

MAINE STATE LEGISLATURE

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Legislative Record
House of Representatives
One Hundred and Twenty-Sixth Legislature
State of Maine

Daily Edition

Second Regular Session

beginning January 8, 2014

beginning page H-1301

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
SECOND REGULAR SESSION
7th Legislative Day
Tuesday, January 28, 2014

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

Prayer by Reverend James King, Church of the Holy Spirit, Portland.

National Anthem by Skowhegan Middle School Chorus.

Pledge of Allegiance.

Doctor of the day, Amanda Brownell, M.D., Scarborough.

The Journal of Thursday, January 23, 2014 was read and approved.

COMMUNICATIONS

The Following Communication: (H.C. 322)

SENATOR GEORGE J. MITCHELL

January 14, 2014

Honorable Justin L. Alford

President of the Senate

Honorable Mark W. Eves

Speaker of the House

State House

Augusta, Maine 04333

Dear Mr. Speaker and Mr. President:

I am pleased to accept your kind invitation to address a Joint Convention of the Maine Legislature on Tuesday, January 28, 2014 at 11:00 a.m.

I'm grateful for your offer and look forward to seeing you then.

With warm regards,

S/George J. Mitchell

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 323)

MIDCOAST REGIONAL REDEVELOPMENT AUTHORITY

2 PEGASUS STREET

BRUNSWICK, MAINE 04011

January 20, 2014

Honorable Justin L. Alford

President of the Senate

3 State House Station

Augusta, Maine 04333

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Subject: Government Accountability Report (5 MRSA §12023)

Dear Mr. President and Mr. Speaker:

In compliance with the requirements of the Government Accountability and Oversight Law for quasi-independent State entities (5 MRSA §12023), I am submitting this report on behalf of the Board of Trustees of the Midcoast Regional Redevelopment Authority (MRRA).

MRRA was created in 2006 by the Maine Legislature (5 MRSA §13083-G) as a municipal corporation charged with the responsibility to implement the reuse master plans for Naval Air Station Brunswick (NAS Brunswick) and the Topsham Annex, which closed as a result of the 2005 Base Realignment and Closure (BRAC) process. The Authority is entrusted with the acquisition and management of properties within the geographic boundaries of NAS Brunswick. The enabling statute creating MRRA established very detailed description of its powers and

duties. The MRRA Board held its first meeting on September 27, 2007 when the newly appointed Board of Trustees called to order its first meeting and hired Steven H. Levesque as its new Executive Director. Operations began on January 1, 2008.

In compliance with the Government Accountability Act please find below our responses to the statutorily required questions:

A. A list of all procurements exceeding \$10,000 in the preceding year for which competitive procurement was waived under the policies adopted pursuant to section 12022, subsection 3, including procurements exceeding \$10,000 that were made under contracts previously entered into for which competitive procurement was not required. The list must include the names of the vendors and costs associated with those procurements;

The Midcoast Regional Redevelopment Authority did not procure any goods or services that exceeded \$10,000 without first having solicited competitive bids during calendar year 2013 with the exception of a Memorandum of Agreement (MOA) with the Brunswick Sewer District to conduct spot repairs to the sanitary sewer collection system at Brunswick Landing. During calendar year 2013, MRRA engaged the District with three projects totaling \$48,476 for sewer repairs. This MOA allows MRRA to have repairs made at below market rates and also allows the District to learn more about our sanitary sewer system, which one day they will take over.

B. A list of all persons to which the entity made contributions greater than \$1,000 in the preceding year and the total amount contributed to each; and

MRRA made a donation of \$5,000 to the Maine Aviation Business Association on December 2, 2013 as one of the founding members. The purpose of the Association is to promote Maine airports as vital economic engines for the State and their host communities; foster the growth of aviation related businesses throughout the state of Maine; showcase Maine's aviation assets to the global community; utilize the state's airport system to create and enhance business opportunities on and off airports; and to educate the general public about the important role of aviation to Maine's economy.

MRRA donated .94 acres of land contiguous to Saint John's Cemetery to the Roman Catholic Bishop of Portland on October 10, 2013 to allow expansion of the cemetery on land that was previously taken by the federal government.

C. A description of changes made in the preceding year to the written policies and procedures required by section 12022 or to the procedures used by the governing body to monitor compliance with those policies and procedures.

The Board of Trustees did not change or amend the Accounting Policies and Procedures Manual or the Purchasing Policy during calendar year 2013.

I would also note that on January 6, 2014 MRRA submitted a thirteen page detailed narrative and financial report on the activities of MRRA for calendar year 2013 to Governor Paul LePage consistent with the requirements of 5 MRSA §13083-S.

Sincerely,

S/Steven H. Levesque

Executive Director

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 324)
**MAINE MUNICIPAL AND RURAL ELECTRIFICATION
 COOPERATIVE AGENCY**

January 21, 2014
 Honorable Justin L. Alfond
 President of the Senate
 3 State House Station
 Augusta, Maine 04333
 Honorable Mark W. Eves
 Speaker of the House
 2 State House Station
 Augusta, Maine 04333

Re: Quasi-Independent State Entity Report of
 Maine Municipal and Rural Electrification Cooperative Agency
 Dear President Alfond and Speaker Eves:

DIRIGO, the Association of the state consumer and member owned utilities, formed the Maine Municipal and Rural Electrification Cooperative Agency (MMRECA) as a vehicle for promoting joint action among the state's eight consumer owned utilities. The officers of DIRIGO serve as the officers of MMRECA. The members of DIRIGO participating in MMRECA activities fund all costs of those activities. MMRECA receives no State funding. DIRIGO sees an inherent value in maintaining MMRECA even though it has not been active in the past years. The electric utility "business" was historically stagnant, but with the ever continuing changes that have taken place and that are likely to occur in the future, DIRIGO believes it needs all of the mechanisms available to it to meet any new challenges and be able to provide the best possible service to our consumer owners and members.

In compliance with 5 M.R.S.A. §12023 MMRECA provides the following response. The MMRECA did not adopt policies regarding vendor selection, contributions, and travel, meals and entertainment. MMRECA commits that it will put in place such policies prior to engaging in associated activities. MMRECA has not retained a lobbyist.

If you have any questions please do not hesitate to contact the undersigned.

Sincerely,
 S/Scott M. Hallowell
 MMRECA

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 319)
**STATE OF MAINE
 CLERK'S OFFICE
 2 STATE HOUSE STATION
 AUGUSTA, MAINE 04333-0002**

January 28, 2014
 Honorable Mark W. Eves
 Speaker of the House
 2 State House Station
 Augusta, Maine 04333

Dear Speaker Eves:
 Pursuant to Joint Rule 310, the following Joint Standing Committees have voted unanimously to report the following bills out "Ought Not to Pass:"

- Appropriations and Financial Affairs
 L.D. 137 An Act To Amend the Laws Governing Retirement under the Maine Public Employees Retirement System (EMERGENCY)
 L.D. 186 An Act To Amend the Laws Governing Disability Retirement Determinations by the Maine Public Employees Retirement System

- L.D. 1142 An Act Regarding Correctional Officers' Retirement
 L.D. 1395 An Act Regarding the Cost-of-living Adjustment for Certain State Retirees When the Cost of Living Declines
 L.D. 1473 An Act To Create a Public Option Pension System
 L.D. 1514 An Act To Reform the Maine Public Employees Retirement System (EMERGENCY)
 Education and Cultural Affairs
 L.D. 1330 An Act To Establish in Law a Method for Alternative Certification of Teachers
 Energy, Utilities and Technology
 L.D. 196 An Act Regarding the Implementation of the Quality Assurance Program for Public Safety Answering Points
 L.D. 275 Resolve, To Require the Emergency Services Communication Bureau To Expand the Existing Quality Assurance System
 L.D. 796 Resolve, To Enhance Economic Development by Encouraging Businesses Adjacent to Electric Power Generators To Obtain Power Directly
 L.D. 950 An Act To Establish the Electromagnetic Field Safety Act
 Environment and Natural Resources
 L.D. 331 Resolve, To Expand Economic Development in the Town of Orrington by Releasing Certain Riverfront Land from State-imposed Environmental Restrictions
 Health and Human Services
 L.D. 535 An Act To Promote Greater Flexibility in the Provision of Long-term Care Services
 L.D. 968 An Act To Provide Needed Psychiatric Hospitalization for Persons with Mental Illness
 L.D. 1047 Resolve, To Provide a Better Transition for Foster Children to Independent Adulthood
 Insurance and Financial Services
 L.D. 1037 An Act To Provide Access to Affordable Health Care for All Maine Residents by 2020
 Transportation
 L.D. 108 An Act To Rename Big Moose Mountain as Red Eagle Mountain
 L.D. 120 An Act To Facilitate Regional Transit
 L.D. 566 Resolve, To Enhance and Encourage Economic Development of the Lower Penobscot River Basin by Improving Rail Transportation
 The sponsors and cosponsors have been notified of the Committee's action.

