

# 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  
12th Legislative Day  
Wednesday, February 1, 1995

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

Prayer by Reverend Victor Stanley, First Baptist Church, Gardiner.

The Journal of yesterday was read and approved.

**SENATE PAPERS**

Bill "An Act to Require the Governor's Biennial Budget to Include More Information" (S.P. 136) (L.D. 322)

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$20,000,000 for Landfill Closure and Remediation" (S.P. 147) (L.D. 333)

Came from the Senate, referred to the Committee on **Appropriations and Financial Affairs** and Ordered Printed.

Were referred to the Committee on **Appropriations and Financial Affairs** in concurrence.

Bill "An Act to Require Insurance Companies to Reenroll Individuals Who Return to an Insurance Group as Though No Break in Coverage Occurred" (S.P. 154) (L.D. 340)

Came from the Senate, referred to the Committee on **Banking and Insurance** and Ordered Printed.

Was referred to the Committee on **Banking and Insurance** in concurrence.

Bill "An Act to Amend the Laws Governing the Location of Mausoleums and Vaults" (S.P. 153) (L.D. 339)

Came from the Senate, referred to the Committee on **Business and Economic Development** and Ordered Printed.

Was referred to the Committee on **Business and Economic Development** in concurrence.

Bill "An Act to Implement the Recommendations of the Maine HIV Advisory Committee Concerning HIV Testing" (S.P. 129) (L.D. 321)

Came from the Senate, referred to the Committee on **Human Resources** and Ordered Printed.

Was referred to the Committee on **Human Resources** in concurrence.

Bill "An Act to Clarify Immunity from Civil Suit for Volunteer Activities" (S.P. 128) (L.D. 320)

Bill "An Act to Provide Immunity from Civil Liability Regarding Emergency Care" (S.P. 142) (L.D. 328)

Bill "An Act to Allow Liens on Claims Not Sounding in Tort" (S.P. 144) (L.D. 330)

Came from the Senate, referred to the Committee on **Judiciary** and Ordered Printed.

Were referred to the Committee on **Judiciary** in concurrence.

Bill "An Act to Amend the Child Labor Laws to Allow Minors to Work in Hotels or Rooming Houses"

(S.P. 146) (L.D. 332)

Came from the Senate, referred to the Committee on **Labor** and Ordered Printed.

Was referred to the Committee on **Labor** in concurrence.

Bill "An Act to Extend the Hours for Sunday Sales of Liquor in Limited Circumstances" (S.P. 143) (L.D. 329)

Bill "An Act to Change the Date for Voter Registration" (S.P. 150) (L.D. 336)

Bill "An Act to Amend the Laws Pertaining to the Return of Security Deposits and Nonpayment of Rent or Utility Charges" (S.P. 152) (L.D. 338)

Came from the Senate, referred to the Committee on **Legal and Veterans Affairs** and Ordered Printed.

Were referred to the Committee on **Legal and Veterans Affairs** in concurrence.

Bill "An Act to Ban Spurs on Boats" (S.P. 145) (L.D. 331)

Came from the Senate, referred to the Committee on **Marine Resources** and Ordered Printed.

Was referred to the Committee on **Marine Resources** in concurrence.

Bill "An Act to Change the Laws Pertaining to the Issuance of Copies of Marriage Certificates by Towns" (S.P. 137) (L.D. 323)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require that Constitutional Officers Be Appointed by the Governor (S.P. 127) (L.D. 319)

Came from the Senate, referred to the Committee on **State and Local Government** and Ordered Printed.

Were referred to the Committee on **State and Local Government** in concurrence.

Bill "An Act to Clarify the Tax Records Laws" (S.P. 140) (L.D. 326)

Came from the Senate, referred to the Committee on **Taxation** and Ordered Printed.

Was referred to the Committee on **Taxation** in concurrence.

Bill "An Act to Make Procedural Changes to the Maine Turnpike Authority" (S.P. 138) (L.D. 324)

Bill "An Act to Revise the Maine Turnpike Authority's Powers with Respect to Commuter Tolls" (S.P. 139) (L.D. 325)

Resolve, Requiring the Department of Transportation to Account for Money Received from the Sale of Loon Plates (S.P. 148) (L.D. 334)

Came from the Senate, referred to the Committee on **Transportation** and Ordered Printed.

Were referred to the Committee on **Transportation** in concurrence.

Bill "An Act to Clarify the Laws Regarding the Extension of Municipal Sewer and Water Lines" (S.P. 126) (L.D. 318)

Bill "An Act to Amend and Clarify the Powers and Duties of the State Planning Office" (S.P. 141) (L.D. 327)

Bill "An Act to Release the Public Utilities Commission from Mandatory Participation in Welfare Programs" (S.P. 149) (L.D. 335)

Bill "An Act to Increase the Debt Limit of the Richmond Utilities District" (EMERGENCY) (S.P. 151) (L.D. 337)

Came from the Senate, referred to the Committee on Utilities and Energy and Ordered Printed.

Were referred to the Committee on Utilities and Energy in concurrence.

#### COMMUNICATIONS

The following Communication: (S.P. 130)  
117th MAINE LEGISLATURE

Jeffrey H. Butland                      Dan A. Gwadosky  
President of the Senate              Speaker of the House  
January 27, 1995

Senator Vinton E. Cassidy  
Representative Marge L. Kilkelly  
Chairpersons  
Joint Standing Committee on Agriculture, Conservation  
and Forestry  
117th Legislature  
Augusta, Maine 04333

Dear Senator Cassidy and Representative Kilkelly:

Please be advised that Governor Angus S. King, Jr. has nominated Ronald B. Lovaglio of Augusta for appointment as Commissioner of the Department of Conservation.

Pursuant to Title 12, MRSA Section 5011, this nomination will require review by the Joint Standing Committee on Agriculture, Conservation and Forestry, and confirmation by the Senate.

Sincerely,  
S/Jeffrey H. Butland  
President of the Senate  
S/Dan A. Gwadosky  
Speaker of the House

Came from the Senate, read and referred to the Committee on Agriculture, Conservation and Forestry.

Was read and referred to the Committee on Agriculture, Conservation and Forestry in concurrence.

The following Communication: (S.P. 131)  
117th MAINE LEGISLATURE

Jeffrey H. Butland                      Dan A. Gwadosky  
President of the Senate              Speaker of the House  
January 27, 1995

Senator Jane A. Amero  
Representative Beverly C. Daggett  
Chairpersons  
Joint Standing Committee on State and Local Government  
117th Legislature  
Augusta, Maine 04333

Dear Senator Amero and Representative Daggett:

Please be advised that Governor Angus S. King, Jr. has nominated Alfred R. Skolfield of East Corinth for appointment as Commissioner of the Department of Public Safety.

