

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
23rd Legislative Day
Wednesday, March 10, 1999

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

Prayer by Reverend Thomas Merrill, Clark Memorial United Methodist Church, Portland.

National Anthem by Samuel Wagner Middle School, Winterport.

Pledge of Allegiance.

At this point, a message came from the Senate, borne by Senator Pingree of Knox of that Body, proposing a Joint Convention of both Branches to be held in the Hall of the House at 11:00 in the morning for the purpose of extending to the Honorable John Fitzsimmons, President of the Maine Technical College System and the Honorable Terrence MacTaggart, Chancellor of the University of Maine System, an invitation to attend the Joint Convention and to make such communication as pleased them.

Doctor of the day, Ann Hanlon, M.D., Hampden.

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Irving Kornfield, a professor in the University of Maine School of Marine Sciences, who has been named Maine Professor of the Year by the Carnegie Foundation for the Advancement of Teaching. The award is presented annually in recognition of college faculty members who excel as teachers and influence the lives and careers of their students. We send our congratulations to Professor Kornfield on this occasion;

(HLS 10)

Presented by Representative BAKER of Bangor.

Cosponsored by Senator MURRAY of Penobscot, Senator CATHCART of Penobscot, Representative STEVENS of Orono.

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

READ.

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

Representative **BAKER**: Mr. Speaker, Men and Women of the House. It gives me great pleasure today to recognize one of my constituents, the University of Maine professor Dr. Irvin Kornfield. Dr. Kornfield has been on the University of Maine faculty since 1977 where he holds the rank of professor in the University of Maine School for Marine Sciences. He teaches undergraduate and graduate classes in evolution and marine ecology. His research activity focuses on evolutionary biology. In 1977, Dr. Kornfield was recognized as the University of Maine Distinguished Maine Professor. Last year the Carnegie Foundation for the Advancement of Teaching named him as its 1998 Maine Professor of the Year. An award given annually in recognition of college faculty members who excel as teachers

and who influence the lives and careers of their students. Dr. Kornfield was an exceptional teacher. The vice provost for undergraduate education at Maine describes Professor Kornfield as "the only person I know who comes to a lecture on evolution for honor students carrying a human skull and a peacock feather and uses both to excellent effect to illustrate his points."

He is also an exemplary researcher. His vital research program takes him to the far reaches of the globe in pursuit of understanding evolutionary biology. He has pursued his fish in the lakes of Mexico and Ballwin, Israel and the Philippines, in the USSR and Bolivia, as well as the Gulf of Maine. He has discovered new species, among them the *Cichlasoma micklei* and the *Oreochromis niloticus tana*. Those are fish. Even a new lobster, *Homarius capensis*.

Through his research, which includes population genetics and molecular systematic, he has brought more than \$2 million to the State of Maine. He worked with the Maine Warden Service to develop the Wildlife DNA for Room Six Facility. He studied haddock in the northwest Atlantic. The rapid evolution in African fishes in the biology of the Georges Bank cod. He has published many, many articles, 51 to be exact, and co-edited two books. Given these extraordinary accomplishments, I still find most compelling his continuous and conscience effort to provide a stimulating classroom environment where not only is his knowledge passed on, but where students are drawn to consider the broader implications of the subject matter.

His influence on teaching comes from his recognition that attendance at college for many of his students imposes a significant financial hardship. He considers it his obligation to give them their moneys worth. Give it he does. Dr. Irving Kornfield reminds me of the Chaucer's scholar, gladly would he learn and gladly teach. Dr. Kornfield's great love of learning is exemplified through his search and his love of students is a gift not only to the students and the university where he serves, but indeed to the State of Maine and the larger world. I invite you to join me in commending him today.

PASSED and sent for concurrence.

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

TABLED AND TODAY ASSIGNED

The Chair laid before the House the following item which was **TABLED** and today assigned:

Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2000 and June 30, 2001" (EMERGENCY) (Governor's Bill)

(H.P. 455) (L.D. 618)

TABLED - March 9, 1999 by Representative TOWNSEND of Portland.

PENDING - **ADOPTION OF COMMITTEE AMENDMENT "A" (H-43)**.

Representative TOWNSEND of Portland **PRESENTED House Amendment "D" (H-51) to Committee Amendment "A" (H-43)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Portland, Representative Townsend.

Representative **TOWNSEND**: Mr. Speaker, Men and Women of the House. This is a purely technical amendment

which addresses some mistakes made by the committee. It takes care of three items we had at the request of the Committee on Inland Fisheries and Wildlife. It created a position of a clerk typist. However, we put it in the wrong department. This amendment puts it into the right department. There were two other items which involved reports back from departments on issues in our wish to close the budget, we neglected to also direct that those reports go to the committees of jurisdiction. It deletes language which allows the committee to report out a bill on those issues. I urge your support.

House Amendment "D" (H-51) to Committee Amendment "A" (H-43) was ADOPTED.

Representative WATERHOUSE of Bridgton **PRESENTED House Amendment "E" (H-52) to Committee Amendment "A" (H-43)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Bridgton, Representative Waterhouse.

Representative **WATERHOUSE**: Mr. Speaker, Ladies and Gentlemen of the House. If you read the summary on the amendment, it will tell you what the amendment attempts to do. This amendment precludes the state from using juveniles in any tobacco enforcement action. It directs the commissioner of Human Services, the commissioner of Mental Health and Mental Retardation and Substance Abuse Services, the commissioner of Public Safety and the Attorney General to develop and implement alternative tobacco enforcement strategies exclusive of using juveniles for enforcement action.

I will tell you why this comes to my attention this policy. Not too long ago I was down in the Hall of Flags when they got through with the Maine tobacco free Maine presentation. The place was pretty much empty except for a few adults and a whole bunch of young kids. One of the adult gentleman suited up in a suit stepped in front of the children who were seated down in front of them and started speaking about a program. He looked out at the kids and said, I see we have a few inspectors in the audience. This perked my interest. I decided to hang around to find out what he was talking about. For those of you who don't know, we have a program now where we have young kids, juveniles, going into retail stores and trying to buy cigarettes, which I might mention is against the law for them to do so.

This is called a sting operation. I will tell you something ladies and gentlemen in the five years now that I have been up here, it is going on my fifth year, there is nothing that disturbs me more than this policy. I can't stress to you enough how repugnant this is to me and I hope it is to you too. To use children to try to entrap your neighbors, I will mention the fact that these people who are in these businesses are your neighbors. I would like you to sit back and just think about that type of policy. Without over reacting, I am a student of history. I read a lot of history. It wasn't that long ago in recent history we had governments, I am sure they will come to your mind, that use children for what started out as benign goals. They turned out to be malignant goals in the long run. You have to ask yourselves, is anything so important that we are willing to go down this road? Do we really want children doing this?

I might mention that there is a certain element of risk involved in doing that. The protocol and the federal legislation that implements some of these programs. They mentioned the harm element in the protocol to reduce that risk. I might also mention that the federal legislation does not require using minors on these sting operations. They give flexibility to the states to come up with an alternative method.

I beg the ladies and gentlemen of this House to sit back in their seats and put all the rest of the stuff aside, the budget and everything else, and think about this type of policy. You might hear some people mention that we might lose some money. We don't know that. I checked into that and there is no clear cut decision on that from the federal government. It does allow flexibility. You have to ask yourself this question, even if you lost some money, isn't it worth it not to go down this road? Are we willing to sell our souls? Again, I don't want to overreact, but I think we are just for that money. There is no clear cut decision on whether we would lose that money.

I will mention one other thing. When I was campaigning in my first term, I went to a constituents house. They were people that I knew and I had built their house. They were from Europe. They were an older couple, Gallvinarious was their name. The wife was from Russia and the husband was from Poland. We had a long talk. The wife especially was very upset with some of the trends she saw going on in this country. She said in her broken English, "Don't you people realize what you are losing? I saw it happen in my country. I see it happening here." It is happening right now for good causes. What is to say in the future that those causes won't be so good.

This amendment does not touch any funds. For those who are concerned about upsetting the balance of the delicately negotiated budget, I give kudos to both sides of the aisle for coming up with a budget and getting a unanimous decision. That is no mean task. I feel so strongly about this, I felt I had to bring it to you. I hope you will really think about it and vote for this amendment. Thank you.

Representative **TOWNSEND** of Portland moved that **House Amendment "E" (H-52) to Committee Amendment "A" (H-43) be INDEFINITELY POSTPONED.**

The **SPEAKER**: The Chair recognizes the Representative from Portland, Representative Townsend.

Representative **TOWNSEND**: Mr. Speaker, Men and Women of the House. We did discuss this issue at length in the committee during the discussion of the budget. Ultimately, we agreed not to take action to remove this program. We learned from the Department of Human Services, specifically, the Bureau of Health, that we are required under two agencies, provisions of federal law, to conduct these random and unannounced inspections. The first being the federal Synar Amendment, which requires states to conduct RUIs, random unannounced inspections. If we were not to comply with that law, we would lose \$2 million of federal funds, which would otherwise go to the Office of Substance Abuse. There has been a lot of discussion in the past year about the impact of substance abuse in Maine. I think there is general agreement that substance abuse is at the root of many of our criminal justice issues. The loss of \$2 million in that area would be significant. Furthermore, we are required by the Food and Drug Administration to conduct these RUIs using youth. They have made it very clear that should the state not continue to conduct the RUIs, that the Food and Drug Administration will go ahead and conduct them on our behalf here in Maine. The question before you is whether you want Mainers in control of this program or whether you want the federal government doing it. I urge you to support the Indefinite Postponement.

Representative **WATERHOUSE** of Bridgton **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "E" (H-52) to Committee Amendment "A" (H-43).**

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

The **SPEAKER**: The Chair recognizes the Representative from Bridgton, Representative Waterhouse.

Representative **WATERHOUSE**: Mr. Speaker, Men and Women of the House. I just wanted to mention a detail that the previous speaker commented on about the requirement. I am reading directly from the Synar federal regulation. It talks about the methodology and at the end of the paragraph it says, "However, the Synar regulation gives states some flexibility in implementing the requirements of estimating the rate of tobacco sales to minors. Even the legislation does give flexibility. It is in the federal legislation. The other comment that I would make is even if it is only there in print and in reality the federal government will not give us the money, I say tell them to take it back.

The **SPEAKER**: The Chair recognizes the Representative from Hampden, Representative Plowman.

Representative **PLOWMAN**: Mr. Speaker, Men and Women of the House. I urge you to vote against the pending motion. In the last year I have received quite a documented case from a hotel owner in my district who was the subject of one of these stings. What bothers me is the people who ran the sting brought the children into the hotel, showed the children where the maids room was and that there was a vending machine there, an area that is off limits. It is trespassing to go there. They showed them where it was and then gave them the opportunity to sneak back into the hotel, go into the maids break room, buy cigarettes and then heavily fine this hotel for providing access to tobacco for minors. That is a sting operation all right. That is showing kids how to trespass, how to break in and how to take something that they are not supposed to be taking. I don't think that this is being done in the correct way. If that is the way it is being run, I don't care if it is being run by the federal government or by the state government. It is not an appropriate way for us to bring up our children to teach them how to break laws so that we can try to enforce laws. I ask you to oppose the pending motion.

The **SPEAKER**: The Chair recognizes the Representative from Durham, Representative Schneider.

Representative **SCHNEIDER**: Mr. Speaker, Ladies and Gentlemen of the House. I urge you to vote against the pending motion to Indefinitely Postpone this and to support this amendment and stop this abominable practice of using juveniles in undercover operations. It exploits children. It makes them law enforcers and undercover operators inappropriately. It puts them into a bad role for children to fill. Further, it exposes them to significant danger. They face danger immediately during the operation. If they should become discovered, they could face danger. They face danger and potential retribution long after the operation ends if their role is discovered.

I was a drug prosecutor for a number of years. I never used or would have used a juvenile in an undercover operation. It just wasn't safe. Even experienced undercover drug agents never go into an operation without a wire. That is a hidden transmitting device. That wire allows them to signal for help if they need it. They can call emergency backup if they need it to get them out of a dangerous situation. This amendment has no affect on the funds in the budget. Federal rules do not mandate the use of juveniles for this type of operation. They allow the states to come up with unique and imaginative ways to enforce this law without using juveniles. It also allows the states to develop their own rules to monitor compliance. One way that

they could do this, perhaps, is with surveillance. I urge you to vote against the Indefinite Postponement to support the amendment and to tell the agencies to come up with another way to do this that doesn't exploit and expose children to danger. Thank you very much.

The **SPEAKER**: The Chair recognizes the Representative from Poland, Representative Snowe-Mello.

Representative **SNOWE-MELLO**: Mr. Speaker, Men and Women of the House. I just wanted to ask you to please vote against the pending motion. All my fellow members on the Health and Human Services Committee know how I feel about this. This is something that I am extremely concerned with. I believe that we are always trying to protect the children. Children last session and this session have been utmost in our minds to protect children. We need to keep children, children. Children should not be used to do adult work. You are taking the naiveté away from children making them to address adult subjects even though we are trying to get them to stop smoking. I believe within my heart that this is not the way to do it. I asked two young ladies that were in our committee the day that I brought this subject up and what they thought about this, they are two teenagers, they were appalled. They couldn't believe that we were using children in a sting operation. Please, I urge you to vote against the Indefinite Postponement. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Manchester, Representative Fuller.

Representative **FULLER**: Mr. Speaker, Ladies and Gentlemen of the House. I am rising to urge that you support the motion to Indefinitely Postpone this amendment. We all know, or should know, by now that Maine has one of the highest rates of teenage smoking in the country. We need to do everything we can to decrease access to cigarettes for teenagers. Sting operations may not be what everybody likes, but the reality is no teenager is being forced to participate in a sting operation unless they so choose. We are not talking about eight and ten year olds. We are talking about 16 and 17 year olds who are growing up into maturity and need a sense of community responsibility. This is one way that I believe children can show a sense of community responsibility. I urge you to support the amendment to Indefinitely Postpone.

