

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
19th Legislative Day
Tuesday, March 2, 1999

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

Prayer by Reverend Robert Bell, Rockport (retired).

Pledge of Allegiance.

Doctor of the day, Robert P. Hochmuth, M.D., Durham.

The Journal of Thursday, February 25, 1999 was read and approved.

SENATE PAPERS

Resolve, to Provide Incentives for School Breakfast Programs in Maine Public Schools

(S.P. 524) (L.D. 1558)

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 Clarify the Definition of 'Area of Operation' for Municipal Housing Authorities"

(S.P. 512) (L.D. 1513)

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 Amend and Improve the Education Laws"

(S.P. 508) (L.D. 1509)

Bill "An Act to Amend the Definition of 'Parent' in the Laws Governing Education"

(S.P. 519) (L.D. 1553)

Bill "An Act to Create a Professional Development Fund for Maine Teachers"

(S.P. 520) (L.D. 1554)

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.

Resolve, to Establish a Task Force to Determine the Effectiveness and Quality of Care of In-home Care Services

(S.P. 507) (L.D. 1508)

Bill "An Act to Provide Efficient and Continuous High-quality Service to Mental Health Consumers"

(S.P. 510) (L.D. 1511)

Bill "An Act to Prohibit Certain Practices in the Advertising and Sale of Tobacco Products"

(S.P. 514) (L.D. 1515)

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 Limit Fishing Regulations for a Portion of the Big Machias River"

(S.P. 506) (L.D. 1507)

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 Amend the Filing Requirements to Perfect a Purchase Money Security Interest in Consumer Goods"

(S.P. 513) (L.D. 1514)

Bill "An Act to Expand a Judge's Powers for Contemptuous Failure to Pay"

(S.P. 523) (L.D. 1557)

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

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

Bill "An Act to Clarify the Medical Fee Schedule in Workers' Compensation Cases"

(S.P. 509) (L.D. 1510)

Bill "An Act to Amend Maine's Family and Medical Leave Law"

(S.P. 511) (L.D. 1512)

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

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

Bill "An Act to Require any Person or Organization That Gathers Signatures on Petitions for Referendum Questions to Make Full Financial Disclosure to the Commission on Governmental Ethics"

(S.P. 502) (L.D. 1503)

Bill "An Act to Amend the Lobbyist Registration Fee Provisions"

(S.P. 503) (L.D. 1504)

Bill "An Act to Maintain the Viability of Maine's Liquor Industry"

(S.P. 521) (L.D. 1555)

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

REFERRED to the Committee on **LEGAL AND VETERANS AFFAIRS** in concurrence.

Resolve, to Study the Changes in Lobster Morbidity and Mortality (EMERGENCY)

(S.P. 501) (L.D. 1502)

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

REFERRED to the Committee on **MARINE RESOURCES** in concurrence.

Resolve, to Require the Department of Environmental Protection to Reimburse Homeowners for Malfunctioning On-site Peat Sewage Disposal Systems

(S.P. 505) (L.D. 1506)

Bill "An Act Concerning Disposal of Solid Waste from Decommissioning Activities"

(S.P. 515) (L.D. 1516)

Bill "An Act Concerning Transportation of Radioactive Waste"

(S.P. 516) (L.D. 1517)

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

REFERRED to the Committee on **NATURAL RESOURCES** in concurrence.

Bill "An Act to Amend the Maine Tree Growth Tax Law"

(S.P. 500) (L.D. 1501)

Bill "An Act Relating to Property Tax Exemptions and Service Charges"

(S.P. 522) (L.D. 1556)

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 Require Performance-based Restoration by Public Utilities"

(S.P. 504) (L.D. 1505)

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.

COMMUNICATIONS

The Following Communication: (H.P. 1134)

STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE
AUGUSTA, MAINE 04333

February 22, 1999
Honorable Joseph Mayo
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Clerk Mayo:

Enclosed please find my official certification to the 119th Legislature of the citizen initiative petition entitled, "An Act to Ban Partial Birth Abortion."

Sincerely,
S/Dan A. Gwadosky
Secretary of State

State of Maine
Department of State

I, Dan A. Gwadosky, Secretary of State, hereby certify that written petitions bearing signatures of 82,372 electors of this State were addressed to the Legislature of the State of Maine and were filed in the office of the Secretary of State on January 21, 1999, requesting that the Legislature consider an act entitled "An Act to Ban Partial Birth Abortion."

I further certify that the number of signatures submitted is in excess of ten percent of the total vote cast in the last gubernatorial election preceding the filing of such petitions, as required by Article IV, Part Third, Section 18 of the Constitution of Maine, that number being 42,101.

I further certify this initiative petition to be valid and attach herewith the text of the legislation circulated on the petition's behalf.

In testimony whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta on the twenty-second day of February in the year one thousand nine hundred and ninety-nine.

S/DAN A. GWADOSKY
Secretary of State

READ and ORDERED PLACED ON FILE.

Sent for concurrence.

On motion of Representative SAXL of Portland, the accompanying Bill "An Act to Ban Partial Birth Abortion" (I.B. 1) (L.D. 1593) was **REFERRED** to the Committee on **JUDICIARY**, ordered printed and sent for concurrence.

The Following Communication: (H.C. 39)
MAINE STATE LEGISLATURE
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0013

February 24, 1999
The Honorable Mark W. Lawrence, President
Maine State Senate
The Honorable G. Steven Rowe, Speaker
Maine House of Representatives
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

Pursuant to Resolve 1997, chapter 751, the Commission to Study the Funding and Distribution of Teletypewriters and Other Telecommunications Equipment for People with Disabilities is pleased to submit its final report including recommended legislation. Copies of the report have been transmitted to the Legislative Council and the Joint Standing Committees on Education and Cultural Affairs, Labor, and Utilities and Energy. Copies of the report have also been placed on file with the Law and Legislative Reference Library.

Sincerely,
S/Senator Sharon Treat, Chair
Commission to Study the Funding
and Distribution of Teletypewriters

and Other Telecommunications
Equipment for People with Disabilities

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

Senate Chair
S/Rep. Jane W. Saxl
House Chair

READ and **ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 40)

**STATE OF MAINE
DEPARTMENT OF PUBLIC SAFETY
STATE HOUSE STATION 42
AUGUSTA, MAINE 04333**

19 February, 1999
Hon. Joseph W. Mayo
Clerk of the House
2 State House Station
Augusta, Maine 04333

Dear Clerk Mayo:

Please find enclosed a copy of the final application, workplan and strategy update submitted to the Bureau of Justice Assistance for funding of the FY 99 Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program.

The program requires that the application and strategy be submitted to the State Legislature or its designated body for review. Unless I receive further instructions, I will consider that the Department of Public Safety has fulfilled its obligation in this area.