Sincerely,
 S/Millicent M. MacFarland
 Clerk of House

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 320)

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

January 28, 2014
Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333
Dear Speaker Eves:

Pursuant to Joint Rule 310, the Committee on Health and Human Services has approved the request by the sponsor, Representative Farnsworth of Portland, to report the following "Leave to Withdraw":

L.D. 1595 An Act To Preserve Access to Nursing Home Care by Correcting Chronic Shortfalls in MaineCare Reimbursement (EMERGENCY)

Sincerely,
S/Millicent M. MacFarland
Clerk of the House

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 321)

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

January 28, 2013
Honorable Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, Maine 04333
Dear Clerk MacFarland:

Please be advised that pursuant to his authority, Governor Paul R. LePage has nominated the following:

On January 22, 2014

Alyssa M. Wardwell of Limerick for appointment as a student member of the State Board of Education.

Pursuant to Title 20-A, MRSA, §401, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

On January 23, 2014

Robert D. Somerville of Spring, Texas for reappointment to the Board of Trustees, Maine Maritime Academy.

Pursuant to P&SL 1975, Chapter 771, §428, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Diane M. St. Lawrence of New Portland

Joan P. Toy of Bath and

Jason R. White of Rockland for reappointment to the School Board of the Governor Baxter School for the Deaf.

Pursuant to Title 20-A, MRSA §7406, these reappointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Frederick M. Woodman, Jr. of Lincoln for reappointment to the Board of Trustees, Maine School of Science and Mathematics.

Pursuant to Title 20-A, MRSA, §8204, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,
S/Mark W. Eves
Speaker of the House

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 326)

**MAINE EDUCATIONAL LOAN AUTHORITY
131 PRESUMPCOT STREET
PORTLAND, MAINE 04103**

January 24, 2014
Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333
Dear Speaker Eves:

Pursuant to 5 MRSA, chapter 379, subchapter 3, §12023, enclosed is the Maine Educational Loan Authority's (MELA) annual report to the Legislature required by Public Law 2011, chapter 616: An Act to Implement the Recommendations of the Office of Program Evaluation and Government Accountability and the Government Oversight Committee Regarding Quasi-Independent State Entities. MELA's annual report is for the period of January 1, 2013 through December 31, 2013, and includes the required information related to procurements, contributions, and written policies and procedures.

If you have any questions or need additional information, please contact me at 729-5897 or via e-mail at jchris203@gmail.com.

Sincerely,
S/John C. Atkinson, Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 327)

**LORING COMMERCE CENTRE
LORING DEVELOPMENT AUTHORITY OF MAINE
154 DEVELOPMENT DRIVE
LIMESTONE, MAINE 04750**

January 23, 2014
Honorable Justin L. Alford
President of the Senate
3 State House Station
Augusta, Maine 04333
Honorable Mark W. Eves
Speaker of the House

2 State House Station
Augusta, Maine 04333
Re:5 MRSA Section 12023

Quasi-independent entity report

Dear President Alford and Speaker Eves:

Please find enclosed the 2014 report of the Loring Development Authority of Maine (LDA), a quasi-independent state entity, as required by 5 MRSA Section 12023. We understand that by February 1, 2014 and annually thereafter, LDA must submit a report to the State of Maine Legislature as outlined in 5 MRSA Section 12023.2.

Please don't hesitate to contact me with any questions.

Very truly yours,
S/Carl W. Flora

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 325)

TOWN OF PITTSFIELD

RESOLUTION ON MUNICIPAL REVENUE SHARING

Be It Resolved by the Pittsfield Town Council:

Whereas, the Pittsfield Town Council is deeply concerned and wishes to express its opposition to the continual depletion of the Municipal Revenue Sharing Program that had been guaranteed under the State of Maine law as a source of funding for municipalities. It is understood that monthly payments to towns will change during the years due to the funds collected under the law. It is not understood as to why the funds are being taken from the Towns and used by the Legislature to balance first the State FY 2014 budget and now the FY 2015 budget. These funds were designated for the municipalities so that there would be alternative revenues to that of the property tax. The diversion of Municipal Revenue Sharing is resulting in an alarming shift of costs to the Property tax and to the Property Taxpayer across the State of Maine.

Whereas, for FY 2015, the estimated \$146 million dollars in municipal revenue sharing distribution called for in the law was reduced to just \$60 million dollars with the remaining \$86 million dollars of Municipal Revenue Sharing diverted to support the State budget.

Whereas, the budget directed that a special "Tax Expenditure Review Task Force" recommend \$40 million dollars worth of tax exemptions for elimination, resulting in putting up an additional \$40 million of Municipal Revenue Sharing cuts as collateral if the Tax Force effort did not work. As we have recently heard, the Tax Force effort did not result in any recommendations due to a variety of reasons including confusion over the many tax exemptions currently allowed under the law, the details of those exemptions and the time period allowed for the review.

Whereas, if \$40 million more dollars are taken from the Municipal Revenue Sharing account, this program will effectively be close to termination and certainly not remotely within the spirit of the law that created the program.

Whereas, in 2009, the Town of Pittsfield's Municipal Revenue Sharing was at a level of \$452,832 which represented 28% of the Town's municipal revenue collections. Municipal Revenue Sharing has been utilized to decrease the amount of property taxes collected and to fund necessary town programs.

Whereas, in FY 2015, if the Legislature does not act to save the Municipal Revenue Sharing program and the distribution becomes \$20 million, the Town will receive an estimated \$69,082 rather than \$376,713 provided for in FY 2013 before the shift of Municipal Revenue Sharing from the municipalities to the State.

Whereas, to not increase taxes on citizens, especially our senior citizens, the Town has taken many actions to deal with the loss of Municipal Revenue Sharing during 2013 and 2014 as follows: the Town ceased implementation of its paving plan resulting in roads which requiring work to not receive pavement or reconstruction; reduced capital expenditures for infrastructure; suspended energy retrofits; deleted tree planting and many landscaping projects; delayed downtown improvements; deleted planned purchases; and reduced funding appropriations for several services. The effects have already been felt and it is becoming very difficult to fund municipal services.

Whereas, for the last decade, the Town has made a concentrated and comprehensive effort to reduce its expenditures in an effort to reduce property taxes for municipal expenditures. With the loss of additional funds, the Town will not be able to reduce any more programs without significant burden on our citizens and remaining staff or an increase in property taxes which will also burden our taxpayers.

Whereas, to replace this loss of Municipal Revenue Sharing through property taxation, the Town's tax rate would need to be increased by an estimated \$1.50 mills without including the impact of SAD#53's assessment and before considering any needs of the community in its budget;

Now, therefore, be It Resolved by the Pittsfield Town Council to request that the State Legislature re-instate the Municipal State Revenue Sharing Program to the original requirements of the law and not take any funds from the program.