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

Representative **MCALLEVEY**: Mr. Speaker, Ladies and Gentlemen of the House. I have never been comfortable from day one when we started using children to work in these operations, whether you want to call them sting operations or entrapment or whatever. We have many liquor laws in this state. We have inspectors that work for the agency and we do not send children into beer stores or liquor stores trying to catch somebody selling them alcohol. In this day and age I think we can accomplish that task without using children. Given my age and I look back now at some of the newer law enforcement officers in our state, they look awfully young to me. I think some of them could pass as a minor. We do want to do everything we can to keep our children from smoking.

It is a bit hypocritical to use these kids in that manner. I was not in favor of it when it when it happened. I am still not in favor of it. I would like to send a strong message to the Maine Sheriff's Association who I believe is contracting with DHS to do this to find another method to accomplish this end without using children. I would ask for your support in this amendment. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Yarmouth, Representative Buck.

Representative **BUCK**: Mr. Speaker, Ladies and Gentlemen of the House. I would urge you also not to vote for Indefinite Postponement of this motion. I operate a small mom-and-pop store and have been subjected to these sting operations in the past. I might add, we have passed them with flying colors. We have a policy that we do not sell cigarettes to minors. The problem I have with this sting operation is the youngsters involved in the sting came from my own high school, Yarmouth High School. It is interesting because most of the merchants on Main Street who passed this sting operation were invited to a banquet at an expensive restaurant at your expense and listened to the people that operated the sting talk about how effective it was. The thing that really amused me, really bothers me, is our own high school in Yarmouth with all of these proponents walking around talking about how we have got to do everything we can to prevent smoking. Checking on local merchants making sure that we are not selling cigarettes, yet when youngsters in Yarmouth that smoke go to the high school, we made a big deal that we have a no smoking policy at the high school, yet right at the edge of the parking lot they are provided with a place to smoke. It isn't on school property. It is one foot from it. All of those educators that are demanding that we do something about the merchants are selling cigarettes to youngsters and ignore those youngsters that are smoking everyday when they drive into the parking lot. I think that is a bit hypocritical.

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

Representative **POVICH**: Mr. Speaker, Men and Women of the House. I am a store owner as well. I find this issue intriguing and it requires more study. It requires a public hearing. It doesn't find itself, in my opinion, properly before us as a floor amendment. I would urge the good Representative from Bridgton, Representative Waterhouse, to put forward this intriguing idea before the Legislative Council and let's have a public hearing. This floor amendment, in my opinion, should be Indefinitely Postponed. Thank you very much.

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

Representative **TRAHAN**: Mr. Speaker, Men and Women of the House. We have a state agency making a 16 year old child, who we know is breaking the law when they enter the store to purchase cigarettes, what kind of message are we sending when we say to a child that we will send you into a store knowing you are breaking the law to buy a pack of cigarettes. Are we trying to catch the person selling the cigarettes? If we are doing that, let's catch them when the 16 year old comes out the door with a pack of cigarettes. The 16 year old knew he was breaking the law when he went in and tried to purchase them. The person selling the cigarettes, we should demand that they check the ids and they do their job to make sure that children are not buying cigarettes. We are willingly sending a child in knowing that they are breaking the law trying to get somebody else to break the law. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from St. George, Representative Skoglund.

Representative **SKOGLUND**: Mr. Speaker, Ladies and Gentlemen of the House. I want to express my appreciation to the Representative from Bridgton for bringing this important matter before the House. I don't think we should begrudge the time it takes to discuss it a little more thoroughly at this time.

The question here isn't tobacco. The question here, I think, is the slide we are seeing into a police state. I know we are not supposed to speak so bluntly on the House floor, but I feel I must do it. It distresses me to know that it is felt that uniform policemen have to be posted in some of our public schoolhouses. It distresses me even more to think that we are using, in affect, secret police to spy. Children to spy on their age mates. We don't have to ask what message we are sending to these children. The message we are sending is, you are being watched. I think it is distressing to think that we feel we need to go to such extremes to protect our children from tobacco. I think we may be overreacting in some cases to have so many police available. I would support the Representative from Bridgton and plan to follow his light on this matter.

The **SPEAKER**: The Chair recognizes the Representative from Easton, Representative Kneeland.

Representative **KNEELAND**: Mr. Speaker, Men and Women of the House. We have heard some great suggestions here today for this amendment. I think it is a good amendment, but we have to look at the committee process. We were unanimous in the Appropriations Committee. I feel that this should go into a bill. It should be taken up in committee and have a hearing on it. I would ask each one here this morning to vote for the pending motion, Indefinite Postponement. Thank you.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "E" (H-52) to Committee Amendment "A" (H-43). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 19

YEA - Ahearne, Andrews, Bagley, Baker, Berry RL, Bolduc, Bouffard, Bragdon, Brennan, Bruno, Bryant, Bull, Bumps, Campbell, Chizmar, Clark, Colwell, Cote, Cowger, Daigle, Davidson, Desmond, Dudley, Duncan, Dunlap, Duplessie, Etnier, Fisher, Frechette, Fuller, Gagne, Gagnon, Green, Hatch, Honey, Jabar, Jacobs, Jodrey, Kane, Kneeland, LaVerdiere, Lemoine, Mailhot, Martin, Marvin, Matthews, McDonough, McGlocklin, McNeil, Mitchell, Murphy T, Muse, Nass, Norbert, Nutting, O'Neal, Pieh, Povich, Powers, Quint, Richard, Richardson J, Samson, Sanborn, Savage W, Saxl JW, Saxl MV, Shiah, Stanley, Sullivan, Tessier, Thompson, Tobin D, Townsend, Tripp, Tuttle, Twomey, Usher, Volenik, Watson, Weston, Wheeler EM, Williams, Winsor, Mr. Speaker.

NAY - Belanger, Berry DP, Bowles, Brooks, Buck, Cameron, Carr, Chick, Cianchette, Clough, Collins, Cross, Davis, Dugay, Foster, Gerry, Gillis, Glynn, Goodwin, Gooley, Heidrich, Jones, Joy, Kasprzak, Labrecque, Lemont, Lindahl, MacDougall, Mack, Madore, Mayo, McAlevey, McKee, McKenney, Mendros, Murphy E, O'Brien, Peavey, Perkins, Pinkham, Plowman, Richardson E, Rines, Rosen, Schneider, Sherman, Shields, Shorey, Sirois, Skoglund, Snowe-Mello, Stanwood, Stedman, Tobin J, Tracy, Trahan, Treadwell, True, Waterhouse, Wheeler GJ.

ABSENT - Lovett, O'Neil, Perry, Savage C, Stevens.

Yes, 85; No, 60; Absent, 5; Excused, 0.

85 having voted in the affirmative and 60 voted in the negative, with 5 being absent, **House Amendment "E" (H-52) to Committee Amendment "A" (H-43) was INDEFINITELY POSTPONED.**

On motion of Representative SAXL of Portland, **TABLED** pending **ADOPTION** of **Committee Amendment "A" (H-43)** and later today assigned.

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

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

At this point, the Senate entered the Hall of the House and a Joint Convention was formed.

IN CONVENTION

The President of the Senate, the Honorable Mark W. Lawrence, in the Chair.

The Convention was called to order by the Chair.

On a motion by Senator Pingree of Knox, it was ORDERED, that a committee be appointed to wait upon the Honorable John Fitzsimmons, President of the Maine Technical College System, and the Honorable Terrence MacTaggart, Chancellor of the University of Maine System, the campus presidents and the Board of Trustees of the two systems, and inform them that the two branches of the Legislature are in convention assembled, ready to receive such communication as pleases them.

The Order was Read and Passed.

The Chair appointed the following:

The Sen. from Androscoggin, Sen. BERUBE

The Sen. from Penobscot, Sen. MURRAY

The Sen. from Sagadahoc, Sen. SMALL

The Rep. from Portland, Rep. BRENNAN

The Rep. from Madison, Rep. RICHARD

The Rep. from Mapleton, Rep. DESMOND

The Rep. from St. George, Rep. SKOGLUND

The Rep. from Farmingdale, Rep. WATSON

The Rep. from Bangor, Rep. BAKER

The Rep. from Hartland, Rep. STEDMAN

The Rep. from Caribou, Rep. BELANGER

The Rep. from York, Rep. ANDREWS

The Rep. from Montville, Rep. WESTON

Subsequently, Senator Berube of Androscoggin, for the committee, reported that the committee had delivered the message with which it was charged and are pleased to report that the Honorable John Fitzsimmons, President of the Maine Technical College System and the Honorable Terrence MacTaggart, Chancellor of the University of Maine System, will attend forthwith.

The Chair is pleased to welcome to the Convention the Presidents, the Boards of Trustees, and guests of the two systems.

The Chair is pleased to recognize in the House Gallery, 3 special guests, Richard Leighton of Randolph, Eugene Smith of Readfield and Robert Stone of Farmingdale. They were among the 80 returning World War II veterans enrolled in the first

programs of study at technical colleges, known then as the Maine Vocational Technical Institute, created in 1946 by Governor Horace Hildreth. We recognize them for their distinction as being members of the very first technical college graduating class in 1948, and more importantly, for giving each of us our greatest gift - our freedom.

The Chair is also pleased to recognize in the House Gallery, Dr. Scott Knapp, President of Central Maine Technical College in Auburn; Dr. Joyce Hedlund, President of Eastern Maine Technical College in Bangor; Dr. Barbara Woodlee, President of Kennebec Valley Technical College in Fairfield; Dr. Durwood Huffman, President of Northern Maine Technical College in Presque Isle; Dr. William Warren, Vice President of Southern Maine Technical College in South Portland; Dr. William Flahive, President of Washington County Technical College in Calais; Ms. Jean Mattimore, Interim President of York County Technical College in Wells; and members of the Maine Technical College System Board of Trustees - James Donovan of Cape Elizabeth, Jana Lapoint of Falmouth and Bridget Healy of Freeport.

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

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

President Lawrence, Speaker Rowe, distinguished members of the 119th Maine Legislature, I am honored to be here this morning to speak to you about the state of the Maine Technical College System. On behalf of our students, employees, and trustees, we accept this invitation as a symbol of the value you see in our colleges, and your understanding of the important role they play in the lives of Maine people, and Maine businesses.

I would like to begin my remarks by expressing my respect and gratitude to the employees of the Maine Technical College System. I'm very proud to say that I work for them. They are committed, talented, creative, and they believe deeply in our mission.

And thanks to them, I am pleased to report that the technical colleges have had another very successful year. Let me share with you a few highlights:

We have increased enrollment for the 11th straight year -- up 45 percent since 1989.

We have achieved a 94 percent placement rate -- either in jobs or on to a baccalaureate program -- and 96 percent of those who are employed are working for Maine companies.

Our Quality Centers program has helped 65 Maine businesses expand since 1994, giving 4,300 Maine people the skills needed for those jobs. And the program is reaching all regions of the state -- from ATX Forms in Caribou, to EnvisioNet in Augusta and Brunswick, to CyberTours in Wells.

And we have continued to expand our partnerships with Maine high schools to prepare students for college and work...through our Tech Prep program, which now has 18,000 high school students taking applied learning courses and Maine Career Advantage, with 6,700 students exploring careers and the world of work;

And this past year we've opened two new outreach centers: one in Oxford County and the other in Waldo County. When combined with our seven main campuses and our centers in East Millinocket and Ellsworth, we have brought technical college courses within 25 miles of 92 percent of Maine people.

And finally, this year with the University of Maine System, we have begun to tackle one of Maine's most disturbing issues -- the low participation rate of Maine people in higher education.

Together, we have developed the Community College Partnership. The goal of this partnership is to reach out to Maine people who are undecided about their career plans or unsure of their ability to do college-level work, and provide them a pathway into higher education.

I'm very pleased to report that under this partnership, the technical colleges will begin offering, this fall, the Associate in Arts degree, with full articulation to the universities. In addition, thanks to the leadership of Chancellor MacTaggart, an electronic transfer guide will be created so students will know, in advance, where every course they take will transfer.

I want to thank the Governor and members of this Legislature for their encouragement and support of this important initiative. This is truly an educational landmark for Maine and, I believe, one of the most important actions that we have taken in higher education in the past ten years.

I am very proud of the accomplishments of our technical colleges, and of our new Community College Partnership with the University of Maine System.

I believe that each one of us in this chamber share the same dream....we want Maine to be a place of hope, opportunity, and prosperity for all.

And for many, that hope is a reality. Maine is enjoying a robust economy. We have regained the 35,000 jobs lost in the early 1990's. Employment levels are at a record high. And projections are showing that our economy will continue to grow into the foreseeable future. The result of this economic growth is that the State's revenues are at the highest level in a decade. There is much to be proud of, and much to applaud.

But as public policy leaders, I believe we have a responsibility to look deeper...and acknowledge that behind those numbers are too many Maine people who are not reaping the benefits of this economic growth.

The economic picture is very different...if you're one of the 17,000 Maine workers who lost their jobs to foreign competition in the last three years...if you're one of those whose job was eliminated when their company reorganized and downsized...or if you are one of those searching the classifieds, only to see opening after opening beyond your reach because you don't have the skills and credentials required for those jobs.

Too many Maine people are watching from the sidelines...as labor intensive companies close down and move offshore to third world countries...taking thousands of jobs with them. In Maine, in just the past three years, we have seen companies such as Kimberly Clark, Cascade Woolen Mill, Bass Shoe, and others close due to foreign competition.

They have watched...as global competition forces company after company to reorganize, eliminate middle managers, and place more responsibility on front line workers in order to stay competitive. The result is that more and more companies are requiring applicants to have higher levels of skill and education.