Sincerely,
S/Michael Kelly
Commissioner

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

The Following Communication: (H.C. 41)

**STATE OF MAINE
ONE HUNDRED AND NINETEENTH LEGISLATURE
COMMITTEE ON BANKING AND INSURANCE**

February 16, 1999
Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

- L.D. 69 An Act to Ensure Choice of Accredited Health Care Providers in Managed Care Programs
- L.D. 79 An Act to Allow the Maine Association of Realtors to Purchase Insurance under Group Health Insurance Plans
- L.D. 97 An Act to Require Mortgage Holders Who Escrow Property Taxes to Reduce the Escrow Due to the Homestead Exemption
- L.D. 165 An Act Requiring Life Insurers to Have a Return of Premium Provision

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

Sincerely,
S/Sen. Lloyd P. LaFountain III

The Following Communication: (H.C. 42)

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

February 16, 1999
Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

- L.D. 11 An Act to Exempt Business Brokers and Mergers and Acquisitions Specialists from the Real Estate Brokerage Laws
- L.D. 19 An Act to Require That Stores Close for a Half Day on Memorial Day and Veterans' Day

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

Sincerely,
S/Sen. Carol A. Kontos
Senate Chair
S/Rep. Gary O'Neal
House Chair

READ and **ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 43)

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

February 16, 1999
Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

- L.D. 77 An Act to Require the Retention of Medical Records
- L.D. 107 An Act to Amend the Laws Regarding Foster Parents
- L.D. 241 An Act to Ensure that Autopsies and Toxicology Tests are Performed on Commercial Drivers Killed in the Course of Employment
- L.D. 276 An Act to Require Review under the Certificate of Need Law When Health Care Services Are Terminated

- L.D. 305 An Act to Provide Health Care Coverage to Certain Child Care Providers
- L.D. 358 An Act to Improve the Proximity of Health and Safety Services to State-subsidized Homes for Children
- L.D. 428 Resolve, to Ensure the Delivery of Medicare and Medicaid Benefits
- L.D. 435 An Act to Include the Supporting Statistical Data in Mercury Warnings Relating to the Consumption of Fish
- L.D. 491 Resolve, to Study the Use of Gross and Net Income in Eligibility for Public Benefits

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

Sincerely,
S/Sen. Judy Paradis
Senate Chair
S/Rep. Thomas J. Kane
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 44)

STATE OF MAINE

**ONE HUNDRED AND NINETEENTH LEGISLATURE
COMMITTEE ON JUDICIARY**

February 16, 1999
Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

- L.D. 181 An Act Providing for Post-adoption Contact in Limited Situations
- L.D. 242 An Act to Inform Traffic Violators in Court of Potential Parallel Administrative Sanctions
- L.D. 252 An Act to Restrict Recreational Activities in Cemeteries
- L.D. 413 An Act to Prohibit Discrimination Against Motorcyclists

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

Sincerely,
S/Sen. Susan W. Longley
Senate Chair
S/Rep. Richard H. Thompson
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 45)

STATE OF MAINE

**ONE HUNDRED AND NINETEENTH LEGISLATURE
COMMITTEE ON LABOR**

February 16, 1999
Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature

State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

- L.D. 15 An Act to Exempt Owners of Amusement Parks from Paying Overtime
- L.D. 74 An Act to Provide Equitable Benefits to Teacher Assistants

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

Sincerely,
S/Sen. Neria R. Douglass
Senate Chair
S/Rep. Pamela H. Hatch
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 46)

STATE OF MAINE

**ONE HUNDRED AND NINETEENTH LEGISLATURE
COMMITTEE ON LEGAL AND VETERANS AFFAIRS**

February 16, 1999
Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

- L.D. 148 An Act to Make the Purchase or Sale of Liquor by Direct Shipment, Mail Order or the Internet a Class C Crime
- L.D. 416 An Act to Ensure the Maintenance, Protection and Repair of Veterans' Graves, Headstones, Monuments and Markers

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

Sincerely,
S/Sen. Beverly C. Daggett
Senate Chair
S/Rep. John L. Tuttle, Jr.
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 47)

STATE OF MAINE

**ONE HUNDRED AND NINETEENTH LEGISLATURE
COMMITTEE ON MARINE RESOURCES**

February 16, 1999
Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

L.D. 298 An Act to Allow Town and Municipal Governments to Add Periwinkles to Their Clam Ordinances

L.D. 388 An Act to Prohibit the Dragging for Mussels in Portions of Hancock County and Washington County for Certain Times of the Year

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

Sincerely,
S/Sen. Jill M. Goldthwait
Senate Chair
S/Rep. David Etnier
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 48)

STATE OF MAINE

**ONE HUNDRED AND NINETEENTH LEGISLATURE
COMMITTEE ON NATURAL RESOURCES**

February 16, 1999
Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

L.D. 100 An Act to Expedite the Permitting Process within the Department of Environmental Protection

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

Sincerely,
S/Sen. Sharon Anglin Treat
Senate Chair
S/Rep. John L. Martin
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 49)

STATE OF MAINE

**ONE HUNDRED AND NINETEENTH LEGISLATURE
COMMITTEE ON STATE AND LOCAL GOVERNMENT**

February 16, 1999
Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

L.D. 93 An Act Requiring Interim Annual Budgets for Municipalities

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

Sincerely,
S/Sen. Peggy A. Pendleton
Senate Chair
S/Rep. Douglas J. Ahearne
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 50)

STATE OF MAINE

**ONE HUNDRED AND NINETEENTH LEGISLATURE
COMMITTEE ON TAXATION**

February 16, 1999
Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

L.D. 85 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide Tax Relief for Maine Citizens

L.D. 94 An Act to Provide a Property Tax Abatement for a Residential Structure Destroyed by Fire or Natural Disaster

L.D. 251 An Act to Increase the Snowmobile Trail Fund
L.D. 456 An Act to Ensure Consistency between Federal and State Estate Tax Laws

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

Sincerely,
S/Sen. Richard P. Ruhlin
Senate Chair
S/Rep. Kenneth T. Gagnon
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 51)

STATE OF MAINE

**ONE HUNDRED AND NINETEENTH LEGISLATURE
COMMITTEE ON TRANSPORTATION**

February 16, 1999
Honorable Mark W. Lawrence, President of the Senate
Honorable G. Steven Rowe, Speaker of the House
119th Maine Legislature
State House
Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

L.D. 61 An Act to Decriminalize Failure to Register a Motor Vehicle

L.D. 425 An Act to Repeal the Law That Requires the Display of a Registration Plate on the Front of a Motor Vehicle

L.D. 502 An Act to Amend the Fines for Operating an Uninspected or Unregistered Vehicle

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

Sincerely,
S/Sen. William B. O'Gara
Senate Chair
S/Rep. Joseph M. Jabar, Sr.
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 52)

STATE OF MAINE

**ONE HUNDRED AND NINETEENTH LEGISLATURE
COMMITTEE ON UTILITIES AND ENERGY**

February 16, 1999

Honorable Mark W. Lawrence, President of the Senate

Honorable G. Steven Rowe, Speaker of the House

119th Maine Legislature

State House

Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

L.D. 208 An Act to Prohibit Intrastate Telemarketers from Blocking Caller ID

L.D. 331 An Act to Amend the Renewable Resource Portfolio Requirement for Competitive Electricity Providers

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

Sincerely,
S/Sen. Richard J. Carey
Senate Chair
S/Rep. Thomas M. Davidson
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 79)

SENATE OF MAINE

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

February 25, 1999

The Honorable G. Steven Rowe

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Rowe:

Please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Agriculture, Conservation and Forestry, the nomination of James W. Tracy of Farmingdale for appointment to the Maine State Harness Racing Commission.

Thank you for your attention to this matter.

Sincerely,

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

READ and ORDERED PLACED ON FILE.

**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

Resolve, Directing the Maine Forest Service to Examine the Excessive Cutting of Mature Maple Trees

(H.P. 1106) (L.D. 1565)

Presented by Representative SIROIS of Caribou.

Cosponsored by Senator MacKINNON of York and Representatives: O'NEAL of Limestone, SHERMAN of Hodgdon, STANLEY of Medway, WHEELER of Bridgewater, Senator: PARADIS of Aroostook.

Bill "An Act to Help Farmers to Protect the Quality of Milk"

(H.P. 1108) (L.D. 1567)

Presented by Representative WESTON of Montville.

Cosponsored by Senator DAVIS of Piscataquis and Representative: JONES of Pittsfield.

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act to Implement Training for School Counselors at the Maine Youth Center and Upgrade Pay Classifications"

(H.P. 1114) (L.D. 1573)

Presented by Representative QUINT of Portland.

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$10,000,000 to Support the Construction of the Gulf of Maine Aquarium"

(H.P. 1131) (L.D. 1590)

Presented by Speaker ROWE of Portland.

