

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
17th Legislative Day
Wednesday, February 18, 1998

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

Prayer by Reverend Martin Gentzler, First Church of the Nazarene, Bangor.

National Anthem by The Notables, Wayne.

Pledge of Allegiance.

The Journal of yesterday was read and approved.

SENATE PAPERS

Pursuant to Private and Special Law

Clerks of the Jackman Water District and the Jackman Sewer District

Report of the **Clerks of the Jackman Water District and the Jackman Sewer District** pursuant to Private and Special Law 1997, chapter 30 asks leave to report that the accompanying Bill "An Act to Repeal the Laws Governing the Jackman Water District and the Jackman Sewer District"

(S.P. 824) (L.D. 2214)

Be **REFERRED** to the Committee on **UTILITIES AND ENERGY** and printed pursuant to Joint Rule 218.

Came from the Senate, Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **UTILITIES AND ENERGY** in concurrence.

COMMUNICATIONS

The Following Communication: (H.C. 370)

STATE OF MAINE

**ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES**

February 12, 1998

The Honorable Mark W. Lawrence

President of the Senate

The Honorable Elizabeth H. Mitchell

Speaker of the House of Representatives

118th Legislature

State House

Augusta, Maine 04333-0003

Dear Mr. President and Madam Speaker:

Pursuant to Title 3 Maine Revised Statutes, chapter 35, we are pleased to submit this letter with the report of the Joint Standing Committee on Health and Human Services of the review and evaluation under the State Government Evaluation Act of the Office of Substance Abuse, of the Department of Mental Health, Mental Retardation and Substance Abuse Services. In its review, the committee found that the Department is operating within its statutory authority.

Sincerely,

S/Senator Judy A. Paradis

S/Representative J. Elizabeth Mitchell

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

The Following Communication: (H.C. 371)

MAINE STATE LEGISLATURE

AUGUSTA, MAINE 04333

February 11, 1998

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:

Pursuant to Joint Order of the Maine Legislature, S.P. 669, the Joint Select Committee on Research and Development is pleased to submit its final report including recommended legislation. Copies of the report have been transmitted to the Legislative Council, and have also been placed on file with the Law and Legislative Reference Library.

Sincerely,

S/Senator Mary R. Cathcart, Co-Chair

S/Senator Richard A. Bennett, Co-Chair

Joint Select Committee on Research and Development

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

The Following Communication: (H.C. 372)

118TH MAINE LEGISLATURE

February 2, 1998

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 Wednesday, February 18, 1998, at 9:30 a.m. concerning the State of the University and any other matters that you may care to bring to our attention.

On that 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

President of the Senate

S/Elizabeth H. Mitchell

Speaker of the House

READ and **ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 373)

UNIVERSITY OF MAINE SYSTEM

107 MAINE AVENUE

BANGOR, MAINE 04401-4380

February 11, 1998

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 Wednesday, February 18, 1998, at 9:30 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

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 374)
118TH MAINE LEGISLATURE

February 2, 1998
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 Wednesday, February 18, 1998, concerning the State of the Maine Technical College System and any other matters that you may care to bring to our attention.

On that day, beginning at 9:30 a.m., Chancellor Terrence MacTaggart will be addressing the Joint Session. Your address will immediately follow the Chancellor's.

We look forward to seeing you then. Best wishes.

Sincerely,
S/Hon. Mark W. Lawrence
President of the Senate
S/Elizabeth H. Mitchell
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 375)
**MAINE TECHNICAL COLLEGE SYSTEM
OFFICE OF THE PRESIDENT
323 STATE STREET
AUGUSTA, MAINE 04330-7131**

February 5, 1998
The Honorable Mark W. Lawrence
President of the Senate
118th Maine Legislature
Augusta, ME 04333-0003
The Honorable Elizabeth H. Mitchell
Speaker of the House
118th Maine Legislature
Augusta, ME 04333-0002

Dear President Lawrence and Speaker Mitchell:

Thank you for your letter inviting me to address a Joint Session of the 118th Maine Legislature regarding the State of the Maine Technical College System on February 18th. On behalf of the hundreds of employees and thousands of students throughout the MTCS, I am pleased to accept your invitation and am deeply appreciative of this opportunity.

Sincerely yours,
S/John Fitzsimmons
President

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 529)
**THE SENATE OF MAINE
OFFICE OF THE SECRETARY
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

February 17, 1998

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 Frederick B. Hurley, Jr. of Wayne for reappointment and Michael M. Hastings of Hampden for appointment as Members of the Maine Indian Tribal-State 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. 530)
**THE SENATE OF MAINE
OFFICE OF THE SECRETARY
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

February 17, 1998
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 Labor the nomination of Peter M. Leslie of Cape Elizabeth for reappointment as a Member of the Maine State Retirement System 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.

At this point, a message came from the Senate, borne by Senator PINGREE of Knox of that Body, proposing a Joint Convention of both Branches to be held in the Hall of the House at 9:30 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 9:30 in the morning and the Speaker appointed Representative KONTOS of Windham to convey this message to the Senate.

