some members of my caucus were unclear where I stood on this issue, I don't think you are unclear any longer. I agreed to bring forth a package but as we told our members today in our caucus they should feel free to bring forth any suggestions they have that they thought would be better in the long run.

Once again, it doesn't change the overall number of committees, we will still be reducing to 17 committees but it will more clearly define what I think is the jurisdiction of the two committees involved.

the SPEAKER: The Chair recognizes the Representative from Waldo, Representative Whitcomb.

Representative WHITCOMB: Mr. Speaker, Men and Women of the House: I appreciate that the good Representative from Waterville attributed this dramatic change to the members of another body who are not in his political party. In fact, only half of that was correct.

It was a suggestion that I offered in a meeting as we reviewed a proposal to cut committees, offered by members of another body from the democrat party.

I appreciate the fact that the Representative from Waterville has explained his position. To be a little factitious, I think it is one of three that have been taken so far on this matter.

Originally this body voted with strong urgings to not do anything until later in this session and then lo and behold, between Christmas and New Year we sat down and started working together very productively to cut committees. At that time, when the suggestion was offered to combine the Conservation, Forestry components of the Natural Resources Committee with Agriculture the comment was made (and I believe it was from the Representative from Waterville) that there are times when forestry matters end up taking a very back seat to many of the very pressing issues that bog down the Natural Resources Committee.

So, there seemed to be clear logic to balancing the work load as you received in an explanation of this new alignment that allows those committees who have the greatest work load to divest of some activities.

There is no perfect configuration. I certainly agree that there are areas of overlap.

I appreciate the fact that 15 years on a certain committee creates a certain amount of territorial protection.

However, on the specific issue of wetlands, when it is discussed as though the Natural Resources Committee is the only entity where there is a complete — you know, there is an interest. Wetlands affect all aspects of development in Maine whether it is business development, whether it is agricultural development, even marine resource issues and certainly inland fisheries and wildlife. Wetlands is a broad spectrum problem. We have dealt with it in a committee where most of the members are not returning and it could, I believe, in any number of places where you will be assigned to committees, be handled in a fair and effective manner.

The changes being proposed by the good Representative from Farmington is not earth shattering. I appreciate that there are many people in the industry who want apparently to seek some kind of protection in a place where they think they are familiar. That is understandable.

Truly, there would be an opportunity in another committee described as Agriculture, Conservation and Forestry to devote more time to forest practice issues which is the premier industry of this state, natural resource industry of this state, but I appreciate the concern.

I would hope that we do not become bogged down on this not huge issue. There are arguments that can be made in any way. There are arguments on jurisdiction on many issues that can be made and you will see, as we go along, that there are many bills that could be referred to one committee or another. Again, we rely upon common sense wherever they land for all of you to work out the problems.

This is not a huge problem. We can better manage the work load. I for one, do not believe that any one committee whether they spend their hours focusing on agriculture, marine or other issues are going to solve all the problems inherent in those industries no matter how many hours they spend in the office talking about them. Handling bills is what we are here to do and it may be balancing the work load can help this process effectively.

With that, I suggest that the configuration that was presented in the order is one that allows us to operate more efficiently understanding the arguments that have been made for the amendment.

Mr. Speaker, I request a division.

The SPEAKER: The Chair recognizes the Representative from Nobleboro, Representative Spear.

Representative SPEAR: Mr. Speaker, Ladies and Gentlemen of the House: This is a very very tough issue and I think the leaders in both corners of this body have made good points. But, as Representative Jacques stated earlier, if we leave Agriculture and they should be more pro-active — I agree with that, I think we should be pro-active and looking for solutions to all the problems we have. I also think that forestry (and especially forestry) has a chance to do the same thing. I believe when they are located in the Department of Energy and Natural

Resources in that committee, I also think that they get lost over there and have taken a second seat. I think this gives the Forestry Department, which is (as I heard earlier) the number one industry here in the State of Maine, it gives them a chance to step out and be more forward-thinking and not get lost.

I think we have to look at this whole picture. The people here in Maine are looking at us to balance our committees to make them worth while. If we remove Conservation and Forestry from this proposed committee, once again Agriculture goes back maybe 30 or 40 bills. Yes, it would be great. But, I think we have a responsibility to the people of Maine. I think we have to look to balance these.

I think that this proposal that the leadership came up with can be productive and constructive and I think that it gives Forestry, Conservation and Agriculture a chance to step ahead on their own and I think it is the right thing to do.

