

# MAINE STATE LEGISLATURE

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

**Volume II**

**First Special Session**

May 16, 1997 - June 20, 1997

**Second Regular Session**

January 7, 1998 - March 18, 1998

ONE HUNDRED AND EIGHTEENTH LEGISLATURE  
SECOND REGULAR SESSION  
1st Legislative Day  
Wednesday, January 7, 1998

Pursuant to Article IV, Part 3, Section 1 of the Constitution and Laws of the State of Maine, the Representatives to the One Hundred and Eighteenth Legislature assemble in the Hall of the House and are called to order by ELIZABETH H. MITCHELL of Vassalboro, Speaker of the House.

Prayer by Reverend Martha W. McDowell, First Congregational Church UCC, Waterville.

National Anthem by Cony High School Madrigals, Augusta.

Pledge of Allegiance.

Doctor of the day, Lisa Letourneau, M.D., South Portland.

A roll call was taken. 143 out of 150 members answered to their names and accordingly a quorum was found to be present.

Those absent were:

BODWELL of Brunswick  
DEXTER of Kingfield  
MERES of Norridgewock  
MITCHELL of Portland  
POULIN of Oakland  
POWERS of Rockport  
UNDERWOOD of Oxford

A message was received from the Senate, borne by Senator RAND of Cumberland of that body announcing a quorum present and that the Senate was ready to transact any business that might properly come before it.

On Motion of Representative KONTOS of Windham, the following Order: (H.O. 32)

ORDERED, that a Committee of ten be appointed to wait upon His Excellency, Governor Angus S. King, Jr., and inform him that a quorum of the House of Representatives is assembled in the Hall of the House for the consideration of such business as may come before the House.

**READ** and **PASSED** and the Speaker appointed the following members:

Representative KERR of Old Orchard Beach  
Representative POULIN of Oakland  
Representative TOWNSEND of Portland  
Representative STEVENS of Orono  
Representative BERRY of Livermore  
Representative LEMAIRE of Lewiston  
Representative OTT of York  
Representative KNEELAND of Easton  
Representative MARVIN of Cape Elizabeth  
Representative WINSOR of Norway

On Motion of Representative SAXL of Portland, the following Order: (H.O. 33)

ORDERED, that a message be conveyed to the Senate that a quorum of the House of Representatives is present for the consideration of such business as may come before the House.

**READ** and **PASSED** and Representative KONTOS of Windham was appointed to convey the message and

subsequently reported that she had delivered the message with which she was charged.

**COMMUNICATIONS**

The following Communication: (H.C. 327)

**STATE OF MAINE  
OFFICE OF THE  
SECRETARY OF STATE  
AUGUSTA, MAINE 04333-0148**

August 19, 1997

Honorable Joseph Mayo

Clerk of the House

118th Legislature

2 State House Station

Augusta, ME 04333

Dear Clerk Mayo,

Governor Angus S. King, Jr. has set Tuesday, November 4, 1997 as the date for the special election to be held in Representative District 67.

Please find enclosed a copy of the Governor's proclamation.

Sincerely,

S/Dan A. Gwadosky

Secretary of State

**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

The following Communication: (H.C. 328)

**STATE OF MAINE  
DEPARTMENT OF STATE**

**I, the Secretary of State of Maine, certify** that according to the provisions of the Constitution and Laws of the State of Maine, the Department of the Secretary of State is the legal custodian of the Great Seal of the State of Maine which is hereunto affixed and that the paper to which this is attached is a true copy from the records of this Department.

**In Testimony Whereof**, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta, November 12, 1997.

S/DAN A. GWADOSKY  
SECRETARY OF STATE

**STATE OF MAINE  
OFFICE OF THE SECRETARY OF STATE**

November 12, 1997

**I, DAN A. GWADOSKY**, Secretary of State, in accordance with the provisions of the proclamation issued by the Governor on August 15, 1997, calling for a Special Election to be held on November 4, 1997, to elect a Representative to the Legislature in District 67 and having tabulated the returns of the votes cast;

**REPORT AS FOLLOWS:** that Bruce S. Bryant of Dixfield, having received a plurality of the votes cast, appears to have been elected Representative to the 118th Legislature in District 67:

SPECIAL ELECTION - November 4, 1997  
REPRESENTATIVE TO THE LEGISLATURE  
HOUSE DISTRICT 67

District #67

BARRETT, BERTHA E. BRYANT, BRUCE S.

LEGISLATIVE RECORD - HOUSE, January 7, 1998

	Mexico Republican		Dixfield Democrat	
DIXFIELD	293	32.5%	555	61.6%
MEXICO	483	46.5%	472	45.4%
PERU	224	38.6%	308	53.1%
ROXBURY	62	39.7%	71	45.5%
<b>Office Totals</b>	<b>1,062</b>	<b>39.7%</b>	<b>1,406</b>	<b>52.5%</b>
	EVERETT, STACIE L. Roxbury Reform		OTHER	
DIXFIELD	53	5.9%	0	0.0%
MEXICO	84	8.1%	0	0.0%
PERU	48	8.3%	0	0.0%
ROXBURY	23	14.7%	0	0.0%
<b>Office Totals:</b>	<b>208</b>	<b>7.8%</b>	<b>0</b>	<b>0.0%</b>

I, **DAN A. GWADOSKY**, Secretary of State, hereby certify that the foregoing report is a true tabulation of the votes cast at the Special Election for Representative to the Legislature in District 67, as reported to me on the returns from the municipalities in that district.

S/DAN A. GWADOSKY  
Secretary of State

RECEIVED BY THE GOVERNOR.

S/ANGUS S. KING, JR.  
Governor

**READ and ORDERED PLACED ON FILE.**

The following Communication: (H.C. 329)

**HOUSE OF REPRESENTATIVES  
2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0002**

September 3, 1997

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

Dear Madam Speaker:

I am writing to inform you that I am resigning my position as the Tribal Representative for the Penobscot Indian Nation to the Maine Legislature effective September 3, 1997.

Respectfully,  
S/Paul J. Bisulca

**READ and ORDERED PLACED ON FILE.**

At this point, Representative KERR of Old Orchard Beach reported that the Committee had delivered the message with which it was charged.

The following Communication: (H.C. 330)

**PENOBSCOT INDIAN NATION  
OFFICE OF THE TRIBAL CLERK  
COMMUNITY BUILDING  
INDIAN ISLAND  
OLD TOWN, MAINE 04468**

November 7, 1997  
Hon. Joseph W. Mayo  
Clerk of the House  
Clerk's Office, Room 300  
State House  
Augusta, Maine 04333

Dear Clerk Mayo:

This is to certify that Donna M. Loring was duly elected Representative to the State Legislature for the remaining term of Paul Bisulca beginning on the 6th day of November, 1997, and ending on September 30, 1998. The results of the election is as follows:

Donna M. Loring 66 Votes

Timothy Neptune Bubier 56 Votes

The Special Tribal Election was held on November 5, 1997 under the provision of Chapter Four of the Penobscot Nation Laws & Ordinances.

Sincerely,  
S/Lorraine Dana  
Tribal Clerk

**READ and ORDERED PLACED ON FILE.**

The following Communication: (H.C. 331)

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA, MAINE 04333-0002**

November 18, 1997

Honorable Joseph W. Mayo  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333  
Dear Clerk Mayo:

Pursuant to my authority under House Rule 201, I am appointing Representative Donna M. Loring of the Penobscot Nation as a member of the Joint Standing Committee on Inland Fisheries and Wildlife. This appointment takes effect immediately.

Sincerely,  
S/Elizabeth H. Mitchell  
Speaker of the House

**READ and ORDERED PLACED ON FILE.**

At this point, the Speaker announced the presence in the Hall of the House of Representative-elect BRYANT of Dixfield and Representative LORING of the Penobscot Nation. The Speaker appointed the following Representatives to escort Representative-elect BRYANT and Representative LORING to the Office of the Governor to take and subscribe the oath necessary to qualify them for the discharge of their official duties:

Representative KONTOS of Windham  
Representative SAXL of Portland  
Representative HATCH of Skowhegan  
Representative ROWE of Portland  
Representative DAVIDSON of Brunswick  
Representative SAMSON of Jay  
Representative THOMPSON of Naples  
Representative BROOKS of Winterport  
Representative GAGNE of Buckfield  
Representative MAILHOT of Lewiston  
Representative CAMERON of Rumford  
Representative WINSOR of Norway  
Representative MOORE of Passamaquoddy Tribe

The following Communication: (H.C. 332)

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA, MAINE 04333-0002**

November 18, 1997

Honorable Joseph W. Mayo  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333  
Dear Clerk Mayo:

Pursuant to my authority under House Rule 201, I am appointing Representative Sharon Libby Jones of Greenville to fill the vacancy on the Joint Standing Committee on Agriculture, Conservation and Forestry. This appointment takes effect immediately.

