

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
16th Legislative Day
Tuesday, February 25, 1997

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

Prayer by Father Joseph E. Daniels, Holy Family Church, Lewiston.

National Anthem by Plummer-Motz School Select Chorus, Falmouth.

Pledge of Allegiance.

Doctor of the day, David Tolstrup, D.O., Bangor.

At this point, a message came from the Senate, borne by Senator PINGREE of that Body, proposing a Joint Convention of both Branches to be held in the Hall of the House at 11:00 o'clock in the morning for the purpose of extending to the Honorable Terrence MacTaggart, Chancellor of the University of Maine System, and the Honorable John Fitzsimmons, President of the Maine Technical College System, an invitation to attend the Joint Convention and to make such communication as pleases them.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 11:00 o'clock in the morning and the Speaker appointed Representative KONTOS of Windham to convey this message to the Senate.

The Journal of Thursday, February 20, 1997 was read and approved.

SENATE PAPERS
Non-Concurrent Matter

Bill "An Act to Clarify the Duties of the Maine Atlantic Salmon Authority" (H.P. 857) (L.D. 1162) which was referred to the Committee on **Marine Resources** in the House on February 20, 1997.

Came from the Senate referred to the Committee on **Inland Fisheries and Wildlife** in non-concurrence.

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

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

COMMUNICATIONS

The following Communication: (H.C. 32)

STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON BUSINESS AND ECONOMIC
DEVELOPMENT

February 19, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Business and Economic Development has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 573 An Act to Conform the Maine Fair Debt Collection Practices Act to Federal Law
L.D. 994 An Act to Conform the Maine Fair Debt Collection Practices Act to Federal Laws

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. John T. Jenkins S/Rep. Marc J. Vigue
Senate Chair House Chair

Was read and ordered placed on file.

The following Communication: (H.C. 33)

STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON CRIMINAL JUSTICE

February 19, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature
State House

Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Criminal Justice has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 69 An Act to Prohibit a Juvenile from Pleading to a Reduced Juvenile Crime
L.D. 294 An Act to Increase the Authorized Period of Probation for a Class D Crime
L.D. 295 An Act to Facilitate Payment of Restitution for Thefts by Extending the Period of Probation

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Robert E. Murray, Jr. S/Rep. Edward J. Povich
Senate Chair House Chair

Was read and ordered placed on file.

The following Communication: (H.C. 34)

STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS

February 19, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature
State House

Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Education and Cultural Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 37 An Act to Permit Schools to Allow Credit toward a High School Diploma for Paid Driver Education Courses
L.D. 236 An Act to Strengthen the Requirements for Acquisition of Driver's Licenses for Minors

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,
S/Sen. Peggy A. Pendleton S/Rep. Shirley K. Richard
Senate Chair House Chair
Was read and ordered placed on file.

The following Communication: (H.C. 35)

STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES

February 19, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Health and Human Services has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 129 An Act to Require That All Medicaid Funds Be Controlled by a Single State Agency
L.D. 303 An Act to Prohibit Nursing Facilities from Disposing of Medications of Patients Temporarily Absent from the Facilities
L.D. 388 An Act to Ensure State Payment to Nursing Homes of Costs Associated with State Adult Protection Custody Orders
L.D. 422 An Act to Improve the Delivery of Substance Abuse Services in Maine
L.D. 733 An Act to Require Medicaid to Pay for Intravenous Drug Therapy at Home

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,
S/Sen. Judy Paradis S/Rep. J. Elizabeth Mitchell
Senate Chair House Chair
Was read and ordered placed on file.

The following Communication: (H.C. 36)

STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON JUDICIARY

February 19, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Judiciary has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 105 Resolve, to Create a Task Force to Study the Adequacy of the Laws Regarding Involuntary Commitment
L.D. 444 An Act to Establish the Maximum and Minimum Number of Grand Jurors to Be Summoned and Impaneled
L.D. 453 An Act to Give District Attorneys the Option of Appearing in Civil Proceedings

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,
S/Sen. Susan W. Longley S/Rep. Richard H. Thompson
Senate Chair House Chair
Was read and ordered placed on file.

The following Communication: (H.C. 37)

STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON LABOR

February 19, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Labor has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 96 An Act to Exempt Seasonal Golf Course Employees from the Unemployment Compensation Laws
L.D. 163 An Act to Shift from Small Business Owners to the Department of Labor the Responsibility for Providing the Department of Human Services with Information on New Employees

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,
S/Sen. Mary R. Cathcart S/Rep. Pamela H. Hatch
Senate Chair House Chair
Was read and ordered placed on file.

The following Communication: (H.C. 38)

STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON LEGAL AND VETERANS AFFAIRS

February 19, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Legal and Veterans Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 501 An Act to Prohibit Political Action Committee and Corporate Contributions in State Elections
L.D. 557 An Act to Amend Certain Election Laws Regarding Voter Registration

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,
S/Sen. Beverly C. Daggett S/Rep. John L. Tuttle, Jr.
Senate Chair House Chair
Was read and ordered placed on file.

The following Communication: (H.C. 39)

**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON MARINE RESOURCES**

February 19, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature

State House

Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Marine Resources has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 311 An Act to Establish the Status of New Fisheries

L.D. 403 An Act to Offer a Free Subsistence Fishing License to Persons 70 Years of Age or Older

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Jill M. Goldthwait S/Rep. David Etnier

Senate Chair

House Chair

Was read and ordered placed on file.

The following Communication: (H.C. 40)

**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON STATE AND LOCAL GOVERNMENT**

February 19, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature

State House

Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on State and Local Government has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 99 An Act Concerning the Format of Legislative Documents

L.D. 282 An Act to Require Public Forms to Contain a Revision Date

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. John M. Nutting S/Rep. Douglas J. Ahearne

Senate Chair

House Chair

Was read and ordered placed on file.

The following Communication: (H.C. 41)

**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON TAXATION**

February 19, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature

State House

Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Taxation has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 141 An Act Regarding the Authority of County Government Assessments

L.D. 193 An Act to Exempt Lobster Traps from the Personal Property Tax

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Richard P. Ruhlin S/Rep. Verdi L. Tripp

Senate Chair

House Chair

Was read and ordered placed on file.

The following Communication: (H.C. 42)

**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON TRANSPORTATION**

February 19, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature

State House

Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Transportation has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 3 An Act to Amend the Laws Regarding the Registration of Pickup Trucks

L.D. 78 An Act to Increase the Fee for Car Inspections

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. William B. O'Gara S/Rep. Joseph D. Driscoll

Senate Chair

House Chair

Was read and ordered placed on file.

The following Communication: (H.C. 43)

**STATE OF MAINE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON UTILITIES AND ENERGY**

February 19, 1997

Honorable Mark W. Lawrence, President of the Senate
Honorable Elizabeth H. Mitchell, Speaker of the House
118th Maine Legislature

State House

Augusta, Maine 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Utilities and Energy has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 382 An Act to Prohibit the Public Utilities Commission from Directing Utility Overcharges to Any Program Other Than Repayment to Ratepayers

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Richard J. Carey S/Rep. Kyle W. Jones

Senate Chair

House Chair

Was read and ordered placed on file.

The following Communication: (H.C. 44)

118th Maine Legislature

January 10, 1997

Terrence MacTaggart, Chancellor
University of Maine System
107 Maine Avenue
Bangor, Maine 04401

Dear Chancellor MacTaggart:

We are pleased to invite you to address a Joint Session of the 118th Maine Legislature on Tuesday, February 25, 1997 at 11:00 a.m. concerning the State of the University and any other matters that you may care to bring to our attention.

On the same day, following your address, John Fitzsimmons, President, Maine Technical College System will be addressing the Joint Session.

We look forward to seeing you then. Best wishes.

Sincerely,

S/Hon. Mark W. Lawrence S/Hon. Elizabeth H. Mitchell
President of the Senate Speaker of the House
Was read and ordered placed on file.

The following Communication: (H.C. 45)

UNIVERSITY OF MAINE SYSTEM
107 Maine Avenue
Bangor, Maine 04401-4380

February 3, 1997

The Honorable Mark W. Lawrence
President of the Senate
The Honorable Elizabeth H. Mitchell
Speaker of the House
State of Maine
118th Maine Legislature
State House
Augusta, ME 04333

Dear President Lawrence and Speaker Mitchell:

It is with particular pleasure that I accept your invitation to address a Joint Session of the 118th Maine Legislature on Tuesday, February 25, 1997 at 11:00 a.m.

I consider this a distinct privilege, and I look forward to reporting on the state of the University of Maine System.

Sincerely,

S/Terrence J. MacTaggart
Chancellor

Was read and ordered placed on file.

The following Communication: (H.C. 46)

118th Maine Legislature

January 10, 1997

John Fitzsimmons, President
Maine Technical College System
131 State House Station
Augusta, Maine 04333

Dear President Fitzsimmons:

We are pleased to invite you to address a Joint Session of the 118th Maine Legislature on Tuesday, February 25, 1997 concerning the State of the Maine Technical College System and any other matters that you may care to bring to our attention. We will begin the Joint Session at 11:00 a.m. with an address from Chancellor MacTaggart. You will address the Legislature directly following the Chancellor.

We look forward to seeing you then. Best wishes.

Sincerely,

S/Hon. Mark W. Lawrence S/Hon. Elizabeth H. Mitchell
President of the Senate Speaker of the House
Was read and ordered placed on file.

