

MAINE STATE LEGISLATURE

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Legislative Record
House of Representatives
One Hundred and Nineteenth Legislature
State of Maine

Volume I

First Regular Session

December 2, 1998 – May 12, 1999

ONE HUNDRED AND NINETEENTH LEGISLATURE
FIRST REGULAR SESSION
15th Legislative Day
Tuesday, February 16, 1999

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

Prayer by Reverend Sally P. Poland, West Scarborough United Methodist Church.

Pledge of Allegiance.

Doctor of the day, Laurel M. Coleman, M.D., Manchester.

At this point, a message came from the Senate, borne by RAND of Cumberland of that Body, proposing a Joint Convention of both branches of the Legislature to be held in the Hall of the House at 3:30 in the afternoon for the purpose of extending to the Honorable Angus S. King, Jr., Governor of the State of Maine, an invitation to attend the Convention and to make such communication as pleased him.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 3:30 in the afternoon and the Speaker appointed Representative SAXL of Portland to convey this message to the Senate.

The Journal of Thursday, February 11, 1999 was read and approved.

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

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

IN CONVENTION

The President Pro Tem of the Senate, the Honorable Rochelle Pingree, in the Chair.

The Convention was called to order by the Chair.

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

The Order was Read and Passed.

The Sen. from Cumberland, Sen. PENDLETON

The Sen. from Hancock, Sen. GOLDTHWAIT

The Sen. from Piscataquis, Sen. DAVIS

The Rep. from Madawaska, Rep. AHEARNE

The Rep. from Machias, Rep. BAGLEY

The Rep. from Wiscasset, Rep. RINES

The Rep. from Portland, Rep. MCDONOUGH

The Rep. from Biddeford, Rep. TWOMEY

The Rep. from China, Rep. BUMPS

The Rep. from Newport, Rep. KASPRZAK

The Rep. from Bethel, Rep. JODREY
The Rep. from Greenville, Rep. RICHARDSON
The Rep. from Auburn, Rep. GERRY
The Rep. from the Passamaquoddy Tribe, Rep. SOCTOMAH

Subsequently, Senator Pendleton of Cumberland, for the Committee, reported that the Committee had delivered the message with which we were charged and we are pleased to report that the First Lady, the Constitutional Officers, the State Auditor and members of the Governor's Cabinet will attend forthwith.

The Chair recognized in the House Gallery the First Lady of the State of Maine Mary Herman.

The Chair also recognized in the House Gallery the Constitutional Officers of the State of Maine, Attorney General Andrew Ketterer, State Treasurer Dale McCormick, State Auditor Gail Chase and members of the Governor's Cabinet.

On a motion of Senator Rand of Cumberland, it was ORDERED, that a Committee be appointed to wait upon his Excellency, Governor Angus S. King, Jr. And extend to him an invitation to attend this convention and make such communication as pleases him.

The Order was Read and Passed.

The Chair will appoint the following:

The Sen. from Penobscot, Sen. MICHAUD

The Sen. from Penobscot, Sen. CATHCART

The Sen. from Cumberland, Sen. HARRIMAN

The Rep. from Portland, Rep. TOWNSEND

The Rep. from Orono, Rep. STEVENS

The Rep. from Livermore, Rep. BERRY

The Rep. from Lewiston, Rep. MAILHOT

The Rep. from Rockport, Rep. POWERS

The Rep. from Fairfield, Rep. TESSIER

The Rep. from Easton, Rep. KNEELAND

The Rep. from Norway, Rep. WINSOR

The Rep. from Raymond, Rep. BRUNO

The Rep. from Acton, Rep. NASS

Subsequently, Senator Michaud of Penobscot, for the Committee, reported that the Honorable Angus S. King, Jr., Governor of the State of Maine, will attend forthwith.

The Chair is pleased to welcome the Honorable Angus S. King, Jr., Governor of the State of Maine.

Governor King then addressed the Convention.

Thank you very much. I am going to stand here because this is a different kind of speech than an inaugural or a state of the state, which are kind of formal and at night with live television and all those kinds of things. I want to have a little more flavor of some informality and being able to talk to you directly, talk to you, the members of the Legislature because what we are really talking about here is the fundamental job of the Legislature, which is budgets. That is really what it is. We pass all kinds of laws on a lot of subjects, but the budget is our biggest bill. It is our biggest opportunity to state where the state is going and what our priorities are. What I wanted to try to do today and I want to thank our President Pro Tem and the

Speaker for affording me this opportunity to talk about the big picture of our budget, the economy that underlies the budget and then to talk about the revenues that go into the budget.

I am going to share with you and I am sure for some of you who have been here a lot longer than I have, a lot of this is kind of old news. I want to share with you some of the things that I have learned over the last four years about the State of Maine budget and how it is put together. I think sometimes we often get into debates over relatively small parts of the budget without taking account of what we are all doing together on the big parts. That is really what I want to talk about. The big picture on the budget. The big picture on the economy and some specifics about revenues and taxes, which is, after all, where revenues come from.

The first thing is that the budget itself, you have to have a pie chart if you are going to do a budget speech. The budget itself looks like this. This is the pie for recommended appropriations. This is where our money goes. These percentages have stayed roughly the same for probably the last 10 years or so. They vary a little bit up or down, but essentially, I think one of the important things to notice is this very large blue piece down here is K-12 education. That is 35 percent of the total General Fund budget of the State of Maine. That is GPA and teacher retirement. A lot of people don't realize that the state pays 100 percent of the school districts or communities share of teacher retirement for every teacher in Maine regardless of the formula. This is money that goes to every single school district. If you add GPA and teacher retirement together, it is about \$750 million a year. More than one-third of the state budget is K-12 education. Really, these are dollars that come here to Augusta and just turn around and go back out again. There really isn't a lot that we do to them except bless them as they go by. They go back to the communities.

There is another piece for higher education, which is right here. It is about 9 percent of the budget. That is the university, technical colleges and the Maine Maritime. When you add the K-12 plus higher education, you get about 45 percent of the total budget of the State of Maine devoted to education.

I want to digress a little and just make sure everybody notices that there is a little pie slice here floating above the pie. When we talk about revenues, you will see this same slice floating. This is about \$100 million a year of revenue sharing. The municipalities were very smart some time ago, about 20 years ago, when revenue sharing was created because we don't touch that at all. It is about 5 percent of the income tax and the sales tax that comes into Augusta that is collected through the income tax and the sales tax and goes right back out again to the communities via the revenue sharing formula. Whenever you talk about the budget of the State of Maine, revenue sharing is not considered part of the budget. It is not appropriated. It rises and falls according to the growth of the economy because if sales taxes are up, revenue sharing is up. It goes back to the communities more or less automatically. It doesn't show up in either pie. I thought it was important that you understand and realize that there is \$100 million a year here that is coming in via the sales tax and the income tax that we are responsible for that goes back out to the communities. Of course, GPA, general purpose aide and the teacher pension payments also go out to the communities.

The other big piece of the budget over here in the top is human services. That is 22 percent. Most people when you think of human services if you talk to people on the street, they will say that that name is welfare. That is moms and children.

That really isn't so. The bulk of the expenditures in the human services category are in Medicaid and the bulk of Medicaid expenditures are for the elderly and the disabled, not for moms and children who are on AFDC. Here is 22 percent and another 8 percent for the Department of Mental Health and Mental Retardation and Substance Abuse. A little over 30 percent of the budget is in human services. You have 30 percent here and 45 percent here. You have 75 percent of the Maine state budget in two categories, education and human services. Everything else, whether it is corrections, the State Police, the State Law Library, the Legislature, the Attorney General's Office, altogether, is 25 percent of the Maine state budget.

A great deal of this human services budget is driven by entitlements, by federal entitlements, that we basically have to pay. When you think about it and when we talk about cutting the budget or controlling the growth of the budget, it is very difficult to deal with these two big segments and the bulk of the pressure tends to fall on that 25 percent of the budget that is not in those big categories. If you look at the history of the budget of Maine for the last 10 years, going back to the crash in the early '90s, you will see that the real squeeze took place on departments like Agriculture, Conservation, DEP and the natural resources departments. That is sort of the big picture on the expenditures side.

On the revenue side it is a similar kind of thing. This is the floating revenue sharing slice. It is the same slice. Almost \$200 million over the biennium, roughly, if you are like me, you will round off, \$100 million a year of revenue sharing that comes in on the revenue side, but then goes back out. The big pieces on revenues are the sales tax, almost 40 percent, 37.8 percent is the sales tax. Of course the lions share is in the individual income tax, 45 percent. So, 45 and almost 40 is almost 85 percent of the total budget pie comes from sales and income tax. Everything else is in all of these different slices. You can see what they are, inheritance tax, property tax, insurance company, cigarettes, public utilities, corporate lottery and liquor sales and a whole host of other things, but they only make up about 15 percent of the revenues.

One of the things I want to talk about on the expenditure side is that there is remarkable unanimity on the great bulk of the budget. That is an important idea. For example, general purpose aide to education last year was \$591 million. We are arguing this year about how much to increase it, whether it should be increased 1 percent, 2 percent, 3, 4, 5 or 6 percent. There is no argument about the underlying almost \$600 million. I think we all ought to be careful in our discussions that we not characterize each other as being pro or anti-education, because we are really talking about the marginal changes. Do you see what I mean? If everybody is for \$600 million and somebody is for \$605 and somebody else is for \$610, that is not a dramatic difference in terms of support for education or any other program.