And they have watched...as the introduction of new technologies has transformed whole industries, like one of the mainstays of our economy, the paper industry. At Madison Paper Company in 1978, it took 425 people working one paper machine to produce 120 tons of paper per day. Today, with new technology, it takes 287 people to make 600 tons per day. And in Nova Scotia, there is a company making the same paper as Madison, but using even more advanced technology -- with 250 people producing 1,000 tons per day.

Maine is changing before our eyes -- industry by industry, company by company, and job by job.

And the sad irony is, that while thousands of Maine people are struggling to find their place in this new economy, there are literally thousands of good-paying jobs going unfilled in Maine today.

A recent survey conducted for the Maine Economic Growth Council found that 69 percent of Maine employers had trouble finding skilled workers in the last twelve months. And it's even worse -- over eighty percent -- for large employers, and employers classified as high-tech intensive businesses.

This same survey found that one in five Maine businesses are forced to recruit out of state.

If Maine people want good-paying jobs, and Maine companies have good-paying jobs going unfilled, then what is the problem? Very simply, there is a mismatch between the skills of our current workers and the jobs of today-and of tomorrow.

Over the last couple of weeks the technical colleges contacted a little over 300 Maine businesses to assess their job openings. Of the 231 businesses that responded, 191 reported a total of 2,200 job openings for technical college graduates. And I am pleased to tell you that 1,000 of those job openings are at businesses north of Augusta.

At the technical colleges, our very mission is to connect Maine people with Maine jobs. And it is time to invest in that mission, and let us put our proven success formula to work for more Maine people and more Maine businesses.

We have three recommendations for action.

First, we need your support to keep the technical colleges affordable. Studies have shown that cost is the primary barrier to enrolling in college. I applaud and support the efforts of lawmakers to increase scholarships; it is critically important. But I also believe we need to get at the root cause of the growing need for scholarships, which is the rising cost of tuition.

In the 1990's, the State's share of our budget dropped from 65 percent to 50 percent. The end result was a greater burden placed on students, as we were forced to raise tuition by 89 percent.

Before the budget closes this spring, we urge you to fund our request of three percent for each year of the biennium, to allow us to maintain our current programs and services.

Second, if we are to position Maine people for the new economy and address the shortage of skilled workers we must expand access to our colleges. I want to commend Speaker Rowe and Representative Mitchell -- and their bipartisan cosponsors -- for their leadership in proposing bills to address this need. Between their two bills, we would be able to expand programs in high-growth, high-tech fields -- such as telecommunications, biotechnology, computer technology, precision manufacturing, and others -- and expand enrollment by 1,200 students per year.

We hope you will support these initiatives.

And third, we must promise our students a learning environment that matches the high-tech sophistication of the new economy. Since our last capital bond in 1989, Maine's work places have undergone a technological transformation and we must keep pace with those changes.

I'm very pleased that Speaker Rowe and Representative Campbell -- and their bipartisan cosponsors -- have submitted bond proposals for \$27 and \$30 million, respectively. A bond issue in this range would allow us to invest in high-tech labs for new and expanding occupations, modernize our libraries,

renovate our facilities, and provide a technological infrastructure that supports high-tech colleges in the 21st century.

Maine cannot afford to wait for these investments. Let me give you two reasons why.

First...because it seems to me that one of the best economic opportunities Maine has is already here: companies committed to Maine who have jobs going unfilled today because of a lack of available skilled workers. And if we delay this investment to the next biennial budget Maine businesses will not see the new graduates they so desperately need for four more years.

The second reason...is that when all is said and done, it isn't the statistics that matter. It really comes down to something very simple: It's about Maine people with families and responsibilities, who wake up every day trying to meet those responsibilities, who, through no fault of their own, have been put out in the cold by an economy in transition.

At the technical colleges, we see every day what we in this chamber know about Maine people...that when given the opportunity...with their work ethic, intelligence and drive...they will seize that opportunity and go on and thrive.

And with your support, we can bring the dream of hope, opportunity, and prosperity to more Maine people.

In closing, as you continue work hard to develop a budget that will take Maine into the 21st Century, I would like to offer the words of the German philosopher to guide you in your work. "Whatever you can do or dream you can do, begin. Boldness has genius, power and magic in it."

Thank you very much.

The Chair is pleased to recognize in the House Gallery, Dr. Peter Hoff, President of the University of Maine at Orono; Dr. Owen Cargol, President of the University of Maine at Augusta; Dr. Theodora Kalikow, President of the University of Maine at Farmington; Dr. Charles Lyons, President of the University of Maine at Fort Kent; Dr. Paul Nordstrom, President of the University of Maine at Machias; Dr. Michael Easton, President of the University of Maine at Presque Isle; Dr. Richard Pattenaude, President of the University of Southern Maine; and members of the University of Maine System Board of Trustees - Sally Vamvakias, Chair; James Mullen, Vice Chair; Charles Johnson III and Sandra Prescott.

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

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

President Lawrence, Speaker Rowe, distinguished members of this 119th Maine State Legislature, University of Maine System Trustees, Presidents, faculty, students, staff, alumni, and friends:

I really appreciate this opportunity to appear before you and to say a few words today. As a former English teacher, I can't resist beginning with a quote from Shakespeare. It comes from Twelfth Night, Act 3, Scene 3, Sebastian, one of the characters says to Antonio, "I can no other answer make, but thanks and thanks and ever thanks.

First of all, before I move into the content of this speech, my appreciation for the support of the Governor and of this Legislature for our requests. In the recent past decisions you have made have enabled more Maine students - young, old and in between - to pursue the education they desire. Your

investments in the recent past have enabled our scientists and researchers to invest in technology for the future, which has brought additional millions of dollars and jobs to the State of Maine. Thank you for your courage and your boldness in stepping out on those important fronts.

I would also like to thank John Fitzsimmons and Commission Duke Albanes and President Len Tyler of Maine Maritime Academy or the working partnerships that they have contributed to and that we are all working on to encourage students to pursue their aspirations, to improve transfer of credit, to support learning results so the good students coming out of our high schools can move quickly into post secondary education. I need to tell you I don't know of many places in the country where three systems such as I have described have worked together as closely and to such good purposes as they are doing in Maine. It is the leadership of my colleagues and coworkers that is making the difference.

To the citizens of Maine, my gratitude for your willingness to serve on advisory boards, to cheer on our athletic teams and, most recently, to support the \$20 million bond referendum to invest in research for the economy of the state and help more and more of our citizens to move from an old economy to a new. My appreciation to the support we have received from our citizens is unbounded and development bond demonstrates your strong belief that an investment in education is indeed an investment in Maine's future.

Finally, to my fellow workers within the University of Maine System--teachers, researchers, counselors, coaches, those who keep our campuses clean and safe places to live and work and learn, those who operate the electronic networks operating in the state so some 3,000 students can study in a distance. I have never worked anywhere in the country where we have had a group of people as hardworking and as capable as here in the State of Maine. As Sabastian had said, I have nothing to offer, but thanks for all of the support as we move forward. My appreciation is profound.

In the next few minutes, I would like to cover three of these with you. First, I will report to you on the results of what we have been able to do with the investments we have made and the guidance that you have provided and sometimes the challenges that you have flung at us in the past two years.

Second, I would like to talk a little bit about transforming Maine's economy and the role of R & D and the community college partnership, which John described in helping us to move more Mainers along into the future and then a few more words about that partnership itself.

First, the report on the investments that you have made. About two years ago, some of you will remember, I asked you to give us a modest base budget increase - the first in eight years - and I said that in return for that we would pledge to keep tuition at an affordable level. We did everything we could to raise financial aide from other sources as well to make higher education more affordable. Our goal was to build participation to increase the number of Maine people that could take advantage of its universities.

Also, beginning two years ago, I asked you to make modest, steady investments in university-based research and development to spur along the economy of the state. I pledged to you that if you could do that in tough financial times that we would work with our delegation in Washington, federal agencies, bring more resources back to the State of Maine that would not only build our research capacity, but create good jobs right away.

Essentially the promise that I made was that by working together, we could deliver for Maine what the Research Triangle has done for North Carolina. We could deliver what the University of California have done to create Silicon Valley, and we can deliver what researchers and entrepreneurs have accomplished in the greater Boston area around Route 128.

Have your investments paid off?

I think the answer is yes. Your support for a big budget, which kept tuition increases to the lowest in a decade, meant that more Maine students could take advantage of higher education. I could give you statistics and I will in just a moment, but just let me present a personal story that I think makes the point.

One rainy Friday afternoon as I was touring the state and visiting different schools, I had the good fortune to visit with Tom Murphy's advanced placement classes at Kennebunk High School. The 50 or so students in the class and I am sure Representative Murphy recalled this and I had the temerity, relatively new in the state, to say how many of those very capable students were going on to a University of Maine System Institution. One lone hand went up. It was a rainy dark afternoon, I can tell you.

More recently Representative Murphy tells us that we are very much on the radar screen now. If you were to ask that question today, many more hands would be reaching up seeking higher education in the State of Maine and from the University of Maine System. The number confirms that thanks to your support, higher education is more within the grasp of Maine people than it has been in a good long time.

Our numbers are up overall. There are about 600 students who wouldn't have been with us otherwise who are pursuing higher education now, but maybe more important than that overall number is that there has been an 8 percent increase in first-time, first-year students in the public universities in Maine. These are the people that would have gone out of state or wouldn't have been able to go on at all without your support, without their hard work and without their sacrifice of their families. We are also working out alliances with the high schools so that we overcome this embarrassing gap between the number of schools, capable and competent students coming out of Maine high schools to get between that and those that go on to higher education.

One very successful program, the High School Jump Start Program, authored by Representative Mike Brennan and endorsed by the Education and Cultural Affairs Committee, enables bright students who are recommended to move from their junior or senior year in our school and begin taking college courses at half or less than half price. So popular was this program that the relatively modest fund to support it was quickly exhausted.

Some people say if you are educating more people, you can't be doing it as well. If more people are coming to take advantage of higher education, then somehow you must have lowered the standards. That is not the case. Thanks to the Top Scholars Program, for example, at the University of Maine, there has been a one-third increase in the number of valedictorians and salutatorians attending the university. Now fully one out of three of those top students is going to the University of Maine. I expect those numbers to climb. What is happening here is a reverse of that brain drain, which has plagued Maine for so long. Some of our best and brightest were heading for the border right after graduation. More and more are staying home and getting their education. We hope being able to stay in the state as well.

Maine can be proud of the quality of its public university. The University of Maine in Farmington continues to be ranked first in the northeast as a public liberal arts college. The Forestry Department at the University of Maine is one of the top five in the country. The Forestry Program at the University of Maine at Fort Kent is one of two accredited programs in New England. The University of Maine at Machias, under the leadership of its president, just completed a \$3 million private fundraising campaign to offer a center for life-long learning to improve the quality of life on campus for students and the members of the community as well. Presque Isle will soon be receiving the very, very rigorous National Council for the Accreditation of Teacher Education. The University of Maine at Augusta just received a number of awards for its outreach efforts. USM, the University of Southern Maine, has received national recognition for its Honors Program for the Muskie School and its model education program as well. We have much to be proud of there, but the most important thing that we do is serve students. I have been emphasizing that shift from the high school graduates into college right away.

I would like to tell you a story about the so-called nontraditional students. I say so-called because these adult learners are becoming the new majority in higher education.

I would like to tell you about one of them that is here with us today. Arlene Nason, a nontraditional student at Lewiston-Auburn College, serves as a perfect example. She completed her high school career 26 years and she was an excellent student in high school, but a variety of events intervened so she wasn't able to move on to college right away. Now she is enrolled at L/A College studying human behavior, psychology and child development and plans to go into counseling and work with children. Arlene says and I think we could all second this, it takes an earnest desire to enter college at 44 and to complete it as well. Arlene, could you stand to be recognized?

Let me tell you about another student who is achieving a lot and giving back to the community Rocell Marcellino from the University of Maine at Farmington. Some of you on the Appropriations Committee may have heard her report of how part of her studies, part of what she is learning and getting credit for includes doing a kind of economic development map for Franklin County. Her map will show the variety of resources, electric lines, telecommunication lines, fiber optic routes, gas lines, water and so on. The county is going to be able to use this to attract business to the region. They will know instantly what is available there if they want to expand or open a facility in Franklin County. I should say that Rocell is also going to be attracting job offers when she graduates thanks to this talent. Rocell, would you stand please.

The punch line to all of this is that more students like these are able to pursue higher education, stay in the state, contribute to their communities and earn a living. It wouldn't have been true without your support.

What about Research and Development? What is happening there? I would like to assure you that the work begun by the initiative was begun by President Mark Lawrence and continued by successive R&D Committee Chairs including Speaker Steve Rowe, Senator Mary Cathcart, and Senator Rick Bennett, and now led by Senator Carol Kontos, and Representative Scott Cowger is paying off for Maine.

Six months ago you provided four million dollars, back in September, to invest in R & D. That has now been used as a match for federal funds equaling \$26 million. Thank you for that initial investment because had you not done it, we wouldn't have been able to bring in those resources. The money has gone to

hire researchers, technicians, possible for students to work with researchers and it has gone to support private industry as well, including Island Aquaculture, Sensor Research and Development and Biode, just to name three. This project is really paying off for Maine and the evidence is there to support it.

I had intended to ask you to recognize one of our researchers today. Her name is Linda Kling. For those of you who visited the labs, you will probably recall Linda. She works with aquaculture and fish tanks and so on. Linda knows more about growing cod in an aquaculture environment than anybody else in the world. She is taking her success with cod and is now working with haddock and other species that are increasingly difficult to find in the wild. The reason she can't be with you today is that her fish are about to spawn and she doesn't want to lose another generation. When you come to visit I encourage you to visit with Professor Linda Kling who will show you just how relevant and important research on Maine's fishery can be.

In the materials I handed out there are a number of other examples from across Maine's economy and across the state of research that is occurring whether it is blueberries, fisheries, agriculture, aquaculture, composite wood products and so on. In the interest of time I won't pursue those with you, but they are there and plenty more besides that we can tell you about.

