

MAINE STATE LEGISLATURE

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House Legislative Record
of the
One Hundred and Eighteenth Legislature
of the
State of Maine

Volume I

First Regular Session

December 4, 1996 - March 27, 1997

First Special Session

March 27, 1997 - May 15, 1997

ONE HUNDRED AND EIGHTEENTH LEGISLATURE
FIRST REGULAR SESSION
8th Legislative Day
Tuesday, January 28, 1997

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

Prayer by Father John E. Marquis, Chaplain at Colby, Thomas and Unity Colleges.

National Anthem by the Hampden Academy Jazz Ensemble.
Pledge of Allegiance.

Doctor for the day, Myron K. Krueger, M.D., Brunswick.

At this point, a message came from the Senate, borne by Senator PINGREE of that Body, proposing a Joint Convention of both branches of the Legislature to be held in the Hall of the House at 6:30 in the evening for the purpose of extending to His Excellency, Governor Angus S. King, Jr., an invitation to attend the 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 6:30 in the evening and the Speaker appointed Representative KONTOS of Windham to convey this message to the Senate.

The Journal of Thursday, January 23, 1997 was read and approved.

Under suspension of the rules, the following items were taken up out of order by unanimous consent:

CONSENT CALENDAR
First Day

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(H.P. 26) (L.D. 51) Resolve, to Name the South Warren Bridge in Memory of James Andrew "Drew" Griffith Committee on **Transportation** reporting "**Ought to Pass**"

(H.P. 348) (L.D. 471) Bill "An Act to Fund Certain Collective Bargaining Agreements and Benefits for Certain Employees Excluded from Collective Bargaining" (EMERGENCY) (Governor's Bill) Committee on **Appropriations and Financial Affairs** reporting "**Ought to Pass**" as amended by Committee Amendment "A" (H-1)

Under further suspension of the rules, Second Day Consent Calendar notification was given.

There being no objections, the Bill and Resolve were passed to be engrossed and sent up for concurrence. Ordered sent forthwith.

Subsequently, Representative KONTOS of Windham reported that she had delivered the message with which she was charged.

At this point, the Speaker appointed Representative KONTOS of Windham to serve as Speaker Pro Tem.

The House was called to order by the Speaker Pro Tem.

Under suspension of the rules, the following item was taken up out of order by unanimous consent:

ORDERS

On motion of Speaker MITCHELL of Vassalboro, the following Joint Resolution: (H.P. 182) (Cosponsored by President LAWRENCE of York and Representatives: BUMPS of China, CAMPBELL of Holden, COLWELL of Gardiner, COWGER of Hallowell, DONNELLY of Presque Isle, FULLER of Manchester, GAGNON of Waterville, GREEN of Monmouth, JABAR of Waterville, JONES of Pittsfield, KONTOS of Windham, MADORE of Augusta, McKEE of Wayne, MERES of Norridgewock, O'BRIEN of Augusta, POULIN of Oakland, RINES of Wiscasset, SAMSON of Jay, SAXL of Portland, TESSIER of Fairfield, VIGUE of Winslow, WATSON of Farmingdale, Senators: AMERO of Cumberland, BENOIT of Franklin, CAREY of Kennebec, DAGGETT of Kennebec, KIEFFER of Aroostook, KILKELLY of Lincoln, MILLS of Somerset, NUTTING of Androscoggin, PINGREE of Knox, RAND of Cumberland, TREAT of Kennebec)

**JOINT RESOLUTION HONORING SAMUEL D. SHAPIRO
ON THE OCCASION OF HIS RETIREMENT**

WHEREAS, the Treasurer of State is a constitutional officer of the State of Maine, who is authorized to receive and keep records of all items of income accruing to the State, and to deposit, reconcile and invest funds for the State, and to sell and keep records of all bonds for the State; and

WHEREAS, Samuel D. "Sam" Shapiro, of Waterville, was first elected Treasurer of State by the 109th Legislature in 1980 and has served for the last 16 years with his unique sense of humor, dedication and hard work. He has been an activist Treasurer of State who has helped restore the State's strong bond rating and has also managed a program that has generated as much as \$3,000,000 a year for the state budget in abandoned property; and

WHEREAS, Sam Shapiro was a former high school teacher, coach and businessman who was selected Northeast Treasurer of the Year by the Northeast Treasurers Association, and who also has earned a reputation as a talented gardener and political fund-raiser; and

WHEREAS, it is the desire of the members of the Senate and the members of the House of Representatives and the citizens they represent to formally recognize the accomplishments of the Treasurer of State, Sam Shapiro, on the occasion of his retirement, and to express the high esteem and affection in which he is held; now, therefore, be it

RESOLVED: That We, the Members of the 118th Legislature now assembled in the First Regular Session, take this opportunity to honor Treasurer of State Sam Shapiro, to recognize his distinguished service to the people of the State of Maine over many years and to offer our congratulations and very best wishes for the future; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be presented to Samuel D. Shapiro as a tangible token of our high esteem.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Vassalboro, Representative Mitchell.

Representative MITCHELL: Madam Speaker, Ladies and Gentlemen of the House. It is my very distinct honor to recognize a very distinguished gentleman, who has served all of us and the State of Maine over a very long, wonderful career of public service. We are very fortunate that he is here with us tonight, so I have just a few moments to have him listen to me, because often when you are talking to him, he is the one doing

all the talking. Tonight, he is going to have to put up with listening. What I want to say about our retired State Treasurer, Sam Shapiro, is worthy of note.

I had the privilege of serving for four years as the director of the Maine State Housing Authority. During that time, I came to learn the ways of the bond market and visiting groups like Standard & Poores and Moodys. I learned quite quickly that they tried to intimidate states and to make them fight very hard for those bond ratings and to prove that we were doing everything just right. Well, of course, Maine did that and the State Treasurer had a lot to do with the successful bond rating. I think that you know and if you talk with anyone who worked on Wall Street, who has worked in any of the financial agencies around this state, they would give the Honorable Sam Shapiro credit for raising the state's bond rating. He, himself, had a lot to do with the quality of our state's financial soundness.

Sam is a wonderful friend. A good tennis player, I am told, and a great person to have around. Sam's service to this state will be long remembered after the echoes of this special resolution die away. I wanted to join all of you to thank personally, my friend, Sam Shapiro for his wonderful service to the State of Maine.

Was read and adopted and sent up for concurrence. Ordered sent forthwith.

The Speaker resumed the Chair.
The House was called to order by the Speaker.

SENATE PAPER Non-Concurrent Matter

Bill "An Act to Amend the Process of Competitive Bidding for Insurance by School Boards" (H.P. 296) (L.D. 360) which was referred to the Committee on **Education and Cultural Affairs** in the House on January 23, 1997.

Came from the Senate referred to the Committee on **Banking and Insurance** and the Committee on **Education and Cultural Affairs** in non-concurrence.

On motion of Representative SAXL of Bangor, the House voted to Recede and Concur.

COMMUNICATIONS

The following Communication: **(H.C. 18)**

STATE OF MAINE
DEPARTMENT OF EDUCATION
23 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0023

TO: Joseph Mayo, Clerk of the House
FROM: J. Duke Albanese, Commissioner
DATE: January 9, 1997

RE: Report of Habitual Truants, 1995-96 School Year
In accordance with 20-A MRSA, Section 5051, I hereby submit the annual report of habitual truants identified by school superintendents during the 1995-96 school year. A summary of habitual truants for previous school years is included with the report for your information. The Commissioner's Advisory Committee on Truancy, Dropout and Alternative Education has reviewed this information and may be submitting recommendations for addressing the need to revise Maine statutes regarding truancy enforcement at the local level of government.

Additional information regarding this report can be obtained by contacting Frank Antonucci, Consultant for Truancy, Dropout and Alternative Education at 287-5111.

Was read and with accompanying report ordered placed on file.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills and Resolves 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:

Agriculture Conservation and Forestry

Bill "An Act to Provide Limited Voting Authority for Associate Supervisors of Maine's Soil and Water Conservation Districts" (H.P. 369) (L.D. 514) (Presented by Representative SPEAR of Nobleboro) (Cosponsored by Senator NUTTING of Androscoggin and Representative: GOOLEY of Farmington, Senator: KILKELLY of Lincoln)

Bill "An Act to Label All Eggs Produced in the State by Source" (H.P. 425) (L.D. 575) (Presented by Representative BERRY of Livermore) (Cosponsored by Representatives: BUNKER of Kossuth Township, JONES of Bar Harbor, SAMSON of Jay, TOWNSEND of Portland, Senator: CLEVELAND of Androscoggin)

Appropriations and Financial Affairs

Bill "An Act to Dedicate Lottery Revenue to Education" (H.P. 387) (L.D. 532) (Presented by Representative LEMONT of Kittery) (Cosponsored by Senator KIEFFER of Aroostook and Representatives: CAMPBELL of Holden, GIERINGER of Portland, JONES of Bar Harbor, JOY of Crystal, LANE of Enfield, PERKINS of Penobscot, WHEELER of Eliot, WINSOR of Norway)

Bill "An Act to Authorize a General Fund Bond Issue to Reduce Homelessness" (H.P. 391) (L.D. 536) (Presented by Representative BRENNAN of Portland) (Cosponsored by Representatives: DAVIDSON of Brunswick, FARNSWORTH of Portland, KANE of Saco, KONTOS of Windham, O'NEIL of Saco, SHIAH of Bowdoinham, STEVENS of Orono)