Sincerely,  
S/Elizabeth H. Mitchell  
Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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The following Communication: (H.C. 333)

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA, MAINE 04333-0002**

November 18, 1997

Honorable Joseph W. Mayo  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333  
Dear Clerk Mayo:

Pursuant to my authority under House Rule 201, I am appointing Representative James D. Layton of Cherryfield to replace Representative Henry L. Joy of Crystal as a member of the Joint Standing Committee on Labor. This appointment takes effect immediately. Representative Robert E. Pendleton, Jr., of Scarborough becomes the ranking Republican member on the Committee.

Sincerely,  
S/Elizabeth H. Mitchell  
Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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The following Communication: (H.P. 1363)

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
AUGUSTA, MAINE 04333-0002**

December 2, 1997

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

Dear Madam Speaker and Mr. President:

On December 2, 1997, four bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 2, 1997, as follows:

**Appropriations and Financial Affairs**

Bill "An Act to Fund Internet Access for Visually and Physically Impaired Persons" (H.P. 1360) (L.D. 1911) (Presented by Representative PENDLETON of Scarborough) (Cosponsored by Senator PENDLETON of Cumberland) (Submitted by the Maine State Library pursuant to Joint Rule 204.)

**Judiciary**

Bill "An Act to Clarify the Confidentiality of Public Employee Information" (H.P. 1362) (L.D. 1913) (Presented by Representative THOMPSON of Naples) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Labor**

Bill "An Act to Grant the Treasurer of State Full Voting Rights on the Board of Trustees of the Maine State Retirement System" (H.P. 1359) (L.D. 1910) (Presented by Representative HATCH of Skowhegan) (Cosponsored by Senator TREAT of Kennebec and Representatives: SAMSON of Jay, TAYLOR of Cumberland, Senator: MILLS of Somerset) (Submitted by the Treasury Department pursuant to Joint Rule 204.)

**Utilities and Energy**

Bill "An Act to Amend the Charter of the Guilford-Sangerville Water District to Increase the Bond Authorization" (EMERGENCY) (H.P. 1361) (L.D. 1912) (Presented by Representative JONES of Greenville) (Cosponsored by Senator: RUHLIN of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Sincerely,  
S/Joseph W. Mayo  
Clerk of the House  
S/Joy J. O'Brien  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

Sent up for concurrence.

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The following Communication: (H.P. 1367)

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
AUGUSTA, MAINE 04333-0002**

December 3, 1997

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

Dear Madam Speaker and Mr. President:

On December 3, 1997, two bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 3, 1997, as follows:

**Judiciary**

Bill "An Act to Provide for the Termination of Spousal Support upon the Death of the Payor" (H.P. 1366) (L.D. 1916) (Reported by Representative THOMPSON for the Family Law Advisory Commission pursuant to Maine Revised Statutes, Title 19-A, section 354, subsection 2.)

**Legal and Veterans Affairs**

Bill "An Act to Amend the Law Governing the Filing of Municipal Campaign Reports" (H.P. 1365) (L.D. 1915) (Presented by Representative CIANCHETTE of South Portland)

(Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Sincerely,  
S/Joseph W. Mayo  
Clerk of the House  
S/Joy J. O'Brien  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**  
Sent up for concurrence.

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The following Communication: (H.P. 1371)

**STATE OF MAINE**  
**HOUSE OF REPRESENTATIVES**  
**AUGUSTA, MAINE 04333-0002**

December 4, 1997

Elizabeth H. Mitchell  
Speaker of the House  
118th Legislature

Mark W. Lawrence  
President of the Senate  
118th Legislature

Dear Madam Speaker and Mr. President:

On December 4, 1997, three bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 4, 1997, as follows:

**Business and Economic Development**

Bill "An Act to Promote Competitiveness Regarding the Sale of Recreational Vehicles by Allowing Better Discounts" (H.P. 1370) (L.D. 1920) (Presented by Representative CAMPBELL of Holden) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Judiciary**

Bill "An Act to Inform Crime Victims about the Disposition of Charges" (H.P. 1369) (L.D. 1919) (Presented by Representative NASS of Acton) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Natural Resources**

Bill "An Act to Clarify the Definition of Functionally Water-dependent Use as it Pertains to the Shoreland Zone" (H.P. 1368) (L.D. 1918) (Presented by Representative JONES of Greenville) (Cosponsored by Representative McKEE of Wayne) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.)

Sincerely,  
S/Joseph W. Mayo  
Clerk of the House  
S/Joy J. O'Brien  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**  
Sent up for concurrence.

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The following Communication: (H.P. 1375)

**STATE OF MAINE**  
**HOUSE OF REPRESENTATIVES**  
**AUGUSTA, MAINE 04333-0002**

December 5, 1997

Elizabeth H. Mitchell  
Speaker of the House  
118th Legislature

Mark W. Lawrence  
President of the Senate  
118th Legislature

Dear Madam Speaker and Mr. President:

On December 5, 1997, three bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 5, 1997, as follows:

**Business and Economic Development**

Bill "An Act to Expand the Uses of the Economic Opportunity Fund" (EMERGENCY) (H.P. 1373) (L.D. 1922) (Presented by Representative VIGUE of Winslow) (Cosponsored by Representatives: CAMERON of Rumford, FARNSWORTH of Portland, MacDOUGALL of North Berwick, SHANNON of Lewiston, Senators: MacKINNON of York, RAND of Cumberland) (Submitted by the Department of Economic and Community Development pursuant to Joint Rule 204.)

**Inland Fisheries and Wildlife**

Bill "An Act to Reduce the Cost of Archery Hunting Licenses for the Special Archery Season on Deer" (H.P. 1372) (L.D. 1921) (Presented by Representative DUNLAP of Old Town) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Taxation**

Bill "An Act to Improve Employment Tax Increment Financing" (H.P. 1374) (L.D. 1923) (Presented by Representative VIGUE of Winslow) (Cosponsored by Representatives: FARNSWORTH of Portland, MacDOUGALL of North Berwick, SHANNON of Lewiston, Senator: MacKINNON of York) (Submitted by the Department of Economic and Community Development pursuant to Joint Rule 204.)

Sincerely,  
S/Joseph W. Mayo  
Clerk of the House  
S/Joy J. O'Brien  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**  
Sent up for concurrence.

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The following Communication: (H.P. 1377)

**STATE OF MAINE**  
**HOUSE OF REPRESENTATIVES**  
**AUGUSTA, MAINE 04333-0002**

December 8, 1997

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

Dear Madam Speaker and Mr. President:

On December 8, 1997, one bill was received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, this bill was referred to the Joint Standing Committee on December 8, 1997, as follows:

**Banking and Insurance**

Bill "An Act Concerning Notices Given in Connection with Mortgage Foreclosures" (H.P. 1376) (L.D. 1929) (Presented by Representative SAXL of Bangor) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Sincerely,  
S/Joseph W. Mayo  
Clerk of the House  
S/Joy J. O'Brien  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**  
Sent up for concurrence.

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The following Communication: (H.P. 1378)

**STATE OF MAINE**  
**HOUSE OF REPRESENTATIVES**  
**AUGUSTA, MAINE 04333-0002**  
December 8, 1997

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

Dear Madam Speaker and Mr. President:

On December 3, 1997, one bill was received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, this bill was referred to the Joint Standing Committee on December 8, 1997, as follows:

**Health and Human Services**

Bill "An Act Regarding the Possession of Tobacco Products by a Juvenile" (H.P. 1364) (L.D. 1914) (Presented by Representative PERKINS of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Sincerely,  
S/Joseph W. Mayo  
Clerk of the House  
S/Joy J. O'Brien  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**  
Sent up for concurrence.