**PETITIONS, BILLS AND RESOLVES REQUIRING
REFERENCE**

The following Bill and Resolve were received and upon the recommendation of the Committee on Reference of Bills were

REFERRED to the following Committee, ordered printed and sent up for Concurrence:

UTILITIES AND ENERGY

Resolve, Regarding Legislative Review of Chapter 301: Rules for Standard Offer Service, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)

(H.P. 1591) (L.D. 2220)

Submitted by the Public Utilities Commission pursuant to the Maine Revised Statutes, Title 5, section 8072.

Bill "An Act to Dissolve the Ogunquit Sewer District and Establish a Sewerage Department" (EMERGENCY)

(H.P. 1592) (L.D. 2221)

Presented by Representative WHEELER of Eliot.

Cosponsored by President LAWRENCE of York and Representative CARLETON of Wells.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

SPECIAL SENTIMENT CALENDAR

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

In Memory of:

Evelyn L. Trotsky, of Bangor, beloved wife of former State Senator Howard Trotsky. She worked for many years in hospital and university resource development, serving as Director of Public Relations and Development at St. Joseph Hospital, Director of Community Relations and Development at the Kennebec Valley Mental Health Center and Executive Director of the Pine Tree 4-H Foundation at the University of Maine. She was a member of numerous professional and civic organizations and was a member of Beth Abraham Synagogue. She will be greatly missed by her loving family and many friends;

(HLS 1103)

Presented by Representative BAKER of Bangor.

Cosponsored by Senator MURRAY of Penobscot, Representative SAXL of Bangor, Representative PERRY of Bangor, Representative BRAGDON of Bangor.

On **OBJECTION** of Representative BAKER of Bangor, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Bangor, Representative Baker.

Representative BAKER: Madam Speaker, Men and Women of the House. On November 14, Bangor lost one of her most beloved citizens. Evelyn Lewin Trotsky was just 54 when her life was cut short, leaving her husband, former Senator Howard Trotsky, her son Sam and wife Judith, her daughter Debbie and husband Mark, and her grandson, Aryeh.

Evelyn Trotsky gave her life to the service of others -- her family, her friends, her community, her state. Prior to coming to Maine, she was a staff member of the Visitors' Service at the United Nations in New York City. In Maine, she undertook a 20 year career in hospital and university resource development. She served as director of public relations and development at St. Joseph's Hospital, director of community relations and development at the Kennebec Valley Mental Health Center, and executive director of the Pine Tree 4-H Foundation at the University of Maine.

Evelyn Trotsky was appointed by the governor to the Maine Children's Trust, which she chaired, and to the Maine Commission on Community Service. She served on the boards

of the Penobscot Valley United Way and the Bangor Jewish Community Council. She held memberships in the Bangor Junior League and Beth Abraham Synagogue.

Evelyn Trotsky involved herself in the community where she lived, touching the lives of institutions and individuals alike. She was one of the most optimistic and engaged persons I have ever known. Throughout her long, brave struggle with cancer, she never gave in to despair, but instead kept her focus on others.

One of the last times I saw her, she quickly shifted the conversation away from her own condition to the ups and downs of my political life. And she could scarcely contain her joy at an impending trip to Israel to see her new grandson. Her obituary photo shows her cradling the head of this tiny child -- a look of utter contentment on her face.

Evelyn Trotsky was a virtuous woman. Our community misses her greatly. The radiant unselfishness of her life remains after her -- lighting the way for the rest of us. May she rest in peace.

ADOPTED and sent up for concurrence.

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

Jack Smith, of Ellsworth, who served as judge in Maine's District and Superior Courts for more than 14 years. Judge Smith was known as a gracious gentleman and treated people fairly. Before being appointed a judge, he was an attorney with the firm of Trafton & Scales; served as assistant Androscoggin County attorney; and was mayor of Auburn from 1975 to 1978. He will long be remembered by his loving family and all those who knew him;

(HLS 1037)

Presented by Representative POVICH of Ellsworth.

Cosponsored by Senator GOLDTHWAIT of Hancock.

On **OBJECTION** of Representative POVICH of Ellsworth, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Ellsworth, Representative Povich.

Representative POVICH: Madam Speaker, Men and Women of the House. Love Kansas and you could be content with garden white sand. This doesn't sound like a very flattering portrait, but Dick Gaines knew positive meaning when you think of the late Judge Jack Smith of Ellsworth and of Auburn. Jack was from pretty prairie Kansas and you have to love a guy from pretty prairie Kansas. Jack was easy to love and we mourn his passing.

While serving as the Mayor of Auburn, Jack was appointed to the Maine District Court by Governor James Longley. It was in this capacity of sitting judge in the 5th District Court that my City of Ellsworth gained a wonderful citizen. Jack said it was important that citizens regard the district court as a place where the law was applied fairly and justice was done. Jack loved our system of justice, flawed as it is. He loved the legislative process as well, flawed as it is. He helped enhance my love for this system. He was always interested in what people were doing. He adopted our great state because he was pleased with all the opportunities he saw here. Jack was the articulate person from away that has brought our great state the diversity of opinion and character that makes Maine such a wonderful place. Jack loved life, he loved his Japanese Garden of sand and he

loved the Red Sox even, as the baseball scooted through the legs of Billy Buckner in 1986.