The other thing that you need to understand and this is particularly important when it comes to education. This took me about two years to learn. It is the effect of a 1 percent change on a two-year budget. Let's say for the purposes because my math is better, I can operate better in multiples of five. Let's assume for a moment that the GPA budget was \$500 million. One percent of \$500 million is \$5 million. You say, okay, you are going to increase it one percent the first year and one percent the second year, that is \$10 million. Wrong. It is \$15 million. One percent the first year is \$5 million. That same 1 percent goes into the base, you see, the second year is another

\$5 million and then there is another 1 percent on top of that, which is actually the five plus something. Just by the same token, a 3 percent increase each year is not \$30 million, it is close to \$50 million. You have to always be thinking about the compounding affect of a biennial budget and understand what these percentage changes mean, because they are very significant when you realize they are tripled, rather than just doubled in a two-year budget.

By the way, on education, we are now paying, just to give you the big picture, almost precisely 50 percent of the cost of education, the total cost of K-12 education in the State of Maine. That is 49.99 percent in this fiscal year. That is about as close to 50 percent as you can get. In the late '80s, I think as high as it went was 56 percent. It stayed for a while at 55 percent. It has been at 52 or 53. It has moved around. Right now it is almost exactly at 50. The troubling piece to our colleagues in the communities is that the trend is down from 55 to 50 and that means that the difference has to be made up on the local level by local taxpayers. When we increase general purpose aide to education, we are really doing two things. One, we are increasing support for education, but we are also giving some level of benefit to local property taxpayers. I think we have to view GPA in that context, both as an assist to schools, but also as some level of tax relief.

The big issue with GPA is not as much how much, although that is a big issue and I know that there has been a lot of discussion already with the Appropriations Committee, my administration, I believe Duke Albanese is testifying before the Appropriations Committee this afternoon about what the proper level of funding should be. Regardless of the level of funding, the real issue is the formula. The problem is we have a group of communities in Maine which are putting forth tremendous effort to support their schools in terms of local tax effort and they are falling further and further behind. Twenty percent of our schools, 45,000 pupils, are near the top in local tax effort. Twelve or 13 mils in their towns for education and yet they are 25 percent below the top level of schools in terms of funding. They are trying as hard as they can, but the problem is valuation. Those of you who are from smaller towns know exactly what I am talking about. We have towns that have \$150,000 to \$160,000 worth of valuation per pupil. We have other towns, the state average, that is about \$400,000 of valuation per pupil. If you think about that, therein lies the problem.

Is there a simple answer to the formula? I can assure you there isn't. I look at Representative Martin and remember the hours that we spent three years ago working on this and I know many people in this room have worked on this. We have had at least two blue ribbon commissions that I can recall to work on this. It is a very difficult problem. We all, as a committee of the whole, could spend about two days, I think, and probably come up with a pretty good formula. Then somebody would walk in with the spreadsheets and all the consensus would melt away. One of the problems with fixing the formula, I am being honest here, is that as long as we have a relatively modest growth in the overall amount, you are going to have winners and losers. That makes it difficult to make the kind of permanent changes that we need to make.

I believe on the things that we have to do is look to the future and talk about phasing in a new formula based upon some work, I meant to bring the book up with me and I didn't as a prop, a work that has recently been completed under the auspices of the state school board called, *Essential Programs*

and *Services*. What they tried to do is define across the State of Maine what it takes to provide the basic education regardless of where you live, what it costs. Then the idea would be to work toward that base and have the state support the proper percentage. Is it 50 percent, 60 percent, 55/44? I don't know. That is part of what we have to discuss. I think this essential programs and services is a promising way to go that gives us, for the first time, a real guideline as to what we ought to be aiming for, rather than just throwing money out and having it go into different communities at a different rate.

I think the formula is going to be a major issue that we have to address this term, this session. I know that there are many people from rural areas, particularly that are being hurt by changes that are taking place, for example, the loss of students that are impacting their communities. If you have a school with 100 kids and you lose 10 kids, under the current formula, you lose 10 times the state aide like that. If you think about it, if you lose 10 kids, you can't lay off any teachers, you can't stop heating the building and you can't stop maintaining the building. Your costs are essentially the same. We have to figure out a way to mitigate the effect of a loss of pupils. By the way, one of the points that is often made, this is sometimes viewed as an urban versus rural conflict. The City of Portland always gets a lot of flack in this, but consider the extra costs that the City of Portland has to bear by being a service center community. A lot of the service center communities have to do this.

If you are from a rural area and your school people are saying don't let all that money go to Portland, consider that Portland has an elementary school that has 26 languages spoken by the students. I am not sure that all of us would like to cope with the extra costs and the overhead that is necessary to deal with that kind of problem. It is not a simple take it away from the large cities and distribute it to the rural areas. It also has to relate to tax effort. The formula is what we have to deal with, but we particularly have to focus on those communities who, in spite of a high level of effort, just aren't making it in terms of education and it becomes a self-fulfilling prophecy in terms of the vitality and economic stability of those regions.

Okay, that is the expenditure side. We have talked about the revenue side. Everything is linked. I have told this story before and I think I actually told it a couple of years ago, but with term limits not so many of you have heard it. I could tell it again. I guess that is one of the advantages of term limits. You can use your material over and over. When I first got into office, I was standing on Lisbon Street in Lewiston. A guy went by driving a beer truck. He waved at me. I was still early in my administration. He used all his fingers when he waved, which was good. He yelled something out that I thought was a very profound observation. He said, "Hey Governor, don't forget it is our money you are spending." I think sometimes we forget that. We forget that people are having a little piece of their paycheck taken out every week and sent to us. They are having a little piece of everything they buy taken out. Believe me, being Governor, you know the old joke, you go into the store and buy something and your told that it will 6 cents for the Governor. It gives new meaning to that phrase. I have heard that a lot in the last four years. It is a little piece that is coming out of everybody's where with all and we have a very fundamental responsibility to be as careful and as tight with that as we possibly can.

A year or so ago I was invited to speak in Portland to the Convention of the National Association of State Purchasing Agents. I bet you never knew there was such an association. I

certainly didn't. They were meeting in Portland from all over the country. They called a couple of days before and they said they would like the Governor to come and welcome our members and provide his personal philosophy of state purchasing. I had to make one up. I talked to Rich Thompson, our state purchasing agent, about it. On the way down, I did make one up. I came up with one that I don't think is a bad one. Pretend it is your money. When you are buying a computer or a truck or a cruiser, pretend it is your money. Think about what decisions you would make if it were your money. I think we have to be trying to think that way.

All that we have, all of this money, comes from the economy. It all comes from the people and it all comes from the people having jobs. Why do we have a surplus? It is pretty clear that we have a surplus because people are earning more money and 40,000 people are working today that weren't working five years ago. It hasn't come because Washington has bestowed something on us or because God has funneled it down. It came because our economy is stimulated. The money that is coming from that is what has enabled us to even be talking about increasing GPA or funding children's health or looking at children's mental health or doing a better job of tourism promotion. All of those things come out of the economy.

There is a caution flag here. There is a caution flag. It is not a red light, but it is not a green light either. It is a yellow light. The yellow light is that all of our revenues are, indeed, based upon the economy and if anything happens to the economy, a lot happens to our revenues. Our revenues tend to fluctuate in disproportion to the change in the economy. If things go up, our revenues go up. That is what has been happening in the last two or three years. That is wonderful, but the reverse happens as well. If things go down a little bit, the revenues drop more than you would expect them to. It is not a one-to-one relationship. Therefore, we have to be careful.

Here is a chart that Mr. Ricker prepared that should give us all a little bit of pause. He is a brilliant guy who is the head of the State Planning Office. If you haven't met him, you should. I think he is one of the best thinkers in state government as well as in the entire state. What this shows is, the red line is a percentage change in total personal income. In other words, back in 1980, there was almost a 13 percent increase in total personal income. The green are state revenues. What you see back here in '84 was an uptick in total personal income. Look what happened in revenues. You have a spike up and then it drops down and you have this uptick here and that is reflected here. Here we are today. Notice what happens to this blue line when the economy started to slow down in the early '90s. It not only went down and hit the red line, but it went down to here. This is 1990, when in the first time in the history of the State of Maine, revenues actually were less than they were the year before, not just a slower percentage growth, but absolutely less in terms of dollars.

Here we go back up. Times get a little bit better. Times are going up and now something is happening over here. We are not exactly sure what. Look at this spike. This is the money that we are now talking about in this budget. This is the surplus that we are talking about. I don't see how we can look at this chart and not get a little nervous. That is what we have to think about in terms of where we go over the next couple of years. Everybody knows that our economy has waves, ups and downs. Our revenues, therefore, have waves just like the economy. The question for all of us and none of us have a crystal ball, but the

question for all us is, where are we on the wave? Where are we on the wave? Is this point only a way point to more of the same or is this the top or is it halfway? Where are we on the wave? Everything depends upon the answer to that question. We can't know it with total certainty. I don't think there is any doubt that we are somewhere near the top. Maybe not at the top, but we are certainly on the upside. Nobody can deny that.

Therefore, what should we do? Money is flowing in. There is a tremendous growth in revenues. Last year almost 12 percent growth in revenues. What do we do with all that money? What do you do in a situation like that? What do you do if you are in your own personal situation and unexpectedly you have a big windfall in terms of your personal income. It seems to me that there are two or three things you do. The first thing you do is build up your savings account, which we have done pretty admirably. In four years we went from \$5 million to almost \$100 million. That is the rainy day fund. That is what any rational person would do given this level of volatility is to build yourself some buffer. The second thing you would do is make some capital investments. One time investments that can pay off over time, but that you can pay for out of this cash. We have done that. We put \$20 million last year into school renovations. We are going to build the Maine Youth Center with cash, instead of borrowing. We are going to build the Criminal Justice Academy with cash instead of borrowing. We are rebuilding Route 11 with cash instead of borrowing.