IN THE TOWN COUNCIL, January 21, 2014, Read and Adopted.

S/Nicole Nickolan, Town Clerk

APPROVED, January 21, 2014

S/Gary R. Jordan, Jr., Mayor

S/Trudy A. Ferland, Councilor

S/Caleb K. Curtis, Councilor

S/Robert N. Stackhouse, Councilor

S/Heather J. Donahue, Councilor

READ and REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS.**

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

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "C" (H-589)** on Bill "An Act To Improve Access to Oral Health Care" (H.P. 870) (L.D. 1230)

Signed:

Senator:

PATRICK of Oxford

Representatives:

HERBIG of Belfast

CAMPBELL of Newfield

GILBERT of Jay

HAMANN of South Portland

MASON of Topsham

MASTRACCIO of Sanford

WINCHENBACH of Waldoboro

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senators:

CLEVELAND of Androscoggin

CUSHING of Penobscot

Representatives:

DUPREY of Hampden

LOCKMAN of Amherst

VOLK of Scarborough

READ.

Representative HERBIG of Belfast moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

The SPEAKER: The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, I will just call the body's attention to the fact that this is a bill that was essentially a carryover from last session. It's a bill that this body took a vote on on June 18, 2013, and while many

on our side have been criticized in the past for voting one day on one way and voting another day in another way, I would certainly recall and ask people to recall that vote of June 18 and ask that this particular bill is an important bill, in terms of its goal, which is a laudable goal, to try to increase access to dental care. I do believe that the State of Maine has taken procedures in advancement of this in terms of the bond package that was passed with the dental school at UNE is moving forward and I think will address that issue. I will not be supporting the bill and I ask you to follow my light. Mr. Speaker, I request a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority Ought to Pass as Amended Report.

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

The **SPEAKER**: The Chair recognizes the Representative from Scarborough, Representative Sirocki.

Representative **SIROCKI**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise today as a proud sponsor of the pending motion to establish a new profession in the State of Maine. The dental therapist, while new to some of us here in New England, is a profession that has existed around the globe for many years.

Our dental and medical shortages are growing and are of national and statewide concern. Maine's dentists are the oldest in the country; many are in their 70s and 80s still practicing and have, understandably, reduced their hours of operation. With a shortage of dentists, dental disease goes untreated and the cost of care rises. The old adage, "a stitch in time saves nine" holds true for dental care. Treating disease early saves time and money.

Dental therapists are designed to be team members, an adjunct to an already established office, not solo practitioners. They are not dentists. They are trained, examined, and board certified to perform a very limited scope of practice. As team members, they can help free up a dentist's schedule so that patients can be seen in a timelier manner, thereby increasing access to care. Dental therapists can also address the needs of currently underserved populations such as our elderly residing in nursing homes, children, and hard-working, but uninsured Mainers.

This proposal has been years in the making, as it should be. Proceeding in a thoughtful and careful manner when considering new health professions is prudent, and this is no exception. Fortunately, for us, we are not pioneers. More than 50 other countries and 2 other states already train and employ dental therapists. And more than 1,100 studies have proven that therapists are safe, profitable and effective additions to dental teams. The State of Minnesota has established a curriculum, as have other universities, and I have every confidence in the State of Maine's universities and licensing boards to collaboratively move forward in similar fashion. Some misinformation has caused some confusion regarding the details of this bill. It is important to note that the educational training takes place in a college setting, not in a dental office. In addition to the stringent post-graduate examination process, there is an additional direct supervision requirement, and a therapist may only work with a written collaborative agreement that is signed by both the supervising dentist and the therapist.

I would like to close by sincerely thanking the co-sponsors and supporters of this bill from both sides of this chamber's aisle for your steadfast support and input. Mid-level dental therapists have significant potential to help improve access to dental care for all of Maine's people. I was going to stop my floor speech at this point, but there is something more I would like to say. This

bill is where left meets right. This bill is not a Republican solution or a Democrat solution. This is an American solution. America is the Land of Opportunity. People. Hard-working, dedicated, earnest, caring people are standing by, ready to roll up their sleeves, commit themselves to additional training and give this new profession their all. People. People with dental disease, some of whom are in pain, sadly, are plentiful. The success of any new profession is not for us to decide, but based on evidence from other states and other countries, this initiative has the potential to be successful, both in terms of job creation and meeting the needs of those with dental disease. The proper role of government is not to stop the human desire to work productively. Properly, a government of laws not only allows, but encourages the Free Market to flourish. The only rules we write should be focused on guidance and safety. In America, after all, we are a land where people who work hard and play by the rules can pursue their dreams. Please join me in supporting LD 1230 by following my light. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from York, Representative McGowan.

Representative **McGOWAN**: Thank you, Mr. Speaker. Colleagues, I ask you, when you consider your vote to at least consider the dynamic that in our society, historically, the people who are opposed to this bill are males and that the people who would benefit most from this bill are women in our society. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Amherst, Representative Lockman.

Representative **LOCKMAN**: Thank you, Mr. Speaker. I rise in opposition to the pending motion. I would call your attention, Ladies and Gentlemen of the House, to the handout that is on your desks, an op-ed from the *Bangor Daily* a couple of weeks ago by a dentist in Lincoln. I just want to share a couple of excerpts from that column.

"As a dentist who accepts MaineCare with no limitations and treats any patient regardless of the ability to pay, I thought I'd be very busy at a clinic in a rural town in Penobscot County.

"But, despite our best efforts, the no-show and cancellation rates at the Lincoln clinic remain very high."

He goes on to say, "The pediatric dental residency program in Bangor, where eight pediatric dentists are available to treat nearly all children, is unsustainable and closing soon. The reason? In a news report, the dental director stated that there were too many empty dental chairs, kids not getting to their appointments and parents not participating in preventive care. I see this same trend...every day at my clinic [in Lincoln].

"Many of the children I refer to pediatric dentists miss their appointments. Pediatric dentists have much more training and experience than I. Often they have hospital and sedation privileges; certainly these children couldn't be treated by a dental therapist.

"Dental disease is preventable. [So why are we] so focused on creating a dental therapist when what we really need to...talk about [is] prevention and make sure patients get to their appointments?"

In closing, Mr. Speaker, I would just say that the folks who are supporting this bill need to explain why someone who currently is not keeping an appointment, a free appointment with a dentist, is suddenly going to show up for an appointment with a hygienist. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Belfast, Representative Herbig.

Representative **HERBIG**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. Maine has a dental access problem. Actually, it's a crisis in 15 of 16 of our counties.

It's costing the state money every day, a lot of money. We all know lots of our constituents have a hard time getting access to dental care, from rural Maine to downtown Portland and Bangor. Everyone has seen the statistics. I don't need to repeat them again. It doesn't take a rocket scientist to figure out that when kids have pain in their teeth, they aren't going to be able to pay attention in school. When someone has bad teeth, they are going to have a tough time getting hired. The medical field, long ago, added more professionals – nurse practitioners, EMTs, physician's assistants and more – to help it meet the needs of more patients. Minnesota and Alaska has shown that this works for dental too, very successfully. It's time that we did the same for everyone in Maine who can't get their teeth fixed.

Here's what we're going to do. Dental hygiene therapists will bring care to where patients are in instances like Head Start programs, assisted living centers and schools. The Representative from Amherst brought up the no-show policy in current dental offices. We're going to be bringing the care to these people to get ahead of this problem. This is going to address that problem. These therapists can generate revenue. They cost \$0.30 for every dollar they bring in the door. This is important because it allows dental clinic practices the opportunity to see more MaineCare patients in a financially sustainably way.