James Russell Wiggins, former ambassador of the United States, and editor of the *Ellsworth American*, recalled that Judge Smith was a gentle and honorable man and a great student of the law. He was its very model of judicial practice that others would do well to follow. Jack was loved by all. Adored by Sarah, his wife of 40 years, his children Kristin and Stephen and his yearling grandson, little Jack. I am pleased to tell Mrs. Smith, who is here today, your husband touched the lives of a new group of people in this body. Please accept our condolences.

ADOPTED 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:

(S.P. 770) (L.D. 2071) Bill "An Act Regarding Contract Procedures" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(S.P. 736) (L.D. 2014) Bill "An Act Concerning Elver Fishing" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-454)**

(H.P. 1427) (L.D. 1991) Bill "An Act Regarding the Role of the State Planning Office and the Land and Water Resources Council" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 1471) (L.D. 2062) Bill "An Act to Provide for the 1998 and 1999 Allocations of the State Ceiling on Private Activity Bonds" (EMERGENCY) Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass**

(H.P. 1373) (L.D. 1922) Bill "An Act to Expand the Uses of the Economic Opportunity Fund" (EMERGENCY) Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-795)**

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

CONSENT CALENDAR

Second Day

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

(S.P. 693) (L.D. 1928) Bill "An Act Relating to Reciprocal Insurers and Captive Insurance Companies" (C. "A" S-453)

(H.P. 1429) (L.D. 1993) Bill "An Act to Require the Development of a Plan for the Recovery, Identification and Disposition of Human Remains in a Disaster"

(H.P. 1552) (L.D. 2181) Bill "An Act Concerning Reporting Deadlines of Studies Authorized by Law" (EMERGENCY)

(H.P. 1361) (L.D. 1912) Bill "An Act to Amend the Charter of the Guilford-Sangerville Water District to Increase the Bond Authorization" (EMERGENCY) (C. "A" H-793)

(H.P. 1421) (L.D. 1985) Bill "An Act to Amend the Charter of the Bath Water District" (EMERGENCY) (C. "A" H-794)

No objections having been noted at the end of the Second Legislative Day, the Senate Paper was **PASSED TO BE ENGROSSED AS AMENDED** in concurrence and the House Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED AS AMENDED** and sent up for concurrence.

BILLS IN THE SECOND READING

Senate

Bill "An Act to Permit the Consideration of Any Location in the State for the Location of the New Criminal Justice Academy" (S.P. 688) (L.D. 1924)

House As Amended

Bill "An Act to Encourage Regionalization of Municipal Services" (H.P. 297) (L.D. 361) (C. "A" H-782)

Reported by the Committee on **Bills in the Second Reading**, read the second time, the Senate Paper was **PASSED TO BE ENGROSSED** in concurrence and the House Paper was **PASSED TO BE ENGROSSED AS AMENDED** and sent up for concurrence.

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 Pingree of Knox, 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 are 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 recognized in the House Gallery, Dr. Peter Hoff, President of the University of Maine at Orono; 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 and Dr. Richard Pattenaude, President of the University of Southern Maine.

The Chair is also pleased to recognize in the House Gallery the members of the University of Maine System Board of Trustees: Sally Vamvakias, Dr. George Wood, Judith Andrucki, John DiMatteo, Penny Harris, James Mullen and the Student Trustee, Catherine Pinkham.

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

Chancellor of the University of Maine System, Terrence MacTaggart, then addressed the Convention.

President Lawrence, Speaker Mitchell, distinguished members of this 118th Maine State Legislature, University of Maine System Trustees, Presidents, faculty, my friend President John Edward Fitzsimmons and student leaders, alumni, friends:

Thank you all for the opportunity to report on the state of the University of Maine System, on what we're doing now, and what we would like to do in the future to better serve the people of this great state.

Recognizing the very heavy workload and a heavy schedule made even more intense by the ice storm of this past winter, I will keep these remarks brief.

However, let me begin with the stories of two potential students, two students who might take advantage of colleges and universities in Maine, but have not yet done so. The first because he is not yet old enough to enroll and the second because she missed her first chance to go on to college or to a university. The first story you are familiar with. It is the one I mentioned last year when I had the opportunity to talk to the Legislature. It is the story of the young boy, maybe twelve years old, now thirteen, who I met with his father at the foot of Mount Katahdin at the end of their first climb. I may have mentioned that this young man positively glowed as he told the story of their trip up and leaping from boulder to boulder on the way down and the streams that they drank from. He was full of youthful energy, hope and joy. I thought then and I thought daily in the year that has passed, that as we drove out from Baxter State Park, past the paper mills in Millinocket and East Millinocket, that my job and maybe to some extent the job of everybody sitting in the room this morning, is to ensure that five or six years down the road this young man and his brothers and sisters, and thousands of others like them across the State of Maine, will be able to afford to go to college, to graduate with the same opportunities that ought to be the rights of everyone, as Mainers, and Americans, to build for himself a life, maybe buy a home, to continue to enjoy the beauty of Baxter State Park and maybe someday to climb Katahdin with his their own family. A simple enough aspiration: a good education on the one hand and a decent living on the other.