Cosponsored by Senator AMERO of Cumberland and Representatives: BRUNO of Raymond, CIANCHETTE of South Portland, ETNIER of Harpswell, POWERS of Rockport, QUINT of Portland, Senators: CASSIDY of Washington, KONTOS of Cumberland, PINGREE of Knox.

BANKING AND INSURANCE

Bill "An Act to Require a Mortgagee to Record the Discharge of a Mortgage Within 30 Days"

(H.P. 1127) (L.D. 1586)

Presented by Representative LaVERDIERE of Wilton. (BY REQUEST)

Cosponsored by Representatives: JABAR of Waterville, LEMOINE of Old Orchard Beach, NORBERT of Portland, O'NEIL of Saco, SAVAGE of Buxton, THOMPSON of Naples.

BUSINESS AND ECONOMIC DEVELOPMENT

Bill "An Act to Require That Physician Signatures on Prescriptions Be Legible"

(H.P. 1105) (L.D. 1564)

Presented by Representative KASPRZAK of Newport.

CRIMINAL JUSTICE

Bill "An Act to Clarify the Definition of Terms Relating to Scheduled Drugs"

(H.P. 1107) (L.D. 1566)

Presented by Representative SCHNEIDER of Durham.

Cosponsored by Representative: PLOWMAN of Hampden.

Bill "An Act to Establish Lifetime Probation for Multiple Sex Offenders"

(H.P. 1113) (L.D. 1572)

Presented by Representative O'BRIEN of Augusta.

Cosponsored by Representatives: BRAGDON of Bangor, COLLINS of Wells, McALEVEY of Waterboro, McNEIL of Rockland, PLOWMAN of Hampden.

Bill "An Act to Criminalize Internet Dissemination of Child Pornography"

(H.P. 1116) (L.D. 1575)

Presented by Representative SCHNEIDER of Durham.

Cosponsored by Senator LONGLEY of Waldo and Representatives: BULL of Freeport, MADORE of Augusta, McALEVEY of Waterboro, PLOWMAN of Hampden.

Bill "An Act to Amend the Definition of Sex Offender and to Require Sheriffs to Notify the State Bureau of Identification of a Sex Offender's Release from Jail for Purposes of Registration and Notification"

(H.P. 1124) (L.D. 1583)

Presented by Representative O'BRIEN of Augusta.

Cosponsored by Representatives: BAKER of Bangor, McALEVEY of Waterboro, MUSE of South Portland, PLOWMAN of Hampden, QUINT of Portland.

Bill "An Act to Increase the Penalties for Persons in Possession of Methamphetamine in Conformity with the Penalties for Similarly Dangerous Drugs"

(H.P. 1129) (L.D. 1588)

Presented by Representative SCHNEIDER of Durham.

Cosponsored by Representatives: MADORE of Augusta, McALEVEY of Waterboro, PLOWMAN of Hampden, Senator: TREAT of Kennebec.

Bill "An Act to Require an Assessment Evaluation of Juveniles Entering the Juvenile Justice System"

(H.P. 1130) (L.D. 1589)

Presented by Representative O'BRIEN of Augusta.

Cosponsored by Representatives: PEAVEY of Woolwich, QUINT of Portland, TOWNSEND of Portland, Senators: PARADIS of Aroostook, RAND of Cumberland.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act to Require Parenting Skills to be Taught as Part of the High School Course of Instruction"

(H.P. 1109) (L.D. 1568)

Presented by Representative PERKINS of Penobscot.

Cosponsored by Senator LONGLEY of Waldo and Representatives: MURPHY of Kennebunk, SCHNEIDER of Durham, TOWNSEND of Portland.

Bill "An Act to Improve Access to Education for Parents as Scholars Program Participants"

(H.P. 1115) (L.D. 1574)

Presented by Representative QUINT of Portland.

Cosponsored by Senator CATHCART of Penobscot and Representatives: BRAGDON of Bangor, DAVIDSON of Brunswick, FULLER of Manchester, HATCH of Skowhegan, SAXL of Portland, TOWNSEND of Portland, WILLIAMS of Orono, Senator: BERUBE of Androscoggin.

Bill "An Act to Assist Maine Students"

(H.P. 1136) (L.D. 1621)

Presented by Representative BRENNAN of Portland.

Cosponsored by Representatives: DAVIDSON of Brunswick, DESMOND of Mapleton, MURPHY of Kennebunk, O'NEIL of Saco, SHIAH of Bowdoinham, STEVENS of Orono, WATSON of Farmingdale, Senator: SMALL of Sagadahoc.

Bill "An Act to Provide Services for Children in Need of Supervision"

(H.P. 1138) (L.D. 1623)

Presented by Representative BRENNAN of Portland.

Cosponsored by Representatives: KANE of Saco, O'BRIEN of Augusta, QUINT of Portland, SHIAH of Bowdoinham, TOWNSEND of Portland, TRAHAN of Waldoboro, TRUE of Fryeburg, WATSON of Farmingdale.

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested.

On motion of Representative BRENNAN of Portland, the Bill was **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, ordered printed and sent for concurrence.

HEALTH AND HUMAN SERVICES

Resolve, to Amend the Elderly Low-cost Drug Program

(H.P. 1119) (L.D. 1578)

Presented by Representative MADORE of Augusta.

Cosponsored by Representative: PLOWMAN of Hampden.

Bill "An Act to Control the Sale and Display of Tobacco Products"

(H.P. 1123) (L.D. 1582)

Presented by Representative PEAVEY of Woolwich.

Cosponsored by Senator MILLS of Somerset, Senator PARADIS of Aroostook and Representatives: ETNIER of Harpswell, KANE of Saco, PIEH of Bremen, QUINT of Portland, TOWNSEND of Portland, Senators: GOLDTHWAIT of Hancock, NUTTING of Androscoggin.

Bill "An Act to Prohibit Self-service Tobacco Displays" (EMERGENCY)

(H.P. 1126) (L.D. 1585)

Presented by Representative POVICH of Ellsworth.

Cosponsored by Representatives: GOOLEY of Farmington, McALEVEY of Waterboro, MUSE of South Portland, PEAVEY of Woolwich, PIEH of Bremen, SHERMAN of Hodgdon, TOBIN of Dexter, Senator: NUTTING of Androscoggin.

INLAND FISHERIES AND WILDLIFE

Bill "An Act to Limit the Caliber of Ammunition Allowed for Hunting White-tailed Deer and Black Bear"

(H.P. 1125) (L.D. 1584)
Presented by Representative DUNLAP of Old Town. (BY
REQUEST)

JUDICIARY

Bill "An Act to Amend the Liability Limit under the Maine
Tort Claims Act"

(H.P. 1118) (L.D. 1577)
Presented by Representative THOMPSON of Naples.
Cosponsored by Representatives: NORBERT of Portland,
SHIAH of Bowdoinham.

Bill "An Act to Amend the Laws Concerning HIV Testing"
(H.P. 1132) (L.D. 1591)

Presented by Representative SHIELDS of Auburn.
Cosponsored by Senator MITCHELL of Penobscot and
Representatives: MAYO of Bath, NUTTING of Oakland,
Senators: BERUBE of Androscoggin, DAVIS of Piscataquis.

Bill "An Act to Encourage Joint Custody Practices"
(H.P. 1133) (L.D. 1592)

Presented by Representative POWERS of Rockport.
Cosponsored by Representative PLOWMAN of Hampden and
Representatives: JACOBS of Turner, LaVERDIERE of Wilton,
MADORE of Augusta, SCHNEIDER of Durham, Senator:
LONGLEY of Waldo.

