

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
30th Legislative Day
Thursday, March 25, 1999

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

Prayer by Reverend Martha Dickerman, Blue Point Congregational Church/UCC, Scarborough.

National Anthem by Winslow Junior High School Band.

Pledge of Allegiance.

Doctor of the day, Peter Mason, D.O., Bath.

The Journal of yesterday was read and approved.

SENATE PAPERS

Bill "An Act to Prohibit Deceptive Charitable Solicitations"
(S.P. 714) (L.D. 2036)

Bill "An Act to Revise the Lienholder Notification Law"
(S.P. 715) (L.D. 2037)

Bill "An Act to Update, Clarify and Amend Licensure Requirements for Occupations and Professions and Registrations"
(S.P. 720) (L.D. 2042)

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 Provide the Opportunity for Students from All Parts of the State to Benefit from funding for Higher Education"
(S.P. 711) (L.D. 2033)

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

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

Bill "An Act to Improve Access to Residential Care in Rural Maine" (EMERGENCY)
(S.P. 717) (L.D. 2039)

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 Eliminate Legislative Pensions"
(S.P. 719) (L.D. 2041)

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

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

Bill "An Act to Clarify Maine's Campaign Finance Laws"
(S.P. 710) (L.D. 2032)

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 Amend the Water Quality Laws to Establish a New Standard for Mercury Discharges"
(S.P. 716) (L.D. 2038)

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

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Set a Date for Submission of Legislation by the Governor
(S.P. 712) (L.D. 2034)

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

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

Bill "An Act to Clarify That Sales Catalogs and Fliers are Exempt from Sales Tax when Purchased for Redistribution at No Charge"
(S.P. 713) (L.D. 2035)

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 Norridgewock Water District" (EMERGENCY)
(S.P. 718) (L.D. 2040)

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: (S.C. 148)

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

March 24, 1999

Honorable G. Steven Rowe

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Rowe:

Please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Agriculture, Conservation and Forestry, the nomination of John M. Joseph, Jr. of Hallowell for appointment to the Maine Milk Commission.

Thank you for your attention to this matter.

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills 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:

BANKING AND INSURANCE

Bill "An Act Providing Recourse and Protection to Vendors Receiving Bad Checks"

(H.P. 1426) (L.D. 2049)

Presented by Representative TUTTLE of Sanford.
Cosponsored by Representatives: DUDLEY of Portland, NUTTING of Oakland, O'NEIL of Saco, POVICH of Ellsworth, Senator: LaFOUNTAIN of York.

Bill "An Act Relative to Insurance Compliance Self-audit"

(H.P. 1435) (L.D. 2058)

Presented by Representative MAYO of Bath.
Cosponsored by Senator LaFOUNTAIN of York, Senator ABROMSON of Cumberland and Representatives: GLYNN of South Portland, JONES of Pittsfield, NUTTING of Oakland, O'NEIL of Saco, SULLIVAN of Biddeford.

Bill "An Act to Establish the Maine Single-payor Health Care Plan and to Restructure the State Tax System"

(H.P. 1436) (L.D. 2059)

Presented by Representative VOLENIK of Brooklin.
Cosponsored by Senator PINGREE of Knox and Representatives: COWGER of Hallowell, DUDLEY of Portland, GREEN of Monmouth, HATCH of Skowhegan, O'NEIL of Saco, PIEH of Bremen, SAXL of Portland, TWOMEY of Biddeford.

BUSINESS AND ECONOMIC DEVELOPMENT

Bill "An Act to Amend the Regulation of Dentists Regarding the Use of Anesthesia"

(H.P. 1434) (L.D. 2057)

Presented by Representative GOODWIN of Pembroke.

Bill "An Act to License Home Building Contractors"

(H.P. 1437) (L.D. 2060)

Presented by Representative NORBERT of Portland.
Cosponsored by Senator LONGLEY of Waldo and Representatives: BOLDUC of Auburn, SIROIS of Caribou, TOWNSEND of Portland, TRIPP of Topsham, USHER of Westbrook, WATSON of Farmingdale, Senator: KONTOS of Cumberland.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act to Permit the Establishment of the Kennebec Valley Center for Arts Education"

(H.P. 1427) (L.D. 2050)

Presented by Representative WATSON of Farmingdale.
Cosponsored by Senator DAGGETT of Kennebec and Representatives: COLWELL of Gardiner, COWGER of Hallowell, GREEN of Monmouth, JABAR of Waterville,

MADORE of Augusta, O'BRIEN of Augusta, Senators: CAREY of Kennebec, KONTOS of Cumberland.

Bill "An Act to Reimburse Program Costs to School Districts at 100% of Actual Cost"

(H.P. 1430) (L.D. 2053)

Presented by Representative MAILHOT of Lewiston.
Cosponsored by Senator DOUGLASS of Androscoggin and Representatives: BAGLEY of Machias, COLWELL of Gardiner, DESMOND of Mapleton, FRECHETTE of Biddeford, O'NEIL of Saco, PIEH of Bremen, TRUE of Fryeburg, WATSON of Farmingdale.

Bill "An Act to Extend New Teachers' Probationary Periods"

(H.P. 1431) (L.D. 2054)

Presented by Representative PIEH of Bremen.

HEALTH AND HUMAN SERVICES

Bill "An Act to Prohibit the Use of Juveniles in a Tobacco Enforcement Action"

(H.P. 1429) (L.D. 2052)

Presented by Representative WATERHOUSE of Bridgton.
Cosponsored by Representative RICHARDSON of Brunswick, Senator LONGLEY of Waldo and Representatives: BROOKS of Winterport, CIANCHETTE of South Portland, SCHNEIDER of Durham, SKOGLUND of St. George, SNOWE-MELLO of Poland, Senators: DAVIS of Piscataquis, HARRIMAN of Cumberland.

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

JUDICIARY

Bill "An Act to Clarify the Immunity of Law Enforcement Officers in Enforcing Protective Orders"

(H.P. 1428) (L.D. 2051)

Presented by Representative DUDLEY of Portland.
Cosponsored by Senator RAND of Cumberland and Representatives: JACOBS of Turner, LORING of the Penobscot Nation, POVICH of Ellsworth, SAXL of Portland, THOMPSON of Naples, Senator: TREAT of Kennebec.

LEGAL AND VETERANS AFFAIRS

Bill "An Act to Enhance Harness Racing in the State"

(H.P. 1438) (L.D. 2061)

Presented by Representative TESSIER of Fairfield.

MARINE RESOURCES

Bill "An Act to Require Fishing Boats Rather than Individuals to Be Licensed for Salt Water Commercial Ventures"

(H.P. 1439) (L.D. 2062)

Presented by Representative GOODWIN of Pembroke.

STATE AND LOCAL GOVERNMENT

Bill "An Act to Amend the Laws Governing Secession"

(H.P. 1433) (L.D. 2056)

Presented by Representative BUMPS of China.
Cosponsored by Senator GOLDTHWAIT of Hancock and Representative: AHEARNE of Madawaska.

TAXATION

Bill "An Act to Eliminate the Sales Tax on Fuel Oil Used for Plant and Animal Husbandry"

(H.P. 1425) (L.D. 2048)

Presented by Representative BAKER of Bangor.
 Cosponsored by Senator SMALL of Sagadahoc and Representatives: BELANGER of Caribou, CAMPBELL of Holden, DUPLESSIE of Westbrook, GERRY of Auburn, GOOLEY of Farmington, MACK of Standish, SKOGLUND of St. George, Senator: HARRIMAN of Cumberland.

Bill "An Act to Eliminate the Sales Tax on Labor for Installing Telephone, Telegraph and Related Equipment"

(H.P. 1432) (L.D. 2055)

Presented by Representative SKOGLUND of St. George.
 Cosponsored by Representative: SIROIS of Caribou.

ORDERS

On motion of Speaker ROWE of Portland, the following Joint Resolution: (H.P. 1440) (Cosponsored by President LAWRENCE of York and Representatives: CAMERON of Rumford, CAMPBELL of Holden, HATCH of Skowhegan, SAXL of Bangor, SAXL of Portland, Senators: AMERO of Cumberland, BENNETT of Oxford, CASSIDY of Washington) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214)

JOINT RESOLUTION MEMORIALIZING THE UNITED STATES SECRETARY OF TRANSPORTATION TO INCLUDE U.S. ROUTE 2 IN MAINE, NEW HAMPSHIRE AND VERMONT AND U.S. ROUTE 9

IN MAINE AS BORDER CORRIDOR HIGHWAYS

WE, your Memorialists, the Members of the One Hundred and Nineteenth Legislature of the State of Maine, now assembled in the First Regular Session, most respectfully present and petition the United States Secretary of Transportation as follows:

WHEREAS, recent authorization of the Transportation Equity Act of the 21st Century, referred to in this resolution as "TEA-21," provides funding for the coordinated planning, design and construction of corridors of national significance, economic growth and international or interregional trade during federal fiscal years 1999-2003 under Sections 1118 and 1119 of TEA-21; and

WHEREAS, using specified considerations, allocation of funding may be made to transportation corridors identified in Section 1150(c) of TEA-21's predecessor, ISTE, and to other designated border transportation corridors; and

WHEREAS, the Coordinated Border Infrastructure Program has been established to improve the safe and efficient movement of people and goods at or across the United States and Canadian borders and United States and Mexican borders; and

WHEREAS, U.S. Route 9, originating in Calais, Maine, connects with U.S. Route 2 in Bangor, which traverses laterally through the northernmost parts of Maine, New Hampshire and Vermont, and directly provides key connectivity to the Canadian provinces of New Brunswick and Quebec at Maine and Vermont as a de facto east-west highway connector; and

WHEREAS, U.S. Route 2 and U.S. Route 9 in Maine also serve as major longitudinal connectors for northern New England to the rest of the nation through their connection with interstate highways I-89, I-91 and I-93 in Vermont and I-95 in Maine and are designated as the primary east-west corridor by the states of Maine, New Hampshire and Vermont; and

WHEREAS, the future economic viability of northern New England through its trading and tourism relationship with the national interstate system, Quebec and the Maritime Provinces is contingent upon the upgrading and maintenance of the U.S. Route 2 and the U.S. Route 9 transportation corridor link; now, therefore, be it

RESOLVED: That We, your Memorialists, request the United States Secretary of Transportation to expeditiously authorize the inclusion of U.S. Route 2 through the states of Maine, New Hampshire and Vermont, and Route 9 in Maine as designated border corridor highways under the auspices of Sections 1118 and 1119 of the Transportation Equity Act of the 21st Century; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the United States Secretary of Transportation and to each Member of the Maine Congressional Delegation.

READ and ADOPTED.

Sent for concurrence.

On motion of Representative SIROIS of Caribou, the following House Order: (H.O. 19)

ORDERED, that Representative Howard A. Chick of Lebanon be excused March 2nd, March 3rd, March 4th, March 16th, March 17th and March 18th for health reasons.

AND BE IT FURTHER ORDERED, that Representative Scott W. Cowger of Hallowell be excused March 17th for health reasons.

AND BE IT FURTHER ORDERED, that Representative Robert A. Daigle of Arundel be excused March 16th and March 18th for health reasons.

AND BE IT FURTHER ORDERED, that Representative John F. McDonough of Portland be excused March 2nd, March 3rd and March 4th for health reasons.

AND BE IT FURTHER ORDERED, that Representative Russell P. Treadwell of Carmel be excused March 18th for health reasons.

READ and PASSED.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Benjamin Nutter, of Mt. Vernon, a member of Boy Scout Troop #606, who has attained the high rank and distinction of Eagle Scout. We extend our congratulations to him on accomplishing this achievement;

(HLS 120)

Presented by Representative FULLER of Manchester.
 Cosponsored by Senator CAREY of Kennebec.