The point I would like to emphasize is that all of this works. The research, the federal grants that come in and get headlines in the paper and your support. The point of all of that is to sustain Maine people, Maine families and Maine communities. We pursue knowledge because we want to uncover truths, but the payoffs to the citizens and the taxpayers and citizens of Maine are stronger communities and elsewhere.

One more introduction that I think makes this point better than any I can imagine is the story of Josh Caron. Josh hails from Quimby, which I have had the pleasure of driving through. He describes as a suburb of Eagle Lake. When I first met him he was one of three employees at a then new start-up company called Sensor Research Development or SRD. He was happy. He tells me to find a job in Maine relatively near his family where he could put to work the education that he received at the University of Maine. Today, Josh is part of senior management at SRD, not 3 people, but 40 people are employed there and 12 more anticipate being hired in the fairly near future. We can't take credit for what I am about to say, but Josh is recently engaged and just purchased a home of his own. This, my friends, is what it is all about. Josh, would you stand please. I don't believe Josh could have gotten engaged and married along the line, but I don't believe that the economic opportunities that he has and hundreds and eventually thousands of students like him will have, would have occurred without your support and without these investments.

Topic two, transforming Maine's economy. It is no secret to anyone in these chambers that the economy of Maine is changing. I think John Fitzsimmons was eloquent on the transition that is taking place in the State of Maine. Rather than refer to statistics, let me refer to the newspapers we read every day in the state. Hardly a week goes by when I don't see a headline, usually on the first page or somewhere close to it that some traditional way of making a living in Maine is under threat. A fisher is being restricted or closed down completely or a mill is up for sale or there are prospects of being closed.

There is another side as John pointed out and that is at the back of the paper. It is the classified sections, the want ads, the employment section. As you read through those as I had occasion to do the other day, I noticed an incredible number of

jobs that had this kind of listing. Machinists wanted: associate degree required. Accountants wanted: bachelor's degree required. Nurses needed for coastal hospital: bachelor's degree necessary. Software specialist: degree required, master's preferred. The challenge, it seems to me is how we enable our citizens to migrate from those dark stories on the front page to the opportunity that is contained in the classified. How they can walk across that bridge from the traditional economy to the new.

I have two strategies that I would like to encourage you to think about debate and pursue. The first is to continue your investment in R & D, we have only begun to turn this situation around. There is a lot more good work that we can do. We have already talked about aggressive research creates jobs and creates opportunities for young men and women like you have welcomed here today. In addition to that, here is one where we have a kind of confirmation that doesn't come from statistics or individual stories. Here we have a mandate from the people of Maine. At that referendum in November, two out of three voters said they wanted to use R & D to move us to the new economy. Not only did 63 percent of the voters across the state endorse that investment, every county in the state did as well. At least 58 percent of the voters in every county - rich, poor, north, south, rural, and urban - endorsed the investment in research for the economy.

Many of you campaigned for that referendum. You received materials as part of the campaign. You know that when it began Maine people were skeptical. Is this going to work for us? As they studied the issue and learned more about it, they came overwhelming in their endorsements. It seems to me that now the challenge is up to us, the Governor, the Legislature, the University are partners in the research enterprise, both private labs and fast growing companies to ensure that the people's expectation is met. Do we make the investment so they get the return that they bargained for? Investments in R & D, important strategy to creating those jobs for Maine's graduates.

The second strategy and I would like to say a bit more about it and it is the Community College Partnership. As I reflect back on the biography, if you will, of my parents, it occurs to me that it was probably enough to say that if you finished 8th grade, you could make a living. My father was in that situation, as a matter a fact. There was nothing else to say that if you completed high school, you could earn a living and raise a family. Today, all of our girls and boys, women and men need greater knowledge and skill than ever before if they are going to make their way in the new economy.

The University of Maine System and the Technical Colleges believe that this partnership is one vehicle for getting there along with others that we have discussed and that you have supported. Maine has a wonderful array of assets, as we all know, ironically, had it not developed a community college system over the years, as many other states have. If you look at the programs within the university system and the technical college system you see probably about 80 percent of what would be in a community college system. Challenged by the Governor and encouraged by legislative leaders here today, John Fitzsimmons and I, along with faculty and staff and some task forces said, is there some way to bring closer together these two organizations so that more Maine people can take advantage of what has been there all along. We can overcome that gap that I mentioned between those that are capable and those that actually pursue degrees.

How will it work? John mentioned the electronic catalog that is going to make information almost instantly available for

people who express a career or educational interest from almost any where in the state. We are also going to work together on the electronic transfer information system so a student will know, again, instantly where a course or a program will go and how it will count. We will add to the 41 existing transfer agreements that depict a kind of educational ladder that students can pursue from the get go. We are doing this largely with internal resources. Nevertheless, I have to tell you candidly that we need your help if we are going to make this a success and particularly a success in the near term.

First, we are going to need your help again on the base budget request. Just as two years ago when you provided that, we kept tuition down and more students enrolled. It is a strategy that works. The same holds for this year both through the community college and for all of the other students in Maine. Second, we need to work now and, I think, over the longer term at finding ways to reduce tuition that would, in fact, the need for financial aide. Affordable tuition for all and financial aide for those who need it ought to be our goal. We pledge ourselves to work with you on that.

Finally, I would just like to ask you to reflect for a little bit, as I do and I suspect many of us do who have reached this particular age and stage where we are not going to see 50 again, in my case, on what you will want to have accomplished when you walk up this corridor for the last time. Whether you decide not to serve anymore or term limits intervene or the voters make a decision. When you walk out of here as I walk out of my position, what will we want to have accomplished or what will we want to say to our families and our neighbors and our nieces and nephews, kids and grandkids about the difference that we made through legislative and public work.

I know that that is a private matter. I suspect as with many of you, it would be as it is in my case, that in our home communities we would like schools that are strong and healthy and attractive and vital where teachers and students want to learn. We hope that the kids that want to go on to college, we know that three-quarters of them do, can find the resources to do it and will have the preparation to succeed in college and get a first rate education in their home state. We hope that there will be good well paying, decent jobs in or near the community so these young people can stay and raise a family and purchase a home and contribute back to the community that sustained them through their early years.

I can't promise you that alone Maine's higher education enterprise can deliver this ideal of strong healthy economically resistant communities. That ideal involves all of us working together.

I would like in closing to paraphrase John Gardner, the founder of Common Cause with these words. "We in Maine have more resources of energy than have ever been tapped, more talent than has ever been exploited and more strength than has ever been tested." The report and the priorities I lay before you here today are designed to give Maine people the tools to sustain themselves, their families and their communities in the next century.

At the conclusion of the address, the Honorable John Fitzsimmons, President of the Maine Technical College System and the Honorable Terrence MacTaggart, Chancellor of the University of Maine System withdrew amid the applause of the Convention, the audience rising.

The purpose for which the Convention was assembled, having been accomplished, the Chair declared the same dissolved.

The Senate then retired to its Chamber.

(After the joint Convention)

The House was called to order by the Speaker.

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2000 and June 30, 2001" (EMERGENCY) (Governor's Bill)

(H.P. 455) (L.D. 618)

Which was **TABLED** by Representative SAXL of Portland pending **ADOPTION** of **Committee Amendment "A" (H-43)**.

Representative MACK of Standish **REQUESTED** a roll call on the motion to **ADOPT Committee Amendment "A" (H-43)**.

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

The same Representative **PRESENTED House Amendment "B" (H-49) to Committee Amendment "A" (H-43)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Standish, Representative Mack.

Representative **MACK**: Mr. Speaker, Right Honorable Men and Women of the House. We have taken the approach in this body that increasing funding to GPA will help out education. You and I also must try new and innovative ways to educate the children in Maine schools to make sure that all of them get the best education possible.

What my amendment would do is it would keep the increase in GPA, but take \$3 million of that money for child centered education scholarships. What it would do is allow parents and their children to go to a school other than the local government school. What my amendment would do is it would set up 1,000 scholarships of \$3,000 funded from taking \$3 million of the increase in GPA for this program. These scholarships would only be available to children whose families earn under \$25,000 a year and are in the poorest performing 20 percent of school districts. If you come from a rich, wealthy family, your parents may be able to afford to send you to another school. Some of the public schools do an excellent job. I attended public schools, myself, for part of my education, but some of the public schools do not do as great a job as others. My amendment would allow poor kids in poor districts the opportunity to get a better education. The public schools do not fit for every child. They fit for the majority of children, but not everyone. This would allow the parents who would like to send their kids to another option who are poor and in a bad district the chance to do just that. Thank you. I urge your support for my motion.

Representative TOWNSEND of Portland moved that **House Amendment "B" (H-49) to Committee Amendment "A" (H-43) be INDEFINITELY POSTPONED.**

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

Representative TOWNSEND: Mr. Speaker, Men and Women of the House. I don't propose to engage in a debate about the substance of this proposed amendment. I would merely say that the appropriate forum for discussing such issues is before the Education Committee. I encourage the Representative from Standish to submit legislation in order to begin that debate. This is unanimous committee report. I think that it is important that we get this bill forward. I urge you to defeat the amendment.

Representative MACK of Standish **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "B" (H-49) to Committee Amendment "A" (H-43).**

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

The SPEAKER: The Chair recognizes the Representative from Standish, Representative Mack.

Representative MACK: Mr. Speaker, Right Honorable Men and Women of the House. I urge you to support my motion for the future of Maine children and for the future of all Maine children, even the poorest of Maine's children, notwithstanding the unanimous report. I urge your support. This is a good amendment. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "B" (H-49) to Committee Amendment "A" (H-43). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 20

YEA - Ahearne, Andrews, Bagley, Baker, Belanger, Berry DP, Berry RL, Bolduc, Bouffard, Bowles, Bragdon, Brennan, Brooks, Bruno, Bryant, Buck, Bull, Bumps, Cameron, Campbell, Carr, Chick, Chizmar, Cianchette, Clark, Clough, Collins, Colwell, Cote, Cowger, Cross, Daigle, Davidson, Davis, Desmond, Dudley, Duncan, Dunlap, Duplessie, Etnier, Fisher, Foster, Frechette, Fuller, Gagne, Gagnon, Gillis, Glynn, Goodwin, Gooley, Green, Hatch, Heidrich, Honey, Jabar, Jacobs, Jodrey, Jones, Kane, Kasprzak, Kneeland, Labrecque, LaVerdiere, Lemoine, Lemont, Lindahl, MacDougall, Mailhot, Martin, Marvin, Matthews, Mayo, McAlevey, McDonough, McGlocklin, McKee, McKenney, McNeil, Mendros, Mitchell, Murphy E, Murphy T, Muse, Nass, Nutting, O'Brien, O'Neal, O'Neil, Peavey, Perkins, Perry, Pieh, Plowman, Povich, Powers, Richard, Richardson E, Richardson J, Rines, Samson, Sanborn, Savage W, Saxl JW, Saxl MV, Schneider, Sherman, Shiah, Shorey, Sirois, Skoglund, Stanley, Stedman, Sullivan, Tessier, Thompson, Tobin D, Tobin J, Townsend, Tracy, Trahan, Treadwell, Tripp, True, Tuttle, Twomey, Usher, Volenik, Waterhouse, Watson, Weston, Wheeler EM, Wheeler GJ, Williams, Winsor, Mr. Speaker.

NAY - Gerry, Joy, Mack, Shields, Stanwood.

ABSENT - Dugay, Lovett, Madore, Norbert, Pinkham, Quint, Rosen, Savage C, Snowe-Mello, Stevens.

Yes, 135; No, 5; Absent, 10; Excused, 0.

135 having voted in the affirmative and 5 voted in the negative, with 10 being absent, **House Amendment "B" (H-49) to Committee Amendment "A" (H-43) was INDEFINITELY POSTPONED.**

Representative MACK of Standish **PRESENTED House Amendment "A" (H-48) to Committee Amendment "A" (H-43),** which was **READ** by the Clerk and **ADOPTED.**

The SPEAKER: The Chair recognizes the Representative from Standish, Representative Mack.

Representative MACK: Mr. Speaker, Right Honorable Men and Women of the House. This amendment would defund our state's appropriation and membership for the National Governor's Association. We spend \$60,000 a year so the executive can take trips flying around the country meeting other Governors and getting on TV with Governor Jessie "The Body" Ventura from Minnesota. This group also hires many lobbyists to lobby in Washington for many different programs that you and I may or may not agree with. If I may quote Karen Scanlin, President of the Capital Research Center, "Why do 50 state Governors need a taxpayer supported lobby to represent them? Aren't they supposed to be representing us? In an age of government devolution, the Governor should be working for us, not paying Washington lobbyists with our money to work for them." Thank you. I urge support of this amendment and ask when the vote is taken, it be taken by the yeas and nays.

The same Representative **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-48) to Committee Amendment "A" (H-43).**

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

Representative TOWNSEND of Portland moved that **House Amendment "A" (H-48) to Committee Amendment "A" (H-43) be INDEFINITELY POSTPONED.**

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

Representative TOWNSEND: Mr. Speaker, Men and Women of the House. I request that you join me and the other members of the Appropriations Committee in voting against the proposed amendment. I don't always agree with the executive, but I think that it is important that we afford the other branch of government the respect that it deserves and allow it the proper budgeting to function as it needs to. Please join me in voting for Indefinite Postponement.

Representative MACK of Standish **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "A" (H-48) to Committee Amendment "A" (H-43).**

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

The SPEAKER: The Chair recognizes the Representative from Standish, Representative Mack.