I'm going to continue to speak plainly about this. We've got bipartisan support on this legislation that expands a dental team so more people can get care in a cost effective way that will save our state money. Dentists are in charge, like always, and they will have someone who can most independently do some of the more routine things they do now. As legislators, it's rare to have a piece of legislation cross your desk that has such broad political and public support. Eighty percent of Mainers say, in general, they support this bill because it addresses a need that it is impacting just about everyone in our state and while the politics matter, the evidence supporting LD 1230 is undeniable, from safety to quality, to impact on access. I side with the overwhelming majority of my constituents and their support of the expansion of dental access in Maine. I'm sure that we are going to have our differences about a lot of things in the coming days of this session, but I sure like where we're starting. I strongly urge you to support LD 1230.

At this point, a message came from the Senate borne by Senator JACKSON of Aroostook of that Body, proposing a Joint Convention of both branches of the Legislature to be held in the Hall of the House at 11:00 in the morning for the purpose of extending to the Honorable George J. Mitchell, an invitation to attend the Joint Convention and to make such communication as pleases him.

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

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

The SPEAKER: The Chair recognizes the Representative from Newfield, Representative Campbell.

Representative **CAMPBELL**: Thank you, Mr. Speaker. Anybody want to know who's in favor of expanding dental access? It's the Maine Hospital Association, the Rural Caucus, Maine CAP agencies, Maine Children's Alliance, Maine School Nurses Association, Maine Primary Care Association, Maine Catholic Diocese, Maine Council of Churches, Eastern Maine Health Care, AARP, Head Start, Disability Rights Center, SEIU MSEA, Maine Dental Hygiene Association, Consumers for Affordable Health Care, Maine Women's Lobby, Maine Association of Independent Neighborhoods, Maine Equal Justice Partners, Christian Civic League, and the Bangor Area Homeless Shelter. Should I say any more? Thank you.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Hamann.

Representative **HAMANN**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. This is a very smart bill. I am very happy to support this bill and to be a cosponsor. Three of the questions I had from the beginning were is it safe, is it effective, and is it necessary. The answer to those questions is yes, yes, and yes. Is it safe? The American Dental Association has said that it has no documentation, whatsoever, to back up any quality or safety concerns about having a dental hygiene therapist on the dental team. These are highly trained dental specialists. They are very highly trained in specific procedures for what they are allowed to do within the dental team. Second question, is it effective? Dental hygiene therapists will bring the care to the patients in Head Start programs, schools and assisted living centers, instead of placing the burden on the patients to come to the provider. The Representative from Amherst mentioned that there is some barriers to accessing care, transportation being one of them. This allows the possibility of removing that barrier from access to dental care, which, to me, is a key component. Finally, is it necessary? Absolutely it's necessary when less than 12 percent of Maine dentists are currently accepting new MaineCare patients and in 2011, 62 percent of kids with MaineCare actually got to see a dentist. To me, those three questions: Is it safe? Yes. Is it effective? Yes. Is it necessary? Absolutely. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Harrison, Representative Villa.

Representative **VILLA**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Poor dental health is a serious health issue in rural communities. People living in rural areas face a multitude of barriers when seeking dental care. These barriers, which include dentist availability, ability to pay and transportation issues contribute to minimal expectations for receiving dental care and cause people to undervalue dental care. We need to increase access to dental care in rural areas and this bill will do that. This bill will also help to eliminate the barriers that discourage care seeking behavior and change people's expectations and attitudes about dental care. Please follow my light and accept the Majority Ought to Pass as Amended. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 467

YEA - Beaudoin, Beaulieu, Beavers, Bennett, Berry, Boland, Briggs, Brooks, Campbell J, Cassidy, Chase, Chenette, Chipman, Cooper, Crockett, Daughtry, DeChant, Devin, Dickerson, Dill, Dorney, Dunphy, Espling, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gifford, Gilbert, Goode, Grant, Guerin, Hamann, Harlow, Harvell, Herbig, Hobbins, Hubbell, Jackson, Jones, Jorgensen, Keschl, Kinney, Knight, Kornfield,

Kruger, Kumiega, Kusiak, Libby A, Libby N, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marks, Mason, Mastraccio, McCabe, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Noon, Pease, Peoples, Peterson, Plante, Powers, Priest, Pringle, Rankin, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Turner, Verow, Villa, Wallace, Welsh, Winchenbach, Wood, Mr. Speaker.

NAY - Beck, Black, Carey, Cotta, Crafts, Cray, Davis, Doak, Fitzpatrick, Fredette, Gideon, Gillway, Graham, Hayes, Hickman, Johnson P, Kaenrath, Lajoie, Lockman, Long, Marean, McClellan, Nadeau A, Nadeau C, Nelson, Newendyke, Nutting, Parry, Peavey Haskell, Pouliot, Saucier, Timberlake, Tyler, Volk, Weaver, Werts, Willette, Wilson, Winsor.

ABSENT - Ayotte, Bolduc, Campbell R, Casavant, Chapman, Clark, Dion, Duprey, Johnson D, Kent.

Yes, 102; No, 39; Absent, 10; Excused, 0.

102 having voted in the affirmative and 39 voted in the negative, with 10 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "C" (H-589) was READ** by the Clerk and **ADOPTED.**

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading.**

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "C" (H-589)** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH.**

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Create Greater Cost Efficiency and Improve Health Outcomes by Incorporating Increased Access to Dental Services for Adults through MaineCare's Care Management and Coordination Initiatives" (EMERGENCY)

(H.P. 1256) (L.D. 1749)

Sponsored by Representative GATTINE of Westbrook.

Cosponsored by Senator CRAVEN of Androscoggin and Representatives: CASSIDY of Lubec, FARNSWORTH of Portland, STUCKEY of Portland.

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

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent for concurrence.

Bill "An Act To Provide Property Tax Relief to Maine Residents"

(H.P. 1257) (L.D. 1751)

Sponsored by Speaker EVES of North Berwick.

Cosponsored by President ALFOND of Cumberland and Representatives: BEAVERS of South Berwick, CASSIDY of Lubec, CHIPMAN of Portland, GATTINE of Westbrook, GRANT of Gardiner, HUBBELL of Bar Harbor, KUSIAK of Fairfield, McCABE of Skowhegan, McLEAN of Gorham, PLANTE of Berwick, POWERS of Naples, SAUCIER of Presque Isle,

SCHNECK of Bangor, SHORT of Pittsfield, WERTS of Auburn, Senators: DUTREMBLE of York, GRATWICK of Penobscot, WOODBURY of Cumberland.

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

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

REFERRED to the Committee on **TAXATION** and ordered printed.

Sent for concurrence.

Pursuant to Statute Department of Education

Representative MacDONALD for the **Department of Education** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 180: Performance Evaluation and Professional Growth Systems, a Major Substantive Rule of the Department of Education (EMERGENCY)

(H.P. 1254) (L.D. 1747)

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve was **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

Pursuant to Statute Department of Health and Human Services

Representative FARNSWORTH for the **Department of Health and Human Services** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Private Non-Medical Institution Services, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

(H.P. 1255) (L.D. 1748)

Be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve was **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

Pursuant to Statute Secretary of State

Representative GRAHAM for the **Secretary of State** pursuant to the Maine Revised Statutes, Title 30-A, section 757, subsection 1 asks leave to report that the accompanying Bill "An Act To Redistrict the Knox County Budget Committee Districts" (EMERGENCY)

(H.P. 1258) (L.D. 1753)

Be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Thursday, January 23, 2014, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Bill "An Act To Preserve Maine's Long-term Care Facilities"
(H.P. 1251) (L.D. 1745)

(Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested)

TABLED - January 23, 2014 (Till Later Today) by Representative BERRY of Bowdoinham.

PENDING - **REFERENCE**.

Subsequently, the Bill was **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, ordered printed and sent for concurrence.

SENATE PAPERS

Bill "An Act To Amend the Maine Administrative Procedure Act and Clarify Wind Energy Laws"

(S.P. 692) (L.D. 1750)

Bill "An Act To Preserve Certain Rights Granted to Maine Public Service Company before Its Merger with Bangor Hydro Electric Company"

(S.P. 693) (L.D. 1752)

Came from the Senate, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

REFERRED to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** in concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

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

In Convention

The President of the Senate, the Honorable Justin L. Alfond in the Chair.