The recent announcement of the downsizing of one mill and the sale of the other, those mills that we drove by that sunny day punctuates this story, I think, and brings a sense of urgency to the work of all of us. Clearly, we have to take steps now so that when that young man graduates from high school he will get the college education he needs and the stable career that he deserves.

But what of those who missed their first chance? What becomes of the talented men and women who are lacking money or information or maybe simple encouragement failed to seek higher education in their youth? During this past Fall, the

trustees made a point of visiting high schools around the state to hold kind of listening posts in Newport, Millinocket, Ellsworth, Mexico and Thomaston. They wanted to listen to parents, teachers, principals, counselors, and students themselves on how we could do a better job. In one community, I heard the story of a young woman, I'll call her Karen, that wasn't her real name, bright, capable and outgoing, we were told. Easily in the top ten percent of her high school graduating class. The youngest child in a fairly large family and not a wealthy family by any means. Instead of going on to college, as she certainly could have, Karen wound up working days in the local fast food restaurant and at this point in her life has no other definite plans beyond that.

There is no shame in restaurant work, or any other honest labor for that matter, but will a minimum wage job sustain this young woman for long? Clearly, we have a lot of work to do when Maine nearly leads the nation in the number of bright students who come out of our high school, but we trail the rest of the country in the number that go on to college or universities.

How is the state doing overall? The economic news is mixed. Certainly growing, but more slowly than the national average, raising fears out there that the next downturn could leave us even further behind. Family income is growing as well, as we know, but we have slipped over the past decade from about half way in the ranking in the country to the bottom third and we are drifting lower now. Clearly, we have a lot of work to do to provide opportunity for the students coming out of our schools. It is no secret to anybody here that while parts of the state enjoy bright prosperity, there are others in the North, East and West, the areas I choose to call greater Maine, where there is anxiety about the future.

It seems to me that the University and to an extent all of us in this room must address three questions if we are going to forge a brighter future. I will organize these comments around these three questions. The first, for me, is the most critical: What is the University doing, itself, to assure access to affordable, high quality education for the citizens of this state? Question one, access.

The second: What is the University doing to prepare the people of Maine for the careers of today and tomorrow and to work directly with businesses and other employers to support the economy generally? Question two, the economy.

And the third one. What insights can I offer to you in all humility as you face tough choices among worthy bills that hold promise of helping our citizens receive the education they need and the opportunities they seek. The third part will be those recommendations.

First, accessible affordable education. The University of Maine System along with our educational partners, the Technical Colleges and Maine Maritime Academy, have launched initiatives to make it more possible for Maine people, whatever their station in life and whatever their income to have the opportunity for a higher education.

On the affordability side, we have been able to halt tuition increases so they do not go beyond the level of inflation. That, frankly, is thanks to a bill you passed last session. For many Maine families, the costs are still too high. We want to make sure that capable high school kids can move quickly on to college when they are ready to do so.

Again, and again in partnership with the technical colleges and the Maritime Academy and the Department of Education, we are now implementing a jump start program so that talented students can get an early taste of a college experience or university experience. The idea is that qualified High school juniors and seniors can enroll in up to two college courses per

semester, at half the usual cost. And Representative Brennan is sponsoring legislation being heard by the Education Committee that would allow those students to recover that half of the cost to attend tuition free.

We are also working with our friends at the Technical Colleges to expand community college services in Maine in order to reach more students. By cooperating in this effort, by working together, we avoid duplication and we achieve some efficiency, but even more important we open new avenues for students who aren't ready to commit to a four year degree, but want to move forward with their education.

In order for these partnerships that I have been talking about to really work, we have to also make sure that the transfer of credit system works as well. In the past year, we have created about 80 transfer agreements, so that a student coming out of one program and going into another knows exactly what is going to go forward with them. To give students better information for the choices they make, we are creating a Transfer Web-site. So that with the click of a mouse, students can determine how courses will transfer within the University of Maine System and if they can't get the answers they need off the web-site, we have instituted an 800 number that students, parents, counselors or anybody who is interested can call. That number is on the little card, as a matter of fact, that has been distributed to you this morning. Talk to a person and get straight forward information and even advocacy if they need it. To tell you the truth, there will always be some disagreement if a course should transfer or not. That is a reality. These steps, it seems to me, to a long, long way in achieving the commonsense goal of giving students prompt information when they need it and guaranteeing that they get credit whenever credit is due.

Much of the work I have been talking about will help students who walk across the graduation stage in June to begin their college studies in September. Once again, what about those that don't go on right away, the high number of Mainers, like Karen, the young woman I mentioned earlier, who missed their first chance? Charlie Lyons, the President of the University of Maine at Fort Kent, has a good answer. Charlie was giving a presentation to a group of women who just completed their GED, their equivalency diploma from high school. It struck him that it was particularly unfortunate that these talented women had not moved on earlier. As a result of that insight, Fort Kent has opened up an outreach office in a popular off campus shopping area. It focuses on the need of older than average students providing them with information on financial aid, what courses to choose and what their career paths might be. This is one example among many that is particularly important in a system where about half of the students are older than traditional age for college.