Infrastructure, one time investments. That is the second thing you do in this situation. The third thing you do is that you are very careful about making ongoing commitments that you might not be able to fund in the future. This is where the echoes of the '80s should get our attention. What happened in the '80s was that the revenues exploded as you see and all the expenditures exploded to match the revenues. When the crash came, we couldn't sustain ourselves. We couldn't sustain the expectations and the commitments that had been made. We got into the world of gimmicks and significant tax increases. I think we have to be very, very careful no matter how good the program is about committing to all the funds to new ongoing programs that we might not be able to sustain next year or the year after or the year after that.

The fourth thing we should do is fix the gimmicks, which we did from the prior problem. Finally, I think we should consider, seriously, cutting taxes. The reason is, if you analyze the history of governmental funding and if you go back year by year, quite often what happens is government creates a source of revenue called taxes. The taxes are sufficient to fix the needs at the time and then there is a crisis and you have to raise taxes in order to continue just to meet those commitments. The crisis passes and you have extra money, but all of a sudden you start to do a lot of new things. The needs tend to meet whatever money is available. The result is a ratchet affect. The next time there is a crisis, the only choice you have is to raise taxes again. It goes and it goes and it goes.

Around 1910 taxes in this country, all taxes, took about 10 percent of gross national product. Today, that figure is about 45 percent, between 40 and 45 percent. I don't know what the right number is. I don't know whether the proper number is 30 percent or 50 percent or 55 percent or 48 percent. I know that we can't sustain the trend indefinitely. Do you follow me? I don't know where we ought to be on that line. We can debate that. That is what we are all here for. If the trend continues to go up, we are going to end up in this country with one person paying all the taxes and everybody else is going to be getting the

benefit. We can't continue to go in that direction. That gets us to taxes.

I want to talk about three different taxes, two cuts and an increase. The first, is the machinery and equipment tax. One that has been much discussed. I don't want to dwell on it. I know you have discussed it and debated it and you will debate it again. If there is one phrase that I want to reverberate in your ears as you leave today, it is don't shoot the golden goose. We are gaining economically, in part, because of an improved tax climate in this state. Particularly in part because of an improved tax climate with regard to manufacturing and production and the development of business. I can't stand here and say, did the machinery and equipment program create 3,000, 8,000 or 2,000 jobs? I think it is hard to do that with precision. I can say unequivocally that it has significantly contributed to the burst of investment that has taken place in this state over the last four years. If any of you go home this weekend and talk to people in your community, business people particularly in manufacturing who have made or are contemplating investment, ask them about the significance of the program. I believe it is the most significant tax change that has been made in this state in the past 25 years. It should not be viewed as corporate welfare. It should be viewed as the repeal of a lousy piece of tax policy that should have been repealed 50 years ago.

I never knew the true meaning of the different sides of the aisle before. It reminds me of when I was lobbying up here in the '70s. There was a bill to change how people's names appeared on the ballot, from alphabetical order to random. When the bill was voted on, this side was all nays and this side they were all yeas. That was the most remarkable vote I have ever seen in this place. Has the program grown? Yes. Was it projected to grow? Yes. I went back today and looked at what was presented to the Appropriations Committee in 1995. It was projected to grow significantly. It has grown faster than it was projected because it is work. That is the whole point. Let's not do anything to undermine the extraordinary growth in income and jobs that we have seen in the last four years. I would be shortsighted in the extreme, in my opinion. It would be shortsighted for two reasons. A reporter asked me if we could just tinker with it a little bit and take some things out here and there. Of course, nothing is written in stone. However, one of the things that I have learned being Maine's ambassador to the world is that we tend to have a reputation in the business community in Maine and outside of Maine as being somewhat unpredictable, inconsistent. It would be terrible for that reputation to confirm it by changing something that we committed to three years ago in terms of people making investments. I just think that if we want more resources for schools, hospitals, agriculture or whatever your cause is, let's not take aim at one of the major factors that has contributed to getting us to this happy place that we are in right now. That is one of the reductions that I think would be foolhardy to tamper with.

The second is an increase. Now, maybe I can reverse this. Let's talk about highways. The highway tax is very different from the other taxes that we collect in several ways. One, it is almost directly a use tax. It is a user fee. When people pay their income tax, they don't think of it as a user fee for government. They pay their income tax and the money goes for all kinds of different things, Medicaid, schools or whatever. When people pay their highway tax, that is for the highways. By the way, the fuel tax collects less than is spent on the highways. The difference is made up by drivers license fees, care

registrations and the like. If your constituents say that they would be willing to pay more if I could be sure it would go to the highways, you can look at them and assure them that that will be the case. It will go to the highways. It is a pure user fee.

I applaud some of my colleagues, your colleagues, who have come up with an alternative approach to this idea because their approach at least acknowledges the problem. I was taking to a legislator today who said that their constituents don't want to pay that higher tax. I said, "Do your constituents complain to you about the roads?" The answer was yes. You can't have it both ways. There is no point in kidding the public that we can have it both ways. If we want better roads, we have to pay for them. If we pay for it sort of indirectly through a redirection of the sales tax, I am not sure that really confronts the issue. Why not just say that the roads are costing more, we have to pay for them.

Right now our gas tax is 38th highest in the country or lowest. There are only 11 states that are lower than ours. If we pass the nickel increase that I proposed, it would take us to something like 18th, if everybody else stays the same. If other people increase, my prediction is that we will be somewhere around the middle of the pack, probably 25th or 30th. It is remarkable if you consider the size of this state and the size of our road network and our population. A lot of people don't realize, particularly outside of Maine, all the rest of New England could fit inside of Maine. All the rest, Vermont, New Hampshire, Massachusetts and Rhode Island could all fit within the geography of the State of Maine. We have to maintain this huge road system. It is remarkable that we are doing it as well as we are with the 38th lowest gas tax in the country. I think that we have got to come to grips with this and just say that it is costing more. I like to say it is a pay as you go system. We are going more than we are paying.

Here is what is happening. These are the revenues from the gas tax. Green is the gas tax. White is the diesel tax. Going back to 1985, as you can see, the revenues are relatively flat. There is a little uptick here. This is SUVs. Thank God for Ford Explorers. That is where this is coming from. There is a little bit of an uptick right there. The red line is vehicle miles traveled. If you pick any point on this, go back to 1991 when the gas tax went up 2 cents, since that time, we have gained about a billion vehicle miles. People are driving more. They are beating up the roads more. Yet, the revenues are relatively constant. Therein lies the problem. The federal government has recently increased funding available for the federal highway system, which is a mixed blessing. It gives us more money, but we have got to match it. If we don't do this increase, we are going to lose something like \$50 million of federal money on the table. Go home and explain that to your constituents in terms of the highway projects across the state. That is essential infrastructure.

Finally, sales tax. Over the last two or three weeks there has been a great deal of discussion about revenue reprojections. It looks like there will be a revenue reprojection. We can't budget for it or do anything until the Revenue Forecasting Commission puts their certificate on it. They are having serious discussions. They had a meeting a week or so ago. They did not meet consensus. They are going to meet again in early March. It looks like, barring some economic change between now and then, that we will have a revenue reprojection going into the next biennium for this year and the next two years that totals about \$60 million, actually it is about \$70 million. That is \$40 million this year, \$6 million in the first year of the biennium

and \$18 million in the second year. That creates an opportunity for us.

The other thing, I want to be honest about this, also in the backs of everyone's mind is the automatic trigger to lower the sales tax a half cent, which went into affect last fall. We may or may not hit that this year. We don't know yet. As of right now, we are about where we were a year ago. It is entirely possible that we will hit it. I would give it about a 50/50 chance. I say let's take matters into our hands, control our own destiny and repeal the half cent tax now. This issue is how to do it? When to do it? What the effective date will be? How it fits in with the gas tax? How it fits in with other budgetary needs? Those are all the things that we have to discuss. In our internal work, we looked at January 1, 2000, as a date to have it go into affect. That doesn't leave us much slack for dealing with unmet needs in the budget. The date that we are focusing on is July 1, 2000. It is a little over a year from now, which is in the middle of the biennium. I am sure everybody in this room would like to do it sooner. That is the kind of thing that we can discuss, work on, try to find accommodation. That is what this place is all about.

If we don't do it now, I don't know when we are going to do it. We are not going to do it when this thing starts coming down. I can assure you. My concern is if it starts coming down and we don't do it, then we will be sitting around here talking about going to 6.5 or 7 percent. You have got to get it down when you can. This is sort of a reverse. Mark Twain had a famous story of a friend of his who came to him and said, "I am dying. What can I do?" Mark Twain said, "Quit smoking." The guy said, "I never smoked." Mark Twain said, "Quit drinking." The guy said, "I never drank." Mark Twain said, "Quit going out on the town and staying up all night." The guy said, "I never did that." Twain said, "I can't help you. You haven't been maintaining your vices." It is sort of the reciprocal of that. If we have to go to the well, we better get the water level down a little bit so that if we do have to go to the well, in hard times, we have at least made this gesture to get it back down in good times.

I did some research today. We can make history if we do this. I have driven them crazy in the revenue department today. All kinds of people have been getting calls from me. One of them didn't believe it. One of them said, "Yes, sure, you are my brother-in-law." If we voluntarily, together, lower the tax, it will be the first time in the history of the State of Maine that a Legislature and a Governor have ever lowered a tax rate. Isn't that amazing. The first time ever. There have been two reductions. One was the expiration of the surcharge on the income tax, but that happened automatically. It was built into the law that passed it. The second one was last fall when the automatic trigger lowered the sales tax. I don't think we can claim perfect virtue, because the trigger is still out there and that is part of the reason we are considering this. I suppose half virtue is better than none. I think we really have to work and look at this in order to try to make it work. The people of the State of Maine will appreciate it. They will notice it. I think it will make a difference in the state.