The Convention was called to order by the Chair.

On motion of Senator JACKSON of Aroostook, it was **ORDERED** that a Committee be appointed to wait upon the Honorable George J. Mitchell to inform him that the two branches of the Legislature are in Convention assembled, ready to receive such communication as may please him.

The **ORDER** was **READ** and **PASSED**.

The Chair appointed the following:

The Senator from Aroostook, Senator Jackson
The Senator from Cumberland, Senator Haskell
The Senator from Kennebec, Senator Lachowicz
The Senator from Waldo, Senator Thibodeau
The Senator from Kennebec, Senator Katz
The Representative from Bowdoinham, Representative Berry
The Representative from Skowhegan, Representative McCabe
The Representative from Saco, Representative Hobbins

The Representative from Hallowell, Representative Treat
The Representative from Waterville, Representative Longstaff
The Representative from Waterville, Representative Beck
The Representative from Newport, Representative Fredette
The Representative from Mapleton, Representative Willette
The Representative from Orrington, Representative Campbell
The Representative from Milford, Representative Peavey-Haskell

Subsequently, Senator JACKSON of Aroostook, for the Committee, reported that the Committee had delivered the message with which it was charged and that the Honorable George J. Mitchell would attend forthwith.

The Chair welcomed the Honorable Leigh I. Saufley, Chief Justice of the Maine Supreme Judicial Court. The Chair also welcomed the Honorable Matthew Dunlap, Secretary of State; the Honorable Janet Mills, Attorney General; and the Honorable Pola Buckley, State Auditor. The Chair then welcomed the Honorable Joseph Brennan, former Governor of the State of Maine, and the Honorable David Emery, former Congressman. The Chair welcomed the former Senate Presidents of the State of Maine: the Honorable Gerard Conley, Sr., the Honorable Charles Pray, the Honorable Mark Lawrence, the Honorable Beverly Daggett, the Honorable Beth Edmonds, and the Honorable Elizabeth Mitchell. The Chair also welcomed the former Speakers of the Maine House of Representatives: the Honorable John Martin, the Honorable Michael Saxl, the Honorable John Richardson, and the Honorable Robert Nutting. The Chair then welcomed the family of the Honorable George Mitchell: wife, Heather, daughters, Andrea and Claire, son, Andrew, and grandson, Ian.

The Chair welcomed the Honorable George J. Mitchell to the Joint Convention.

On motion by Speaker EVES of North Berwick, under unanimous consent on behalf of President ALFOND of Cumberland, the following Joint Resolution: (S.P. 690) (Sponsored by: President ALFOND of Cumberland) (Cosponsored by Representatives: Speaker EVES of North Berwick and BERRY of Bowdoinham, FREDETTE of Newport, McCABE of Skowhegan, WILLETTE of Mapleton, Senators: HASKELL of Cumberland, JACKSON of Aroostook, KATZ of Kennebec, THIBODEAU of Waldo)

**JOINT RESOLUTION HONORING
SENATOR GEORGE J. MITCHELL
ON THE OCCASION OF THE UNVEILING
OF HIS OFFICIAL PORTRAIT IN THE STATE HOUSE**

WHEREAS, Resolve 2003, chapter 142 authorized the commissioning of an official portrait of the Honorable George J. Mitchell to hang in the State House alongside portraits of other notable and important citizens of Maine; and

WHEREAS, the portrait is in honor of a distinguished public servant from Maine and serves as a token of our respect and appreciation for his years of commitment to the people of Maine and the Nation; and

WHEREAS, Senator Mitchell, a Waterville native, received an undergraduate degree from Bowdoin College and a law degree from Georgetown University Law Center; and

WHEREAS, after serving in the United States Army Counter-Intelligence Corps, Senator Mitchell started his professional career as a trial attorney in the Antitrust Division of the United

States Department of Justice in 1960 and in 1962 he joined the congressional staff of Senator Edmund S. Muskie; and

WHEREAS, Senator Mitchell entered private practice in Portland in 1965 and was then appointed Assistant Cumberland County Attorney in 1970, United States Attorney by President Jimmy Carter in 1977 and United States District Judge by President Jimmy Carter in 1979; and

WHEREAS, after being appointed to complete the unexpired term of Senator Edmund S. Muskie, who resigned to become Secretary of State, Senator Mitchell served in the United States Senate from 1980 to 1995 and as Senate Majority Leader from 1988 to 1995 with great distinction; and

WHEREAS, Senator Mitchell achieved a notable legislative record in his 15 years in the Senate, particularly in the areas of the environment and health care, sponsoring the Clean Water Act of 1987 and the Clean Air Act Amendments of 1990, and served with distinction on the Iran-Contra committee; and

WHEREAS, Senator Mitchell was held in the highest esteem by his Senate colleagues and congressional staff and was voted "the most respected member" of the Senate by a bipartisan group of senior congressional aides for 6 consecutive years; and

WHEREAS, upon leaving the Senate in 1995, Senator Mitchell served at President Bill Clinton's request as a Special Advisor to Northern Ireland and from 1996 to 2000 he served as the independent chairman of the Northern Ireland peace talks; and

WHEREAS, under his leadership the Good Friday Agreement, an historic accord ending decades of conflict, was agreed to by the governments of the Republic of Ireland and the United Kingdom and the political parties of Northern Ireland; and

WHEREAS, for his service in Northern Ireland, Senator Mitchell received numerous awards and honors, including the Presidential Medal of Freedom, the highest civilian honor given by the United States Government; the Liberty Medal; the Truman Institute Peace Prize; and the Felix Houphouet-Boigny Peace Prize; and

WHEREAS, in 2000 and 2001, at the request of President Bill Clinton, Israeli Prime Minister Ehud Barak and President of the Palestinian National Authority Yasser Arafat, Senator Mitchell served as chairman of an international fact-finding committee on violence in the Middle East; and

WHEREAS, the committee's recommendation, widely known as the Mitchell Report, was endorsed by the administration of President George W. Bush, the European Union and many other governments; and

WHEREAS, Senator Mitchell continued his public service, leading the investigation into the use of performance-enhancing drugs in major league baseball and serving as chairman of the special commission investigating allegations of impropriety in the bidding process for the Olympic Games and as the independent overseer of the American Red Cross Liberty Fund, which provided relief for September 11, 2001 attack victims and their families; and

WHEREAS, President Barack H. Obama selected Senator Mitchell as United States Special Envoy to the Middle East in 2009; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, on this occasion of the unveiling of the official portrait of Senator George J. Mitchell, celebrate his notable and exemplary public service career and his dedication to the State of Maine and the Nation and to the pursuit of peace and justice for everyone; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George J. Mitchell with our appreciation and respect.

READ and ADOPTED.

The CHAIR: The Chair recognizes the Representative from North Berwick, Speaker Eves.

Speaker **EVES:** Mr. Chairman, Men and Women of this Joint Convention, it is a great honor to welcome Senator George Mitchell here today at this Joint Convention of the House and the Senate. It is a true privilege to present him with a special Joint Convention Resolution for his legacy of civility and peace, and his commitment to Maine, our nation and democracy around the world. Such high praise is not earned lightly. Senator Mitchell's legacy and impact spans decades and continents. His work at the Mitchell Institute and the U.S. Senate and as a peace envoy in some of the high profile war conflicts of the past three decades, all these things have earned and distinguished him in the history books. But, more importantly, it has distinguished him in the lives of those individuals whose futures have been changed with opportunity – opportunity for peace, opportunity for education, and opportunity for a better life. He touched so many lives from Belfast, Ireland to Belfast, Maine, from the Middle East to Millinocket, he has opened doors for so many. For so many of us in this room who choose the path of public service, Senator Mitchell is a hero and an inspiration. His accomplishments were achieved through consensus building and collaboration. He proved that staying at the table, even in the hardest and darkest times, is critical to problem solving. As we honor Senator Mitchell, we are reminded that we can agree to disagree and yet still find common ground. We are reminded that consensus building and civility can trump divisiveness and personal attacks. On behalf of the Maine State Legislature and the people of Maine, I thank Senator Mitchell for all that you have done and we are so proud of you here in the State of Maine.