On **OBJECTION** of Representative FULLER of Manchester, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **FULLER**: Mr. Speaker, Ladies and Gentlemen of the House. I am pleased and proud to have Benjamin Nutter here with us today. He has attained the rank of Eagle Scout, which as you all know, takes a lot of hard work and commitment. His brother did a similar feat about a year ago or maybe two years ago and was also recognized in this House chamber. The support of their parents has been really fantastic. They come from a wonderful Boy Scout Troop. I want to congratulate him on attaining Eagle Scout rank.

PASSED and sent for concurrence.

Recognizing:

the following members of the Lewiston High School Girls Basketball Team: Rianca Belcher, Chantal St. Laurent, Amanda Baillargeon, Beth Forrest, Lynn Girouard, Sarah Methvin, Valerie Dumais, Renee Mercier, Kristi Royer, Lakeesha Holloman, Brooke Crowley, Jodi Auger, Amy Lemieux and Hilary Foster; Head Coach Michael McGraw and Assistant Coaches Mike Child and Melissa Jipson, runners-up in the State Class A Basketball Championship. We extend our congratulations to them on this accomplishment;

(HLS 122)

Presented by Representative COTE of Lewiston. Cosponsored by Senator BERUBE of Androscoggin, Representative MAILHOT of Lewiston, Representative MENDROS of Lewiston, Representative BOUFFARD of Lewiston, Senator DOUGLASS of Androscoggin.

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

READ.

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

Representative **COTE**: Mr. Speaker, Men and Women of the House. I stand before you today to honor the Lewiston High School Girls Basketball Team. It has been many years since the Lewiston High School Girls Basketball Team has made it to the finals. They haven't made it to the finals since 1988. For many years they have tried to make it to the finals, well, this year it happened. They competed against Mount Blue for the Class A Championship. They worked their hardest. They did a good job. I watched the final game. They entered it this year with a record of 20 and 0 into the finals. They finished the season with 21 and 1. My heart and my soul goes out to the girls for a job well done. I commend the basketball team and Mr. McGraw for their hard work in representing the City of Lewiston. I would also like to commend Kristi Royer, who is not here today to join her fellow teammates because of a prior commitment, for career points of over 1,000 as a senior who has not graduated yet from high school. That is the first time anybody has ever gotten over 1,000 points. Also, I would like to congratulate Lynn Girouard for her success in completing 1,000 points in her career in high school basketball. I would also like to say that all of us in Lewiston are very, very proud to have these girls as our basketball team and coaches. I would like to urge the House in congratulating our Lewiston High School Class A Girls Basketball Team, the 1999 State Class A Championship runner up. One last thing, we will take it next year. Thank you Mr. Speaker.

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

Representative **MENDROS**: Mr. Speaker, Ladies and Gentlemen of the House. As an LHS grad, we have a saying, we used to, I am sure we still do, Lewiston Pride. I think these girls up in the gallery, it is still me with Lewiston Pride. I was proud to watch them. I was proud to talk about them in the House. I was proud of the way they defeated Portland in the Western Maine championship. They are Western Maine champs. I don't quite understand how Lewiston and Portland played in the Western Maine Championships and then played Mount Blue, who is the Eastern Maine Champion, which is right on the western edge of the state. I am very proud of this team. I just wanted to stand up and thank them for what they did for the City of Lewiston and filling us all with pride. I know I believe Blue Devil Blue. I would like to agree with Representative Cote in thanking them for the excellent job that they did. The coaching staff, thank you very much. I would ask that everyone join me in a round of applause.

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

Representative **MAILHOT**: Mr. Speaker, Ladies and Gentlemen of the House. I would also like to stand and congratulate the hard work that the young ladies of the Lewiston High School Girls Basketball Team and their coaches have really given us this year in Lewiston. We are very proud of them. We know how hard it is and the best sport is always high school sports because it comes from the heart. Thank you for doing this for us in Lewiston and we will try again next year. I know that we are going to be successful. Thank you Mr. Speaker.

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

Representative **BOUFFARD**: Mr. Speaker, Men and Women of the House. I rise also to congratulate the Lewiston High School Girls Basketball Team. They had a great record. They had an undefeated record in our conference. They really exemplified the true spirit of sportsmanship and teamwork. They worked as a team to accomplish what they did in Western Maine and presented themselves real well in the finals against Mount Blue. Congratulations to the girls and to their coaches.

PASSED and sent for concurrence.

REPORTS OF COMMITTEE

Change of Committee

Representative AHEARNE from the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Establish Minimum Criteria for Siting Community Living Arrangements" (H.P. 809) (L.D. 1132)

Reported that it be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

Sent for concurrence.

Ought to Pass

Report of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Change the Percent of Gross Sales of Tri-State Lotto That May Be Paid Out As Prizes"

(S.P. 373) (L.D. 1074)

Reported **Ought to Pass**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-30)**.

Report was **READ** and **ACCEPTED**. **SENATE AMENDMENT "A" (S-30) READ** by the Clerk and **ADOPTED**.

The Bill **READ ONCE** and **TOMORROW ASSIGNED FOR SECOND READING**.

Divided Report

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act to Prohibit Sale of Tobacco from Vending Machines"

(S.P. 14) (L.D. 10)

Signed:

Senators:

BERUBE of Androscoggin
MITCHELL of Penobscot

Representatives:

SHIELDS of Auburn
BROOKS of Winterport
DUGAY of Cherryfield
WILLIAMS of Orono
LOVETT of Scarborough
BRAGDON of Bangor
SNOWE-MELLO of Poland

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

Signed:

Senator:

PARADIS of Aroostook

Representatives:

KANE of Saco
FULLER of Manchester
QUINT of Portland

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

READ.

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

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass** on Bill "An Act to Amend the Law regarding Reportable Motor Vehicle Accidents"

(S.P. 123) (L.D. 320)

Signed:

Senators:

O'GARA of Cumberland
CASSIDY of Washington

Representatives:

FISHER of Brewer
COLLINS of Wells
LINDAHL of Northport
JABAR of Waterville
BOUFFARD of Lewiston
SAVAGE of Union
WHEELER of Bridgewater

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

Signed:

Representatives:

CAMERON of Rumford
WHEELER of Eliot

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

READ.

On motion of Representative JABAR of Waterville, the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE** and was assigned for **SECOND READING** Tuesday, March 30, 1999.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass** on Bill "An Act to Ensure the Quality and Safety of Child Care"

(H.P. 938) (L.D. 1315)

Signed:

Senator:

PARADIS of Aroostook

Representatives:

KANE of Saco
BROOKS of Winterport
FULLER of Manchester
QUINT of Portland
DUGAY of Cherryfield
WILLIAMS of Orono

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-68)** on same Bill.

Signed:

Senators:

BERUBE of Androscoggin
MITCHELL of Penobscot

Representatives:

BRAGDON of Bangor
SNOWE-MELLO of Poland
SHIELDS of Auburn

READ.

Representative KANE of Saco moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

The **SPEAKER**: The Chair recognizes the Representative from Saco, Representative Kane.

Representative **KANE**: Mr. Speaker, Men and Women of the House. LD 1315, "An Act to Ensure the Quality and Safety of Child Care" is an essential component of what we have come to know as the Start Me Right Program. We have heard much about parents as first teachers and the healthy start programs. Each of these programs, which we will be considering later in the session are the foundation of the Start Me Right Program in providing home visitation services. Without the range of preschool and school aide services provided by LD 1315, healthy start cannot accomplish its intent or object of assuring the best possible psychological, social and educational environment for our children.

The public hearing on the Start Me Right Program was the most impressive that I have ever witnessed as a legislator in terms of numbers, representation from communities all over Maine and the compelling nature of the testimony. LD 1315 provides funding for a comprehensive range of preschool and school age child care services, including head start and after care activity programs, as well as preschool and early school daycare. The Minority Report would provide only for head start services. The Minority Report acknowledges the success of

head start as its basis for support. None of us disagree with this acknowledgment. However, head start has had 33 years to prove its worth. I submit that the other components contained in LD 1315 are desperately needed and can be equally successful if they are properly funded and given the opportunity to help our parents and children. It is cost effective. It reduces crime. It is good for business. It enables Maine to catch up with the rest of the country in saving our most precious resources, our children.

It is important, colleagues of the House, for us to resist the temptation to dismantle the Start Me Right Program, which can accomplish its formidable goal only if all of the components of the program are in place. For home visiting and the needs identification of each family that can result from the visitation are of limited value if the required services to support the child and the family are not in place. If your constituents are anything like mine, you have received 100 more letters or cards from them urging you to support the Start Me Right Program as the best investment possible for our children. Our constituents in nearly every community in Maine are organized, informed and vocal on this issue. They are pleading for us to act favorably. I urge you to support the Majority Ought to Pass Report. Thank you Mr. Speaker.

Representative SAXL of Portland assumed the Chair.
The House was called to order by the Speaker Pro Tem.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Portland, Representative Rowe.

Representative **ROWE**: Mr. Speaker, Men and Women of the House. I am speaking on this bill this morning because I have been involved with this bill for a long time. I am the prime sponsor of this bill. I was honored to be the prime sponsor of this bill. I also attended the public hearing on this bill. I have never heard more emotional compelling testimony for resources in my life. I have been here seven years in the Maine Legislature and there is not a bill I have sponsored that I felt more strongly about than this bill. It does many things, but in the end what it does is it provides quality daycare for more children in the State of Maine. There are 1,700 children currently on waiting lists. These are families that qualify for daycare support, financial support in the state, but for which there are no funds available. This money would go to make those positions available for those children.

There are currently applications for new daycare centers to open in the State of Maine. The applications are not being attended to because we don't have the personnel in the Department of Human Services to review the applications. Two-thirds of all young children in the State of Maine require child care to enable their families to maintain employment. There are almost 150,000 children in the state that need child care on a daily basis. There are 7,000 that currently qualify and are receiving assistance out of more than 33,000 that would qualify if they did apply. That leaves 26,000 more that are eligible for which there is no support. This bill would go a long way toward dealing with only about 2,000 of those. If we provided the monies, the subsidies, for all of these families, it would cost more than \$40 million. When you say that this bill has a price tag on it, yes, it does. I would suggest it is modest in terms of what these services will do for the future of our children and for the future of our state.

I can think of no better investment in the State of Maine and in the future of the state than in investment in education and

particularly in early childhood education. That is what this bill is about. It is about investing in children at their earliest stages of their life before they start kindergarten. I think we all know. We are all parents or grandparents and we have nieces or nephews who have been young and have gone to child care centers. We know a child care center is not a child care center. It is one thing to put children in a facility. It is another to have children in a facility to have them nurtured and cared for and loved. There is no better investment in the education of our state. I think there is no better investment in the economy of our state and certainly no better investment in the future of our state.

When I was growing up, my mother stayed home with me. I know probably many of you enjoyed the same before you started to the 1st grade you probably stayed home with your mother or with a relative. That is great if you can do it, but today in the State of Maine, many families can't do that. We all know that. They need daycare facilities for their children. Many Maine people do not earn enough so they have to make a decision. The decision is, do I work and leave my child in a facility I don't feel comfortable with or do I not work? It is called about choosing between the job you need and the child you love. Many people in this state are forced to make that decision on a daily basis. Even if you don't look at this from the human social perspective, think about it from an economic perspective. What better investment is there than to make sure that young children are stimulated, their brains are stimulated, they are nurtured and they remain healthy and that they start kindergarten ready and able to learn.

I have heard a lot in the last year about the brain development of young children. We know that in the first five years of child's life, the brain is developed tremendously. That is where the synapses take place, the neuro connections. They only take place if a child is nurtured. If you have left your child in a daycare center, I have, you know what it is to come home at the end of the day and pick up your child and say what did you do today and to have your child excited and to tell you about all the things they did. A successful day at a child care center is not just coming home without bruises. It is about coming home feeling good. The child is charged. They have had a great day.