I would hope that we vote against this bill.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Jacques.

Representative JACQUES: Mr. Speaker, Men and Women of the House: I don't want to belabor this but we are not talking about just Agriculture and Forestry. The Department of Conservation is made up of the Bureau of Public Lands, the Bureau of Parks and Recreation, the Maine Geological Survey, the Maine Forest Service, Land Use Regulation Commission (LURC), and the Department of Forestry. Would it be just Agriculture and Forestry I would agree with every word that the good Representative from Nobleboro said. But, this indeed does not just do that.

It does include the entire Department of Conservation. I dare say that LURC alone will keep that committee busy enough, they won't have to worry about potatoes and BST.

Mr. Speaker, I request a roll call on this vote.

The SPEAKER: The Chair recognizes the Representative from Kingfield, Representative Dexter.

Representative DEXTER: Mr. Speaker, Men and Women of the House: By way of introduction to the new members of this committee, I am an uneducated woodsman from Kingfield. I started in the woods 60 years ago when I was 12 years of age. And, if you think, by separating these two entities you are going to solve anything you have got another think coming. I served 14 years on the Energy and Natural Resources Committee. I served 12 years with my leader down in the corner.

When I cut wood in this spot here I will be under LURC rules — I can move ten feet, cut another tree, I am under DEP rules. Just think about it. If I build a mile of road who do I go to? I have got to go to both LURC and DEP.

You have got site location, you have got subdivision laws which I don't think anyone has mentioned yet. The list goes on and on and on, it is closely interrelated, whether we like it or not.

I also agree that Agriculture needs to be improved and it can be, but it can't be by taking on more duties. How are you going to improve it that way? It will just increase the work load.

As far as saving any time, time and time again on that committee we could have kicked out bills with no debate what so ever, but certain chairs had a way of keeping things alive, not the chair that we had in the last session because he set up a different

schedule. I can tell you right now if I was chair of that committee we would meet every deadline, (it doesn't look like I ever will be).

Forested wetlands were mentioned — where are you going to go with the bills for forested wetlands?

I guess other people have said pretty near all of it but this is a field I am familiar with, I am comfortable with, I seldom get up on the floor — this is one time that I can't sit here and allow a travesty like this to happen.

I have dealt with those people from across the river for years and don't give them any more power — you split it up, divide and conquer I believe was mentioned here. You have a lot of new members, I am glad we do. We need to have some expertise on that committee, somebody that understands what these four letter words are.

That is all I have got to say at the present time.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of more than one-fifth of the members present and voting. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

ROLL CALL NO. 2

YEA — Adams, Ahearne, Bailey, Benedikt, Berry, Bouffard, Brennan, Bunker, Chartrand, Chase, Chizmar, Clark, Cloutier, Daggett, Damren, Davidson, Desmond, Dexter, Dipietro, Dore, Driscoll, Etnier, Farnum, Fisher, Fitzpatrick, Gamache, Gates, Gerry, Gooley, Gould, Green, Greenlaw, Hatch, Heeschen, Hichborn, Jacques, Jones, K.; Joseph, Keane, Kerr, Kilkelly, Lafountain, Lane, Lemaire, Lemke, Lemont, Libby JL, Lindahl, Look, Lovett, Lumbra, Luther, Marshall, Martin, Meres, Mitchell EH; Mitchell JE, Morrison, Murphy, Nadeau, Nickerson, O'Gara, O'Neal, Oliver, Peavey, Perkins, Pouliot, Reed, W; Richardson, Ricker, Rosebush, Rotondi, Rowe, Samson, Shiah, Sirois, Stevens, K.; Strout, Thompson, Townsend, Treat, Tripp, Truman, Tufts, Tuttle, Tyler, Vigue, Volenik, Watson, Winn, .

NAY — Aikman, Ault, Barth, Bigl, Birney, Buck, Cameron, Campbell, Carleton, Chick, Clukey, Cross, Donnelly, Dunn, Gieringer, Hartnett, Heino, Jones, S.; Joy, Joyce, Joyner, Kneeland, Labrecque, Layton, Madore, Mayo, McAlevey, McElroy, Nass, Ott, Pendleton, Pinkham, Plowman, Poirier, Povich, Reed, G.; Rice, Robichaud, Savage, Simoneau, Spear, Stedman, Stone, Taylor, True, Underwood, Waterhouse, Wheeler, Whitcomb, Winglass, Winsor.