The following Communication: (H.C. 47)
MAINE TECHNICAL COLLEGE SYSTEM
OFFICE OF THE PRESIDENT
323 STATE STREET
AUGUSTA, MAINE 04330-7131

February 20, 1997

The Honorable Mark W. Lawrence
President of the Senate
118th Maine Legislature
Augusta, ME 04333
The Honorable Elizabeth H. Mitchell
Speaker of the House
118th Maine Legislature
Augusta, ME 04333

Dear President Lawrence and Speaker Mitchell:

It is with great pleasure that I accept your invitation to address a Joint Session of the 118th Maine Legislature on Tuesday, February 25, 1997. I deeply appreciate the invitation and am looking forward to the opportunity to talk about the wonderful work that goes on every day across our System.

Sincerely yours,

S/John Fitzsimmons
President

Was read and ordered placed on file.

The following Communication: (H.C. 48)

STATE OF MAINE
DEPARTMENT OF
ECONOMIC AND COMMUNITY DEVELOPMENT
33 STONE STREET
59 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0059

February 21, 1997

The Honorable Elizabeth H. Mitchell, Speaker of the House
Maine House of Representatives
2 State House Station
Augusta, Maine 04333

Dear Speaker Mitchell:

Enclosed is a copy of the Department of Economic and Community Development's 1995-96 biennial report, prepared in accordance with 5 MRSA § 13058. This report provides a comprehensive overview of the department's activities and accomplishments over the past two years, and looks at what we expect for 1997 and 1998. I hope that you and your staff find it useful as you consider the economic development policy matters of the 118th Legislature.

Please let me know if you have any questions or comments, or if you would like additional copies of the report.

Sincerely,

S/Thomas D. McBrierty
Commissioner

Was read and with accompanying report ordered placed on file.

The following Communication: (H.C. 49)

Department of Labor

February 3, 1997

The Honorable Angus King
Governor
1 State House Station
Augusta, Maine 04333-0001

The Honorable Elizabeth Mitchell
Speaker of the House
2 State House Station
Augusta, Maine 04333-0002

The Honorable Mark Lawrence
President of the Senate
3 State House Station
Augusta, Maine 04333-0003

Dear Governor King, Representative Mitchell and Senator Lawrence:

We are pleased to submit to the Governor and the 118th Legislature, the Annual Report on the Status of the Maine Workers' Compensation System as required by Title 39-A, Section 358(2). These three individual reports are from the agencies most involved with the Workers' Compensation system. They summarize results of data collection and profile the current status of the Workers' Compensation system, including costs, administration, adequacy and timeliness of benefits and evaluation of the entire system, including a summary of occupational safety and health in Maine.

| | | |
|-----------------------------|---|------------------|
| Sincerely, | Sincerely, | Sincerely |
| S/Brian K. Atchinson | S/Paul Dionne | S/Alan C. Hinsey |
| Superintendent | Executive Director | Director |
| Bureau of Insurance | Workers' Compensation, Bureau of Labor, | |
| Dept. of Professional Board | Department of Labor | |
| & Financial Regulation | | |

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 Protect Maine's Wild Lands" (H.P. 881) (L.D. 1198) (Presented by Representative SHIAH of Bowdoinham) (Cosponsored by Senator PINGREE of Knox and Representatives: BERRY of Livermore, BULL of Freeport, FISK of Falmouth, JONES of Bar Harbor, McKEE of Wayne, Senator: CLEVELAND of Androscoggin)

Banking and Insurance

Bill "An Act to Prohibit the Raising of Interest Rates as a Penalty for Late Payment on Debt" (H.P. 868) (L.D. 1185) (Presented by Representative SKOGLUND of St. George) (Cosponsored by Senator KILKELLY of Lincoln and Representatives: BOLDUC of Auburn, CHARTRAND of Rockland, CHIZMAR of Lisbon, FARNSWORTH of Portland, GERRY of Auburn, NICKERSON of Turner, SAVAGE of Union, SIROIS of Caribou)

Bill "An Act to Ensure Patient Choice and Access to Health Care by Offering a Point-of-service Plan" (H.P. 889) (L.D. 1206) (Presented by Representative SAXL of Bangor) (Cosponsored by Senator MILLS of Somerset and Representatives: CARLETON of Wells, FULLER of Manchester, HATCH of Skowhegan, MAYO of Bath, O'NEAL of Limestone, O'NEIL of Saco, SAXL of Portland, THOMPSON of Naples)

Bill "An Act to Prohibit Insurance Companies from Denying Health Care Coverage Based on DNA Tests" (H.P. 893) (L.D.

1210) (Presented by Representative SAXL of Bangor) (Cosponsored by Senator LaFOUNTAIN of York and Representatives: CHARTRAND of Rockland, MAYO of Bath, WINN of Glenburn, Senator: RAND of Cumberland)

Resolve, Regarding Legislative Review of Chapter 850, Health Plan Accountability, a Major Substantive Rule of the Department of Professional and Financial Regulation, Bureau of Insurance (EMERGENCY) (H.P. 874) (L.D. 1191) (Submitted by the Department of Professional and Financial Regulation pursuant to the Maine Revised Statutes, Title 5, section 8072.)

Business and Economic Development

Bill "An Act to Provide Equity for Recreational Vehicle Dealers in Reimbursement for Parts and Labor Required under a Warranty" (H.P. 880) (L.D. 1197) (Presented by Representative CAMPBELL of Holden) (Cosponsored by Senator BENNETT of Oxford and Representatives: CAMERON of Rumford, CHARTRAND of Rockland, DONNELLY of Presque Isle, KNEELAND of Easton, LEMONT of Kittery, WINSOR of Norway)

Bill "An Act to Provide a Warranty for Assistive Devices for Persons with Disabilities" (H.P. 897) (L.D. 1214) (Presented by Representative FULLER of Manchester) (Cosponsored by Representatives: FARNSWORTH of Portland, MAYO of Bath, TOWNSEND of Portland)

Bill "An Act to Restrict Telephone Solicitation" (H.P. 898) (L.D. 1215) (Presented by Representative AHEARNE of Madawaska) (Cosponsored by Senator PARADIS of Aroostook and Representatives: CLARK of Millinocket, DUNLAP of Old Town, JONES of Greenville, JOY of Crystal, LEMKE of Westbrook, MURPHY of Kennebunk, WATERHOUSE of Bridgton)

Bill "An Act to Preserve Consumer Privacy" (H.P. 908) (L.D. 1251) (Presented by Representative VEDRAL of Buxton) (Cosponsored by Representatives: BRAGDON of Bangor, CARLETON of Wells, JOY of Crystal, MERES of Norridgewock)

Resolve, Regarding Legislative Review of Chapter 840: Private Purchasing Alliances, a Major Substantive Rule of the Department of Professional and Financial Regulation, Bureau of Insurance (EMERGENCY) (H.P. 873) (L.D. 1190) (Submitted by the Department of Professional and Financial Regulation pursuant to the Maine Revised Statutes, Title 5, section 8072.)

Reference to the Committee on **Business and Economic Development** suggested.

On motion of Representative VIGUE of Winslow, the Bill was referred to the Committee on **Banking and Insurance**, ordered printed and sent up for concurrence.

Criminal Justice

Bill "An Act to Require the State to Take Responsibility for Detention of Certain Juveniles by September 1, 1997" (H.P. 862) (L.D. 1179) (Presented by Representative BUNKER of Kossuth Township) (Cosponsored by Representatives: FRECHETTE of Biddeford, McALEVEY of Waterboro, TOBIN of Dexter, WHEELER of Bridgewater)

Bill "An Act Regarding Firearms Proficiency Testing for Private Investigators" (H.P. 867) (L.D. 1184) (Presented by Representative PEAVEY of Woolwich) (Cosponsored by Representatives: FRECHETTE of Biddeford, MUSE of South Portland, POVICH of Ellsworth, TOBIN of Dexter, WHEELER of Bridgewater, Senator: BENOIT of Franklin)

Bill "An Act Concerning Consecutive Sentencing" (H.P. 877) (L.D. 1194) (Presented by Representative OTT of York) (Cosponsored by Representatives: CLUKEY of Houlton, JOY of Crystal, MACK of Standish, PLOWMAN of Hampden, WATERHOUSE of Bridgton, Senator: BENOIT of Franklin)

Bill "An Act to Amend the Victims' Rights Laws" (H.P. 879) (L.D. 1196) (Presented by Representative McALEVEY of Waterboro) (Cosponsored by Representatives: FRECHETTE of Biddeford, MARVIN of Cape Elizabeth, MAYO of Bath, PEAVEY of Woolwich, POVICH of Ellsworth, TOBIN of Dexter, Senator: AMERO of Cumberland)

Bill "An Act to Amend Certain Provisions Regarding the Presumption of Negotiating a Worthless Instrument" (H.P. 888) (L.D. 1205) (Presented by Representative JONES of Greenville) (Cosponsored by Representatives: BUCK of Yarmouth, PERRY of Bangor, POVICH of Ellsworth, TOBIN of Dexter, Senator: LAWRENCE of York)

Bill "An Act to Protect Private Communication" (H.P. 907) (L.D. 1250) (Presented by Representative VEDRAL of Buxton) (Cosponsored by Representatives: BRAGDON of Bangor, CARLETON of Wells, JOY of Crystal, MERES of Norridgewock, POWERS of Rockport)

Reference to the Committee on **Criminal Justice** was suggested.

On motion of Representative POVICH of Ellsworth, tabled pending reference and later today assigned.

Bill "An Act to Permit Disclosure of the Identity of Certain Juvenile Offenders" (H.P. 913) (L.D. 1256) (Presented by Representative BROOKS of Winterport) (Cosponsored by Senator PARADIS of Aroostook and Representatives: BAKER of Bangor, BRAGDON of Bangor, CAMPBELL of Holden, KASPRZAK of Newport, LINDAHL of Northport, MACK of Standish, O'BRIEN of Augusta, SAXL of Bangor)

Reference to the Committee on **Criminal Justice** was suggested.