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The following Communication: (H.P. 1383)

**STATE OF MAINE**  
**HOUSE OF REPRESENTATIVES**  
**AUGUSTA, MAINE 04333-0002**  
December 10, 1997

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

Dear Madam Speaker and Mr. President:

On December 10, 1997, four bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 10, 1997, as follows:

**Labor**

Bill "An Act Regarding Pension Benefits for Former Governors" (H.P. 1381) (L.D. 1936) (Presented by Speaker MITCHELL of Vassalboro) (Cosponsored by Senator DAGGETT

of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**State and Local Government**

Resolve, to Transfer Spectacle Pond from the State of Maine to the Town of Vassalboro (H.P. 1379) (L.D. 1934) (Presented by Speaker MITCHELL of Vassalboro) (Cosponsored by Senator DAGGETT of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Utilities and Energy**

Bill "An Act to Ensure the Transferability of the Generating Assets of Electric Utilities" (H.P. 1380) (L.D. 1935) (Presented by Representative KONTOS of Windham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act to Restore the Requirement That Certain Expenditures of the Waldoboro Utility District Be Approved by District Vote" (EMERGENCY) (H.P. 1382) (L.D. 1937) (Presented by Representative SPEAR of Nobleboro) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Sincerely,  
S/Joseph W. Mayo  
Clerk of the House  
S/Joy J. O'Brien  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**  
Sent up for concurrence.

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The following Communication: (H.P. 1386)

**STATE OF MAINE**  
**HOUSE OF REPRESENTATIVES**  
**AUGUSTA, MAINE 04333-0002**  
December 11, 1997

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

Dear Madam Speaker and Mr. President:

On December 11, 1997, two bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 11, 1997, as follows:

**Judiciary**

Resolve, Directing the Preparation of a Bill to Make Nonsubstantive Changes to the State's Criminal Statutes (EMERGENCY) (H.P. 1384) (L.D. 1938) (Presented by Representative THOMPSON of Naples) (Submitted by the Judicial Department pursuant to Joint Rule 204.)

**Transportation**

Bill "An Act to Amend Certain Motor Vehicle Laws" (H.P. 1385) (L.D. 1939) (Presented by Representative DRISCOLL of Calais) (Submitted by the Secretary of State pursuant to Joint Rule 204.)

Sincerely,  
S/Joseph W. Mayo  
Clerk of the House  
S/Joy J. O'Brien  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

Sent up for concurrence.

S/Joy J. O'Brien  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

Sent up for concurrence.

The following Communication: (H.P. 1393)

The following Communication: (H.P. 1396)

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
AUGUSTA, MAINE 04333-0002**

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
AUGUSTA, MAINE - 04333-0002**

December 16, 1997

December 18, 1997

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

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

Dear Madam Speaker and Mr. President:

Dear Madam Speaker and Mr. President:

On December 16, 1997, six bills were received by the Clerk of the House.

On December 18, 1997, two bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 16, 1997, as follows:

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 18, 1997, as follows:

**Agriculture, Conservation and Forestry**

Resolve, Authorizing the Transfer of Certain State Park Property (H.P. 1389) (L.D. 1942) (Presented by Representative WINSOR of Norway) (Cosponsored by Senator BENNETT of Oxford and Representative BUNKER of Kossuth Township, Senator: KILKELLY of Lincoln) (Submitted by the Department of Conservation pursuant to Joint Rule 204.)

**Appropriations and Financial Affairs**

Bill "An Act to Improve Management of Contracted Personnel Services Costs" (H.P. 1394) (L.D. 1948) (Presented by Representative FULLER of Manchester) (Cosponsored by Senator MICHAUD of Penobscot and Representatives: BOLDUC of Auburn, BRENNAN of Portland, COWGER of Hallowell, MAYO of Bath, PERRY of Bangor, WATSON of Farmingdale, Senator: MILLS of Somerset) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Banking and Insurance**

Bill "An Act to Repeal the Residency Requirement for Credit Union Directors" (H.P. 1390) (L.D. 1943) (Presented by Representative SAXL of Bangor) (Cosponsored by Senator LaFOUNTAIN of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Labor**

Bill "An Act to Allow Maine Technical College System Employees Represented by the Maine Education Association Faculty and Administrative Units to Participate in a Defined Contribution Retirement Plan" (H.P. 1395) (L.D. 1949) (Presented by Speaker MITCHELL of Vassalboro) (Cosponsored by Senator CATHCART of Penobscot and Representatives: BELANGER of Caribou, HATCH of Skowhegan, McELROY of Unity, RICHARD of Madison, TREADWELL of Carmel, Senator: MILLS of Somerset) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Legal and Veterans Affairs**

Bill "An Act to Standardize Poll Opening Times" (H.P. 1387) (L.D. 1940) (Presented by Representative TRUE of Fryeburg) (Cosponsored by Representatives: CROSS of Dover-Foxcroft, McALEVEY of Waterboro, PENDLETON of Scarborough, PINKHAM of Brunswick, PINKHAM of Lamoine, TESSIER of Fairfield) (Submitted by the Secretary of State pursuant to Joint Rule 204.)

**Natural Resources**

Bill "An Act to Encourage the Use of Environmental Fines for Environmental Benefits" (H.P. 1391) (L.D. 1944) (Presented by Representative COWGER of Hallowell) (Cosponsored by Representative SHIAH of Bowdoinham) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.)

Sincerely,  
S/Joseph W. Mayo  
Clerk of the House  
S/Joy J. O'Brien  
Secretary of the Senate

**State and Local Government**

Bill "An Act to Amend the Membership Requirement for the Cumberland County Budget Advisory Committee" (H.P. 1388) (L.D. 1941) (Presented by Representative LABRECQUE of Gorham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**READ and ORDERED PLACED ON FILE.**

Sent up for concurrence.

**Taxation**

Bill "An Act to Minimize State Revenue Loss Due to Ineffective Health Coverage" (H.P. 1392) (L.D. 1945) (Presented by Representative MITCHELL of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

The following Communication: (H.P. 1398)

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
AUGUSTA, MAINE 04333-0002**

December 23, 1997

Sincerely,  
S/Joseph W. Mayo  
Clerk of the House

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



Dear Madam Speaker and Mr. President:

On December 23, 1997, one bill was received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, this bill was referred to the Joint Standing Committee on December 23, 1997, as follows:

**Appropriations and Financial Affairs**

Bill "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and Changes to Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1998 and June 30, 1999" (EMERGENCY) (H.P. 1397) (L.D. 1950) (Presented by Representative KERR of Old Orchard Beach) (Cosponsored by Senator MICHAUD of Penobscot) (Governor's Bill)

Sincerely,  
S/Joseph W. Mayo  
Clerk of the House  
S/Joy J. O'Brien  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**  
Sent up for concurrence.

The following Communication: (H.P. 1402)

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
AUGUSTA, MAINE 04333-0002**

December 29, 1997

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

Dear Madam Speaker and Mr. President:

On December 29, 1997, three bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 29, 1997, as follows:

**Criminal Justice**

Bill "An Act to Increase Penalties for Certain Sex Offenders" (H.P. 1400) (L.D. 1952) (Presented by Representative GAGNON of Waterville) (By Request) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Judiciary**

Bill "An Act to Implement the Recommendations of the Maine Indian Tribal-State Commission Relating to the Names of Geographic Features in Passamaquoddy Territory" (H.P. 1401) (L.D. 1953) (Reported by Representative THOMPSON for the Maine Indian Tribal-State Commission pursuant to Resolve 1997, chapter 45.)

**State and Local Government**

Bill "An Act to Require Audits of Municipal Tax Assessment and Collection" (H.P. 1399) (L.D. 1951) (Presented by Representative AHEARNE of Madawaska) (Cosponsored by Senator: NUTTING of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Sincerely,  
S/Joseph W. Mayo  
Clerk of the House

S/Joy J. O'Brien  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**  
Sent up for concurrence.

The following Communication: (H.C. 334)

**STATE OF MAINE  
DEPARTMENT OF AUDIT  
66 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0066**

July 31, 1997

The Honorable Representative Elizabeth H. Mitchell  
Speaker of the House of Representatives

2 State House Station

Augusta, ME 04333-0002

Dear Representative Mitchell:

I am happy to report that the Department of Audit has completed the State Single Audit for the 1996 fiscal year. For the first time in Maine's history, audited financial statements were available for use by the agencies that establish Maine's bond rating. The complete Single Audit, which includes additional reports on internal controls and compliance, was completed within the time period allowed by the Federal Government.

On behalf of the Department of Audit, I would like to thank you for your continuing support. Without it, we would not have been able to complete this major effort within the mandated period.

I would be pleased to answer any questions that you may have.

Sincerely,  
S/Gail M. Chase, CIA  
State Auditor

**READ and with accompanying papers ORDERED PLACED ON FILE.**

The following Communication: (H.C. 336)

**MAINE TECHNICAL COLLEGE SYSTEM  
OFFICE OF THE PRESIDENT  
323 STATE STREET  
AUGUSTA, MAINE 04330-7131**

August 11, 1997

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

Dear President Lawrence, Speaker Mitchell and members of the 118th Maine Legislature:

Pursuant to MRSA 20-A, Section 12721, I am pleased to provide you with a copy of the Maine Technical College System's five-year Strategic Plan, which was recently adopted by our Board of Trustees. This plan was developed over the course of a year, and reflects the shared goals and vision of the broad community of the Maine Technical College System.