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$25,000,000 to Build 3 Regional Psychiatric Facilities" (H.P. 392) (L.D. 537) (Presented by Representative BRENNAN of Portland) (Cosponsored by Senator HARRIMAN of Cumberland and Representatives: BRUNO of Raymond, CAMERON of Rumford, KANE of Saco, O'NEIL of Saco, SHIAH of Bowdoinham, TOWNSEND of Portland)

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$8,500,000 to Fund Capital Expenses for Vocational High Schools" (H.P. 413) (L.D. 558) (Presented by Representative GOODWIN of Pembroke) (Cosponsored by Representative: DRISCOLL of Calais)

Banking and Insurance

Bill "An Act to Ensure Responsible Coordination of Medical Care under Managed Care" (H.P. 401) (L.D. 546) (Presented by Representative MAYO of Bath) (Cosponsored by Senator PARADIS of Aroostook and Representatives: DAVIDSON of Brunswick, HONEY of Boothbay, LOVETT of Scarborough, MITCHELL of Portland, THOMPSON of Naples, WINGLASS of

Auburn, Senators: ABROMSON of Cumberland, MITCHELL of Penobscot)

Bill "An Act Concerning Service Relating to the Disclosure of Financial Records" (H.P. 403) (L.D. 548) (Presented by Representative JONES of Greenville) (Cosponsored by Representative: MORGAN of South Portland)

Bill "An Act to Prohibit Rebates and Other Incentives Pertaining to Insurance Claims" (H.P. 407) (L.D. 552) (Presented by Representative JONES of Pittsfield) (Cosponsored by Representatives: BRAGDON of Bangor, PINKHAM of Brunswick, STEDMAN of Hartland, TOBIN of Dexter, TREADWELL of Carmel)

Business and Economic Development

Bill "An Act to Regulate Body Piercing" (H.P. 358) (L.D. 481) (Presented by Representative KERR of Old Orchard Beach) (Cosponsored by Representatives: STEVENS of Orono, TOWNSEND of Portland, Senator: BENOIT of Franklin)

Bill "An Act to Increase the Certification Fee Cap for the Board of Geologists and Soil Scientists" (H.P. 363) (L.D. 508) (Presented by Representative VIGUE of Winslow) (Cosponsored by Representatives: BODWELL of Brunswick, FARNSWORTH of Portland, MacDOUGALL of North Berwick) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.)

Bill "An Act to Clarify the Laws Regarding the Board of Licensure in Medicine and Ensure That Physician Discipline Is Reported to the Appropriate Licensing Board" (H.P. 394) (L.D. 539) (Presented by Representative VIGUE of Winslow) (Cosponsored by Senator LONGLEY of Waldo and Representatives: AHEARNE of Madawaska, BARTH of Bethel, MERES of Norridgewock, USHER of Westbrook) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.)

Bill "An Act to Amend the Laws Regarding the Licensure of Hearing Aid Dealers and Fitters" (H.P. 396) (L.D. 541) (Presented by Representative FARNSWORTH of Portland) (Cosponsored by Representative: VIGUE of Winslow) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.)

Bill "An Act to Ensure Fairness to Merchants under an Implied Warranty of Merchantability" (H.P. 405) (L.D. 550) (Presented by Representative BUCK of Yarmouth) (Cosponsored by Senator BUTLAND of Cumberland and Representatives: FISK of Falmouth, LEMAIRE of Lewiston, PINKHAM of Lamoine, SAMSON of Jay, THOMPSON of Naples, VIGUE of Winslow)

Bill "An Act to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to the Livable Wage in Business Assistance Subsidies" (H.P. 417) (L.D. 567) (Presented by Representative POVICH of Ellsworth) (Cosponsored by Senator PINGREE of Knox and Representatives: GAGNE of Buckfield, HATCH of Skowhegan, LEMAIRE of Lewiston, SAMSON of Jay, VOLENIK of Brooklin, Senator: RAND of Cumberland)

Bill "An Act to Conform the Maine Fair Debt Collection Practices Act to Federal Law" (H.P. 423) (L.D. 573) (Presented by Representative FISK of Falmouth) (By Request)

Bill "An Act to Repeal the Laws Regulating Naturopathic Practitioners" (H.P. 434) (L.D. 584) (Presented by Representative MacDOUGALL of North Berwick) (Cosponsored by Representatives: BODWELL of Brunswick, BUCK of Yarmouth, CHIZMAR of Lisbon, FOSTER of Gray, MACK of Standish, SNOWE-MELLO of Poland, VIGUE of Winslow, Senator: MacKINNON of York)

Criminal Justice

Bill "An Act to Set a Fixed Rate for Housing of State Prisoners" (H.P. 370) (L.D. 515) (Presented by Representative BUNKER of Kossuth Township) (Cosponsored by Representatives: CLUKEY of Houlton, McALEVEY of Waterboro, MUSE of South Portland, O'NEAL of Limestone, PAUL of Sanford, POVICH of Ellsworth, WHEELER of Bridgewater)

Bill "An Act to Clarify the Need and Time Frame for Presentence Investigations" (H.P. 377) (L.D. 522) (Presented by Representative BUNKER of Kossuth Township) (Cosponsored by Representatives: CLUKEY of Houlton, McALEVEY of Waterboro, O'NEAL of Limestone, PAUL of Sanford, WHEELER of Bridgewater)

Bill "An Act to Increase the County Share and Change the Name of the Government Operations Surcharge Fund" (H.P. 393) (L.D. 538) (Presented by Representative ROWE of Portland) (Cosponsored by Senator BENNETT of Oxford and Representative: LINDAHL of Northport, Senator: KILKELLY of Lincoln)

Bill "An Act to Increase the Authorized Period of Probation" (H.P. 398) (L.D. 543) (Presented by Representative POVICH of Ellsworth)

Bill "An Act to Enhance the Penalty for Operating a Motor Vehicle after Habitual Offender Revocation When the Actor Has Had a Prior Conviction for Operating after Revocation or Operating under the Influence within the Previous 10 Years" (H.P. 400) (L.D. 545) (Presented by Representative POVICH of Ellsworth)

Education and Cultural Affairs

Bill "An Act to Establish a Tuition Rate for Education in the Unorganized Territory" (H.P. 360) (L.D. 505) (Presented by Representative BARTH of Bethel) (Cosponsored by Representative: DESMOND of Mapleton, Senators: CASSIDY of Washington, CATHCART of Penobscot) (Submitted by the Department of Education pursuant to Joint Rule 204.)

Resolve, to Establish a Study Group to Examine the Issue of School Choice (H.P. 411) (L.D. 556) (Presented by Representative POWERS of Rockport)

Bill "An Act to Require that Health Insurance Benefits for School District Employees Be Subject to the Mandatory Bid Process" (H.P. 354) (L.D. 477) (Presented by Representative PLOWMAN of Hampden) (Cosponsored by Representatives: BARTH of Bethel, NASS of Acton, PERKINS of Penobscot, WINSOR of Norway, Senators: ABROMSON of Cumberland, MITCHELL of Penobscot)

The Committee on **Education and Cultural Services** was suggested.

On motion of Representative RICHARD of Madison, the Bill was referred jointly to the Committee on **Education and Cultural Services** and the Committee on **Banking and Insurance**, ordered printed and sent up for concurrence.

Health and Human Services

Bill "An Act to Extend Medicaid Coverage to Certain Children" (H.P. 385) (L.D. 530) (Presented by Representative KANE of Saco) (Cosponsored by Senator PENDLETON of Cumberland and Representatives: CARLETON of Wells, LOVETT of Scarborough, O'NEIL of Saco, QUINT of Portland, SAXL of

Portland, Senators: MacKINNON of York, MURRAY of Penobscot, PARADIS of Aroostook)

Bill "An Act to Implement Recommendations of the Commission to Study Poverty Among Working Parents Concerning Medicaid Eligibility" (H.P. 422) (L.D. 572) (Presented by Representative POVICH of Ellsworth) (Cosponsored by Senator PINGREE of Knox and Representatives: GAGNE of Buckfield, VOLENIK of Brooklin, WINGLASS of Auburn, Senator: RAND of Cumberland)

Bill "An Act to Ensure Equal Treatment of Lawful Aliens in Providing Medical Assistance and Aid to Needy Families" (EMERGENCY) (H.P. 429) (L.D. 579) (Presented by Representative MITCHELL of Portland) (Cosponsored by Senator PARADIS of Aroostook and Representatives: ETNIER of Harpswell, MITCHELL of Vassalboro, PENDLETON of Scarborough, SAXL of Portland, THOMPSON of Naples, WINGLASS of Auburn, Senators: MICHAUD of Penobscot, PINGREE of Knox)

Resolve, to Establish the Commission to Determine the Adequacy of Services to Persons with Mental Retardation (EMERGENCY) (H.P. 431) (L.D. 581) (Presented by Representative MITCHELL of Portland) (Cosponsored by Senator MITCHELL of Penobscot and Representatives: COLWELL of Gardiner, COWGER of Hallowell, FARNSWORTH of Portland, LOVETT of Scarborough, MITCHELL of Vassalboro, QUINT of Portland, Senators: LONGLEY of Waldo, PARADIS of Aroostook)

Inland Fisheries and Wildlife

Bill "An Act to Amend Maine's Hunting Laws for Nonresidents" (H.P. 350) (L.D. 473) (Presented by Representative CHICK of Lebanon) (Cosponsored by Senator KILKELLY of Lincoln and Representatives: BERRY of Livermore, CLARK of Millinocket, DUNLAP of Old Town, GOODWIN of Pembroke, KERR of Old Orchard Beach, STEVENS of Orono, TOWNSEND of Portland, Senator: MICHAUD of Penobscot)