On motion of Representative POVICH of Ellsworth, tabled pending reference and later today assigned.

Education and Cultural Affairs

Bill "An Act to Improve the Transition of People with Disabilities from Children's to Adult Services" (H.P. 870) (L.D. 1187) (Presented by Representative BRENNAN of Portland) (Cosponsored by Representatives: BARTH of Bethel, FARNSWORTH of Portland, FULLER of Manchester, LOVETT of Scarborough)

Bill "An Act to Establish Funding for Repair and Renovation Projects under the State School Construction Program" (H.P. 878) (L.D. 1195) (Presented by Representative CHARTRAND of Rockland) (Cosponsored by Senator PINGREE of Knox and Representatives: CAMPBELL of Holden, LEMONT of Kittery, PLOWMAN of Hampden, POWERS of Rockport, SAVAGE of Union, SKOGLUND of St. George, WHEELER of Eliot, Senator: LaFOUNTAIN of York)

Bill "An Act Regarding Student Financial Aid Programs" (H.P. 886) (L.D. 1203) (Presented by Representative KONTOS of Windham)

Bill "An Act Concerning Authorization of Educational Technicians" (H.P. 890) (L.D. 1207) (Presented by Representative LEMAIRE of Lewiston) (Cosponsored by Senator RAND of Cumberland and Representatives: FARNSWORTH of

Portland, GAGNE of Buckfield, GREEN of Monmouth, HATCH of Skowhegan, SAMSON of Jay)

Bill "An Act Regarding the School Administrative District No. 46 Applied Technology Center" (H.P. 892) (L.D. 1209) (Presented by Representative TOBIN of Dexter) (Cosponsored by Senator HALL of Piscataquis and Representatives: CROSS of Dover-Foxcroft, JONES of Greenville, KASPRZAK of Newport)

Health and Human Services

Bill "An Act to Ensure Adequate Nutrition and Support for Low-income Legal Immigrants" (EMERGENCY) (H.P. 882) (L.D. 1199) (Presented by Representative MITCHELL of Portland) (Cosponsored by Senator PARADIS of Aroostook and Representatives: ETNIER of Harpswell, MAYO of Bath, McALEVEY of Waterboro, MITCHELL of Vassalboro, QUINT of Portland, ROWE of Portland, STEVENS of Orono, Senator: RAND of Cumberland)

Bill "An Act to Simplify Child Care Regulation in Maine" (H.P. 912) (L.D. 1255) (Presented by Representative TOWNSEND of Portland) (Cosponsored by Representatives: DONNELLY of Presque Isle, FULLER of Manchester, MITCHELL of Portland, O'BRIEN of Augusta, Senators: MILLS of Somerset, PARADIS of Aroostook, PINGREE of Knox, RAND of Cumberland) (Submitted by the Department of Human Services pursuant to Joint Rule 204.)

Resolve, to Review Medicines in the Elderly Low-cost Drug Card Program (H.P. 884) (L.D. 1201) (Presented by Representative GERRY of Auburn) (Cosponsored by Representatives: BAKER of Dixfield, LOVETT of Scarborough, SNOWE-MELLO of Poland, Senator: PINGREE of Knox)

Inland Fisheries and Wildlife

Bill "An Act to Ensure Hunting Safety" (H.P. 869) (L.D. 1186) (Presented by Representative SAVAGE of Union) (By Request)

Bill "An Act to Require Reflectors on Ice Fishing Shacks" (H.P. 904) (L.D. 1247) (Presented by Representative PENDLETON of Scarborough) (Cosponsored by Representatives: JOY of Crystal, TOBIN of Dexter)

Bill "An Act to Permit the Hunting of Birds on Sundays during a Specified Open Hunting Season" (H.P. 905) (L.D. 1248) (Presented by Representative DUNLAP of Old Town) (Cosponsored by Senator KILKELLY of Lincoln and Representatives: JONES of Bar Harbor, MACK of Standish, PERRY of Bangor, Senator: RUHLIN of Penobscot)

Judiciary

Bill "An Act to Allow Paralegals to Represent Clients in Small Claims Cases or Alternative Dispute Resolution" (H.P. 861) (L.D. 1178) (Presented by Representative STEDMAN of Hartland) (Cosponsored by Representatives: JONES of Pittsfield, JOY of Crystal, LABRECQUE of Gorham, LANE of Enfield)

Bill "An Act to Change the Comparative Negligence Laws" (H.P. 864) (L.D. 1181) (Presented by Representative MITCHELL of Portland) (Cosponsored by Representative: JONES of Bar Harbor)

Bill "An Act to Allow the Courts to Suspend the Drivers' Licenses of Individuals Convicted of Civil Offenses Who Fail to Pay Their Fines within the Time Limits Ordered by the Court" (H.P. 891) (L.D. 1208) (Presented by Representative GOOLEY of Farmington) (Cosponsored by Senator BENOIT of Franklin and Representatives: BUNKER of Kossuth Township, CARLETON of Wells, CLARK of Millinocket, DESMOND of

Mapleton, DEXTER of Kingfield, JOY of Crystal, KERR of Old Orchard Beach, O'BRIEN of Augusta)

Bill "An Act to Create a Family Division within the State's District Court" (H.P. 896) (L.D. 1213) (Presented by Speaker MITCHELL of Vassalboro) (Cosponsored by Senator AMERO of Cumberland and Representative: DONNELLY of Presque Isle, Senator: RAND of Cumberland) (Governor's Bill)

Bill "An Act to Restrict the Use of Social Security Numbers" (H.P. 911) (L.D. 1254) (Presented by Representative VEDRAL of Buxton) (Cosponsored by Representatives: BRAGDON of Bangor, JOY of Crystal, KANE of Saco, MERES of Norridgewock, POWERS of Rockport)

Labor

Bill "An Act to Amend the Workers' Compensation Law as It Pertains to Employer-selected Health Care Providers" (H.P. 863) (L.D. 1180) (Presented by Representative HATCH of Skowhegan) (Cosponsored by Senator CATHCART of Penobscot and Representatives: BULL of Freeport, CLARK of Millinocket, O'NEAL of Limestone, RINES of Wiscasset, SAMSON of Jay)

Bill "An Act to Revise the Procedure to Appeal Nonacceptance into a Self-employment Assistance Program" (H.P. 872) (L.D. 1189) (Presented by Representative PENDLETON of Scarborough) (Cosponsored by Representatives: HATCH of Skowhegan, RINES of Wiscasset, Senator: MILLS of Somerset) (Submitted by the Department of Labor pursuant to Joint Rule 204.)

Bill "An Act to Provide Adjustments to Accommodate Increases in the Cost of Living for Injured Workers" (H.P. 875) (L.D. 1192) (Presented by Representative SAMSON of Jay) (Cosponsored by Representatives: BAKER of Bangor, BERRY of Livermore, GAGNE of Buckfield, HATCH of Skowhegan, RINES of Wiscasset, STANLEY of Medway, VOLENIK of Brooklin, WRIGHT of Berwick)

Bill "An Act to Permit a Suit Against an Employer Who Knowingly Places a Worker at Risk of Serious Bodily Injury or Death" (H.P. 876) (L.D. 1193) (Presented by Representative BOLDUC of Auburn) (Cosponsored by Senator RAND of Cumberland and Representatives: BULL of Freeport, CHIZMAR of Lisbon, FISHER of Brewer, HATCH of Skowhegan, MUSE of South Portland, ROWE of Portland, SAMSON of Jay, STANLEY of Medway)

Bill "An Act to Clarify Part-time School Week for the Purpose of Enforcing Child Labor Laws in the State" (H.P. 901) (L.D. 1244) (Presented by Representative PENDLETON of Scarborough) (Cosponsored by Representative: WINSOR of Norway) (Submitted by the Department of Labor pursuant to Joint Rule 204.)

Bill "An Act to Revise the Confidentiality Provisions of the Maine Revised Statutes, Title 26" (H.P. 902) (L.D. 1245) (Presented by Representative HATCH of Skowhegan) (Cosponsored by Representative: SAMSON of Jay) (Submitted by the Department of Labor pursuant to Joint Rule 204.)

Legal and Veterans Affairs

Bill "An Act to Strengthen Legislative Ethics Laws" (H.P. 895) (L.D. 1212) (Presented by Representative DONNELLY of Presque Isle) (Cosponsored by Senator BENNETT of Oxford and Representatives: CAMPBELL of Holden, MARVIN of Cape Elizabeth, Senator: KIEFFER of Aroostook)

Natural Resources

Resolve, to Require the Governor to Provide for Ballast Water Management Planning (H.P. 885) (L.D. 1202) (Presented by Representative CHARTRAND of Rockland) (Cosponsored by Representatives: BRENNAN of Portland, HONEY of Boothbay, LINDAHL of Northport, POWERS of Rockport, SKOGLUND of St. George, VOLENIK of Brooklin, Senator: KILKELLY of Lincoln)

Resolve, Regarding Legislative Review of Chapter 380: Planning Permit, a Major Substantive Rule of the Department of Environmental Protection, Bureau of Land and Water Quality (EMERGENCY) (H.P. 909) (L.D. 1252) (Submitted by the Department of Environmental Protection pursuant to the Maine Revised Statutes, Title 5, section 8072.)