If you have any questions regarding this plan or any other matter concerning the Maine Technical College System, I hope you will not hesitate to contact me at 287-1070.

Sincerely,  
S/John Fitzsimmons  
President

**READ and with accompanying papers ORDERED PLACED ON FILE.**

The following Communication: (H.C. 337)

**STATE OF MAINE  
DEPARTMENT OF ADMINISTRATIVE  
AND FINANCIAL SERVICES  
BUREAU OF ACCOUNTS & CONTROL  
14 STATE HOUSE STATION  
AUGUSTA, ME  
04333-0014**

The Honorable Elizabeth H. Mitchell  
Speaker of the House  
118th Legislature

Dear Ms. Speaker:

In accordance with Title 5, Maine Revised Statutes Annotated, Section 1547, the accompanying Comprehensive Annual Financial Report of the State of Maine is submitted for the fiscal year ended June 30, 1996. This report is prepared on a budgetary basis and is meant to show compliance with budgetary and legal requirements. As you know, we also published a FY96 audited GAAP financial report just before the last General Obligation Bond offering.

At this time we are compiling the FY97 Budgetary Comprehensive Annual Financial Report (CAFR), and the FY97 General Purpose Financial Report prepared according to generally accepted accounting principles (GAAP). The GAAP General Purpose Financial Report will include Component Units and this is an improvement over FY96. It will also include proper presentation of operating and capital leases, and requires supplementary information for the State's Risk Pool. The inclusion of the last two items will eliminate two audit qualifications we had on last year's statements.

As in FY96, the GAAP statements will include accruals made to governmental funds which are not made on the budgetary basis. An example of the types of accruals made to the GAAP statements which are not made on the budgetary basis include Medicaid, certain taxes, tax refunds, general purpose aid to education, accrued payroll and deferred compensation.

Total compliance with GAAP/GASB standards will be achieved when fixed assets are complete by the end of FY98.

Questions and comments about this report or any phase of State finances are always welcome.

Sincerely,

S/Carol F. Whitney

**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

---

The following Communication: (H.C. 338)

**UNIVERSITY OF MAINE  
MARGARET CHASE SMITH CENTER FOR PUBLIC POLICY  
5715 COBURN HALL  
ORONO, MAINE 04469-5715**

October 23, 1997

Hon. Joseph W. Mayo  
Clerk of the House of Representatives  
2 State House Station  
Room 300

Augusta, ME 04333

Re: Maine State Government Internship Program 1997 Report

Dear Clerk Mayo:

In accordance with 1967 Public Law, Chapter 493, Section 294, Item 8, I am enclosing copies of the 1997 State Government Internship Report for distribution to the members of the Maine House of Representatives.

Thank you for your assistance in making this Report available to members of the House.

Sincerely,  
S/Steven C. Ballard  
Director

**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

---

The following Communication: (H.C. 339)

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

TO: The Honorable Mark W. Lawrence  
President of the Senate  
The Honorable Elizabeth H. Mitchell  
Speaker of the House

FROM: S/J. Duke Albanese, Commissioner

DATE: November 3, 1997

RE: FY 98 Report of All School Administrative Unit  
State and Local Revenues

In accordance with 20-A M.R.S.A., section 15618-A, a report of all school administrative unit state and local revenues designated for K-12 education in their FY 98 budgets has been compiled and a copy is provided for your use.

It should be noted that the amounts budgeted in the various categories may not be the same as actual expenditures for these categories, for the following reasons:

1. Some budgeted amounts may be unexpended and carried forward to the following year. The statewide balance forward, for all budget categories, is usually between 2% and 3%.
2. School administrative units which do not utilize a line-item budget may transfer funds to other categories.
3. For certain types of funds that are transferred between school administrative units (for tuition costs and for transportation and other services provided to another school administrative unit) the amount is budgeted in both school administrative units since each unit must appropriate these funds. Since these instances cannot be netted out in the State Total Summary, the state totals will overestimate actual expenditures to some degree.

**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

---

The following Communication: (H.C. 340)

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

TO: Members of the 118th Legislature  
Bureau of the Budget

FROM: S/J. Duke Albanese, Commissioner

DATE: November 26, 1997

RE: Actual Education Costs for Base Year 1996-97

Pursuant to the provisions of 20-A M.R.S.A. section 15604, I am providing notification of the "actual education costs" as

defined in subsection 1, of 20-A MRSA section 15604 for the base year 1996-97.

A. Operating costs		
(1)	Elementary	\$588,610,510
(2)	Secondary	302,943,137
B. Special education costs for programs operated by administrative units		
		128,459,468
C. Special education tuition and board excluding medical costs		
		34,931,842
(1)	Tuition and board for pupils placed by administrative units	\$12,498,134
(2)	Tuition and board for State Wards and special education pupils placed directly by the State	5,965,863
(3)	Adjustments under section 15612, subsection 6 (Special Education Hardship grants)	0
(4)	Cost to the state for state agency clients (section 15613 subsection 5)	14,993,845
(5)	Adjustments under section 15612, subsection 11 (Out-of-District Placement Adjustment)	1,474,000
D.	Vocational education costs	24,553,360
E.	Transportation operating costs	62,408,321
F. Bus Purchases		
(1)	Purchase of Buses-Regular Approvals	4,487,116
G. Debt Service Costs		
(1)	Principal and Interest	62,631,452
(2)	Insured Value Factor	2,215,205
(3)	Leased (approved)	5,961,694
(4)	Other major capital costs	3,999,641
H.	Cost of reimbursement for private school services	201,000
I.	Cost of state expenditure for teacher retirement benefits	135,599,057
J.	Early childhood educational programs	541,514

These expenditures are from state and local monies only, except that Federal P.L. 81-874 (Impact Aid) funds are included.

**READ and ORDERED PLACED ON FILE.**

The following Communication: (H.C. 341)

**STATE OF MAINE  
DEPARTMENT OF AUDIT  
66 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0066**

November 26, 1997

Honorable Elizabeth H. Mitchell  
Speaker of the House of Representatives  
2 State House Station  
Augusta, ME 04333-0002

Dear Speaker Mitchell:

At the beginning of August, 1997, you received a copy of the State Single Audit for the 1996 Fiscal Year, dated July 31, 1997. Please find attached the Management Letter resulting from that audit.

The 1996 fiscal year report is the first time in the State's history that the audited annual financial statements are the same

financial statements as those reported by the State Controller. The Department of Audit was asked, and was able, to complete the audit of the financial statements in time for the State's issuance of new debt. Availability of audited numbers was a factor in retaining the State's good bond rating, which keeps the cost of borrowing money low.

I would also like to take this opportunity to thank you for your past and future support. As you may be aware, I satisfied the statutory certification requirements to hold the position of State Auditor by passing the May 1997 examination to become a Certified Internal Auditor. I am pleased to report that my examination results ranked among the thirty highest in the world.

The Department of Audit has been able to produce a quality product on a timely basis because of continuing support from the Legislature. We would be pleased to answer any questions that you may have regarding the work of the Department or other matters of interest to you.

Sincerely,  
S/Gail M. Chase, CIA  
State Auditor

**READ and with accompanying papers ORDERED PLACED ON FILE.**

The following Communication: (H.C. 342)

**MAINE STATE HOUSING AUTHORITY  
353 WATER STREET  
AUGUSTA, MAINE 04330-04633**

December 1, 1997

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

Dear Speaker Mitchell:

Pursuant to PL 1997, Chapter 552, I am pleased to submit *More and More Needed: A Study of Homeless Persons in Maine*. This report was prepared by the Interagency Task Force on Homelessness and Housing Opportunities. The Task Force was instructed to study and provide recommendations on:

- How best to provide housing and shelter services to homeless persons with mental illness,
- The current safety and health requirements, including any licenses or permits required, and
- The future role of the Task Force.

The Task Force report includes 9 recommendations. The recommendations include: increased funding for the Shelter Operating Subsidy program; core training for shelter workers and for mental health case workers; annual plans for connecting shelter guests to needed services and annual plans for mental health agencies to reach out to shelter guests; the provision of a seamless housing system; the creation of additional supported housing; and additional assignments for the Task Force.