I have been a single parent. I have been a single parent with three children below the age of six. I know what quality daycare is and what it is not. It makes all the difference in the world. I was lucky because when my children were young, I had a good employer. The US Army was my employer at the time. I really cared about children. I was lucky to have a place, but many people throughout the State of Maine are not so lucky.

At the public hearing that was held at the Civic Center on this bill, we heard compelling testimony. I remember three young women who testified. That will stay with me for the rest of my life. These are three young women who had had children. I believe two had had children in high school and one early in college. They all three said they could not have continued their college careers had it not been for this child care program to help them pay for quality child care. Two of the young women were on the honor rolls at their respective universities. Their children were being cared for. They can continue their education and they can go out into the workplace and be very productive and earn a great living and care for their child. But not for that child care facility being there and not for them having some support, they could not have continued their education. It makes all of the difference in the world, not just to the child, but to the parents of the child. Yes, the bill has a price tag on it. What better investment is there? This is an investment in the education of our children. It is an investment in the future of our

children. You can invest a dollar now and you will save many fold. Some statistics say \$7 or \$8 down the road. That is in present value dollars, adjusted for CPI. That is the kind of return on the investment that we see here.

You know that intuitively if you know a child starts kindergarten, they are ready and able to learn. They are going to do better. They are going to graduate from high school and they are going to go on to college. I talked to a lot of elementary school teachers and they tell you they can spot kids early in their years in elementary school and they can tell you who will be dropping out. The child actually stops coming to school in the 10th or 11th grade, but the child turned off to school in the 4th or 5th grade. That is because when they came to school there were some things that were irretrievable. I hate to say that. I hate to say that and it is not true in every case. I am telling you there is a lot of effort put in our public schools. You take children that who really come to school that don't have these neuro connections that aren't ready and able to learn and to get them prepared. It certainly can be done in their success stories, but it is expensive. I suggest to you that if you are looking for a good return on an investment, there is not a better one in any bill that will come before this Legislature this session than this bill on child care. I ask you, when you hit your voting buttons today, I would ask you to hit your green button and hit your green button for the children of our state for the economy of our state and most of all for the future of our state. Thank you men and women of the House.

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

Representative **MURPHY**: Mr. Speaker, Men and Women of the House. We are at that point in the session where we have reached a crossroads. We need to examine if we are keeping our promises or will we initiate new spending programs? I hesitate to debate my good friend, Representative Rowe from Portland, and we have become good friends. My support for children is committed to an underfunded children's program called K-12. There is many components of LD 1315 which I will support and I will vote for from the tobacco settlement dollars. Members of this Legislature, this crossroads is where we keep our promises, we set our priorities, we make the difficult decision and this is the point where we put the money to where our promises and our campaign rhetoric.

I learned from Representative Trahan yesterday that it helps to have a handout. You have on your desk an orange sheet. It shows you from 1990 through 1999 when previous Legislatures reached that crossroads of that core commitment to GPA, the promise they make at the door, the promise they make to teachers, the promises they make to children. When it comes to that springtime day and the attraction of the new spending programs come before us, it is a siren song that has pulled previous Legislatures away from that GPA commitment. You can see on this simple chart that as the monies rolled in, what were previous Legislature's commitment and vote to GPA and what was their commitment to new spending programs? It shows GPA lost. The rhetoric wasn't fulfilled and the promises weren't kept. Every Legislature, if it could, if there was some magic wand that would multiply the lows and highs would like to spend three times the amount of money that was available.

What is available is \$126.4 million. When you look at that chart that was no thief in the night that came and took those monies and moved them from one column to another. It was as said, it was us. We made those decisions. We couldn't resist that sirens call. Last session those of you who were here, when we had before us a homestead exemption of \$70 million. I beg

the members of this Legislature to put that money to GPA, to put that money to school construction. That was money in hand that could have raised GPA 6 percent. It could have accelerated new school construction. It reminds me of a story. I have a good neighbor who likes to make a lot of promises. She promised us a roast chicken dinner. I love roast chicken. The dinner was canceled because she had sent her son to the Maine Mall. You noticed I said the Maine Mall, not the Newington Mall to get a roasting pan. He soon got diverted. Best Buy had opened up and had spent the money for CDs. She gave that son money again and sent him to Filenes. I want you to come back with a roasting pan. I have made a promise. Instead he went to GAP and came home with clothes. We still had that meal, but it was hamburgers on the grill. I didn't starve, but hamburgers on the grill, in my mind, isn't roast chicken. We are at that point again, that same crossroads.

I want you to know that when I vote no on this report the Ought to Pass, it is not that I am against it. I see and I appreciate the positive features. Instead I see the effects of an underfunded GPA. I teach. I see it in the classroom. It doesn't matter if you are from a wealthy district or a poor district. You see the effects of what this chart shows, the money going to new spending instead of GPA. In this chamber I see the different regions of the state almost locked in a Civil War because the formula is underfunded. We did not do the right thing in 1990 through 1999. We tear each other apart. The equivalent of a mother trying to feed a family of six with food on the table for four. Eventually you start to fight even though you love each other. I see 20 percent of Maine's children going to school in trailers because when we had to make a choice GPA and the attraction of the new spending programs, which should have gone to school construction, the GPA, instead went to new spending programs.

In 1996, I came back here because of the anger of what I had seen between when I left in 1988 and 1996. I was a member of that Education Committee that wrote that finance act of 1985. Because we knew how difficult it was for Legislatures to keep the promise or just tread water for the new spending programs, we put a provision in there. A target of 55 percent and a provision that the Legislature could never spend less than 5 percent working toward that target.

I am here today to keep my promise to a children's program, K-12. Maine children age 5 through 18. I pledge again to my friend from Portland my support that as we look at those tobacco dollars the very valuable, very important needs that he has brought to us today to work toward the fulfillment of those needs. We have \$126.4 million. If we start and everyday we come in here, the siren song is going to play asking us as we set our priorities maybe not to keep that promise to Maine children age 5 through 18, K-12. With a great deal of reluctance today, I will be voting no.

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

Representative **TOWNSEND**: Mr. Speaker, Men and Women of the House. I don't think there is a member of this body who is more acutely aware than I of the competing needs for state funds. Nevertheless, I am a strong and enthusiastic supporter of LD 1315 and I want to explain to you why. There are very few things that we can do in this body which we know with absolute certainty will produce results. We often vote for TIFS, ETIFS, STIFS and tax breaks. We cross our fingers and we scrunch our eyes and we hope like crazy that they produce jobs and results. LD 1315, with absolute certainty, will produce results guaranteed. Those results are three. It will assure safe

and high quality affordable child care to more parents and children in this state. It will provide child care to nearly 900 children who need it. Those 900 children have parents. Parents who want to work. Parents who will be better able to work and to focus on their jobs if they know that their children are safe and sound and stimulated in safe high quality child care.

This bill supports employers. It does it in two ways. First is the point that I have just made. They will be able to recruit employees and they will be safe in the knowledge that their employees are able to focus on their jobs because they know where their kids are and they know they are safe and stimulated. The phones in America begin ringing at about 3:10 all over this country when kids get out of school and they start calling in. Mom, where is this? Mom, where is that? That is why law enforcement has so strongly endorsed this bill. They know that children, particularly young teens, get in the worst kind of trouble between the hours of 3 p.m. and 7 p.m. That is when most teen pregnancies are conceived. It is when most problems which lead to the juvenile justice system take place, when nobody is watching the kids. This bill will make sure that somebody is watching those kids.

It also supports small business in another way. It provides support to the thousands of child care providers in this state who are themselves small business people. There are now over 5,000 child care providers in this state employing more people than are employed by Bath Iron Works. A couple of years ago most of the people in this body voted for an enormous tax break for that business, myself included. We did so with our fingers crossed and our eyes scrunched tight hoping to save jobs. We knew we were losing a certain number. This bill will produce jobs, I guarantee you. It will allow those businesses to serve more children. It will allow people who want to open businesses to open. There is currently a waiting list of over six weeks to get a child care licensing worker in to make sure you meet the fire code. It will ensure quality and safety and it will give important positive support and feedback to those people who want to run these businesses.

The Representative from Kennebec has suggested that perhaps we cannot afford this bill at this time. I want to assure you, as the Chair of the Appropriations Committee, that you are already paying for this bill. We are paying for it in missed opportunities on that potential in the Reading Recovery Program, which seeks to bring up to par kids who didn't get the stimulation they needed when they were young. We are paying for it. There have been so many bills on this issue this session in out of district placements and special education because kids didn't get the stimulation they needed, the preparation that they needed to enter school. We are already paying this bill. The question is, are we going to make the commitment to treating children with the love and the warmth they deserve and given the safety and the stimulation that they need when they are young so that we don't pay the bill later on. I am a wholehearted supporter of this bill and I urge you to join me in voting Ought to Pass.

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

Representative **BAKER**: Mr. Speaker, Men and Women of the House. I rise today to speak about the need for quality care for our children. I believe this is the most pressing need in our society today. A female friend of mine who recently turned 50 said she looked around one day and said, "Oops, I forgot to have children." I think there is a parallel between my friend and our culture and it is not that we forgot to have children, it is that we have forgotten that we do have children. They are here, but

too often forgotten. We have heard often that a society is judged by two things, how it treats its elderly and how it treats its children. I would opine that we have not treated our children as well as we should. Our society has changed rapidly in the last 50 years since World War II. We have celebrated the importance of careers for both men and women without asking, what happens to the kids? We have urged low-income mothers to get off dole and onto the tax rolls without asking, who is looking after the kids? We divorce freely without always thinking about impact of divorce on our children. We tolerate far too many latchkey children in those most vulnerable hours between three and five.

Our children attend school 700 hours a year. They will watch television for 4,000 hours. Television often of questionable quality. The fact is we pay our animal shelter employees and our garbage collectors more than we pay our child care workers. We do not honor the job of taking care of children. Sweden pays mothers or fathers who chose to stay home and raise their children there. We have not understood the price tag for taking care of children in a quality way. As a result, we are squandering our most precious resource, those in whom we should invest most. Invest emotionally, spiritually, intellectually and financially. To often we invest the least in these children. Refusing to invest early, we must pay later and later and later.

We keep paying because every unwanted or neglected child is a bill that comes due to society 5, 10 or 20 years later and more. Every child who is ignored rather than read to, sung to or played with is one of these children. Every child who receives indifference, rather than nurture is a bill that you and I will continue to pay. We can pay early or we can pay later. The studies show that every dollar invested comes back seven fold.

Today we will be voting on child care. I want to leave you with an incident that showed me just how urgent this situation is. I was meeting with a group of kindergarten and first grade teachers last spring. These teachers were asked what they saw as the most pressing need in terms of their ability to do their job. What they said was we need quality child care. They went on to tell about a game that the children come in to kindergarten telling their teachers about. That game is called red light. Red light happens across the state, particularly in rural communities because there are too many children in the daycare settings. They learn a game which means whenever the teacher says red light, they go to a designated hiding place, less the inspector come that day. That is because there are far too many children for the caretakers. They don't have time to treat those children in the individual way they need to be treated for their brains to grow in the way that will allow them the optimal development.

One other incident, last week I heard the superintendent of one of our large cities in the state tell us in the Education Committee that the bill for special education in one year has grown \$300,000. We asked her what this was about? These are about special needs, but she said these are not the congenital defects, these are, in fact, largely behavioral problems. They are getting children at a younger age who are unmanageable in school. Why? Fetal Alcohol Syndrome, Crack babies, mothers who have smoked while they were pregnant. Increasing incidences of abuse and neglect. We are paying the cost for these children who have not been nurtured and not been loved.

Let me just leave with this thought. Childhood is a short season. We must honor that season. If we pay up front, we can bill more schools. If we wait until later, we will build more prisons. I urge today your support for LD 1315. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Raymond, Representative Bruno.