Representative MACK: Mr. Speaker, Right Honorable Men and Women of the House. I urge you to vote against this motion giving the executive all due respect that he deserves. We will respect him. We will respect the office for giving him \$60,000 a year to hire Washington lobbyists and play around with the other Governors flying across the country is not part of normal respect. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "A" (H-48) to Committee Amendment "A" (H-43). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 21

YEA - Ahearne, Andrews, Bagley, Baker, Belanger, Berry DP, Berry RL, Bolduc, Bouffard, Bowles, Brennan, Brooks, Bruno, Bryant, Bull, Bumps, Cameron, Campbell, Carr, Chick, Chizmar, Cianchette, Clark, Collins, Colwell, Cote, Cowger,

Cross, Daigle, Davidson, Davis, Desmond, Dugay, Duncan, Dunlap, Duplessie, Etnier, Fisher, Frechette, Fuller, Gagne, Gagnon, Gerry, Goodwin, Gooley, Green, Hatch, Honey, Jabar, Jacobs, Jodrey, Kane, Kneeland, LaVerdiere, Lemoine, Lemont, Lindahl, MacDougall, Mailhot, Martin, Marvin, Matthews, Mayo, McAlevey, McDonough, McGlocklin, McKee, McKenney, McNeil, Mendros, Mitchell, Murphy E, Murphy T, Muse, Nass, Nutting, O'Brien, O'Neal, O'Neil, Peavey, Perkins, Perry, Pieh, Povich, Powers, Richard, Richardson E, Richardson J, Rines, Rosen, Samson, Sanborn, Savage W, Saxl JW, Saxl MV, Schneider, Shiah, Shields, Shorey, Sirois, Skoglund, Stanley, Stedman, Sullivan, Tessier, Thompson, Tobin D, Townsend, Tracy, Treadwell, Tripp, True, Tuttle, Twomey, Usher, Volenik, Watson, Weston, Wheeler EM, Wheeler GJ, Williams, Winsor, Mr. Speaker.

NAY - Buck, Clough, Foster, Gillis, Glynn, Heidrich, Jones, Joy, Kasprzak, Labrecque, Mack, Pinkham, Plowman, Sherman, Snowe-Mello, Stanwood, Tobin J, Trahan, Waterhouse.

ABSENT - Bragdon, Dudley, Lovett, Madore, Norbert, Quint, Savage C, Stevens.

Yes, 123; No, 19; Absent, 8; Excused, 0.

123 having voted in the affirmative and 19 voted in the negative, with 8 being absent, **House Amendment "A" (H-48)** to **Committee Amendment "A" (H-43)** was **INDEFINITELY POSTPONED**.

A roll call having been previously ordered on the motion to **ADOPT Committee Amendment "A" (H-43) as Amended by House Amendment "D" (H-51)** was taken now:

The SPEAKER: A roll call having previously been ordered. The pending question before the House is Adoption of Committee Amendment "A" (H-43) as amended by House Amendment "D" (H-51). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 22

YEA - Ahearne, Andrews, Bagley, Baker, Belanger, Berry DP, Berry RL, Bolduc, Bouffard, Bowles, Bragdon, Brennan, Brooks, Bruno, Bryant, Buck, Bull, Bumps, Cameron, Campbell, Carr, Chick, Chizmar, Cianchette, Clark, Clough, Collins, Colwell, Cote, Cowger, Cross, Daigle, Davidson, Davis, Desmond, Dudley, Dugay, Duncan, Dunlap, Duplessie, Etnier, Fisher, Frechette, Fuller, Gagne, Gagnon, Glynn, Green, Hatch, Honey, Jabar, Jacobs, Jodrey, Jones, Kane, Kneeland, Labrecque, LaVerdiere, Lemoine, Lemont, Lindahl, Mailhot, Martin, Matthews, Mayo, McAlevey, McDonough, McGlocklin, McKee, McKenney, Mendros, Mitchell, Murphy E, Murphy T, Muse, Nass, Norbert, Nutting, O'Brien, O'Neal, O'Neil, Peavey, Perkins, Perry, Pieh, Pinkham, Plowman, Povich, Powers, Quint, Richard, Richardson E, Richardson J, Rines, Rosen, Samson, Sanborn, Savage W, Saxl JW, Saxl MV, Schneider, Sherman, Shiah, Shields, Shorey, Sirois, Skoglund, Stanley, Stanwood, Stedman, Sullivan, Tessier, Thompson, Tobin D, Townsend, Tracy, Treadwell, Tripp, True, Tuttle, Usher, Volenik, Watson, Weston, Wheeler EM, Wheeler GJ, Williams, Winsor, Mr. Speaker.

NAY - Foster, Gerry, Gillis, Goodwin, Gooley, Heidrich, Joy, Kasprzak, MacDougall, Mack, Marvin, Snowe-Mello, Tobin J, Trahan, Waterhouse.

ABSENT - Lovett, Madore, McNeil, Savage C, Stevens, Twomey.

Yes, 129; No, 15; Absent, 6; Excused, 0.

129 having voted in the affirmative and 15 voted in the negative, with 6 being absent, **Committee Amendment "A" (H-**

43) as Amended by House Amendment "D" (H-51) thereto was **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED** as **Amended by Committee Amendment "A" (H-43) as Amended by House Amendment "D" (H-51)** thereto and sent for concurrence. **ORDERED SENT FORTHWITH**.

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

ORDERS

On motion of Representative SAXL of Portland, the following Joint Resolution: (H.P. 1252) (Cosponsored by Senator ABROMSON of Cumberland and Representatives: GREEN of Monmouth, MACK of Standish, POVICH of Ellsworth, ROSEN of Bucksport, SAXL of Bangor, WILLIAMS of Orono)

JOINT RESOLUTION COMMEMORATING YOM HASHOAH, THE DAY OF REMEMBRANCE OF THOSE WHO SUFFERED AS VICTIMS OF THE HOLOCAUST

WHEREAS, from 1933 to 1945, 6,000,000 Jews were murdered in the Nazi Holocaust as part of a systematic program of genocide and millions of other people suffered as victims of Nazism; and

WHEREAS, the people of the State of Maine should always remember the atrocities committed by the Nazis so that such horrors are never repeated; and

WHEREAS, the people of the State of Maine should always remember those who liberated the Nazi concentration camps, some at the cost of their lives and others with lifelong emotional suffering, as holding an honored place in our history; and

WHEREAS, the people of the State of Maine should continually rededicate themselves to the principle of equal justice for all people, remain eternally vigilant against all tyranny and recognize that bigotry provides a breeding ground for tyranny to flourish; and

WHEREAS, April 13, 1999 has been designated internationally as a Day of Remembrance of the Victims of the Nazi Holocaust, known as Yom HaShoah; and

WHEREAS, the national community pursuant to an Act of Congress will be commemorating the week of April 11th to April 18th as the Days of Remembrance of the Victims of the Nazi Holocaust; and

WHEREAS, it is appropriate for the people of the State of Maine to join in this international commemoration; now, therefore, be it

RESOLVED: That, We, the Members of the One Hundred and Nineteenth Legislature, now assembled in the First Regular Session, on behalf of the people we represent, pause in solemn memory of the victims of the Nazi Holocaust, and urge one and all to recommit themselves to the lessons of the Nazi Holocaust through this international week of commemoration and express our common desire to continually strive to overcome prejudice and inhumanity through education, vigilance and resistance; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the United States Holocaust Memorial Council in Washington, D.C., on behalf of the people of the State of Maine.

READ.

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

Representative **SAXL**: Mr. Speaker, Men and Women of the House. Each day in this body we find ourselves very busy with the interstices of legislation which impacts our very lives and the lives of our constituents and our neighbors, but it is also important in this body that we take time to remember those in communities who aren't with us and important dates in history. Today marks the annual legislative awareness day sponsored by the Holocaust Human Rights Center of Maine. With us throughout the day has been Sharon Nichols who is the Executive Director of the Holocaust Human Rights Center of Maine and Nancy Schotz who has been helping educate each of us about the Holocaust and human rights activities in the State of Maine. Each year we take a little bit of time out of each busy legislative day to pause to reflect on and remember the atrocities which were inflicted on a people because of their religion. The devastating cruelty and human tragedy of the Nazi Holocaust will always stand as a vivid and living legacy touching not just those who have personal memories as survivors, but each and every one of us who cares about any other human being.

As men and women living without the fear of persecution, we must assume our share of responsibility for teaching tolerance, understanding and love to our children, our colleagues and our fellow citizens. As a citizen of Maine, we have a wonderful resource to lead us in the quest for just and tolerant world. The Holocaust Human Rights Center of Maine was founded in 1985 as a non-profit human resource center. It has lead the struggle to reduce prejudice and tolerance through knowledge and understanding. The centers goal is to teach the lessons which can be learned from Nazi Holocaust about what can happen when basic human rights are destroyed. Through education the center works to reduce prejudice and to create an environment of tolerance, acceptance and well being among all of Maine's people.

The Holocaust Human Rights Center is striving to break through the walls of prejudice to teach children and adults to understand and reflect upon past and present injustices. The seeds of such thought and action must be planted today if our society is to reap the benefits of tomorrow. Today, their work is more relevant than ever with the desecration in the past year of synagogues and churches in Presque Isle, Auburn and Enfield. Unfortunately, discrimination is alive even here in Maine. We must speak out and we must speak loud. We must say never again, now a Jew, not a Catholic, nor a gay man or a lesbian, neither someone who is mentally retarded, nor any person. Six million Jews died. We have the obligation and the opportunity to stand here together this day and say never again.

The United States is built on a commitment to the rule of law that is justly enforced. As protection for both the individual and collective rights of every citizen. We, are elected officials trusted by the voters to represent them and ensure their protection. We play a vital role in maintaining and perpetuating that framework. As we look around the world at civil and human rights violations, which stare out at us daily from TV screens and the pages of newspapers, we must always remember that the United States provides a steadfast commitment to the rule of law so that when hatred enters our communities, we must stand together as a shining example for the rest of the world.

Please, I ask you to spend a few moments in the rotunda today. Reflect on the meaning of the exhibits and talk with members of the center. Become a member yourself. As we do

this, I believe we will come away with renewed energy and determination to carry the message of tolerance of our fellow men and women, however different they may be from ourselves. The world is what we make of it. Let us pledge to join with the Holocaust Human Rights Center and make our state a model of equality, fairness and tolerance and together we can tear down the walls of prejudice and create an environment where we can all live in mutual respect and understanding.

Today I think this an especially appropriate time about coming together. We have just passed a budget, overwhelmingly in this chamber, coming together for the first time since 1989. We have all found differences in our past between each other, different ideologies, different preferences and different choices that we make. We have an opportunity today to take a break from this, our daily toil, to think about our position in a more global way. I ask that you do take the time to think about that. I thank you for your patience in listening to me today.

ADOPTED.

Sent for concurrence. **ORDERED SENT FORTHWITH.**

The Journal of yesterday was read and approved.

SENATE PAPERS

The following Joint Order: (S.P. 598)

ORDERED, the House concurring, that the Task Force to Study the Implementation of Alternative Programs and Interventions for Violent and Chronically Disruptive Students is established as follows.

1. Task force established. The Task Force to Study the Implementation of Alternative Programs and Interventions for Violent and Chronically Disruptive Students, referred to in this order as the "task force," is established.

2. Membership. The task force consists of 7 members appointed jointly by the chairs of the Joint Standing Committee on Education and Cultural Affairs after consultation with members of the committee. At least 2 of the appointees must be members of the public.

3. Chair. The chairs of the committee shall name a chair for the task force at the time they make the original appointments.

4. Appointments; convening task force. 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 chair of the task force shall call and convene the first meeting of the task force no later than June 15, 1999.

5. Duties. The task force shall:

- A. Study the availability of a continuum of interventions for violent and chronically disruptive students, including the existence of positive behavioral supports in classrooms, the availability of alternative educational settings for disruptive students and alternative community placements; and
- B. Recommend a plan and strategies to develop an appropriate continuum of interventions.

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

7. Compensation. Members of the task force 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 task force.

8. Report. The task force shall submit a report on the plan developed along with any recommended legislation to the Joint Standing Committee on Education and Cultural Affairs no later than December 15, 1999. The committee has authority to introduce legislation during the Second Regular Session of the 119th Legislature. If the task force requires an extension of time to make its report, it may apply to the Legislative Council, which may grant the extension.

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

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

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

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

The following Joint Order: (S.P. 612)

ORDERED, the House concurring, that the Task Force on Transportation Access, Air Pollution Reduction and Family Self-sufficiency is established as follows.

1. Task force established. The Task Force on Transportation Access, Air Pollution Reduction and Family Self-sufficiency, referred to in this order as the "task force," is established.

2. Membership. The task force consists of the following 8 members:

A. One Senator, who is a member of the Joint Standing Committee on Health and Human Services, appointed by the President of the Senate;

B. One Representative, who is a member of the Joint Standing Committee on Health and Human Services, appointed by the Speaker of the House of Representatives;

C. One Senator, who is a member of the Joint Standing Committee on Natural Resources, appointed by the President of the Senate;

D. One Representative, who is a member of the Joint Standing Committee on Natural Resources, appointed by the Speaker of the House of Representatives;

E. One Senator, who is a member of the Joint Standing Committee on Transportation, appointed by the President of the Senate;

F. One Representative, who is a member of the Joint Standing Committee on Transportation, appointed by the Speaker of the House of Representatives; and

G. One Senator and one Representative, appointed respectively by the President of the Senate and the Speaker of the House of Representatives.

3. Chair and officers. The task force shall choose one of its members to serve as chair. The task force may select other officers and designate their duties.

4. Appointments; meetings. All appointments must be made no later than 30 days following the effective date of this order. The first meeting of the task force must convene no later than October 1, 1999. The task force may hold up to 6 meetings.

