

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
20th Legislative Day
Thursday, March 2, 1995

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

Prayer by Reverend Lionel G. Chouinard, St. Augustine Catholic Church, Augusta.

The Journal of Tuesday, February 28, 1995 was read and approved.

The following item was taken up out of order and under suspension of the rules.

The following Communication: (H.C. 51)

COMMUNICATION

STATE OF MAINE

Office of the Secretary of State
March 1, 1995

To the Speaker of the House of the One Hundred and Seventeenth Legislature:

I, BILL DIAMOND, Secretary of State, in accordance with the provisions of the proclamation issued by the Governor on January 25, 1995, calling for a Special Election to be held on the twenty-eighth day of February in the year one thousand nine hundred and ninety-five to elect a Representative to the Legislature in District 31 and having tabulated the returns of the votes cast;

REPORT AS FOLLOWS: that Michael Saxl of Portland, having received a plurality of the votes cast, appears to have been elected Representative to the 117th Legislature in District 31:

SPECIAL ELECTION - February 28, 1995

REPRESENTATIVE TO THE LEGISLATURE

HOUSE DISTRICT 31

	HERRICK, JOHN D.	HOPKINS, DUNCAN
	Portland	Portland
<u>CITY</u>	<u>Independent Maine Green</u>	<u>Republican</u>
PORTLAND	191 18.24%	218 20.82%

	SAXL, MICHAEL	
	Portland	
<u>CITY</u>	<u>Democrat</u>	<u>OTHER</u>
PORTLAND	636 60.74%	2 .20%

I, BILL DIAMOND, Secretary of State, hereby certify that the foregoing report is a true tabulation of the votes cast at the Special Election for Representative to the Legislature in District 31, as reported to me on the returns from the municipality in that district.

S/BILL DIAMOND

Secretary of State

Was read and ordered placed on file.

At this point, the Speaker announced the presence in the Hall of the House of Representative-elect SAXL from Portland. The Speaker appointed the following Representatives to escort the Representative-elect to the Office of the Governor to take and subscribe the oath necessary to qualify him for the discharge of his official duties:

Representative JACQUES of Waterville
Representative SAXL of Bangor
Representative ADAMS of Portland
Representative BRENNAN of Portland
Representative MITCHELL of Portland
Representative RICHARDSON of Portland

Representative ROWE of Portland
Representative TOWNSEND of Portland
Representative GIERINGER of Portland

SENATE PAPERS

The following Communication: (H.C. 49)

Maine State Senate
State House Station 3
Augusta, Maine 04333

February 28, 1995

The Honorable Dan A. Gwadosky

Speaker of the House

117th Legislature

Augusta, Maine 04333

Dear Speaker Gwadosky:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Criminal Justice, Joseph D. Lehman of Mechanicsburg, Pennsylvania for appointment as Commissioner of the Department of Corrections.

Sincerely,

S/May M. Ross

Secretary of the Senate

Was read and ordered placed on file.

The following Joint Resolution: (S.P. 257)

**JOINT RESOLUTION MEMORIALIZING THE PRESIDENT
AND CONGRESS OF THE UNITED STATES
TO SUPPORT AMTRAK**

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

WHEREAS, Amtrak is energy-efficient and environmentally beneficial, consuming about 1/2 as much energy per passenger mile as airlines and causing less air pollution; and

WHEREAS, Amtrak provides mobility to citizens of many smaller communities poorly served by air and bus services, as well as to those senior citizens, people with disabilities, students and people with medical conditions who need trains as a travel option; and

WHEREAS, Amtrak is 9 times safer than driving per passenger mile and operates even in severe weather conditions; and

WHEREAS, Amtrak travel rose 48% from 1982 to 1993 and Amtrak dramatically improved coverage of its operating costs from revenues; and

WHEREAS, expansion of Amtrak service using existing rail rights-of-way would cost less and use less land than new highways and airports and would further increase the advantage of Amtrak's energy efficiency; and

WHEREAS, federal investment in Amtrak has fallen in the last decade while it has risen for airports and highways; and

WHEREAS, states may use highway trust fund money as an 80% federal match for a variety of nonhighway programs but are prohibited from using the money for Amtrak projects; and

WHEREAS, Amtrak pays a fuel tax that airlines do not pay; and

WHEREAS, Amtrak workers and vendors pay more in taxes than the Federal Government invests in Amtrak; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge the President and Congress of the United States not to reduce federal funding of Amtrak; to exempt Amtrak from paying fuel taxes that airlines do not pay; to allow the states flexibility in using federal highway trust fund money on Amtrak projects; and to require that federal officials include a strong Amtrak system in any plans for a national transportation system; and be it further

RESOLVED: That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the Honorable William J. Clinton, President of the United States, the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to each Member of the Maine Congressional Delegation.

Came from the Senate, read and adopted.
Was read and adopted in concurrence.

The following Joint Resolution: (S.P. 263)
JOINT RESOLUTION MEMORIALIZING THE PRESIDENT
OF THE UNITED STATES AND THE UNITED STATES
CONGRESS TO EXEMPT MAINE FROM THE REQUIREMENT
THAT CERTAIN STATES ACHIEVE A 15%
REDUCTION OF EMISSIONS

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

WHEREAS, the federal Clean Air Act requires that each state in which moderate ozone nonattainment areas are located submit a revision to the state's implementation plan to provide for a 15% reduction of volatile organic compound emissions by November 15, 1996; and

WHEREAS, this requirement applies to the State of Maine; and

WHEREAS, a significant portion of the volatile organic compound emissions present in the State have been transported from other states; and

WHEREAS, the programs necessary to achieve the required reduction in emissions will result in an immense economic burden on the citizens of the State of Maine; now, therefore, be it

RESOLVED: That, We, your Memorialists, respectfully urge and request the United States Congress to enact legislation that eliminates the requirement that Maine achieve a 15% reduction of volatile organic compound emissions; and be it further

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

Came from the Senate, read and adopted.
Was read and adopted in concurrence.

At this point, a message came from the Senate, borne by Senator Amero of that Body, proposing a Joint Convention to be held in the Hall of the House at 10:20 in the morning for the purpose of extending to the Honorable J. Michael Orenduff, Chancellor of the University of Maine System, an invitation to attend the Joint Convention and to make such communication as

pleases him.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 10:20 in the morning.

Non-Concurrent Matter

Bill "An Act to Amend the Municipal Subdivision Laws Regarding Application Requirements" (H.P. 481) (L.D. 662) which was referred to the Committee on State and Local Government in the House on February 28, 1995.

Came from the Senate referred to the Committee on Natural Resources in non-concurrence.