Resolve, to Extend the Statute of Limitations for Victims of
Abuse at the Governor Baxter School for the Deaf
(H.P. 1135) (L.D. 1620)

Presented by Representative TOWNSEND of Portland.
Cosponsored by Representative: WATSON of Farmingdale,
Senators: LONGLEY of Waldo, TREAT of Kennebec.

LABOR

Bill "An Act to Protect the Rights of Employees Who
Volunteer Time As Firefighters"

(H.P. 1112) (L.D. 1571)
Presented by Representative JONES of Pittsfield.
Cosponsored by Representatives: NUTTING of Oakland, SAXL
of Portland.

Bill "An Act to Restore the Cost-of-living Adjustment for
State Employees and Teachers Who Retire Before Normal
Retirement Age"

(H.P. 1137) (L.D. 1622)
Presented by Representative SULLIVAN of Biddeford.
Cosponsored by Representatives: GAGNE of Buckfield, HATCH
of Skowhegan, NORBERT of Portland, SHERMAN of Hodgdon,
Senator: LaFOUNTAIN of York.

MARINE RESOURCES

Bill "An Act to Revise the Laws Regarding Shellfish"
(H.P. 1122) (L.D. 1581)

Presented by Representative COWGER of Hallowell.
Cosponsored by Senator KILKELLY of Lincoln and
Representatives: COLWELL of Gardiner, GREEN of Monmouth,
O'NEAL of Limestone, STANLEY of Medway, Senator:
NUTTING of Androscoggin.

Bill "An Act to Amend the Lobster Trap Escape Vent Laws"
(EMERGENCY)

(H.P. 1139) (L.D. 1624)
Presented by Representative ETNIER of Harpswell.

NATURAL RESOURCES

Bill "An Act to Clarify Certain Laws Administered by the
Department of Environmental Protection, Bureau of Remediation
and Waste Management"

(H.P. 1140) (L.D. 1625)
Presented by Representative COWGER of Hallowell.
Cosponsored by Senator: NUTTING of Androscoggin.
Submitted by the Department of Environmental Protection
pursuant to Joint Rule 204.

Bill "An Act to Establish the Waste Motor Oil Disposal Site
Remediation Program" (EMERGENCY)

(H.P. 1141) (L.D. 1626)
Presented by Representative DAVIDSON of Brunswick.
Cosponsored by Senator KONTOS of Cumberland and
Representatives: ETNIER of Harpswell, GAGNON of Waterville,
MAYO of Bath, NUTTING of Oakland, ROWE of Portland,
Senators: MILLS of Somerset, PINGREE of Knox, RUHLIN of
Penobscot.

Committee on **NATURAL RESOURCES** suggested.
On motion of Representative COWGER of Hallowell,
TABLED pending **REFERENCE** and later today assigned.

TAXATION

Bill "An Act to Amend the Time for Filing Audit Reports"
(H.P. 1121) (L.D. 1580)

Presented by Representative GAGNE of Buckfield.
Cosponsored by Senator BENNETT of Oxford and
Representatives: BAGLEY of Machias, COLWELL of Gardiner,
DAVIDSON of Brunswick, MAILHOT of Lewiston, MITCHELL of
Vassalboro, TOBIN of Dexter, WILLIAMS of Orono.

Bill "An Act to Allow the Surviving Veteran Spouse of a
Veteran to Continue to Receive the Property Tax Exemption"
(H.P. 1128) (L.D. 1587)

Presented by Representative PIEH of Bremen.
Cosponsored by Senator KILKELLY of Lincoln and
Representatives: BAGLEY of Machias, CHIZMAR of Lisbon,
ETNIER of Harpswell, FULLER of Manchester, GAGNE of
Buckfield, O'BRIEN of Augusta, SAVAGE of Union,
TOWNSEND of Portland.

TRANSPORTATION

Bill "An Act to Require the Department of Transportation to
Cut Brush and Trees Along a Highway at the Request of a
Business"

(H.P. 1111) (L.D. 1570)
Presented by Representative CAMPBELL of Holden. (BY
REQUEST)
Cosponsored by Representatives: O'NEAL of Limestone,
WHEELER of Bridgewater, Senators: CASSIDY of Washington,
MURRAY of Penobscot.

Bill "An Act to Strengthen the Motor Vehicle Laws Pertaining to Registration of Motor Vehicles"

(H.P. 1117) (L.D. 1576)

Presented by Representative LEMONT of Kittery.

Cosponsored by Representatives: BOWLES of Sanford, JOY of Crystal, MacDOUGALL of North Berwick, MURPHY of Berwick, TRUE of Fryeburg, WHEELER of Eliot, Senator: LAWRENCE of York.

Bill "An Act to Evaluate the Compensation of Members of the Maine Turnpike Authority"

(H.P. 1120) (L.D. 1579)

Presented by Representative WHEELER of Eliot.

Cosponsored by Senator PARADIS of Aroostook and Representatives: CAMERON of Rumford, COLLINS of Wells, LEMONT of Kittery, MURPHY of Berwick, TUTTLE of Sanford.

UTILITIES AND ENERGY

Bill "An Act to Amend the Charter of the Veazie Sewer District"

(H.P. 1110) (L.D. 1569)

Presented by Representative CAMPBELL of Holden.

Cosponsored by Senator: MURRAY of Penobscot.

ORDERS

On motion of Representative GERRY of Auburn, the following Joint Order: (H.P. 1142)

ORDERED, the Senate concurring, that the Joint Select Committee to Study the Maine Governmental Facilities Authority be established as follows.

1. Committee established. The Joint Select Committee to Study the Maine Governmental Facilities Authority, referred to in this order as the "committee," is established.

2. Committee membership. The committee consists of 13 members appointed as follows.

A. The President of the Senate shall appoint 3 members from the Senate who serve on the Joint Standing Committee on State and Local Government. The first Senate member named is the Senate chair.

B. The Speaker of the House of Representatives shall appoint 10 members from the House who serve on the Joint Standing Committee on State and Local Government. The first House member named is the House chair.

3. Appointments; convening committee. All appointments must be made no later than 30 days following the effective date of this order. The appointing authorities shall notify the Executive Director of the Legislative Council upon making their appointments. When the appointment of all members is complete, the chairs of the committee shall call and convene the first meeting of the committee no later than June 15, 1999.

4. Duties. The committee shall evaluate the capacity of the Maine Governmental Facilities Authority, hereinafter referred to as the "Authority," to fulfill its original mission under the Maine Revised Statutes, Title 4, chapter 33. In examining these issues, the committee shall:

A. Review the Authority's current mission, including its powers, duties, general operations, project commitments, and staff capacities;

B. Assess the impact of the State Office Building and Capitol Building renovation projects on the Authority's capacity to fulfill its missions;

C. Evaluate the effect of the State Office Building and Capitol Building renovation projects on the facilities' needs of the state court system and other state departments and agencies; and

D. Recommend to the Joint Standing Committee on State and Local Government any changes that will improve the effectiveness and efficiency of the Authority.

5. Meetings. In conducting its duties, the committee may meet as often as necessary with any individuals, departments or institutions it considers appropriate.

6. Staff assistance. The committee shall request staffing and clerical assistance from the Legislative Council.

7. Reimbursement. Members of the committee are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2 and reimbursement for travel and other necessary expenses for attendance at meetings of the committee.

8. Report. The committee shall submit its report to the Legislature by November 15, 1999. Following receipt of the report, the Joint Standing Committee on State and Local Government may introduce legislation to the Second Regular Session of the 119th Legislature. If the committee requires an extension of time to make its report, it may apply to the Legislative Council, which may grant the extension.

READ.

On further motion of the same Representative, REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT.**

Sent for concurrence.