Pursuant to Title 25, MRSA Section 2901, this nomination will require review by the Joint Standing Committee on State and Local Government and confirmation by the Senate.

Sincerely,  
S/Jeffrey H. Butland  
President of the Senate  
S/Dan A. Gwadosky

Speaker of the House  
Came from the Senate, read and referred to the Committee on State and Local Government.  
Was read and referred to the Committee on State and Local Government in concurrence.

The following Communication: (S.P. 132)  
117th MAINE LEGISLATURE

Jeffrey H. Butland                      Dan A. Gwadosky  
President of the Senate              Speaker of the House  
January 27, 1995

Senator Jeffrey H. Butland  
Representative Peter A. Cloutier  
Chairpersons  
Joint Standing Committee on Marine Resources  
117th Legislature  
Augusta, Maine 04333

Dear Senator Butland and Representative Cloutier:

Please be advised that Governor Angus S. King, Jr. has nominated Louise P. Alden of Stonington for appointment as Commissioner of the Department of Marine Resources.

Pursuant to Title 12, MRSA Section 6022, this nomination will require review by the Joint Standing Committee on Marine Resources and confirmation by the Senate.

Sincerely,  
S/Jeffrey H. Butland  
President of the Senate  
S/Dan A. Gwadosky  
Speaker of the House

Came from the Senate, read and referred to the Committee on Marine Resources.

Was read and referred to the Committee on Marine Resources in concurrence.

The following Communication: (S.P. 133)  
117th MAINE LEGISLATURE

Jeffrey H. Butland                      Dan A. Gwadosky  
President of the Senate              Speaker of the House  
January 27, 1995

Senator Philip E. Harriman  
Representative G. Steven Rowe  
Chairpersons  
Joint Standing Committee on Business and Economic  
Development  
117th Legislature  
Augusta, Maine 04333

Dear Senator Harriman and Representative Rowe:

Please be advised that Governor Angus S. King, Jr. has nominated S. Catherine Longley of Brunswick for appointment as Commissioner of the Department of Professional and Financial Regulation.

Pursuant to Title 10, MRSA Section 8002, this nomination will require review by the Joint Standing Committee on Business and Economic Development and confirmation by the Senate.

Sincerely,  
S/Jeffrey H. Butland  
President of the Senate  
S/Dan A. Gwadosky  
Speaker of the House

Came from the Senate, read and referred to the Committee on Business and Economic Development.

Was read and referred to the Committee on Business and Economic Development in concurrence.

The following Communication: (S.P. 134)  
117th MAINE LEGISLATURE

Jeffrey H. Butland      Dan A. Gwadosky  
President of the Senate      Speaker of the House  
January 27, 1995

Senator Charles M. Begley  
Representative Pamela H. Hatch  
Chairpersons  
Joint Standing Committee on Labor  
117th Legislature  
Augusta, Maine 04333

Dear Senator Begley and Representative Hatch:

Please be advised that Governor Angus S. King, Jr. has nominated Valerie Landry of Ocean Park for appointment as Commissioner of the Department of Labor.

Pursuant to Title 26, MRSA Section 1401, this nomination will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

Sincerely,  
S/Jeffrey H. Butland  
President of the Senate  
S/Dan A. Gwadosky  
Speaker of the House

Came from the Senate, read and referred to the Committee on Labor.

Was read and referred to the Committee on Labor in concurrence.

#### PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills were received and, upon the recommendation of the Committee on Reference of Bills, were referred to the following Committees, Ordered Printed and Sent up for Concurrence:

Bill "An Act to Extend to Businesses the Laws Concerning Protection from Harassment" (H.P. 275) (L.D. 377) (Presented by Representative VIGUE of Winslow) (Cosponsored by Representatives: CAMERON of Rumford, CAMPBELL of Holden, FARNUM of South Berwick, GOULD of Greenville, KEANE of Old Town, LEMONT of Kittery, MURPHY of Berwick, REED of Dexter)

Committee on Business and Economic Development suggested.

Subsequently, the Bill was referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

#### Human Resources

Bill "An Act to Shift from Small Business Owners to the Department of Labor the Responsibility for Providing the Department of Human Services with Information on New Employees" (H.P. 272) (L.D. 374) (Presented by Representative AULT of Wayne) (Cosponsored by Representatives: AIKMAN of Poland, BARTH of Bethel, DAMREN of Belgrade, DiPIETRO of South Portland, GUERRETTE of Pittston, LEMONT of Kittery, VIGUE of Winslow, WINN of Glenburn, WINSOR of Norway, Senators: ABROMSON of Cumberland, BUTLAND of Cumberland, CASSIDY of Washington, HATHAWAY of York, McCORMICK of Kennebec, SMALL of Sagadahoc, STEVENS of Androscoggin)

#### Natural Resources

Bill "An Act to Exempt the State from the Mandatory Use of Reformulated Fuel" (EMERGENCY)

(H.P. 274) (L.D. 376) (Presented by Representative TUFTS of Stockton Springs) (Cosponsored by Senator CASSIDY of Washington and Representatives: BARTH of Bethel, BIRNEY of Paris, BUNKER of Kossuth Township, CARLETON of Wells, CHICK of Lebanon, CROSS of Dover-Foxcroft, DAMREN of Belgrade, DEXTER of Kingfield, DUNN of Gray, FISHER of Brewer, GIERINGER of Portland, GREENLAW of Standish, GWADOSKY of Fairfield, JACQUES of Waterville, JOY of Crystal, JOYNER of Hollis, LABRECQUE of Gorham, LAYTON of Cherryfield, LEMONT of Kittery, LIBBY of Kennebunk, LOVETT of Scarborough, NICKERSON of Turner, PERKINS of Penobscot, PINKHAM of Lamoine, PLOWMAN of Hampden, REED of Falmouth, REED of Dexter, RICE of South Bristol, SAVAGE of Union, STROUT of Corinth, TAYLOR of Cumberland, TRUE of Fryeburg, VIGUE of Winslow, WATERHOUSE of Bridgton, WHEELER of Bridgewater, Senators: CARPENTER of York, CIANCHETTE of Somerset, GOLDTHWAIT of Hancock, HALL of Piscataquis, KIEFFER of Aroostook, LORD of York, PARADIS of Aroostook, PENDEXTER of Cumberland, STEVENS of Androscoggin)

#### Transportation

Bill "An Act to Create Special License Plates for Certain Civic Groups" (H.P. 273) (L.D. 375) (Presented by Representative HATCH of Skowhegan) (Cosponsored by Senator MILLS of Somerset and Representatives: MAYO of Bath, McALEVEY of Waterboro)

#### ENACTORS

##### Emergency Measure

An Act to Encourage Major Business Expansion in Maine (H.P. 230) (L.D. 309) (H. "A" H-8; H. "B" H-9)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the Representative from Mexico, Representative Luther.