5. Duties. The task force shall study the feasibility of establishing a program to remove older polluting vehicles from the roads by providing newer and less polluting used vehicles through purchase or lease. The task force shall examine how such a program could complement the State's Temporary Assistance for Needy Families program and the State's so-called welfare-to-work program by making reliable transportation accessible to working people who qualify for Temporary Assistance for Needy Families. The task force shall also examine how such a program could be included in the State's plan for complying with federal clean air standards. The task force shall examine market incentives, including tax incentives and emission trading, to encourage businesses, rental car companies and others to donate vehicles to such a program. The task force shall identify funding sources and management strategies. It must seek the input of the Department of Transportation, the Department of Economic and Community Development, the Department of Human Services, the Department of Environmental Protection, the Maine Technical College System, the Temporary Assistance for Needy Families Advisory Council and representatives of auto dealers, public health agencies, environmental organizations, women's organizations, low-income families and business organizations.

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

7. Compensation. Members of the task force are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for each day's attendance at meetings of the task force. Task force members are entitled to reimbursement for travel and other necessary expenses upon application to the Legislative Council. The Executive Director of the Legislative Council shall administer the task force's budget.

8. Report. The task force shall submit its report, together with any recommended implementing legislation, to the Second Regular Session of the 119th Legislature no later than December 1, 1999. If the task force requires an extension of time to complete its report, it may apply to the Legislative Council, which may grant an extension.

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

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

The following Joint Order: (S.P. 613)

ORDERED, the House concurring, that the Commission to Review Municipal Shellfish Conservation Programs is established as follows:

1. Commission established. The Commission to Review Municipal Shellfish Conservation Programs, referred to in this joint study order as the "commission," is established.

2. Membership. The commission consists of the following 9 members:

- A. Two members of the public, one who resides in a coastal municipality and one who resides in an inland municipality, appointed by the President of the Senate;
- B. Two members of the public, one who resides in a coastal municipality and one who resides in an inland municipality, appointed by the Speaker of the House;
- C. Four Legislators, 2 of whom are appointed by the President of the Senate and 2 of whom are appointed by the Speaker of the House; and
- D. The Commissioner of Marine Resources, or the commissioner's representative.

3. Appointments; meetings. All appointments must be made no later than 30 days following the effective date of this joint study 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 Chair of the Legislative Council shall call and convene the first meeting of the commission no later than September 1, 1999. The commission may hold up to 4 meetings.

4. Duties. The commission shall study the distribution of municipal shellfish licenses between residents and nonresidents of a municipality as provided under the Maine Revised Statutes, Title 12, section 6671. The commission shall report its findings and any proposed legislation by December 1, 1999 to the Joint Standing Committee on Marine Resources.

5. Staff assistance. The commission may request staffing and clerical assistance from the Legislative Council.

6. Reimbursement. Members of the commission who are Legislators are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for each day's attendance at meetings of the commission. All members of the commission are entitled to reimbursement for travel and other necessary expenses, upon application to the Legislative Council. The Executive Director of the Legislative Council shall administer the commission's budget.

Came from the Senate **READ** and **REFERRED** to the Committee on **MARINE RESOURCES**.

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

Bill "An Act to Protect the Public's Health through State-funded Rabies Testing"

(S.P. 582) (L.D. 1662)

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

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 Amend the Maine Banking Code Regarding Extensions of Credit" (EMERGENCY)

(S.P. 595) (L.D. 1719)

Bill "An Act to Prohibit Certain Bank Penalties" (EMERGENCY)

(S.P. 609) (L.D. 1732)

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 to Amend the Petroleum Market Share Act"
(S.P. 592) (L.D. 1716)

Bill "An Act to Ensure Fair Competition within the Motor Fuels Industry"
(S.P. 603) (L.D. 1726)

Bill "An Act to Improve the Licensing Procedures for Veterinarians"
(S.P. 624) (L.D. 1789)

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 Create the Sex Offender Registration and Notification Act of 1999"
(S.P. 597) (L.D. 1721)

Bill "An Act to Amend the Maine Criminal Code Regarding Improper Gifts"
(S.P. 617) (L.D. 1782)

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 Allow the Towns of Wells and Ogunquit to Withdraw from Their Community School District"
(S.P. 602) (L.D. 1725)

Bill "An Act to Make Changes to the Student Incentive Scholarship Program"
(S.P. 614) (L.D. 1779)

Bill "An Act to Provide Financial Incentives for the Initiation of Early Childhood Programs and Services in Public Schools"
(S.P. 615) (L.D. 1780)

Bill "An Act to Establish School Assessment Tests for 2nd Graders"
(S.P. 619) (L.D. 1784)

Bill "An Act Regarding Funding for Vocational Technical Schools"
(S.P. 628) (L.D. 1793)

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 Reimbursement Funding for Transportation Costs to and From Dialysis Treatment Facilities
(S.P. 601) (L.D. 1724)

Bill "An Act to Require the Office of Substance Abuse to Report on Certain Child Care Services"
(S.P. 604) (L.D. 1727)

Bill "An Act to Amend the Laws Regarding the Provision of Services to Persons with Alzheimer's Disease"
(S.P. 610) (L.D. 1733)

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 Make Privileged Communication Between a Licensed Counseling Professional and a Patient"
(S.P. 593) (L.D. 1717)

Bill "An Act to Recover Economic Loss Attributable to Tobacco Use"
(S.P. 596) (L.D. 1720)

Bill "An Act to Clarify the Limited Liability for Recreational or Harvesting Activities"
(S.P. 618) (L.D. 1783)

Bill "An Act to Promote Effective Management of Occupational Exposure to HIV"
(S.P. 626) (L.D. 1791)

Bill "An Act Relating to the Admissibility of Medical Records and Reports"
(S.P. 627) (L.D. 1792)

Bill "An Act to Validate Pierringer Releases and Reform Procedures in Multiparty Lawsuits"
(S.P. 630) (L.D. 1795)

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 Ensure that Displaced Workers Have Access to Appropriate Job Training, Education and Employment Services through a Peer Support Program"
(S.P. 594) (L.D. 1718)

Bill "An Act to Increase Health Insurance Benefits for Retired Educators"
(S.P. 607) (L.D. 1730)

Bill "An Act to Allow Minors to Work Over the Labor Day Weekend"
(S.P. 608) (L.D. 1731)

Bill "An Act Relative to Freedom of Employment in the Broadcasting Industry"
(S.P. 616) (L.D. 1781)

Bill "An Act to Amend the Laws Governing the Designation of a Beneficiary of Maine State Retirement System Benefits"
(S.P. 625) (L.D. 1790)

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

Resolve, Authorizing Certain Members of the Sullivan Family to Bring Suit Against the State
(S.P. 605) (L.D. 1728)

Bill "An Act to Clarify 7-day Evictions in Tenancies at Will"
(S.P. 623) (L.D. 1788)

Bill "An Act to Improve the Absentee Voting Process"
(S.P. 631) (L.D. 1796)

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.

Bill "An Act to Encourage the Implementation of Pollution Prevention in Maine"
(S.P. 629) (L.D. 1794)

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

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

Resolve, Regarding the Conveyance of a Right-of-way Across the Elizabeth Levinson Center in Bangor
(S.P. 620) (L.D. 1785)

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 Provide a State Income Tax Credit for the Costs of Health Insurance Paid by Individuals"
(S.P. 599) (L.D. 1722)

Bill "An Act to Bring the State's Household Employee Tax into Compliance with Federal Tax Law"
(S.P. 606) (L.D. 1729)

Bill "An Act to Offer Tax Credits for Certain Value-added Wood Products Produced in Maine"
(S.P. 611) (L.D. 1734)

Bill "An Act to Provide a \$500 State Income Tax Credit for Private School Tuition Payments"
(S.P. 621) (L.D. 1786)

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 Charter of the East Pittston Water District"
(S.P. 600) (L.D. 1723)

Bill "An Act to Amend the Charter of the Waterville Sewerage District"

(S.P. 632) (L.D. 1797)

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.C. 71)

119TH MAINE LEGISLATURE

February 26, 1999

John Fitzsimmons, President
Maine Technical College System
131 State House Station
Augusta, ME 04333

Dear President Fitzsimmons:

We are pleased to invite you to address a Joint Session of the 119th Maine Legislature on Wednesday, March 10, 1999 at 11:00 a.m. concerning the State of the Maine Technical College System and any other matters that you may care to bring to our attention.

On the same day, following your address, Terrence MacTaggart, Chancellor, University of Maine System, will be addressing the Joint Session.

We look forward to seeing you then. Best wishes.

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. 72)

MAINE TECHNICAL COLLEGE SYSTEM

OFFICE OF THE PRESIDENT

323 STATE STREET

AUGUSTA, MAINE 04330-7131

March 3, 1999

The Honorable Mark W. Lawrence
President of the Senate
119th Maine Legislature
Augusta, ME 04333

The Honorable G. Steven Rowe
Speaker of the House
119th Maine Legislature
Augusta, ME 04333

Dear President Lawrence and Speaker Rowe:

Thank you for your invitation to address a Joint Session of the 119th Maine Legislature on Wednesday, March 10, 1999. It is with a great deal of pleasure that I accept your invitation and I look forward to the opportunity to talk with you and members of the 119th Maine Legislature about Maine's Technical Colleges.

Again, thank you for this opportunity.

Sincerely yours,
S/John Fitzsimmons
President

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 73)

119TH MAINE LEGISLATURE

February 26, 1999

Terrence MacTaggart, Chancellor
University of Maine System
107 Maine Avenue
Bangor, ME 04401

Dear Chancellor MacTaggart:

We are pleased to invite you to address a Joint Session of the 119th Maine Legislature on Wednesday, March 10, 1999 concerning the State of the University and any other matters that you may care to bring to our attention. We will begin the Joint Session at 11:00 a.m. with an address from President Fitzsimmons. You will address the Legislature directly following the President.

We look forward to seeing you then. Best wishes.

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. 74)

UNIVERSITY OF MAINE SYSTEM

107 MAINE AVENUE

BANGOR, MAINE 04401-4380

March 3, 1999

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

Dear President Lawrence and Speaker Rowe:

It is with particular pleasure that I accept your invitation to address a Joint Session of the 119th Maine Legislature on Wednesday, March 10, 1999, at 11:00 a.m.

I consider this a distinct privilege and look forward to reporting on the State of the University of Maine System.

Sincerely,
S/Terrence J. MacTaggart
Chancellor

READ and ORDERED PLACED ON FILE.

The House recessed until 4:30 p.m.

(After Recess)

The House was called to order by the Speaker.

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills and Resolve 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:

HEALTH AND HUMAN SERVICES

Resolve, to Encourage Access and Quality Care for People with Alzheimer's Disease in Residential Care Facilities

(H.P. 1253) (L.D. 1807)

Presented by Representative COLWELL of Gardiner.
Cosponsored by Senator PARADIS of Aroostook and Representatives: BRAGDON of Bangor, BROOKS of Winterport, FULLER of Manchester, KANE of Saco, WILLIAMS of Orono, Senator: BENNETT of Oxford.

Bill "An Act to Increase Access to Cub Care for Children"

(H.P. 1255) (L.D. 1809)

Presented by Representative KANE of Saco.
Cosponsored by Senator LONGLEY of Waldo and Representatives: BRENNAN of Portland, GAGNON of Waterville, QUINT of Portland, TESSIER of Fairfield, TOWNSEND of Portland, Senator: MITCHELL of Penobscot.

NATURAL RESOURCES

Bill "An Act to Amend the Definition of Lender Under the Uncontrolled Hazardous Substance Sites Law"

(H.P. 1254) (L.D. 1808)

Presented by Representative CIANCHETTE of South Portland.
Cosponsored by Representative: RICHARDSON of Brunswick.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **LABOR** reporting **Ought to Pass** on Bill "An Act to Prohibit the Negotiation of Severance Pay Lower than the State Minimum"

(S.P. 156) (L.D. 476)

Signed:
Senators:

DOUGLASS of Androscoggin
LaFOUNTAIN of York

Representatives:

HATCH of Skowhegan
MUSE of South Portland
GOODWIN of Pembroke
FRECHETTE of Biddeford
MATTHEWS of Winslow
SAMSON of Jay
DAVIS of Falmouth

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

Signed:
Senator:

MILLS of Somerset

Representatives:

MacDOUGALL of North Berwick
MACK of Standish
TREADWELL of Carmel

Came from the Senate with the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE**

ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-17).

READ.

Representative HATCH of Skowhegan moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

On further motion of the same Representative, **TABLED** pending her motion to **ACCEPT** the Majority **Ought to Pass** Report and specially assigned for Thursday, March 11, 1999.

Majority Report of the Committee on **BANKING AND INSURANCE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-36)** on Bill "An Act to Repeal the Community Rating Law"

(H.P. 23) (L.D. 33)

Signed:
Senators:

LaFOUNTAIN of York
DOUGLASS of Androscoggin
ABROMSON of Cumberland

Representatives:

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
MAYO of Bath

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

Signed:
Representative:

JONES of Pittsfield

READ.

On motion of Representative SAXL of Bangor, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-36)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Thursday, March 11, 1999.

Majority Report of the Committee on **BANKING AND INSURANCE** reporting **Ought Not to Pass** on Bill "An Act to Protect the Choice of Hospital Care for HMO Enrollees"

(H.P. 24) (L.D. 34)

Signed:
Senators:

LaFOUNTAIN of York
DOUGLASS of Androscoggin
ABROMSON of Cumberland

Representatives:

JONES of Pittsfield
RICHARDSON of Brunswick
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 as Amended by Committee Amendment "A" (H-37)** on same Bill.

Signed:
Representatives:

NUTTING of Oakland
MAYO of Bath

READ.

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

Majority Report of the Committee on **CRIMINAL JUSTICE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-39)** on Bill "An Act to Require Auctions for Confiscated Firearms"

(H.P. 86) (L.D. 99)

Signed:
Senators:

MURRAY of Penobscot
O'GARA of Cumberland
DAVIS of Piscataquis

Representatives:

POVICH of Ellsworth
FRECHETTE of Biddeford
MUSE of South Portland
CHIZMAR of Lisbon
McALEVEY of Waterboro
PEAVEY of Woolwich
O'BRIEN of Augusta
TOBIN of Dexter
SHERMAN of Hodgdon

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

Signed:
Representative:

QUINT of Portland

READ.