On motion of Representative TUTTLE of Sanford, the following Joint Order: (H.P. 1143) (Cosponsored by Senator MacKINNON of York and Representatives: BOUFFARD of Lewiston, BOWLES of Sanford, COLLINS of Wells, FISHER of Brewer, WHEELER of Bridgewater, WHEELER of Eliot)

WHEREAS, truck traffic along the Route 202 and 111 corridor in Sanford, known as the Senator Carl J. Broggi Highway, has increased dramatically over the past decade; and

WHEREAS, that truck traffic exceeds the design capacity of that corridor; and

WHEREAS, a truck bypass is needed to alleviate the truck traffic along that corridor; now, therefore, be it

ORDERED, the Senate concurring, that the Joint Select Committee to Study Building a Truck Bypass in the Town of Sanford is established as follows.

1. Committee established. The Joint Select Committee to Study Building a Truck Bypass in the Town of Sanford, referred to in this order as the "committee," is established.

2. Committee membership. The committee consists of all members of the Joint Standing Committee on Transportation and the members appointed as follows.

A. The committee shall appoint 3 people employed by the Department of Transportation.

B. The committee shall appoint one person from the Office of Governor, recommended by the Governor.

3. Chairs. The Senate and House chairs of the Joint Standing Committee on Transportation are the cochairs of the committee.

4. Appointments; convening committee. All appointments must be made no later than 30 days following the effective date of this order. The appointing authorities shall notify the Executive Director of the Legislative Council upon making their appointments. When the appointment of all members is complete, the chairs of the committee shall call and convene the first meeting of the committee no later than July 1, 1999.

- 5. Duties.** The committee shall:
- A. Assess the volume of truck traffic along Route 202 in Sanford;
 - B. Assess the cost of constructing a bypass for trucks in Sanford; and
 - C. Prepare preliminary plans for the location of the bypass and the sources of funding.

6. Staff assistance. Upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the committee.

7. Compensation. The members of the committee who are Legislators are entitled to the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for each day's attendance at committee meetings.

8. Report. The committee shall submit a report on the plan developed, along with any recommended legislation, to the Legislature by November 15, 1999. If the committee requires an extension, it may apply to the Legislative Council, which may grant the extension.

9. Committee budget. The chairs of the committee, with assistance from the committee staff, shall administer the committee's budget. Within 10 days after its first meeting, the committee shall present a work plan and proposed budget to the Legislative Council for its approval. The committee may not incur expenses that would result in the committee exceeding its approved budget.

Upon request from the committee, the Executive Director of the Legislative Council or the executive director's designee shall provide the committee chairs and staff with a status report on the study budget, expenditures incurred and paid and available funds.

READ.

On further motion of the same Representative, **REFERRED** to the Committee on **TRANSPORTATION**. Sent for concurrence.

**REPORTS OF COMMITTEE
Change of Committee**

Report of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Encourage Responsible Employment Practices"

(S.P. 292) (L.D. 810)

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

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **LABOR**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **LABOR** in concurrence.

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

Divided Report

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act to Eliminate the Fee Charged for Certain State Audits"

(H.P. 63) (L.D. 76)

Signed:
Senators:

O'GARA of Cumberland
CASSIDY of Washington

Representatives:

FISHER of Brewer
COLLINS of Wells
SANBORN of Alton
WHEELER of Eliot
LINDAHL of Northport
JABAR of Waterville
SAVAGE of Union
WHEELER of Bridgewater

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

Signed:
Representative:

CAMERON of Rumford

READ.

Representative JABAR of Waterville moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative CLARK of Millinocket **REQUESTED** a division on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

The **SPEAKER**: The Chair recognizes the Representative from Millinocket, Representative Clark.

Representative **CLARK**: Mr. Speaker, Ladies and Gentlemen of the House. I hope you join me in overturning this Majority Report. I put this bill in for a constituent of mine who had a problem with the way the state audited the books for automobile dealerships. We heard testimony in the committee that this bureau has changed the regulations to make sure that the audits are on an average basis. If you live in northern Maine from anywhere from Madawaska all the way down to Bangor or whatever, the more that you live away from Augusta, the more they will be charged. That is not fair for the people that live in northern Maine and have a business in northern Maine.

I put this in because two years ago my car dealership got charged \$187 for an audit for the books on the automobile side. The way that this works is if the auditors go in and they find a discrepancy in the books of how the dealership is financing the vehicle, either with loans or a lease program, then they are fined. He has no problem with paying the fine. That is all fine and dandy. The one that he has a problem with is paying the initial price for the audit. If you take \$187, plus if there is a violation, you have to pay the fine also, which could end to be thousands of dollars.

Like I said, this past year, they put in a regulation to say that they will average out the costs from where it is, where the audit is taking place. If the automobile dealer has three years successfully completed a good audit, then they are stressed to photocopy and fax their audits down here to Augusta. This is where they do the audits here in Augusta, but they still charge for the price to have the audit done because they have to pay for the people to come in to Augusta, which only lives 10 or 15 miles away to do the audit. They get charged for that amount. I

hope you join with me and overturn the Majority Ought to Pass Report. Mr. Speaker, I request a division.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Jabar.

Representative JABAR: Mr. Speaker, Men and Women of the House. Let me just give you a little information on what this bill is all about. We have the State of Maine in what is called an office of consumer credit regulation. This office is funded entirely with fees charged to people that are regulated. The taxpayers do not pay any of the budget for this particular office. There are two field examiners that cover the whole state. They do routine examinations of automobile dealers and it is usually once every two years that someone will be audited. The \$20 a year fee is certainly not excessive and all of the automobile dealers pay this without any difficulty. If there is a problem and there has to be an audit, then they are called upon to pay for that audit. Usually it is not very expensive. I think \$187.00 is the one Representative Clark talked about. Keep in mind that this department returns to consumers over \$100,000 a year for overcharged fees. They are serving a legitimate service within the State of Maine. The travel problem came about because if you were a dealer in Aroostook County and you have to pay for an audit, you would have to pay for the travel for the examiner to go from Augusta to Aroostook County. That didn't seem fair to auto dealers in Aroostook County compared to dealers in Augusta, where there was no travel. They rectified that problem through regulations and what they are doing now is charging an average cost, at least travel cost, of these examinations so that you are not paying for some examiner to travel three or four hours to get to the place of the examination.

The way they do it now is a fair and equitable way, divided among all of the dealers. The fees are not excessive. It is a legitimate purpose and the taxpayers are not paying for it. It is regulating itself. The Committee on Transportation heard from the director of the office of this consumer credit regulation and felt, as you can see, an almost unanimous report that this bill should be defeated.

The Chair will order a division on the motion to accept the Majority Ought Not to Pass Report.

A vote of the House was taken. 93 voted in favor of the same and 32 against, the Majority Ought Not to Pass Report was ACCEPTED and sent for concurrence.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act to Require Insurance Companies to Notify the Secretary of State When the Insurance on a Registered Vehicle has Lapsed"

(H.P. 109) (L.D. 140)

Signed:
Senators:

O'GARA of Cumberland
CASSIDY of Washington

Representatives:

FISHER of Brewer
COLLINS of Wells
SANBORN of Alton
CAMERON of Rumford
LINDAHL of Northport
JABAR of Waterville
SAVAGE of Union
WHEELER of Bridgewater

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

Signed:
Representative:

WHEELER of Eliot

READ.

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

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act to Allow Motor Vehicle Safety Inspection Stations to Set Their Own Fees for Inspections and to Require the Inspection of Brake Friction Material"

(H.P. 204) (L.D. 282)

Signed:
Senators:

O'GARA of Cumberland
CASSIDY of Washington

Representatives:

FISHER of Brewer
SANBORN of Alton
CAMERON of Rumford
WHEELER of Eliot
LINDAHL of Northport
JABAR of Waterville
SAVAGE of Union
WHEELER of Bridgewater

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

Signed:
Representative:

COLLINS of Wells

READ.