Representative **BRUNO**: Mr. Speaker, Men and Women of the House. I stand before you in support of this bill. I am sure there are many colleagues in my party who think I have lost it. As a member of the Appropriations Committee, I know that \$18 million is a large price tag. I am here to represent my constituents and I use my own experience to support this bill. When I campaigned this past season, I went around and I talked to people. I talked to mothers who were on welfare. I said, "What can we do to get you off welfare?" They said to me that there are three things I need. I need health care. I need education for my children and I need daycare. I believe them. I run, for many of you that don't know, several companies in the State of Maine with probably close to 200 employees. Eighty-five percent of them are women. When they come to me, I say, "What can we do as a company to help you with your benefits?" They say to provide me daycare. We have done what we can as a company. We have started a dependent care account where they can put away pretax dollars to lessen the cost of their daycare. I even looked into building a daycare facility at my workplace. The insurance costs are so outrageous that I couldn't do it. I want to sit here and tell you that I understand that they have problems and so do my constituents. It is not only my employees, but my constituents I represent.

We have done a pretty good job on the health care for children. We started a new program a year ago. It hasn't reached its fullest potential, but it has started. We are taking baby steps in education by funding it a little more at a time. We hope to keep going. We have done very little for daycare. I stand before you as a member of the Appropriations Committee and say to go ahead and pass this bill and send it down to Appropriations. If we really think it is important, there will be an effort on our part to prioritize this and fund it. We may not be able to fund all of it, but we will try. We will put it on the priority list with GPA, health care and every other bill that comes through this body. There is going to be \$500 million down there at some point. We, as a body, will decide where is daycare on the priority list. I will be voting for this bill. I am willing to bring it down there and let's make it a priority. I hope you will do the same. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Bremen, Representative Pieh.

Representative **PIEH**: Mr. Speaker, Men and Women of the House. I was very pleased to learn and agree that collaborating together we decided that education was our priority. What I think we need to remember is education starts when you are born. A child who is playing is doing what we call work, is learning. They are building their knowledge space so they can come to kindergarten ready to learn. Today our children are not ready to learn. I worked in the public school system for several years. Part of the reason it is under funded is because kids discipline problems, children not being ready to learn and not well prepared is rampant in our schools today.

I am proud to have been a member of the Child Care Advisory Council for the last two years. That is a group that is made up of parents, child care workers, people from the Department of Health and Human Services and legislators. I was also part of the task force that reworked the entire child care industry by restructuring it in our state today. I couldn't believe the hard listening and the hard work and the collaborating that went on to put that restructuring together. One of the things we learned was how many more children need child care than is even available.

I have a constituent who got an associate degree in child care and then found that when she applied for a license she had to wait and wait and wait. Meanwhile as a single parent she ended up on welfare. She couldn't get off it. She couldn't qualify now for loans because her income was so low that no one would take a risk on her. She now, two years later, has opened the Children's House. This bill would, in part, fund the Department of Health and Human Services to be able to license more people and to assure us that not only do we have more child care available, but that it is excellent quality child care. One of the things we talked about was the need for more training to be available to people that are taking care of children so that when children do go to school, they will, in fact, be ready to learn.

I hope and assume, almost, that you will support this bill, LD 1315. Mr. Speaker, when the vote is taken I request the yeas and nays.

Representative **PIEH** of Bremen **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass** Report.

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

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

Representative **MCALLEVEY**: Mr. Speaker, Ladies and Gentlemen of the House. I ask you to reflect on one phrase, Start Me Right. We have almost 1,800 adults in our prison system who didn't get started right. We are spending \$67,000 a year to incarcerate these people. I look at this as a very small down payment on an insurance policy that is overdue. Diverting children from our criminal justice system, providing for them in their early childhood development, is the most important thing that we can do as legislators.

It used to be the average age of a child entering the Youth Center after committing many, many crimes was 14, 15, or 16. That age now is a lot lower. You are seeing people at the age of 8 and 9. That is two years after they have started education coming into the juvenile justice system committing serious crimes. From a purely diversion point of view, we have a tremendous pay back, bang for the buck, in regards to this legislation. I am not even addressing the benefits of learning to be able to count, being better prepared for school. This is an insurance policy with a lot of bang for the dollar. I would urge you to vote for this measure and its passage. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Augusta, Representative O'Brien.

Representative **O'BRIEN**: Mr. Speaker, Ladies and Gentlemen of the House. What I am about to say may not be politically correct. I might sound judgmental and I may anger some people, but being here for the last three years has given me some broad shoulders.

When an acquaintance or a friend of mine or a family member has a new baby, I strongly encourage the mother or the father to stay home with them. To me, the early years of a child should be at home with a parent. No matter how safe, no matter how high quality the daycare is, it does not replace being at home with a parent. Think of the situation when you have to drag your child out of bed at 6:00 in the morning, drive half an hour to get to the daycare, go to work, rush around, don't see your children all day and then come home and have an hour before they go to bed to give them a bath and maybe have a book. It does not compare. If a parent is home with a child, even on the most busy days, they can share a book. They can

share a story. They can share a secret. They can play in the snow. They can just be together. Whenever I say this to people, I tell them to look very, very closely why they are working. They need to sacrifice. Can they make a sacrifice and stay home with the child? To me, it is what ever the best interests of the child is. They need to be children.

However, this is not the case. I, too, was a single parent with two children at the time. For whatever the reason, breakdown of the family, high taxes, tax burden or whatever the situation, this is 1999 and this is not reality. Most people can't. They don't have the luxury of one parent to be home. It is a very, very sad state in my mind. As we have heard it said, if we don't fund this program, if we don't do it now to make the best quality daycare, the best is home, but doesn't happen and until we figure out a way to allow that to happen and until we figure out how we can allow the parents to afford to be home with their children and until we can do that, we are going to pay now or we are going to pay later. I am fully supportive of this bill.

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

Representative **JABAR**: Mr. Speaker, Ladies and Gentlemen of the House. I rise today to respond to the orange sheet that I received in front of me by the good Representative from Kennebec because I believe it is very misleading in that the designation of spending does not fully identify that what we are talking about here is such things as the homestead exemption, the BETR Program, tree growth, ETIFS and some of the other things that we do. The reason that the figures are so skewed in the last few years is because we have been giving money back to the taxpayers and it is in program. It is in what we call spending. If you want to call giving \$46 million back to our taxpayers because of the property tax burden they have had a spending program, then call it that. It is not a spending program. This is money we are giving back to taxpayers. I have a very difficult time having this put down as spending and put it down in a column which you are then comparing with the spending for GPA. When you look at these figures, keep in mind that this column that says non-GPA spending, includes over \$100 million. I don't have all the exact figures in front of me. I know it is over \$100 million that went to tax relief.

The spending for 1999 was \$2.2 billion. My math tells me that 1 percent equals \$20 million or \$22 million. My math tells me that five times that, 5 percent, is over \$100 million. I can tell you that 4 or 5 percent of this total figure is money that we gave back to the taxpayers in one form or another. When we start getting to the crossroads and determining where we are spending our money, let's not forget that we have been for the last two years and probably going to do again this year, whether we want to or not with the sales tax, we did pass last session the homestead. We did continue BETR. We did do something to reduce the income tax burden on people. Let's not forget that when we look at what we are spending money on. This is a valuable program. It is going to have compete with all the other programs when it goes on the Appropriations Table. That is where the priorities are going to be set and not here. I rise to support the program because it is a good program. How much we spend on it will be fought out with Appropriations. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Turner, Representative Jacobs.

Representative **JACOBS**: Mr. Speaker, Ladies and Gentlemen of the House. I have been an educator for over 35 years. Every single day that I went to teach those children it wasn't a siren song that I heard. It was wailing. It was wailing

because there were no ways for many of the families to provide for their children the way they should have been provided for because they had to stay home. They couldn't go out and get a job. There was no daycare. Not only that, but if they did provide some kind of daycare, it was not the quality daycare that children need to be brought up in. I stand before you and urge you to support this. Kids need to be started out right. It needs to be early. I was one of those mothers who couldn't afford to stay home. I did not have any daycare except for people who I had to get on my own. I had one good baby-sitter out of several. I cringe when I think about what I put my two children through with some of those other baby-sitters. I urge you to support this bill.

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

Representative **TRAHAN**: Mr. Speaker, Men and Women of the House. I would first like to say that I have great respect for the Speaker. I believe that in his heart he is trying to help children. I think that is probably what is in the heart of all of us. The only problem is that some of us are more conservative than others. I believe we all want to help children and provide healthy daycare and healthy learning to benefit the health and well being of all children in the State of Maine. As I sit here and do some figures on my pad of paper, I can see with \$9 million and 900 children we could make a check out to every one of these families for \$9,000. That is a lot of money to spend to develop government daycare. We could look into areas of developing daycare within our communities that is not publicly supplied, but privately supplied. I find it hard to believe that if we have government daycare that every government worker is going to be perfect and no problems will ever occur. There are horrible people everywhere, in government, out of government, out of this country, you name it. People are horrible everywhere. To think that if we have government daycare no horrible things will ever happen, I think you might be fooling yourselves.

As I see it here, we could spend half of that money, invest in our GPA and take the rest of the money and try to improve our private daycare system before we go to government daycare. I have a few questions that somebody in here might be able to answer. Who will teach our children and what will they teach them? Who will oversee the people that teach our children? If I send my child to government daycare, can I be assured that Democrat or Republican agendas will not be taught in these daycare centers? I heard the gentleman in the back laugh. I wish somebody would answer that question because as I watch cartoons and as I see children taught in school, I see there are hints of agendas in there in places. If you don't pay attention real close, things that you believe as parents may be taught in school differently than you believe them. I think those are concerns that need to be addressed. I wish that somebody in here could answer those. Thank you.

The SPEAKER PRO TEM: The Representative from Waldoboro, Representative Trahan has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Portland, Representative Townsend.

Representative **TOWNSEND**: Mr. Speaker, Men and Women of the House. I would like to answer that question. Just to clarify this. The bill does not propose to operate or open any government daycare. This would merely provide additional voucher slots, subsidies to pay for time spent in daycare by children at privately owned and operated facilities. There are two systems of daycare currently in the state. One is daycare centers and one is daycare homes. It will remain to the parent

to choose that facility. I wouldn't even begin to think of having my children in a facility that I wasn't comfortable with. I would urge all parents to choose very carefully. Thank you.

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

Representative **FULLER**: Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of LD 1315. I think this is a critical bill for our children growing up starting when they are infants. I would support all of the comments that have already been made about that.

I have also been involved in after school child care going back three to four years when our church was fortunate enough to receive a bequest from which we could do some outreach into the community. We held a lot of meetings with a lot of people in the community, community leaders and the overriding need that was identified was for after school care for kids. We heard all of this data about crime rate of children who come home unsupervised, latch key kids and all of that sort of stuff. We started a program after a year of planning and what not, that is now in its second year of operation. In its first year it was filled up in no time at all with a waiting list. We have opened a second site in the second year and that program is almost filled up, but at least we dealt with the waiting list.

The vouchers to support those children going to those daycare programs are absolutely critical. If we expect our moms to get out and work and they can't always find high paying jobs, we need to make that support available for them. I am now meeting with another community group to start an after school program in my district. People all over are recognizing the importance of after school care. I met with a bunch of daycare providers Monday evening of this week and talked about some of their issues concerning daycare. One of the things I asked them was, do you have waiting lists? Every one of them said yes they have waiting lists. There is a great need for additional daycare.

I would like to add one other comment. I, too, as does Representative Jabar, have a little problem with the data concerning GPA as a percent of total general fund appropriations. I would remind members of the House that our revenue has been increasing substantially in recent years. In the 118th Legislature we, in fact, increased GPA by 6 percent. I would also remind everyone that we put in an additional \$14.2 million in the part I budget that was approved in this session of the Legislature. We certainly all support the need to fund education. GPA is critical as is daycare. I really want to reflect the fact that we have increased GPA substantially even though the percentage of general fund appropriations goes down. Thank you Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Northport, Representative Lindahl.