Bill "An Act to Protect the State's Lakes, Rivers and Coastal Wetlands through a Comprehensive Watershed Protection Program" (H.P. 900) (L.D. 1217) (Presented by Representative FULLER of Manchester) (Cosponsored by Senator TREAT of Kennebec and Representatives: BULL of Freeport, COWGER of Hallowell, FISK of Falmouth, HONEY of Boothbay, Senator: MILLS of Somerset)

Reference to the Committee on **Natural Resources** suggested.

On motion of Representative ROWE of Portland, tabled pending reference and later today assigned.

State and Local Government

Bill "An Act to Implement a Sliding Scale Salary Plan for Legislators" (H.P. 866) (L.D. 1183) (Presented by Representative PERKINS of Penobscot) (Cosponsored by Senator RUHLIN of Penobscot and Representatives: CHIZMAR of Lisbon, DUNLAP of Old Town, JONES of Bar Harbor, PINKHAM of Lamoine, Senator: DAGGETT of Kennebec)

Bill "An Act to Amend the Maine Administrative Procedure Act to Clarify the Definition of a Proposed Rule and the State Agencies' Ability to Solicit Input into the Rule Development Process" (H.P. 871) (L.D. 1188) (Presented by Representative AHEARNE of Madawaska) (Cosponsored by Senator NUTTING of Androscoggin and Representative: KASPRZAK of Newport) (Submitted by the State Planning Office pursuant to Joint Rule 204.)

Bill "An Act to Establish the Maine Disaster Relief Laws" (H.P. 887) (L.D. 1204) (Presented by Representative DAVIDSON of Brunswick) (Cosponsored by Representatives: AHEARNE of Madawaska, ETNIER of Harpswell, GIERINGER of Portland, MITCHELL of Portland, SAXL of Portland)

Bill "An Act to Allow the Separation of Frye Island from the Town of Standish" (H.P. 899) (L.D. 1216) (Presented by Representative MACK of Standish) (Cosponsored by Senator BUTLAND of Cumberland and Representatives: BRUNO of Raymond, BUMPS of China, KASPRZAK of Newport, KONTOS of Windham, LABRECQUE of Gorham, Senators: AMERO of Cumberland, O'GARA of Cumberland)

Bill "An Act to Require Compensation for Loss of Property Value Due to State or Local Regulation" (H.P. 914) (L.D. 1257) (Presented by Representative JOY of Crystal) (Cosponsored by Representatives: BRAGDON of Bangor, DEXTER of Kingfield, VEDRAL of Buxton, Senator: KIEFFER of Aroostook)

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

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

TRUE of Fryeburg
FISHER of Brewer
CHIZMAR of Lisbon

Taxation

Bill "An Act to Reform the Maine Tree Growth Tax Law" (H.P. 883) (L.D. 1200) (Presented by Representative VOLENIK of Brooklin) (Cosponsored by Representatives: CHARTRAND of Rockland, COLWELL of Gardiner, JONES of Bar Harbor, SKOGLUND of St. George, Senator: RAND of Cumberland)

Bill "An Act to Reduce Teenage Smoking by Increasing the Tax on Cigarettes to Fund an Advertising Campaign" (H.P. 894) (L.D. 1211) (Presented by Representative MURPHY of Kennebunk) (Cosponsored by Senator KILKELLY of Lincoln and Representatives: CAMPBELL of Holden, DEXTER of Kingfield, FARNSWORTH of Portland, GOOLEY of Farmington, LOVETT of Scarborough, PERKINS of Penobscot, USHER of Westbrook, WINGLASS of Auburn)

Bill "An Act Regarding Sales Tax Trade-in Credits and Farm Machinery" (H.P. 903) (L.D. 1246) (Presented by Representative SPEAR of Nobleboro) (Cosponsored by Senator NUTTING of Androscoggin and Representatives: KNEELAND of Easton, POULIN of Oakland, Senator: KIEFFER of Aroostook) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act to Assess Excise Tax on Snowmobiles and All-terrain Vehicles" (H.P. 906) (L.D. 1249) (Presented by Representative POVICH of Ellsworth) (By Request)

Transportation

Bill "An Act to Amend Coded Licenses" (H.P. 865) (L.D. 1182) (Presented by Representative CAMERON of Rumford) (Cosponsored by Representatives: TOBIN of Dexter, WHEELER of Bridgewater)

Utilities and Energy

Bill "An Act to Amend the Charter of the Winterport Sewer District" (H.P. 910) (L.D. 1253) (Presented by Representative BROOKS of Winterport) (Cosponsored by Senator LONGLEY of Waldo)

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

REPORTS OF COMMITTEES

Divided Report

Majority Report of the Committee on **Legal and Veterans Affairs** reporting "**Ought Not to Pass**" on Bill "An Act to Restrict the Size of Political Signs" (H.P. 54) (L.D. 79)

Signed:

Senators: DAGGETT of Kennebec

CAREY of Kennebec

FERGUSON of Oxford

Representatives: TESSIER of Fairfield

BIGL of Bucksport

GAMACHE of Lewiston

LABRECQUE of Gorham

BELANGER of Wallagrass

TUTTLE of Sanford

Minority Report of the same Committee reporting "**Ought to Pass**" on same Bill.

Signed:

Representative: GAGNE of Buckfield

Was read.

Representative TUTTLE of Sanford moved that the House accept the Majority "**Ought Not to Pass**" Report.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Bouffard.

Representative BOUFFARD: Madam Speaker, Men and Women of the House. One of the primary reasons that I am introducing this legislation is three years ago in Androscoggin County, we had a three-way race for Sheriff. Once the field was established, it became a contest of who would have the biggest sign and put the most out for the public to see. The location most chosen were street corners or along highways to the extent they were, in my expectation, a hazard to the traveling public. Of course, when one candidate's sign was erected on the corner, it was soon expanded to include all of the candidates'. When you came to a crossroad, your vision was obscured and one had to proceed cautiously approaching that crossroad. Having given you the reason for my bringing this legislation, at the public hearing, testimony was given to the effect that signs are becoming too large. They are a nuisance. They are creating a public hazard and the best way to curb the increasing problem is to restrict their limitations. I only want to restrict their size to a certain uniformity.

There are a number of laws pertaining to signs and there have also been local ordinances addressing signs. I am introducing this legislation because I was told that state law would supersede any local ordinances and because I feel that this problem is not just in Androscoggin County, but in speaking with other legislators, it seems to be statewide as well. No one testified against this proposal before the committee and that tells me that the idea is not an off-the-wall thing. Also, if we are truly interested in abiding to the electorates' desire to implement campaign reform, this could be a good place to start.

I believe that signs four feet by eight feet need to be plywood sheets along with a two-by-four to erect them. That certainly is more expensive to purchase than signs that are 14 by 22 inches, which, by the way, is the common variety of political signs. A bit more history about signs. You may remember that back in the 70s, debate was prominent nationwide to do away with bill boards. Maine is one of the states that went along with this subject and therefore, a subchapter was enacted to Chapter 21 of Title 23, the Maine Traveler Information Services. The chapter lists numerous definitions and explanations that I won't bore you with, but do want to highlight a few for you. Subchapter 1901, it states, "Scattering of outdoor advertising throughout the state is detrimental to preservation of scenic resources and not an effective method of providing information." Political signs certainly are not as effective as a door-to-door campaign or the media ads that we put in. It also states, "That the proliferation in number, size and manner of outdoor advertising is hazardous to highway users." Under control of outdoor advertising it does mention in one section, "to prohibit and control the indiscriminate use of outdoor advertising." In this chapter, there is mention of size restraints for businesses or information use.

For political signs, there is no mention of size or number allowed. Categorical signs, which generally reference business, usually longer than 16 by 22 inch, it is stated that such signs be erected at least 660 feet from the edge of the highway system.

In the section dealing with on-premise signs, again, for business or information use it states, "On-premise signs are prohibited if it prevents the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic."

Finally, let me say that two years ago on the Transportation Committee, we heard from agriculture and other business that wanted permission to erect signs on highways and byways to advertise their products for sale and the Governor's Office held these and requested a meeting with the committee members and it was there that I suggested that if these signs were actually uniform in size, that it certainly would be more eye appealing to the traveling public, just as informational directional signs are now. The Governor liked that idea. Remember, men and women of the House, signs don't elect the office seeker, people do. I ask you, let's show the example to the public to take the initiative now to have equality seeking our offices and to also take a minor step in campaign reform and a giant leap for public safety. I implore you to reject the "Ought Not to Pass" and I ask that you sincerely consider the "Ought to Pass" Minority Report. Thank you.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Tuttle.

Representative TUTTLE: Madam Speaker, Men and Women of the House. I find it very difficult to disagree with my good friend, the Representative from Lewiston, Representative Bouffard. As he has stated, what L.D. 79 would do would establish a maximum size of 14 inches by 22 inches on signs in the state. Essentially, there are four reasons why the majority of the committee did not support the bill. First, we already have a process with rulemaking, in which political signs are controlled on state highways. I have numerous listings here where they are. I am not going to read them all to you. Essentially, from the research that the committee has done, the department has not been notified if there is a problem on state roads and as a result, have not adopted sign limitations as recommended in the bill. Another important point is that local communities can now regulate signs. My community does and other communities in the state do on city roads where there is a problem. As I said before, several towns in our state already do that.

The restriction on larger signs, in all honesty, may result in an increased number of smaller signs creating an even greater amount of sign clutter that we have seen in some elections. Larger signs are used because they are effective and also many of the larger signs are recycled, as many of us know from our campaigns and are used in later campaigns, which, in my opinion and in the opinion of the majority of the committee, would keep costs down in an election. It is something that we all should support. In short, the majority did not believe that there is such a problem. We appreciate Representative Bouffard for presenting this bill, but we feel that we already have other means of addressing these issues and concerns regarding signs, in our opinion, works very well and it is for that reason that I would encourage you to support the Majority 12 to 1 "Ought Not to Pass" Report.