President Alfond, Speaker Eves, Senator Thibodeau and Representative Fredette joined the Honorable George J. Mitchell in the well of the House for a picture with the Joint Resolution.

The Secretary of the Senate **READ** a communication from United States Senator Susan Collins:

Dear Friends:

It is a great pleasure to offer my congratulations as the people of Maine celebrate the many contributions and accomplishments of Senator George Mitchell. The Maine Hall of Flags' long and distinguished tradition as the place where our State honors its greatest citizens is enhanced by the portrait of Senator Mitchell that is unveiled today.

As judge, lawmaker, diplomat, and statesman, Senator Mitchell has devoted his life to the pursuit of justice and dignity for all. His exceptional qualities of patience, determination, and fairness were essential to setting Northern Ireland on the path to reconciliation. His service as Special Envoy for Middle East Peace brought hope to that troubled region.

These same traits were evident during his 14-year career in the United States Senate. As a champion for the environment, persons with disabilities, and good government, Senator Mitchell established a legacy that reminds all of us who walk in his footsteps of our obligation to preserve and improve our form of government and our way of life.

But I know that the accomplishment of which Senator Mitchell is most proud is the establishment of the Mitchell Scholars program, which provides scholarships, mentoring, and encouragement to students from each of Maine's high schools. This program truly changes lives and ensures opportunity for Maine's future leaders. What a wonderful gift from George to our great State!

Senator Mitchell has defined leadership as having the wisdom to know what is right, the courage to say what is right, and the strength to do what is right. This is not merely a definition he has offered, but an example he has set, from Waterville to Washington, and from Northern Ireland to the Middle East. Senator George Mitchell has served our nation well and made our State of Maine proud.

Sincerely,

S/Susan M. Collins
United States Senator

The Secretary of the Senate **READ** a communication from United States Congressman Mike Michaud:

Dear Senator Mitchell:

I am honored to send my greetings as you address the Joint Session of the Maine State Legislature and attend the unveiling of your portrait in the Hall of Flags.

You are one of America's finest statesmen and we in Maine are proud of your distinguished legacy of public service. As Senator, you were a skilled legislator and a champion for the environment, education, health care, and for working families. When you became Majority Leader, you still came home every weekend and traveled throughout the state. While many may point to your legislative victories and diplomatic successes as the highlights of your career, the establishment of the Mitchell Institute is perhaps your greatest and most lasting accomplishment.

Throughout your career you have inspired and encouraged Maine's young people to work hard, continue their education, and pursue their future careers. With the establishment of the Mitchell Institute, you have enabled countless young Mainers to go onto college and fulfill their dreams. For a lifetime of service to the people of Maine, it is a most fitting tribute to have your portrait displayed in the Hall of Flags.

Thank you, Senator, for your service to our state and to our nation, and thank you for your friendship and your wise counsel.

With warmest regards,

S/Michael H. Michaud
Member of Congress

The Secretary of the Senate **READ** a communication from United States Congresswoman Chellie Pingree:

Dear Senator Mitchell,

It's difficult to fit into few words the many reasons you deserve to have your portrait hang here at the State House. Any individual accomplishment from your life—such as leading the country's great deliberative body, negotiating peace in Northern Ireland, or helping secure college educations for 1,800 Maine students—is exceptional. Taken together, they are simply astounding.

But today we celebrate not only what you have done, but the character you've demonstrated while doing so. Here's just one example. The first time I met you was when you visited North Haven on your tour of every single high school in Maine during your time as Senator. I was chair of the School Board and parent to three kids in school. We were absolutely thrilled about your visit, and more than a little star struck. We all wondered why a

sitting Senator would take the time to travel 10 miles offshore to visit a school that serves a tiny island community of only 350 people.

When you left that day, I think we all felt a foot taller. It meant so much to our community that you thought we were important enough to listen to our opinions and learn about our tiny corner of our state. That feeling hasn't left me, and I know I share it with the thousands of Mainers you've touched.

I've had the privilege of getting to know and work with you since then, and am honored to call you a friend. I'm so pleased that your portrait will hang here as a tribute to your lifelong commitment to the State of Maine and its people. May your portrait inspire and guide many generations of Maine leaders to come.

Best wishes,
S/Chellie Pingree

The Chair welcomed the Honorable George J. Mitchell to the rostrum.

The Honorable George J. Mitchell then addressed the Convention.

Senator **MITCHELL**: Thank you. If you don't stop, I'm not going to have time to finish my speech. Mr. Speaker, Mr. President, Ladies and Gentlemen of the 126th Maine Legislature, former House Speakers and former Senate Presidents, Chief Justice Saufley, Governor Brennan, Congressman Emery, distinguished guests, thank you for that very warm reception and for those several generous introductions. I speak a lot, so I get introduced a lot, and I have to tell you, for me, the introductions are the high point of the day. Of course, there is a danger that if you hear that stuff often enough, you begin to believe it, so I'd like to begin with a story about how I was brought down to earth after an introduction.

I spent about five years working in Northern Ireland on the peace process there. When I returned I wrote a book about my experience, and when it was published I traveled around the country on a book promotion tour. I received many, many invitations to go to book signings and I learned in that process something that I had not been aware of before that. In the United States, there are more Irish-American organizations than there are Irish-Americans. Every one of them invited me. I couldn't go to all of them, but I went to many and as I traveled around the country, it developed in these groups an informal competition as to who could give the longest, most fantastic, often unbelievable, because they weren't true, introductions of me. The proper reaction, of course, would have been for me to show some humility, to urge them to keep it short, not to go on so long. But I reacted improperly. I loved it. I encouraged them. One guy read an introduction twice as long as this Resolution here today, in which he revealed almost every fact of my life including many of which I had not been previously aware, and when he finished, I criticized him because he left out that when I graduated from Waterville High School, I got the science award at my graduation.

The last stop on this book tour was in Stamford, Connecticut, the Irish-American society there, and I was rather impressed with myself by that point. I had a hard time squeezing my head through the front door. But when I got in, the first person I encountered was an elderly woman who rushed up to me very excited, very vigorous, shook my hand, almost knocked me over. She said, "I'm so thrilled to meet you." She said, "I don't live anywhere near here. I drove three and a half hours just to come here to shake your hand and tell you what a great man I think you are and ask you, please, would you sign my poster." I said,

"Well, of course I will sign your poster." She handed it to me, like a political poster with a big photograph on it, with a pen and I said, "Look, I'm happy to sign it, but before I do I think there is something I should tell you." She said, "What is it?" I said, "I'm not Henry Kissinger." It was a picture on the poster of Kissinger. She said, "You're not? Well, who are you anyway?" When I told her, she said, "That's terrible." She said, "I drove three and a half hours to meet a great man named Kissinger and all I've got is a nobody like you." I said, "I'm sorry you feel so bad. I wish there was something I could do to make you feel better." She said, "Well, there is." I said, "What is it?" Then she leaned forward, I leaned forward, our foreheads were touching and she said, in a conspiratorial whisper, "Nobody will ever know the difference." She said, "Would you mind signing Henry Kissinger's name to my portrait?" So I did. Since then, I tended not to believe all of this nice stuff, but thank you anyway, Mark, and to the Clerk for that Resolution.