On behalf of the members of the Task Force, I am pleased to submit this report. We appreciate your interest in this effort. I look forward to any questions or comments that you may have.

Yours truly,  
S/Dana Totman  
Chairman

**READ and with accompanying papers ORDERED PLACED ON FILE.**

The following Communication: (H.C. 343)

**STATE OF MAINE  
OFFICE OF THE  
SECRETARY OF STATE  
AUGUSTA, MAINE 04333-0148**

December 3, 1997  
Honorable Elizabeth H. Mitchell  
Speaker of the House  
2 State House Station  
Augusta, ME 04333

Dear Speaker Mitchell:

Please find enclosed a certified copy of the Proclamation declaring the Special Election to be held on Tuesday, February 10, 1998, so that "An Act to Prevent Discrimination" may be submitted to the people of Maine for a referendum vote.

Sincerely,  
S/Dan A. Gwadosky  
Secretary of State

**STATE OF MAINE  
DEPARTMENT OF STATE**

I, the Secretary of State of Maine, certify that according to the provisions of the Constitution and Laws of the State of Maine, the Department of the Secretary of State is the legal custodian of the Great Seal of the State of Maine which is hereunto affixed and that the paper to which this is attached is a true copy from the records of this Department.

**In Testimony Whereof**, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta, November 26, 1997.  
S/DAN A. GWADOSKY  
SECRETARY OF STATE

**STATE OF MAINE  
PROCLAMATION**

**WHEREAS**, written petitions bearing the signatures of electors of this State, numbering in excess of ten percent of the total vote cast in the last gubernatorial election preceding the filing of such petitions, as required by Article IV, Part Third, Section 17, of the Constitution of Maine, were addressed to the Governor of the State of Maine and were filed in the office of the Secretary of State on or before the 90th day after the recess of the First Special Session of the One Hundred and Eighteenth Legislature, requesting that the act entitled "An Act to Prevent Discrimination," passed by the Legislature and signed by the Governor, be referred to the people; and

**WHEREAS**, Article IV, Part Third, Section 17, of the Maine Constitution provides that as soon as it appears that the effect of the Act has been suspended by petition, the Governor shall, by proclamation, order the Act referred to the people for referendum at the next statewide election not less than 60 days after such proclamation, or in the case of no statewide election within 6 months thereafter the Governor may order such measure submitted to the people at a special election not less than 60 days nor more than 6 months after proclamation thereof; and

**WHEREAS**, a judicial challenge to the validity of petitions has now been resolved, affirming that the Secretary of State was correct in certifying the petitions as sufficient to invoke the referendum procedures of Article IV, Part Third, Section 17;

**NOW THEREFORE**, I, Angus S. King, Jr., Governor of the State of Maine, in pursuance of the provisions of Article IV, Part Third, Section 17, of the Constitution of Maine, do hereby proclaim that an election shall be called for Tuesday, February 10, 1998, so that "An Act to Prevent Discrimination" may be submitted to the people of this State for a referendum vote.

**IN TESTIMONY WHEREOF**, I have caused the Great Seal of the State to be hereunto affixed given under my hand at Augusta this twenty-sixth day of November in the year One Thousand Nine Hundred and Ninety-Seven.

S/ANGUS S. KING, Jr.  
Governor  
S/Dan A. Gwadosky  
Secretary of State

**READ and ORDERED PLACED ON FILE.**

The following Communication: (H.C. 344)

**STATE OF MAINE  
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL  
SERVICES  
BUREAU OF THE BUDGET  
STATE HOUSE STATION 58  
AUGUSTA, MAINE 04333**

**Date:** December 11, 1997

**To:** Honorable Angus S. King, Jr.,  
Governor

Honorable Mark W. Lawrence, President of the Senate  
Honorable Elizabeth H. Mitchell, Speaker of the House  
Honorable Michael H. Michaud, Senate Chair  
Honorable George J. Kerr, House Chair  
Members, Joint Standing Committee on  
Appropriations and Financial Affairs

**From:** S/John R. Nicholas, State Budget Officer

**Subject:** Report on the forecast of revenues and expenditures for the General Fund and the Highway Fund for the FY 98-99 biennium and the FY 2000-2001 biennium in accordance with Title 5, section 1665, subsection 7.

\*\*\*\*\*  
\*\*\*

The Bureau of the Budget is pleased to present its four year budget forecast for the General Fund and the Highway Fund for the FY 98-99 biennium and the FY 2000-2001 biennium in accordance with Title 5, section 1665. This effort was initiated and passed into law by the 117th Legislature as fulfillment of one of the recommendations of the Special Commission on Governmental Restructuring to provide a platform for long term financial planning.

The report that was due September 30, 1997 but was postponed in order to benefit from the Revenue Reprojection due December 1, 1997 from the Revenue Forecasting Committee. That delay will allow the forecast to be based on the current structure of State revenues and expenditures for both the General Fund and the Highway Fund using the programmatic and budgetary effects of the First Regular Session and the First Special Session of the 118th Legislature and the most current revenue projections. As such, this effort should provide an objective view of revenue and expenditure trends over the long term as a basis for fiscal planning and decision making.

**READ and with accompanying papers ORDERED PLACED ON FILE.**

The following Communication: (H.C. 345)

**STATE OF MAINE  
DEPARTMENT OF STATE**

I, the Secretary of State of Maine, certify that according to the provisions of the Constitution and Laws of the State of Maine, the Department of the Secretary of State is the legal custodian of the Great Seal of the State of Maine which is hereunto affixed and that the paper to which this is attached is a true copy from the records of this Department.

In Testimony Whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta, December 12, 1997.

S/DAN A. GWADOSKY  
SECRETARY OF STATE

**RESOLUTION  
NUMBER 10-21-97-02  
OF THE HOULTON BAND COUNCIL  
THE GOVERNING BODY  
HOULTON BAND OF MALISEET INDIANS  
(A FEDERALLY RECOGNIZED TRIBE)  
HOULTON, MAINE 04730**

**WHEREAS;** The Houlton Band of Maliseet Indians is a Federally Recognized Indian Tribe pursuant to the Maine Indian Claims Settlement Act, P.L. 96-420, codified at 25 U.S.C. 1721-1735 as amended; and

**WHEREAS;** The Houlton Band Council did designate by Resolution number 05-05-86-02 its Chairman, Clair Sabattis on May 5, 1996 pursuant to Title 3 M.R.S.A. 602 as required by Title 3 M.R.S.A. 601; and

**WHEREAS;** Title 3 M.R.S.A. 602 provides that such designation shall remain in effect until the Council of the Houlton Band of Maliseet Indians make a new designation.

**NOW, THEREFORE, BE IT RESOLVED;** That the Houlton Band Council of the Houlton Band of Maliseet Indians hereby Repeals Tribal Resolution numbered 05-05-86-02; and

**BE IT FINALLY RESOLVED;** That the Houlton Band Council of the Houlton Band of Maliseet Indians now designates Brenda Commander, Tribal Chief as the official authorized to execute any certificates of approval of legislation required by Title 3 M.R.S.A. 601 and such designation shall remain in effect until the Council of the Houlton Band of Maliseet Indians make a new designation.

**CERTIFICATION**

We, the undersigned Tribal Council members of the Houlton Band Council of the Houlton Band of Maliseet Indians do hereby certify that the Houlton Band Council is composed of seven (7) members of whom 6 were present at a Houlton Band Council Meeting this 21 day of Oct., 1997; and that the foregoing resolution was duly adopted by the affirmative vote of 5 members of whom have affixed their signature below.

S/Danya Boyce, Council      S/Anthony Tomah, Council  
S/Sally Lindsay, Council      S/Linda Raymond, Council  
S/Gloria Tomah, Council

S/Brenda Commander, Tribal Chief

**READ and ORDERED PLACED ON FILE.**

The following Communication: (H.C. 346)

**MAINE INDIAN TRIBAL-STATE COMMISSION  
P.O. BOX 87  
HALLOWELL, MAINE 04347**

December 15, 1997

Honorable Elizabeth Mitchell      Honorable Mark Lawrence  
Speaker of the House      President of the Senate  
118th Maine Legislature      118th Maine Legislature  
2 State House Station      3 State House Station  
Augusta, Maine 04333      Augusta, Maine 04333

Dear Speaker Mitchell and President Lawrence:

The Maine Indian Tribal-State Commission (MITSC) has been hard at work in its review of the civil laws of Maine, pursuant to Resolves 1997, Chapter 45. I am pleased to submit to you their findings and legislative recommendations, to date. This report is a snapshot of issues at a point in time. MITSC's review of the civil laws is ongoing work. MITSC is looking forward to discussing this work with the Joint Standing Committee On Judiciary when the 118th Legislature reconvenes in January 1998.