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

Representative GAGNE: Madam Speaker, Ladies and Gentlemen of the House. When the Representative from Lewiston approached our committee I was kind of enthusiastic about it because I had witnessed large signs a great deal in my campaign. Here was the opportunity, I thought, that we might be able to do something about it. I ask all of you to think back to September of last year. Particularly the last week when you are trying to make decisions about where to put your signs and the

size of the signs and who is going to accept them and when. Then, I want you to see that you have done the job of putting them up in your town and you have decided to walk or maybe even take a ride on a Sunday afternoon to the next community where your opposition is located and you see this enormous sign. It is not a sign that was done in a barn or garage painted nicely, but a sign that was very commercial. Not only that, but if you went and stood up near the sign, you could not look above it and if you leaned to the right or to the left, you could not see by it. If you bent down, you could not see under it. Not only was there one sign, there was another one on the other side of town for your opposition. Then the week goes by and further opposition party people put up large signs, not only with two-by-fours, but with two-by-sixes that need to be resurrected on an every other day basis to keep them standing. A sign particularly with someone who had no opposition and whose letters were the size of my height.

I say this is extravagant and when the Representative from Lewiston came in, I had to agree. We have gone too far with this and if we are thinking anything about reform, I think it is time that we forgot about these large signs. Enough is enough. Yes, the political gods and goddesses of this place told me not to worry about size of signs and I didn't and I am here, but so aren't the ones who put out the large signs. I say that we have to begin somewhere. Let's begin with eliminating these extravagant signs. Let's cut back on this and support this bill. Thank you Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Winglass.

Representative WINGLASS: Thank you Madam Speaker. What I would like to say is that we are really talking about an issue of signs or substance. I think what brings members to this body to serve is a matter of substance, not signs. The expense to make these outlandish signs and put them up all over the place just doesn't make any sense at all to me. I am pleased to join with these colleagues and Representative Bolduc, who is a cosponsor, and weigh in to say that I would hope that other members of the body will support Representative Bouffard's bill. Thank you Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Fryeburg, Representative True.

Representative TRUE: Madam Speaker, Ladies and Gentlemen of the House. As you will note, most of the committee voted "Ought Not to Pass." I believe that and I respect the previous speakers and what they have to say. Personally, I made my signs in 1992 and I brush off the dust and use only 10 of them and they are not of the sizes that they are speaking on. I think they have a point. However, I wonder if these same people have gone to their towns or their cities to ask for help. This, I believe, is the option that should be taken. We should not be trying to micromanage these towns or cities. I ask you to support the vote of the committee. Thank you.

The Chair ordered a division on the motion to accept the Majority "Ought Not to Pass" Report.

Representative BOUFFARD of Lewiston requested a roll call on the motion to accept the Majority "Ought Not to Pass" Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

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

Representative MURPHY: Madam Speaker, May I pose a question through the Chair?

The SPEAKER: The Representative may pose his question.

Representative MURPHY: Thank you. Does the good Representative's bill apply to signs only in the right-of-way, leaving signs on private property and the right of free speech unregulated?

The SPEAKER: The Representative from Kennebunk, Representative Murphy has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Lewiston, Representative Bouffard.

Representative BOUFFARD: Thank you Madam Speaker. I will try to answer the question. What I am trying to attempt to do here is to just limit the size of political signs only. I have no jurisdiction over anything else. What happens is that if you have a sign that is greater in size, the Department of Transportation usually asks that that sign be away from the right of way be so many feet or be at a height where it will not obstruct the view of the passing motorist. This is what is happening with the political signs. These signs are obstructing the view of the traveling public and therefore, I want to limit the size down to a normal 16 by 22 or 14 by 22 or whatever the normal size of a political sign is. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is acceptance of the "Ought Not to Pass Report." All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 9

YEA - Belanger DJ, Belanger IG, Berry DP, Berry RL, Bigl, Bodwell, Bragdon, Brooks, Bruno, Cameron, Campbell, Carleton, Chick, Chizmar, Cianchette, Clark, Colwell, Cowger, Cross, Davidson, Donnelly, Dunlap, Dutremble, Etnier, Farnsworth, Fisher, Foster, Frechette, Fuller, Gagnon, Gamache, Gerry, Gieringer, Goodwin, Green, Honey, Jabar, Jones SL, Jones SA, Kane, Kasprzak, Kerr, Kneeland, Kontos, Labrecque, Lane, Lovett, MacDougall, Mack, Madore, McKee, Mitchell JE, Morgan, Nickerson, O'Neal, O'Neil, Paul, Peavey, Pendleton, Perkins, Perry, Pieh, Pinkham RG, Pinkham WD, Poulin, Powers, Quint, Richard, Rowe, Samson, Sanborn, Saxl JW, Saxl MV, Shiah, Snowe-Mello, Stanley, Stedman, Tessier, Thompson, Tobin, Townsend, Tripp, True, Tuttle, Underwood, Usher, Watson, Wheeler EM, Winn, Winsor.

NAY - Ahearne, Bagley, Baker CL, Baker JL, Barth, Bolduc, Bouffard, Buck, Bull, Bumps, Bunker, Chartrand, Clukey, Desmond, Dexter, Gagne, Gooley, Hatch, Jones KW, Joy, Joyce, Joyner, LaVerdiere, Layton, Lemaire, Lemont, Lindahl, Mailhot, Marvin, McAlevey, McElroy, Murphy, Muse, Nass, O'Brien, Povich, Rines, Savage, Shannon, Sirois, Skoglund, Spear, Taylor, Treadwell, Vedral, Vigue, Volenik, Waterhouse, Wheeler GJ, Winglass, Wright.

ABSENT - Brennan, Driscoll, Fisk, Lemke, Mayo, Meres, Ott, Plowman, Stevens, Madam Speaker.

Yes, 90; No, 51; Absent, 10; Excused, 0.

90 having voted in the affirmative and 51 voted in the negative, with 10 being absent, the Majority "Ought Not to Pass" Report was accepted and sent up for concurrence.

CONSENT CALENDAR

First Day

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

(H.P. 95) (L.D. 119) Resolve, to Name a Section of Route 26 in Bethel in Oxford County in Memory of Captain Carl R. Churchill, United States Air Force, Killed in Action in Laos, May 3, 1970 Committee on **Transportation** reporting "Ought to Pass"

(H.P. 155) (L.D. 197) Resolve, to Name a Portion of Highway in Milbridge in Honor of David Kennedy Committee on **Transportation** reporting "Ought to Pass"

(H.P. 173) (L.D. 228) Bill "An Act to Require the Department of Transportation to Notify Counties of Planned Bridge Projects at the Time of Planning" Committee on **Transportation** reporting "Ought to Pass"

(H.P. 192) (L.D. 245) Bill "An Act to Provide a Time Limit Extension for Basic Corrections Training" Committee on **Criminal Justice** reporting "Ought to Pass"

(H.P. 221) (L.D. 285) Bill "An Act to Repeal the Task Force on Defense Realignment and the Economy" Committee on **Business and Economic Development** reporting "Ought to Pass"

(H.P. 565) (L.D. 756) Bill "An Act to Continue the Participating Local District Consolidated Plan Advisory Committee" (EMERGENCY) Committee on **Labor** reporting "Ought to Pass"

There being no objections, the above items were ordered to appear on the Consent Calendar of Thursday, February 27, 1997 under the listing of Second Day.

CONSENT CALENDAR

Second Day

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

(H.P. 187) (L.D. 240) Bill "An Act to Terminate Spousal Support upon the Death of the Payee"

No objections having been noted at the end of the Second Legislative Day, the House Paper was Passed to be Engrossed and sent up for concurrence.

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, February 20, 1997, have preference in the Orders of the Day and continue with such preference until disposed of as provided by House Rule 502.

Bill "An Act to Create a Permanent Funding Source for the Saco River Corridor Commission" (H.P. 850) (L.D. 1155) (Committee on **Natural Resources** suggested)

TABLED - February 20, 1997 (Till Later Today) by Representative ROWE of Portland.

PENDING - Reference.

On motion of Representative ROWE of Portland, the Bill was referred jointly to the Committee on **Natural Resources** and the Committee on **Taxation**, ordered printed and sent up for concurrence.

Bill "An Act to Amend the Maine Turnpike Authority Laws to Eliminate Conflicts of Interest" (H.P. 840) (L.D. 1145)

(Committee on **Transportation** suggested)
TABLED - February 20, 1997 (Till Later Today) by Representative DRISCOLL of Calais.

PENDING - Reference.

On motion of Representative BOUFFARD of Lewiston the Bill was referred to the Committee on **Transportation**, ordered printed and sent up for concurrence.

TABLED AND TODAY ASSIGNED

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

Expression of Legislative Sentiment recognizing Thomas Blaisdell, of Buxton (HLS 117)

TABLED - February 20, 1997 by Representative VEDRAL of Buxton.

PENDING - Passage.

Subsequently, was passed and sent up for concurrence.

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

Bill "An Act to Clarify the Duties of the Maine Atlantic Salmon Authority" (H.P. 857) (L.D. 1162) which was tabled by Representative SAXL of Portland, pending further consideration.

-In Senate referred to the Committee on **Inland Fisheries and Wildlife** in non-concurrence.

On motion of Representative ETNIER of Harpswell, the House voted to Recede and Concur.

Bill "An Act to Protect the State's Lakes, Rivers and Coastal Wetlands through a Comprehensive Watershed Protection Program" (H.P. 900) (L.D. 1217) which was tabled by Representative ROWE of Portland, pending reference.