ABSENT — Guerrette, Hale, Johnson, Kontos, Libby JD, Marvin, Poulin, Saxl, Yackobitz, The Speaker .

Yes, 90; No, 51; Absent, 10; Paired, 0; Excused, 0. 90 having voted in the affirmative and 51 in the negative, House Amendment "C" (H-3) was adopted.

Representative KILKELLY of Wiscasset presented House Amendment "D" (H-4), which was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Wiscasset, Representative Kilkelly.

Representative KILKELLY: Mr. Speaker, Men and Women of the House: I invite you to think back to December when this debate all began. At that time I urged the body to adopt an amendment to the Joint Rules that would authorize the Rules Committee to

evaluate how the committees work, the areas of jurisdiction, and the work load of committees.

That committee would then report back in May with proposed changes for adoption by the entire body.

The process that I envisioned was a series of in-house hearings for members as well as public hearings. This committee and this process would be open to all members of the public and all members of this body.

I believe that if we pass the rules as they have been presented to us, we, as the temporary caretakers of this institution will be missing an opportunity to thoroughly review how we do the people's work. As I said in December, any or all of us could put together a list of committees and areas of jurisdiction and all those lists would be different.

I commend the staff and leadership for putting together their list. It is one of the first that I have seen of a list of jurisdictional areas for committees. However, it is one suggested list.

What I am saying in my amendment is that it is not okay for the final list or the evaluation to be put together by a few people but that we all have a stake in the outcome as do our constituents.

Finally, I would like to respond to comments that I have heard referencing action by the other body. I believe that it is our job to act independently and to act to accomplish what we believe is in the best interest of the people of the State of Maine regardless of actions or potential actions of the other body.

I would urge you to take this opportunity that has been presented to us to provide a thorough review of how this legislature does its work and to in fact have solid reasoning for the changes that we are embarking upon.

The SPEAKER: The Chair will order a vote. The pending question before the House is adoption of House Amendment "D" (H-4). Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

20 having voted in the affirmative, 100 in the negative, House Amendment "D" (H-4) failed of adoption.

Representative ADAMS of Portland presented House Amendment "E" (H-5), which was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Adams.

Representative ADAMS: Mr. Speaker, Men and Women of the House: To the folks back at home, rules arguments are probably the ultimate at insider baseball. But, to the folks back home, one committee whose work I suspect they did understand because they understood the problem and lived with it and spoke about it plenty all last summer had to do with the tail pipe test.

We had a committee that dealt with the tail pipe test and you can see its official name appears on filing (H-5), the Joint Select Committee to Review the Implementation of the Auto Emissions Testing Program.

That was the committee of 13 of us that existed all last summer to deal with that particular issue.

Whether or not you lived in the affected area and had to have your car tested or whether you lived in the marginal area or whether or not you just heard about it I am sure you know all about it. Some of us in fact ran upon that as a platform in our campaigns. Now, whether you ran for it or against it, whatever position you took about it, I assure you

a member of that committee that met last summer had the same position as you did. We had every stripe, every kind of opinion represented because the problem was that difficult and required it.

I would point out to you, despite that, though we had every stripe and kind of opinion on that committee, full representation from both parties in both houses, that every recommendation the Tail Pipe Committee made was unanimous, every single one, after all the hearings and all the time and all the issues were considered.

Those opinions were all unanimous, it resulted from paperwork which I assure you was tremendous and in an amount of learning and background which I assure you was enormous. And, dealing with the Federal Government could be touchy as you know. We were very fortunate and lucky in that position because we had a very good representative from the EPA who worked closely with us. You need that kind of thing because the risk was last year and remains for the next funding cycle enormous. The sore they hold over our head is about \$72 million (with an M — million dollars) worth of highway funding.

If we had been able to come up with \$50 million last year we could have balanced the school funding formula a lot more happy than we did. Losing \$72 million at a stroke on a decision made by people who don't even live in Maine would be a crippling blow to the state and would have immediately have halted as soon as the money ran out, the building of the new Waterville/Winslow bridge or the Brunswick/Topsham bypass or the Portland/South Portland bridge and a whole list of other federally funded highway projects that I could not even begin to detail here.