On motion of Representative JABAR of Waterville, 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 items appeared on the Consent Calendar for the First Day:

(H.P. 128) (L.D. 159) Bill "An Act to Allow the Bureau of Labor Standards to Better Secure Payment of Unpaid Wages and Severance Pay for Workers" Committee on **LABOR** reporting **Ought to Pass**

(H.P. 199) (L.D. 277) Bill "An Act to Prohibit the Employment of Minors in Places Providing Nude Entertainment" Committee on **LABOR** reporting **Ought to Pass**

(H.P. 269) (L.D. 378) Bill "An Act to Expand the Use of Emergency Equipment on Vehicles Operated by Liquor Enforcement Officers" Committee on **TRANSPORTATION** reporting **Ought to Pass**

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

CONSENT CALENDAR

Second Day

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

(H.P. 353) (L.D. 469) Bill "An Act Concerning the Requirement for Surety Bonds for County Treasurers, Sheriffs and Chief Deputies"

(H.P. 380) (L.D. 511) Bill "An Act to Increase the Amount Below Which Counties Do Not Need to Solicit Bids for Purchases"

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

BILLS IN THE SECOND READING

Senate As Amended

Bill "An Act to Restrict the Posting on the Internet of Personal Information About Public School Students"

(S.P. 93) (L.D. 232)

(S. "A" S-8)

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

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, February 25, 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 Provide Preference to Farmers for Disaster Relief"

(H.P. 942) (L.D. 1339)

- In House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on February 16, 1999.

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

TABLED - February 25, 1999 (Till Later Today) by Representative PIEH of Bremen.

PENDING - FURTHER CONSIDERATION.

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

Bill "An Act to Amend Criminal Law Procedures Regarding Defendants Found Incompetent to Stand Trial"

(H.P. 1076) (L.D. 1523)

(Committee on **JUDICIARY** suggested)

TABLED - February 25, 1999 (Till Later Today) by Representative THOMPSON of Naples.

PENDING - REFERENCE.

On motion of Representative THOMPSON of Naples, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act to Establish Fair Funding for Independent and 3rd-Party Legislators"

(H.P. 991) (L.D. 1389)

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

TABLED - February 25, 1999 (Till Later Today) by Representative SAXL of Portland.

PENDING - REFERENCE.

Subsequently, the Bill was **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, ordered printed and sent for concurrence.

TABLED AND TODAY ASSIGNED

The Chair laid before the House the following items which were **TABLED** and today assigned:

HOUSE ORDER - Relative to amending House Rule 401, subsection 13

(H.O. 14)

TABLED - February 25, 1999 by Representative THOMPSON of Naples.

(Pursuant to House Rule 524)

PENDING - PASSAGE. (2/3 Vote Required)

This being an amendment to the House Rules, according to House Rule 524 a two-thirds vote of the members present being necessary, a total was taken. 136 voted in favor of the same and 1 against, the House Order was **PASSED.**

MATTERS PENDING RULING

Bill "An Act to Provide Term Limits for the Secretary of the Senate and the Clerk of the House of Representatives"

(H.P. 654) (L.D. 904)

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

TABLED - February 9, 1999 by Speaker ROWE of Portland.

PENDING - RULING OF THE CHAIR.

The **SPEAKER**: The Chair has had under its consideration a request from the Representative from Naples, Representative Thompson, as to the propriety of LD 904, relative to House Rule 107. The Chair has carefully considered the question of the Representative from Naples, Representative Thompson, as to the propriety of LD 904, under House Rule 107.

House Rule 107 states, "A member may question the appropriateness of a bill that attempts to establish proceedings of the House in statute. Such legislation may be ruled not properly before the House by the Speaker."

House Rule 107 is based upon the Maine Constitution, Article 4, Part 3^d, Section 4, which reads in part, "Each House may determine the rules of its proceedings."

Mason's Manual of Legislative Procedure adopted by this House, as its parliamentary manual provides in Section 3, Part 4, the controlling explanation of the term proceedings. I quote from Masons. "The provision of the Constitution that each House shall have the power to determine the rules of its proceedings is not restricted to the proceedings of the body in ordinary legislative matters, but extends to determination of propriety and affect of any action taken by the body in the exercise of any power in the transaction of any business for performance of any duty conferred upon it by the Constitution, as in proposing amendments to the Constitution."

Therefore the working principle upon which the Chair must rely is provided by reading the Constitutional phrase, "Each House may determine the rules of its proceedings." In conjunction with Mason's Manual of Legislature Procedure, Section 3, Part 4. The principle may fairly be summarized as follows: Each House may determine a) the rules of the proceedings of the body in ordinary legislative matters and b) the propriety and affect of any action taken by the body in one, the exercise of any power, two, the transaction of any business

or three, the performance of any duty conferred upon it by the Constitution.

The Constitutional duty with which this ruling is most concerned is that Article 4, Part 1st, Section 7. That section of the Constitution states, "The House of Representatives shall choose their Speaker, Clerk and other officers."

The Chair finds that LD 904, which among other things, attempts to establish term limits for the Clerk of the House attempts to limit the House's determination of the propriety and affect of the performance of the constitutional duty to choose a Clerk by directing whom the House may not elect. For this reason, LD 904 is not properly before the House.

As a practical matter, a statute establishing term limits for the Clerk of the House would not be binding upon a future House. In its internal affairs, the Maine Legislature is constrained only by the Maine Constitution. House Rule 107 and this ruling are not intended to frustrate the legislative process. On the contrary, they are intended to insure the legitimacy, relevance and sanctity of the legislative process by preventing statutes that are unenforceable against the House from becoming statute and by keeping Maine law free of a pretense that the statutes can limit a right or power conferred by the Constitution.

The Chair believes that it is our job to pass statutes that have the full force and affect, not merely the color of law. That is the ruling of the Chair on that issue.

Subsequently, the Chair **RULED** the Bill was not properly before the body pursuant to House Rule 107.

Representative MURPHY of Kennebunk **APPEALED** the Ruling of the Chair.

The same Representative **REQUESTED** a roll call on the motion to **SUSTAIN** the Decision of the Chair.

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

Representative **MURPHY**: Mr. Speaker, Men and Women of the House. My appeal is based upon two general areas. I don't want to get into debating the merits of the bill. As a citizen, not as a legislator, I had voted for term limits and I have tried to follow the bills that are before the committee as we have moved through this first three or three and a half months of the session. My feelings about term limits are very fluid right now. I would like more information before the bills come back out. Term limits now apply to legislators, the Governor, the Constitutional Officers. Those people that had opposed or had proposed term limits and they continue to say so today, that longevity of service, in their mind, leads to a consolidation of power. We have heard continually from supporters of term limits that that consolidation of power is not fully democratic.

I think the committee needs to look that as term limits have been applied to this House and to the other body, has it lead to a shift of power to the staff, either non-partisan or partisan?

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Saxl. For what reason does the Representative rise?

Representative **SAXL**: Mr. Speaker, Men and Women of the House. I object to the floor speech. We are not arguing about the merits of this legislation, but rather the point of order of whether this legislation is properly before this House.

The Speaker: The Chair would instruct the Representative from Kennebunk, Representative Murphy, to keep his comments confined to the point of order before the body. The Representative may continue.

Representative **MURPHY**: Thank you Mr. Speaker. As we have gone through this session and as we have gone through other sessions, I have never voted against allowing one of your bills to go to committee, even though I have been violently opposed to some of those bills. I have always given you the courtesy and the right, as a legislator, to take your bill to a committee, let the committee hear the bill and let the public comment and then dispose of it as the committee sees fit. This bill is part of that issue that needs to be addressed. I am asking, with this appeal, that I be given that same courtesy and that same right for my bill to go to committee and let us address that issue of the staff, partisan and nonpartisan and let's move forward. Let's let it be part of the decision that may or may not happen with term limits. I would ask for the same courtesy and the same right that I have extended to both sides of the aisle on your legislation.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Saxl.