Now, there are some people who say you can't serve more students without having quality take a back seat. I don't believe it. All the indicators I have seen shown that the public universities in Maine are stronger than ever.

Did you know, for example, that *U.S. News & World Report* found the University of Maine at Farmington as one of the Northeast's top public liberal arts colleges. Our wonderful President never misses an opportunity and that is music to her ears and to mine too. That same magazine found that the faculty of the University of Southern Maine deserved high marks for their solid new graduate programs, particularly Applied Immunology and the education program at Southern Maine was recognized as one of the best in the country. According to The Gourman Report, not an academic report, but a separate private organization, the Forestry Program at the University of Maine was ranked one of the five best in the country, beating out,

among others, Berkeley and Yale Universities. Chemical engineering there continues to be recognized as an exemplary program for the pulp and paper industry. As these outside evaluations suggest, in Maine we can educate more students and provide them with a first rate experience they deserve.

When it comes to nurturing aspirations and encouraging kids about going on to college, we have learned that you can't start too early. Frequently in the junior or senior year in high school, the decisions have already been made. This is one reason why our universities are so intensely involved with learning at an early age. For example, the University of Maine at Augusta is working with the Maine Commission for Community Service to provide 20,000 more Maine youngsters with access to important services like mentoring and safe, structured after school activities. The University of Maine at Presque Isle has a similar mentoring program, that links up successful college kids with younger students as they talk about their lives and plans. The University of Maine at Machias, under the leadership of Paul Norstrom, in partnership with Washington County, is raising funds privately to build a Center for Lifelong Learning that will link the campus and the community, initially, through a public swimming pool, and eventually through a daycare center and a conference center and other services.

These are just, again, a few examples of attempts to break down the barriers to assure that more Maine people, young and old, become familiar with and can enjoy the benefits of their universities.

The second question: What are we doing to strengthen the economy?

Economic development is a popular term. One that punctuates many conversations in these halls, but what does it really mean in terms of the daily lives of the people we know and love? Certainly it means more and better jobs, job opportunities, greater chances of increasing family income, but I think it goes beyond that. More people will have satisfying personal and professional lives. They collectively will be able to invest in better roads, health care, schools, and that more and more of our rural communities, in particular, will have the staying power to prosper from one generation to the next. This is a fitting work, it seems to me, for a public university system.

You know, I am still learning a lot about the State of Maine or maybe I should say the economies of the state as I travel across the state. I've read with interest and participated in the good work of Representative Marc Vigue's committee on improving the economy across the state. I've listened intently as USM Professor Charlie Colgan has told us about how Maine stacks up compared to other states in our country.

It seems to me though that as we work toward the Governor's vision of OneMaine, we need to recognize that different parts of the state require development solutions, different initiatives in keeping with their resources, locations and even the culture of the people. For example, in the fast growing parts of Maine, often in the south, we need to make sure that Maine people are prepared for the newly created jobs and the expanding job base in those markets. Jobs that require both sophisticated technical knowledge and interpersonal human skills such as working in communication and working in teams.

Where the economy is sluggish, the love of the land is great, it seems to me. The focus should be more on helping those wrest a living from the forest, the farm and the sea to make a better living at what they do now. And at the same time, to support new employment and new businesses using high technology, telecommuting where that makes sense and where it is possible. In other words, we need to support a kind of dual strategy, supporting both on the traditional mainstays of the state

on its community and its economy, and on the emerging or sunrise industries.

To be competitive, we need to capitalize on high tech opportunities and to convert innovation and university based research into production to bring new ideas, if you will, into the market place. The bipartisan Joint Select Committee on Research and Development, chaired by Senator Mary Cathcart and Senator Rick Bennett, has recognized this critical need. This legislative committee spent months and countless meetings looking at ways that university research and research in other agencies as well as private enterprise can enter the marketplace more quickly and effectively. They are recommending a \$30 million investment in R & D. They see R & D as a successful economic development tool.

What we are talking about here is not Silicon Valley, but to my way of thinking, it's more important to the people of Maine. It's the Regional Clam Association, a community-based group that with the help of research has opened up 2,000 more acres of clam flats for harvesting. It's blueberry growers realizing the economic benefits of research to expand the industry by \$38 million a year. It's developing new potato and apple varieties which are robust and disease resistant.

Our researchers have shown that they can bring quick positive results to the state. Last year you provided us with \$500,000 for R & D. The faculty at the University of Maine used part of that to match federal grants. Since that time, they brought in over two and one-half million new dollars using that \$500,000 as match, which is spent right here in Maine on equipment, supplies and new jobs.

Research creates jobs for students after they graduate, but it also enriches their educational experience while they are in school. Some of you have listened to and visited with the young man named Josh Caron. Josh is from Quimby. How many here know where Quimby is? Very good. Josh describes it as a suburb of Eagle Lake. He attended the University of Maine as an undergraduate student, a graduate student, and now as a Ph.D. candidate there. While he was helping to conduct research, a spin off company was created to take that research and market it. It now has 26 employees, Josh is one of them, and it is called Sensor Research and Development. It creates chemical sensors for the industry, the NASA space program as well as government projects. It is university based R & D, through that Josh was able to find a great job in his home state. And this company continues to hire our graduates as quickly as they move across that graduation stage.