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

The SPEAKER PRO TEM: The Representative may pose his question.

Representative **LINDAHL**: Mr. Speaker, Men and Women of the House. I have been here for most of the debate. I did have to leave for a second to go out and answer a note, but my question would be, have we identified where future savings of \$7 or \$8, I have heard that figure mentioned several times, will manifest itself in future budgets? Is this actually a true figure that we are actually going to see some type of savings? There may be a program that is cut later or reduced spending on corrections or anything like this. Thank you.

The SPEAKER PRO TEM: The Representative from Northport, Representative Lindahl has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Saco, Representative Kane.

Representative **KANE**: Mr. Speaker, Men and Women of the House. We are dealing with, in terms of projected savings, a very broad estimate of the anticipated cost of not doing what is being recommended. My good friend from Waterboro just mentioned a moment ago about the millions of dollars that it is costing us per year in our correctional facilities. I know that two weeks ago when our York County superintendents met, they communicated to me that the greatest expenditure in their budget over which they feel least controlled are the costs of special education. We can track back the special ed kids to the circumstances in their very young lives where they were subjected to the types of circumstances that we are attempting to eliminate. What I am saying is that one doesn't have to be a rocket scientist to look at what it is costing us today in our existing education system and what could be saved for other areas in our GPA if we were doing a job of preventing the kinds of problems that developed and consumed tremendous resources in what we call special ed, including the kids that have to be placed out of district and become fiscal liabilities beyond the control of superintendents and school boards. This is prevention. We talk a lot about prevention. Prevention costs, but prevention saves. Thank you Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Lewiston, Representative Mailhot.

Representative **MAILHOT**: Mr. Speaker, Ladies and Gentlemen of the House. I would like to look at this in a different way. I don't believe there is one of us over here serving in the House of Representatives that is not here to make Maine a better place to live. When our children of Maine are not properly helped and instructed from year 0 to kindergarten, they arrive at school not ready in order to proceed in a fast and furious environment of education. This creates in a child a depression. This is where we come to notice that children are not interested in school. They don't do well in school and the parents get called in and they get depressed about it. They don't understand the system. Now you arrive with people in Maine in the industries of Maine that they work in as very depressed people. The parents are depressed. The children are depressed because they don't have the tools. They didn't have the tools to begin school to do a good job. The teachers are depressed. The social workers industry that are there to help them out are under manned and also depressed. All this does not create for a good Maine. I know many parents that say my kids are not good in school and I don't know what to do about it. I know others that have banners on the rear windows of their cars. My child is a honor student at so and so school in such and such a year. These people are proud. There is nothing more depressing for people to have raised children to the best of their ability and to see those children in their young adult lives to not be able to make a living and to fall into the same depressive states that they have gone through for the past 15 or 20 years. I want to thank all the Representatives from this body from Portland, my colleague on Appropriations from Raymond, the Representatives from Waterboro, Augusta, Waterville, Turner and another one from Portland, Manchester, Saco and our own Speaker for having spoken in favor of this. I say when you pass this in the House and it comes down to Appropriations, I guarantee you that I will give everything that I have to fund this as fully as possible. Thank you very much.

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

Representative **TOBIN**: Mr. Speaker, Ladies and Gentlemen of the House. I am sitting here listening to the debate and to be very honest I haven't decided one way or the other. It is very difficult to vote against this, very difficult. I want to talk about education. What is going on in education right now in my district and in four or five of the districts that surround my district. We have lost hundreds of thousands of dollars in the five districts that surround my community since 1991-92, hundreds of thousands. In our present schools, the roofs are leaking. If we compared the curriculum at my high school with the curriculum in some of the larger high schools in the southern part of the state, you would see a tremendous inequity in education in the State of Maine right now.

I worry about the six chickens that we are feeding now. In my part of Maine, we are having difficulty feeding the six because we only got money for four. Here we are talking about not buying more grain to feed the chickens. We are talking about putting more chickens in the flock. No one doubts the good intentions of the Legislature. No one, but sometimes I think our good intentions are the size of Mount Katahdin and it is beautiful this time of the year with the blue sky and its white snow caps. Sometimes the wisdom here in Augusta in my mind is the size of ant hill.

What is going to happen if we take this on and the money is not there in the ensuing years, or we decide this is not the time to do it right now, or we have a formula for this particular program and it doesn't work out so that it is inequitable throughout the State of Maine. Where does society's responsibility end and parental responsibility begin? I have been a 30 year educator. I have always encouraged students and parents to help themselves. Those people who help themselves will get help from others. I am concerned society's will to do everything for everyone. Therefore, everyone won't have to do anything. This is a difficult bill and a difficult decision. I urge you to give it a lot of thought before you press your button. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Mr. Speaker, Members of the House. I am sure no one will believe this, but I really was not planning to speak on this LD today. I want to follow up with the Representative from Dexter's comments. The Representative is absolutely correct in his comments. I, perhaps unfortunately, had to sit on a school board for the last four years. SAD 27 has suffered with about a million dollar loss of revenue since the cuts began. I was here when those cuts began. There are a lot of reasons for those cuts. Some of which, I could argue, were political during the previous administration. Some of them are caused by a loss of population, loss of students and increases in valuation in northern Maine higher than those that were in southern Maine. Frankly, the formula that was adopted in 1985 that at the time was correct, but it is now out of whack. Money isn't going to solve it. I repeat, money is not going to solve the inequities of the school formula. It is going to take more than money. So, simply to argue that we can solve the problem of school funding by adding money to it is a mistake. It needs to be adjusted because simply to raise the figure to 55 percent continues to create the situations where we will build swimming pools in southern Maine and nothing in northern Maine. That is a given. I want that clear and for the record now and for the school debate later.

As a member of the school board, there is one thing that I have discovered. We are getting students for whatever reason, broken homes and divorces. Students that are being shipped to Aroostook County from southern Maine for foster child purposes and foster parents because we are willing to take those children. We are getting children, frankly, that are not prepared. In one of our grammar schools in SAD 27, 20 percent of the school body are foster care children. We don't have a social worker for those children. We don't have a nurse. We don't have anyone. If you look back and find out what happened and where its problems started with those children, it started in preschool. They come from broken homes and you want to cry when you hear the story or stories from those children. They began at age six months and they got placed in foster care to foster care from one home to the other until eventually the only parents that will take them sometimes are those of us in northern Maine.

If you look at the amount of money that your school district is spending today in special ed programs and trying to teach children how to read, we are close to 20 percent of our school budget going for things we didn't do just 15 years ago. When you look at why and where those kids are and what background they come from, you will be shocked because they come from foster homes, broken homes and divorces. That is where our problems come from because society, for whatever reason, is falling apart in terms of marriages. Those children are being bounced from place to place and then you wonder why we have trouble in the school system. We shouldn't be. We shouldn't be surprised at all. Society has created that problem. We have to deal with it. If you simply talk about saving money, the question was asked, can we save money? Absolutely. You get there early enough and you will be able to save money because you will not have to put them through that program, the one on ones.

Twenty years ago SAD 27 didn't have one special aide. The last figures I saw, remember now, we only have 113 teachers or so and we have about 42 aides. Guess who is paying for them. Society, through their tax process. If we can do anything to change that, we will save money. Not only that, we will save the child because that ought to be our bottom line.

One last comment. How anyone today can say we are going to have money or no money at this time of the session is beyond me. The process has just begun. Priorities will be established and we will be part of that process. That will be at the end of this session when we will know how much money there is and where it ought to go, but it ought not all go to GPA. It needs to go where it is most needed. I say that as a person who is in a worse situation even in this year with what we have done so far. We are close to a quarter of a million dollars off from last year. We need to be careful and we need to set our priorities and we ought to make sure that the bottom line is the child and not simply protecting employees of a school district. In the final analysis, we all will be better off.

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

Representative **BRENNAN**: Mr. Speaker, Men and Women of the House. Last week I mentioned to my son who is now 17 years old that we were going to be discussing a bill that had to do about child care. I was totally unprepared for his reaction. He then spent the next half hour talking to me about the various different child care programs we had placed him in from the time he was three years old until he was six years old. He went on and told me all the ones that were good. Where he had positive experiences. He then went on to tell me all the ones that didn't work and where he had fairly negative experiences. It really impressed me the fact that he is now 17,

almost 18 years old. Those early childhood experiences that he had, the first contact with the educational system made a huge impression on him in terms of what he remembers today.

This bill that we have before us, one piece of it will really go a long way towards ensuring the quality of the child care that we have in this state. In the future, if my son were to go to child care, he wouldn't be telling me the difference between good child care and bad child care.

The second part of this bill that I think is important has to do with before school programs and after school programs. Two years ago the University of Minnesota released a study. It is one of the most comprehensive studies that has ever been done in this country on youth. It was longitudinal study. They wanted to find what were the reasons why youth engaged in substance abuse, why they might become suicidal and why they might come out of school? This study that was done showed two factors. What was the relationship between that student and that child and their parents and secondly, what was the relationship with their schools? How connected were they to the school? The better the youth or the student had a connection with their parents and or the school, there is a significant and noticeable drop in substance abuse, suicide and school drop outs.

In this bill it is going to put in place that infrastructure that is going to allow our youths to have that positive connection that we want with schools. The previous speakers did say what is the cost benefit of this? Where is the cost benefit analysis. Immediately one number popped into my head. It was reported in the *Portland Press Herald* two days ago in an off ed piece, the annual cost of a youth at the Maine Youth Center is \$49,000 for one youth. I don't think we need to do cost benefit analysis to realize that this investment pays off in thousands of dollars for every youth that we keep out of the Maine Youth Center.

The last point that I would like to make is the Representative from Kennebec earlier said we were at a crossroads. I believe he is right. I believe we are at a crossroads. I think we have a choice here where we are at this crossroads. I think one road leads us down to 20th Century thinking that we have to make a choice between spending and the University System, the Technical College System, school construction, general purpose aide to education or child care. That is one road that we can go down. That is the road that we have chosen this century is to make a choice and depict those different educational systems against one another. I suggest to you today that we have an opportunity at this crossroad to take another road. That is a road to the 21st Century. What that road says is that learning starts a birth. Education starts at birth and it ends when we die. If we embrace that road, we don't say we invest in GPA and not in the University System or that we invest in GPA and not in child care. What that road says is, that we develop an educational system for the 21st Century that embraces all that learning over a lifetime. Thank you very much. I hope you will support this bill.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Fryeburg, Representative True.

Representative **TRUE:** Mr. Speaker, Ladies and Gentlemen of the House. I stand before you today and I will admit that an hour ago I was straddling the fence. In listening and then playing things over in my mind, I have heard things which certainly have made an impression upon me. I want you to know that this was from both sides of the aisle. Just because people disagree, it does not mean that they certainly are for such things that we are talking about. In this case, children. I

don't believe there is a person in this body that would ever intentionally do anything that would harm children.

Being an historian and I hope the Speaker does not stop me for it, it may not be germane. Think back in history not to far, just back a generation that you have been here. In every generation we have problems and have had problems of this nature. Did we solve all the problems? No, we did not, but we tried. That is what I feel we are trying to do today. What the former speaker has said is absolutely true. I believe that I can attest to this because for 27 years I went into every school in the state. I talked with people who had control of people in the unorganized territories. I went to every single island off the coast of Maine who had children. I wanted to help them. This was not something that I had to do. In all cases, there were different reasons to help these children.