On motion of Representative MITCHELL of Vassalboro, the Bill was tabled pending further consideration and later today assigned.

Non-Concurrent Matter

Bill "An Act Regarding Unredeemed Deposits on Beverage Containers" (H.P. 506) (L.D. 687) which was referred to the Committee on Business and Economic Development in the House on February 28, 1995.

Came from the Senate referred to the Committee on Taxation in non-concurrence.

On motion of Representative MITCHELL of Vassalboro, the Bill was tabled pending further consideration and later today assigned.

Subsequently, Representative JACQUES of Waterville, reported that the necessary oath had been taken by Representative SAXL of Portland to qualify him to enter upon his official duties.

At this point, the Speaker announced that Representative SAXL would be assigned seat 70 and Representative BRENNAN would be assigned seat 25.

Non-Concurrent Matter

Bill "An Act Concerning Fraudulent Redemptions" (H.P. 512) (L.D. 700) which was referred to the Committee on Business and Economic Development in the House on February 28, 1995.

Came from the Senate referred to the Committee on Judiciary in non-concurrence.

On motion of Representative ROWE of Portland, the House voted to Insist.

At this point, the Speaker appointed Representative JACQUES of Waterville to convey to the Senate that the House voted to concur in the proposal for a Joint Convention to be held at 10:20 a.m. in the morning.

COMMUNICATIONS

The following Communication: (S.P. 262)

117th MAINE LEGISLATURE

February 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 Thomas D. McBrierty of Falmouth as Commissioner of the Department of Economic and Community Development.

Pursuant to Title 5, MRSA Section 13057, 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: (H.C. 50)
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
State Claims Commission
State House Station 49
Augusta, Maine 04333
February 27, 1995

The Honorable Dan A. Gwadosky
Speaker of the House
House of Representatives
State House Station 2
Augusta, Maine 04333

RE: Report of Small Claims to Legislature
Dear Speaker Gwadosky:

Herewith is Report of Small Claims which was received in this office during 1994 and which is being submitted to you for your information and records in accordance with Title 5 M.R.S.A., Section 1510-A, Subsection 8.

A similar report is also being submitted to the Honorable Jeffrey H. Butland, President of the Senate, and if you or your staff should have any questions in connection with this report, please communicate with this office.

Yours very truly,
S/Ronald M. Roy
Chief Counsel

Was read and with accompanying report ordered placed on file.

The following Communication: (H.P. 527)
Bureau of Corporations, Elections, and Commissions
Department of the Secretary of State
State House Station #101
Augusta, Maine 04333
February 27, 1995

Honorable Dan A. Gwadosky
Speaker of the House
State House Station #2
Augusta, Maine 04333
Dear Speaker Gwadosky:

Please find enclosed a certified copy of the Secretary of State's certification of validity for the petitions circulated on behalf of initiative legislation entitled, "AN ACT to Repeal the Motor Vehicle Emission Inspection Program." The original certification has been delivered to the Clerk of the House for introduction.

Sincerely,
S/Rebecca Wyke
Assistant Secretary of
State

State of Maine
Department of State

I, the Secretary of State of Maine, certify that written petitions bearing signatures of 59,722 electors of this State were addressed to the Legislature of the State of Maine and were filed in the office of the Secretary of State on January 26, 1995, requesting that the Legislature consider an act entitled "AN ACT to Repeal the Motor Vehicle Emission Inspection Program."

I further certify that the number of signatures submitted is in excess of ten percent of the total vote cast in the last gubernatorial election preceding the filing of such petitions, as required by Article IV, Part Third, Section 18 of the Constitution of Maine, that number being 51,131.

I further certify this initiative petition to be valid and attach herewith the text of the legislation circulated on the petition's behalf.

In testimony whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta on the twenty-seventh day of February in the year one thousand nine hundred and ninety-five.

S/BILL DIAMOND
Secretary of State

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

The accompanying Bill "An Act to Repeal the Motor Vehicle Emission Inspection Program" (I.B. 2) (L.D. 716) was referred to the Committee on Natural Resources, ordered printed and sent up for concurrence.

The following Communication: (H.P. 528)
Bureau of Corporations, Elections, and Commissions
Department of the Secretary of State
State House Station #101
Augusta, Maine 04333
February 27, 1995

Honorable Dan A. Gwadosky
Speaker of the House
State House Station #2
Augusta, Maine 04333
Dear Speaker Gwadosky:

Please find enclosed a certified copy of the Secretary of State's certification of validity for the petitions circulated on behalf of initiative legislation entitled, "AN ACT to Establish the Maine Outdoor Heritage Fund." The original certification has been delivered to the Clerk of the House for introduction.

Sincerely,
S/Rebecca Wyke
Assistant Secretary of
State

State of Maine
Department of State

I, the Secretary of State of Maine, certify that written petitions bearing signatures of 52,678 electors of this State were addressed to the Legislature of the State of Maine and were filed in the office of the Secretary of State on January 26, 1995, requesting that the Legislature consider an act entitled "AN ACT to Establish the Maine Outdoor Heritage Fund."

I further certify that the number of signatures submitted is in excess of ten percent of the total vote cast in the last gubernatorial election preceding the filing of such petitions, as required by Article IV, Part Third, Section 18 of the Constitution of Maine, that number being 51,131.

I further certify this initiative petition to be valid and attach herewith the text of the legislation circulated on the petition's behalf.

In testimony whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta on the twenty-seventh day of February in the year one thousand nine hundred and ninety-five.
S/BILL DIAMOND
Secretary of State

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

The accompanying Bill "An Act to Establish the Maine Outdoor Heritage Fund" (I.B. 3) (L.D. 717) was referred to the Committee on Legal and Veterans Affairs, ordered printed and sent up for concurrence.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills and Resolutions 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:

Appropriations and Financial Affairs

Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1996 and June 30, 1997" (EMERGENCY) (H.P. 516) (L.D. 706) (Presented by Representative KERR of Old Orchard Beach) (Cosponsored by Senator HANLEY of Oxford and Representatives: DONNELLY of Presque Isle, POULIOT of Lewiston, Senator: BERUBE of Androscoggin) (Governor's Bill)

Bill "An Act to Make Allocations from the Maine Nuclear Emergency Planning Fund for the Fiscal Years Ending June 30, 1996 and June 30, 1997" (EMERGENCY) (H.P. 519) (L.D. 709) (Presented by Representative KERR of Old Orchard Beach) (Cosponsored by Senator: HANLEY of Oxford) (Governor's Bill)

Bill "An Act to Make Allocations from the Public Utilities Commission Regulatory Fund and the Public Utilities Commission Reimbursement Fund for the Fiscal Years Ending June 30, 1996 and June 30, 1997"