Bill "An Act to Promote Water Skiing in the State" (H.P. 374) (L.D. 519) (Presented by Representative LEMONT of Kittery) (Cosponsored by Representatives: BRUNO of Raymond, CAMERON of Rumford, CAMPBELL of Holden, GIERINGER of Portland, MacDOUGALL of North Berwick, OTT of York, WHEELER of Eliot, Senator: LAWRENCE of York)

Bill "An Act to Require the Use of Helmets on Whitewater Rafting Trips" (H.P. 375) (L.D. 520) (Presented by Representative BULL of Freeport)

Bill "An Act Relating to the Designation of Species As Endangered or Threatened" (H.P. 430) (L.D. 580) (Presented by Representative FISK of Falmouth) (Cosponsored by Senator RAND of Cumberland and Representatives: BULL of Freeport, OTT of York, SAXL of Portland, SHIAH of Bowdoinham, TRUE of Fryeburg, USHER of Westbrook, Senators: ABROMSON of Cumberland, MILLS of Somerset)

Judiciary

Bill "An Act to Require the Forfeiture of Any Proceeds of Prostitution" (H.P. 353) (L.D. 476) (Presented by Representative BAKER of Bangor) (Cosponsored by Senator FERGUSON of Oxford and Representatives: AHEARNE of Madawaska, BROOKS of Winterport, DUNLAP of Old Town, JOY of Crystal, LEMAIRE of Lewiston, McKEE of Wayne, SHANNON of Lewiston, WATSON of Farmingdale)

Bill "An Act to Require Law Enforcement Officers to Furnish an Affidavit of Probable Cause to Holding Facilities"

(EMERGENCY) (H.P. 378) (L.D. 523) (Presented by Representative BUNKER of Kossuth Township) (Cosponsored by Representatives: McALEVY of Waterboro, WHEELER of Bridgewater)

Bill "An Act to Strengthen the Mandatory Child Abuse Reporting Laws" (H.P. 382) (L.D. 527) (Presented by Representative O'BRIEN of Augusta) (Cosponsored by Senator BUTLAND of Cumberland and Representatives: CAMPBELL of Holden, CROSS of Dover-Foxcroft, MUSE of South Portland, PLOWMAN of Hampden, TOWNSEND of Portland, TRUE of Fryeburg, WATSON of Farmingdale)

Bill "An Act to Ensure Public Safety and Proper Allocation of Liability for Gas Pipelines" (H.P. 388) (L.D. 533) (Presented by Representative COWGER of Hallowell) (Cosponsored by Senator TREAT of Kennebec and Representatives: COLWELL of Gardiner, FARNSWORTH of Portland, O'NEIL of Saco, QUINT of Portland, RINES of Wiscasset, SHIAH of Bowdoinham, STANLEY of Medway, Senator: KILKELLY of Lincoln)

Bill "An Act to Ban Partial Birth Abortions" (H.P. 390) (L.D. 535) (Presented by Representative AHEARNE of Madawaska) (Under suspension of the rules, cosponsored by Representatives: PLOWMAN of Hampden, DESMOND of Mapleton, GERRY of Auburn, LAYTON of Cherryfield, MACK of Standish, MADORE of Augusta, PERRY of Bangor, SIROIS of Caribou, TUTTLE of Sanford, VIGUE of Winslow, WHEELER of Bridgewater, Senators: CASSIDY of Washington, PARADIS of Aroostook)

Bill "An Act to Change the Reimbursement Procedure for Law Enforcement Personnel Testifying in Court" (H.P. 404) (L.D. 549) (Presented by Representative LEMONT of Kittery) (Cosponsored by President LAWRENCE of York and Representatives: BRUNO of Raymond, CAMERON of Rumford, CAMPBELL of Holden, GIERINGER of Portland, JOY of Crystal, LANE of Enfield, OTT of York, WHEELER of Eliot)

Bill "An Act to Clarify the Laws on Punitive Damages" (H.P. 420) (L.D. 570) (Presented by Representative MITCHELL of Portland) (Cosponsored by Representatives: JABAR of Waterville, JONES of Bar Harbor)

Bill "An Act to Clarify the Effect of Failure to Provide Notice of Filing of a Judgment Lien" (H.P. 421) (L.D. 571) (Presented by Representative FISK of Falmouth) (By Request)

Bill "An Act to Amend the Procedures for Medical Malpractice Screenings" (H.P. 432) (L.D. 582) (Presented by Representative JABAR of Waterville)

Bill "An Act to Encourage Collaboration and Cooperation among Agencies in the Interests of Juveniles within the Juvenile Court System" (H.P. 376) (L.D. 521) (Presented by Representative O'BRIEN of Augusta) (Cosponsored by Representatives: BROOKS of Winterport, MARVIN of Cape Elizabeth, SNOWE-MELLO of Poland, Senator: DAGGETT of Kennebec)

Committee on **Judiciary** suggested and ordered printed.

On motion of Representative THOMPSON of Naples, tabled pending reference and specially assigned for Thursday, January 30, 1997.

Labor

Bill "An Act to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to Raising the Minimum Wage" (H.P. 418) (L.D. 568) (Presented by Representative POVICH of Ellsworth)

(Cosponsored by Representatives: GAGNE of Buckfield, VOLENIK of Brooklin, Senator: CATHCART of Penobscot)

Bill "An Act Increasing the Number of Members of the Board of Trustees of the Maine State Retirement System" (H.P. 427) (L.D. 577) (Presented by Representative O'NEAL of Limestone) (Cosponsored by Senator CLEVELAND of Androscoggin and Representatives: AHEARNE of Madawaska, CLARK of Millinocket, CLUKEY of Houlton, SAXL of Bangor, SIROIS of Caribou, Senator: KIEFFER of Aroostook)

Legal and Veterans Affairs

Bill "An Act to Prohibit Liquor Licensing of an Establishment Managed by a Person with a Criminal Record" (H.P. 367) (L.D. 512) (Presented by Representative LABRECQUE of Gorham) (Cosponsored by Representatives: GIERINGER of Portland, JOY of Crystal, LOVETT of Scarborough, SAVAGE of Union)

Bill "An Act to Establish a Part-time Liquor License" (H.P. 381) (L.D. 526) (Presented by Representative BUNKER of Kossuth Township) (Cosponsored by Representatives: DRISCOLL of Calais, GOODWIN of Pembroke, O'NEAL of Limestone, POVICH of Ellsworth, THOMPSON of Naples)

Bill "An Act to Repeal the Requirement That Special Hours Be Set for Walk-in Voter Registration" (H.P. 386) (L.D. 531) (Presented by Representative LEMONT of Kittery) (Cosponsored by Senator KIEFFER of Aroostook and Representatives: BUCK of Yarmouth, CAMERON of Rumford, CAMPBELL of Holden, GIERINGER of Portland, JOY of Crystal, LANE of Enfield, PERKINS of Penobscot, WHEELER of Eliot)

Bill "An Act to Amend Certain Election Laws Regarding Voter Registration" (H.P. 412) (L.D. 557) (Presented by Representative UNDERWOOD of Oxford) (Cosponsored by Representatives: JOY of Crystal, KASPRZAK of Newport, LANE of Enfield, MACK of Standish, MERES of Norridgewock, SNOWE-MELLO of Poland, WATERHOUSE of Bridgton, Senator: KIEFFER of Aroostook)

Bill "An Act to Increase the Number of High-stakes Beano Games" (H.P. 426) (L.D. 576) (Presented by Representative MOORE of the Passamaquoddy Tribe) (Cosponsored by Senator CASSIDY of Washington and Representatives: AHEARNE of Madawaska, BISULCA of the Penobscot Nation, BUNKER of Kossuth Township, DRISCOLL of Calais, GOODWIN of Pembroke, JONES of Bar Harbor, TRUE of Fryeburg, VIGUE of Winslow)

Resolve, to Authorize the Secretary of State to Propose Legislation to Establish Package Stores for the Sale of Alcoholic Beverages (H.P. 424) (L.D. 574) (Presented by Representative GOODWIN of Pembroke) (Cosponsored by Representatives: BUNKER of Kossuth Township, LEMAIRE of Lewiston)

Marine Resources

Bill "An Act Regarding the Harvesting of Periwinkles in the Unorganized Townships" (H.P. 359) (L.D. 482) (Presented by Representative GOODWIN of Pembroke) (Cosponsored by Representatives: BAGLEY of Machias, BUNKER of Kossuth Township, DRISCOLL of Calais, PERKINS of Penobscot)

Bill "An Act to Provide Authority to Close Marine Waters to Fishing in the Event of Contamination" (H.P. 361) (L.D. 506) (Presented by Representative PINKHAM of Lamoine) (Cosponsored by Senator MacKINNON of York and Representatives: ETNIER of Harpswell, PINKHAM of Brunswick) (Submitted by the Department of Marine Resources pursuant to Joint Rule 204.)

Bill "An Act Concerning Sea Urchin Management" (H.P. 362) (L.D. 507) (Presented by Representative ETNIER of Harpswell) (Cosponsored by Senator MacKINNON of York and Representatives: HONEY of Boothbay, PINKHAM of Brunswick) (Submitted by the Department of Marine Resources pursuant to Joint Rule 204.)