Well, what must we do now so that future students, in addition to Josh, find the good jobs in Maine, like that young man I met at the foot of Mt. Katahdin and the young woman working in the fast food restaurant. I hope that you'll join me in supporting the work of this bi-partisan Joint Select Committee to help strengthen job opportunities in Maine in R & D.

In addition, to help more Maine people qualify for new careers, the University of Maine System is establishing an Advanced Technology Education Center. This center will work with Maine businesses to make sure that current and perspective employees have what they need to work in technology intensive industries in Maine. It will be a partnership with the University of Maine, the University of Southern Maine, Southern Maine Technical College, and high technology enterprises, such as Fairchild, National Semiconductor, IDEXX, Maine Medical Center, and many others large and small.

I mentioned earlier that, in my view, different parts of Maine require different kinds of initiatives to stimulate the economy. Our Greater Maine Initiative, which the Governor referred to in his State of the State address, will use the resources of our

Universities to promote economic development of Eastern, Western, and Northern parts of Maine. This will be a public/private partnership that responds to the needs of Maine's entrepreneurs, like Rick Murray with his wood products company in North Anson, Al Negri with his high-tech electronics operation in Houlton, Nancy Rayes with that delicious Rayes Mustard in Eastport and Keith Baum with his high-tech bicycle manufacturing shop in Van Buren.

Also, as part of this initiative, I am proposing the creation of a task force that will focus university resources on the agricultural industry in the state. It is no news to anybody in this room that agriculture is the backbone of the economy, a product approaching \$2 billion a year. This task force will have a straight forward goal to work with all segments of the agricultural community to identify needs and opportunities to apply university resources to address those and, if necessary, to refocus those resources so that we can be more effective in serving that community. I hope the task force will provide a report back to me and to the trustees by May 15.

Now the third key question: What legislative initiatives, some of the choices in front of you in the next few weeks that will help strengthen educational opportunities and build a strong economy?

You face tough choices and I think you also have great opportunities. The University would like to be a partner with you in moving the state forward educationally and economically.

Let me mention several bills that I hope you will consider carefully and weigh the pros and cons and analyze as you always do and then support in one important version or another. I have already mentioned and I highly endorse Representative Brennan's bill, LD 2044. It would help those talented high school students move on quickly and begin their college or university experience. I have already mentioned the work of the Joint Select Committee on Research and Development. The recommendations of that group appear in LD 2200 that would provide operating funds for research and LD 2205 that would authorize a bond to support the capital needs of research for the economy. State's with the strongest economies are investing in research to stay that way. We can catch up, I think, if we do the same.

There are other bills which focus on affordability and access. Representative Baker, for example, in LD 2061, would create a matching program that brings together public monies with private donations to create an endowment program that would take one time money now to help students far into the future. A very good idea. Several Legislators have proposed bills which will help parents and others save for their children's education. Senator Murray and Senator Pendleton, as well as Representative Kontos and Speaker Mitchell have each proposed programs that will encourage savings in the present so that parents can afford education down the road in the future.

I believe all of this proposed legislation is impressive and important. Many of these bills will use the resources of the Finance Authority of Maine to administer this work in a fair and equitable way. Allow me, at this point, to mention one additional idea. Wouldn't it be great, wouldn't it be wonderful, if parents and high school seniors in most families in the state were assured that they would receive a scholarship for their first year's tuition in public college or university. This is not a give-away. Students and families would have to meet the other costs to meet. They would still have to qualify for admissions. They would still have to keep their grades up. But wouldn't it be wonderful if the tuition costs of that thirteenth year, if you will, were covered. Certainly that would be a dramatic statement to the people of Maine that we have heard and listened to their

expressions of need, to have their children receive additional education and be better positioned for the economy of the future. I believe the Speaker will have more to say on this topic in the very, very near future.

In summary, you know that I have emphasized careers and the importance of science and technology and research in providing greater opportunities. You know an education would be incomplete if we focused just on what you are going to do and not how you are going to be as a human being. In these closing comments I would like to share a couple of ideas passed on to me by a faculty member at Fort Kent, Wendy Kindred. Her words are these. "The most challenging and critical issues facing the nation and the world today -- issues such a hunger and homelessness, economic and political exploitation, racism and bigotry, environmental distress, epidemic disease and warfare cannot begin to be understood or addressed by technology alone or by people who have a narrow education. Technology is a tool, but it is just a tool. It is no substitute for the thinking mind that employs it to solve human problems. Minds must be cultivated and developed to their maximum potential for the good of all of us in the future. In the end, we human beings still have to figure out how to deal with each other and work together."

By working together, I believe we can help Maine students of all ages achieve a worthwhile education, pursue a meaningful career and become responsible citizens in the local and global community. I thank you very much for the opportunity to share these ideas.