(EMERGENCY) (H.P. 520) (L.D. 710) (Presented by Representative KERR of Old Orchard Beach) (Cosponsored by Senator: HANLEY of Oxford) (Governor's Bill)

Bill "An Act to Make Allocations from the Public Advocate Regulatory Fund for the Fiscal Years Ending June 30, 1996 and June 30, 1997" (EMERGENCY) (H.P. 521) (L.D. 711) (Presented by Representative KERR of Old Orchard Beach) (Cosponsored by Senator: HANLEY of Oxford) (Governor's Bill)

Bill "An Act to Make Allocations from Various Funds of the Department of Environmental Protection for the Fiscal Years Ending June 30, 1996 and June 30, 1997" (EMERGENCY) (H.P. 524) (L.D. 714) (Presented by Representative KERR of Old Orchard Beach) (Cosponsored by Senator: HANLEY of Oxford) (Governor's Bill)

Bill "An Act Making Allocations Relating to Federal Block Grants for the Expenditures of State Government for the Fiscal Years Ending June 30, 1996 and June 30, 1997" (EMERGENCY) (H.P. 525) (L.D. 715) (Presented by Representative KERR of Old Orchard Beach) (Cosponsored by Senator: HANLEY of Oxford) (Governor's Bill)

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

State and Local Government

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require Gubernatorial Appointment of the Attorney General (H.P. 518) (L.D. 708) (Presented by Representative MARTIN of Eagle Lake)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require That the Treasurer of State Be Appointed by the Governor (H.P. 523) (L.D. 713) (Presented by Representative MARTIN of Eagle Lake)

Taxation

Bill "An Act to Protect Private Enterprise from Tax-subsidized Competition" (H.P. 515) (L.D. 703) (Presented by Representative GOOLEY of Farmington) (Cosponsored by Representatives: BIRNEY of Paris, DEXTER of Kingfield, GIERINGER of Portland, GOULD of Greenville, GREENLAW of Standish, GWADOSKY of Fairfield, JACQUES of Waterville, JOY of Crystal, LANE of Enfield, McALEVEY of Waterboro, POIRIER of Saco, POVICH of Ellsworth, ROBICHAUD of Caribou, SIMONEAU of Thomaston, TRIPP of Topsham, TRUMAN of Biddeford, Senators: BEGLEY of Lincoln, BENOIT of Franklin, LORD of York)

Bill "An Act to Include an Optional Contribution Check-off Box on State Income Tax Forms to Benefit Fort Knox" (H.P. 517) (L.D. 707) (Presented by Representative PERKINS of Penobscot) (Cosponsored by Representatives: DAMREN of Belgrade, DONNELLY of Presque Isle, GERRY of Auburn, GUERRETTE of Pittston, JONES of Bar Harbor, MADORE of Augusta, WATSON of Farmingdale)

Transportation

Bill "An Act to Make Allocations from the Transportation Safety Fund for the Fiscal Years Ending June 30, 1996 and June 30, 1997" (EMERGENCY) (H.P. 522) (L.D. 712) (Presented by Representative

KERR of Old Orchard Beach) (Cosponsored by Senator: HANLEY of Oxford) (Governor's Bill)

ORDERS

On motion of Representative HICHBORN of LaGrange, the following Order: (H.O. 12)

ORDERED, that Representative J. Elizabeth Mitchell of Portland be excused February 17 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Thomas E. Poulin of Oakland be excused February 28 and March 1 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Robert W. Spear of Nobleboro be excused February 22 for personal reasons.

Was read and passed.

On motion of Representative CARLETON of Wells, the following Joint Order: (H.P. 526)

ORDERED, the Senate concurring, that pursuant to Joint Rule 16, the Joint Select Committee to Investigate the Implementation of the Maine Motor Vehicle Emission Inspection Program is established and consists of 3 Senators appointed by the President of the Senate and 7 members of the House of Representatives appointed by the Speaker of the House of Representatives. This joint select committee shall investigate the circumstances leading up to and including execution of the contract for implementing the emission inspection program, including, but not limited to, the request-for-proposal process and parameters, the review of those proposals and the negotiation, terms and execution of the contract. The Legislature intends by passage of this order to establish this joint select committee as a legislative investigating committee under the Maine Revised Statutes, Title 3, chapter 21 and hereby grants to the joint select committee all the powers and authority of an investigating committee under that chapter. The committee shall make recommendations for legislative or administrative changes, or both, in state contracting procedures no later than May 1, 1995.

Was read.

On motion of Representative CARLETON of Wells, the Joint Order (H.P. 526) was tabled pending passage and specially assigned for Tuesday, March 7, 1995.

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 56 and Joint Rule 34, the following items:

Recognizing:

Norman "Skip" Trask, who retired as Deputy Commissioner after 28 years with the Department of Inland Fisheries and Wildlife. He started in 1966 as a District Warden, became a Sergeant in 1973 and in 1980 was promoted to Lieutenant in the Planning Division. He was named Deputy Commissioner in 1983, where he worked with 3 different commissioners until his retirement. We acknowledge his dedicated service and extend our congratulations and best wishes on his retirement; (HLS 127) by Representative JACQUES of Waterville. (Cosponsors: Representative ROTONDI of Madison, Senator HALL of Piscataquis, Senator O'DEA of Penobscot, Representative CLARK of Millinocket, Senator MICHAUD of Penobscot)

On objection of Representative JACQUES of Waterville, was removed from the Special Sentiment Calendar.

Was read.

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

Representative JACQUES: Mr. Speaker, Men and Women of the House: Tomorrow evening I will be presenting a copy of this sentiment, on behalf of this Legislature, to Skip Trask who has served the people of the State of Maine very well for 28 years.

When I first was elected to the Maine House I met Skip Trask. He then became the new sergeant in the Unity area and he and I were invited to speak to a hunter safety class in Waterville.

Over the years he has moved up, I have stayed the same. I am still a member of the House of Representatives and Skip was promoted to Lieutenant in charge of rules and regulations and worked very closely with the Legislature and members of the Fish and Wildlife over the years to make the changes in the Fish and Wildlife laws that were so necessary to promote and protect a resource that is worth well over a billion dollars to the people of the State of Maine.

I have never met a man that was more fair than Skip Trask, whether he was dealing with his department employees in cases of mediation or whether he was dealing with members of the Legislature.

I have to point out that in the time when it has become a popular thing to bash elected officials Skip Trask always had a respect for each and every one of you and he also had respect for this institution.