On motion of Representative ROWE of Portland, the Bill was referred jointly to the Committee on **Natural Resources** and the Committee on **Appropriations and Financial Affairs**, ordered printed 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 a motion by Senator Rand of Cumberland, it was ORDERED, that a committee be appointed to wait upon the Honorable Terrence MacTaggart, Chancellor of the University of Maine System, and the Honorable John Fitzsimmons, President of the Maine Technical College System, the Board of Trustees and the Campus Presidents of the two systems, and inform them that the two branches of the Legislature are in Convention assembled, ready to receive such communication as pleases them.

The order was read and passed.

The Chair appointed the following:

The Senator from Cumberland, Senator PENDLETON

The Senator from Penobscot, Senator CATHCART

The Senator from Sagadahoc, Senator SMALL

The Rep. from Madison, Rep. RICHARD

The Rep. from Portland, Rep. BRENNAN

The Rep. from Mapleton, Rep. DESMOND

The Rep. from St. George, Rep. SKOGLUND

The Rep. from Farmingdale, Rep. WATSON

The Rep. from Bangor, Rep. BAKER

The Rep. from Bethel, Rep. BARTH

The Rep. from Unity, Rep. MCELROY

The Rep. from Hartland, Rep. STEDMAN

The Rep. from Caribou, Rep. BELANGER

Subsequently, Senator Pendleton of Cumberland, for the committee, reported that the committee had delivered the message with which it was charged and were pleased to report that the Honorable Terrence MacTaggart, Chancellor of the University of Maine System, and the Honorable John Fitzsimmons, President of the Maine Technical College System, will attend forthwith.

The Chair is pleased to welcome to the Convention the Boards of Trustees, the Presidents, and guests of the two systems.

The Chair recognized in the House Gallery, Dr. Owen F. Cargol, President of the University of Maine at Augusta; Dr. Theodora J. Kalikow, President of the University of Maine at Farmington; Dr. Charles Lyons, President of the University of Maine at Fort Kent; Dr. Paul E. Nordstrom, President of the University of Maine at Machias; Dr. W. Michael Easton, President of the University of Maine at Presque Isle; Dr. Richard Pattenaude, President of the University of Southern Maine and Dr. George Connick, President of the Education Network of Maine.

The Chair is also pleased to recognize in the House Gallery the members of the University of Maine System Board of Trustees: Pat Collins, John DiMatteo, Penny Harris, James Mullen, Esther Rauch, Sally Vamvakias, Wick Skinner and the Student Trustee, Ryan Witham.

The Chair is pleased to present to you the Honorable Terrence MacTaggart, Chancellor of the University of Maine System.

Chancellor MacTaggart then addressed the Convention.

President Lawrence; Speaker Mitchell; distinguished members of this 118th Maine State Legislature; University of Maine System Trustees, Presidents, faculty and student leaders and friends.

Thank you very much for this opportunity to speak with you this morning. Since the last time you gave me a chance to speak with you, I have attempted to learn as much as I could about Maine people, to understand what they hope for themselves, for their families, for their communities, and especially for their children.

Beginning last May when I first came to Maine to work full-time, I traveled the state talking with students, parents, and workers in a variety of trades and pursuits, as well as retired people. Thanks to helpful Maine guides along the way, I visited paper mills and textile plants, law offices and small businesses, lobster pens, farms, tourist camps and large resorts. I learned from people who pump gas for a living, those who keep the big paper machines running, managers of large energy and pulp and paper companies, and accountants, and teachers, and nurses, and school board members, and town officials, and other Maine people who do whatever needs doing to make a living and move the state along.

What I have to say today grows out of these conversations. The work plan, the mission and the activities of the University of Maine System, comes out of what Maine people told me they wanted. First, I'd like to summarize what they have said about

their aspirations, and how the universities individually and as a group can work better. Second, I will outline the work plan that we have created in response to those suggestions and very frequently to those demands for Maine people. Finally, I will offer a few words on our funding request to the Legislature and comment on how the system needs to be organized in order to carry out its work.

First, the stories of a few of the Mainers who spoke with me. Of the hundreds of people I met, the most memorable was a young man of, I would guess, 12 years of age or so. I met him with his dad at the foot of Mount Katahdin. As some of you know, on or about my fiftieth birthday, I responded to a challenge of a friend from Caribou on agreeing to climb Mount Katahdin on or about my fiftieth birthday. How many of you have climbed that mountain, by the way? Probably no other Legislature in the world would have quite that record. Anyway, you will know what I mean when I say it was an exhilarating experience. I remember saying on the way up, if I survive, I promise never to do this again and at the bottom, maybe we should take the Chimney Pond trail next time!

In this state of euphoria, I remember listening to this young man who had also just completed the climb with his father. He told us of the streams they drank from, their route up and down, which was much quicker than my own. He was full of youthful energy and hope. I thought then and, often since, as we drove out of the park toward Millinocket, that my job, and maybe the job of most of us in this room, is to ensure that in six years or so, that young man can afford advanced education in the State of Maine. Four years or so after that he will be able to earn a decent living in this state, the kind of living that will enable his family to buy a home, to enjoy the beauty of Maine, maybe to take his own kids up the mountain one day. A simple enough aspiration. Accessible education on the one hand and a decent living in which to raise a family, on the other.

Nearly everyone I have visited since has reinforced that basic hope. From the 20- year old woman who traps lobster off North Haven and takes courses via the Education Network of Maine and the University of Maine at Augusta, to the middle aged woman in Machias who told me that university courses were her lifeline to a better life, to the energetic businessman who attended Harvard and now finds himself challenged as a part-time student in the MBA program at the University of Southern Maine, to the successful author whose parents could not afford to pay her tuition, but attended the University of Maine on a scholarship and has been a generous benefactor ever since, to the woman who moved from welfare to a good career thanks to an education at L.A. College. All these people and many more delivered the same basic messages to me. That is that Maine people aspire to a high quality education and they aspire to a decent living for themselves and their families.

Aspirations, a much used word in Maine, I've discovered over these past months. A strong desire to achieve something high or great, according to Webster's. A common opinion out there that Mainers lack aspirations when it comes to advanced education, but you know, that has not been my experience. The young man who climbed the highest mountain in the state and the student who pumps gas 40 hours a week so he can attend school full time at University College in Bangor are among the tens of thousands who display a strong desire to achieve something high or great.

Now a statewide survey sponsored by the Finance Authority of Maine (FAME) and Fleet Bank confirms, I think, what many of you must have known all along. Most Maine students and their parents believe like everyone else in America and in the world, that education is key to a successful life. Three out of four

students said they plan to attend a four year college. The percentages climb higher when two year and technical colleges are included. No doubt in my mind about the aspirations in these people.

If they have a strong desire to achieve something high or great, they also fear that an education will be denied them because it costs too much. They are leery of the debt burden that many college graduates have to undertake. They are also afraid that good careers in Maine won't be available after they graduate. Over half of the parents surveyed listed costs and fear of debt as the chief barrier to aspirations.

What are we doing now and what should we do in the near future to respond to these aspirations and to overcome these barriers?

Allow me to share with you four initiatives that the trustees have charged me to undertake without additional state funding to make education more available and making jobs more available to graduates after they move on. This is really the work plan that I mentioned earlier in my introduction. The four key initiatives are these:

1. Stronger Ties with K-12. It is my view that every high school senior who receives a handshake and a diploma in the high school gym in June, who has the capacity to do it, ought to receive his or her first college writing assignment at a university in September. Today, Maine can boast of one of the highest high school graduation rates in the country, but can only weep that so many of its best and brightest don't go on to college or leave the state to do so, often never to return.

We have been working to reach these young people through such programs as Expanding Your Horizons, which acquaints 12-14 year old girls with opportunities in science and math related careers and the Young Scholars Program, which provides career exploration for high potential students. The Electronic Learning Marketplace, a consortium of Old Orchard Beach schools, the Southern Maine Partnership and the USM Department of Engineering work to identify exemplary student work and curriculum linked to the Learning Results. Our partnerships with various school districts across the state virtually cover the state and help teachers learn to use the Internet, World Wide Web and to teach reading more effectively.

In the near future, I would like to see university admissions standards tied more closely to high school performance so that, on the one hand, we can guarantee admissions to every high school graduate who has successfully completed a core of college preparatory courses and on the other, we raise the expectations working with our colleagues in the high schools. We raise the expectations high enough so that we don't have to engage in excessive remediation once those students come to us. Learning results legislation is the key to these twin goals of high access and high achievement.

2. 2000 by 2000 Enrollment Plan. The universities collectively plan to enroll 2,000 more students by the end of the decade. Since it began in 1968, the annual system enrollment has increased by 62 percent, from 19,000 to over 30,000, and we are well on the way to attracting, enrolling and graduating more Maine students. Total enrollments are up compared to last year at five of the universities. The University of Maine reports a 15-percent increase in first year students without lowering the standards that President Hutchinson put in place in 1993. With increasing high school graduation rates in some parts of the state and with this lag going on to advanced education that I mentioned and with increasing numbers of older than average Mainers who realized that reoccurring education is the key to their future, I think there is a substantial pool out there that is under served and that we can help.

As the FAME/Fleet Bank report tells us, you can't start too early in informing students, parents, guidance counselors, and teachers about financial aid opportunities. We need to keep tuition affordable and change financial aid policies so more Maine students can benefit. For example, the Trustees are changing their MEA scholarship program so that we can say to talented Maine students "if you want to study in Maine, we will find the resources to enable you to do just that." We will work with FAME, Commissioner of Education Duke Albanese, the business community, the technical colleges, Maine Maritime Academy, and the private institutions on a campaign that focuses on making parents more aware of the financial aid that is available to them. The University of Maine's new scholarship program targeted on high school students will give more talented Maine students the opportunity to participate. I have to give public appreciation for the gifts from donors like Tabbatha and Stephen King, who have also helped more Maine students get the education they deserve.