Representative LUTHER: Mr. Speaker, Ladies and Gentlemen of the House: This bill is before us here today and it will pledge \$100 million of taxpayer's money to loans to be made by FAME and this has not had a public hearing.

It may or may not be a good idea — that is what public hearings are for, to present a thesis, an antithesis from which we can conclude a synthesis and draw a sensible conclusion. But, we don't have the arguments against it because a public hearing was not held.

I have been told that \$35 million of this pledge is to cover loans which FAME will make to Avian Farms. That leaves \$55 million still in the pledge. Is that money earmarked or is it up for grabs?

These mega-million dollar bills come up here and they are always in a hurry, hurry, hurry. There isn't time to consider the pro's and con's because the golden opportunity will be lost.

If a broker called you with an offer and said he didn't have time to send you a perspective but you must get your money up immediately — wouldn't you just hang up on him? Wouldn't you?

I am told that the banks are for this. Wouldn't they be crazy if they weren't? If the businesses which get these loans succeed the banks will make a lot of money. If they fail the taxpayers will pick up the tab. What is not to like?

When citizens ask us to use our common sense, I take that to mean that we shouldn't venture their money on things that we would not venture our own

money. I would not pledge my money unless I had a lot more information than we have here today.

But, the least we can do, if we are going to do this is put our John Hancock on it and admit later on that we did it.

Mr. Speaker, when the vote is taken I request the yeas and nays.

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. 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: The Chair recognizes the Representative from Portland, Representative Rowe.

Representative ROWE: Mr. Speaker, Men and Women of the House: I would like to speak to this bill. It is true that it did not have a public hearing. The Business and Economic Development Committee did meet a couple of times to talk and to discuss the bill.

One thing that the previous speaker said, I believe, may have been correct about the amount of money that can go to a single business. That is limited to \$25 million. In other words total guarantee authority would be \$100 million and \$120 million when you add the reserve account but any individual entity could only use \$25 million of that. So, if indeed the company that is being spoken about, Avian Farms, goes to FAME they will only be able to get \$25 million of guarantee authority.

It is true we are acting very quickly with this. On the other hand the reason we are doing it is because we are competing, as you know, with other states. In this case specifically the State of Georgia, I believe.

Avian Farms -- I know many of you know what kind of company it is, it is the kind of company we would like to keep in the State of Maine and to expand in the State of Maine. Many times I think we have to act quickly.

So, you are right, we didn't have a public hearing. That is regrettable. However, the committee has checked with many people that we thought might be concerned about this bill and what we have heard back is support for the bill. So, I would encourage you support for the bill today.

The SPEAKER: A roll call has been ordered. The pending question is passage to be enacted. Those in favor will vote yes; those opposed will vote no.

#### Roll Call NO. 5

YEA - Adams, Ahearne, Aikman, Ault, Bailey, Barth, Benedikt, Berry, Bigl, Birney, Bouffard, Brennan, Bunker, Cameron, Campbell, Carleton, Chartrand, Chase, Chick, Chizmar, Clark, Cloutier, Clukey, Cross, Daggett, Damren, Davidson, Desmond, Dexter, DiPietro, Donnelly, Dore, Driscoll, Dunn, Etnier, Farnum, Fisher, Fitzpatrick, Gamache, Gates, Gerry, Gieringer, Goolley, Gould, Green, Greenlaw, Guerrette, Hartnett, Hatch, Heesch, Heino, Hichborn, Jacques, Johnson, Jones, K.; Jones, S.; Joseph, Joy, Joyce, Joyner, Keane, Kerr, Kilkelly, Kneeland, Kontos, Labrecque, Lafountain, Layton, Lemaire, Lemke, Lemont, Libby JL; Libby JD; Lindahl, Look, Lovett, Lumbra, Madore, Marshall, Martin, Marvin, Mayo, McElroy, Meres,

Mitchell EH; Mitchell JE, Morrison, Murphy; Nass, Nickerson, O'Gara, O'Neal, Ott, Peavey, Pendleton, Perkins, Plowman, Poirier, Poulin, Pouliot, Povich, Reed, G.; Reed, W.; Rice, Richardson, Ricker, Robichaud, Rosebush, Rotondi, Rowe, Samson, Savage, Saxl, Shiah, Simoneau, Sirois, Spear, Stedman, Stevens, K.; Stone, Strout, Taylor, Thompson, Townsend, Treat, Tripp, True, Truman, Tufts, Tuttle, Tyler, Underwood, Vigue, Volenik, Waterhouse, Watson, Wheeler, Whitcomb, Winglass, Winn, Winsor, Yackobitz, The Speaker.

NAY - Luther, McAlevey, Pinkham.

ABSENT - Buck, Hale, Lane, Nadeau.

Yes, 143; No, 3; Absent, 4; Paired, 0; Excused, 0; Vacant, 1.

143 having voted in the affirmative and 3 in the negative, a two-thirds vote of all the members elected to the House being necessary, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate. Ordered sent forthwith.

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

#### UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Tuesday, January 31, 1995 have preference in the Orders of the Day and continue with such preference until disposed of as provided by Rule 24.

HOUSE REPORT - "Ought to Pass" as amended by Committee Amendment "A" (H-10) - Committee on Appropriations and Financial Affairs on Bill "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 1995" (EMERGENCY) (H.P. 120) (L.D. 155) (Governor's Bill)  
TABLED - January 31, 1995 (Till Later Today) by JACQUES of Waterville.

PENDING - Acceptance of Committee Report.

On motion of Representative JACQUES of Waterville, tabled pending acceptance of the Committee Report and later today assigned.

HOUSE REPORT - "Ought to Pass" pursuant to Joint Order H.P. 184 - Committee on Appropriations and Financial Affairs on Bill "An Act to Appropriate Funds for the Expansion and Renovation of the Norway Armory" (EMERGENCY) (H.P. 270) (L.D. 372)  
TABLED - January 31, 1995 (Till Later Today) by JACQUES of Waterville.