He clearly understood that the Legislature is indeed the lifeline of the Fish and Wildlife Department. He worked very hard to understand the process and he worked within that process respecting the right of every individual legislator to agree or disagree with the policies that were set forth by the department in cooperation with this legislature. He never forgot the fact that this was a legislature that represented the people of the State of Maine and the diverse interests of hunters and fishermen.

Now, there is no group in the State of Maine that has more experts than the hunting, fishing and trapping population of the State of Maine. You all have them in your district, they feel very passionate and strong about these issues and Skip Trask was always able to recognize, appreciate and work within the system to make things happen for the department.

Tomorrow evening there will be party saying "good-bye" to his service to the State of Maine. The only unfortunate thing is that this man was never made Commissioner. I firmly believe that this man could have been probably one of the greatest Fish and Wildlife Commissioners the state had ever seen. As fate would have it, that position always alluded him, but he was probably one of the most outstanding Deputy Commissioners that the Department has ever had.

Clearly, he was there through some of the most difficult times and was always able to put the resource above everything else.

His work, his dedication, his commitment to that resource should be remembered not only for this generation but for many generations to come.

We wish him well in his retirement. I am told that he will do a little hunting, a little fishing and a little trapping. I think an ironic and just

retirement for a man who has dedicated so much of his life to that resource.

I will be most pleased tomorrow to present this sentiment on behalf of this Legislature and to say a few words expressing the same feelings I have done here this morning.

Thank you.

Subsequently, was passed and sent up for concurrence.

Priscilla Ann Attean, of Indian Island, who has served as a Member of the Maine House of Representatives since the 112th Legislature, representing the Penobscot Nation. We acknowledge her life of service to her Nation and State, including her terms of office in the Maine State Legislature, her appointments to several state and national boards and committees and her employment as the Tribal-State Relations Officer by the Penobscot Nation. She will be sadly missed by her family and many friends; (HLS 130) by Representative KEANE of Old Town. (Cosponsors: Senator O'DEA of Penobscot, Speaker GWADOSKY of Fairfield, President BUTLAND of Cumberland)

On objection of Representative KEANE of Old Town, was removed from the Special Sentiment Calendar.

Was read.

Subsequently, the members of the House stood and observed a moment of silence in memory of Priscilla Ann Attean.

The SPEAKER: The Chair recognizes the Representative from Old Town, Representative Keane.

Representative KEANE: Mr. Speaker, Members of the House: Before the 1994 elections I knew little of the personal nature of Priscilla Attean. I was aware of her reputation as an articulate and determined spokeswoman for the Penobscot Nation. I had also heard of her intense pride and tribal heritage and her dedication to serving her people.

I occasionally saw her about town and, more frequently, at public gatherings, but aside from this peripheral knowledge, I knew little else about Priscilla. It wasn't until after the elections that I began to understand what a truly unique person Priscilla was. Our politics and legislative requirements brought us together in a close working relationship as we discussed and planned the tribes legislative agenda for the forth-coming session. We worked well together because Priscilla was patient and tolerant of my inexperience and my lack of knowledge of tribal issues.

In a very short time she became my mentor on Indian affairs and took time from her busy schedule to work with me through complex issues. During all this time and effort she was expending on my she was quietly suffering from the ravages of the cancer that was racking her body and spirit. As the months passed from election day, I saw the inner grace and nobility of a woman fighting for her life while still being helpful and considerate of others. Brave and courageous until the end, she withstood the pain and debilitation caused by the dreaded disease she battled but she never let it detract from her work or the work that we were doing. She was of one mind and one purpose in the service of her people. Neither pain nor pity could deter her purpose as long as she was physically and mentally strong enough to resist.

An example of her courageous tenacity occurred a week ago last Saturday. Priscilla phoned her from

her hospital bed to assure me that she would be present to testify in support of L.D. 99, a bill to protect Tribal fisheries, which was scheduled for hearing on the following Wednesday. She did make it to Augusta that day but before she could testify weakness and pain overcame her and she had to be taken back home the next day. Two days later she passed away.

L.D. 99 was my first bill to sponsor and to present to a legislative committee hearing. Priscilla Attean helped make it a memorable occasion for me. I only wish she could have been there to share that moment with me.

Life goes on, and it is made tolerable by the inspiration of those who have gone before us. The people of the Penobscot Nation and of Old Town are profoundly saddened by the loss of this wonderful lady, but, we are forever comforted by her memory.

So, it is now time to say good-night sweet princess, may flights of angels sing the to thy rest.

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

Representative JACQUES: Mr. Speaker, Men and Women of the House: This past Tuesday the Speaker, myself, Representative Benedikt and Millie MacFarland, our Assistant Clerk, drove to Old Town to say farewell to another colleague, for the second time in about two weeks.

There are a couple of ironies in this whole thing. Representative Mona Hale and Priscilla Attean were best of friends. They shared more than a common interest in the smoking room. They were buddies, they were pals and, in a lot of ways they were a lot alike.

As I was sitting in the auditorium in Old Town the other day I was thinking back on the words that Speaker Gwadosky has related to the people gathered at the funeral services for Mona and describing Mona. You could almost substitute Mona for Priscilla.

Priscilla was very proud of her name, it is one of the oldest names in the Penobscot Nation. It was pronounced Attean, like Attean Township in the Jackman area, not A-t-e-e-n. Whenever somebody would refer to her as Representative Ateen, I would watch her face. So, whenever I had a chance I used to say, "Good morning, Representative Ateen, how are you?" and the face would come.

Representative Attean did not need an act of Congress or a Legislative Act to tell her who she was and what her lot in life would be. When the Penobscot Nation sent her to this Legislature they sent all that we had ever bargained for and more. Having served on Energy and Natural Resources Committee for 15 and half years and on Fisheries and Wildlife for 17 years, those were the two areas that Priscilla worked with the most. I had come to know her work, her tenacity and her dedication to her people, as she called it.

Priscilla was probably the epitome of a Representative of her people, much like Mona was.

Every once and a while she would send me a note about a bill coming along (when I was either the Chair of Energy or the Chair of Fisheries and Wildlife or even sitting in the corner seat in this past session) that was of interest to her — if you have ever gotten any notes from Priscilla, they were usually pretty short, brief and to the point. She usually wrote my name with just a "P" and her little note and there would either be a sticker of a heart

or pair of lips and she would sign it "P". When she came back this past session after she had been gone, fighting the fight that she eventually lost, she sent me a note. "Dear Paul, I know how much you miss these."