Despite all of that, our committee met, concluded unanimously the suspension of the test under which we now operate. That test resumes again, under law, the 1st of March. Because we were unanimous and because we worked so hard the Fed's in fact agreed to that suspension because it bore such weight in the way we presented it. However, it is going to resume again the 1st of March. Therefore, I believe that keeping that Joint Select Committee in existence would be essential to dealing wisely with the problem.

To the new-comers, let us explain a Joint Select Committee — does not mean it is a permanent standing existing committee of the Legislature. Joint Committee means it is made of both houses of the Legislature and the Select Committee means it has one special purpose. Hence, we are dealing only with a temporary committee anyway.

I'd point out that there should be no cost involved in it. There is not going to be any per diem paid, we are already here, we are legislators, we are sworn in, our time is on the clock. We used existing staff last summer. We will still use the existing staff. They are still with us. We will have to have no new hirings.

Thirdly, most of the members of the committee are returning legislators so the knowledge still remains in-house, in our hands. Of those people who did either retire of their own speed or on the voters speed, only four or five are no longer around. One of those Senate appointments has already been filled from the other body for our December meeting. Hence, we will still have an opportunity to make a few new appointments that will reflect the result of the last election. All of this means, I think we start off on pretty strong legs. Since simply getting rid of the committee to knock off one more number on a list

doesn't mean there are any dollars to be saved. What it means is that there is knowledge to be saved.

If we keep the committee in existence when the Tail Pipe test starts again and the Fed's (being very active in the field) turn to the State of Maine to find out what we are going to do, then we have several things. We have a committee that is keeping our finger on the game, and our hand upon the action to react very quickly to whatever the Fed's offer at that point. The risks will remain very high, somewhere in the vicinity again of \$70 million. Since the committee is temporary and, I would point out that we make it very explicit in the amendment that you now have before you the committee may vote to abolish itself, recommend to the body rather that the committee be abolished if we consider our work is done — then, it seems to me we have the best of all worlds, a committee that right now will not cost anything unusual to keep in place, will require no new staff in the hiring, will cost no new money to have in existence and will have the knowledge and experience right in place to deal with this incredibly complex problem which would be changing under our feet as soon as the new congress gets to which (which they should be now because they were sworn in today).

For that reason I would encourage you to please remember that our decisions on that committee were all unanimous last summer. The work remains just as great and in that same kind of spirit I would urge you please to approve the motion before you to keep this committee in existence and keep our hand on the throttle.

The SPEAKER: The Chair will order a vote. The pending question before House is adoption of House Amendment "E" (H-5). Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

64 having voted in the affirmative, 61 in the negative, House Amendment "E" (H-5) was adopted.

Representative TREAT of Gardiner presented House Amendment "F" (H-6), which was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Gardiner, Representative Treat.

Representative TREAT: Mr. Speaker, Men and Women of the House: I am presenting this amendment because I think it is a very important amendment which doesn't change the overall configuration of the number of committees, nor does it change the compromise that was worked out by our leadership, with the leadership of the other body.

If you turn, in fact, to the cover letter that came with your material discussing the various proposed changes to the committee structure you will see that it says there that although the Rules Committee will be abolished the issues about rules will be sent to the TQM Committee.

I thought this might be an okay compromise but when I looked into it it turned out that the TQM Committee does not actually exist on paper. There was never any formal order or rule which established the TQM Committee. It was set up by the Legislative Council initially and it includes a large number of non-legislators on that committee, which is appropriate because dealing with TQM you are looking at all kinds of things that affect the legislature and those include rules but they also include things like the entire budget process or whether the legislature is complying with the Americans With Disabilities Act and a lot of other things.

However, it didn't seem appropriate to me that recommendations on rules should come from non-legislators. It seemed more appropriate that it ought to be a legislative committee that made recommendations on legislative rules.

So, what I attempted to do in this amendment is come up with something that was consistent with what was worked out but what would also preserve the reforms that were made in the last session.

I think we talked about this at fairly great lengths back in December so I am not going to go into too much detail about how important those reforms were to many of us.

I will say that having a Rules Committee was in fact a reform and getting rid of it, in my opinion, is going backwards. It is making this body a less democratic place. It is disenfranchising the rank and file and basically leaving a lot more decisions up to our leadership.

I think that especially in terms of the kinds of changes that we just made in terms of the different committees that there is going to be an even greater need to take a look at that and perhaps fine tune it in the next couple of weeks when we have this window of opportunity in which to make changes in the rules by majority vote.