MITSC has filed two pieces of legislation along with its report and has submitted them under separate cover:

- An Act to Implement the Recommendations of the Maine Indian Tribal-State Commission Relating to Tribal Land Use; and
- An Act to Implement the Recommendations of the Maine Indian Tribal-State Commission Relating to the Names of Geographic Features in Passamaquoddy Territory.

In addition to reviewing the civil laws of Maine, Chapter 45 requires MITSC to convene an annual Assembly of Governors and Chiefs. I am very pleased to report that the first annual Assembly was held on December 4, 1997 at the Wabanaki Center in Orono. The attendance was excellent and the session was productive and positive.

Very Truly Yours,  
S/Diana Scully  
Executive Director

**READ and with accompanying papers ORDERED PLACED ON FILE.**

The following Communication: (H.C. 347)

**MAINE STATE LEGISLATURE  
AUGUSTA, MAINE 04333**

December 30, 1997

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

Dear President Lawrence and Speaker Mitchell:

The Select Committee to Study the Health Effects of Reformulated Gasoline is pleased to submit its final report. Copies of the report have been transmitted to the Legislative Council, the Joint Standing Committee on Natural Resources and to the Law and Legislative Reference Library.

Sincerely,  
S/Sen. Philip E. Harriman  
Senate Chair  
S/Rep. Verdi L. Tripp  
House Chair

**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

---

The following Communication: (H.C. 348)

**MAINE STATE LEGISLATURE  
AUGUSTA, MAINE 04333**

December 15, 1997

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

Dear President Lawrence and Speaker Mitchell:

On behalf of the Commission to Determine the Adequacy of Services to Persons with Mental Retardation we are pleased to submit the enclosed report. The Commission was authorized in Resolve 1997, chapter 79. It has been a pleasure to work with the members of the Commission. We look forward to presenting the report and accompanying legislation to the Joint Standing Committee on Health and Human Services during January.

Thank you for your attention to this important matter.

Sincerely,  
S/Rep. Randall L. Berry  
S/Jean Manning

**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

---

The following Communication: (S.C. 448)

**THE SENATE OF MAINE  
3 STATE HOUSE STATION  
AUGUSTA, MAINE 04333**

October 6, 1997

The Honorable Elizabeth H. Mitchell  
Speaker of the House  
118th Maine Legislature  
2 State House Station  
Augusta, Maine 04333  
Dear Speaker Mitchell:

In accordance with Joint Rule 506, please be advised the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Agriculture, Conservation and Forestry the nominations of Marilyn Tourtelotte of Guilford for reappointment and Jeffrey W. Perry of Oquossoc for appointment as members of the Land Use Regulation Commission.

Thank you for your attention to this matter.

Sincerely,  
S/Joy J. O'Brien  
Secretary of the Senate

**READ** and **ORDERED PLACED ON FILE.**

---

The following Communication: (S.C. 449)

**THE SENATE OF MAINE  
3 STATE HOUSE STATION  
AUGUSTA, MAINE 04333**

October 6, 1997

The Honorable Elizabeth H. Mitchell

Speaker of the House  
118th Maine Legislature  
2 State House Station  
Augusta, Maine 04333  
Dear Speaker Mitchell:

In accordance with Joint Rule 506, please be advised the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Agriculture, Conservation and Forestry the nomination of Andrew Berry of Whitefield for reappointment as a member of the Board of Pesticides Control.

Thank you for your attention to this matter.

Sincerely,  
S/Joy J. O'Brien  
Secretary of the Senate

**READ** and **ORDERED PLACED ON FILE.**

---

The following Communication: (S.C. 450)

**THE SENATE OF MAINE  
3 STATE HOUSE STATION  
AUGUSTA, MAINE 04333**

October 6, 1997

The Honorable Elizabeth H. Mitchell  
Speaker of the House  
118th Maine Legislature  
2 State House Station  
Augusta, Maine 04333  
Dear Speaker Mitchell:

In accordance with Joint Rule 506, please be advised the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Business and Economic Development the nomination of Timothy P. Agnew of Yarmouth for reappointment as the Chief Executive Officer of the Finance Authority of Maine.

Thank you for your attention to this matter.

Sincerely,  
S/Joy J. O'Brien  
Secretary of the Senate

**READ** and **ORDERED PLACED ON FILE.**

---

The following Communication: (S.C. 451)

**THE SENATE OF MAINE  
3 STATE HOUSE STATION  
AUGUSTA, MAINE 04333**

October 6, 1997

The Honorable Elizabeth H. Mitchell  
Speaker of the House  
118th Maine Legislature  
2 State House Station  
Augusta, Maine 04333  
Dear Speaker Mitchell:

In accordance with Joint Rule 506, please be advised the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Business and Economic Development the nomination of Philip J. St. Peter of Caribou for appointment as a member of the Loring Development Authority.

Thank you for your attention to this matter.

Sincerely,  
S/Joy J. O'Brien  
Secretary of the Senate

**READ** and **ORDERED PLACED ON FILE.**

The following Communication: (S.C. 452)

**THE SENATE OF MAINE  
3 STATE HOUSE STATION  
AUGUSTA, MAINE 04333**

October 6, 1997

The Honorable Elizabeth H. Mitchell  
Speaker of the House  
118th Maine Legislature  
2 State House Station  
Augusta, Maine 04333  
Dear Speaker Mitchell:

In accordance with Joint Rule 506, please be advised the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Education and Cultural Affairs the nominations of Ellen Heath of Dresden for reappointment and Paula K. Haddow of Sebago Lake, Narayana M. Prasanna, M.D. of Presque Isle, Stanley N. Marshall, Jr. of Veazie and David A. Peterson of New Sweden for appointment as members of the Board of Trustees of the Maine School of Science and Mathematics.

Thank you for your attention to this matter.

Sincerely,  
S/Joy J. O'Brien  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

The following Communication: (S.C. 453)

**THE SENATE OF MAINE  
3 STATE HOUSE STATION  
AUGUSTA, MAINE 04333**

October 6, 1997

The Honorable Elizabeth H. Mitchell  
Speaker of the House  
118th Maine Legislature  
2 State House Station  
Augusta, Maine 04333  
Dear Speaker Mitchell:

In accordance with Joint Rule 506, please be advised the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Education and Cultural Affairs the nominations of Catherine M. Pinkham of Belgrade for appointment as the student member and John R. DiMatteo of Falmouth for reappointment as a member of the University of Maine Board of Trustees.

Thank you for your attention to this matter.

Sincerely,  
S/Joy J. O'Brien  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

The following Communication: (S.C. 454)

**THE SENATE OF MAINE  
3 STATE HOUSE STATION  
AUGUSTA, MAINE 04333**

October 6, 1997

The Honorable Elizabeth H. Mitchell  
Speaker of the House  
118th Maine Legislature  
2 State House Station  
Augusta, Maine 04333

Dear Speaker Mitchell:

In accordance with Joint Rule 506, please be advised the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Education and Cultural Affairs the nominations of Marjorie M. Medd of Norway for reappointment and Joyce McPhetres of Waterville and Elinor Multer of Orrs Island for appointment as members of the State Board of Education.

Thank you for your attention to this matter.

Sincerely,  
S/Joy J. O'Brien  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

The following Communication: (S.C. 455)

**THE SENATE OF MAINE  
3 STATE HOUSE STATION  
AUGUSTA, MAINE 04333**

October 6, 1997

The Honorable Elizabeth H. Mitchell  
Speaker of the House  
118th Maine Legislature  
2 State House Station  
Augusta, Maine 04333  
Dear Speaker Mitchell:

In accordance with Joint Rule 506, please be advised the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Inland Fisheries and Wildlife the nominations of Urban (Sonny) D. Pierce, Jr. of West Buxton and John B. Dimond of Orono for reappointment as members of the Atlantic Salmon Authority.

Thank you for your attention to this matter.

Sincerely,  
S/Joy J. O'Brien  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

The following Communication: (S.C. 456)

**THE SENATE OF MAINE  
3 STATE HOUSE STATION  
AUGUSTA, MAINE 04333**

October 6, 1997

The Honorable Elizabeth H. Mitchell  
Speaker of the House  
118th Maine Legislature  
2 State House Station  
Augusta, Maine 04333  
Dear Speaker Mitchell:

In accordance with Joint Rule 506, please be advised the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Inland Fisheries and Wildlife the nomination of Lee E. Perry of Glendale, Arizona for appointment as Commissioner of the Department of Inland Fisheries and Wildlife.