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

Representative WHITCOMB: Mr. Speaker, Men and Women of the House: I concur with the good Representative from Old Town and the good Representative from Waterville about the pride that Priscilla shared with us and the effort that she made to represent her people in this body. I remember so well on the previous economic tour of Northern Maine when Priscilla took us to Indian Island and showed us the school that they had built for their children, as well as (at that time) the ice arena, which has now been changed on the island. It impressed me that she and her Nation which has suffered with so little for so long now had one of the finest facilities that could be found in the State of Maine to educate their children and the immense pride with which she and the other who took us through that facility had and what they now could offer.

Priscilla, I think, exhibited that same kind of pride here in the Legislature. There was not an issue that concerned her that she stayed silent about. I remember clearly being in the Committee on Taxation where there was an item presented to us that would have affected some of the Tribal assets that grew to protect so fiercely. She was outspoken in the committee and outspoken in the halls and outspoken with any one of us about that subject and its impact. That, I think, is the legacy of Priscilla here.

After traveling on the previous economic tour around Northern Maine and learning more of her heritage, she and I spoke frequently about issues that concerned her. It is, as the good Representative from Waterville, has said, a terrible irony that within two weeks, two people who clearly can be said to be outspoken (but in very different ways) have left us.

As we said in the case of Mona, we will miss Priscilla, we will miss what she brought to this body and we will miss the intensity with which she represented her people.

Subsequently, was adopted and sent up for concurrence.

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

CONSENT CALENDAR

First Day

In accordance with House Rule 49, the following item appeared on the Consent Calendar for the First Day:

(H.P. 235) (L.D. 315) Bill "An Act to Allow Disclosure of Residential Natural Gas Costs" Committee on Utilities and Energy reporting "Ought to Pass"

There being no objections, the above item was ordered to appear on the Consent Calendar of Tuesday, March 7, 1995 under the listing of Second Day.

CONSENT CALENDAR

Second Day

In accordance with House Rule 49, the following item appeared on the Consent Calendar for the Second Day:

(S.P. 41) (L.D. 71) Bill "An Act to Amend the Charter of the Port Clyde Water District" (EMERGENCY) (C. "A" S-11)

No objections having been noted at the end of the Second Legislative Day, the Senate Paper was Passed to be Engrossed as Amended in concurrence.

BILLS IN THE SECOND READING

Bill "An Act Regarding the Functioning of the Department of Mental Health and Mental Retardation and Several Professional Regulatory Boards" (EMERGENCY) (H.P. 483) (L.D. 664)

Was reported by the Committee on Bills in the Second Reading, read the second time, the House Paper was Passed to be Engrossed and sent up for concurrence.

At this point, the Senate came and a Joint Convention was formed.

IN CONVENTION

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

On motion of Representative Amero of Cumberland, it was

ORDERED, that a committee be appointed to wait upon the Honorable J. Michael Orenduff, Chancellor of the University of Maine System and inform him that the two branches of the Legislature are in Convention assembled, ready to receive such communication as pleases him.

The Order was read and passed.

The Chairman appointed:

Senators:	SMALL of Sagadahoc
	ABROMSON of Cumberland
	ESTY of Cumberland
Representatives:	MARTIN of Eagle Lake
	CLOUTIER of South Portland
	STEVENS of Orono
	BRENNAN of Portland
	WINN of Glenburn
	DESMOND of Mapleton
	AULT of Wayne
	BARTH of Bethel
	LIBBY of Buxton
	MCELROY of Unity

At this point, the Chair recognized and welcomed members of the University of Maine Board of Trustees: Chairman Ralph Hodgkins, Penny Harris, Erin O'Brien, and John DiMatteo. (Applause the audience rising)

The Chair also recognized and welcomed the University Presidents: Dr. Frederick Hutchinson from the University of Maine in Orono, Dr. George Connick from the Education Network of Maine, Dr. Michael Easton from the University of Maine at Presque Isle, Dr. Theodora Kalikow from the University of Maine at Farmington, Dr. Charles Macroy from the University of

Maine at Augusta, Dr. Paul Nordstrom from the University of Maine at Machias, and Dr. Richard Pattenau from the University of Southern Maine. (Applause the audience rising)

Subsequently, Senator Small of Sagadahoc, for the Committee, reported they had delivered the message with which we were charged and are pleased to report that the Honorable J. Michael Orenduff, Chancellor of the University of Maine System, will attend forthwith.

At this point, the Honorable J. Michael Orenduff, Chancellor of the University of Maine entered the Convention Hall amid prolonged applause, the audience rising.

Chancellor Orenduff then addressed the Convention as follows:

President Butland, Speaker Gwadosky, Members of the 117th Maine Legislature. Thank you for that warm welcome and the opportunity to speak before you this morning.

Before I begin my talk, I want to recognize two special people. Governor King had planned to be here this morning but a scheduling conflict arose. I wanted to note that no Governor has attended a State of the University address before, and I wanted to thank him for his willingness to be here and demonstrate his support for higher education.

I also want to introduce somebody who is more important — and if the Governor is listening, I apologize — but I say that without any reservation, that is my mother, Billie Louise Orenduff, who is in the gallery. Mom, would you stand up. (Applause the audience rising)

This is a very special day for me be able to come before you. It is also a special day for my mother. In fact, she had a very special experience this morning, she was interviewed by Connie Chung. Connie asked her, "Mrs. Orenduff, what do you really think of the Chancellor's Office?" My mother said, "I don't really think I should answer that." Connie said, "Well, just whisper in my ear." My mother said, "Well, I think it should be closed." (Laughter, applause)

As legislators you sometimes have mean things written about you in the paper and believe it or not that actually sometimes happens to a Chancellor as well. The great thing about mothers is they are always proud of you no matter what is written in the paper. I know that all of you appreciate that.

My mother used to make the best pecan pie in Texas. But she would never let me eat any of it until after I finished my okra. Now, for those of you who don't know, okra is sort of the Texas equivalent of something like broccoli or lima beans or something that kids don't like to eat. Generally there are only two ways you can get kids to eat okra. One is to threaten them and the other is to bribe them. She used to bribe me with the pie.

My speech today starts with the rhetorical equivalent of okra; you may not like the flavor of it. But then I am going to give you desert later on in the form of some announcements which I believe will be sweet tasting indeed.

Those of you in the Legislature know all too well the difficulty of change of any sort. Along with other Maine citizens, I watched sometimes in fascination as you struggled to write new rules and

adopt new procedures and cope with the new political environment while all the time balancing the many tugs and pulls you have from your competing interests and from all your constituencies.

So consider along with me for a moment what we face in the University. Over 100,000 alumni, some of whom are happy only when the football team wins; they were frequently unhappy last fall.

More than 30,000 students who seem to have at least one thing in common; none of them can find a parking place. And over 4,000 employees, many of whom believe they could do a better job of running the University than the current administration and given the sheer number of them there may be some truth to that.