Well, it's a truly great honor for me to be here at a Joint Convention of the Maine Legislature. I was born, raised and went to school in Waterville. I attended Bowdoin College. For most of my adult life, I lived in Falmouth and in South Portland, and I worked in Portland and in Bangor. I now have a home on Mount Desert Island. You might say that I've been all around Maine and I have. I visited just about every town. I spoke at a graduation at every single high school. I love Maine, the people and the place. This is where my heart and my emotions always will be. As citizens of the United States, we are the most fortunate people ever to have lived. For all its imperfections, our country remains the most free, the most just, the most open society in all of human history. Before I entered the Senate, I had the privilege of serving as the United States District Judge. There I presided over what are called naturalization ceremonies. A group of people who had come from all over the world, who had gone through the required procedures gathered before me in the federal courtroom, in either Portland or Bangor. There I administered to them the Oath of Allegiance to the United States and, by the power vested in me under our Constitution and law, I made them Americans. It was always a very emotional experience for me because my mother was an immigrant, my father, the orphaned son of immigrants. They had no education. My mother could not read or write English. She worked the nightshift at textile mills in central Maine for all of her adult life. My father was a janitor at Colby College. But because of their efforts, and more importantly, because of the openness of American society, I, their son, was able to get the education they never had and become the Majority Leader of the United States Senate. After every ceremony, I made it a point to speak personally with each new American, individually or in family groups. I asked them where they came from, how they came, why they came. I asked about their hopes, their dreams, their fears. Their answers were inspiring, different as their countries of origin, but there were common themes best summarized by a young Asian man. When I asked why he came, he replied in slow and halting English. "I came," he said, "because in America everybody has a chance." Think about the fact that a young man who had been an American for just a few minutes, who could barely speak English, was able to sum up the meaning of America in a single sentence. America is freedom and opportunity, and we should be grateful for both.

A day like this is inevitably rooted in the past. I understand and appreciate that, but in the few minutes I have with you today, I'd like to talk a little bit about the future as well as the past. Public service, the chance to represent our fellow citizens is, at times, a thankless task, but it also is among the most noble endeavors that we, as citizens, can undertake. As someone who

loves Maine and its people, who has represented them in our nation's capital, I respect and appreciate and thank each of you for your efforts here in the Maine Legislature. I believe in the American Dream because I have lived it. As elected officials, you have no greater responsibility than to keep that dream alive in the 21st century. That's a huge challenge and it comes at a difficult moment in our nation's history. We are emerging from a long and severe recession. Too many of our citizens are unemployed. Too many more are underemployed. Still others have to work two or three jobs just to survive. The inability of our elected officials at the national level to work together to deal with these and other problems has led to a steep decline in public confidence. Even if I knew all of the answers to all of our problems, which I don't, it would take far more time than available to me to address them today. Instead, I'd like to talk briefly about the attitudes and the approaches that can help reduce polarization, rancor and hostility that make it so hard to work together to solve our problems. I will make three points based on my own life and experience, and I do so recognizing that each of you has campaigned, has been elected and now serve in office. Each of you has your own experiences, your own priorities, your own concerns, all of which I acknowledge and respect. My points are simple and basic. Learn to listen. Be patient. Respect those who disagree with you.

In 1962, I joined the staff of Senator Edmund Muskie. After just a few weeks, he asked me to join him on a trip through Maine. Every aspect of our life is of course much different today than it was then. As we traveled the state, Muskie and I often slept at the home of friends, or at a summer camp he owned on China Lake, or in motels where, to save money, we frequently shared a room with two single beds. So I saw very close up how he gained respect by giving it, how he never acted in a condescending manner to those he met, how he weaved integrity into every aspect of the political process and how he won over opponents by the force of reason, logic and effective presentation. I also saw close up his faults. He had a temper and his speeches were almost always way too long. Once he got started, he found it hard to stop. I noticed it on the first trip when he spoke the first night in Rumford and then at each stop across the state. Six nights later, we left Calais and we headed down the Airline Road to Bangor. As you know, it is a 100-mile stretch of road through a heavily wooded, sparsely populated area. As I drove slowly through the rain and fog, there was none of the friendly banter that had gone on for the whole week. After several minutes, he asked, "What did you think of my speeches?" I hesitated. I admired him. Indeed, I was in awe of him. But I had also seen his temper firsthand and I was a little afraid of him too. But I sensed that he expected the truth from me, so I gave it to him. I said there was one major problem with all of his speeches. They were just too long and too repetitious. After a long silence, he said, "You are a smart young man. I think it's likely that someday you'll be elected, you'll be in office and you'll be giving speeches like I have this week." "And when you do," he said, "you will find that there is nothing in the world like the sound of your own voice." As usual, he was right. Eighteen years later, I stood on the floor of the United States Senate, raised my right hand and took the Oath of Office as a U.S. Senator. In that moment, I thought of Ed Muskie, of how much I'd learned from him, how much I admired him, and I recalled that long ride down the Airline Road. Even the smartest man I've ever known, which he was, succumbed to the temptation of talking too much. It took me a long time, but eventually I learned to spend less time talking and more time listening. In Northern Ireland, I spent hundreds of hours listening and I earned the confidence of the delegates to the peace talks as a result. I

eventually figured out where the common ground was and the result was a peace agreement that ended an ancient and brutal war. Learn to listen. That's the most important lesson of my political life.

During the six years I served as Senate Majority Leader and in the preceding years as a Senator, I talked a lot and I learned little while I was talking. Learning came to me from listening, from reading, from observing, and from doing. There was not a single moment or event where I suddenly grasped the value of good listening. It was rather a gradual process of awakening to what was, for me, the startling reality that in my dealings with other Senators, my persuasiveness grew the less I talked. It's a simple concept in other circumstances called learning on the job. I did a lot of it as Majority Leader and one evolution led to another, and so it was that learning to listen that led me to become more patient, and becoming more patient led me to become more effective. After I retired from the Senate, I often joked that I had developed the strongest patience muscle in Washington. That muscle was sorely tested while I was in the Senate and in Northern Ireland. By the time I became the Majority Leader, I had been in the Senate for eight years so I was aware of its frustrations, although I had not been responsible for dealing with them. Gradually, when I became Majority Leader and was responsible, through trial and error, through necessity, through force of will, I adapted. The long and painful process that led to the enactment of the Clean Air Act in 1990, the protracted budget struggles in both the Bush and Clinton Administrations taught me the value of patience. By the time I left the Senate, I had learned to deal with and even come to appreciate some of its quaint rules and its archaic practices, and what I learned there was later helpful to me.

The negotiations in Northern Ireland involved 13 parties – two governments, the United Kingdom and Ireland; 10 political parties from Northern Ireland; and the independent chairman. On the first day, in a large conference room packed with nearly 100 delegates, in a moment of over confidence, I began by saying to them "I am a product of the United States Senate which, as you know, has a rule of unlimited debate. So I have listened to a 16-hour speech, a 12-hour speech and lots of other very long speeches. I can and I will sit here and listen as long as any of you can talk." I was trying to reassure them that their concerns would be listened to and heard because I was aware that their history was not one of listening to each other. To the contrary, they routinely refused to listen to each other and a dramatic walkout was a standard tactic in their politics. But, as became clear to me in retrospect, I went too far in my opening statement and over the next five years, I paid a very heavy price. Although there were no 12 or 8 or 10-hour speeches, there were many, many long monologues and most of all, there was eye glazing and mind-numbing repetition, over and over and over again, for month after month and year after year. But what in the aggregate was hundreds and hundreds of hours, the same politicians made the same speeches. It took every bit of patience I had, and more, to sit there and listen, but I did because I knew that if I was ever able to get them to agree, the result would, in some respect, be painful to each of them and I did not want any of them to have the excuse that he or she wasn't heard or didn't have the chance to argue their position. As I said, I was over there for about five years. It was much more difficult and took far longer than I had expected, but the result was worth it and as an added bonus, my patience muscle survived its greatest test.