Thank you for your attention to this matter.

Sincerely,  
S/Joy J. O'Brien  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

The following Communication: (S.C. 457)

**THE SENATE OF MAINE  
3 STATE HOUSE STATION  
AUGUSTA, MAINE 04333**

October 6, 1997

The Honorable Elizabeth H. Mitchell  
Speaker of the House  
118th Maine Legislature  
2 State House Station  
Augusta, Maine 04333  
Dear Speaker Mitchell:

In accordance with Joint Rule 506, please be advised the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Judiciary the nominations of Vendean Vafiades of Augusta for appointment as Maine District Court Judge, the Honorable Joseph H. Field of Freeport for reappointment as Maine District Court Judge, the Honorable Leigh Ingalls Saufley of Portland for appointment as Maine Supreme Judicial Court Associate Justice, the Honorable S. Kirk Studstrup of Augusta for appointment as Superior Court Justice, Alan P. Brigham of Windham for appointment as a member of the Maine Indian Tribal-State Commission and E. Paul Eggert of Portland for appointment as Maine District Court Judge.

Thank you for your attention to this matter.

Sincerely,  
S/Joy J. O'Brien  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE**

The following Communication: (S.C. 458)

**THE SENATE OF MAINE  
3 STATE HOUSE STATION  
AUGUSTA, MAINE 04333**

October 6, 1997

The Honorable Elizabeth H. Mitchell  
Speaker of the House  
118th Maine Legislature  
2 State House Station  
Augusta, Maine 04333  
Dear Speaker Mitchell:

In accordance with Joint Rule 506, please be advised the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Natural Resources the nomination of Jean T. Wilkinson of Cumberland Foreside for appointment as a member of the Board of Environmental Protection.

Thank you for your attention to this matter.

Sincerely,  
S/Joy J. O'Brien  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE**

The following Communication: (S.C. 459)

**THE SENATE OF MAINE  
3 STATE HOUSE STATION  
AUGUSTA, MAINE 04333**

October 6, 1997

The Honorable Elizabeth H. Mitchell  
Speaker of the House  
118th Maine Legislature  
2 State House Station  
Augusta, Maine 04333

Dear Speaker Mitchell:

In accordance with Joint Rule 506, please be advised the Senate today confirmed, upon the recommendation of the Joint Standing Committee on State and Local Government the nominations of Christopher E. Howard of Portland, Derek Langhauser of Cumberland Foreside and Peter Cary of Cape Elizabeth for appointment as members of the Governmental Facilities Authority.

Thank you for your attention to this matter.

Sincerely,  
S/Joy J. O'Brien  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE**

The following Communication: (S.C. 460)

**THE SENATE OF MAINE  
3 STATE HOUSE STATION  
AUGUSTA, MAINE 04333**

October 6, 1997

The Honorable Elizabeth H. Mitchell  
Speaker of the House  
118th Maine Legislature  
2 State House Station  
Augusta, Maine 04333  
Dear Speaker Mitchell:

In accordance with Joint Rule 506, please be advised the Senate today confirmed, upon the recommendation of the Joint Standing Committee on State and Local Government the nomination of Lt. Col. Malcolm T. Dow of Augusta for appointment as Chief of the Maine State Police.

Thank you for your attention to this matter.

Sincerely,  
S/Joy J. O'Brien  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE**

**PETITIONS, BILLS AND RESOLVES REQUIRING  
REFERENCE**

**Reported Pursuant to Resolve  
Maine Indian Tribal-State Commission**

Representative THOMPSON for the **Maine Indian Tribal-State Commission** pursuant to Resolve 1997, chapter 45 asks leave to report that the accompanying Bill "An Act to Implement the Recommendations of the Maine Indian Tribal-State Commission Relating to Tribal Land Use Regulation"

(H.P. 1403) (L.D. 1961)

Be **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

Sent up for concurrence.

**ORDERS**

On motion of Representative COWGER of Hallowell, the following Joint Order: (H.P. 1404)

**ORDERED**, the Senate concurring, that Bill, "An Act to Increase the Penalties for Criminal OUI for Persons Previously Convicted of Vehicular Manslaughter," H.P. 666, L.D. 918 and



On motion of Representative MORGAN of South Portland, the following Joint Order: (H.P. 1405)

ORDERED, the Senate concurring, that Bill, "An Act to Change the Weekly Employee Pay Requirement in State Law," S.P. 140, L.D. 419, and all its accompanying papers, be recalled from the legislative files to the House.

**READ.**

all its accompanying papers, be recalled from the legislative files to the House.

**READ.**

On motion of Representative COWGER of Hallowell the Joint Order was tabled pending passage and specially assigned for Thursday, January 8, 1998. On motion of Representative MORGAN of South Portland the Joint Order was tabled pending passage and specially assigned for Thursday, January 8, 1998.

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At this point, Representative KONTOS of Windham reported that the necessary oaths had been taken by Representative BRYANT of Dixfield and Representative LORING of Penobscot Nation to qualify them to enter upon their official duties.

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At this point, the Speaker announced that Representative BRYANT of Dixfield would be assigned seat 113 and Representative LORING of Penobscot Nation would be assigned seat 7.

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At this point, Representative BRYANT of Dixfield and Representative LORING of Penobscot Nation were added to the quorum call of the Second Regular Session of the 118th Legislature.

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At this point, pursuant to her authority under House Rule 201 the Chair appointed Representative BRYANT of Dixfield as a member of the Joint Standing Committee on Natural Resources, replacing Representative Jones of Greenville.

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**SPECIAL SENTIMENT CALENDAR**

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

**Recognizing:**

Gail M. Chase, on receiving Honorable Mention for outstanding performance on the Certified Internal Auditor examination. The Institute of Internal Auditors recognizes top candidates who distinguish themselves in passing all 4 parts of the examination on their first attempt;

(HLS 1008)

Presented by Speaker MITCHELL of Vassalboro  
Cosponsored by Senator DAGGETT of Kennebec,  
Representative BUMPS of China, President LAWRENCE of  
York, Representative KONTOS of Windham, Representative  
DONNELLY of Presque Isle, Senator PINGREE of Knox,  
Senator AMERO of Cumberland

On objection of Representative MITCHELL of Vassalboro was removed from the Special Sentiment Calendar.

**READ and PASSED** and sent up for concurrence.

Speaker MITCHELL: Men and Women of the House, it is with great pleasure and excitement that I look out upon you, my colleagues, as we launch the last effort of our 118th careers. For many of us it is the last beginning. Many of us who know it, it will be the last beginning of the session. For many of you, it is also the beginning of a session where you are feeling confident because you have at least one session behind you and there is an air of optimism as we go forward. There is also an air of, do we remember how to do this? As you saw, I forgot to do the Pledge of Allegiance to the flag in my excitement of being here. I think the beauty of working with friends and colleagues is that we support one another and that we go forward and we keep our eye on why we are here. It is truly an exciting day to be back.

As I look back over the past year, there is one thought that continues to come to mind, "What a difference a year makes!"

We come together at an auspicious moment in our state's history, a time of opportunity and progress. Everybody in this room should feel very, very proud at this moment. Maine enjoys a surging budget surplus; and our fiscal prosperity is not only due to a booming national economy, but to your very sound fiscal management and stewardship. I just wanted to take a few moments with you this morning to share goals and aspirations and hopes for this session.

Twelve weeks from now we will adjourn, and history will be the judge of our efforts. In that short time we have a fabulous opportunity to build on the record of our accomplishments. The coming weeks must not be a period of "winding down," but of "winding up" and moving ahead with our own agenda to secure Maine's future.

Last session we proved that this legislature can address the most difficult challenges facing our state.

We rose to the occasion with the kind of moderation, common sense and cooperation that Mainer's both expect and deserve.

We proved that we can work together and overcome legitimate differences without becoming gridlocked. We can have open debate without bitterness and name-calling. We can reach agreement without sacrificing our principles.

Last session, I am proud to say, we kept our promise to conduct the people's business in a way that did indeed earn the respect of Maine citizens from north to south.

Let me say it again: "What a difference twelve months makes."

Just yesterday, we saw the fruit of the Utility Committee's landmark legislation to deregulate the electric utility industry. Central Maine Power announced that the sale of its power generating plants could result in its efforts to cut rates by 10 percent.

One year ago, skeptics doubted that this legislature could do this. We could never reach common ground on an issue that has been a titanic struggle across this nation. But the Utility Committee hammered out model legislation that won bipartisan support. I will never forget the look on the chairs face when he had a great speech prepared to tell you why you should vote for it when it went under the hammer, because they had done their homework.