The Chair recognized in the House Gallery, William Warren, V. P. of the Southern Maine Technical College in South Portland; Barbara Woodlee, Pres. of the Kennebec Valley Technical College in Fairfield; Durward Huffman, Pres. of the Northern Maine Technical College in Presque Isle; Joyce Hedlund, Pres. of the Eastern Maine Technical College in Bangor; Darrel Staat, Pres. of the York County Technical College in Wells; Richard Lee, Vice Pres. of the Central Maine Technical College in Auburn; William Falhiv, Acting Pres. 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, William Cohen, Bridget Healy and John Turner.

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

President of the Maine Technical College System, John Fitzsimmons, then addressed the Convention.

President Lawrence, Speaker Mitchell, 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. It is an honor that I and members of the Technical College community do not take lightly. We deeply appreciate this opportunity.

I would like to begin by acknowledging my colleague, Chancellor Terry MacTaggart, and expressing my appreciation for his support and collegiality as well as Commissioner Albanese, and President Tyler of Maine Maritime Academy. Over the course of the past year, we have moved to a new level of support and collaboration of each other. I know they share my

belief that if Maine's public education system is to be strong, it must be strong at all levels of the educational continuum.

It was eight years ago this month that I joined the Maine Technical College System. For me personally, it has been a deeply rewarding journey. For me the Technical College System is more than just a place to work. It is a family with a shared purpose and commitment, united in a common belief that each student has a unique set of talents and attributes to benefit Maine. And indeed they do benefit Maine.

Our graduates build our bridges, care for us in our hospitals, cook in our inns and restaurants, patrol our highways and roads, and repair our cars and computers. They touch every aspect of Maine life in every corner of our state. Not only do they help keep Maine running, but they help keep Mainers safe. In fact, during the recent ice storm I was proud to learn that over 300 of the workers from Central Maine Power and Bangor Hydro are graduates of the Technical Colleges. To me our students epitomize the best of Maine. I am honored to represent and serve them.

It has also been a privilege to work with a group of employees who are so dedicated and committed to their profession. They give more than we ever have a right to expect. During the recession, when they could have hidden behind our budget challenges, they kept focused on what needed to be done, and pushed themselves to do more with less.

Thanks to our employees, we have increased enrollment by 32 percent since 1990; ...achieved a 92 percent graduate placement rate -- either in jobs or continuing on to a baccalaureate program; ...developed 33 new programs since 1995, to keep pace with Maine's changing economy; ...put our customized training to work to attract new jobs to Maine through our Quality Centers program; ...built new and stronger ties with Maine high schools through Tech Prep and Maine Career Advantage. We are now helping 30,000 Maine high school students those not traditionally bound for college prepare for higher education and work; ...aggressively developed articulation agreements with 4-year institutions to move closer to our goal of a truly seamless path to higher learning; ...and more than doubled our annual private sector fund raising. In fact, York County Technical College is setting a new benchmark for giving to a technical college; to date they've raised \$1.4 million from local employers.

But what I'm most proud of is that we've achieved these accomplishments without losing focus on our number one priority -- our students. We not only say that students are at the heart of everything we do, we practice it.

I want to talk to you this morning about Winslow, Millinocket, Oakland, Waterville and Wilton. Within the last year, each of these towns and others has felt the hard reality of an economy in transition. With each new announcement we have watched our neighbors struggle, first with the shock over the news, and then with the fear about their futures. Each is yet another reminder of how Mainers are living on the economic edge. What Maine is experiencing is the reality of global competition coming right into our hometowns.

If we have learned anything from these dislocations it's how vulnerable our economy is, and most importantly, how vulnerable Maine people are.

Part of the answer to reducing our vulnerability lies in the education levels of our workforce. Research has shown that regions with a more highly-educated workforce bounce back from economic downturns more quickly. And individuals with higher education are able to recover more quickly because they have options. When the plant closing or downsizing comes and

they will come we need to have options, both for the region and for the individuals.

In addition to being less vulnerable, we want to attract and retain high wage jobs. And as we all know there's a direct correlation between jobs that pay well and education levels. A Maine resident with an associate degree can expect to earn 25 percent more than a counterpart with only a high school diploma. And those with a baccalaureate degree can expect to earn at least fifty percent more. That is why all across this nation policy makers are aggressively making bold moves to position their states for the 21st century. They are making strategic investments in higher education to make sure their citizens are equipped for the new economy, and their states have the edge in the race to attract high-skill, high-wage jobs.

-- Like Georgia's Hope Scholarship, where any student who achieves a B average receives free tuition at a public college or university.

-- In Maryland, where they're considering a proposal to offer free tuition to students who pursue careers in information technology.

-- In Massachusetts, where they're discussing making the first two years of college tuition-free.

-- In California, where they increased their community college budget by fifty percent in order to assure access to higher education.

-- And along with California, Nevada, Florida, Louisiana, Oklahoma, all of which increased their higher education budgets by more than twenty percent to make sure their higher education systems are equipped to give their people the tools to compete.

There is a national consensus emerging that if America is to compete in the 21st century, we need to make a college degree as universal as a high school diploma. And we have to make higher education a central part of our economic development strategy.

But when we hold up a mirror to our state -- as I think we have a responsibility to do -- and compare Maine to our counterparts across the country, we should be deeply concerned.