PENDING - Acceptance of Committee Report.

Subsequently, the Committee Report was accepted.

On motion of Representative KERR of Old Orchard Beach, the Bill was referred to the Committee on Legal and Veterans Affairs, and sent up for concurrence.

HOUSE REPORT - "Ought to Pass" pursuant to Joint Order H.P. 184 - Committee on Appropriations and Financial Affairs on Bill "An Act Relating to the Maine Health Program" (EMERGENCY) (H.P. 271) (L.D. 373)

TABLED - January 31, 1995 (Till Later Today) by JACQUES of Waterville.

PENDING - Acceptance of Committee Report.

Subsequently, the Committee Report was accepted.

On motion of Representative KERR of Old Orchard Beach, the Bill was referred to the Committee on Human Resources, and sent up for concurrence.

HOUSE ORDER - Relative to amending House Rule 49 (H.O. 7)

- In House, Read on January 24, 1995.

TABLED - January 31, 1995 (Till Later Today) by Representative JACQUES of Waterville.

PENDING - Passage. (2/3 Vote Required)

On motion of Representative JACQUES of Waterville, tabled pending passage and later today assigned.

Bill "An Act to Increase the Number of Primary Care Practitioners in the State" (S.P. 119) (L.D. 294)

- In Senate, Referred to the Committee on Human Resources.

(Committee on Appropriations and Financial Affairs suggested)

TABLED - January 31, 1995 (Till Later Today) by Representative JACQUES of Waterville.

PENDING - Reference in concurrence.

On motion of Representative MARTIN of Eagle Lake, the Bill was referred to the Committee on Education and Cultural Affairs in non-concurrence and sent up for concurrence.

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

#### ENACTORS

##### Emergency Measure

An Act to Transfer Legislative Jurisdiction over Loring Air Force Base from the United States to the State (S.P. 125) (L.D. 308)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 138 voted in favor of the same and 0 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate. Ordered sent forthwith.

The Chair laid before the House the following item which was tabled earlier in today's session:

HOUSE REPORT - "Ought to Pass" as amended by Committee Amendment "A" (H-10) - Committee on Appropriations and Financial Affairs on Bill "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 1995" (EMERGENCY) (H.P. 120) (L.D. 155) (Governor's Bill) which was tabled by Representative JACQUES of Waterville pending acceptance of the Committee Report.

Subsequently, the Committee Report was accepted. The Bill read once. Committee Amendment "A" (H-10) was read by the Clerk and adopted.

Under suspension of the rules, the Bill was given its second reading without reference to the Committee on Bills in the Second Reading.

Under further suspension of the rules, the Bill was passed to be engrossed as amended by Committee Amendment "A" (H-10) and sent up for concurrence. Ordered sent forthwith.

At this point, a message came from the Senate, borne by Senator KIEFFER of Aroostook proposing a Convention of both branches of the Legislature to be held at 6:45 in the evening in the Hall of the House for the purpose of extending to His Excellency, Governor Angus S. King, Jr., an invitation to attend the Convention and make such communication as pleases him.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 6:45 in the evening and the Speaker appointed Representative JACQUES of Waterville to convey this message to the Senate.

At this point, pursuant to House Rule 1 and House Rule 6, the Speaker made the following appointments to the Standing Committees of the House:

#### WAYS AND MEANS

Albert P. Gamache, Chair, Lewiston  
Jane W. Saxl, Bangor  
Edward J. Povich, Ellsworth  
Elizabeth Watson, Farmingdale  
Edward L. Dexter, Kingfield  
Harry W. Bailey, Township 27  
Richard H. Campbell, Holden  
Christine R. Savage, Union

#### LEAVES OF ABSENCE

Clyde A. Hichborn, Chair, LaGrange  
Fred L. Richardson, Portland  
Edmund Benedikt, Brunswick  
June C. Meres, Norridgewock  
Rosalie H. Aikman, Poland  
Ruel P. Cross, Dover-Foxcroft  
Priscilla Lane, Enfield  
Rodney W. McElroy, Unity

#### BILLS IN THE SECOND READING

Robert A. Cameron, Chair, Rumford  
Michael F. Brennan, Portland  
Thomas M. Davidson, Brunswick  
Bonnie Green, Monmouth  
Robert Keane, Old Town  
Theone F. Look, Jonesboro  
Richard Kneeland, Easton  
Michael J. McAleve, Waterboro

#### RULES AND BUSINESS OF THE HOUSE

The Speaker, Ex Officio  
Paul F. Jacques, Waterville  
Walter E. Whitcomb, Waldo  
Joseph G. Carleton, Jr., Wells

#### ENGROSSED BILLS

John L. Tuttle, Jr., Chair, Sanford  
Gail M. Chase, China  
Kathleen Stevens, Orono  
Patricia Lemaire, Lewiston  
David A. Lindahl, Northport  
Lisa Lumbra, Bangor  
Robert J. Winglass, Auburn  
Robert E. Yackobitz, Hermon

#### ETHICS AND ELECTIONS

Donald A. Strout, Chair, Corinth  
Elizabeth H. Mitchell, Vassalboro

William B. O'Gara, Westbrook  
 Richard A. Gould, Greenville  
 Nancy L. Chizmar, Lisbon  
 Eleanor M. Murphy, Berwick  
 Richard N. Simoneau, Thomaston  
 F. Thomas Gieringer, Jr., Portland

Subsequently, Representative JACQUES reported that he had delivered the message with which he was charged.

The following items were taken up out of order by unanimous consent:

#### SENATE PAPERS

The following Joint Order: (S.P. 135)

**ORDERED**, the House concurring, that when the House and Senate adjourn, they do so until Monday, February 6, 1995, at 1 o'clock in the afternoon.  
 Came from the Senate, read and passed.  
 Was read and passed in concurrence.

Bill "An Act Amending the Charter of the Mutual Fire Insurance Company" (EMERGENCY) (S.P. 156) (L.D. 379) (Governor's Bill)

Came from the Senate under suspension of the rules and without reference to a Committee, the Bill read twice and passed to be engrossed.

(The Committee on Reference of Bills had suggested reference to the Committee on Banking and Insurance.)

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Nadeau.