Representative **SAXL**: Mr. Speaker, Men and Women of the House. This ruling is not about being cordial about the substance of a piece of legislation. It is about the Constitution of the State of Maine. The Constitution of the State of Maine, Article 4, Part 3, reads, "Each house may determine the rules of its proceedings." House Rule 107, which was given to all the members of leadership prior to cloture and prior to the initiation of this piece of legislation reads, "A member may question the appropriateness of a bill that attempts to establish proceedings of the House in statute. Such legislation may be ruled not properly before the House by the Speaker." That is exactly what has come to us today. It comes as division of our Constitution and it has been endorsed by the United States Supreme Court, District Courts and State Courts throughout the land.

In a case called Magino vs. Springs, the court says that there is an ability of a Legislature to be bound by an action of any prior Legislature. All that means is that if we pass legislation this year, say we pass legislation this year that we think the turnip growth is the most important thing for us to do. In their wisdom, the next Legislature doesn't find turnip growth to be the key for the economic future of the State of Maine, they can simply change that law.

The reason that we elect the Speaker and the Clerk of the House, as a House, and not put it into statute is when we, as a House, want to do something or we want to elect our officers, we do not need the okay of the Senate. We do not need the signature of the Governor. We are a body unto ourselves. The proceedings of this chamber are defined in the Constitution of the United States. For us to accept this legislation and allow it to be heard in committee today is to undermine the very power of this body. I ask that the members here join with me and say that the House is to control its own management and its own future. Thank you.

The SPEAKER: The Chair recognizes the Representative from Waterboro, Representative McAlevy.

Representative **MCALVEY**: Mr. Speaker, Ladies and Gentlemen of the House. I concur with what both sides said this morning and House Rule 107 does say that the Speaker has the ability to rule any legislation out. We cannot bind one Legislature to another. The only thing that supersedes our rules is the Constitution of the State of Maine. The Constitution of the State of Maine in Article 4, Section 9 says that bills may originate in either one of these two chambers. The question I would have and I am not an expert on rules. We have a section 301 that outlines the duties of a Clerk. I saw nothing in those

rules that said anything about the length of term. We don't know what form this would have taken had it had the chance to go to a committee.

In all due respect, I think the objection to the bill was premature. I think it should have gone to committee. We have a standing precedent of debate and discussion. We have no idea what form this would have taken out of committee. Would it have died? The issue would have been valid at the committee level. We don't know if the committee would have come back with a request or a referendum. We have nothing to fear from discussion. We have nothing to fear from agreeing or disagreeing with each other. We are a chamber of words. We must never be fearful of hearing these words. Thank you.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Saxl.

Representative **SAXL**: Mr. Speaker, Men and Women of the House. Just in answer from my good friend from Waterboro's concern. I stand before you and do not fear debate or do not fear discussion, but I do want to bring to his attention and to the attention of the members of this chamber that the only way to change the term of the Clerk of the House is by amending the Constitution. You cannot amend a piece of legislation into a Constitutional Amendment according to our House Rules. If this bill were in the form of a Constitutional Amendment, it would be absolutely properly be a vehicle for discussion of this matter, but you can't refer it to committee and then ask them once they find the constitutional problem, to make that change. I agree with my good friend from Waterboro that discussion is always healthy and I promote discussion, but this is not the format for that discussion to take place.

The SPEAKER: The Chair recognizes the Representative from Naples, Representative Thompson.

Representative **THOMPSON**: Mr. Speaker, Men and Women of the House. I listen to my good Representative, Representative Murphy, indicate that he hasn't opposed bills going to committee and I certainly agree with him. That is not what this ruling is about. What this ruling is about is whether the challenge is appropriate under our rule. We are not voting right now if it is a good rule or a bad rule. We are voting whether under this rule 107 that this bill can be challenged. The good Representative did not give any information to this body that would say that it is not a proper ruling of the Chair. I would submit to you that ruling of the Chair is very sound and very proper and that there are other remedies, such as repealing the rule that would be the appropriate remedy if this rule interferes with a bill being introduced. If you think the rule is inappropriate, then you should fight the rule, not the ruling of the Chair.

The SPEAKER: The Chair recognizes the Representative from Arundel, Representative Daigle.

Representative **DAIGLE**: Mr. Speaker, Ladies and Gentlemen of the House. I find that everyday that as I sit here in this session is a great learning experience. The greatest day I have had so far was last week hearing the debate about reference to a committee on a bill that later on we decided we would stick with the committee process. The integrity of the committee process was the very essence of that discussion. I ultimately voted in favor with the majority on that issue. I respect that issue and I don't understand what the concern is. All the points that have been brought out about why this may or may not be an appropriate thing to bring forward can't be left to the committee that it could be referred to. Thank you.

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

Representative **MENDROS**: Mr. Speaker, Men and Women of the House. I have heard a lot of good arguments today as to why I should vote against this bill when it comes up. From what I have heard now, if I didn't hear anything new, I probably would. It seems like it would tie our hands, but I think it should go to committee to be looked at. A point I would like to make about our hands being tied by statute, that is currently in effect. We currently have term limits on all our committee chairs and on our Speaker through the term limits law that was passed and help up in the courts. There is a precedent already in statute that limits our time that people can serve. Thank you.

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

Representative **GLYNN**: Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the Chair's ruling on several points. First, I would like to begin by stating that I am a freshman member of the House of Representatives and I am not an attorney. As with most members of this body, there is a great amount of reliance on the nonpartisan staff that draft the legislation for the ideas that are important to our constituents. I can tell each one of you that a number of issues were brought to my attention by my constituents that I was not a legal expert on. However, in the exercising of my duties to them as their state representative, it was necessary for me to rely on the nonpartisan staff that draft legislation to put these ideas before the body. Our staff have felt, obviously, that the bill that is before us is in legal format or else it would not have come out of the Revisor's Office. There is a certain amount of reliance and dependency on that process.

I can tell you that a bill not being in proper legalese wording, in my opinion, is not an adequate reason for denial and, in fact, is the purpose of the committee process. To review that legislation, to look at it, to talk about it and to get input. Was it proper to be in a different portion of the statute? Was it proper to be in the Constitution or, in fact, is it in good legal format and is just simply a policy issue of this state? In any regard, constituents of the good Representative from Kennebunk, have asked legislation to be put before this body. They do deserve an answer and that answer should not be frustrated by a ruling that eliminates debate. I feel very strongly on that. Thank you.

The SPEAKER: The Chair recognizes the Representative from Waldoboro, Representative Trahan.

Representative **TRAHAN**: Mr. Speaker, Men and Women of the House. I also have a copy of the Constitution. Section 2, "Power inherent in people. All power is inherent in the people; all free governments are founded in their authority and instituted for their benefit."

I am very concerned when this body, or any body in government, will stop the process of people bringing bills before this body. If this rule stops that from happening, then this rule definitely needs to be reviewed and changed. I think that this bill should be allowed to go to committee. It should be heard. That is the process that our Constitution dictates. If that rule is in violation, let's eliminate it. Thank you.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Saxl. Having spoken twice now requests unanimous consent to address the House a third time. Is there objection? Chair hears no objection, the Representative may proceed.

Representative **SAXL**: Mr. Speaker, Men and Women of the House. I have heard a couple of questions or statements brought up on the floor of the House and I would like to clarify

them. The Representative from Auburn, Representative Mendros, mentioned that term limits for leadership in the State House was endorsed by the State Supreme Court. He is mistaken in that regard. The Supreme Court only reflected upon term limits as they were initiated by the citizens of the State of Maine. Those term limits do not dictate the way we manage the floor of this House.