Bill "An Act to Modify the Process for Aquaculture Leases" (H.P. 379) (L.D. 524) (Presented by Representative PERKINS of Penobscot) (By Request)

Bill "An Act Concerning Elver Fishing and Dip Nets" (H.P. 383) (L.D. 528) (Presented by Representative HONEY of Boothbay) (Cosponsored by Representatives: BUCK of Yarmouth, COLWELL of Gardiner, GOODWIN of Pembroke, PINKHAM of Brunswick, PINKHAM of Lamoine)

Bill "An Act to Correct Certain Errors and Inconsistencies in Marine Resources Laws" (H.P. 395) (L.D. 540) (Presented by Representative ETNIER of Harpswell) (Cosponsored by Senator GOLDTHWAIT of Hancock) (Submitted by the Department of Marine Resources pursuant to Joint Rule 204.)

Natural Resources

Bill "An Act to Amend the Waste Management Laws Regarding Landfill Closure" (H.P. 351) (L.D. 474) (Presented by Representative MORGAN of South Portland) (Cosponsored by Senator AMERO of Cumberland and Representatives: BRUNO of Raymond, CIANCHETTE of South Portland, MUSE of South Portland, O'NEIL of Saco, TRIPP of Topsham)

Bill "An Act to Clarify Certain Department of Environmental Protection Prohibitions" (H.P. 408) (L.D. 553) (Presented by Representative SAVAGE of Union) (By Request)

Bill "An Act to Change the Definition of Pollutant in the Environmental Laws" (H.P. 409) (L.D. 554) (Presented by Representative SAVAGE of Union) (By Request)

Bill "An Act to Establish Cost-benefit Analysis for Environmental Rules" (H.P. 433) (L.D. 583) (Presented by Representative WATERHOUSE of Bridgton) (Cosponsored by Senator CAREY of Kennebec and Representatives: BUCK of Yarmouth, CARLETON of Wells, KERR of Old Orchard Beach, LEMONT of Kittery, PLOWMAN of Hampden, TRIPP of Topsham)

State and Local Government

Bill "An Act to Designate Agency Rules That Increase Fees or Restrict Licenses as Major Substantive Rulemaking" (H.P. 365) (L.D. 510) (Presented by Representative STEDMAN of Hartland) (Cosponsored by Representatives: JONES of Bar Harbor, JONES of Pittsfield, JOY of Crystal, SNOWE-MELLO of Poland, TOBIN of Dexter, TREADWELL of Carmel, VIGUE of Winslow, WATERHOUSE of Bridgton)

Bill "An Act to Impose a Statute of Limitations for Violations of Municipal Subdivision Ordinances" (H.P. 371) (L.D. 516) (Presented by Representative LaVERDIERE of Wilton) (Cosponsored by Representatives: CARLETON of Wells, JABAR of Waterville, JONES of Bar Harbor, ROWE of Portland, STANLEY of Medway, THOMPSON of Naples, Senator: BENOIT of Franklin)

Bill "An Act to Create a Cemetery Permanent Care and Improvement Fund" (H.P. 372) (L.D. 517) (Presented by Representative CAMPBELL of Holden) (Cosponsored by Senator PENDLETON of Cumberland and Representatives: DEXTER of Kingfield, GOODWIN of Pembroke, MacDOUGALL of North Berwick, MACK of Standish, MAYO of Bath, MERES of

Norridgewock, SNOWE-MELLO of Poland, Senator: CAREY of Kennebec)

Bill "An Act to Require Legislators to Pay a Portion of Their Health and Dental Insurance Premiums" (H.P. 389) (L.D. 534) (Presented by Representative WATERHOUSE of Bridgton) (Cosponsored by Representative McELROY of Unity and Senator LIBBY of York and Representative BUCK of Yarmouth)

Bill "An Act to Require Certain State Notices to Include Statutory Authority Citations" (H.P. 406) (L.D. 551) (Presented by Representative PERKINS of Penobscot) (Cosponsored by Senator CAREY of Kennebec and Representatives: BUCK of Yarmouth, LEMONT of Kittery, PINKHAM of Lamoine, Senator: TREAT of Kennebec)

Bill "An Act Concerning the Fees Charged by the Secretary of State for Copies" (H.P. 410) (L.D. 555) (Presented by Representative ETNIER of Harpswell) (Cosponsored by Representatives: MAYO of Bath, PINKHAM of Lamoine, Senator: MacKINNON of York)

Bill "An Act to Provide Computers for Use in the Legislature" (H.P. 416) (L.D. 566) (Presented by Representative GERRY of Auburn) (Cosponsored by Senator PINGREE of Knox and Representatives: CARLETON of Wells, SAXL of Portland, Senator: RAND of Cumberland)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Affirm the Rights to Private Property (H.P. 352) (L.D. 475) (Presented by Representative PERKINS of Penobscot) (By Request) (Cosponsored by Representatives: JOY of Crystal, LANE of Enfield, WHEELER of Bridgewater)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Ensure that the Composition of the Legislature Reflects the Socio-economic Makeup of the Population of the State (H.P. 356) (L.D. 479) (Presented by Representative PERKINS of Penobscot) (Cosponsored by Senator KILKELLY of Lincoln and Representatives: GIERINGER of Portland, JONES of Bar Harbor, LEMKE of Westbrook, LEMONT of Kittery, MacDOUGALL of North Berwick, PIEH of Bremen, SKOGLUND of St. George, VEDRAL of Buxton)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require a Vote of 3/5 of Each House of the Legislature to Enact or Increase a Tax or License Fee (H.P. 357) (L.D. 480) (Presented by Representative WATERHOUSE of Bridgton) (Cosponsored by Senator KIEFFER of Aroostook and Representatives: BUCK of Yarmouth, CARLETON of Wells, CIANCHETTE of South Portland)

Reference to the Committee on **State and Local Government** was suggested.

On motion of Representative AHEARNE of Madawaska, the Bill was referred to the Committee on **Taxation**, ordered printed and sent up for concurrence.

Taxation

Bill "An Act to Allow Sales Tax Credit for Recreational Vehicles" (H.P. 349) (L.D. 472) (Presented by Representative TRUE of Fryeburg) (Cosponsored by Representatives: CROSS of Dover-Foxcroft, GOOLEY of Farmington, Senator: HALL of Piscataquis)

Bill "An Act to Allow an Income Tax Credit for School Tuition" (H.P. 364) (L.D. 509) (Presented by Representative MARVIN of Cape Elizabeth) (Cosponsored by Representative DAVIDSON of Brunswick, Senators: LIBBY of York, PENDLETON of Cumberland and Senator MITCHELL of Penobscot and Representatives: BUCK of Yarmouth, CIANCHETTE of South

Portland, GREEN of Monmouth, MITCHELL of Portland, WATSON of Farmingdale, WINSOR of Norway)

Bill "An Act to Decrease Property Tax" (H.P. 366) (L.D. 511) (Presented by Representative WINN of Glenburn)

Bill "An Act to Broaden the Sales Tax and Reduce the Current Sales Tax Rate" (H.P. 368) (L.D. 513) (Presented by Representative TRIPP of Topsham) (Cosponsored by Senator RUHLIN of Penobscot and Representatives: GREEN of Monmouth, SAXL of Bangor)

Bill "An Act to Eliminate Income Tax Deductions for Losing Lottery Tickets" (H.P. 402) (L.D. 547) (Presented by Representative CAMERON of Rumford) (Cosponsored by Representative: BRUNO of Raymond)

Bill "An Act to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to State Earned Income Tax Credit" (H.P. 414) (L.D. 564) (Presented by Representative POVICH of Ellsworth) (Cosponsored by Senator CATHCART of Penobscot and Representatives: BIGL of Bucksport, HATCH of Skowhegan, LEMAIRE of Lewiston, VOLENIK of Brooklin, Senator: RAND of Cumberland)

Bill "An Act to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to the Property Tax Circuit Breaker Program" (H.P. 419) (L.D. 569) (Presented by Representative POVICH of Ellsworth) (Cosponsored by Representatives: BIGL of Bucksport, GAGNE of Buckfield, VOLENIK of Brooklin, WINGLASS of Auburn, Senators: CATHCART of Penobscot, PINGREE of Knox, RAND of Cumberland)

Resolve, Requiring a Review of the State's Tax Policy (H.P. 355) (L.D. 478) (Presented by Representative TRIPP of Topsham) (Cosponsored by Representatives: BROOKS of Winterport, BUCK of Yarmouth, CHARTRAND of Rockland, DESMOND of Mapleton, GREEN of Monmouth, MORGAN of South Portland, POWERS of Rockport, Senator: TREAT of Kennebec)

Bill "An Act to Control Logging Exports" (H.P. 373) (L.D. 518) (Presented by Representative GAGNE of Buckfield) (Cosponsored by Senator FERGUSON of Oxford and Representatives: FISHER of Brewer, GERRY of Auburn)

Reference to the Committee on **Taxation** was suggested.

The SPEAKER: The Chair recognizes the Representative from Buckfield, Representative Gagne.

Representative GAGNE: Madam Speaker, Ladies and Gentlemen of the House. I move this bill and all its accompanying papers be indefinitely postponed. I wanted you to know that it got this far that when I was talking to my constituent who asked me to put in this bill decided not to pursue it, so I am going to pull it out. Thank you.

On motion of Representative Gagne of Buckfield, the Bill was indefinitely postponed and sent up for concurrence.