Representative NADEAU: Mr. Speaker, Men and Women of the House: I am very sensitive to the fact that I, and other colleagues of mine in this body, are not always comfortable with bills that seem to have to be passed at a certain time. This bill, if I can quote a bit of a letter that was sent to the Governor from Brian Atchinson the Superintendent of Insurance, "This action is principally technical in nature and will allow corporate structure changes to be authorized by the company's Board of Directors." This is a Mutual Fire Insurance bill, a domestic mutual insurance company with 18 employees which is chartered in a private and special law in 1827. This is simply an act that needs to happen to allow them to broaden their scope and it is fully their intention to broaden their employment status and that is all we are doing.

I would appreciate your support.

Under suspension of the rules and without reference to a Committee, the Bill was read twice.

The SPEAKER: The Chair recognizes the Representative from Wilton, Representative Heesch.

Representative HEESCHEN: Mr. Speaker, Members of the House: I wish to pose a question through the Chair.

To Representative Nadeau, you say that this bill is really technical in nature and there are no major changes but is it now the case that for this company to change its charter or change its way of doing business it needs legislative approval? And, then does this bill take that away from the Legislature?

The SPEAKER: Representative Heesch of Wilton has posed a question through the Chair to Representative Nadeau of Saco who may respond if he so desires.

The Chair recognizes that Representative.

Representative NADEAU: Mr. Speaker, Members of

the House: The quick answer to that question was answered in this last paragraph written in this letter — he is writing to the Governor now, "I am hopeful that you will be able to support this appropriate and technical statutory change which is intended to preserve the viability of this Maine employer and enhance the Mutual Fire's policy holders."

In the contents of the letter he does make reference to the easiest and, in his opinion, the only way to make this change would be for the legislature to change the appropriate charter.

Subsequently, the Bill was passed to be engrossed in concurrence. Ordered sent forthwith.

#### ENACTORS

##### Emergency Measure

An Act Amending the Charter of the Mutual Fire Insurance Company (S.P. 156) (L.D. 379) (Governor's Bill)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 121 voted in favor of the same and 0 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate. Ordered sent forthwith.

On motion of Representative HARTNETT of Freeport, the House recessed until 6:30 p.m..

(After Recess)

The House was called to order by the Speaker.

At this point, the Senate entered the Hall of the House and a Joint Convention was formed.

#### IN CONVENTION

The President of the Senate, the Honorable Jeffrey H. Butland, in the Chair.

On motion of Senator Kieffer of Aroostook, it was

**ORDERED**, that a committee be appointed to wait upon his Excellency, Governor Angus S. King, Jr., and extend an invitation to him to attend this Convention and make such communication as pleases him.

The Chair appointed the following:

Senators:	HANLEY of Oxford
	BEGLEY of Lincoln
	BERUBE of Androscoggin
Representatives:	KERR of Old Orchard Beach
	POULIOT of Lewiston
	JOSEPH of Waterville
	DIPIETRO of South Portland
	MORRISON of Bangor
	TOWNSEND of Portland
	AIKMAN of Poland
	DONNELLY of Presque Isle
	OTT of York
	SIMONEAU of Thomaston



At this point, the Chair recognized in the House gallery, the Honorable Andrew Ketterer, the State's Attorney General - the Honorable Samuel Shapiro, the State Treasurer and the Honorable Rodney Scribner, the State Auditor. (Applause, the audience rising)

Subsequently, Senator Hanley of Oxford, for the Committee, reported the Committee had delivered the message with which it was charged and that the Honorable Angus S. King, Jr., Governor of the State of Maine, would attend forthwith.

The Chair also recognized and welcomed, in the House gallery, Mary Herman, Maine's First Lady. (Applause, the audience rising)

The Chair also recognized in the House gallery, Associate Justice David Roberts, Associate Justice Kermit Lipetz, District Court Judge Douglas Clapp, Chancellor Orenduff of the University of Maine, Maine Philanthropist Elizabeth Noyce, Acting Commissioners, Commissioner Nominees, the Governor's staff and esteemed guests. (Applause, the audience rising)

At this point, Governor Angus S. King, Jr., entered the Convention Hall amid prolonged applause, the audience rising.

The Governor then addressed the Convention as follows:

Mr. President, Mr. Speaker, Members of the House and Senate, and citizens of Maine.

Less than a month ago, in the video that accompanied my inaugural address, I said that for Maine, our geography is our destiny. That our location and natural resources have largely determined our economy, our history, and our character as a state.

When it comes to government, there is another similar phrase that can sum things up — and cut through the welter of bills, laws, regulations, speeches, and proclamations that so often fill the air of this place.

That phrase is "budgets are policy" — for when you strip away all the talk, it's how we allocate our financial resources — how we spend the money — that is the best indication of our priorities and the best guide to our principles and policies.

It's not a perfect guide, of course, especially the first budget of a new Chief Executive who has been on the job less than four weeks. In fact, the budget I present tonight is of necessity built upon all that has gone before — programs and agency structures assembled incrementally over the last twenty years, prior expenditure levels, and practices and people I have inherited from the past. But it is a guide, nonetheless.

It is a guide not because of particular spending — or cutting — decisions, but because it sets an overall direction for Maine State government. And that direction is unmistakably toward a smaller, leaner, more productive, more efficient, more honest government.

This budget is driven by what we need rather than what we want.

This budget aims toward a government that makes

choices and sets priorities, that treats our people like preferred customers instead of just taxpayers, and that finally understands that government — like every family in Maine — must live within its means.

Here's the big picture:

The budget I am presenting there tonight is in balance — a balance achieved without raising a dime of new taxes: (Applause) No new fees, no new taxes, no new shifts to the property taxpayers of our towns and cities. (Applause)

This budget is in balance without any new gimmicks, gets rid of the worst ones from the past, and starts the process of unwinding those that remain.

This budget is in balance but nonetheless includes for the first time in four years a commitment to the capital maintenance of the public buildings and facilities of this state.

This budget is in balance and even contains an automatic savings provision so that when good times return — as they surely will — we don't repeat the mistake of the Eighties and spend the cupboard dry when we should be retiring debt and saving for the hard times that will also come again.

This budget is in balance without insulting state employees or the people of Maine with furlough and shut-down days, a shortened work week, and delayed payroll payments.

This budget is in balance but still increases school aid to our cities and towns by more than \$40 million, the first significant increase in this account in four years.

This budget is in balance and holds overall general fund spending to an increase of slightly more than 3% in 1996, and 2 1/2% in 1997 — a far cry from the double digit increases of the Eighties and no mean feat when you consider the cost of fixing past gimmicks and the Departments' initial requests.

Were it not for the funds necessary to get rid of the gimmicks, this would be essentially a flat-funded budget. We have more than held the line on spending.