I think we ought to go ahead and do it as long as that trigger is there and as long as that half cent is there, it is just going to be an aggravation. We may as well go ahead and suck it up and do it and get it over with. By the way, part of the deal has to be to repeal the trigger. That is bad policy to have us on automatic pilot. Where are they? You can't run government on automatic pilot. You have to be able to make decisions as circumstances agree. As far as I am concerned, we are going to lower the tax. We have gotten the tax back to where the public

expected it to be and once we have done that, I think that trigger should go because there are some real problems with it.

In conclusion, Mary is breathing a sigh of relief. There isn't any magic solution here. We can't please everybody. I have a perfect story for you about not being able to please everybody. I don't want to pick on this fellow who is going to be upset that I even told this story, but I can't resist. It is so perfect. Last week I got a call from a reporter. The reporter said, "Governor, how does it feel to have 110 foot snowman in Bethel named after you?" I said, "I guess it is better than a sewage treatment plant." That appeared in the paper. Less than 24 hours later I got a letter from a manager of a sewerage treatment plant irate that I was perpetuating Ed Norton stereotypes. Some of you are old enough to remember Ed Norton. Those of you who aren't, ask one of your peers. Peter, I will tell you who Ed Norton is later.

The point is we can't please everybody. We have to try to do our best. It seems to me that in this situation we do have a historic opportunity. I believe the revenues are going to continue for some time. We are going to be able to provide the tax cut and meet the needs. If we don't provide some discipline to ourselves, we are just going to spend all the money. The one thing I have learned is, there are no bad programs. Agricultural marketing, programs for the deaf, mental health for children, more GPA, more money for the university, R & D, these are all good programs. The problem is the programs can expand to take all the money that is available. I think we should give some of it back.

I come at this with four principles. I offer these to you for your consideration. One, all the money comes from the people. Second, all the money the people have, comes from the economy. The third, what goes up, must come down. The fourth, if we work together in a spirit of good faith, there is nothing that we can't solve. There is no problem that we can't solve.

I will sum it up by leaving you with a quote from one of my favorite philosophers. "You can't always get what you want, but if you try, sometimes you will find you get what you need."

Thank you very much.

At the conclusion of the address, Governor Angus King, Jr., 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 the retired to its Chamber.

(After the joint Convention)

The House was called to order by the Speaker.

SENATE PAPERS

Bill "An Act to Amend Law Enforcement Powers of Maine Forest Rangers"

(S.P. 397) (L.D. 1188)

Bill "An Act to Ensure that Land for Maine's Future Acquisitions Include Lands of Local or Regional Significance" (S.P. 404) (L.D. 1193)

Came from the Senate, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in concurrence.

Resolve, to Preserve the Temporary Assistance to Needy Families Block Grant Funds Reserved for Future Use (EMERGENCY)

(S.P. 396) (L.D. 1187)

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 to Promote the Cranberry Industry" (S.P. 400) (L.D. 1191)

Bill "An Act to Expand Opportunities for Education, Training and Employment for Displaced Homemakers" (S.P. 409) (L.D. 1198)

Came from the Senate, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in concurrence.

Bill "An Act to Update Insurance Financial Standards" (S.P. 401) (L.D. 1192)

Bill "An Act to Encourage the Acquisition of Long-term Care Insurance" (S.P. 408) (L.D. 1197)

Bill "An Act Concerning Access to Obstetrical and Gynecological Services Provided Through Managed Care Plans" (S.P. 416) (L.D. 1205)

Came from the Senate, **REFERRED** to the Committee on **BANKING AND INSURANCE** and ordered printed.

REFERRED to the Committee on **BANKING AND INSURANCE** in concurrence.

Bill "An Act Regarding the Circumstances under Which a Physician May Be Disciplined" (S.P. 395) (L.D. 1186)

Bill "An Act to Ensure Adequate Funding of Certain Public Safety Programs of Occupational or Professional Licensure Boards" (S.P. 398) (L.D. 1189)

Bill "An Act to Require Licensing Fees of Tobacco Products Manufacturers" (S.P. 412) (L.D. 1201)

Bill "An Act to Provide for the 1999 and 2000 Allocations of the State Ceiling on Private Activity Bonds" (EMERGENCY) (S.P. 417) (L.D. 1206)

Came from the Senate, **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and ordered printed.

REFERRED to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** in concurrence.

Bill "An Act to Ensure Just Sentences" (S.P. 413) (L.D. 1202)

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE** and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE** in concurrence.

Bill "An Act to Improve School Safety and Learning Environments" (S.P. 298) (L.D. 870)

Came from the Senate, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

Bill "An Act to Increase Access to Prescription Drugs for the Elderly and for Disabled Persons" (S.P. 414) (L.D. 1203)

Came from the Senate, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

Bill "An Act to Create Accountability in the Management of Trout and Salmon in Maine" (S.P. 406) (L.D. 1195)

Bill "An Act to Amend the Fishing Laws" (S.P. 415) (L.D. 1204)

Came from the Senate, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** in concurrence.

Bill "An Act to Allow Greenings Island to Secede from the Town of Southwest Harbor" (S.P. 399) (L.D. 1190)

Bill "An Act to Amend the Laws Pertaining to Excise Tax Collection" (S.P. 411) (L.D. 1200)

Came from the Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

Bill "An Act to Clarify the Amount of Meals and Lodging Tax Applicable When an Establishment Has Take-out and On-premise Food" (S.P. 407) (L.D. 1196)

Bill "An Act to Tax Docking Fees for Pleasure Boats Greater than 19 Feet in Length"

(S.P. 410) (L.D. 1199)

Came from the Senate, **REFERRED** to the Committee on **TAXATION** and ordered printed.

REFERRED to the Committee on **TAXATION** in concurrence.

Bill "An Act to Amend the Local Highway Laws"

(S.P. 418) (L.D. 1207)

Came from the Senate, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

REFERRED to the Committee on **TRANSPORTATION** in concurrence.

Bill "An Act to Expand the Basic Service Calling Area in Certain Rural Areas"

(S.P. 405) (L.D. 1194)

Bill "An Act to Amend the Enhanced 9-1-1 Laws" (EMERGENCY)

(S.P. 419) (L.D. 1208)

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

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

Non-Concurrent Matter

Resolve, to Allow Lawsuit Against the State of Maine

(H.P. 448) (L.D. 611)

REFERRED to the Committee on **JUDICIARY** in the House on January 26, 1999.

Came from the Senate **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** in **NON-CONCURRENCE**.

On motion of Representative TUTTLE of Sanford, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

COMMUNICATIONS

The Following Communication: (H.C. 34)
119TH MAINE LEGISLATURE

January 26, 1999
Honorable Angus S. King, Jr.
Governor of Maine
1 State House Station
Augusta, ME 04333
Dear Governor King:

We are pleased to invite you to address a Joint Session of the 119th Maine Legislature on Tuesday, February 16, 1999 at 3:30 p.m. concerning the biennial budget and any other matters that you may care to bring to our attention.

We look forward to seeing you then.

Sincerely,
S/Mark W. Lawrence
President of the Senate
S/G. Steven Rowe
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 35)

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

February 10, 1999
Honorable Joseph W. Mayo
Clerk of the House
State House Station #2
Augusta, ME 04333
Dear Clerk Mayo:

Pursuant to my authority under 7 M.R.S.A. section 125 (G), I am today appointing Representative Wendy Pieh of Bremen to the Board of Agriculture.

Sincerely,
S/G. Steven Rowe
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 50)

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

February 11, 1999
The Honorable G. Steven Rowe
Speaker of the House
119th Legislature
2 State House Station
Augusta, Maine 04333
Dear Speaker Rowe:

In accordance with Joint Rule 506, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Education and Cultural Affairs, the nominations of Bruce N. Schatz of Augusta for appointment to the Maine Public Broadcasting System Board of Trustees; Kristy Lingley of Dennysville for appointment and Harrison L. Richardson of South Portland for reappointment to the Maine Maritime Academy Board of Trustees; and Margaret D. Copelin of Benton for appointment to the Maine School of Science and Mathematics 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.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills and Resolves were received, and upon the recommendation of the Committee on Reference of Bills were **REFERRED** to the following Committees, ordered printed and sent for concurrence:

AGRICULTURE, CONSERVATION AND FORESTRY

Bill "An Act to Resolve Technical Inconsistencies in the Nutrient Management Act"

(H.P. 891) (L.D. 1248)

Presented by Representative COWGER of Hallowell.
Cosponsored by Senator NUTTING of Androscoggin and
Representatives: CARR of Lincoln, GOOLEY of Farmington,
GREEN of Monmouth, MITCHELL of Vassalboro, PIEH of
Bremen, VOLENIK of Brooklin, Senators: KIEFFER of
Aroostook, KILKELLY of Lincoln.

Bill "An Act to Reduce the Administrative Requirements of
the Forest Practices Laws"

(H.P. 933) (L.D. 1310)

Presented by Representative FOSTER of Gray.
Cosponsored by Senator DAVIS of Piscataquis and
Representatives: CARR of Lincoln, CROSS of Dover-Foxcroft,
GILLIS of Danforth, GOOLEY of Farmington, MacDOUGALL of
North Berwick, SCHNEIDER of Durham, TRAHAN of
Waldoboro.

Bill "An Act to Establish Blueberry Weight Accountability"

(H.P. 946) (L.D. 1343)

Presented by Representative KNEELAND of Easton.
Cosponsored by Senator CASSIDY of Washington and
Representatives: BAGLEY of Machias, DUGAY of Cherryfield,
GILLIS of Danforth, GOODWIN of Pembroke, PIEH of Bremen,
PINKHAM of Lamoine, SHOREY of Calais.