Transportation

Bill "An Act to Increase the Availability and Reduce the Cost of Escorts for Overlimit Movements on the State's Roads" (EMERGENCY) (H.P. 380) (L.D. 525) (Presented by Representative MAYO of Bath) (Cosponsored by Senator O'GARA of Cumberland and Senator SMALL of Sagadahoc and Representatives: DRISCOLL of Calais, McALEVEY of Waterboro, PEAVEY of Woolwich, SAVAGE of Union, TRIPP of Topsham, WHEELER of Bridgewater)

Bill "An Act Regarding the Penalty for Passing a Stopped School Bus" (H.P. 399) (L.D. 544) (Presented by Representative CAMERON of Rumford)

Utilities and Energy

Bill "An Act to Conform the Lien Procedures Within the Charter of Boothbay Harbor Sewer District to Statutory Lien Procedures" (H.P. 384) (L.D. 529) (Presented by Representative HONEY of Boothbay) (Cosponsored by Senator KILKELLY of Lincoln and Representatives: BERRY of Belmont, COLWELL of Gardiner, JONES of Bar Harbor, LaVERDIERE of Wilton, MAYO of Bath, VEDRAL of Buxton)

Bill "An Act to Require Approval of Municipalities for Construction of Natural Gas Pipelines" (H.P. 415) (L.D. 565) (Presented by Representative COWGER of Hallowell) (Cosponsored by Senator TREAT of Kennebec and Representatives: BUNKER of Kossuth Township, FARNSWORTH of Portland, GREEN of Monmouth, O'NEIL of Saco, POWERS of Rockport, RINES of Wiscasset, SHIAH of Bowdoinham, STANLEY of Medway)

Bill "An Act to Prohibit Retrofits of Nuclear Power Plants without Permission of the Public Utilities Commission" (H.P. 428) (L.D. 578) (Presented by Representative BERRY of Livermore) (Cosponsored by Representatives: KONTOS of Windham, SAXL of Portland, TOWNSEND of Portland, Senators: CLEVELAND of Androscoggin, MICHAUD of Penobscot)

Reported Pursuant to Statutes

Representative THOMPSON for the Criminal Law Advisory Commission under the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asks leave to submit its findings and to report that the accompanying Bill "An Act to Make Appeals to the Law Court From Revocation of Probation Proceedings Conditional and to Clarify the Matter of Bail Pending Final Disposition of a Motion for Revocation of Probation" (H.P. 397) (L.D. 542) be referred to the Joint Standing Committee on **Judiciary** for Public Hearing and printed pursuant to Joint Rule 218.

Report was read and accepted, and the Bill referred to the Committee on **Judiciary**, ordered printed and sent up for concurrence.

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 519 and Joint Rule 213, the following item:

Recognizing:

the China School Tree Farm, upon being selected as the Outstanding Tree Farmer for 1997. The China tree farm was chosen for its sound forest management practices and community outreach. We extend our congratulations and best wishes; (HLS 43) by Representative BUMPS of China. (Cosponsor: Senator DAGGETT of Kennebec)

On objection of Representative BUMPS of China was removed from the Special Sentiment Calendar.

Was read and passed and sent up for concurrence.

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 Mark W. Lawrence, in the Chair.

The Convention was called to order by the Chair.

On motion of Senator Pingree of Knox, it was ORDERED, that a committee be appointed to wait upon the Honorable Dan E. Wathen, Chief Justice of the Supreme Judicial Court, the Associate Justices of the Supreme Judicial Court, Justices of the Maine Superior Court and Judges of the District Court, inviting them to attend this Joint Convention.

The Order was read and passed.

The Chair appointed the following:

The Senator from Waldo - Senator LONGLEY
The Senator from York - Senator LAFOUNTAIN
The Senator from Franklin - Senator BENOIT
The Rep. from Naples - Rep. THOMPSON
The Rep. from Farmingdale - Rep. WATSON
The Rep. from Harpswell - Rep. ETNIER
The Rep. from Waterville - Rep. JABAR
The Rep. from Lewiston - Rep. MAILHOT
The Rep. from Rockport - Rep. POWERS
The Rep. from Hampden - Rep. PLOWMAN
The Rep. from Augusta - Rep. MADORE
The Rep. from Acton - Rep. NASS
The Rep. from Bridgton - Rep. WATERHOUSE

Subsequently, Senator Longley of Waldo, for the Committee, reported that the Committee had delivered the message with which it was charged and were pleased to report that the Chief Justice will attend forthwith.

The Chair recognized the Chief Justice of the State of Maine, The Honorable Daniel E. Wathen.

On a motion by Senator Rand of Cumberland, it was ORDERED, that a committee be appointed to wait upon the Honorable First Lady Mary Herman, the Constitutional Officers of the State of Maine, the State Auditor and members of the Governor's Cabinet, inviting them to attend this Joint Convention.

The Order was read and passed.

The Chairman appointed the following:

The Senator from York - Senator LAFOUNTAIN
The Senator from Androscoggin - Senator NUTTING
The Senator from York - Senator LIBBY
The Rep. from Madawaska - Rep. AHEARNE
The Rep. from Westbrook - Rep. LEMKE
The Rep. from Machias - Rep. BAGLEY
The Rep. from Alton - Rep. SANBORN
The Rep. from Portland - Rep. GIERINGER
The Rep. from China - Rep. BUMPS
The Rep. from Falmouth - Rep. FISK
The Rep. from Newport - Rep. KASPRZAK
The Rep. from Auburn - Rep. GERRY

Subsequently, Senator Nutting of Androscoggin, for the Committee, reported that the Committee had delivered the message with which it was charged and were pleased to report that the First Lady, the Constitutional Officers and the Governor's Cabinet will attend forthwith.

The Chair recognized in the House Gallery, Mary Herman, Maine's First Lady and Benjamin Herman, Son of the Governor - Andrew Ketterer, Attorney General - Dan Gwadosky, Secretary of State - Dale McCormick, State Treasurer - Gail Chase, State Auditor.

On a motion by Senator Pingree from Knox, it was ORDERED, that a committee be appointed to wait upon his Excellency, Governor Angus S. King, Jr. and extend to him an invitation to attend this convention and make such communication as pleases him.

The Order was read and passed.

The Chair appointed the following:

The Senator from Penobscot - Senator MICHAUD

The Senator from Androscoggin - Senator CLEVELAND

The Senator from Oxford - Senator BENNETT

The Rep. from Old Orchard Beach - Rep. KERR

The Rep. from Portland - Rep. TOWNSEND

The Rep. from Orono - Rep. STEVENS

The Rep. from Livermore - Rep. BERRY

The Rep. from Lewiston - Rep. LEMAIRE

The Rep. from York - Rep. OTT

The Rep. from Easton - Rep. KNEELAND

The Rep. from Cape Elizabeth - Rep. MARVIN

The Rep. from Norway - Rep. WINSOR

Subsequently, Senator Michaud of Penobscot, for the Committee, reported that the Committee had delivered the message with which it was charged and were pleased to report that the Honorable Angus S. King, Jr., Governor of the State of Maine, will attend forthwith.

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

Mr. President, Madam Speaker, Mr. Chief Justice, Members of the 118th Legislature, and fellow citizens of Maine.

Last year at this time, I began my remarks with the following words: We are living in revolutionary times. We are in the middle of the greatest change in the way people work and organize their lives since the Industrial Revolution. This current revolution is the globalization of the economy. Where once we did business down the street or across the state, trade and commerce now spans states, regions, and national borders. This revolution is good news and bad news for Maine.

The good news is that location, our historic disadvantage, is no longer an insurmountable problem, but the bad news is that everyone else in the world wants our jobs.

What does all this have to do with the State of the State, I said last year? The answer was and is today everything, because what the state of this state was really all about in 1996 and is all about in 1997, is our ability to adjust to this revolution, to meet its challenges, seize its incredible opportunities and improve the quality of our lives in the 21st century. As of today, we are doing just that and let's start with the best news of all.

Tonight, right now, there are more people with jobs in Maine than ever before in the history of this state. After the long slide of the early '90s, we have now replaced every job lost in the recession and are adding jobs every day. Our unemployment rate, 4.2 percent, is the lowest in seven years, a full point below

the national average and although there are still areas that are hurting, and that's where we have to concentrate our job creation efforts, there are parts of the state where the greatest obstacle to business expansion today is a shortage of qualified workers. That's good news.

As of tonight, our team at Economic and Community Development are working with 35 different companies on projects representing \$1.6 billion in new private investment in Maine and over 5,000 jobs statewide, from the community and employee takeover of the Gerber plant in Fort Kent to the expansion at National Semiconductor in South Portland, what was to have been a \$600 million, 450 job facility has now grown to \$830 million and 600 jobs. One of the keys to making this happen, by the way, is the tremendous success of the reforms in workers' comp in this state. Since 1993, rates are down almost 35 percent and where we had one company selling workers' comp insurance in Maine four years ago, now there are 89 and that's good news.

By the way, three days ago, National Semiconductor agreed to sell its entire Fairchild division, which includes the existing South Portland plant, next door to the new one, to a group of investors and employees, creating a brand new company, Fairchild Semiconductor. This new company has facilities in Utah, Malaysia, the Philippines, and Santa Clara, California in Silicon Valley, but the headquarters will be right here in Maine. At the stroke of a pen, Fairchild becomes the fifth largest company headquartered in Maine and I don't know about you, but I really like the idea of folks in Silicon Valley reporting to South Portland. That's really good news.

Here's one of the best kept secrets of the Maine economy, the development of a vital, growing and significant bio-tech industry. We now have over 50 firms scattered across the state. We are ninth in the country in number of firms. One of these firms, IDEXX, is among the ten largest bio-tech companies in the world. This sector increased revenues 30 percent in 1996 and added over 700 quality jobs, and right now, I think this will surprise you, it is as important to the Maine economy as potatoes and fisheries and lobsters combined. That's good news.