Working together, Democrats and Republicans produced a bill that will benefit Maine families even before competition arrives in the year 2000.

Welfare reform is another issue that often produces divisive and acrimonious debate. But last session the Health and Human Services committee crafted legislation, a unanimous

committee approval, that helped welfare recipients go back to work, with kinds of support that were both humane and necessary to make them become productive members of Maine's workforce and community.

At this mid-point in the legislative cycle, the list of accomplishments is long and reflects an ambitious agenda.

In the 68 days of the first session we acted on 1,735 bills and completed our business 17 days ahead of schedule. Even an abbreviated list of approved bills demonstrates the broad benefits of your actions.

The Agriculture Committee developed new rules to improve potato inspections and ensure the high quality of Maine's crop.

The Appropriations Committee reduced pressure on property taxes by fashioning a budget that increased aid to municipalities by \$101 million, increased education spending by \$90 million and cut taxes by more than \$214 million.

The Banking and Insurance Committee negotiated a compromise to preserve the charitable status of Blue Cross/Blue Shield that a year ago nobody thought was possible, short of litigation.

The Business and Economic Development Committee has taken a vigorous interest in the needs of entrepreneurs and small businesses and is working to enhance the state's micro-loan program.

The Criminal Justice Committee improved the process for locating missing children by ensuring proper communication between DHS, law enforcement agencies and schools.

The Education Committee established rules for implementing Learning Results, expanded access to Maine's technical colleges, and increased the state funds available for school construction.

The Inland Fisheries and Wildlife Committee moved to preserve our natural heritage by adding new species to the state's threatened and endangered species act.

The Judiciary Committee approved landmark legislation to prohibit discrimination on the basis of sexual orientation and made it easier and quicker for thousands of Maine families to resolve their differences in our court system by creating a Family Court.

After carefully considering the impact on small business, the Labor Committee made it possible for an additional 39,000 Maine workers to take time off in the case of a family emergency by extending the Family and Medical Leave Act.

By banning campaign contributions from registered lobbyists during the session, they sent a strong message that this legislature is determined to uphold the high standards that Maine people expect from us as elected officials.

The Marine Resources Committee improved the management of the sea urchin and elver fisheries.

The Natural Resources Committee approved historic legislation to curb dioxin discharges from our paper industry while preserving jobs.

The State and Local Government Committee restored the ability of municipalities to combat teenage smoking by regulating the sale of tobacco.

The Taxation Committee, working round the clock it seems throughout the session and after the session, has provided relief to thousands of Maine families by removing 150,000 low-income filers from the tax rolls and expanding the circuit breaker program to help 64,000 families with incomes between \$30,000 and \$40,000.

And last, but certainly not least, the Transportation Committee quickly, efficiently and unanimously approved a

budget in the first days of the session and sent a bond package to voters investing in Maine's roads, bridges and highways to make sure that we are equipped for the future.

Every single one of you, and as I look around and as I have come to know you through the session, I am so proud to know you as legislators and I know why you are here, because you all care so deeply and you want to make a difference. You have honored your commitments and even if we went home today, you could look your constituents in the eye and tell them how hard you have worked, but we are not done. We have to go forward. We can't rest on our laurels and we can't look back.

Abraham Lincoln certainly understood that challenge that confronts lawmakers. "Let's plan for the future, because the people who stay in the present are always going to be in the past."

What, then, does our future hold for the next 12 weeks? The single most important issue, and it doesn't take a rocket scientist to figure this one out, is how we are going to deal with the budget, with the budget surplus. What a marvelous problem to have.

Several months ago, when it first became apparent that we would enjoy this surplus, I had honestly hoped that working with the committee and leadership on both sides of the aisle, we could march in here today and tell you exactly what we were going to do with that surplus and what kind of tax relief we were going to have, but democracy doesn't work like that. It is a process that can't be rushed.

It is a journey guided by principles and the older I get, the more I appreciate the process and the journey.

As the debate on the surplus proceeds, I urge you to apply a simple test to every proposal, because collectively we are going to solve that problem and I really believe that is going to happen soon. Will it leave our children better prepared for tomorrow? This question applies across the board to every policy decision; for I see the great challenge of the coming session as one of meeting, and I say the word painfully, neglected needs of children.

Let me repeat that. We must do a better job of meeting the neglected needs of Maine children.

The substance has fallen short of the rhetoric.

It's up to us to ensure that education is funded, that our mental health system takes care of juveniles in need of mental health services, that children have access to health care, and that in our juvenile correctional facilities young people are being educated and rehabilitated, and people on waiting lists for mental retardation finally receive the services that they must have.

No amount of rhetoric can hide the fact that in each of these areas our children are not receiving the services they deserve.

I absolutely believe and am optimistic that Democrats and Republicans will be able to work together for the good of Maine children. I am hopeful that we will find common ground as we develop a plan for making the wisest use of our limited resources.

None of us in this debate will get everything we want, because no matter how large the surplus is, it is certainly never large enough to meet all the needs or to satisfy all our requests. I do think that if we set before us some guiding principles, we can have these honest debates and come up with some conclusions. Let me set forth three principle goals that I would share with you.

First, the state should pay its bills and continue its extraordinary efforts to get its fiscal house in order. Nobody

knows how long the budget surpluses will continue, so it makes good sense to strengthen our finances by paying down our debts and setting aside some of the money.

I believe we should increase the Rainy Day Fund. I believe we should pay down the unfunded liability and I believe we should deal with the state's commitment to paying its portion of its workers' comp responsibility. I think we should add to the working capital at the state buildings.

I also believe we can no longer neglect our obligation to fix up the Maine Youth Center and we should proceed with the restoration of the State House. As any homeowner recognizes, deferred maintenance and repair only becomes more expensive in the long run.

If you haven't been to the fourth floor yet, please take a trip up there. It is a tribute to the kind of commitment you have made to restoring the people's house and also I would like to thank someone who is probably not listening because she is out supervising construction crews, Sally Tubbesing. It is a remarkable difference. That is what this State House can be, should be and will be under our stewardship.

The second guiding principle, one that I know we share as Democrats and Republicans, is that we must do more to invest in education and relieve the pressure on property taxes.

Since 1990 the state share of general purpose aid for education has dropped, forcing communities to raise local property taxes or cut their school funding. The education of our children and the condition of our schools have suffered.

I believe we must increase K-12 school funding at least to the statutory obligation of five percent, but we should also set up a revolving loan fund to help communities pay for school repairs to schools, both boilers and those roofs that are falling in, air quality issues. The towns need our help in paying for schools that we jointly built.

Education and economic prosperity are inextricably linked. To attract expanding companies and good paying jobs, we need a well-educated workforce. Yet, we know, and I said this to you when I first had the privilege of standing with you a year ago, too few of our high school students go on to higher education.

In the coming weeks, I plan to announce a major new initiative that I hope will transform higher education in Maine and that will stop the rhetoric about students' aspirations and the

ability to go on to higher education and we will finally be able to do something about making colleges affordable to Maine's students.

Our third guiding principle must be to provide direct tax relief that is financially sound. The one-time rebate of 1990 proved the folly of excessively cutting taxes one year only to fall victim to a budget crisis the next year. We must make sure that the tax cuts that we agree on are affordable and that they can be sustained in the future for the good of the people of Maine.

Let me close by saying on this day of beginnings, I ask you to think about your ending, a goal for the last day of the session. I ask you to think about this all through the session. What should Maine citizens remember about this legislature?

It is my hope that they remember us as deliberative and thoughtful in developing a budget plan, that we paid our bills and we met our financial responsibilities. They should remember that we kept our promise to increase K-12 education funding, that we repaired our schools, made higher education more affordable and invested in research and development. They should remember that we kept our promise to provide tax relief.

Working together, we can leave such a legacy. And I am convinced that if we do, we will have done the people's business and invested our modest surplus wisely for the maximum benefit for the future.

I am so excited about working with each and every one of you, every side of the aisle, and every one of you here to making this a reality. We have 12 weeks in which to do it. It is time for us now to go to work and make this rhetoric a reality. Thank you.

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At this point, the Speaker recognized the Representative from Brunswick, Representative Bodwell and the Representative from Oakland, Representative Poulin and they were added to the quorum call of the Second Regular Session of the 118th Legislature.

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On motion of Representative TAYLOR of Cumberland, the House adjourned at 11:20 a.m., until 3:00 p.m., Thursday, January 8, 1998.