It is true that the earlier we get to young people where we can teach them things that under normal conditions they would get at home. It is very difficult. I have heard people say that years ago and I think about the fact that I have difficulty walking up over three flights of stairs, but it is equally important for me to understand that even in my generation and when I started helping young people in 1953 and I taught in a self-contained classroom with 39 students for nine years averaging 37. Many of them, if you remember, this is grade eight and those were the days when we held them until such time as they would qualify by law and they could quit school. They can't do that anymore. Our economy is such that both mom and dad today must work. My wife and I decided, well she decided, that both of us could not work with four children at that time. She decided to give up a teaching job and took care of those children. She made it work even though I was making the enormous amount of money at that time. That was \$2,000 and I coached three sports in order to qualify. It was a different type of society then. It is my hope that you certainly will at least understand why we must try this to see if it does work.

As my good friend has already said, maybe it will help us as far as the number of young children that we have in the youth centers. Maybe it will help with the numbers that we have that are now incarcerated. There is always that gleam and I am willing to take the chance and I do agree with people who have stated that certainly there is money there and hopefully we will use it in the right manner. I certainly will support this and hope that it will bear fruition in years to come. I thank you.

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

Representative **PERKINS:** Mr. Speaker, Men and Women of the House. I am going to vote for this. I do have to share some reservations that I want to put on the record. The programs that we have now, already existing, in the state are helping, I think, in some areas like Waldo County in the early voluntary programs for parents. I believe it saves lives and agony down the road. Someday I would hope we could transfer money from the other end, DHS child intervention programs, and move it up front to fund this. I don't think we would need to be putting so much money into the problems later on. Since there were a couple of items mentioned earlier and nobody cried that they weren't germane, I am going to just touch a couple of those.

One is special ed costs. I just need to share that we had a superintendents meeting in our delegation, Hancock County, and we were told that some of the school districts now have 20 percent of their children classified as special ed. I said do you mean that 20 percent of the children are abnormal and he nodded. I feel there has to be some cap on what we call special

ed because it is hard to know when you fund something you believe in to know if you are driving it further and causing more of it. It seems like the more money we put into that, there is a new syndrome that comes up every time you turn around. I know there is some severe problems, but we just need to make sure we are not driving things out of proportion.

As far as GPA being burgers on the grill, as my esteemed caucus leader said, my calculations of GPA has tripled in 20 years. I know if you just look at 10 years that was the recession. If you look at 20 years, GPA has tripled and teacher retirement has tripled. Consumer price index has only doubled and I know there is special ed and all these other things. That is an oversimplification. I think we need to look at that. These programs that we are going to vote on today, I believe the single parent situation definitely need to help with child care for single parents. My goodness we want them to be working. There is no question that they need more help in child care. I just want to make sure that when there are two parents in the family, Representative O'Brien said some very important things about the importance of the family, I want to make sure that we are not driving to make it easier for two parents to work. We hear the terms we don't have enough money so two parents have got to work. We are tired of anecdotes, I am sure, but in my family we didn't have a car until I was 12. No big deal. I am just saying what we call need today, we wouldn't even think of back a few years.

When we set public policy and we say society is moving a certain way, I just want to make sure that when we are not part of the drivers in that in direction that maybe we don't want to go. One way we may do that is when we emphasize money. I think we emphasize too much right here in the Legislative Branch and in the Executive Branch. We have heard our Chief Executive in the State of the State talk about the importance of schooling. If you get high school education, you will make \$200,000. If you get two years of college, you will make a half a million. If you go to graduate school, you will make even more. We say the same things in there. That is fine, but let's make sure we are not putting too much emphasis on money, which may drive both these parents to work. It may tend to do that. I think we should be careful.

The other thing that makes me nervous about this is when I heard about the hard science of the brain synapses, I am a biologist by training and I got one of the very seminal books on this whole thing about child development. I don't disagree with it, but I get nervous when I hear people say we have to get these kids early. We have to make sure because of the hard science. We are the specialists. What makes me nervous is the government always tends to think it is the specialist. We are going to take over. Right now these programs are all voluntary. I want to go on record when we talk about hard science and we talk about saving \$7 for one, I just about guarantee you, it won't be voluntary a few years from now. I have the book here for anybody that would like to read it. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Biddeford, Representative Twomey.

Representative **TWOMEY**: Mr. Speaker, Colleagues of the House. I rise in support of this legislation. I do, however, feel there are issues that are equally important. Living wages for heads of households, equity and pay for women, the ability for a parent to be able to afford to stay home and take care of their children. Do I think these issues will be solved soon? I do not. This is good legislation. Please make your light shine in support of LD 1315. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Gardiner, Representative Colwell.

Representative **COLWELL**: Mr. Speaker, Men and Women of the House. Unlike my colleague from Eagle Lake and my friend from that district, I did intend to speak on this issue. I will be very brief. I intended to speak earlier, but I had a 10:30 speaking engagement with a group of head start moms who are here today at the Capitol. They implored me to speak on behalf of them and on behalf of the children of the State of Maine in support of this bill. One of the other hats I wear is as a board member of Kennebec Valley Community Action Program. A couple of years ago there were drastic federal cuts in the Head Start Program, one of the tough decisions I had to make as a board member was reducing the number of kids in rural areas who could participate in the Head Start Program.

LD 1315 goes a long way towards bringing us back to supplying services to those rural kids and giving them truly a head start and really a chance of making it in our modern economy. I just want to say one more thing. I didn't return here in like my good friend from Kennebunk, but I did come here in 1996. I appreciate the hard work and the efficiency of the GPA spending versus non-GPA spending chart he gave us. One thing I have learned here in three years is that sometimes it is not the information you get that tells the story, it is what is left out. I would suggest to you that what is left out in these percentages is the level of non-GPA funding that we have dedicated to tax relief. When I first got here, my first day, we had to find \$100 million to fund a sick tax that was passed by a previous Legislature. We had to find another \$100 or so million to fund the gross receipts tax that was passed by a previous Legislature. That is a couple hundred million right there. I am sure that shows up on the non-GPA spending category.

What doesn't show up here is the money that we have spent on the increased home health and nursing home care for senior citizens, the increased low-cost drug money for the elderly. That is all non-GPA spending. I would urge my colleagues to look at this information. It is useful. Consider all the information. I would urge you to support my good friend from Portland's fine piece of legislation that is before us right now.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Scarborough, Representative Lovett.

Representative **LOVETT**: Mr. Speaker, Ladies and Gentlemen of the House. My name does not appear on the report from the Health and Human Services Committee because I had a personal absence. Had I been there, I would have voted Ought to Pass on this bill. I like the slogan Start Me Right. I would have liked to have expanded that to Start Me Right and Give Me Better Opportunities. I have sat here today and have heard how this is an expensive project and how much money it is going to cost us. I have heard that we might save money. Let me tell you something, I don't care how much money we save, it is the emotional security that we are going to give our young people of this state. That is very important to our children. There is nothing better to see a child smiling. There are a lot of children that are not afforded the opportunity to have mother and father at home. A lot of children have to stand on the corner of the road and wait for a school bus seeing their mother and father go to work. Those parents are very frustrated because they don't know if their child has got to school or not, safely, or whether the child became truant. We are dealing with a lot of problems that families today face, that in my generation we did not have. I was afforded the opportunity to stay home and take care of my children. Things are different today. I am hoping

that in order for us to develop strong and emotionally well healthy children, that we will look at this program. Let's try it and see if we can make it work. I hope you will follow my light today. They are our most important resource. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Rome, Representative Tracy.

Representative **TRACY**: Mr. Speaker, Ladies and Gentlemen of the House. Last week I had read a report that came out on Maine and the Maine working people. What they had when all the bills were paid, the disposable income. Ladies and gentlemen, out of all 50 states, we are the 50th. That is a crying shame. These young people out there need help. The families need help. I have been sitting here wondering which side I will be voting on. I have finally made up my mind that I will be voting for this bill the way it is and send it down to the Appropriations Committee. As we all know, the ones who have been here before, the Appropriations Committee will only appropriate what it wants to appropriate. I urge you to accept this bill. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Rockland, Representative McNeil.

Representative **MCNEIL**: Madam Speaker, May I pose a question through the Chair?

The SPEAKER PRO TEM: The Representative may pose her question.

Representative **MCNEIL**: Mr. Speaker, Men and Women of the House. This is to Representative Rowe, could you tell me if I vote for this, will all Head Start Programs in the State of Maine be fully funded to do with the year round program or will be standing in line on a need basis?

The SPEAKER PRO TEM: The Representative from Rockland, Representative McNeil has posed a question through the Chair to the Representative from Portland, Representative Rowe. The Chair recognizes that Representative.

Representative **ROWE**: Mr. Speaker, Men and Women of the House. The information, the money that would be allocated to head start in this bill, would provide funds to support full day year round head start programming from 0 to 5 years of age. That is estimated to cover an additional 450 individuals. Those funds will supplement the current head start services to support full day year round child care for children currently enrolled in head start and also to expand the program. I do not know as I stand here today whether that would include every child in the state. There may be somebody who could answer that more adequately. I would assume that it would not cover every child in the state that might qualify. I don't know the precise answer to your question.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Rockland, Representative McNeil.

Representative **MCNEIL**: Mr. Speaker, Men and Women of the House. I think that my concern is that if I vote for this, will my head start be covered? Will my students in my district get some of this money? We keep continually standing last in my district in the School Funding Formula for new buildings and new things. I was wondering, is there a way that I can find out before I vote for this if my head start will get money to do the year round program?

The SPEAKER PRO TEM: The Representative from Rockland, Representative McNeil has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Portland, Representative Rowe.

Representative **ROWE**: Mr. Speaker, Men and Women of the House. To answer the Representative's question, I will attempt to get an answer to you before we vote if it is a few minutes. May I continue?

I simply want to answer a couple of comments that were made earlier about my speech containing rhetoric and perhaps us not keeping our commitment or promises to general purpose aide. Lest anyone think otherwise, I am supportive of keeping our promises to general purpose aide for education. Also, I think it is important that we keep our promises to the young children of our state. We have these programs now. These are not all about new programs. These are about increasing the number of families who can be funded. As I said earlier, we have some 26,000 families that are currently eligible for the programs that we have on the law books now, but there is no money to fund the programs. What this would do would be a modest expansion of that. Yes, it has a price tag, but I am telling you if you look at the price tag for daycare in the state for a child on an annual basis, you will see an average \$4,000 to \$5,000 a year. It is very expensive. This will help the parents defray those costs. I think K-12 education is terribly important. I would like to put additional money and I hope that this will. I am telling you that education is a system. We all know that. There is input and there is output. The input is our young children and if you want to talk about entering kindergarten, as the Representative from Scarborough said, if they are excited, nourished, healthy and stimulated, they are going to get so much more out of public education wherever they go to school. It is going to reduce the cost. Somebody asked earlier about what are these costs. You hear this one to seven. It is not just the cost that will be reduced to the child, but it is the cost to the parent. We have also heard today about the young mothers in this state that are able to continue to college. Their earning capacity is greatly enhanced because they graduated from college and their children are healthy. I don't want to restate what I said, but it seems somewhat intuitive that if children are healthy and if they start to school and they are intellectually stimulated and they are ready and able to learn, they are going to do better. They are going to do better in school. The social service costs are going to be reduced. Down the road, perhaps corrections and rehabilitative costs with respect to drug and other abuse, things of that nature. We know that.

I also wanted to point out in this bill that this bill is not just about the urban areas, this bill also focuses all around the states in all 16 counties in a major way. In fact, a big part of this bill is to look at offering incentives to open child care centers in areas that are underserved on a geographic basis and also when the parents are working odd hours. For example, if you are on a third shift and a single parent or if both parents are working the same shift, wouldn't it be nice if there was a place where your child could be and you wouldn't worry about your child. There is a part of this bill that will look at that and focus on that. Most of this bill, the vast majority of the bill is no new laws on the books. It is simply providing funding so families can avail themselves to the services that are currently offered to some.