At this point, I should mention the belief that Maine supports too many campuses all ready. We have too many campuses, which in turn drives up per student cost. The solution, to some people, is to shut down some of the campuses or learning centers. My answer is to make better use of these strategically located assets by cutting costs on the one hand and enabling more students to enroll on the other. Basic arithmetic tells us that cost per student will drop as enrollment climbs, and enrollment is climbing.

3. Legitimate Transfer Program. If I heard one message from legislators sitting in this room today, it has been deep concern over the state's transfer of courses within the system and into the system in the State of Maine. Consequently, six months ago I asked Theo Kalikow, president of the University of Maine in Farmington, to thoroughly review where we stood and how we could improve. Last month she reported some good news and some bad news. The good news is over the past three years some 6,000 students transferred courses into the universities. A fair amount of traffic or flow, more than I expected. The bad news is that 100 of those students reported problems and, frankly, we may not be hearing from all of those whose legitimate claims to transfer were not met.

The key to legitimate transfer, as I understand it, is to award credit where it is due. Where the student ought to have the transfer, because they have learned what they need to learn and to give them prompt, accurate information when they may think they are prepared to go on and, in fact, they aren't. We aren't doing the students or anybody else a favor, for example, if we say come on into this engineering program, when they don't have the math skills to succeed in that program.

To achieve these goals, we will follow Theo's advice to bring the faculty together to develop common standards so, in fact, those courses do transfer. Second, we will add to the existing 40 matriculation agreements, which you will basically have a guarantee that if you take the courses in one program, they will all come into the receiving program, if you want to move on. Thirdly, we will give students timely information so they can make the right choices. By the end of this summer, we will have a transfer information system up on our web page so that advisors, students, councilors and faculty will have real time accurate information about what ought to transfer and what maybe shouldn't transfer so the students could make better choices. Experience tells me there will be some honest disagreements on the transfer question, but I commit to you that we are going to make a substantial dent in this problem and we will report back regularly to the Education Committee.

4. University-Business Partnerships to Create Jobs. One of our most respected scientists that I know in our system, said to me once, not too long ago, that his specialty is research on cold waters such as those flowing through the Gulf of Maine, he said he loved to do research, but I don't think I would make a very good businessperson. Why don't you hook me up with a business person so that I can focus my natural curiosity and my scientific skills on a research area that is going to make sense for this state and particularly for its economy. That is kind of the basis, if you will, of one part of the university-business partnership, to link up faculty researchers with entrepreneurs in order to move the economy forward. Like the well known composite wood project, which promises to find new markets for a Maine staple and the research on incidence of disease in penned lobster which led to a practical way to add medicine into feed, or the work of UM and USM faculty on software for the semiconductor industry. The University engages in a number of partnerships directly related to Maine's economy. Very often these partnerships aren't restricted to the business community and the University, but they involve the technical colleges. Such is the case with the technicians for the composite wood industry. They are trained at Eastern Maine Technical College. Professionals at the Maritime Academy and researchers at the University are working on plans to modify or replace or improve the research vessel. Researchers at the University of Maine have assisted companies throughout the state: Great Northern Paper, Control Devices in Standish, James River in Old Town, to Ice-Brand Products of Portland.

When National Semiconductor announced construction of a world-class \$650 million fabrication plant in South Portland, company officials joined a collaborative effort among the University of Southern Maine, the University of Maine, and Southern Maine Technical College to provide continuing technical education to the workforce.

By your actions, you have shown that you know and respect the relationship between research and the economy by stepping out and providing \$350,000 to match the federal grant for composite wood research. This Legislature has shown leadership in bringing more jobs to Maine and helping an important industry.

What resources are needed to help Maine people achieve their aspirations for a good education and a decent job? When I had the opportunity to speak with you last year, I said that I would not ask you to invest in the University of Maine System for its sake, but to consider it an investment in the economy of Maine, in the education of its people, and in the communities where they live.

The investments we ask you to make will help keep education affordable and help to create good jobs. It is that simple. Our request to the Legislature is a partnership proposal. If you are able to provide a funding increase of 3 percent each year, we pledge to keep tuition at or below the inflation rate as well. We will continue to streamline to make productivity gains and cuts to the tune of \$4 million a year. This affordability pledge on our part is for those Maine families who in the FAME survey said they were afraid they wouldn't have access to higher education because it costs too much. The average undergraduate UMS tuition rate increased by almost 80 percent. We have a chance to bring that rate of increase down substantially here in Maine. As Speaker Mitchell points out, access to high quality education ought to be our top priority.

I thank Governor King for getting this ball rolling on affordability. I ask the Legislature to go the rest of the way to keep the door open to higher education for the people of Maine.

To help create those good jobs for graduates and other Mainers, I strongly support the legislative initiatives led by President Lawrence to invest in research targeted on strengthening the Maine economy. To realize this goal, we need to concentrate our research efforts in five key areas, Composite Materials Engineering, Marine Science/Aquaculture, Environmental Technologies, Biotechnology, and Information Technology. These build on the strength of the people of Maine already and often based on our natural resources. They have potential to bring more federal money in the state and fundamentally they will help to underpin the economy.

Virtually every other state in the country, save one, invests more in research focused on job creation than we do. As a result, their economies are growing faster. Their people have access to better jobs. We can catch up. By investing in research for the economy, you will leverage federal support that now goes to other states, you will create good jobs in the five research fields, and you will lay the foundation for a stronger economy in the near future.

How should the university system be organized to achieve these aspirations for Maine people, in light of all of this, to achieve the aspirations of our fellow citizens? It is no secret to anybody in this room that the structure of the University of Maine System is a popular topic in these halls and across the state. The approach I advocate is called "entrepreneurial universities--efficient system." Naturally, I claim that it is the common sense way and I think it really is. It seeks to save money through consolidation when that makes sense to do something once instead of seven times across the state. It also argues that we ought to decentralize and provide more economy to those capable presidents sitting up there when it is absolutely clear that decisions made at the local level are going to be far better than we could do at the central office. One example of this that is working right now is the Tri-campus Consortium, which links the University of Maine at Machias, the University of Maine at Fort Kent and the University of Maine at Presque Isle with the Education Network of Maine. So without substantial additional costs, they are able to make more educational choices available to the people in that region of the state. Those campuses are also working together to reduce administrative costs through sharing. The central office, in the past several months, has reduced its operations by \$300,000 and maybe more to the point, sent that money out to the universities to invest in our two key priorities.

In the future, I would hope that we would look to increasing the role of students, citizens and other stakeholders in the decisions which affect the tuition they pay, the educational programs available to them, and the long-term plans of the universities.

Two final comments. I have spoken today and when I have talked with you or presented to you in committee meetings and elsewhere, I usually talk about the practical benefits of the university in terms of education and research. We all know that as we mature we learn in many ways from many people. Our families teach us fundamental values like tenacity and hope and hard work. Our friends and coworkers help us learn. We learn on the job, in service clubs and churches, and from volunteer activity. Life itself, life, success, more often failure, offers its lessons.

In addition to the practical things that a university offers, there are things you can learn to appreciate and skills you can acquire in a university that are hard pressed to find anywhere else: the appreciation of the exquisite beauty of a John Donne poem, the genial brilliance of a play by Moliere, the drama of French speaking people in the new world, the mystery of the

composition of the universe. You pick up intellectual skills like how to critically appraise an argument before accepting it, or the difference between propaganda and art. You learn about the values and richness of cultures and languages other than our own, and the power to express important ideas clearly and forcefully. Some people say that this is really practical kind of learning and others say it isn't. I won't enter that debate, but wouldn't we all agree that these are the kinds of talents that we would like for ourselves and our friends, our fellow citizens, and particularly for our kids?

My last point. We all know there are few guarantees in this world, but I truly believe that if we work hard and we work smart and we work together, those of us in this room and in this building can help ensure that the young man at the foot of Mt. Katahdin, the woman who traps lobster while attending school, the daughters and sons of mill workers, and farmers, and foresters, and that middle-aged friend of mine who described education as her lifeline can get both the education and the decent living that they deserve.

Thank you very much.

The Chair recognized in the House Gallery, William Warren, Vice President of the Southern Maine Technical College in South Portland; Barbara Woodlee, President Of the Kennebec Valley Technical College in Fairfield; Durward Huffman, President of the Northern Maine Technical College in Presque Isle; Joyce Hedlund, President of the Eastern Maine Technical College in Bangor; Darrel Staat, President of the York County Technical College in Wells; Richard Lee, acting President of the Central Maine Technical College in Auburn; William Flahive, acting President of the Washington County Technical College in Calais.

The Chair is also pleased to recognize in the House Gallery the members of the Board of Trustees of the Maine Technical College System, Elizabeth Shorr, James Donovan, Roy Hibyan, Bridget Healy and William Cohen.

The Chair is pleased to present to you the Honorable John Fitzsimmons, President of the Maine Technical College System.

The Honorable John Fitzsimmons then addressed the Convention.

Before I offer my formal remarks, let me just say that I thought Terry did a wonderful job in his address and I want to tell you, I think, how fortunate we are in Maine to have Terry MacTaggart with us.

Mr. President, Madam Speaker, distinguished members of the 118th Maine Legislature.