Imagine what it is like trying to bring change to such a large and complex organization. And then consider that when I came into this job we had six different unions, none of which had a contract, an appropriation that had not had even an inflation increase for five years, an \$11 million bad debt from the state, the students upset over a 62 percent tuition increase in four years. I suggested to one group of you in the hall one day that it was like trying to fight with both hands tied behind my back. When Dick Gould heard that, he offered to lend me one of his shirts. (Dick won't mind my saying that — he has got his coat on today, he is getting better.) I came to know Dick when I was president at Farmington because he was one of loyal graduates.

Representative Gould is one of many members of this Legislature with ties to UMF. Representative Clyde Hichborn from LaGrange is also a Farmington graduate as are Representatives Ida Luther from Mexico and Jeff Joyner from Hollis. Representative Bob Tufts was a member of the class of '56 and an outstanding athlete.

Representative Herbert Adams and Elizabeth Townsend and Minority Leader Walter Whitcomb all had mothers graduate from Farmington, and Senator Peter Mills' grandmother was a UMF graduate.

Several of you have taken courses at UMF for professional development or just for fun. I can think in particular of Representative Kyle Jones and Senator John Benoit. Senator Richard Ruhlin's niece was an honors graduate last spring. Representative Roland Samson's daughter Erica was one of ten Alumni Scholars and I enjoyed watching her perform in several student theater events. Representative Ed Dexter holds the tuition paying record, five daughters attended UMF, and his wife as well. Chick Pouliot's daughter began her college career at UMF. Harry True and I sat together and watched many basketball games when his son Paul was a point guard at UMF and his daughter also graduated from there.

I have gone to some length about UMF connections to make two points. The first has to do with the strong connection between the University and this Legislature. Every campus has the same sort of connections that I just outlined for Farmington. We could go through that routine for any one of the campuses. If you took everybody in this Legislature who has attended a University of Maine System campus or had a family member attend, you would probably be looking at three-fourths of the Legislature.

And that brings me to the first issue that I want to talk about; what I said was the okra of my speech. I hope you won't mind my being blunt. Earlier in this session, a poll was taken in a caucus. In that poll, some of you were asked this

question: "If there were additional money to appropriate, would you spend it on the Technical Colleges, the University, or both?"

I am told that 79 percent said they would spend the money on the Technical Colleges. Now don't get me wrong; the Technical Colleges are important to Maine and they deserve your support. But in my role, my job as Chancellor of the University, I have to ask why the University is a lower priority? I think perhaps it is because we have not done a good job of explaining what we are about.

The role of the Technical Colleges seems clear-cut; they train people for very specific jobs. But so do we. One of our Trustees, and a former member of this body, Bennett Katz, has often said that the biggest vocational school in Maine is in Orono. And, you know what? He's right. Last year, Orono alone graduated almost 2,500 students. Students majoring in everything ranging from bio-resource engineering to chemical substance abuse counseling. Scores of them went on to graduate or professional schools. Over 2,200 of them were placed in jobs doing everything from managing our forest lands to writing computer programs.

On the topic of computer programs you may not know that there are now over 300 firms in Maine in the software business, most of them small start-up firms. They produce everything from pharmaceutical data bases to computer assisted design programs for our marine construction industry. They get their employees from the University. They also get support and assistance from the University. They are on our internet system. In fact, the president of the Maine Software Developers Association is one of our faculty members. I predict the day will soon come when more people will be employed in Maine writing software than in making paper, and the University will educate the people who fill those jobs. But we will also continue to support the traditional industries like papermaking through such programs as our pulp and paper technology program.

System-wide in the University, we place more graduates in jobs each year than the entire enrollment of the Technical College system. Yet despite the obviously greater expense of running baccalaureate, graduate, and research programs we get less money per student than they do. Why do we not get stronger support?

Perhaps there is a belief among some of your constituencies or at least a sort of unquestioned assumption that the University is strictly an intellectual place, nice to have - certainly, but maybe not the sort of place where everyday people go. Perhaps the Technical Colleges are seen as training us for the jobs that we can imagine ourselves having, firemen or plumbers. Perhaps we think the University is sort of too "white collar" for Maine.

Well, let me poke a few holes in that myth, starting with the current Chancellor.

I went to a public University, but I hardly came from a white collar background. My parents were not college graduates. I helped to put myself through college, they helped a lot, but helped to put myself through college by working as a plumber. So you see why I can be so blunt in making this comparison because I have an agreement with John Fitzsimmons. If I lose my job as Chancellor, I get a job there teaching plumbing.

Seriously, I am very proud to have earned a journeyman's license as a plumber. I recently had one do some work for me and I am even prouder (when I got the bill) to know that I have something to fall back on that pays well. Fred Hutchinson, the President of our land-grant university grew up on a farm in Atkinson, Maine. Dick Dumont, the President of the University of Maine at Fort Kent, grew up in Sanford. His father was one of the many Franco-Canadians who immigrated to Maine to work in the mills, his father had an eighth grade education. Woody Hodgkins, Chair of our Board of Trustees, put himself through Orono by driving a cab. I didn't know until I heard that that they had cabs in Orono, but I guess they did back then. Sally Vamvakias attended Orono, she is the Vice Chair of the Board of Trustees because her family couldn't afford for her to go anywhere else. Fred Hutchinson, Dick Dumont, Woody Hodgkins, Sally Vamvakias. They have two things at least in common, they are now all in very important leadership positions in higher education in Maine and not one of their parents attended college. That is something they share with thousands of our current students.

Let me move to the second purpose of the UMF examples I gave earlier. Following along that same line of thought - Dick Gould put himself through UMF by working part-time at the local grocery store. Ida Luther came as a non-traditional student, summoning up the energy and courage to go back to school and compete with youngsters fresh out of high school. I hope Kyle Jones won't mind my saying this, but he was sort of adrift when he came to UMF. Farmington helped him find his way, eventually into law school and now into this Legislature. And Serena Pouliot has learning disorder. But she has overcome that obstacle and confounded the experts who said she couldn't compete. I got to know her, she is an intelligent, outstanding young woman who has to work twice as hard as anybody else. She proved that she could do college work, in part because she believes in herself and in part because her parents believed in her.

My point in relating these facts to you today is that the University of Maine is not some sort of ivory tower. The University of Maine systems is not made up of a group of ivory towers. Your university is the place where people from ordinary backgrounds go to achieve extraordinary futures. Students who have to work to make ends meet, non-traditional students, students with barriers to overcome. And every year they do so. We have success stories by the thousands, and both the individuals students and Maine are the winners.