There has been a lot of debate today. This bill is supported by many people. It is completely nonpartisan or bipartisan. It is a bill about children, but I just don't want us to think that it is this or GPA. We will do what we can for both. I am pleading with you, that unless the children who enter kindergarten are ready and able to learn, we are going to spend more dollars in K-12 than we would otherwise. That is why I think this is such a good investment. I thank you for your attention.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Rumford, Representative Cameron.

Representative **CAMERON**: Mr. Speaker, Ladies and Gentlemen of the House. I hope the Speaker will allow me a little latitude. I intend to speak on the bill, but I know I am going to stray just a little. I am thinking back to yesterday's debate just a little bit about my good friend from South Paris, Representative Heidrich. The last couple of days have been a bit emotional for me. You may or may not know that my wife and I adopted two children and we had a child in foster care. The two children that we adopted were 7 and 9 years old when we took them into our home. I thank the good Lord for the patience of my wife. I stand before you to tell you that they put us both in counseling. It was one of the most trying periods of our entire life. Why I reference my good friend Representative Heidrich's speech yesterday is because one of those children is in Korea today. She is a productive young lady. She is married and she has two children. Her husband is in the service and they are stationed in Korea for two years. I worry about them everyday. They are very close to being in harms way at any given hour.

I tell you this because having come into this room today not knowing how I was going to vote on this issue, I can tell you from personal experience these children can be helped. My little girl was taken from her home when she was 6 months old. She was in a very abusive home. She had three siblings. They were all taken at the same time. They went into the foster care system where they saw, heard and experienced some things that no child should ever experience. They came to us very troubled young children. They came to a young couple who were very naïve. We thought we could save the world. We had a child of our own. We told our child that these two children that are coming into our family are going to be your brother and sister. He was four years old. A very difficult concept for a four year old to understand. We told him that they would always be his brother and sister and that we expected him to share his things. As you know, a child of four years old, their possessions are very important to them. He did share those things and they took them and they kept them. They didn't have anything.

My wife caught this little girl trying to choke my son one day. It was a very trying experience for both of us. She didn't give up and we didn't give up. With the help of a lot of people, she is a wonderful mother today. No child should have to go through what she and her brother went through in foster care, ever. I know this isn't about foster care, but it is about saving our children. I don't know how we are going to pay for it. I am worried to death about the way we are spending our money thinking back to the late '80s about what is going to happen in three or four years when we have a recession and a downturn. I don't know how we are going to pay for it. I think all of the things that my good friend from Waterville mentioned about how we spend our money on tax credits and how we spend our money on helping on property tax and we spend our money on the BETR program. Those are all wonderful things. I think without the engine of business, we don't have any money. We can have all the rhetoric we want about the good things that we want to do, but without the engine of business to provide the money, we have nothing.

Eighteen million dollars is a huge amount of money. Will it fix all the problems? No it won't. Will we end up with \$18 million? No we don't. Those of you that are on Appropriations know we won't end up with \$18 million. I know it is a cliché. I know people get sick of hearing it. I know that it sounds corny, but if we save one of those children, how do you put the price on

it. I don't know how to put the price on that. I know what my wife and I personally went through with our three children. Money isn't going to fix that. These children needed companionship, love, care, clean and warm place to live. All the money in the world wouldn't help that. We didn't get any money. It had nothing to do with money. We paid the freight. Then, when we had had them for two years, they are now 9 and 11, the state called us and asked us if we would take their sister who was 13 years old and gone to live with her aunt and uncle to be adopted when the family was split up, when they left the foster care system. Again, we were still young and we were still naïve and we said that we couldn't afford this. We were young and we were farming at the time. We couldn't swap an old dollar for a new one. We took her in foster care. She was 13 years old at the time.

I can tell you and I hope that you can all believe me that every one of those three children is at a different level of stability in their life. The youngest one is the most stable. She was the most trouble. She nearly drove us out of our minds. She is the most stable today. The second one is in the middle and the third one is the least stable. That is not a scientific survey, but I can tell you that when they got what they needed, it appears to have made a long-term impact. The younger they got what they needed, the happier they seem to be today.

Again, I know money doesn't fix all the problems, but there are some issues that we have to spend money on. I would ask you to support this measure. My good friend from Kennebunk talked about the schools and we all know we don't have money enough to spend on the schools, but if we can't get them to the schools and in a condition that they can learn, none of it makes any difference. All of the pretty bricks and mortar make no difference.

I used to drive a school bus. I used to see children come out of their homes with their shoes untied in the middle of the winter. They hadn't had breakfast. Their hair wasn't combed. They weren't ready to go to school and it had more to do than just their physical appearance. They were not emotionally, physically or nutritionally ready to go to school. They didn't learn. I am going to be supporting this measure today, although I didn't know when I came in what I was going to do. I appreciate the words of all of you that have helped me make my decision. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Lewiston, Representative Bouffard.

Representative **BOUFFARD**: Mr. Speaker, Men and Women of the House. If I understand some of this debate correctly, some are saying that school funding or the GPA or whatever else will suffer and that we are at a crossroads and we should think carefully about our vote on this bill. Indeed we should think carefully about our vote on this bill. I would like to offer a common sense opinion to this debate and say that this is a Start Me Right bill. Just as you don't build a chimney from the top on down, but from the bottom up. It seems obvious to me that if we provide everything that we can and start our children on the right path, when they reach the top level of education, the chimney will be complete and functional. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Bath, Representative Mayo.

Representative **MAYO**: Mr. Speaker, Men and Women of the House. Like the good Representative from Eagle Lake, I was unsure when I came into the chamber this morning whether I would speak on this issue or not. The more I have heard, I think the more it has made me aware that I had to stand and let people know where I was coming from on this particular issue. I

shall be voting for LD 1315. There are a couple of reasons. Number one, I come from an area in my particular school district that has a 10 percent turnover each year in the student population, given the fact that we have a high concentration of public housing. Of that 10 percent turnover, more than 50 percent of those students are students with special needs. Talking with the teachers, aides and superintendents, it is very obvious that if we had been able to impact some of these students that are costing my school district a tremendous amount of money, if we had been able to impact them before they got into the school system, we might be able to save some money.

In addition to that, I have a daughter who is a teacher in a preschool program. In the afternoon, she runs her own preschool program. She waited three and a half months for licensure this fall. Had it not been for my being a member of this body, I suspect she still would be waiting. I, like many of you who have a constituent call or a relative call, I pick up the phone and in that particular week, her preschool had been visited and the next week she received her license. I don't personally think that is right. I was slightly embarrassed at the speed with which that problem was corrected.

My last point would be that I suspect that the executive director of the Child Care Program in the midcoast area, I am on the board, may be sitting up in the gallery and it would be very difficult for me to go to that particular board meeting, which is coming up next Monday, not having supported this. For those reasons and because I personally feel it is right, I shall be voting with the majority to accept LD 1315. Thank you.

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

Representative **SNOWE-MELLO**: Mr. Speaker, Men and Women of the House. This is very difficult for me to stand here before you. You can see how difficult this is for me, I forgot what I was supposed to say. You can see that I am on the Minority Report. We have an amendment "A" that we put forward. We liked the bill. We thought the bill was very important, but we felt that it bit off more than we could chew. We also felt, those of us in the minority, that is it fair for us to approve the whole bill, send it to Appropriations and then have them have to make the tough decisions of what stays in and what goes out. We felt that funding head start was very important because we know it is a program that works. It works well within this state. I think we also were supportive of helping out with increased wages, training and faculty improvement. I have gotten many calls from my constituents.

I have a lot of daycare facilities in my town. They are doing a wonderful job. As I was doing campaigning last term and this term, yes, I did hear that we needed help in this area. This bill, if you look at it, is huge. There is so much here. I really believe that we are biting off much more than we can chew. There are wonderful things in here. We are now the fourth highest taxed state in the union. What we need to do is work hard to get our taxes down and try to help people to stay home with their children so that they can be a better parent. To me, we are just increasing bureaucracy with this bill in taking the whole thing as we see it. Has everyone looked inside it? There are wonderful things. It is a huge commitment we are making. Are we going to have to fund \$18 million every term, every session that comes our way? Are we going to have to fund \$18 million? These are all concerns.

To tell you the truth, until I sit down and I go to vote, I don't know how I am going to vote. I might stick with my Ought Not to Pass, but I am not sure. I just want you to really think about

this. I think this is very serious. What are we doing? Setting up another bureaucracy. Having government tell our people what to do and how to think. I think there are areas here that are important. Yes, we need to start our children off right. I am really a proponent of that. I was fortunate to have a family that gave me breakfast in the morning and was able to take care of me. I did have a mother at home. I believe that we need to help people in providing better wages, getting more work for them, helping them out with their education, but by lowering the taxes. They are overtaxed and having a difficult time. They have to work a couple different jobs just to exist in this society. I hope that we start working on some of these areas too. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Limestone, Representative O'Neal.

Representative **O'NEAL**: Mr. Speaker, Ladies and Gentlemen of the House. I have always believed that education begins at home. LD 1315 provides a continuation of a quest that not only provides care, but a valuable beginning to our educational process. Our society dictates that in most cases our family needs more than one provider. I believe that LD 1315 provides a large effort for both care and education. Thank you.

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

Representative **STEDMAN**: Mr. Speaker, Ladies and Gentlemen of the House. I would like to interject a little reality into the conversation here. I would urge you to look at the bill and at the salmon colored sheet that was distributed at the request of Speaker Rowe. First of all, I am questioning whether there is a mechanism already in place to distribute this money without having any overhead and will it go to the neediest or will it be statewide or regional? Will the children in the first year program also be receiving the same money in the second year of the program if they are still of the age? How many children are being left out? Those are some questions in my mind that are still unanswered in reading the bill as it is presented now.

If you look at the very first category, 500 preschool children per year, that figures out to \$4,000 per child. That is more than many schools are now spending for their education program under the GPA distribution. We are talking about \$1 million in the first year under additional school age child care subsidies for 425 students. That figures out at about \$2,400 per child. In the third category, 160 students for \$500,000, that figures out to \$3,100 per child. In providing funds for quality improvements, that doesn't have any funds designated in that because it is going to go for facilities and staff retention and upgrading the wages of people working in staff in these facilities. In the next category, 400 infants, preschool and school age children in rural area, that figures out \$3,750 per child. Under the head start program we are talking about \$3,333 per child. In addition to that, we are talking about \$700,000 approximately for increased staffing in the Department of Health and Human Services. That additional staffing in Health and Human Services I presume that all this other money will go directly to the children who will be designated to receive it. I understand that this is all going to be done through contracted services administered and arranged by the department.

I just wanted to throw those numbers out so you would realize what we are talking about here in dollars and cents. When you compare that to what we are doing in general purpose aide to education, many of these children are going to be receiving more money for child care than other children are going to receive in their regular education program.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Saco, Representative O'Neil.

Representative **O'NEIL**: Mr. Speaker, Men and Women of the House. I rise in support of the bill you might imagine. In response to the Representative from Carmel, it is a harsh dose of reality. I will admit that. I have two children. They are 9 and 7. We pay a lot of money for child care. They have been in child care since they were infants. My wife and I are both working professionals. I grant you that is a lot of money. As somebody eluded to earlier, we are paying for it now anyway.

I see around the room pretty good support for this bill. That is heartening to me. There seems to be a notion that crops up every once in a while, not just here, but everywhere, that if a family uses child care that they are somewhat less of a family. I want to make sure that I let folks know that I disagree with that. From my perspective, Ward and June Cleaver are dead. They were a long time ago. People utilize child care for various reasons, but mostly because they care for their children.

I will tell you a little bit about my kids, they are Maggie and Max. They have been in child care since they were babies. We have chosen better child care because we were able to afford it. They continue to go to aftercare now right at the school where they go. I can pick them up at 5:30. That is why you see me jumping out of here at about 4:15 on most days. I have to get them by 5:30. I know they are in a safe environment, structured and supervised. They are not at home getting on the Internet and talking to nefarious characters. They are getting their homework started. They are going to the library. They are going to the Y. They are going to the beach. They are doing nice structured environment activities with other kids in a good social setting. I like that.