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act to Provide Funds for a New Historical Atlas of
Maine"

(H.P. 901) (L.D. 1279)

Presented by Representative STEVENS of Orono.
Cosponsored by Senator CATHCART of Penobscot and
Representatives: BAKER of Bangor, BERRY of Livermore,
MAILHOT of Lewiston, SAXL of Bangor, TESSIER of Fairfield,
TOWNSEND of Portland, WILLIAMS of Orono, Senator:
MURRAY of Penobscot.

Bill "An Act to Provide Partial Funding for Construction of
the Edmund S. Muskie School of Public Service"

(H.P. 925) (L.D. 1302)

Presented by Representative MARTIN of Eagle Lake.
Cosponsored by President LAWRENCE of York and
Representatives: CAMERON of Rumford, GAGNON of
Waterville, ROWE of Portland, TOWNSEND of Portland,
Senators: BENNETT of Oxford, FERGUSON of Oxford, RAND
of Cumberland.

Bill "An Act to Provide Additional Funding for the Maine
Indian Tribal-State Commission"

(H.P. 944) (L.D. 1341)

Presented by Representative AHEARNE of Madawaska.
Cosponsored by Senator CATHCART of Penobscot and
Representatives: DUNLAP of Old Town, LORING of the
Penobscot Nation, MARTIN of Eagle Lake, RINES of Wiscasset,
SOCTOMAH of the Passamaquoddy Tribe, TWOMEY of
Biddeford, Senators: CASSIDY of Washington, PENDLETON of
Cumberland.

Bill "An Act to Enhance Tourism Promotion and Provide
Additional State Revenue"

(H.P. 914) (L.D. 1292)

Presented by Representative COWGER of Hallowell.

Cosponsored by President LAWRENCE of York and
Representatives: CAMPBELL of Holden, MURPHY of
Kennebunk, ROWE of Portland, SAXL of Portland, SHIAH of
Bowdoinham, Senators: AMERO of Cumberland, BENNETT of
Oxford, RAND of Cumberland.

Committee on **APPROPRIATIONS AND FINANCIAL
AFFAIRS** suggested.

On motion of Representative TOWNSEND of Portland, the
Bill was **REFERRED** to the Committee on **BUSINESS AND
ECONOMIC DEVELOPMENT**, ordered printed and sent for
concurrence.

BUSINESS AND ECONOMIC DEVELOPMENT

Bill "An Act to Create the Board of Cemetery and
Crematory Services"

(H.P. 896) (L.D. 1253)

Presented by Representative CAMPBELL of Holden. (BY
REQUEST)

Cosponsored by Representatives: FISHER of Brewer, GLYNN of
South Portland, MAYO of Bath, USHER of Westbrook, Senator:
FERGUSON of Oxford.

Bill "An Act to Expand Economic Development
Opportunity"

(H.P. 908) (L.D. 1286)

Presented by Representative GREEN of Monmouth.
Cosponsored by Senator NUTTING of Androscoggin and
Representatives: DUDLEY of Portland, GAGNON of Waterville,
Senator: RUHLIN of Penobscot.

Bill "An Act Regarding Continuing Education for
Professional Land Surveyors" (EMERGENCY)

(H.P. 917) (L.D. 1295)

Presented by Representative POVICH of Ellsworth.
Cosponsored by Representatives: CHIZMAR of Lisbon,
DUNLAP of Old Town, FRECHETTE of Biddeford, TOBIN of
Dexter.

Submitted by the Department of Professional and Financial
Regulation pursuant to Joint Rule 204.

Bill "An Act to Amend the Laws Regarding the Hiring of
Physicians for Maine Summer Camps" (EMERGENCY)

(H.P. 927) (L.D. 1304)

Presented by Representative McKEE of Wayne.
Cosponsored by Senator NUTTING of Androscoggin and
Representatives: BROOKS of Winterport, DUPLESSIE of
Westbrook, SAMSON of Jay, SAXL of Bangor, Senator:
LONGLEY of Waldo.

CRIMINAL JUSTICE

Bill "An Act to Modify the Laws on Negotiating a Worthless
Instrument"

(H.P. 888) (L.D. 1245)

Presented by Representative BOWLES of Sanford.
Cosponsored by Senator MacKINNON of York and
Representatives: CIANCHETTE of South Portland, FOSTER of
Gray, MacDOUGALL of North Berwick, WHEELER of Eliot.

Bill "An Act to Provide Funding for School Drug Awareness
and Education Programs"

(H.P. 902) (L.D. 1280)

Presented by Representative AHEARNE of Madawaska.
Cosponsored by Senator PENDLETON of Cumberland and
Representatives: CLARK of Millinocket, O'NEAL of Limestone,
TUTTLE of Sanford, WHEELER of Bridgewater, WHEELER of
Eliot, Senator: DAVIS of Piscataquis.

Bill "An Act to Make It a Class E Crime to Write a Check
on a Closed Account"

(H.P. 904) (L.D. 1282)

Presented by Representative TUTTLE of Sanford.
Cosponsored by Representatives: CHIZMAR of Lisbon,
FRECHETTE of Biddeford, McALEVEY of Waterboro, POVICH
of Ellsworth, QUINT of Portland, SHERMAN of Hodgdon, TOBIN
of Dexter, Senator: DAVIS of Piscataquis.

Bill "An Act Concerning the Responsibility of County
Sheriffs to Transport Juvenile Detainees"

(H.P. 915) (L.D. 1293)

Presented by Representative WHEELER of Bridgewater.
Cosponsored by Senator DAGGETT of Kennebec and
Representatives: AHEARNE of Madawaska, CLARK of
Millinocket, KNEELAND of Easton, O'NEAL of Limestone.

Bill "An Act to Raise Penalties for Cases of Cruelty to
Animals or Birds"

(H.P. 903) (L.D. 1281)

Presented by Representative STEVENS of Orono.
Cosponsored by Senator KILKELLY of Lincoln and
Representatives: DUNLAP of Old Town, MUSE of South
Portland, O'BRIEN of Augusta, PEAVEY of Woolwich, POVICH
of Ellsworth, QUINT of Portland, WILLIAMS of Orono, Senator:
MURRAY of Penobscot.

Committee on **CRIMINAL JUSTICE** suggested.

On motion of Representative POVICH of Ellsworth, the Bill
was **REFERRED** to the Committee on **AGRICULTURE,
CONSERVATION AND FORESTRY**, ordered printed and sent
for concurrence.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act to Use State Educational Facilities Efficiently"

(H.P. 909) (L.D. 1287)

Presented by Representative GREEN of Monmouth.
Cosponsored by Representatives: LEMONT of Kittery, MURPHY
of Berwick, TRIPP of Topsham, WATSON of Farmingdale.

Bill "An Act to Provide for Timely Implementation of the
Maine College Savings Program" (EMERGENCY)

(H.P. 919) (L.D. 1297)

Presented by Representative MARVIN of Cape Elizabeth.
Cosponsored by Representatives: BELANGER of Caribou,
STEDMAN of Hartland, WESTON of Montville, Senator: SMALL
of Sagadahoc.

Bill "An Act to Establish and Fund Conflict Resolution
Programs in the Public Schools"

(H.P. 928) (L.D. 1305)

Presented by Representative WATSON of Farmingdale.
Cosponsored by Senator LONGLEY of Waldo and
Representatives: DESMOND of Mapleton, GREEN of
Monmouth, HONEY of Boothbay, O'BRIEN of Augusta,

TOWNSEND of Portland, TRIPP of Topsham, Senators:
FERGUSON of Oxford, PARADIS of Aroostook.

Bill "An Act to Clarify Roles and Responsibilities in the
Child Development Services System" (EMERGENCY)

(H.P. 931) (L.D. 1308)

Presented by Representative RICHARD of Madison.
Cosponsored by Representative: BELANGER of Caribou,
Senators: BERUBE of Androscoggin, SMALL of Sagadahoc.
Submitted by the Department of Education pursuant to Joint
Rule 204.

Bill "An Act to Facilitate the Transfer of Credits Between
Colleges of the Maine Technical College System"

(H.P. 939) (L.D. 1336)

Presented by Representative NORBERT of Portland.
Cosponsored by Senator LONGLEY of Waldo and
Representatives: COLWELL of Gardiner, DESMOND of
Mapleton, DUPLESSIE of Westbrook, JACOBS of Turner,
MADORE of Augusta, SANBORN of Alton, SAVAGE of Buxton,
SCHNEIDER of Durham.

Bill "An Act to Require Schools to Begin After Labor Day"

(H.P. 943) (L.D. 1340)

Presented by Representative CAMPBELL of Holden.
Cosponsored by Representatives: BROOKS of Winterport,
COWGER of Hallowell, FISHER of Brewer, PLOWMAN of
Hampden.

Bill "An Act to Amend the Laws Regarding the School
Administrative District Budget Approval Process"

(H.P. 949) (L.D. 1346)

Presented by Representative BROOKS of Winterport.
Cosponsored by Representatives: BAGLEY of Machias, BAKER
of Bangor, COTE of Lewiston, MENDROS of Lewiston, SAXL of
Bangor, SHIELDS of Auburn, Senators: FERGUSON of Oxford,
LIBBY of York.

HEALTH AND HUMAN SERVICES

Bill "An Act to Expand Access to the Elderly Low-cost Drug
Program"

(H.P. 905) (L.D. 1283)

Presented by Representative STANWOOD of Southwest Harbor.
Cosponsored by Representatives: COLLINS of Wells, McNEIL of
Rockland, PERKINS of Penobscot, PINKHAM of Lamoine,
SNOWE-MELLO of Poland.