Do you realize that the average UMS graduate today makes more money the first year out of school than my mother made during any year of her working life even after adjusting for inflation? And I think probably the same would be true for a lot of you in comparing salaries to college graduates today. And if they make more money, they pay more taxes and they require fewer state services. Of course the University is about the arts and letters, about the development of the human mind and spirit. But we are primarily about opportunity, about jobs, about the future.

By all means, invest in the Technical College System. And also invest in the largest job generator in the State of Maine: The University of Maine System.

The unemployment rate among college graduates is 2.7 percent, about one-third the state average. College graduates pay 43 percent of all income taxes even though they represent only 23 percent of the population. We all know that Maine's economy has been in the doldrums for a prolonged period. During that period we have spent more money on prisons, we have spent more money on welfare, and we spent less money on higher education. That is not a formula for recovery; that is a formula for relapse.

I am not asking for a dramatic increase. Indeed, all we ask is that you leave intact the modest increase recommended by Governor King. That increase is less than \$2.50 per year per each citizens of Maine. Why, if President Clinton had had his way it would have cost more than that to cross our borders into Canada.

After five years in which our share of the state budget dropped by twenty percent, I have no hesitancy in requesting making this request for support. Let me make it clear that we also seek your support for the same increase for the Technical College System. In fact, we will not accept a funding increase that comes at the expense of the Technical College System. Maine needs both systems. What we don't need is overlap and duplication, and we pledge to work hard together to eliminate that. (Applause)

Now, I know the solution to our problems in the University and to the many other problems that you face as lawmakers here, the solution is not always more money. And we have tried to stretch the dollars we have by using technology to deliver education to more Mainers over ITV. Over 125 of our best faculty have voluntarily taught on the system. And over 10,000 students have taken a course. The evaluations they give are generally better than those given in live courses. Yet some say we are moving too fast. I would like to read to you from an editorial.

"In its 100 years, the University of Maine has used many teaching methods to spread knowledge inside and outside its campus, but now it has the ultimate technique - television. The University almost failed to get ITV due to a controversy which erupted in the Legislature. Opponents charged that the network would commit the state to huge sums of money. Proponents argued that the network would bring to the smallest school and home in Maine the very best in teaching techniques and instructors."

That was an editorial in the Maine Sunday Telegram. The date? April 4, 1965, 30 years ago.

Ladies and gentlemen, we may be moving too fast for some of our critics. We may be moving too fast for those whose special interests are threatened. But for the Mainers who are finally getting a chance for higher education, throughout Maine, from the inner city of Lewiston or the islands off our shores, we are not moving fast enough.

I am committed to ITV and I make no apologies about that. Of course I continue to be committed and the University is committed to our traditional University settings. As a philosopher, I like the Socratic method - one teacher; one student. I don't think we can afford it, but I like it. Some students prefer televised courses. Others have no choice. Let me tell you about one student.

Cecilia Smith dropped out of high school in her junior year. She skipped from one dead-end job to another: wreath making, blueberry raking, lawn mowing. In the summer of 1991, her future looked less than rosy. She had a broken down car, two

children, and was living on welfare. Then the adult education program in Franklin, Maine, referred her to our ITV Center in Ellsworth. Let me quote from her words.

"Distance Education, the support of the Ellsworth Center Staff, the East Sullivan site, and ITV instructors have taught me much more than what is in the textbooks. I now have the self-confidence and skills to communicate effectively with my instructors as well as my children's educators. At night, my family and I sit around the kitchen table discussing their goals for a college degree. As a child, college education was not even a dream for me."

Well, that college education which was once not even a dream for Cecilia Smith will become a reality in May when she graduates with an associate degree.

She is also here in the gallery today and I would like her to stand and be recognized. (Applause, the audience rising)

Cecilia plans to start work on a bachelors degree this fall. I am not sure where. I am not sure which degree from which campus but she is going to do it over ITV, she tells me, because despite her success so far, she still has that broken down car.

Why do we want to accredit ITV? Because I want the whole world to know that the Cecilia Smiths of this world don't have to take a back seat to the students on our campuses. Cecilia has drive, intelligence, determination, energy and when I met her I can also say wit, insight. In fact, now that I consider what an impressive individual she is, my only regret is that I didn't put her in charge of determining athletic eligibility.

Well, it's time for desert. You remember I mentioned that earlier in the talk. Let me turn to the announcement that I mentioned. The Trustees have authorized me, here today, to make public our intention dramatically to restructure the University of Maine System. We will, of course, be asking all our constituencies to participate in this endeavor, faculty, students, staff, alumni, and others will take part. There will be task forces, study groups, hearings. And the details, because of that process, the details will not be known for months to come. But the Trustees have adopted three themes which will guide our efforts: Excellence, Equity, and Economy. To show that these are more than mere phrases, we will specify today a measure of accountability for each of these three themes.

First, with regard to excellence, we will require every student to take an exit exam before graduation from the University of Maine System campuses. I am fully aware that no standardized exam is perfect, and we must do hundreds of other things to ensure quality. But standardized exams are valuable just because of that, because they are standardized. The results can be compared year to year, from program to program. And they are a practical indicator that taxpayers and parents and family members understand. Virtually all of you have expressed support in the past for the Maine Education Assessment tests and I think they have been good for our public schools. Standardized tests are good enough for Maine students in the forth, eight, and eleventh grades, and I think they are good enough for students in the sixteenth grade.

We will have a panel of faculty, staff, and students advise us on which test to use and how best to administer it and so forth. But whichever test is chosen, we will give it annually and we will make our

averages public so that we can be compared from year to year. We pledge to work hard for a solution if the scores are bad or they decline and we pledge to work just as hard if they go up so that we can make sure that they continue to go up.

Our second theme in restructuring is equity. One aspect of equity for students is statewide equitable access. We have had some problems in the past about that and I want to admit that freely. I think we are on the verge of solving them. We will adopt a single course catalog for the entire system so that transfer problems will finally be the thing we want them to be; namely, a thing of the past. (Applause) And to put our money where our mouth is we will refund the entire tuition to any student who takes a course that does not transfer to one of our other campuses. (Applause)

We don't have enough money to give very much back so obviously we are going to work hard to see that doesn't happen.

Equity is also an issue for our employees, in addition to our students. We have many employees whose salaries are well below national averages. We will set a goal to increase the salaries of our faculty and staff to at least the 50th percentile nationally. Maine faces a dilemma with regard to this task. One the one hand, we need competitive salaries and a first class University if we are to escape from the bottom echelon of states economically. Yet that very status as a poor state makes it difficult for us to have the wherewithal to pay competitive salaries. In light of this dilemma, we will raise salaries by greater productivity, by increasing reliance on technology, and by eliminating overlap and inefficiencies wherever possible.