In fact, I can think of a couple of things right off the bat that I would very much like this rules committee to do. One of which would be the audit function. We talked a little bit earlier today about that function. We got rid of the committee but the function is still very important.

Again, in those materials we got from our leadership there was discussion about putting that function into the committee of jurisdiction but no details on what that would look like. This would be an ideal thing for a Rules Committee to take a look at and make recommendations to the House and to the other body about what that process should look like.

In a similar way we have been making changes over the last couple of years in the appropriations and budget process. There are additional changes that probably should be made. The TQM committee has already made some recommendations on that score and it seems appropriate that those recommendations should go to a Rule Committee for their consideration and recommendation to this body.

I set it up as a sub-committee of that committee so that there would be a body that would be simply legislators. I think it is appropriate that matters that TQM have that impact on the rules would then be forwarded over to this rule subcommittee.

I think it is very, very important. It doesn't significantly change the overall outline of what is before you but I think it is a change that is far more than symbolic value although of course it does have that.

I would like to see a lot of changes made in our rules beyond what we have done today, which is simply looking at the committee configuration.

I think this is a tool that we ought to have. I tried to set it up to accommodate concerns of Republicans and Democrats, House and the other body members so that there can be equal members of everybody represented. I hope that it has been done in a way that people feel comfortable with it. Certainly that was the attempt.

I think it is a good idea and I certainly would appreciate your support.

The SPEAKER: The Chair will order a vote. The pending question before the House is adoption of House Amendment "F" (H-6). Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Representative TREAT of Gardiner requested a roll call on adoption of House Amendment "F" (H-6).

The SPEAKER: A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of more than one-fifth of the members present and voting. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: A roll call has been ordered. The pending question before the House is adoption of House Amendment "F" (H-6). Those in favor will vote yes; those opposed will vote no.

ROLL CALL 3

YEA - Adams, Ahearne, Benedikt, Berry, Brennan, Bunker, Chartrand, Chase, Chizmar, Cloutier, Daggett, Davidson, Desmond, Dore, Driscoll, Etnier, Farnum, Fitzpatrick, Gamache, Gates, Gould, Green, Hatch, Heeschen, Jacques, Jones, K.; Keane, Kilkelly, Lemaire, Lemke, Luther, Martin, Meres, Mitchell EH, Mitchell JE, Morrison, Murphy, O'Neal, Oliver, Povich, Richardson, Ricker, Rosebush, Rotondi, Rowe, Samson, Shiah, Sirois, Stevens, K.; Townsend, Treat, Tripp, Truman, Tyler, Volenik, Watson, Winn, .

NAY - Aikman, Ault, Bailey, Barth, Bigl, Birney, Bouffard, Buck, Cameron, Campbell, Chick, Clark, Clukey, Cross, Damren, Dexter, Di Pietro, Donnelly, Dunn, Fisher, Gerry, Gieringer, Gooley, Greenlaw, Hartnett, Heino, Hichborn, Jones, S.; Joseph, Joy, Joyce, Joyner, Kerr, Kneeland, Labrecque, Lafountain, Lane, Layton, Lemont, Libby JL, Lindahl, Look, Lovett, Lumbra, Madore, Marshall, McAlevey, McElroy, Nadeau, Nass, Nickerson, O'Gara, Peavey, Pendleton, Perkins, Pinkham, Plowman, Poirier, Pouliot, Reed, G.; Reed, W; Rice, Robichaud, Savage, Simoneau, Spear, Stedman, Strout, Taylor, Thompson, True, Tufts, Tuttle, Underwood, Vigue, Waterhouse, Wheeler, Whitcomb, Winglass, Winsor.

ABSENT - Carleton, Guerrette, Hale, Johnson, Kontos, Libby JD, Marvin, Mayo, Ott, Poulin, Saxl, Stone, Yackobitz, The Speaker .

Yes, 57; No, 80; Absent, 14; Paired, 0; Excused, 0. 57 having voted in the affirmative and 80 in the negative, House Amendment "F" (H-6) was not adopted.

Subsequently, the Joint Order (S.P. 10) was passed as amended by House Amendment "C" (H-3) and House Amendment "E" (H-5) in non-concurrence and sent up for concurrence.

By unanimous consent, all matters having been acted upon were ordered sent forthwith.

On motion of Representative CAMERON of Rumford, the House adjourned at 3:45 p.m., until 11:00 a.m., Thursday, January 5, 1995.