On motion of Representative SHIAH of Bowdoinham, **TABLED** pending **ACCEPTANCE OF EITHER REPORT** and later today assigned.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act to Provide the Right to a Jury Trial in Civil Actions for Violations of Constitutional Rights"

(H.P. 273) (L.D. 381)

Signed:
Senators:

LONGLEY of Waldo
TREAT of Kennebec
BENOIT of Franklin

Representatives:

BULL of Freeport
JACOBS of Turner
MITCHELL of Vassalboro
NORBERT of Portland
PLOWMAN of Hampden
MADORE of Augusta
SCHNEIDER of Durham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-33)** on same Bill.

Signed:
Representatives:

THOMPSON of Naples
LaVERDIERE of Wilton
WATERHOUSE of Bridgton

READ.

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

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-35)** on Bill "An Act to Require Legislative Approval to Lease Land to the Federal Government"

(H.P. 275) (L.D. 383)

Signed:
Senators:

PENDLETON of Cumberland
GOLDTHWAIT of Hancock
DAVIS of Piscataquis

Representatives:

AHEARNE of Madawaska
BAGLEY of Machias
RINES of Wiscasset
McDONOUGH of Portland
BUMPS of China
KASPRZAK of Newport
JODREY of Bethel
RICHARDSON of Greenville
GERRY of Auburn

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

Signed:
Representative:

TWOMEY of Biddeford

READ.

On motion of Representative AHEARNE of Madawaska, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-35)** was **READ**.

Representative THOMPSON of Naples, pursuant to House Rule 107, asked the chair to rule if the Bill was properly before the body.

Subsequently, the Bill was **TABLED** by the Speaker pending a Ruling of the Chair.

CONSENT CALENDAR

First Day

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

(S.P. 274) (L.D. 792) Bill "An Act to Allow Preliminary Steps to be Taken in Preparation for the Mandatory Use of Conviction Data in Teacher Screening" (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass**

(S.P. 48) (L.D. 119) Bill "An Act to Make Maine Medicare Supplement Insurance Laws Consistent with Federal Laws" (EMERGENCY) Committee on **BANKING AND INSURANCE** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-15)**

(S.P. 101) (L.D. 240) Bill "An Act to Amend the Maine Banking Code as it Pertains to ATM Surcharges" Committee on **BANKING AND INSURANCE** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-16)**

(S.P. 152) (L.D. 472) Bill "An Act to Amend the Revised Maine Securities Act" Committee on **BANKING AND INSURANCE** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-14)**

(H.P. 416) (L.D. 558) Bill "An Act to Clarify the Membership of the Somerset County Budget Committee" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass**

(H.P. 582) (L.D. 822) Bill "An Act to Rename the Harassment Based on Characteristic Law" Committee on **JUDICIARY** reporting **Ought to Pass**

(H.P. 717) (L.D. 1007) Bill "An Act to Repeal the Authorization of Lucerne-in-Maine Village Corporation to Construct Dams and Fishways" Committee on **NATURAL RESOURCES** reporting **Ought to Pass**

(H.P. 77) (L.D. 90) Bill "An Act to Establish the Endowment Incentive Fund" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-47)**

(H.P. 179) (L.D. 257) Bill "An Act to Change the Municipal General Assistance Shelter Allowance" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-45)**

(H.P. 438) (L.D. 601) Bill "An Act to Clarify the Duty of Insurance Agencies to Keep Records" Committee on **BANKING AND INSURANCE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-46)**

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

**CONSENT CALENDAR
Second Day**

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

(S.P. 25) (L.D. 7) Resolve, to Change the Name of the Ridlonville Bridge between Rumford and Mexico to the Veterans Bridge (C. "A" S-10)

(S.P. 20) (L.D. 12) Bill "An Act to Change the Selection Process of the Oxford County Budget Committee" (C. "A" S-11)

(S.P. 98) (L.D. 237) Bill "An Act to Enhance Senior Volunteerism in Maine" (C. "A" S-12)

(S.P. 110) (L.D. 307) Bill "An Act to Establish the Crime of Aggravated Criminal Trespass" (C. "A" S-9)

(H.P. 551) (L.D. 772) Resolve, to Name the Route 160 Bridge in Brownfield Spanning the Saco River the Charles E. Hill Bridge (EMERGENCY)

(H.P. 770) (L.D. 1093) Bill "An Act to Provide Farm Cooperatives More Flexibility in Establishing Officers and Using Titles for Various Officers"

(H.P. 82) (L.D. 95) Resolve, Directing a Study of the Needs of the Elderly Population with Mental Retardation (C. "A" H-38)

(H.P. 113) (L.D. 144) Bill "An Act to Make Corrections to the Laws Governing the County Jail Prisoner Support and Community Corrections Fund" (C. "A" H-40)

(H.P. 233) (L.D. 337) Bill "An Act Authorizing Permit-certified Police Dispatchers to Issue Temporary Permits to Operate Uninspected Vehicles" (C. "A" H-42)

(H.P. 265) (L.D. 369) Bill "An Act to Increase the Amount of Income That a Resident of a Nursing or Residential Care Facility Who Receives Medicaid May Retain" (C. "A" H-41)

(H.P. 579) (L.D. 819) Bill "An Act to Provide Funding for the Beals Island Regional Shellfish Hatchery" (C. "A" H-44)

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

**BILLS IN THE SECOND READING
House**

Bill "An Act to Designate Wintergreen as the State Herb" (H.P. 12) (L.D. 22)

Bill "An Act to Require Voter Approval for Bonded Indebtedness of \$2,000,000 or More for Municipalities in Local and Regional Cooperation"

(H.P. 313) (L.D. 429)

House As Amended

Bill "An Act to Allow Review of Examination-related issues in Executive Session"

(H.P. 126) (L.D. 157)
(C. "A" H-25)

Reported by the Committee on **Bills in the Second Reading**, read the second time, the House Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED AS AMENDED** and sent for concurrence.

Bill "An Act to Reinstate the Provision Allowing a Reduction in the Retail Seafood License Fee for Licenses Issued After September 30th"

(H.P. 331) (L.D. 447)
(C. "A" H-30)

Was reported by the Committee on **Bills in the Second Reading** and **READ** the second time.

On motion of Representative PINKHAM of Lamoine, was **SET ASIDE**.

The SPEAKER: The Chair recognizes the Representative from Lemoine, Representative Pinkham.

Representative PINKHAM: Mr. Speaker, Men and Women of the House. If you recall a couple of days ago when this bill came up, there was five of us on the Ought Not to Pass on this. I received four calls yesterday on this bill at my residence in Lemoine. I would like to just speak briefly on it. The department sells 22 different licenses. To pick one of these licenses out as to allow the person to buy it at half price after September 30, I am for small business and this would, in a way, help small business, but we are talking only five licenses last year that was involved with this. It is only retail licenses that is involved. Like I said, last year there were only five that would have benefited from this half price thing. The Department of Marine Resources did testify that they would have to change their licensing a little bit to accommodate this privilege. I would ask that you vote not in favor of this. I would ask for a division.

The same Representative **REQUESTED** a division on **PASSAGE TO BE ENGROSSED as Amended.**

The Chair would order a division on Passage to be Engrossed.

The **SPEAKER:** A division has been ordered. The pending question before the House is Passage to be Engrossed as Amended. All those in favor will vote yes, those opposed will vote no.

A vote of the House was taken. 87 voted in favor of the same and 29 against, the Bill was **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment yesterday, 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 Renew Maine's Economy"

(S.P. 569) (L.D. 1636)

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

TABLED - March 9, 1999 (Till Later Today) by Representative O'NEAL of Limestone.

PENDING - REFERENCE in concurrence.

On motion of Representative TOWNSEND of Portland, the Bill was **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in **NON-CONCURRENCE** and sent for concurrence.

Resolve, to Investigate State Purchasing of Goods and Services Produced under Conditions that Violate International Standards of Human Rights

(S.P. 579) (L.D. 1659)

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

TABLED - March 9, 1999 (Till Later Today) by Representative AHEARNE of Madawaska.

PENDING - REFERENCE in concurrence.

On motion of Representative AHEARNE of Madawaska, the Resolve was **REFERRED** to the Committee on **LABOR** in concurrence.

HOUSE DIVIDED REPORT - Majority (11) **Ought Not to Pass** - Minority (2) **Ought to Pass as Amended by Committee Amendment "A" (H-29)** - Committee on **MARINE RESOURCES** on Bill "An Act to Withdraw from the Atlantic States Marine Fisheries Commission and the Atlantic States Marine Fisheries Compact" (EMERGENCY)

(H.P. 114) (L.D. 145)

TABLED - March 9, 1999 (Till Later Today) by Representative ETNIER of Harpswell.

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

Subsequently, the Majority **OUGHT NOT TO PASS** Report was **ACCEPTED** and sent for concurrence.

An Act to Release Estate Tax Liens on Certain Real Estate

(H.P. 161) (L.D. 223)

TABLED - March 9, 1999 (Till Later Today) by Representative SHIAH of Bowdoinham.

PENDING - PASSAGE TO BE ENACTED.

On motion of Representative SAXL of Portland, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned.

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

HOUSE DIVIDED REPORT - Majority (12) **Ought to Pass as Amended by Committee Amendment "A" (H-39)** - Minority (1) **Ought Not to Pass** - Committee on **CRIMINAL JUSTICE** on Bill "An Act to Require Auctions for Confiscated Firearms"

(H.P. 86) (L.D. 99)

Which was **TABLED** by Representative SHIAH of Bowdoinham pending **ACCEPTANCE OF EITHER REPORT.**

On motion of Representative POVICH of Ellsworth, the Majority **Ought to Pass as Amended Report** was **ACCEPTED.**

The Bill was **READ ONCE.** **Committee Amendment "A" (H-39)** was **READ** by the Clerk.

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

Representative **POVICH:** Mr. Speaker, Men and Women of the House. LD 99, "An Act to Require Auctions for Confiscated Firearms" comes from the Criminal Justice Committee with a 12 to 1 Ought to Pass as Amended Report. For many years the Maine Warden Service has auctioned the collection of confiscated firearms. The department receives 85 percent of the money raised from the auction. The bill expands the law to allow law enforcement agencies, if they desire, to periodically publicly auction abandoned, lost, stolen or forfeited firearms. It is not a mandate. If a law enforcement agency does not wish to participate, they need not to. All firearms auctioned, of course, are subject to the Brady check. The Sportsmen Alliance of Maine and the Maine Chiefs of Police support the bill. Since Maine has a unique sporting tradition that embraces our entire wonderful outdoors, Maine also enjoys the second highest ownership of guns per capita in the nation and one of the lowest crime rates. The good people of Maine have demonstrated that we can own and use guns responsibly and I believe these confiscated firearms ought to be turned back into the law abiding community while providing an important financial boost to Maine's law enforcement agencies. I urge you to support LD 99. Thank you very much.

The **SPEAKER:** The Chair recognizes the Representative from Portland, Representative Quint.

Representative **QUINT:** Mr. Speaker, Men and Women of the House. I rise to express my opposition to the pending motion. I would like to tell you why. I also need to qualify. It is true that I was in the public hearing, but not at the work session. I seriously considered not speaking because I was not at the work session, but being from Portland and being from the densest populated district in the state. Guns are of a real issue to us and the availability of those guns. My argument is more of a philosophical argument about this issue. It was a little over a year ago at 11:00 in the morning, on a Saturday morning, at the corner of Grant Street and Melon Street, an individual fired a gun at somebody walking down the street six times. Fortunately for us, the man was very intoxicated and missed those six times. I think that if a gun is confiscated in the commission of a crime, that it should simply be destroyed. It should not be available for resale. I think principally that I don't think they should be available to be sold to gun dealers or the way the current process is, but to make it available whether it is an option or not to be resold to the general public after it has been confiscated in

the commission of a crime or lost or stolen. I just think they should simply be destroyed. I think that that is certainly in the best interests of the constituents in my district in Portland. I would encourage you to vote against the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Dexter, Representative Tobin.

Representative **TOBIN**: Mr. Speaker, Ladies and Gentlemen of the House. I rise to ask you to adopt the pending motion. Our chairman is right. It was a 12 to 1 vote. It was heavily discussed. Auctions are very common place in the State of Maine. We have livestock auctions. I have served as an auctioneer myself on several occasions for the local Kiwanis Club. Nine years ago, in September, my house was burglarized. During that burglary it was done by professionals. They went through my daughters jewelry boxes. They went through my wife's jewelry boxes. They went through our closets and lo and behold, they went through my gun cabinet. Yes, they took the most valuable possessions that my wife and family had. Some of those possessions were firearms. They were valuable for sentimental reasons, my father's father gave those firearms to my father, who gave them to me and I hoped to have the opportunity to give them to my son, who would give them to my grandchildren. If this auction takes place, it would give me the opportunity to repossess those firearms. I have been told that I probably have about a 50/50 chance or repossessing them. A 50/50 chance is better than none. It is senseless to destroy these firearms. Please vote to support the pending motion.

The Chair ordered a division on the motion to **ADOPT Committee Amendment "A" (H-39)**.

The SPEAKER: A division has been ordered. The pending question before the House is Adoption of Committee Amendment "A" (H-39). All those in favor will vote yes, those opposed will vote no.

A vote of the House was taken. 101 voted in favor of the same and 14 against, **Committee Amendment "A" (H-39)** was **ADOPTED**. The Bill was assigned for **SECOND READING** Thursday, March 11, 1999.

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

An Act to Release Estate Tax Liens on Certain Real Estate
(H.P. 161) (L.D. 223)

Which was **TABLED** by Representative SAXL of Portland pending **PASSAGE TO BE ENACTED**.