Bill "An Act to Create the Position of Ombudsman in the
Department of Human Services"

(H.P. 912) (L.D. 1290)

Presented by Representative PLOWMAN of Hampden.
Cosponsored by Senator: BENOIT of Franklin.

Resolve, to Create the Task Force to Explore Alternative
Payment Mechanisms for Dental Health Care

(H.P. 918) (L.D. 1296)

Presented by Representative MARVIN of Cape Elizabeth.
Cosponsored by Senator PARADIS of Aroostook and
Representatives: BROOKS of Winterport, GAGNON of
Waterville, MAYO of Bath, QUINT of Portland, SNOWE-MELLO
of Poland.

Bill "An Act to Improve Consumers' Opportunities to Hire and Retain Personal Care Attendants"

(H.P. 935) (L.D. 1312)

Presented by Representative FULLER of Manchester.
Cosponsored by Representatives: BRAGDON of Bangor, COWGER of Hallowell, MARVIN of Cape Elizabeth, QUINT of Portland, SAXL of Bangor, SCHNEIDER of Durham, TOWNSEND of Portland, Senator: TREAT of Kennebec.

INLAND FISHERIES AND WILDLIFE

Bill "An Act to Give the Commissioner of Inland Fisheries and Wildlife the Sole Discretion to Determine the Need for and Location of Boat Launches"

(H.P. 936) (L.D. 1313)

Presented by Representative CLARK of Millinocket.
Cosponsored by Representatives: GOODWIN of Pembroke, O'NEAL of Limestone, WHEELER of Bridgewater.

Bill "An Act to Provide a Free Hunting License to a Person Who Has Lost the Use of One Arm"

(H.P. 941) (L.D. 1338)

Presented by Representative AHEARNE of Madawaska.
Cosponsored by Representatives: CLARK of Millinocket, O'NEAL of Limestone, TRACY of Rome, WHEELER of Bridgewater, Senator: PARADIS of Aroostook.

Bill "An Act Providing for Regulation of the Uses of Surface Waters within or Affecting Passamaquoddy Territory"

(H.P. 898) (L.D. 1255)

Presented by Representative SOCTOMAH of the Passamaquoddy Tribe.
Cosponsored by Representatives: GOODWIN of Pembroke, LORING of the Penobscot Nation, TWOMEY of Biddeford.

Committee on **INLAND FISHERIES AND WILDLIFE** suggested.

On motion of Representative DUNLAP of Old Town, **TABLED** pending **REFERENCE** and later today assigned.

JUDICIARY

Bill "An Act to Strengthen the Kinship Laws"

(H.P. 886) (L.D. 1243)

Presented by Representative PLOWMAN of Hampden.
Cosponsored by Representatives: COTE of Lewiston, FRECHETTE of Biddeford, GERRY of Auburn, MAILHOT of Lewiston, MENDROS of Lewiston, WATERHOUSE of Bridgton, Senator: BENOIT of Franklin.

Bill "An Act to Change the Reimbursement Rate for Law Enforcement Personnel Who Testify in Court"

(H.P. 894) (L.D. 1251)

Presented by Representative LEMONT of Kittery.
Cosponsored by Senator DAVIS of Piscataquis and Representatives: BRUNO of Raymond, KNEELAND of Easton, NASS of Acton, PLOWMAN of Hampden, THOMPSON of Naples, TUTTLE of Sanford, WHEELER of Bridgewater, WHEELER of Eliot.

Bill "An Act Regarding Test Results Used in Determining Paternity"

(H.P. 906) (L.D. 1284)

Presented by Representative McNEIL of Rockland.
Cosponsored by Representatives: ANDREWS of York, CIANCHETTE of South Portland, COLLINS of Wells, MACK of Standish, McKENNEY of Cumberland, PLOWMAN of Hampden, Senator: AMERO of Cumberland.

Bill "An Act to Allow the Child Support Obligor the Right to Provide Day Care"

(H.P. 907) (L.D. 1285)

Presented by Representative STANWOOD of Southwest Harbor.
Cosponsored by Representatives: MAYO of Bath, PINKHAM of Lamoine, SNOWE-MELLO of Poland.

Bill "An Act to Provide for a Limited Waiver of Immunity"

(H.P. 916) (L.D. 1294)

Presented by Representative POWERS of Rockport.
Cosponsored by Representatives: JABAR of Waterville, MADORE of Augusta, SCHNEIDER of Durham, Senators: HARRIMAN of Cumberland, LONGLEY of Waldo.

Bill "An Act to Amend the Statute of Limitations for Medical Malpractice"

(H.P. 926) (L.D. 1303)

Presented by Representative WATSON of Farmingdale.
Cosponsored by Senator RAND of Cumberland and Representatives: BULL of Freeport, DUPLESSIE of Westbrook, FISHER of Brewer, GREEN of Monmouth, NORBERT of Portland, TRUE of Fryeburg, Senators: MILLS of Somerset, MURRAY of Penobscot.

LABOR

Bill "An Act to Protect the Rights of Judicial Employees"

(H.P. 889) (L.D. 1246)

Presented by Representative FULLER of Manchester.
Cosponsored by Representatives: BOUFFARD of Lewiston, MUSE of South Portland, SAMSON of Jay, SAVAGE of Buxton, SAXL of Portland, Senator: RAND of Cumberland.

LEGAL AND VETERANS AFFAIRS

Bill "An Act to Require Truth in Campaign Advertising"

(H.P. 887) (L.D. 1244)

Presented by Representative PLOWMAN of Hampden.
Cosponsored by Representatives: CAMPBELL of Holden, MADORE of Augusta, Senator: BENOIT of Franklin.

Bill "An Act to Allow Beverage Sales from Mobile Service Vehicles on Golf Courses"

(H.P. 897) (L.D. 1254)

Presented by Representative CAMPBELL of Holden.
Cosponsored by Representative MITCHELL of Vassalboro and Representatives: COWGER of Hallowell, GLYNN of South Portland.

Bill "An Act to Amend the Liquor Licensing Laws Regarding Bed and Breakfasts"

(H.P. 913) (L.D. 1291)

Presented by Representative COWGER of Hallowell.
Cosponsored by Senator HARRIMAN of Cumberland and Representatives: FISHER of Brewer, LEMONT of Kittery, MAYO of Bath, MITCHELL of Vassalboro, PIEH of Bremen, TESSIER

of Fairfield, WHEELER of Eliot, Senator: GOLDTHWAIT of Hancock.

Bill "An Act to Provide Preference to Farmers for Disaster Relief" (H.P. 942) (L.D. 1339)

Presented by Representative AHEARNE of Madawaska.
Cosponsored by Representatives: CLARK of Millinocket, KNEELAND of Easton, MARTIN of Eagle Lake, O'NEAL of Limestone, STANLEY of Medway, TRACY of Rome, WHEELER of Bridgewater, Senator: PARADIS of Aroostook.

Committee on **LEGAL AND VETERANS AFFAIRS** suggested.

On motion of Representative TUTTLE of Sanford, the Bill was **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**, ordered printed and sent for concurrence.

MARINE RESOURCES

Bill "An Act to Establish a Lobster License for 30-year Residents of the State Who are 65 Years of Age or Older" (H.P. 910) (L.D. 1288)

Presented by Representative GOODWIN of Pembroke.
Cosponsored by Representatives: CLARK of Millinocket, DUGAY of Cherryfield, USHER of Westbrook.

Bill "An Act to Allow Student License Holders to Become Eligible for Commercial Lobster and Crab Fishing Licenses" (H.P. 948) (L.D. 1345)

Presented by Representative ETNIER of Harpswell.
Cosponsored by Representatives: BAGLEY of Machias, HONEY of Boothbay, LEMONT of Kittery, VOLENIK of Brooklin.
Submitted by the Department of Marine Resources pursuant to Joint Rule 204.

NATURAL RESOURCES

Resolve, to Establish a Task Force to Study the Operation of and Support for the Board of Environmental Protection (H.P. 899) (L.D. 1256)

Presented by Representative COWGER of Hallowell.
Cosponsored by Senator TREAT of Kennebec and Representatives: CAMPBELL of Holden, GOODWIN of Pembroke, O'NEAL of Limestone, SNOWE-MELLO of Poland, TESSIER of Fairfield, USHER of Westbrook, WHEELER of Bridgewater, Senator: LONGLEY of Waldo.

Bill "An Act to Require Legislative Review of Motor Vehicle Fuel Standards" (EMERGENCY) (H.P. 929) (L.D. 1306)

Presented by Representative DAIGLE of Arundel.

Bill "An Act to Repeal the Emissions Testing Program in Cumberland County" (H.P. 934) (L.D. 1311)

Presented by Representative FOSTER of Gray.
Cosponsored by Representative DUPLESSIE of Westbrook, Senator HARRIMAN of Cumberland and Representatives: CARR of Lincoln, CLOUGH of Scarborough, CROSS of Dover-Foxcroft, GILLIS of Danforth, MacDOUGALL of North Berwick, TRAHAN of Waldoboro, USHER of Westbrook.

STATE AND LOCAL GOVERNMENT

Bill "An Act to Establish Procedures for the Awarding of Loans and Grants to Municipalities and Other Entities" (H.P. 885) (L.D. 1242)

Presented by Representative NASS of Acton.

Bill "An Act to Establish Municipal Zoning Regulations for Community Living Arrangements" (H.P. 911) (L.D. 1289)

Presented by Representative TUTTLE of Sanford.
Cosponsored by Senator MacKINNON of York and Representatives: AHEARNE of Madawaska, BAGLEY of Machias, BOWLES of Sanford, BUMPS of China, KASPRZAK of Newport, PERRY of Bangor, RINES of Wiscasset, SAXL of Portland.