And yes, this budget is in balance while putting the money for the Loon plates back in the Wildlife Fund. (Applause)

And you know what? I've talked to the Attorney General this afternoon and we have decided that we ought to be able to run the State of Maine without taxing Girl Scout cookies.

The decisions necessary to make this happen have not been easy. They have involved agonizing trade-offs among programs with merit and considerable support. Some of these decisions will put me at odds with some of my new friends in this room tonight. But all of them — taken together — are necessary to make the numbers add up — to make the whole package work.

And that larger vision is critically important, for if we look at the budget only as a collection of individual programs, reining in spending and getting this financial monster under control will literally be impossible. You, our legislators, represent not only your party, not only those whose particular interests you pledged to support, and not only your local district.

Like me, you were elected to restore responsible government to the state of Maine. And tonight, and for the days of budget deliberations which lie ahead, I invite you to join me in keeping our focus on that primary responsibility — and on the big picture.

For no matter how worthy or important a particular program is — for your town or for your closest

supporters — there is no more important priority than showing the people of Maine that we — you and me — understand the basic and unmistakable message of 1994 — that we have gone to the bottom of the well on taxes and reached the end of our peoples' patience with gimmicks.

So what have we done to build this budget barely 90 days from that glorious day in November — when the people spoke and sent each of us here to do their bidding?

The process started almost a year ago, when all of us were still candidates, marching in parades, shaking hands, and meeting supporters in living rooms across the state — we were engaged in the sometimes silly but always sacred rituals of democracy.

In those quiet summer days, the departments of Maine's government gathered the numbers and put together their requests for what they estimated would be necessary to carry out their programs for the two years starting this July — to keep the doors open. And those requests totalled \$3.8 billion. Then the departments developed their requests for new or expanded programs which added \$465 million to the bottom line. Total projected expenditures? \$4.3 billion.

At the same time, estimates were being prepared of available revenues — How much would Maine people earn and what would their income tax payments be? How much sales tax would sales of cars, VCR's and all of the other products sold in Maine generate? How much would our economy grow or shrink in the next two years? And the answer came back that growth would be slow and that when all was said and done, we would have \$3.5 billion to spend.

Anyone see a problem here? That's right — nearly \$800 million worth of problem — a big number by any standards and especially for the State of Maine.

We were faced with a \$759 million difference between departmental requests and available revenues and an additional \$31 million problem because the state had been counting revenues before they were received — an accounting practice that I call a "pull" — that the bond markets — and common sense — and accountants — cannot forgive forever.

In tackling this problem, we were further limited by the fact that some agencies — most notably in the natural resource area — have already suffered a disproportionate share of cuts in past budgets and simply cannot carry the burden of further deep cuts this time around. In fact, the reality is — and we must continually remind ourselves and our friends at home — that more than 80% of the Maine state budget falls into just two categories: education and human services. So it is impossible to solve a significant budget shortfall without these two areas on the table.

And across the board cuts, my friends, simply avoid the real decisions, they avoid the setting of priorities, they make a mockery of the job the people sent us here to do.

And so, shortly after the election, we began to climb the budget mountain. I divide what we have done into four categories and I want to speak with you about each of them tonight: "Squaring the books", "sharing the pain", "rightsizing government", and "preparing for the future".

Under squaring the books, otherwise known as the Gimmick Watch, we have:

Ended furlough days, shut down days, payroll pushes, and the shortened work week. This long overdue step will cost \$25 million over the next two

years, but, it had to be done if we were going to be honest with our employees and the citizens of Maine. This gimmick is gone, dead, kaput. (Applause)

We have funded the states TQM program and Quality Centers "on the books" instead of through the back door which has been the practice in the past.

We have repaid the Federal Government for their share of employee savings "borrowed" from the retirement fund.

We have begun to move the funding of the State Police back to the General Fund from a too-great reliance on the Highway Fund.

We have begun a four-year commitment to the elimination of the "accounting pull" I mentioned above.

And, as I stated at the outset, we are returning the Loon Plate money to the Wildlife Fund where it belongs.

Is every single gimmick completely eliminated in this budget? No. As I have said often over the last several weeks, the road out of the woods is usually as long as the road in. But we have eliminated the largest ones and we've set a credible course toward the elimination of the rest.

Have we even found every single gimmick? Almost certainly not, they keep popping up daily. I expect and hope that the Appropriations Committee will find the ones we have missed and that we will work together to deal with them just as we did on the Supplemental Budget.

Which brings me to a very important point: I don't view this process as a contest between myself and the Appropriations Committee or the Legislature as a whole. I'm going to repeat that — I don't consider this process a contest. I don't claim perfection for this document; we will differ on some items and then we will work them out — that's the way the process is supposed to work. Nobody here is winning or losing, we are just doing our jobs.

By the way, as long as we are working on the details — whether a particular cut is preferable to another, how to fund a new program, the timing of cuts or other changes, you'll find me reasonable and receptive — the nicest guy in town. (Laughter)

But if the process starts to stray toward tax increases and new gimmicks, you'll find me stubborn, unreasonable, and altogether difficult to deal with. Some of you may even question my ancestry in one form or another. (Laughter) That was the nicest way I could figure to say that.

I emphasize the point that this is not some kind of contest because I think it's important to change the whole way we think around here. For the past half-dozen years or so, an automatic assumption has grown up that the Legislature and the Governor are some kind of natural enemies — like dogs and cats or Macintosh and DOS users. (I can tell who is into technology). We've got to break out of this way of thinking if we want to get anything done.

Because you know what? The people out there don't care who wins in these halls. They don't think of us as Senators or Representatives, or Republicans or Democrats, Governor or Legislature. To someone who wants his taxes cut, her drivers license issued with a minimum of hassle, or a pothole filled, were all the "gummint" (as my father used to say). And the gummint doesn't have too many more chances to get it right.

So nobody out there should be keeping score — and if we can remember that, we all — including the

people of Maine — will win.

Unfortunately, part of that winning will involve sharing some pain. And I want to turn to that now.

With an \$800 million difference between departmental requests and available revenues, we had to make some painful choices. Because of this shortfall, and because I don't have the benefit of having my own cabinet and departmental advisors in place, I have taken a tough stand against nearly all requests for new or expanded programs — the so-called Part II budget. Given the hole we are in, we simply cannot afford the \$465 million wish list that the departments collectively put forward—and you will not find these items in the budget I am submitting to you. However, I have made one exception (Senator Kieffer): to continue state funding for the Loring Development Authority.