Number two, Representative Glynn suggested that he is concerned that we are frustrating the process in discussion. If adhering to the Constitution of the State of Maine frustrates us, then we must amend the Constitution of the State of Maine. We are not talking about the substance of this legislation and that is not appropriately before this body at this time. Whether we believe or disbelieve in term limits does not have merits. What has merit is that the Constitution of the State of Maine is clear that the House dictate its own proceedings. Clearly articulated in the Constitution is that the Clerk of the House shall be elected by the members of this body. We are not frustrating discussion. We are adhering to the Constitution. If this were in a form that amended the Constitution, it would be appropriately before this body. If we were to refer this to committee, would it enhance discussion because they could then make it work? No. As I stated previously, you cannot amend a bill in committee to make it into a constitutional amendment.

The good Representative, Representative Trahan, quoted another part of the Constitution. He is absolutely right. The power of the people of the State of Maine create the authority for Maine's Constitution. If we adopt and pass a constitutional amendment in this chamber, then the people of the State of Maine, in their authority, can choose to adopt that or to deny it. That authority does rest with the people of the State of Maine. That is exactly what I am saying here today. The authority we are restricted by and guided by here in the State of Maine is nothing less than our Constitution.

This is not personal. This is not about substance. This is about a procedure and how we get from point A to point B. I would welcome the opportunity to discuss this as a constitutional amendment and fight the merits of the legislation on the floor of the House, but that is not the place we find ourselves. Please join me in sustaining the ruling of our Speaker. Thank you.

The SPEAKER: The Chair recognizes the Representative from Hamden, Representative Plowman.

Representative **PLOWMAN**: Mr. Speaker, Men and Women of the House. In the legislator's handbook, the *Guide for Maine Legislators*, on page 2. "Maine law limits the number of terms of presiding officers and floor leaders of both chambers may serve." I will repeat that. "Maine law limits the number of terms the presiding officers and floor leaders of both chambers may serve." The law limits the President of the Senate, Speaker of the House and House and Senate party floor leaders and assistant party floor leaders to no more than three consecutive legislative biennium in office. This is set in statute. It was set in statute by the Legislature. It came to us as a bill and effected both bodies of the Legislature and was passed. I think we have a precedent here where we have gone forward and done exactly what we are trying to discuss today in statute and because people are elected, we have already done that. We elect people here every year and its term limited. It is set in statute. It is disingenuous to say that we can't do it in statute again.

The SPEAKER: The Chair recognizes the Representative from Waterboro, Representative McAlevey.

Representative **MCALLEVEY**: Mr. Speaker, Ladies and Gentlemen of the House. I rarely rise a second time to speak, but I am going to do that today. Rule 107 is a rule that we put into place this term. I believe it is an important rule to have. Should this piece of legislation ever go to a committee and make it out, rule 107 would be a very compelling argument as to why it shouldn't be enacted. I think the members right, specified in the Constitution, to bring legislation to this body supersedes the House Rules. The pyramid of power comes from the people to the Constitution to the House Rules and then the Joint Rules. I don't have a position on the merits of the legislation. I haven't read it all, but I think the ability of a house member or a member of the other body to bring legislation, which is guaranteed in the Constitution, supersedes our House Rules.

I think on first blush, the application of rule 107 by our Speaker, is a reasonable thing to do, but I think if you look at it a little bit deeper, it supersedes the members right to bring a bill. I would like to pose a question. I know most times people who pose questions know the answer to this, but I truly don't know. If this legislation were in the form or an order amending the House Rules, would it be properly before this body at this time or in the future? Thank you for indulging me during my second discussion of this issue.

The SPEAKER: The Representative from Waterboro, Representative McAlevey has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Naples, Representative Thompson.

Representative **THOMPSON**: Mr. Speaker, Men and Women of the House. In response to the question, it is always an order before the House to change a House Rule and is always in order. That is a simple answer to the bill.

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

The SPEAKER: A roll call has been ordered. The pending question before the House is shall the decision of the Chair stand as the judgment of the House. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 14

YEA - Ahearne, Baker, Berry RL, Bolduc, Bouffard, Brennan, Brooks, Bryant, Bull, Cameron, Chizmar, Clark, Colwell, Cote, Cowger, Davidson, Desmond, Dudley, Dugay, Dunlap, Duplessie, Etnier, Fisher, Fuller, Gagne, Gagnon, Goodwin, Green, Hatch, Jabar, Jacobs, Kane, LaVerdiere, Lemoine, Mailhot, Matthews, McGlocklin, McKee, Muse, Norbert, O'Neal, O'Neil, Perry, Pieh, Povich, Powers, Quint, Richard, Richardson J, Rines, Samson, Sanborn, Savage W, Saxl MV, Shiah, Sirois, Skoglund, Stanley, Stevens, Sullivan, Tessier, Thompson, Townsend, Tracy, Tripp, Tuttle, Twomey, Usher, Volenik, Watson, Wheeler GJ, Williams, Mr. Speaker.

NAY - Andrews, Belanger, Berry DP, Bowles, Bragdon, Bruno, Buck, Bumps, Campbell, Carr, Cianchette, Clough, Collins, Cross, Daigle, Davis, Duncan, Foster, Gerry, Gillis, Glynn, Gooley, Heidrich, Honey, Jodrey, Jones, Kasprzak, Kneeland, Labrecque, Lemont, Lindahl, MacDougall, Mack, Madore, Marvin, Mayo, McAlevey, McKenney, McNeil, Mendros, Murphy E, Murphy T, Nass, Nutting, O'Brien, Peavey, Perkins, Pinkham, Plowman, Richardson E, Rosen, Savage C, Schneider, Sherman, Shields, Snowe-Mello, Stanwood, Stedman, Tobin D, Tobin J, Trahan, Treadwell, True, Waterhouse, Weston, Wheeler EM, Winsor.

ABSENT - Bagley, Chick, Frechette, Joy, Lovett, Martin, McDonough, Mitchell, Saxl JW, Shorey.

Yes, 73; No, 67; Absent, 10; Excused, 0.

73 having voted in the affirmative and 67 voted in the negative, with 10 being absent, the Decision of the Chair was **SUSTAINED**.

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

SENATE PAPERS

The following Joint Resolution: (S.P. 559)

JOINT RESOLUTION DECLARING MARCH 2, 1999

READ ACROSS MAINE DAY

WHEREAS, the children of America are our most precious resource and the best hope for a prosperous, thriving and free nation; and

WHEREAS, studies have confirmed that a high literacy rate is closely related to a higher standard of living; and

WHEREAS, children are naturally drawn to books and to stories and this is an interest that needs to be nurtured and encouraged; and

WHEREAS, Read Across America is a nationwide program organized by the National Education Association in coalition with other literacy, education and community groups; and

WHEREAS, in its quest to expand children's horizons and to raise awareness of the importance and value of reading, Read Across America has chosen the 95th anniversary of the birth of the late Dr. Seuss, beloved author of numerous popular

children's books, to encourage every child to be in the company of a book; and

WHEREAS, March 2, 1999 has been designated to be the day to make a conscious effort to urge all people to honor both Dr. Seuss and the power of reading for children; now, therefore be it

RESOLVED: That We, the Members of the One Hundred and Nineteenth Legislature, now assembled in the First Regular Session, take this occasion to declare Read Across Maine Day, and to encourage all people in Maine to encourage children to read and to develop an abiding and lifelong relationship with books for the betterment of the children and all society; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Angus S. King, Jr., Governor of Maine, to the Department of Education and to the National Education Association.

Came from the Senate, **READ** and **ADOPTED**.

READ and **ADOPTED** in concurrence.

On motion of Representative BERRY of Livermore, the House adjourned at 12:20 p.m., until 10:00 a.m., Wednesday, March 3, 1999.