Bill "An Act to Amend the Certification Process of Code Enforcement Officers" (H.P. 920) (L.D. 1298)

Presented by Representative COLWELL of Gardiner.
Cosponsored by Senator DAGGETT of Kennebec and Representatives: DAVIDSON of Brunswick, MURPHY of Berwick.

Committee on **STATE AND LOCAL GOVERNMENT** suggested.

On motion of Representative AHEARNE of Madawaska, the Bill was **REFERRED** to the Committee on **NATURAL RESOURCES**, ordered printed and sent for concurrence.

TAXATION

Bill "An Act to Extend the Homestead Tax Exemption to the Passamaquoddy and Penobscot Communities" (H.P. 890) (L.D. 1247)

Presented by Representative SOCTOMAH of the Passamaquoddy Tribe.
Cosponsored by Representatives: GOODWIN of Pembroke, LORING of the Penobscot Nation, TWOMEY of Biddeford, Senator: CATHCART of Penobscot.

Bill "An Act to Eliminate the Lodging Tax on Long-term Rentals" (H.P. 892) (L.D. 1249)

Presented by Representative COWGER of Hallowell.
Cosponsored by Senator KILKELLY of Lincoln and Representatives: AHEARNE of Madawaska, CLARK of Millinocket, DUNLAP of Old Town, GOODWIN of Pembroke, SNOWE-MELLO of Poland, Senator: BENNETT of Oxford.

Bill "An Act to Explain the Check-off Box on Maine Tax Returns for Campaign Financing" (H.P. 895) (L.D. 1252)

Presented by Representative LEMONT of Kittery.
Cosponsored by Representatives: ANDREWS of York, BRUNO of Raymond, CAMERON of Rumford, GERRY of Auburn, GLYNN of South Portland, RINES of Wiscasset, WATERHOUSE of Bridgton.

Bill "An Act to Base Sales Tax for Net Energy Billing Customers on Net Energy Deliveries"

(H.P. 900) (L.D. 1278)
Presented by Representative GREEN of Monmouth.
Cosponsored by Representatives: BULL of Freeport, DAVIDSON of Brunswick, GAGNON of Waterville, LaVERDIERE of Wilton, SAXL of Bangor, VOLENIK of Brooklin, Senator: MILLS of Somerset.

Bill "An Act to Enhance the Elderly Low Cost Drug Program"
(H.P. 922) (L.D. 1299)
Presented by Representative PEAVEY of Woolwich.
Cosponsored by Representatives: BERRY of Belmont, COLLINS of Wells, LOVETT of Scarborough, MARVIN of Cape Elizabeth, McNEIL of Rockland, SAVAGE of Union, Senator: DAVIS of Piscataquis.

Bill "An Act Exempting from the Sales Tax the Value of a Trade-in Vehicle When the Trade-in Is Sold Privately"
(H.P. 923) (L.D. 1300)
Presented by Representative LOVETT of Scarborough.
Cosponsored by Senator MITCHELL of Penobscot and Representatives: COWGER of Hallowell, HONEY of Boothbay, JODREY of Bethel, MURPHY of Berwick, SNOWE-MELLO of Poland, TOBIN of Dexter, TRIPP of Topsham.

Bill "An Act to Make Technical Changes and Improvements to the Employment Tax Increment Financing Program"
(H.P. 932) (L.D. 1309)
Presented by Representative TRIPP of Topsham.
Cosponsored by Senator DAGGETT of Kennebec and Representatives: CIANCHETTE of South Portland, GAGNON of Waterville, GREEN of Monmouth, LEMONT of Kittery, MURPHY of Berwick, Senators: MILLS of Somerset, RUHLIN of Penobscot.
Submitted by the Department of Economic and Community Development pursuant to Joint Rule 204.

Bill "An Act to Establish Medical Savings Accounts"
(H.P. 937) (L.D. 1314)
Presented by Representative WATERHOUSE of Bridgton.
Cosponsored by Senator BENNETT of Oxford and Representatives: MAYO of Bath, WHEELER of Eliot, Senator: DAGGETT of Kennebec.

Bill "An Act Regarding Taxation of Clean Vehicle Fuels"
(H.P. 940) (L.D. 1337)
Presented by Representative DUDLEY of Portland.
Cosponsored by Senator KONTOS of Cumberland and Representatives: BRENNAN of Portland, GREEN of Monmouth, MAYO of Bath, McKENNEY of Cumberland, POVICH of Ellsworth.

Bill "An Act to Provide Long-term Funding for the Land for Maine's Future Program"
(H.P. 947) (L.D. 1344)
Presented by Speaker ROWE of Portland.
Cosponsored by Senator PINGREE of Knox and Representatives: BRYANT of Dixfield, CIANCHETTE of South Portland, DAVIS of Falmouth, DUNLAP of Old Town, ETNIER of Harpswell, PIEH of Bremen, TOWNSEND of Portland, Senator: AMERO of Cumberland.

Bill "An Act to Clarify the Exempt Status of Property Shipped Out of State"
(H.P. 945) (L.D. 1342)

Presented by Representative CHIZMAR of Lisbon.
Cosponsored by Senator NUTTING of Androscoggin and Representatives: BOUFFARD of Lewiston, MacDOUGALL of North Berwick, Senators: BERUBE of Androscoggin, MacKINNON of York.

Committee on **TAXATION** suggested.
On motion of Representative CHIZMAR of Lisbon, the Bill and all accompanying papers were **INDEFINITELY POSTPONED** and sent for concurrence.

TRANSPORTATION

Bill "An Act to Allow a Change in a Vehicle Registration Date"
(H.P. 893) (L.D. 1250)
Presented by Representative COWGER of Hallowell. (BY REQUEST)
Cosponsored by Senator KILKELLY of Lincoln.

Bill "An Act Regarding Required Lights on Plow Trucks"
(H.P. 930) (L.D. 1307)
Presented by Representative LOVETT of Scarborough.

UTILITIES AND ENERGY

Bill "An Act to Conform State Law to Federal Nuclear Power Plant Requirements for Off-site Emergency Planning"
(H.P. 924) (L.D. 1301)
Presented by Representative BERRY of Belmont.
Cosponsored by Representatives: CROSS of Dover-Foxcroft, MACK of Standish, TRAHAN of Waldoboro, USHER of Westbrook, WESTON of Montville.

Bill "An Act to Ensure the Quality and Safety of Child Care"
(H.P. 938) (L.D. 1315)
Presented by Speaker ROWE of Portland.

Under suspension of the rules, cosponsored by Senator LONGLEY of Waldo and Representatives: BAKER of Bangor, BRENNAN of Portland, BRUNO of Raymond, DAVIDSON of Brunswick, FULLER of Manchester, KANE of Saco, LEMOINE of Old Orchard Beach, MADORE of Augusta, MAILHOT of Lewiston, MATTHEWS of Winslow, TESSIER of Fairfield, TOWNSEND of Portland, Senators: CATHCART of Penobscot, KONTOS of Cumberland, LAWRENCE of York, MURRAY of Penobscot, PARADIS of Aroostook, PINGREE of Knox.

Committee on **HEALTH AND HUMAN SERVICES** suggested.
Under suspension of the rules, the Bill was **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.
Sent for concurrence.

Pursuant to Statute

Criminal Law Advisory Commission
Representative POVICH for the **Criminal Law Advisory Commission** pursuant to Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asks leave to report that the

accompanying Bill "An Act Addressing an Allegation of Prior Conviction When the Sentence Is Enhanced"

(H.P. 950) (L.D. 1347)

Be **REFERRED** to the Committee on **CRIMINAL JUSTICE** and printed pursuant to Joint Rule 218.

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

Sent for concurrence.

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

ORDERS

On motion of Representative AHEARNE of Madawaska, the following Joint Order: (H.P. 921)

ORDERED, the Senate concurring, that the Commission to Study the Statewide Redemption of Returnable Containers is established as follows.

1. Commission established. The Commission to Study the Statewide Redemption of Returnable Containers, referred to in this order as the "commission," is established.

2. Commission membership. The commission consists of 11 members appointed as follows:

A. Five members of the House of Representatives, appointed by the Speaker of the House;

B. Three members of the Senate, appointed by the President of the Senate; and

C. One representative each from the beverage distribution industry, the redemption center industry and the public, appointed by the Governor.

3. Chairs; staffing; expenses. The chair is elected by a majority vote of the members. The commission may request staffing assistance from the Executive Director of the Legislative Council. Those members of the commission who are Legislators are entitled to receive the legislative per diem and reimbursement of necessary expenses incurred for their attendance at authorized meetings.

4. Appointments. All appointments must be made by October 1, 1999.

5. Duties; report. The commission shall hold public hearings, gather information, create working groups and request necessary data from public and private entities to study problems with the present procedures for the redemption of beverage containers by manufacturers, distributors and dealers of beverage containers statewide pursuant to the Maine Revised Statutes, Title 32, chapter 28, to explore the feasibility of implementing a statewide system or other system for the redemption of beverage containers in the State and to make recommendations to the Legislature. By January 15, 2000, the commission shall submit a report of its findings to the Joint Standing Committee on Business and Economic Development along with any implementing legislation. The Joint Standing Committee on Business and Economic Development may report out any legislation during the Second Regular Session of the 119th Legislature concerning findings and recommendations of the commission.

READ.