The good news isn't confined to the big guys; since last Spring, over 1,500 small businesses came to the Blaine House Conferences on Small Business across the state. They picked up tips on everything from marketing to coping with regulation and telling us what we can do to help. This is where the real growth is coming. Places like Academy Optical in Presque Isle, Atlantic Precision Products in Biddeford, Bethel Furniture Stock, Graphic Color Services in Waterville and it's based on the imagination, vision and just plain guts of people like Phil Chabot at Always Blooming in Lewiston, Sanford Kelley at Pleasant River Canning in Jonesport or Karen Burke at Sunrise Homecare in Machias. Those are all small businesses that have added jobs this year.

There are traditional resource-based industries moving to modernize, cut costs and improve productivity to meet the challenge of the global market as well. For example, in agriculture, this past fall we implemented an idea first suggested over fifty years ago. The mandatory inspection of all potatoes leaving Maine, to ensure consumers across the country that "Maine Grown" will always be consistent with high quality. In this one act, this administration served notice on Idaho that we mean to fight for and retake the Boston market. We should own the Boston market in potatoes. In addition, just a month ago, a dramatic expansion of our cranberry capacity was announced. A \$36 million investment in Washington County to develop almost a thousand acres. This project, when complete, will give Maine 3 percent of the cranberry acreage on the whole planet and will

create new jobs in Washington County, where we need them the most. It also puts us in the position to develop high quality food processing jobs in the food industry as well and for Washington County and all of Maine, that's good news.

We in government aren't doing so badly, either. For example, last fall, a little before noon on a Friday morning, an oil tanker hit one of the piers of the Million Dollar bridge between Portland and South Portland. It began spilling what turned out to be 178,000 gallons of oil. The bridge was out of commission, the port was closed and fishing and lobstering were at a standstill.

What happened next was a model of preparedness, good decisions, leadership and professional dedication. Within minutes, the ship was boomed off, skimmers were deployed, and a team which over the next several days numbered almost 700, was in place, on the water, on shore and in the air. A guy named Chris Estes, a DEP employee was on his day off and was on his way to the Maine Mall, heard about the spill and went straight to the site to pitch in. Commander Burt Russell of the Coast Guard was in charge, I was down there, he was in charge with support from our DEP, Marine Resources, Inland Fisheries and Wildlife, Transportation, the Casco Bay Baykeeper and a dozen other private and public agencies.

The result was something I still find unbelievable. Of the 178,000 gallons that spilled into Casco Bay that day, 141,000 gallons were recovered. That is a 78 percent recovery rate in a field where 15 percent is considered good. They were out there all night, Saturday night. They were out there when the wind changed. They were out there when the booms began to fail. They were out there on the shore. They were out there around the ship. These people turned what could have been a catastrophe into a problem; serious, but nothing like what it could have been. And about that bridge, what was expected to be a month's outage, with traffic consequences that would make the Boston tunnel seem like a walk in the park, was fixed in 72 hours. The bridge was back on line for traffic Monday morning. Why, because our folks at DOT made it happen. I know they had a can-do attitude, because they had the work done on the bridge before I got a chance to do the paperwork authorizing it. We don't want to go into that too deeply.

Commander Burt Russell; Joe Payne, the Baykeeper; DOT's Tom Doe; Alan Fisher from Cianbro; Joe Fessenden of Marine Resources; Dave Sait of DEP; and members of the spill team are with us tonight and I hope you'll join me in thanking them and the thousands of other unsung state employees like them, who work hard every day on behalf of all the people of Maine. I will never forget that day I went by on a boat, by the spill site and the fellas were working on the new million dollar bridge from Cianbro. I yelled out to one of them and said, "Hurry up!" The guy yelled back and said, "Will, you pay the overtime?"

In a year of trauma and tragedy, the people at our Department of Mental Health, Mental Retardation, and Substance Abuse Services, hung in there and have turned the corner in Maine's 20-year effort to develop a real community-based system for the treatment of people with mental illness. In mid-1996, the department, working with local and State police and a whole range of local organizations, found and assessed more than 2200 former AMHI patients and those assessments, long overdue, are now forming the basis of services to people in need. Tonight, for the first time ever, the department has a consent decree compliance plan approved by the court and indications from the judge that the contempt order we've been under for the last two years will be lifted. As of last week, AMHI is off the federal watch list it's been on for almost a year. In my office, we've quit talking about closing AMHI and are focused on one goal, the creation of the best community-based mental

health system in the nation. Thanks to Melodie Peet and her team at the department, we are making it happen.

By the way, one of the reasons you are hearing some good news here is we have a lot of problems, but I am convinced that we don't celebrate our successes enough. We always focus on the problems and say that that works and we go on to the next cloud on the horizon. I think we need to celebrate. We need to thank people like the people that helped us on that oil spill and to celebrate some successes. We had a stupendous success last week. Maine schools were ranked in the top ten in the country. Our kids are consistently in the top ranks in elementary reading and math, but we can do better. We can build on that. The next step is to adopt a set of clear, consistent and high standards for our students and their schools, the Maine Learning Results, which will be before you later this winter. This step, coupled with support for professional development and assessment of whether the standards are being met, promise the greatest step forward in Maine education in more than a decade.

What else is working in Maine? We now have the third lowest rate of teen pregnancy in the country. We have shown the greatest reduction in this category and also in teen abortions, by the way, in the nation over the last five years.

Last year there were 127 adoptions of children in state custody, the highest number in 13 years. The numbers of Maine families on welfare is the lowest right now it's been in this decade and is still falling and that is good news. As a result of the long-term care initiative the Legislature passed last year, we've eliminated a waiting list of 400 people and doubled the number of people who are receiving home care services, while reducing administrative costs by 20 percent. We've made Alzheimer's services available to more than 500 families and doubled the capacity of residential alternatives to nursing home care.

Two weeks ago, down in Portland along with Slugger and Babe the Blue Ox from Portland and a group of commissioners, we launched the Communities for Children Initiative. An intensive effort to focus available resources on what works for kids and partner with our towns to share successful models for preventing the loss of our children to drugs, crime or simple alienation. Not a lot of new money. No new staff, but focusing on available resources. On top of this, it's all happening while the size of state government is getting smaller. In fact, the number of employees in state government tonight is at its lowest level since 1982. More services, lower administrative cost, greater productivity, that's good news.

We've had some success on the environmental front, as well. Last spring, I announced a goal of eliminating dioxin discharges into Maine's rivers. Getting us to the point where we can eliminate fish advisories and where fish found below our paper mills show no greater concentrations of this dangerous chemical than those upstream. Last week, after months of work by all parties, a new license was issued by our DEP to Lincoln Pulp and Paper on the Penobscot which, according to the Federal EPA, the EPA mind you, "imposes the most stringent terms for dioxin ever imposed anywhere in the country." This is national environmental leadership and it happened through working together and staying focused on the goal.

Under the terms of this permit, this mill will produce less than 1 percent of the dioxin currently being produced in Maine in woodstoves or to put it another way, less than 1/20th of one eyedrop a year, but we are going to go further. Within the next week, I will be introducing a bill that will ratchet up the standards on all Maine mills over the next four years, to the point that all dioxin discharges will be eliminated. My bill will do this by setting the goal, the standard, no dioxin, not, as some would suggest, by

dictating the technology that should be used to get there. Eliminating dioxin is good news.

We're reducing paperwork; where once every company in Maine had to file two forms and send two checks for income and unemployment tax withholding, they soon will only have to file one. That's 180,000 government forms, gone. We will be introducing a new short tax form for many business taxpayers, which will reduce their paperwork from four pages to less than one, from 107 lines of information to 10; that is 25,000 pages of forms, gone. I have instructed the folks at the Bureau of Taxation, at Inland Fisheries and Wildlife and Parks to work together on a system where people can order a parks pass or renew their hunting and fishing licenses right on their tax forms, pay with part of their refund and have the license sent right to their home. Thousands of unnecessary trips and a whale of a lot of hassle, gone. That's good news.

But is it all good news? Of course not. As I mentioned, there are regions of the state which are not enjoying the economic growth we're seeing in southern Maine and too many of our citizens are being left behind as the demands of the workplace change. We've got some serious problems to address and important decisions to make. Sometimes these issues and decisions will be in conflict with each other, if we're not careful, resolving one can make another worse. In no case is this dilemma more stark than in the situation we now find ourselves in with regard to the next biennial budget. One side of the aisle has correctly identified serious problems we need to address, adequate funding for education, child health, the research capacity at our university; while the other party has identified correctly the crucial role which tax reduction must play if we are to maintain and accelerate the economic progress we have enjoyed in the last several years.

To my colleagues on both sides of the aisle, I propose a solution to this seemingly irreconcilable dilemma, a solution that recognizes our state's recent budgetary history, builds upon the experience of our sister states and holds the promise of meeting all the priorities you have so correctly identified. The solution? PATIENCE. We simply can't do it all this year. You can't eat a hippopotamus in one sitting. It takes a little time. I almost said an elephant and a donkey, but I didn't want to put it that way.

One of the most common criticisms of our political system is that it has no long-term vision; everything is done in response to a two-year election cycle. You, the members of the Legislature, want to point to solid accomplishments during your term here, just as I do, programs put in place, taxes cut, constituents pleased, but sometimes circumstances demand that we wait, move incrementally, let events catch up to our ambitions. Nowhere is this more true than in the budget. For the reality is that we are just now, finally, escaping from the budgetary hell of the early nineties.