Along with excellence and equity, we must address economy. I have been an administrator in this system for a number of years now, and I am convinced there are too many of us. As you know, I reduced the Chancellor's Office budget by one million dollars, a reduction which was a major benefit to this body as you dealt with the recently enacted adjustment to the current year budget. Now, in addition to that reduction, I plan to reduce the administrative payroll by an additional one million dollars. (Applause)

The Trustees have directed me to reallocate this money into scholarships for graduates who finish in the top quarter of their class in Maine high schools. Given the increase in tuition, I think the money that we put into financial aid is a good decision.

This will not happen overnight; we have to honor existing contracts and be fair to the employees affected. But to show that we are serious about this effort from the very beginning, I am taking out my pen (it worked for the Governor, so I thought I would try it) — I am putting it back, now you see the Presidents up there relaxing, they didn't know what else I might do while I was up here. But, we are going to freeze the creation of administrative positions and we are going to begin to, through attrition and through combination, reduce it until we have eliminated a million dollars in that category.

As we go about this restructuring, and as other ideas are generated by the many groups that will be working on it, some people will be displaced. Others will have their pet projects reduced or even eliminated. Those who have a stake in the status quo will feel nervous as indeed they should feel. Status

quo is no longer good enough. We need to be straightforward in identifying things that we do that have outlived their usefulness, that did not have a good return in investment and we need to reallocate those funds into more productive areas.

As we do this some people who are disadvantaged will come to you and you should listen carefully and politely, that is your job. But I am confident that that will not be a problem because I am confident that this Legislature, the first of a new era, an era of term limits, an era with an Independent Governor, an era of continuing budget limitations — that this Legislature has no desire to become an impediment to change. That indeed we are on the same path of restructuring and taking a new look at old problems.

As you try to get the State's house in order, you will no doubt make some mistakes along the way, but they will be your mistakes, mistakes made by this body which has the responsibility to manage the Legislative process in the State of Maine.

As we try to get the University's house in order, we too, will make mistakes. But they will be our mistakes, the mistakes of the Trustees and their designees and the citizens who participate in our restructuring effort whose responsibility it is to manage the University.

Though we will both err on occasion, I am confident that we will both succeed in the long run, because what each of us do is too important for either of us to fail.

Thank you very much. (Applause, the audience rising)

At the conclusion of the address, Chancellor Orenduff 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.

In the House
The House was called to order by the Speaker.

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Tuesday, February 28, 1995 has preference in the Orders of the Day and continues with such preference until disposed of as provided by Rule 24.

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

— In House, Passed to be Enacted on February 1, 1995.
— In Senate, Passed to be Engrossed as Amended by Senate Amendment "A" (S-13) in non-concurrence.

TABLED — February 28, 1995 (Till Later Today) by Representative JACQUES of Waterville.

PENDING — Further Consideration.

The House voted to Recede and Concur.

BILL HELD

Bill "An Act to Extend the Reporting Deadlines of the Commission on Governmental Ethics and Election Practices and the Interim Advisory Committee on Alternative Dispute Resolution in the Public Sector" (EMERGENCY) (S.P. 254) (L.D. 692)

- In House, referred to the Committee on **State and Local Government**.

HELD at the request of Representative JACQUES of Waterville.

On motion of Representative JACQUES of Waterville, the House reconsidered its action whereby the Bill was referred to the Committee on **State and Local Government**.

Under suspension of the rules, the Bill was read twice without reference to a Committee, passed to be engrossed and sent up for concurrence.

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

SENATE PAPERS

The following Joint Order: (S.P. 266)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, March 7, 1995, at 9:30 o'clock in the morning.

Came from the Senate, read and passed.

Was read and passed in concurrence.

Bill "An Act to Coordinate Low-income Energy Assistance Programs" (S.P. 270) (L.D. 721)

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 Discourage Prescription Drug Fraud" (S.P. 265) (L.D. 705)

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 Allow All Hunters to Hunt Deer on the 5th Saturday Preceding Thanksgiving" (S.P. 269) (L.D. 720)

Came from the Senate, referred to the Committee on **Inland Fisheries and Wildlife** and Ordered Printed.

Was referred to the Committee on **Inland Fisheries and Wildlife** in concurrence.

Bill "An Act to Amend the Law Governing Mechanic's Liens" (S.P. 267) (L.D. 718)

Bill "An Act to Grant Immunity from Suit for Officers and Directors of Fish and Game Clubs" (S.P. 271) (L.D. 722)

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 Provide Limited Immunity to Former Employers Who Provide References" (S.P. 264) (L.D. 704)

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 Change the Restricted Area around Aquaculture Pens from 500 to 300 Feet" (S.P. 268) (L.D. 719)

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

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

ORDERS

On motion of Representative JACQUES of Waterville, the following Joint Order: (H.P. 529)

ORDERED, the Senate concurring, that the Joint Standing Committee on Natural Resources shall investigate the circumstances leading up to and including the execution of the contract for implementing the emission inspection program, including, but not limited to, the request-for-proposal process and parameters, the review of those proposals and the negotiation, terms and execution of the contract. The Legislature intends by passage of this order to grant the committee all the powers and authority of an investigating committee under the Maine Revised Statutes, Title 3, chapter 21. The committee shall make recommendations for legislative or administrative changes, or both, in state contracting procedures no later than May 1, 1995.

Was read.

On motion of Representative JACQUES of Waterville the Joint Order (H.P. 529) was tabled pending passage and specially assigned for Tuesday, March 7, 1995.

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act to Authorize Municipalities to Pay Employees Biweekly" (S.P. 259) (L.D. 695) which was referred to the Committee on **State and Local Government** in the House on February 28, 1995.

Came from the Senate with that Body having insisted on its former action whereby the Bill was referred to the Committee on **Labor** in non-concurrence.

The House voted to Recede and Concur.

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

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

Bill "An Act to Amend the Municipal Subdivision Laws Regarding Application Requirements" (H.P. 481) (L.D. 662) which was tabled by Representative MITCHELL of Vassalboro pending further consideration.

Subsequently, the House voted to Adhere.

Bill "An Act Regarding Unredeemed Deposits on Beverage Containers" (H.P. 506) (L.D. 687) which was tabled by Representative MITCHELL of Vassalboro pending further consideration.

On motion of Representative ROWE of Portland, the House voted to Insist.

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

On motion of Representative KEANE of Old Town, the House adjourned at 11:45 a.m., pursuant to the Joint Order, in memory and honor of Representative PRISCILLA A. ATTEAN of Indian Island.