On motion of Representative GAGNON of Waterville, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED**.

The same Representative **PRESENTED** House Amendment "A" (H-54) which was **READ** by the Clerk and **ADOPTED**.

The Bill was **PASSED TO BE ENGROSSED** as Amended by House Amendment "A" (H-54) in **NON-CONCURRENCE** and sent for concurrence.

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

TABLED AND TODAY ASSIGNED

The Chair laid before the House the following item which was **TABLED** and today assigned:

HOUSE DIVIDED REPORT - Majority (11) **Ought Not to Pass** - Minority (2) **Ought to Pass** - Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Ensure the Efficacy of Learning Results"

(H.P. 659) (L.D. 915)

TABLED - March 9, 1999 by Representative BRENNAN of Portland.

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

The SPEAKER: The Chair recognizes the Representative from St. George, Representative Skoglund.

Representative **SKOGLUND**: Mr. Speaker, Ladies and Gentlemen of the House. I hope you will not accept the Majority Ought Not to Pass Report and would like to speak at some length on learning results. Last year we passed learning results and you thought we had seen the last of it. Unfortunately, teachers in the State of Maine did not see the last of it. I have brought back learning results with a bill that would direct the Department of Education to establish lesson plans and recommend textbook lists to assist schools in meeting the requirement of the learning results system. These plans would be used if the teachers chose to use them. The textbooks are only recommended and would be used only if the district chose to use those particular textbooks.

Someone asked me why would you, who was so adamantly opposed to the passing of learning results come up with this scheme? I shall try to explain. Yes, I would like to see learning results abolished as law. As educational goals they are wonderful. I think we all agree, educators, administrators, politicians. The goal set forth in learning results is something we would all like our children to achieve. My main objection is that we should not set goals into law because goals are not attainable. Suppose we passed a law for hospitals. Our goal would be to have everyone leave the hospital healed. That is the goal, but we cannot pass into the law all persons will leave the hospital healed. I think it is the same thing. All children cannot leave school as lifetime learners. All children will not leave school as effective communicators, but the law now reads that they will leave school.

If someone should enforce the law on learning results as vigorously as the hospital medical privacy law was enacted, there would be turmoil. Do you remember that earlier in this session throughout the state because of the bill we had passed, one person told me he had gone into the drug store to buy medication for his mother-in-law and the druggist gave him a hard time because the druggist was afraid if he gave him the medication for his mother-in-law the druggist would be violating the right to privacy. I was told that in one hospital, at least, the names of patients were removed from the doors because they had the right to privacy. If patients got out, sometimes they couldn't find their way back to the room. This is the way the law was interpreted. This is true. If we should have the same instance with the literal interpretation of learning results, we could have the same problem.

The second reason why I opposed learning results is because testing was so overemphasized and the belief that everything that is worth teaching is worth testing and should be tested. I think that is a fallacy. This overemphasis on testing, some teachers tell me that they feel now they are not teaching

for the children, they are just teaching to get high test results to make the district look good or the superintendent look good or the principal look good. We are teaching for numbers and not teaching for children. Everything that is worth teaching cannot be measured. Think of your own favorite beloved teachers. What is the value of what that teacher taught you? Could you even put into specific words what that teacher taught? I would doubt it. The mentality being fostered by strict adherence to this learning result would have us believe that if it can't be measured, it is not worth teaching.

Another reason why I opposed this so vigorously is that by enacting state regulations, putting a philosophy of education into law, we open the door to mistakes on a massive scale. For some reason or other, leading educators, I have no one in particular in mind, seem to be prone to falling for panaceas in education. You can think of schemes that have come along in education like the look and say method of learning to read. I remember the whole language business. I remember transformational grammar came along. Fortunately, I think that kick only lasted one year in my district. I remember the new math. I am not sure whether it exists now in its original form or not. What was troublesome about these things is they were accepted hook, line and sinker and replaced everything that had gone before. Each of those plans had great contributions to make to education, but we shouldn't abandon what has been proven over time. I think when we open the door for allowing massive mistakes to be made, we open the door for more of these things to be passed into our education system.

Last of all, I think one of the sad parts about the learning results is the tremendous amount of teacher time that is being wasted in realigning curriculum with the learning results. Teachers who have taught for years and years and years have to spend endless hours and days in bureaucratic meetings being told, no, no, no Mr. Jones, that is not an aim of your lesson plan, that is an objective. No that is not an objective, that is an anticipated outcome. No, that is not an anticipated outcome in new speak that is what we call a challenge. So much argument over the gibberish of these terms. Good teachers are already sick and tired of learning results. They have had enough. They are perfectly willing to attempt to reach the goals, but they don't need the bureaucratic procedures that go with it. I feel that we are driving gifted, innovative, experienced teachers out. This bill is for you.

If you are opposed to learning results, vote for it because it eliminates the necessity of teachers wasting their time in reinventing the wheel. Good teachers don't need to be told how to teach. This provides excellent lesson plans for the poor teachers we are trying to help. The state department will manufacture the lesson plans. It is certainly better than anything an incompetent, ineffective teacher could manufacture on his own.

The second reason why you should vote for this is, if the department doesn't do it, learning results will be abolished as law. They will still survive as a guide to education in the state for those who wish to use them. It doesn't have to be state law. If you favor learning results, you should vote for this bill for exactly the same reason. It will provide state supplied lesson plans for those who are unfortunate teachers who need them most. I urge you to follow my light on this learning results bill. Thank you.

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

Representative **BRENNAN**: Mr. Speaker, Men and Women of the House. I always appreciate the comments of the

good Representative from St. George. I hope you will join me in endorsing the 11 to 2 committee report of Ought Not to Pass on this bill. I do commend the comments that were made by the Representative from St. George. He basically implied that no matter how you stood on this issue, you should vote for the bill. The simple fact of the matter is that in 1997 the Legislature overwhelmingly endorsed learning results, establishing statewide standards that we thought was important in terms of raising both the education expectations and the quality of the state. There is a nearly unanimous report not only in this chamber, but across the state and the education communities and from school districts.

What this bill would do is totally contradictory to the principles of learning results. It would require the Department of Education to develop lesson plans and a book list to implement learning results. The underlying premise of learning results is that every local school district will develop their own curriculum based on the needs of their school district and implement the learning results and the context of how they think that school district can best go about developing that curriculum. For the state to be asked to develop those lesson plans and to develop that book list is, again, totally contradictory to the purpose and the intent of learning results, which is to maximize local resources and local decision making in terms of developing ways and opportunities to address the learning results.

As the good Representative did point out, if these lesson plans and if these book lists were not developed by the Department of Education, learning results would be repealed in the year 2000. Again, the Education Committee in an 11 to 2 vote, felt that this was not an appropriate bill to support. I hope you will join me in supporting the Ought Not to Pass Report.

The SPEAKER: The Chair recognizes the Representative from Hartland, Representative Stedman.

Representative **STEDMAN**: Mr. Speaker, Ladies and Gentlemen of the House. You may notice that my name is also on the side voting to Ought to Pass on this bill. I think the issue here is that we have a period of time being used here by the Department of Education, an inordinate amount of time, to develop an assessment program, which is in the state of flux and will continue to be over the next several years as they try to align the assessment with a program that they haven't put into place yet.

I think this bill would ask them to cut to the chase and get the thing going. If the learning results are valuable, why delay their implementation any longer? If they are as valuable as they are professed to be, then we will by using a valuable time in a generation of students that could use that time more wisely if they had their teachers full attention all the time. I urge you to vote against the motion on the floor.

The SPEAKER: The Chair recognizes the Representative from Madison, Representative Richard.

Representative **RICHARD**: Mr. Speaker, Ladies and Gentlemen of the House. The good Representative Skoglund and I agree on many things pertaining to education. Today we have had two disagreements. This is one of them. One thing that I think you should note by this bill, if you vote in favor of this bill, it will eliminate your local control. So many of you tell us that is what you want in education. You want local control. I can't imagine that there is anyone sitting in this House who wants the state Department of Education to write a curriculum and send it to your school district and say that this is what you have to teach. This is when you have to teach it and this is the way you have to teach it. That was the thing that we worked very hard at in learning results. It is to see that you did have the

local control and you could teach the way you wanted to teach and nobody is going to tell you exactly what to teach. Outcomes, yes, but not what to teach and how to teach it.

I disagree that everything that has gone before has been eliminated. Many of us in this House have been teachers. We could go back into the school system today and we could teach everything that we had learned and everything that we had done has not been eliminated. It has been added to and any gifted teacher can adjust. Many of us have done it. Many of you could do it and many still can do it.

One other thing, our learning results have been nationally recognized. We are in the forefront. Lastly, not that there is a fiscal note with this bill. You have a fiscal note for over \$300,000. All of us are trying very hard to get as much money as we can to go into GPA. This is \$300,000 that would not go into GPA. I would urge you to vote with those of us who decided that this bill Ought Not to Pass. Thank you.

Representative STEDMAN of Hartland **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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

The SPEAKER: The Chair recognizes the Representative from Standish, Representative Mack.

Representative **MACK**: Mr. Speaker, May I pose a question through the Chair?

The SPEAKER: The Representative may pose his question.

Representative **MACK**: Mr. Speaker, Right Honorable Men and Women of the House. The right honorable Representative from Madison had said that these materials that would be written up would be mandatory for the schools. I wanted to know if these materials that the department would provide would be mandatory and that the teachers would have to teach these lesson plans or if these materials provided to the school would be optional for them to use?

The SPEAKER: The Representative from Standish, Representative Mack has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Madison, Representative Richard.

Representative **RICHARD**: Mr. Speaker, Men and Women of the House. As the question was directed to me, I will answer it. I can read and the Representative can read, the word optional is in the bill.

The SPEAKER: The Chair recognizes the Representative from Penobscot, Representative Perkins.

Representative **PERKINS**: Mr. Speaker, Men and Women of the House. I signed onto this bill as a cosponsor out of my high regard for the good Representative from St. George not fully understanding the ramifications of this bill and to tell you the truth, I still don't fully understand it. I am glad we cleared it up about the mandatory part of it thought. I am still going to follow Representative Skoglund's light on this because of my high regard. I would like to point out that I can't think of anybody in this chamber who could get up and say I am going to speak at length on something and not see a mass exodus. Thank you.

The SPEAKER: The Chair recognizes the Representative from St. George, Representative Skoglund.

Representative **SKOGLUND**: Mr. Speaker, Ladies and Gentlemen of the House. Regarding the fiscal note on that, there is over \$300,000 that would be necessary for the department to make these lesson plans. However, it is costing

somewhere in the vicinity of \$2 million a year now. Somewhere along that line to pay the locals to write these lesson plans on their own. This actually would be much less expensive than the current method. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 23

YEA - Bagley, Belanger, Berry RL, Bolduc, Bouffard, Bragdon, Brennan, Brooks, Bruno, Bryant, Bull, Bumps, Cameron, Chick, Chizmar, Cianchette, Clough, Collins, Colwell, Cote, Cowger, Daigle, Davidson, Desmond, Dudley, Duncan, Dunlap, Duplessie, Etnier, Fisher, Frechette, Fuller, Gagne, Gagnon, Gerry, Glynn, Gooley, Green, Hatch, Heidrich, Honey, Jabar, Jacobs, Jodrey, Kane, Kneeland, Labrecque, LaVerdiere, Lemoine, Lemont, Mailhot, Martin, Marvin, Matthews, McGlocklin, McKee, McNeil, Mitchell, Murphy E, Murphy T, Muse, Norbert, Nutting, O'Brien, O'Neal, O'Neil, Peavey, Perry, Pieh, Povich, Powers, Quint, Richard, Rines, Rosen, Samson, Sanborn, Savage W, Saxl MV, Schneider, Sherman, Shiah, Shields, Shorey, Sirois, Stanley, Sullivan, Thompson, Tobin D, Townsend, Tripp, Twomey, Usher, Watson, Weston, Wheeler EM, Wheeler GJ, Mr. Speaker.

NAY - Ahearne, Berry DP, Bowles, Buck, Campbell, Carr, Clark, Cross, Davis, Dugay, Foster, Gillis, Jones, Kasprzak, Lindahl, MacDougall, Mack, McAlevey, Mendros, Nass, Perkins, Pinkham, Plowman, Richardson E, Skoglund, Snowe-Mello, Stanwood, Stedman, Tobin J, Tracy, Trahan, Treadwell, True, Tuttle, Volenik, Waterhouse, Winsor.

ABSENT - Andrews, Baker, Goodwin, Joy, Lovett, Madore, Mayo, McDonough, McKenney, Richardson J, Savage C, Saxl JW, Stevens, Tessier, Williams.

Yes, 98; No, 37; Absent, 15; Excused, 0.

98 having voted in the affirmative and 37 voted in the negative, with 15 being absent, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

BILLS HELD

JOINT RESOLUTION - Memorializing Congress to Protect and Preserve Social Security

(S.P. 517)

- In House, **READ AND ADOPTED** in concurrence.

HELD at the Request of Representative MURPHY of Kennebunk.

Representative MURPHY of Kennebunk moved that the House **RECONSIDER** its action whereby the Joint Resolution was **ADOPTED**.

On further motion of the same Representative, **TABLED** pending his motion to **RECONSIDER ADOPTION** of the Joint Resolution and specially assigned for Thursday, March 11, 1999.

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

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

- In House, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on March 2, 1999.

- In Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** in **NON-CONCURRENCE**.

- In House, House **ADHERED**.

HELD at the Request of Representative GERRY of Auburn.

Representative GERRY of Auburn moved that the House **RECONSIDER** its action whereby the House voted to **ADHERE**.

On further motion of the same Representative, **TABLED** pending her motion to **RECONSIDER** whereby the House voted to **ADHERE** and later today assigned.

On motion of Representative KNEELAND of Easton, the House adjourned at 5:44 p.m., until 10:00 a.m., Thursday, March 11, 1999.