-- While Maine ranks among the top in high school completion, we're close to bottom -- 47th in the nation -- in the percent of the population enrolled in higher education.

-- From 1985 to 1995, enrollment in higher education in Maine grew by eight percent. Across the nation, it grew by 21 percent.

-- To achieve the New England average in associate degree attainment, Maine would have to grant 53,000 more associate degrees.

-- In the current biennium, 35 states across the U.S. increased their higher education budgets greater than the rate of inflation -- an average of 12 percent nationwide. Maine came in 41st.

It is time for Maine to face the public policy decisions that will position our state for the 21st century. If we don't, Maine's economy will struggle and Maine people will lose.

I would like to outline four public policy issues that I believe need to be addressed if Maine is to position its people for the new economy:

First, we need to ensure that Maine people can afford higher education. Recent studies have shown that finances are the number one deterrent to enrolling in college. Between our three public higher education systems our students today have a total unmet financial need of over \$50 million. To finance their education, more and more Mainers are assuming larger debts. In fact, the average debt load for Maine college students has increased from \$9,000 to \$21,000 in the last ten years. I am very

pleased that later this morning we'll be hearing about Speaker Mitchell's bold initiative to bring a college degree within reach of more Mainers. I'm thrilled that this issue is being met head on.

Second, we need to ensure that Maine has a low-cost, open-access entry point to higher education. Today, 47 percent of all undergraduate students in the U.S. start in a community college. In fact, Maine is one of only a handful of states without a low-cost, statewide community college system. Across the nation, community colleges are providing an open door to higher education for those who either can't afford a more costly option, are under-prepared and in need of more academic support, or need to start their college experience in an environment responsive to their individual needs.

I am not advocating that Maine develop a new, third system of higher education. Maine can't afford it, nor is it necessary. With 15 public higher education institutions, the answer can be found within our existing infrastructures. I am very pleased that Chancellor MacTaggart and the University of Maine System have joined us at the Technical College System to form a joint task force to examine options within our two systems.

Third, as we send stronger messages to Maine people of the importance of going to college, we must make sure our public institutions have the capacity to serve them.

As Maine finds ways to engage the fifty percent of high school students who are not now going on to college, many will look to the Technical Colleges because of our low cost and our mission of connecting education to jobs. Additionally, our colleges are seeing an influx of adults circling back to college to find their place in Maine's economy. Today, we receive two applications for every student we enroll, and we expect applications to triple within the next five years. Three legislative commissions have recommended that the capacity of the Technical Colleges be doubled to 10,000 students. As we encourage Maine people to the doors of higher education, let's make sure those doors are open.

Fourth, in our race to attract and nurture new high-tech industries, we must make sure our educational institutions are producing enough graduates to support those industries.

As part of our economic development strategy, Maine has identified key, high-growth industries we want to attract and support -- information technology, biotechnology, environmental services, and others. However, Maine is not producing the number of people needed to support these growth industries. As long as the pipeline to those jobs remains too small, it won't be Maine people who benefit from these opportunities. These are knowledge-based industries, and while we may be able to attract them, we run the risk of losing those jobs to other states if we can't support their workforce needs over the long-term.

For those of us in public higher education -- and you as Maine's public policy leaders -- it is time to hit these public policy issues head on. Very simply, Maine has a choice. Do we want to be among the best or among the rest? Do we want to lead or do we want to follow?

It's time to build a strategic vision for higher education in Maine, and to build it collaboratively to assure that we maximize Maine's limited resources, harness the strengths that exist within our systems, and create a shared ownership over its success.

I am pleased that Governor King, in his State of the State Address, said he wants to be a champion for higher education. We need Governor King and the champions in this chamber to help us bring the promise of a college degree to more Maine people.

I believe in the talent of the faculty, staff, and administrators at our seven Technical Colleges, as well as those at the

University of Maine System and Maine Maritime Academy. They can stand toe to toe with the best educators in America.

I believe in Maine people that they have the innate intelligence and drive to compete with anyone in the world.

I believe that with your leadership we can work together to make sure that higher education is not just for the few, but for the many.

College for our parents was a luxury. For us, it was an opportunity. And for our children, it is a necessity.

We owe today's men and women -- and the generations that follow -- a fighting chance to compete. Let's give them that chance.

Thank you very much.

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

ENACTORS

Emergency Measure

An Act to Restore the Managing General Agents Act

(H.P. 1458) (L.D. 2049)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 121 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act to Provide Health Insurance Coverage for Prostate Cancer Screening

(S.P. 320) (L.D. 1060)

(S. "A" S-452)

An Act to Amend the Election Laws

(S.P. 686) (L.D. 1917)

(C. "A" S-451)

An Act to Clarify the Authority of the Chief of the Bureau of Liquor Enforcement to Conduct Appeal Hearings

(S.P. 750) (L.D. 2028)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

On motion of Representative POVICH of Ellsworth, the House adjourned at 10:40 a.m., until 3:00 p.m., Thursday, February 19, 1998 in honor and lasting tribute to Jack Smith, of Ellsworth and Evelyn L. Trotzky, of Bangor.