I am honored to be here this morning to speak to you about the state of the Maine Technical College System. We view this invitation, only the second for the Technical College System, as a tribute to our technical colleges, as it is a message that you view them as a vital part of Maine's education system, and of Maine's economic future. President Lawrence, Speaker Mitchell, on behalf of our Board of Trustees, 700 employees, 4,800 degree-seeking students and 15,000 continuing education students, I want to express our deep appreciation for the respect you have shown our system by this invitation.

You know, every time I walk into the Capitol, I am moved by the sense of history around me, history made and history yet to be made. Often, when I'm waiting for a hearing and have time on my hands, I find myself drawn to the portrait of Joshua

Chamberlain, a personal hero of mine. I am an admirer of his accomplishments, his intellect and his courage.

When I stand in front of that portrait, my thoughts often turn to the 386 other Maine men who stood at his side at the battlefield of Gettysburg at Little Round Top. We don't remember their names or faces, but it was their skill and courage, combined with Chamberlain's leadership, which led to the Union's victory in that decisive battle of our Civil War.

That image often makes me think of the thousands of men and women all across Maine who are contributing each in their own individual way to the future of Maine. Their portraits may not hang on these walls, but they are, without question, a critical part of Maine's future.

It is these people I want to talk about today, because our economy is challenging them more than they've every been challenged before. And our state needs them each and every one more than ever before.

Each of you know of people in your district who are struggling to find their way in this economy. Those affected by restructuring, downsizing, plant closings, the by-products of the new, global economy. Through this economic transition, some people have prospered and some have not. We know this at the technical colleges because we're confronted with it every day. Three of our students who have faced and are overcoming those challenges are here today. They have kindly agreed to let me share their stories with you.

Robert Kanaris is a student at Central Maine Technical College. When Statler Tissue closed its doors in 1995, Bob and his wife Dorothy were both out of work. With two children, ages 5 and 1 month old, Bob realized that if he were going to find stable, rewarding work, he needed to go back to school. He started by getting his GED through the Kennebec Workforce Development Center. Then, after talking with people in the printing industry, he decided to enroll in CMTC's Graphic Arts & Printing Technology Program. Bob will graduate this spring. So far, Bob has maintained a grade point average of 3.8.

Now let me tell you about Celeste and Richard Aveau. Celeste raised four children as a single parent, with modest state assistance for eight years. Later she remarried and, with her husband Richard, had two more children. In 1994, Celeste and Richard both found themselves unemployed. Today, they are students at Kennebec Valley Technical College, Celeste in the Business Administration program and Richard in the Lineworker Technology program.

Celeste and Richard are truly an inspiration. Celeste is President of the Student Senate. She has a work-study job on campus and she is a member of the Phi Theta Kappa National Honor Society. Richard serves in the Maine National Guard and has just been called to active duty. Next week, he will be leaving for a nine-month tour of duty in Bosnia. Richard, you will be in our thoughts and prayers, as we await your safe return to your family. And, keeping with the new family tradition, Celeste's daughter Mickey is applying to KVTC for next fall.

I'd like to ask Celeste, Richard and Bob to stand and be recognized.

As these three students can tell you, for the majority of people, the defining factor that separates those who have a place in this economy today and those who don't is education, but why is that? What has changed in our economy that is putting such high demand on knowledge, skills, and a college credential? The answer of course is that the nature of work has changed dramatically, all a result of global competition. Businesses know that to be competitive today they have to work faster and smarter than their competitors, using new

technologies, and restructuring their workplaces to improve productivity and deliver a high-quality product.

Let me give you a few examples of what this has meant in Maine. Pulp and paper companies all across Maine are adapting to the challenges of sophisticated, new technologies and worldwide competition. Today, new paper-making machines cost between \$150 and \$400 million. The control panel is as sophisticated as an instrument panel on a 747. Obviously, with that kind of capital investment, companies must have confidence in the skills and knowledge of their workers. And that is why, two years ago, Madison Paper Company partnered with KVTC to create a new degree program in pulp and paper technology. This program is now serving ten major paper companies around the state.

Ten years ago, only 15 percent of a Ford automobile was controlled by computers. Today, 84 percent is computer-controlled. That's why Ford is partnering with Central Maine Technical College in the Ford ASSET program. They're depending on their workers having the skills of a mechanic and the knowledge of a technician: requiring that their workers know computer-controlled engine systems, microelectronics, complex pneumatic systems, composite materials and hydraulics. In addition to the technical skills, the automotive technician of today has to master college math, writing, oral communications, and physics.

General Electric in Bangor has reorganized their workplace, increasing the number of front-line workers by 30 percent and decreasing the number of managers by ten percent. The result is a 50-percent increase in their productivity. In order for GE to maintain that edge, they've made a strategic decision to hire people with a minimum of an associate degree, because as GE adapts and changes to stay in the game, they'll need workers who are proven learners, who can adapt and change with the company. At GE, they know their future depends on it.

This is the workplace of today. Businesses know that to compete, they've got to have the best product and to have the best product, they've got to have the best workers.

I have just talked to you about three industries. Now let me give you some statistics that will show the broad impact of these changes. The U.S. Bureau of Labor Statistics projects that between 1994 and the year 2005 the number of jobs requiring an associate degree will grow by 25 percent.

In Maine, 12 of the 15 fastest growing jobs between 1994 and 2005 require workers who are prepared at the one- and two-year college level most in technical fields jobs such as, surgical technician, computer support specialist, and medical assistant and today, 75 percent of all Maine jobs require education or training beyond high school. In the 1950s, this was virtually reversed, with only one in four jobs requiring more than a high school diploma.

At the technical colleges, we have been doing all that we can to meet the growing demand that has resulted from these changes. I am very proud of the fact that despite the budget challenges of the 1990s, our administrators, faculty and staff have kept their eye on the prize: bringing together Maine people with Maine jobs, and always looking for new, innovative, cost-efficient ways to achieve that goal.

As a result of their efforts, we have increased enrollment by 26 percent since 1990, largely through innovative partnerships with business and industry. We have enhanced our curriculum, exemplified by the Math Department at Southern Maine Technical College and the Boatbuilding Program at Washington County Technical College. Faculty from both of these departments have received national awards for their leadership and innovative teaching.

We have developed new programs to support high growth industries, such as biotechnology at KVTC, microelectronics at SMTC, and training for composites manufacturing at Eastern Maine Technical College. We have maintained an 80-85 percent job placement rate throughout the 1990s, with 98 percent of those jobs in Maine. When combined with those continuing on to a baccalaureate program, our colleges have achieved a 92-percent success rate. We have built stronger bridges from high school to technical college through Tech Prep, numerous matriculation agreements, and our national award-winning Maine Career Advantage program. These programs are really making a difference in inspiring and preparing traditionally non-college-bound youth to go on to college.

We have brought a new higher education partner to York County. Following through on a longtime dream of Legislators and residents of that county. Four-hundred students are now being served at York County Technical College. And we have strengthened our support of Maine's economic development efforts, with the addition of the Maine Quality Centers program. This program has been a catalyst in the expansion of 38 businesses, representing 2,300 new, full-time jobs with benefits. I am pleased to add that we just approved our first two projects in Aroostook County: for 50 new jobs at Fresh Way, Inc. and 30 new jobs at Championship Sports Floors with training provided by Northern Maine Technical College.

I have to share with you the pride I feel in these accomplishments, and in the people who have made them happen. Every day, our employees bring to their jobs a passion for their work and compassion for the students we serve. Instead of retreating in tough times, they have shown the courage to embrace change and push ahead.

But, no matter how many partnerships, innovative approaches, or efficiencies we find, the demand is simply outpacing us. As three legislatively formed commissions have found, we need the state to increase access to the technical colleges so that we can provide more Mainers the opportunity to prepare for quality employment and prepare more skilled graduates for Maine businesses.

A governor's commission in 1991 reported that Maine needs 6,000 new technicians per year, and yet the Technical Colleges are only graduating 1,700 per year. This commission urged an expansion of the system from 4,800 to 10,000 students served annually.

A 1994 legislative task force updated and confirmed those findings, and projected that applications to the technical colleges would triple by the year 2005. And in 1996, the Maine Higher Education Governance Commission emphasized, once again, that the technical colleges are unable to keep up with the demand at their current capacity.

It is this link in the educational continuum that simply must be strengthened in our state. And it is this link to two-year

college education that President Clinton, in his recent State of the Union Address, said must become the new national standard for all Americans. With only 50 percent of our high school graduates going on to college, Maine has a daunting challenge, but if our economy is to be strong, if our businesses are to compete, and if our people are to prosper, we simply must make access to higher education a state priority, and the Technical Colleges should and must be part of the solution.

In closing, if I can leave you with only one message, I hope it will be this: As you craft the budget that will take Maine into the 21st Century, let it represent hope. For the best hope is a quality education, as it provides the opportunity for all our citizens to be full participants in Maine's future. Education is the foundation on which our society and all that we value is built. It is the tie that binds us together as people and enables us to make the necessary sacrifices to preserve and enhance our way of life. If democracy is the heart of the American experience, then education is its lifeblood, touching every part of our existence and circulating back to keep our heart strong.

We who have received the gift of education must strive to preserve, protect and support it, for it is the means by which Maine people realize their dreams and aspirations. Let the legacy of the 118th Maine Legislature be that you supported and strengthened education and, in doing so, gave all Maine people the opportunity to participate in Maine's future.

I thank you very much.

At the conclusion of the addresses, the Honorable Terrence MacTaggart, Chancellor of the University of Maine System and the Honorable John Fitzsimmons, President of the Maine Technical College System 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.

On motion of Representative FRECHETTE of Biddeford, the House adjourned at 12:20 p.m., until 3:00 p.m., Thursday, February 27, 1997.