Second, I propose that we discontinue funding of the math and science magnet school at Limestone. I have carefully weighed the case made by its proponents, but simply cannot justify the expenditure of \$3.7 million for this purpose while we are holding increases in general school aid and assistance to higher education to relatively low levels.

I know that among some residents of The County, this is viewed as some kind of litmus issue — that failure to support this project indicates a lack of concern for their communities. All I can say is that my feeling about this project would be no different were it located in southern Maine, or indeed in my own home town.

Third, I am proposing that we delay the start-up of the York County Technical College by one year, due to the especially tight situation in FY 1996.

Fourth, I propose that we postpone the effective date of the environmental tax credit designed principally to benefit the paper industry. I am extremely sensitive to the important role the paper industry plays in the Maine economy and the importance of encouraging new investment, but, as with other cuts in this budget, we just can't afford it right now.

And besides, if we can straighten out our permitting process, the industry will save the \$8 million — just in legal fees. (Applause)

Fifth, funding to meet our legal obligations under the AMHI Consent Decree and under two other community consent decrees must come from within existing resources of the Department of Mental Health and Mental Retardation. I have directed the Department to focus its priorities and to create new efficiencies to meet the needs of the Consent Decree members.

This department restructuring will not be easy and it will strain services to other constituents, but I'm convinced that our mental health dollars can be better focused to meet the changing needs of all service populations.

We rank fifth in the nation in per capita spending on mental health services. We are not shirking this responsibility, but I am convinced that we are not spending these resources effectively.

Sixth, several accounts in the Department of Human Services will see declining support due to improved economic conditions and better program management. The number of Maine families on AFDC has declined 6% in each of the past two years. This trend is expected to continue. We anticipate saving \$4.6 million over the biennium in this account, but we intend to transfer \$1.5 million of these savings to the ASPIRE

program to continue to support the transition from welfare to work. (Applause)

We will also be initiating several proposals to reform welfare policies resulting in an additional \$4.3 million in savings over the biennium. These are not easy cuts but I believe they are necessary to create a set of welfare policies targeted to the neediest of our citizens.

In the area of corrections, we are proposing that one housing unit at the Bolduc Correctional Facility be closed.

And finally, there are the hospitals and something called Tax and Match. Conceived in the days when budgets were tight and we thought the Federal Government would remain stupid forever, Tax and Match was a scheme to tax hospitals, get the revenues more than matched by Federal Medicaid money, and then send the hospitals back more than they had paid in with the state keeping a chunk for good measure.

It worked great for a while and the hospitals actually gained nearly \$58 million in the process. But last year the gravy train began to slow down and it's been projected that if no changes are made, the hospitals may pay in \$110 million more than they get back over the next two years. So what do we do?

Some argue that this tax should be eliminated right now — immediately — placing the full burden squarely on an already strained state budget. At the other end of the scale, we could ignore the problem entirely and have the loss absorbed into our statewide health care bill.

I have chosen a third option which rests upon determining the exact nature and scope of the problem — what is the actual shortfall, when does it hit, which hospitals does it hit hardest, and what alternatives do we have that won't result in a direct charge to the taxpayers of Maine?

Over the coming months, my staff and I will work with legislators, hospitals, state and Federal officials and others concerned about this problem to find a responsible solution.

I was in Washington over the weekend, I met Secretary Shalala and she said to me, "Would you like to meet the Deputy Secretary in charge of Medicaid?" I said, "You bet I would!" And, we are going to get him up here to talk about some of these issues. I hope to submit a proposal to this session of the Legislature that will minimize the impact to our hospitals and avoid significant shifts in insurance costs and tax burdens.

And in light of the scarcity of resources at our disposal and the desire of everyone in this room to provide the people of Maine with some kind of broad-based tax relief, I would caution my colleagues who want to deal with this issue right away to keep their powder dry, at least until we see if there are other ways to skin this cat — for every dollar devoted to this purpose now is a dollar not available to cut property, sales, or income taxes later this year or next.

And, that brings me to rightsizing government. This means particular cuts and the elimination of some programs, but it also means laying the ground work for a more far-reaching and systematic reduction in the role and cost of government in our society. The times — and our constituents — demand that we start this process now.

And here goes:

I propose dismantling the Maine Waste Management Agency (Applause) and distributing its functions to

existing agencies where they can be handled without additional administration and another layer of regulation. The Bangor News had it right, this agency has succeeded, now it is time to dismantle it and move on. We have got to learn that lesson in Maine State Government.

I propose that once and for all, we get the State of Maine out of the liquor business. (Applause)

I propose that we streamline the Maine Drug Enforcement Agency within the Department of Public Safety — taking full advantage of the opportunity to simplify the administration of this agency while still achieving its fundamental purpose. We can battle drugs in this state without helicopters. (Applause)

And perhaps most importantly, we are proposing an innovative approach which will reduce the size of Maine State government. To accomplish this goal, we will work together with state employees:

- to recognize those employees who have developed highly productive programs and to find ways to share these successes in other parts of state government; in a high performance work organization — which is what we are going to become — workers are viewed — and treated — as assets, not as liabilities.

- to use technology to do our jobs more effectively,

- we are going to identify those programs which are no longer necessary, which need a change in direction, or which can be delivered more efficiently if combined with other activities,

- and we are going to ferret out those areas of inefficiency and waste which spoil the public's view of all state government.

But the key thing is to provide the discipline to be sure we stay this course. And so the hiring freeze that I announced at my inaugural will stay in effect, and this budget reflects the de-funding of more than 500 positions over the next two years (Applause) — the savings will be applied to collective bargaining (see, I am not forgetting the State employees) to improving technology throughout the government as well as decreasing general fund appropriations by more than \$30 million.

These personnel reduction will be achieved mostly through attrition, but at the end of the day, Maine state government will be smaller.

Is this all that can be done to make state government more efficient, effective, and affordable? Is this all the programs that should be considered for cuts or consolidation? Certainly not. And as we get our people into the agencies and enlist the line workers — who know where the savings are better than any of us — more opportunities will undoubtedly be found and greater improvement achieved.

The ship of state won't stop on a dime, but let no one doubt that as of today, we've changed the course.

My focus in making these cuts and those to come will be primarily on administration — the centralized bureaucracy as opposed to direct services to our people.

By the way, I met a Governor this weekend who told me what his state had done in circumstances such as ours. They authorized a pay increase for state workers...but didn't fund it. Instead, the workers were challenged to find the saving themselves to pay for the pay increase — and lo and behold, they did it with room to spare. Everybody — including the taxpayers — won.