On motion of Representative AHEARNE of Madawaska, **TABLED** pending **PASSAGE** and later today assigned.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

David Tamulevich, of Durham, upon his retirement from teaching at Lewiston Middle School after 25 years of being an educator. We acknowledge his dedicated service and extend our congratulations and best wishes to him;

(HLS 66)

Presented by Representative COTE of Lewiston.

Cosponsored by Senator BERUBE of Androscoggin, Representative SCHNEIDER of Durham.

On **OBJECTION** of Representative COTE of Lewiston, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Lewiston, Representative Cote.

Representative **COTE**: Mr. Speaker, Men and Women of the House. It gives me great pleasure to stand here to honor David Tamulevich. He has been a mentor, an educator and friend. I am pleased to say this to my friend. He is retiring after 25 years as an educator. He thought a lot of the kids at Lewiston Middle School. If it wasn't for his advice, dreams do come true with a little hard work, I would not be here today honoring him. I am glad to honor him and say congratulations on your retirement. Thank you for being there when we needed you. Once again, I would like to say, thank you and good luck in whatever you do.

PASSED and sent for concurrence.

Recognizing:

Michael McClure, of Lewiston, upon his retirement from teaching at Lewiston Middle School after 27 years as an educator and band director. We acknowledge his dedicated service and extend our congratulations and best wishes to him;

(HLS 67)

Presented by Representative COTE of Lewiston.

Cosponsored by Senator BERUBE of Androscoggin.

On **OBJECTION** of Representative COTE of Lewiston, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Lewiston, Representative Cote.

Representative **COTE**: Mr. Speaker, Men and Women of the House. It gives me great pleasure to honor this man as well. He has also been a wonderful mentor, educator and band director to a lot of us at the Lewiston Middle School. For the last 27 years, he has taught a lot of children at the Lewiston Middle School. Before retiring on January 27 of this year, he went on to start the jazz workshop, a 30 piece ensemble of young musicians who performed big band music, which he still directs. I was also informed that he had just started a new band of young youth members. He also went on to another job. He just started. He has only been there for two weeks and he took the time to come here today for this. I appreciate it. For all of us whom he has taught who went on to bigger and better things, some went on to become lawyers, doctors and teachers. If it wasn't for him, some of us would never been here to honor him today as a State Representative. I would like to thank him for showing me the way. Congratulations, Michael McClure, on your retirement of 27 years.

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

Representative MENDROS: Mr. Speaker, Men and Women of the House. I would like to take this opportunity to thank Michael McClure for being a teacher, neighbor and most importantly a friend. I congratulate you.

PASSED and sent for concurrence.

REPORTS OF COMMITTEE

Change of Committee

Representative O'NEAL from the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Promote Business and Economic Development by Helping Sign Manufacturers in Maine"

(H.P. 135) (L.D. 197)

Reporting that it be **REFERRED** to the Committee on **TRANSPORTATION**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TRANSPORTATION**.

Sent for concurrence.

Divided Report

Majority Report of the Committee on **LABOR** reporting **Ought Not to Pass** on Bill "An Act Pertaining to Health Concerns in the Sale of Certain Personal Garments"

(S.P. 37) (L.D. 47)

Signed:
Senators:

DOUGLASS of Androscoggin
MILLS of Somerset
LaFOUNTAIN of York

Representatives:

MUSE of South Portland
GOODWIN of Pembroke
FRECHETTE of Biddeford
MATTHEWS of Winslow
SAMSON of Jay
HATCH of Skowhegan
MacDOUGALL of North Berwick
MACK of Standish
TREADWELL of Carmel

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

Signed:
Representative:

DAVIS of Falmouth

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

READ.

On motion of Representative HATCH of Skowhegan, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **BANKING AND INSURANCE** reporting **Ought Not to Pass** on Bill "An Act to Make it an Unfair Claims Practice for Insurers Who Fail to Deal in Good Faith with Claimants to Resolve Claims"

(H.P. 202) (L.D. 280)

Signed:

Senators:

LaFOUNTAIN of York
DOUGLASS of Androscoggin
ABROMSON of Cumberland

Representatives:

JONES of Pittsfield
RICHARDSON of Brunswick
NUTTING of Oakland
DUDLEY of Portland
O'NEIL of Saco
SAXL of Bangor
SULLIVAN of Biddeford
PERRY of Bangor
GLYNN of South Portland

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

Signed:
Representative:

MAYO of Bath

READ.

On motion of Representative SAXL of Bangor, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

CONSENT CALENDAR

First Day

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

(H.P. 339) (L.D. 455) Bill "An Act to Repeal the Law Requiring Retailers to Post Motor Vehicle Fuel Prices" Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass**

On motion of Representative PIEH of Bremen, was **REMOVED** from the First Day Consent Calendar.

The Committee Report was **READ** and **ACCEPTED**. The Bill was **READ ONCE** and was assigned for **SECOND READING** Thursday, February 18, 1999.

CONSENT CALENDAR

Second Day

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

(S.P. 13) (L.D. 2) Bill "An Act to Clarify the Application of Insurance Fraud Prevention Laws" (EMERGENCY)

(H.P. 46) (L.D. 60) Bill "An Act to Permit the Sale of Moose Bones" (EMERGENCY)

(S.P. 46) (L.D. 117) Bill "An Act to Amend Maine's Insurance Laws Regarding Gifts and Rebates"

(S.P. 55) (L.D. 125) Bill "An Act to Lower the Age of Consent for the Donation of Blood"

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

BILLS IN THE SECOND READING

House

Bill "An Act Relating to the Construction of a Locally Funded Arts and Technology Center in Maine School Administrative District No. 49" (EMERGENCY)

(H.P. 431) (L.D. 573)

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

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, February 11, 1999, have preference in the Orders of the Day and continue with such preference until disposed of as provided by House Rule 502.

Bill "An Act to Expand the Bottle Law to Include Certain Beverage Containers"

(S.P. 369) (L.D. 1070)

- In Senate, **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT**.

TABLED - February 11, 1999 (Till Later Today) by Representative O'NEAL of Limestone.

PENDING - **REFERENCE** in concurrence.

Subsequently, the Bill was **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** in concurrence.

Bill "An Act to Improve Access to Prescription Drugs for the Elderly"

(S.P. 357) (L.D. 1061)

- In Senate, **REFERRED** to the Committee on **TAXATION**.

TABLED - February 11, 1999 (Till Later Today) by Representative GAGNON of Waterville.

PENDING - **REFERENCE** in concurrence.

Subsequently, the Bill was **REFERRED** to the Committee on **TAXATION** in concurrence.

Bill "An Act to Increase Eligibility for the Elderly Low-cost Drug Program" (EMERGENCY)

(H.P. 618) (L.D. 858)

- In House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** on February 2, 1999.

- In Senate, **REFERRED** to the Committee on **TAXATION** in **NON-CONCURRENCE**.

TABLED - February 11, 1999 (Till Later Today) by Representative SHIAH of Bowdoinham.

PENDING - **FURTHER CONSIDERATION**.

Subsequently, the House voted to **RECEDE AND CONCUR**.

Bill "An Act to Increase Harness Racing Opportunities"

(H.P. 849) (L.D. 1183)

(Committee on **LEGAL AND VETERANS AFFAIRS** suggested)

TABLED - February 11, 1999 (Till Later Today) by Representative TUTTLE of Sanford.

PENDING - **REFERENCE**.

On motion of Representative TUTTLE of Sanford, the Bill was **REFERRED** to the Committee on **AGRICULTURE**,

CONSERVATION AND FORESTRY, ordered printed and sent for concurrence.

Resolve, to Establish the Renewable Energy Policy Commission

(H.P. 851) (L.D. 1185)

(Committee on **NATURAL RESOURCES** suggested)

TABLED - February 11, 1999 (Till Later Today) by Representative COWGER of Hallowell.

PENDING - **REFERENCE**.

On motion of Representative MARTIN of Eagle Lake, the Resolve was **REFERRED** to the Committee on **UTILITIES AND ENERGY**, ordered printed and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (8) **Ought Not to Pass** - Minority (4) **Ought to Pass** - Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Prohibit Public Broadcasting Stations from Auctioning Alcoholic Beverages"

(H.P. 116) (L.D. 147)

TABLED - February 11, 1999 (Till Later Today) by Representative TUTTLE of Sanford.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

On motion of Representative TUTTLE of Sanford, **TABLED** pending his motion to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report and later today assigned.

Bill "An Act to Amend the Maine Governmental Facilities Authority"

(H.P. 781) (L.D. 1104)

(Committee on **STATE AND LOCAL GOVERNMENT** suggested)

TABLED - February 11, 1999 (Till Later Today) by Representative AHEARNE of Madawaska.

PENDING - **REFERENCE**.

On motion of Representative AHEARNE of Madawaska, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act to Amend the Laws Authorizing the Renovation of the State Capitol Building and Other State Buildings"

(H.P. 823) (L.D. 1146)

(Committee on **STATE AND LOCAL GOVERNMENT** suggested)

TABLED - February 11, 1999 (Till Later Today) by Representative AHEARNE of Madawaska.

PENDING - **REFERENCE**.

On motion of Representative AHEARNE of Madawaska, **TABLED** pending **REFERENCE** and later today assigned.

JOINT ORDER - Relative to establishing the Joint Select Committee on the Year 2000 Computer Problem

(S.P. 190)

- In Senate, **READ** and **PASSED**.

TABLED - February 11, 1999 (Till Later Today) by Representative SAXL of Portland.

PENDING - **PASSAGE**.

LEGISLATIVE RECORD - HOUSE, February 16, 1999

Subsequently, the Joint Order was **PASSED** in concurrence.

On motion of Representative STEDMAN of Hartland, the House adjourned at 5:31 p.m., until 10:00 a.m., Thursday, February 18, 1999.