During that time, the reversal of our revenue fortunes was so dramatic and so fast, that a whole host of expedients, most of us called them gimmicks, were necessary to squeak by: furlough and shutdown days of all of state government, deferring maintenance, pushing payroll checks into the next fiscal year, a scheme of taxing hospitals to draw down federal money, raiding the highway fund for general fund expenses, even selling the bottom 10 miles of the turnpike to ourselves. Don't laugh, we did it. All of these had the same effect, to shift costs to the future, to delay paying the bills until some later date. Well, as the great philosopher, the former Redskins coach, George Allen once said, "The future is now." We, in this room, are the ones who have to deal with it.

Of the increases in overall spending in my first budget and the one before you today, at least two thirds is due to paying the

old bills and straightening up our books. Two years ago, the state had about \$5 million in its savings account, the Rainy Day Fund, that is enough to operate state government for about a day. With the help of a stalwart Appropriations Committee, we're now close to \$50 million in the Rainy Day Fund and ended the last fiscal year with the first positive cash balance in this decade. Not as exciting as tax cuts or new programs, but necessary, if we're ever to get our fiscal house in order.

When I ran for Governor, all over the state, the most common refrain I heard, from people all across the state, was "get up there and run it like a business" and that's exactly what we're trying to do. To me, that means, first, pay the bills; second, concentrate on increasing productivity so you can compete in the marketplace; and finally, maintain your infrastructure. It also means making the crucial distinction between what we want and what we need. When money is short, you have to distinguish between what you want and what you need. What does being patient have to do with solving this dilemma? What's the plan to get us from the current budget purgatory? See, it's not quite so bad as a few years ago, to the sunny skies of tax cuts and more money for education or roads or health care for children. Time and economic growth are the answer. [GRAPH] Here's growth and here's time. The economists tell us that if the economy works just the way it is projected, we will have growth in state revenues based upon the growing state economy, not based upon new taxes, but growth in the economy of about 5 percent a year. Something like this, the crucial part in terms of time is the second line on the graph, which is the growth of state expenditures. State expenditures, if we can hold their increase to 2.5 percent a year instead of 5 percent a year, here is what happens. Right here is new money for tax cuts for new programs and increasing funding. By the way, I am not talking about new growth on this line. I am talking about modest growth. That is where we want to get. The key is to keep this line going up and keep this line going up and to keep this line underneath it.

The hardest line is that second line. To keep the growth of government expenditures down to a rate slower than the new revenues based on economic growth. Over the next two years, for example, my budget proposes an increase of about 2.5 percent a year, one half of the revenue increase based on economic growth. If we can keep that up, if we can maintain that difference, out at the end of the graph in two years, four years, six years or eight years, that is where we have more dollars to spend and room to cut taxes. The concept is simple, if your income goes up \$100 a year and you can keep your expenditures to a growth of \$50, when the year is over, you have \$50 more dollars in your pocket. It is as simple as that.

Why is it so important to cut taxes? It is one of the keys to keeping the first line, the economic line, pointed up. I am absolutely convinced that high taxes are now the biggest drag on the expansion of the Maine economy. We are tenth in the nation in state and local taxes as a percentage of personal income, but we're 36th in income. We can't keep that up. In every national survey of taxes, we're near the top, and it matters.

Jefferson once observed that the states should be "laboratories of democracy" where different approaches could be tried and we could see in the real world what works, and we don't have to look far to test Jefferson's theory. For right across our border is one of the great experiments in low taxes in the western world. It is called New Hampshire. Jim Libby knows because he lives down there. His district is down there. He knows the number of people from Maine who cross that border every day. Just as we are near the top of the tax burden pile, New Hampshire is at the bottom, because our two states are so similar in geography, culture, demography, natural resources,

and climate, it is hard to escape the conclusion, although I'm sure some will try, that their tax environment has something to do with the spectacular success they have had in rebuilding their economy over the last five years.

Can anyone seriously argue that it's just a coincidence that the states with the lowest taxes in the nation also have the highest per capita incomes and the highest rates of job creation and personal income growth? New Hampshire is in the top seven in both categories. We're in the lower third, but gaining. It may not have been so important, this matter of state and local taxes in the past age when businesses were "rooted" to wherever they were located. In this day of incredible mobility where people, money, ideas, and businesses can move so easily, state and local taxes can play a crucial role, for good or ill.

By the way, I'm not saying we should blindly copy New Hampshire. They've got their own set of problems. It goes without saying that Maine is superior to New Hampshire in almost every respect. Don't get me wrong, but recent economic history seems to indicate that maybe they're on to something with this low taxes stuff and it wouldn't hurt us to pay a little attention.

So what's the plan to reduce this burden in Maine? How do we cut taxes without disrupting important services and without simply shifting costs to another level of government, namely, our towns? As I've already outlined, I think the plan is pretty straightforward, and involves four steps: First, we have to do everything we can to grow the economy, keep this line going up, an aggressive economic development strategy, targeted tax incentives where necessary, promotion of international trade, promoting tourism, close attention to costs like workers' comp, encouraging local initiatives, an effective and timely regulatory process. All the things we are doing, and more. I had a fellow in my office not long ago who was with a big company, a fortune 500 company, I believe, based in the southwest. We were visiting and talking and he had just built a home in Maine on the coast. He was talking about maybe bringing some of his business to Maine. I merely went into what I call "romance mode" and I was very solicitous about him and his business and I said, how did you happen to build your home in Maine? You are from way in the south west, 3,000 miles away. We have many summer visitors who are from New York, Boston, Philadelphia or Washington, but this is unusual. How are we hitting this economic jackpot. He said, "Well, my wife and I both ride Harley's and Maine doesn't have a helmet law." Who would have thought of that as an economic development tool. The point is we have to do everything to keep that line going up.

Second, we have to hold down spending to something significantly below the rate of economic growth. This is the key and if history is any guide it is also the hardest to accomplish. We need look no further back than the 80s, where, in a period of incredible economic growth, we still managed to grow government at an even faster rate. Why? Because there are very few, if any, bad government programs and there is no end to needs that can and often should be addressed. The past two weeks have made this case dramatically in each day's headlines: the magnet school, the University, the Hospice Council, technical colleges, local school districts, medical students. A week or so ago, a reporter came into my office with the observation that I was "being shellacked in the Appropriations Committee." I won't mention the name of the reporter, Mal Leary. I would submit that being shellacked is the price of making real cuts and if somebody isn't being shellacked when all this is over, we're just playing games up here. This process will continue, with every program or group making a compelling case, each saying, "cut the other guy, not me." There is no other guy. No other guy who

can absorb the necessary cuts silently and without disruption to important services to our people. If we can do this and remember I said on that graph, we're not talking about no growth, that's a double negative, mom, just slower growth. Then we get out to the end where there are real additional revenues and room for greater cuts in taxes.

So step three is tax cuts. We already made 200 to 300 and \$65 million in the last two years. I don't think we are going to be able to swallow all of those in the upcoming two years. Remember what I said about the hippopotamus. Here are my rules for tax cuts. First they must be sure that we keep the total tax burden down and don't just shift. By the way, I made a mistake in the budget. I forgot something that I intended to do and I am driving the budget people crazy, but I told them a week ago that we are going to fully fund the tree growth tax reimbursement for the towns in this budget. You just learned that all the legislators from small towns. We can't just shift taxes. We aren't doing anybody any favors by beating our chests up here about one tax cut or another which simply results in increased property taxes. Putting money in one pocket of our taxpayers and taking it out of the other "ain't" real tax reform.

Second, that tax cuts should not shift the burden to the working poor. Third, that they should alleviate our over reliance on the property tax in this state. Finally, any cuts that we make should be aimed toward decreasing the incredible volatility in our tax system. We are playing Russian roulette right now with three bullets in the chamber because if there is the slightest down turn in the economy, we lose \$3 for every \$1 that comes out of the economy. We cannot stand that.

Step four is to put some kind of mechanism in place that makes sure all of this really happens, not just when we are here, but when others fill these seats who will suffer the same temptations and who might find it harder to resist than we and might not be so virtuous. It's no accident that virtually every democracy in the world is running a deficit right now. Why? It is human nature. Spending is a lot of fun, especially if it's other people's money. So, what is necessary is something which will force us to keep this line down and prevent simply shifting the burden down to the towns. What I am proposing is a firm target for all taxes, state and local, that will provide the discipline to force us and our successors, to say that hardest of all words for people in our jobs. No.

This is real tax reform and I will be introducing legislation to do just this in the next several weeks. Working with the municipalities, we will biennially establish an overall target for taxes in Maine as a percentage of personal income, allocate the taxing capacity under the limit between levels of government and gradually work to reduce the bite that taxes take from Maine people. This is new. Minnesota is the only state in this country I know that is doing something similar. Tonight I would like to set a realistic goal of reducing Maine's overall tax burden by 20 percent, from 12.5 percent of personal income in this state to under 11 percent by 2001. By the way, every tenth of a point reduction puts \$25 million into the pockets of individual Maine people. The budget isn't all we do around here. There are things we can do to improve the lives of Maine citizens which don't necessarily involve major new programs or lots of new money, but instead are based upon focusing our resources and concentrating our efforts.