So this is not the final word — I view this

budget as a first step in a number of areas, but one that is in balance and buys us the time to find further efficiencies. It is my hope, though not a promise, (I am learning about this racket) it is my hope, that this time next year at this time, I will return to you with a supplemental budget that will allow us to deliver a meaningful tax cut to our people. And I think we can do it. (Applause)

And finally — Mary says I say finally too much, that it just gets peoples hopes up — and finally, we have to look further ahead than two years or even four. We have to recognize longer-term economic trends and change the way we do business, so that Maine will be in a position to compete as we move into the twenty-first Century.

This budget accomplishes this in several ways.

First, I am proposing a Budget Stabilization Mechanism whereby revenues in excess of an index of real economic growth will be put aside into a separate fund to be used only during periods of economic downturn. In this way, we can avoid the swings that pushed us so high in the Eighties and brought us so low in the Nineties.

I am proposing that the Governor (and, if you don't want it to be me, you can make it out into the future) but the Governor should be given the Line-Item veto, (Applause) — maybe it will be me, I am not sure about that now. It is an effective weapon against excessive spending in 43 of our sister states and is likely to be adopted in the near future on the Federal level.

We will begin in 1997 a program to phase out or to reimburse for the property tax — I said reimburse, I don't want the towns to have a heart attack, to reimburse for the property tax on machinery and equipment without impacting local budgets — this is a negative investment tax credit, it is one of the most serious impediments to the development of manufacturing jobs in our state over the long term. (Applause)

I propose that starting in the next biennium, our budget process require that only 98% of projected revenues be budgeted for future expenditure and that the two percent thus saved go into the budget stabilization fund. Mississippi, five years ago, had \$5,000 in the bank. They went to this form of budgeting and their Governor told me this weekend they are arguing down there in Jackson about which taxes to cut, they have a \$300 million surplus. If Mississippi can do it, we can too.

I propose that Maine face the ever increasing costs of kids that come to school at age 5 or 6 who are not ready to learn, and in too many cases are damaged beyond repair. I have become completely convinced that the single most important investment for the long-term we, as a people can make, is in our youngest children and in prevention of problems before they blossom into low achievement — low self-esteem and enormous social costs.

And so, I am proposing that we commit ourselves to giving Maine children a Healthy Start. (Applause) We are going to do that through coordinated services organized and led on the local level.

This is based upon programs already in effect, and showing remarkable results — I believe in results. These programs in Hawaii have reduced child abuse by 85 percent. In Hawaii, North Carolina, and New Jersey — Maine's Healthy Start will be not so much a new program, as it will be a new focusing of available, but often fragmented resources, and a

calling forth of the tremendous untapped potential of volunteers in our communities.

But after all of this, there is a ghost haunting our deliberations. Here tonight there is a specter laughing at us as we struggle to balance this budget. He is laughing because if we don't address him—and expel him from these halls—all our efforts this winter and spring will be for naught—and every two years from now on, we'll be sitting here facing a new budget gap.

What I refer to my friends is the sea change that is taking place in Washington that all but guarantees a significant decline in Federal revenues. I call this ghost "Newt" just for ease of identification.

Federal funding is now 28% of our total budget. One of the things that shocked me as I dove into the numbers last month was the tremendous dependency we have developed on Federal funds. For too long, this money has been thought of as "free" and a job moved from the general fund to Federal sources was viewed as a neat savings.

Well, (my apologies to the English teachers) it ain't free and they ain't savings...and what's more, this money is going away just as surely as Sam Shapiro up there has lapel pins in his pocket. (Laughter) (Applause) (People at home are wondering what we are laughing at now.) We must begin the process today to get off this track as fast as possible—for those states which do so will be ahead of the curve over the next five years.

I'm not saying we should arbitrarily turn down Federal largesse; but I am saying we should look this particular gift horse in the mouth to see what strings are attached and whether a dependency is being created that we won't be able to easily break.

And we now begin the debate necessary to enact and sign a budget, I will stand on three principles essential to my campaign, subscribed to by the citizens of Maine, and I believe shared by the majority of legislators in this room.

First, I will not sign a budget that increases the tax burden on Maine citizens or that relies on new gimmicks; (Applause) second, unacceptable demands on our state employees—shutdown days, furlough days, and payroll pushes—are part of our past and have no place in our future. (Applause) And finally, (see, I said it again, Mary) and finally, this budget should be the last (the last budget) that is simply based upon spending levels that have gone before. We must move to performance based budgeting with benchmarks, measurement of results, and real accountability. (Applause)

And so, budgets are policy and this one speaks for me. It is not the only or the final answer, but it takes a major step toward fiscal responsibility...and a brighter future for Maine and her people.

And it allows me to say that here, in this building, just as is happening all across the state—at Shape in Biddeford, at Madison Paper, at Irving Tanning, at Great Northern, at L.L. Bean—the attitude has changed, the approach has changed, the mood has changed, and yes, in many cases, the people have changed.

Maine, my friends, is on the move.

Thank you. (Applause)

At the conclusion of the address, the Governor withdrew amid the applause of the Convention, the audience rising.

The purpose for which the Convention was assembled, having been accomplished, the Chairman declared the same dissolved.

The Senate then retired to its Chamber amid the applause of the House, the audience rising.

The House was called to order by the Speaker.

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

**COMMUNICATION**

The following Communication: (S.P. 162)

**117TH LEGISLATURE**

Jeffrey H. Butland	Dan A. Gwadosky
President of the Senate	Speaker of the House
	February 1, 1995

Senator Mary E. Small  
Representative John L. Martin  
Chairpersons

Joint Standing Committee on Education and Cultural Affairs

117th Legislature

Augusta, Maine 04333

Dear Senator Small and Representative Martin:

Please be advised that Governor Angus S. King, Jr. has nominated Wayne L. Mowatt of Caribou for appointment as Commissioner of the Department of Education.

Pursuant to Title 20A, MRSA Section 251, this nomination will require review by the Joint Standing Committee on Education and Cultural Affairs and confirmation by the Senate.

Sincerely,  
S/Jeffrey H. Butland  
President of the Senate  
S/Dan A. Gwadosky  
Speaker of the House

Came from the Senate, read and referred to the Committee on Education and Cultural Affairs.

Was read and referred to the Committee on Education and Cultural Affairs in concurrence.

On motion of Representative O'Neal of Limestone the House adjourned at 7:55 p.m., pursuant to the Joint Order (S.P. 135).