Moments after I was elected Majority Leader of the United States Senate, I called Bob Dole, the Senate Minority Leader, and I asked if I could come to see him. I felt it important to establish a good relationship with a man that I knew I would work

closely with for several years. I had been in the Senate then for about seven years. Bob had been there for 20 years and, before that, he had served eight years in the House. He was nationally known, I was hardly known. I told him that while I was, in Senate terms, a relative newcomer, I was aware that the jobs of the leaders were extremely difficult, with a high potential for misunderstanding and mistrust. I told him that I wanted to have a good personal and working relationship with him, and I suggested that we agree on the most basic standards of fairness and mutual respect. His response was positive and, for the next six years, we worked together – I as Senate Majority Leader, he as Senate Minority Leader. When the Senate was in session, we met and talked several times a day. We represented different political parties with different agendas and different philosophies, but we negotiated successively hundreds of agreements on Senate business and procedures. We discussed and we debated on hundreds of bills, some of them extremely contentious. We often disagreed, but through it all we respected each other. Not once did a harsh word pass between us in public or in private. I kept my word to him and he kept his word to me, and so we share pride in the fact that we represented our country first of all, our states, our parties and our constituents vigorously, and we hoped effectively, but without personal rancor or hostility. It can be done – in Washington, in Augusta, in America. Elected office requires, of course, both campaigning and governing. I did both and I made my share of mistakes in both. There is inevitable tension between respecting your opponents while governing and insulting them while campaigning. It would be foolish and unrealistic of me to ask anybody here to stop campaigning, but it is not unrealistic to ask that you exercise restraint because it is in your self-interest. Once in office, as you all know, you have to govern, and to be effective, that inevitably requires some compromise with the other side. That's much more likely if there is at least some level of mutual respect. So please remember, no person, no party has a monopoly on patriotism or on good intentions or on wisdom. To the extent possible, try to forgo the personal insult and concentrate on the issues. It's better for you and, most importantly, it's better for the people of Maine.

Before I conclude, I want to recognize a few people. Actually, I'd like to recognize just about everyone here, but that's not possible because I know that, at this very moment, Ed Muskie is looking down and saying "Don't forget what I said to you on the Airline Road." Well, first, of course, I thank the Speaker, the President and the entire legislative leadership for inviting me to be here with you today. I am grateful to the Maine State Museum, its director Bernard Fishman, and, in particular, Sheila McDonald, the Deputy Director, who was invaluable in making the arrangements for this portrait unveiling. Many people helped organize this day, foremost among them, my old and dear friend Harold Pachios, who is here with his wife Claudia. I thank them for their friendship and support. All of you legislators know that when you are running for office, it helps to have a big family. Well, I have a really big family and many of them are here today. Up here are my wife, Heather, my son, Andrew, my daughters, Andrea and Claire, and my grandson, Ian, and I'd like to ask them please to stand, in particular, my wife, who I thank very much for all the support over many years. In the gallery are my sister, Barbara Atkins, my brothers, Paul and John, their wives, Yvette and Prinella, my sister-in-law, Janet, and many, many cousins, nieces and nephews. I love them all and I am grateful for their help and support.

After my family, the most important thing in my life is the scholarship program for Maine students that I created when I left the Senate. Each year, we give a scholarship to a graduate from every high school in Maine. We will make this year's selection in

just a few months and when we do, we will have provided over \$11 million in direct assistance to almost 2,300 students from every part of Maine. We also provide an array of events and programs that support our scholars during and after college. These are remarkable young men and women. Ninety percent of them earn all A's and B's in college. Eighty-five percent complete college and receive a degree compared with 50 percent of entering college students nationally. Together, they contribute over 30,000 hours each year to community service in Maine and these accomplishments are particularly impressive in light of their modest backgrounds. More than 60 percent are the first in their family to earn a bachelor's degree, 65 percent come from families with incomes below the state median, and 1 in 4 are from families with annual incomes below \$20,000. Eighty-four percent of them worked during the high school year and almost as many worked during their college years. Ninety percent go to college in Maine and most of them currently work or study in Maine. I have met thousands of these young people and I can tell you without a doubt Maine students are as good as any students in America, and if they are given the chance and the tools, they can compete with anyone, anywhere, anytime. This is a Maine program of, by and for the people of Maine, and I hope you share my pride in it. I'd like to now recognize and thank the Mitchell scholars who are here, the trustees who are led now by David Johnson and before him by Mary Mitchell Friedman and Barbara Atkins, our donors, several of whom are here, and the members of the staff of the Mitchell Institute led by Meg Baxter. I'd also like to recognize and thank the former members of my Senate staff who did the work that enabled me to reach the point where I could be up here today, and they include Mary McAleney and David Johnson, both of whom served as my Chief of Staff, and also many longtime staff members including Larry Benoit, Clyde MacDonald and others.

Earlier, I mentioned Ed Muskie and how much he helped me. Others helped me and I want to acknowledge some of them. When I entered the Senate, Bill Cohen was our senior Senator. We worked closely on matters of interest to Maine. We became good friends. We wrote a book together. Even today, Bill's company and my firm work together on projects all around the world. This morning's *Kennebec Journal* had a front-page story about Margaret Chase Smith's nomination for President. It was in 1950 that she delivered her famous "Declaration of Conscience" speech in the Senate, an example of political courage that remains very relevant today. Although Senator Smith and I did not serve together, we met and talked many times, we became good friends and I learned a lot from her and from her career. I especially want to recognize former Governor Joe Brennan. When Ed Muskie resigned from the Senate to become Secretary of State, it was Governor Brennan's responsibility to appoint someone to complete Senator Muskie's term. There were several other qualified candidates to fill the vacancy. My name was rarely mentioned because just six months earlier, I had been appointed as a federal judge, a lifetime position. Everyone, including me, assumed that I would serve in that position for the rest of my working life. Joe had every reason to appoint someone other than me. But when he told me that he would appoint me to the Senate, he said it was for one reason and one reason only. In his words: "I think you can do the best job for the people of Maine." He then paused, looked me straight in the eye and said, "I have only one request of you." I braced myself because I had no idea what he was going to ask me for. He spoke slowly to give emphasis to his words. He said, "I ask only that you do the best you can for the people of Maine and the nation based on your conscience and your best judgment, and I will never ask you for anything else." And he

never did. Not once ever in all the years I served in the Senate did he ask or suggest or hint that I vote a certain way or act a certain way or speak a certain way. To me, Joe Brennan demonstrated and personified political integrity and I learned a lot from that experience. He is here with his wife, Connie, and I ask that he stand and be recognized.

When I look out the window of my home on Mount Desert Island, I see the Cranberry Islands and others beyond, stretching like stepping-stones to the east, across the cold, gray water of the North Atlantic Ocean. Over the horizon lies Europe and then the Middle East. For nearly a half century, I traveled to those and other distant lands where I met, talked and worked with people of many languages, religions, races and colors. It has been a long way home, but no matter how far I went, I was at all times rooted here in Maine, the place of my birth, my upbringing, my family and my values. The most revolutionary result of the American Revolution is that it embedded and made universal the principle, radical at the time, that the only legitimate source of authority for government is the freely given consent of the governed. I know that each of you will never forget that of your many obligations, the greatest and the highest of all is to the people of Maine. To meet that obligation, I ask of you only what was asked of me. Do the best you can for the people of Maine based on your conscience and your best judgment. Thank you for letting me share this day for you. May God bless each of you, the people of Maine and the United States of America.

At the conclusion of the address, the Honorable George J. Mitchell 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.

(After the Joint Convention)

The House was called to order by the Speaker.

The SPEAKER: The Chair recognizes the Representative from Orrington, Representative Campbell, who wishes to address the House on the record.

Representative **CAMPBELL**: Thank you, Mr. Speaker. If I were present and voting on Roll Call No. 467, I would be voting yea. Thank you.

On motion of Representative HOBBS of Saco, the House adjourned at 12:04 p.m., until 10:00 a.m., Thursday, January 30, 4014 in honor and lasting tribute to William T. Gardner, of Lincoln and Redington Beach, Florida.