One area, for example, is criminal justice. Right now, we have one of the most expensive corrections systems in the nation and yet we are not doing much more than warehousing people. The money is going into largely antiquated facilities, which are expensive to run, leaving communities and victims with little long-term assurance that anything is being fixed. It used to

be the joke that we could send our inmates to Harvard for less than it costs at Thomaston; now, at almost \$32,000 a year, they could go to Harvard and have enough left over to take their Joe Lehman to the Super Bowl. So I have asked Commissioner of Corrections Joe Lehman to begin the process of taking a comprehensive look at all of our correctional facilities to see whether a replacement plan that will pay for itself in operational savings and allow for meaningful rehabilitation as well. It is overdue that we take that look. We need to lock up the dangerous, violent criminals and we will do that. At the same time, we are proposing a new model for community corrections called restorative justice. A model where the community and the victim have a direct role in determining how low-risk offenders on probation can most effectively and appropriately pay their debt to society.

As I mentioned above, one of the key issues in keeping our economy moving is ensuring that our workers have the skills and knowledge they need to compete. That's why I have asked Commissioner of Labor, Val Landry, to develop a simple structure for delivering job training programs. I met with a labor leader in Maine a year ago and he said with the money we have spent in job training programs going in all directions, we might as well have just dropped it out of an airplane. He said, "With my luck, it would have all blown into Cape Elizabeth." We have twenty separate funding sources and a dozen governing boards, it just doesn't make sense; it's a crazy quilt of programs and regulations that serves neither workers nor Maine's businesses well. My instructions to Val are to make it simple, make it accountable and make it work.

Another example is marine resources where the challenge is to preserve 22,000 jobs in our oldest industry, while at the same time, laying the groundwork for new growth. The keys are streamlining, synergy and science and the result is Jobs from the Sea. First, streamlining, we have to establish a new relationship with the federal government and our neighbors to ensure that the regulation of our coastal waters is consistent, effective and sensible. It makes no sense, for example, that New Hampshire fishermen can take oversized lobsters three miles off our coast that our people have to throw back, that our people have to throw back for breeding.

Second, synergy. We have to work together. There are now 14 marine research institutions in Maine and we have to be sure that they are talking to each other and to the guys in the boats. We must make our Department of Maine Resources a catalyst for change and see that they have the capacity to lead.

Third, science. The vast expanse of the Gulf of Maine is a field as fertile and productive as the plains of the Midwest. There are almost 2,000 species of plants and animals growing there. We now use about 75. The key to unlocking this treasure and spinning off jobs in fishing, bio-tech, aquaculture and research itself, is science and the place to focus that science is Maine. I propose that by the year 2002, we create the leading cold-water research capability in the world right here, with the new school of marine science at the University of Maine as the hub, but with a far-flung virtual laboratory stretching from Calais to Kittery. Jobs from the Sea are within our grasp; the challenge now is to reach out and make them happen.

Finally, I want to tell you about an old friend of mine named Henry Jones. That's his real name. I met Henry more than twenty years ago when he was my roommate in the hospital. I was there for surgery. I had a rare form of cancer called malignant melanoma. Going in, I had about a fifty-fifty chance. I was lucky, they got it, it hadn't spread. Henry was a great guy in his early sixties. He had a sharp sense of humor, was observant, especially of the nurses. He was terrific company for

me, at a very difficult time. What Henry didn't have was a voice; in fact, he had no throat at all, just a set of bandages in the front of a neck that was nothing more than his spine and some wiry muscles. Every day, he ate something that looked like chocolate milkshakes that went through a tube directly into his stomach. We'd joke about the taste of a steak, mashed potatoes or ice cream. He'd lost his voice and his throat and eventually his life to cancer. He'd smoked all his life. There's not much doubt that what really killed him was the cigarettes.

We'd talk or rather I'd talk and Henry would respond with a little sign language and scribbled notes. One day we talked about where we were and what had brought us to that point. It got pretty serious and then he handed me a note. "Make a promise," it said. Henry was a man of few words. I had no idea what was coming, but the look in his eyes made it clear I didn't really have much of a choice. Then came the next note. "When you get out of here, if you can do anything to keep somebody from ending up like me, promise you'll do it."

Well, here I am twenty-three years later and that dreaded, damnable disease still stalks the land and it is having a field day in Maine. The saddest fact, the worst news of the year, is that we are first, first in the nation in the proportion of our young people who smoke. I won't bore you with all the implications of this, health care costs, lost time, the incalculable loss when a child or friend goes before their time. One figure about Maine's addiction has haunted me. Every year, 2300 of our people die prematurely, unnecessarily, because of smoking. That's a small town a year wiped out, Bingham, gone, Limerick, gone, Mars Hill, Monmouth. It's a slow-motion killing machine and we just can't stand by and let it happen.

We can't make 'em illegal. We're too far down the road for that, but we can sure as hell make them more expensive, especially for our kids. For it's then, when you're a teenager, that the addiction starts and once started is so hard to stop. So what I'm proposing tonight is to double the tax on a pack of cigarettes from 34 to 74 cents a pack and use a small portion of the proceeds to mount a serious campaign to help keep people, especially kids, from starting in the first place.

The rest of the money we should give back to the people. This proposal should not become a fund-raiser for state government. If we keep the money, for whatever worthy purpose, I've heard many suggested, we're breaking faith with the people and flying in the face of everything I've said tonight about the budget and lowering the tax burden in Maine. I propose that we do this, give the money back, in two ways simple straightforward. First, raise our personal income tax exemption to more closely match the federal level, which will put more money into Maine people's pockets immediately about twenty-five million dollars a year.

The second proposal will surprise you. I give a lot of credit to Brian Mahany in Taxation and Janet Waldren. We can eliminate 150,000 taxpayers from the rolls entirely, young people, part-time workers, the working poor, at a cost of \$2.5 million. We can do all this by making cigarettes more dear and in the process save some lives in Maine, a whole town at a time. After 14 operations, Henry Jones died on March 31, 1976. It was my 32nd birthday. Henry, I don't know where you are right now, because you were an ornery old cuss, but wherever you are, tonight, I kept my promise.

Thank you.

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 Chair 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.

(After the Joint Convention)

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, January 23, 1997, have preference in the Orders of the Day and continue with such preference until disposed of as provided by House Rule 502.

Expression of Legislative Sentiment recognizing Emily Brissette (HLS 23)
TABLED - January 21, 1997 by Representative PLOWMAN of Hampden.
PENDING - Passage.

On motion of Representative CAMPBELL of Holden, tabled pending passage and later today assigned.

Bill "An Act to Encourage the Development of the Software Industry" (H.P. 110) (L.D. 134)
- In House, Referred to the Committee on **Taxation** and the Committee on **Business and Economic Development** on January 21, 1997.

- In Senate, Referred to the Committee on **Taxation** in non-concurrence.

TABLED - January 23, 1997 (Till Later Today) by Representative SAXL of Portland.

PENDING - Further Consideration.

On motion of Representative TRIPP of Topsham, the House voted to Recede and Concur.

TABLED AND TODAY ASSIGNED

The Chair laid before the House the following items which were Tabled and Today Assigned:

Bill "An Act to Encourage the Use of Motor Vehicles That Use Alternative Sources of Fuel for the Purpose of Reducing Air Pollution" (H.P. 300) (L.D. 364)

(Committee on **Business and Economic Development** and Committee on **Taxation** suggested)

TABLED - January 23, 1997 by Representative VIGUE of Winslow.

PENDING - Reference.

On motion of Representative TRIPP of Topsham, the Bill was referred to the Committee on **Natural Resources**, ordered printed and sent up for concurrence.

Bill "An Act to Improve Access to Enhanced 9-1-1 Emergency Records" (H.P. 261) (L.D. 325)

(Committee on **Utilities and Energy** suggested)

TABLED - January 23, 1997 by Representative JONES of Bar Harbor.

PENDING - Reference.

On motion of Representative THOMPSON of Naples, the Bill was referred to the Committee on **Judiciary**, ordered printed and sent up for concurrence.

BILLS HELD

Bill "An Act to Amend the Maine Workers' Compensation Act of 1992 as It Relates to Compensation for Total Incapacity" (H.P. 257) (L.D. 321)

- In House, Referred to the Committee on **Labor**.

HELD at the Request of Representative CARLETON of Wells.

Representative CARLETON of Wells moved that the House reconsider its action whereby the Bill was referred to the Committee on **Labor**.

On further motion of the same Representative, tabled pending his motion to reconsider and specially assigned for Thursday, January 30, 1997.

Bill "An Act to Require Employers to Pay the Legal Fees of an Employee Who Wins a Workers' Compensation Case" (H.P. 340) (L.D. 462)

- In House, Referred to the Committee on **Labor**.

HELD at the Request of Representative CARLETON of Wells.

Representative CARLETON of Wells moved that the House reconsider its action whereby the Bill was referred to the Committee on **Labor**.

On further motion of the same Representative, tabled pending his motion to reconsider and specially assigned for Thursday, January 30, 1997.

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

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

Bill "An Act to Increase Security at the Maine State Prison" (EMERGENCY) (S.P. 152) (L.D. 470) (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 as amended by Senate Amendment "A" (S-9).

(The Committee on Reference of Bills had suggested reference to the Committee on **Criminal Justice**.)

Under suspension of the rules the Bill was read once without reference to a Committee. Senate Amendment "A" (S-9) was read by the Clerk and adopted. Under further suspension of the rules and without reference to the Committee on Bills in the Second Reading the Bill was read a second time and passed to be engrossed as amended by Senate Amendment "A" (S-9) in concurrence. Ordered sent forthwith.

On motion of Representative WINGLASS of Auburn, the House adjourned at 8:44 p.m. until 10:00 a.m., Thursday, January 30, 1997.