I look back at when my older child Maggie got to kindergarten, it was the first year the school was doing full year kindergarten. There was a big debate on whether or not the kids could handle that. I remember pitching in to the folks who are making the decisions saying that most of these kids are coming from an environment where they are in daycare all day anyway. It is not going to be an adjustment period. I remember seeing the difference in kindergarten between the kids who came from a daycare situation to the kids who did not. The kids who were not in daycare situations were much slower starters once they get into that full day kindergarten situation. Those are my kids.

I will tell you about my wife who is a career woman, professional. I remember before we were married my dad said something to her, God rest his soul. She was looking for work at the time and had applied at the place where she is currently employed and has done very well. She wasn't so sure she was going to get the job. I remember him saying to her, "Can you type?" She was incensed. She was really beside herself that he would insult her that way. He never got it and I never told him. My wife has now climbed the career ladder there. It has been 10 or 11 years. This is a large insurance company in Portland. She was awarded the President's Award for service last year. She has won awards all over the country for the department that she runs. She couldn't have done any of that without the care of professionals for our children. I couldn't have carried the load by myself without the care of professionals for our children.

It is not that we are bad parents. She went to school and got a degree in business. She was encouraged to do so by her teachers, her parents and her family. She has ambitions, not to the neglect of her family or her kids. Our kids have been straight A students. They are very well adjusted. They are involved in activities. I will just submit to you that I think we are testament to the fact that outside care not only helps, but it is really necessary for a lot of folks in maintaining strong kids,

couples, families, communities and a strong state. I will be voting for this bill. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Winslow, Representative Matthews.

Representative **MATTHEWS**: Mr. Speaker, Men and Women of the House. I want to stand today and thank the good gentleman from Portland, Speaker Rowe, for asking me to cosponsor this bill and thank everyone in this House. I think it has been an outstanding debate and discussion of this issue. I want to say something. I was asked by a member that will remain anonymous to remove my label sticker, Start Me Right. I am going to do so. I am a little Irish. I am from Maine and cantankerous goes along with that. That Greek in me, I am in trouble. I will tuck it under the lapel. I am going to start today by doing the right thing. I am going to vote for this bill. Thank you Mr. Speaker.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Union, Representative Savage.

Representative **SAVAGE**: Mr. Speaker, Ladies and Gentlemen of the House. When I got that first pink slip on my desk and it said LD 1315 and I pulled the bill out and all I could see was dollar signs. Then I sat here listening to the testimony and I thought how lucky you are. I have a new grandson, four months old. I am very fortunate. His father, my son, is 35 years old. It is his first child. His wife is 29 and she works for NBNA. They both took family leave, unpaid family leave, eight weeks. Those two parents spent every waking moment with that child for the first eight weeks before he went back to work. She has now gone back to work for NBNA. For those of you who went to NBNA on our tour, you know they talked about their child care center. That is where my little grandson goes. At four months old he gets a report card on how he has done for the week. He has finger painting. They are his second mother while she is working. She has her lunch hour with him. She can spend that time with him. I feel very, very fortunate.

If I were to vote against this bill, I would feel very selfish because I am telling you that when I was town manager for the years that I spent in town government, I acted as welfare director. Some of those children that Representative Cameron talked about with their shoes unlaced and holes in the toes and torn and ragged cloths, they came to my office because their parents needed assistance. They were mostly single mothers. They didn't work because they didn't have child care. They had to call on the town to help them. I am going to support this bill. I see the dollar signs and it is a lot of money, but I am going to have to put my faith in the Appropriations Committee and, no pun intended, I hope they will appropriately spread those dollars out. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Gray, Representative Foster.

Representative **FOSTER**: Mr. Speaker, Ladies and Gentlemen of the House. I just want to give a couple of observations. In our school district in Gray a few years ago it was determined there were some children coming to school without breakfast. We decided to have a breakfast program, which is funded by the federal government. These half dozen people are now half of the school in those grades that were eligible for that. It leads one to believe a question, how long, really, the money is going to go to somebody who really needs it? I suspect today that we are spending millions of dollars on some people that probably don't need it quite as bad as others. There may be a little bit of business here that is unfair. I think that is very difficult to control.

The other thing I might say is on the front page of the *Sunday Telegram* last week there was an article there which said that Maine was dead last for people with disposable income. The question is, how much more are we going to put on the backs of these people that are in that situation? Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Biddeford, Representative Sullivan.

Representative **SULLIVAN**: Mr. Speaker, Ladies and Gentlemen of the House. I truly was not going to speak on this because my mind had been made up prior. I just received a message from the Biddeford Head Start asking me to support this. I am going to support it. In my other life I am a teacher. I teach reading to 6th grade students. Each year I see more and more students come in reading at a 2nd and 3rd grade level. This is a cost effective program. It is without doubt worth every penny. Every child is worth money. We need to give them a good start. I wanted to go on record before people really questioned if my being quiet meant I was not going to support it. I am supporting this program. Thank you Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Sanford, Representative Bowles.

Representative **BOWLES**: Mr. Speaker, Colleagues of the House. I rise with a request. It is more than a request. It is a plea. I and most of my colleagues in this chamber want desperately to support this legislation. I asked the sponsors of this bill to explain to me how. How can I vote in good conscience to support a program that is going to take millions of dollars away from the commitments that this same body has already made to our local school systems? Are the sponsors of this bill contending that dollars invested in this program are worth continuing to condemn a current generation of Maine children to school and temporary classrooms with a lack of books and a lack of computers and a lack of teachers? I think not. How do I return to my community, sit before my local school board and say I am sorry, I and my colleagues have spent the money we promised to you and to our school age children? No one questions the desirability of this initiative, but please, I implore you, explain to me how can I do this. I will wholeheartedly support you. The Representative from Saco, Representative Kane, for whom I have a great deal of respect, earlier eluded to his meeting with the York County superintendents. I was at that meeting. I spoke to the superintendents. What I heard loud and clear from my superintendent and the others I spoke to was please, no more new programs until you honor the commitments you have made to us in the past. That was the message that I received. Again, I plead with you. I plead with the proponents of this bill to help me resolve the turmoil that I feel over this issue. Give me the answers. Tell me what I can go back to my school board and say so that I can help you pass this legislation. Thank you.

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

ROLL CALL NO. 44

YEA - Ahearn, Andrews, Bagley, Baker, Berry RL, Bolduc, Bouffard, Brennan, Bruno, Bryant, Bull, Bumps, Cameron, Carr, Chizmar, Cianchette, Clark, Colwell, Cote, Cowger, Daigle, Davidson, Desmond, Dudley, Dugay, Dunlap, Duplessie, Etnier, Fisher, Frechette, Fuller, Gagne, Gagnon, Gerry, Glynn, Green, Hatch, Heidrich, Honey, Jabar, Jacobs, Jodrey, Kane, Kneeland, Labrecque, LaVerdiere, Lemoine, Lemont, Lovett, Madore,

Mailhot, Martin, Matthews, Mayo, McAlevey, McDonough, McGlocklin, McKee, Mendros, Mitchell, Murphy E, Muse, Norbert, O'Brien, O'Neal, O'Neil, Peavey, Perkins, Perry, Pieh, Povich, Powers, Quint, Richard, Richardson J, Rines, Samson, Sanborn, Savage C, Savage W, Saxl JW, Saxl MV, Shiah, Shorey, Sirois, Skoglund, Snowe-Mello, Stanley, Stanwood, Stevens, Sullivan, Tessier, Thompson, Townsend, Tracy, Trahan, Tripp, True, Tuttle, Twomey, Usher, Watson, Weston, Wheeler GJ, Williams, Mr. Speaker.

NAY - Belanger, Berry DP, Bowles, Buck, Campbell, Clough, Collins, Cross, Davis, Duncan, Foster, Gillis, Goodwin, Gooley, Jones, Joy, Kasprzak, Lindahl, MacDougall, Mack, Marvin, McKenney, McNeil, Murphy T, Nass, Nutting, Pinkham, Richardson E, Rosen, Schneider, Sherman, Shields, Stedman, Tobin J, Treadwell, Waterhouse, Wheeler EM.

ABSENT - Bragdon, Brooks, Chick, Plowman, Tobin D, Volenik, Winsor.

Yes, 106; No, 37; Absent, 7; Excused, 0.

106 having voted in the affirmative and 37 voted in the negative, with 7 being absent, the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE**.

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** and sent for concurrence.

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

The Speaker resumed the Chair.

The House was called to order by the Speaker.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on **RESOLUTION**, Proposing an Amendment to the Constitution of Maine to Fund Mandates Enacted Solely for an Individual's Safety

(H.P. 136) (L.D. 198)

Signed:

Senators:

PENDLETON of Cumberland

GOLDTHWAIT of Hancock

DAVIS of Piscataquis

Representatives:

AHEARNE of Madawaska

BAGLEY of Machias

RINES of Wiscasset

McDONOUGH of Portland

TWOMEY of Biddeford

BUMPS of China

KASPRZAK of Newport

JODREY of Bethel

RICHARDSON of Greenville

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-70)** on same **RESOLUTION**.

Signed:

Representative:

GERRY of Auburn

READ.

Representative AHEARNE of Madawaska moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

Representative PERKINS: Mr. Speaker, Men and Women of the House. I am not going to debate it. I was asked if I was. I am not. This is my bill. I just want to have on record what it is about. It is about making sure that the government is accountable when we, the Legislature, passes mandates on people for their own safety. For example, helmets on motorcycles, which may come down the road, enhancement of our floatation devices or orange clothing on hunting. Whatever it is, we think we need to tell people for their own safety. This would put a dollar amount on it. I think it would give the Legislature a lot to think about before we pass these mandates. That is all I have to say and just let it go. Thank you.

The SPEAKER: The Chair recognizes the Representative from Madawaska, Representative Ahearne.

Representative AHEARNE: Mr. Speaker, Ladies and Gentlemen of the House. In order to do that it would certainly require more staff and more time. There would just be a huge bureaucratic nightmare in order to process all these forms, especially if we were to require gun locks. That would mean that all the people who purchase these gun locks will have to file with the department that is going to be receiving these. It is going to be totally cumbersome. We will have to have a whole new layer of bureaucracy. I believe the bill is not needed. Thank you.

Subsequently, 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-71)** on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require a Referendum for a People's Veto to Be Held at a Primary or General Election

(H.P. 166) (L.D. 228)

Signed:
Senators:

PENDLETON of Cumberland
GOLDTHWAIT of Hancock

Representatives:

BAGLEY of Machias
RINES of Wiscasset
McDONOUGH of Portland
TWOMEY of Biddeford
RICHARDSON of Greenville

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

Signed:
Senator:

DAVIS of Piscataquis

Representatives:

AHEARNE of Madawaska
BUMPS of China
KASPRZAK of Newport
JODREY of Bethel
GERRY of Auburn

READ.

Representative AHEARNE of Madawaska moved that the House **ACCEPT** the Minority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Minority **Ought Not to Pass** Report and specially assigned for Tuesday, March 30, 1999.

CONSENT CALENDAR

First Day

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

(S.P. 61) (L.D. 131) Bill "An Act to Amend the Beano and Games of Chance Statutes" Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-25)**

(S.P. 263) (L.D. 758) Bill "An Act to Allow the State's Laboratory Certification Program to be Consistent with National Environmental Laboratory Accreditation Program Standards" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-23)**

(H.P. 165) (L.D. 227) Bill "An Act to Further Decriminalize Operating an Unregistered Vehicle" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-83)**

(H.P. 279) (L.D. 387) Bill "An Act to Exempt Persons 70 Years of Age and Older From Paying the Fee for Commercial Shellfish Licenses" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-90)**

(H.P. 461) (L.D. 624) Bill "An Act to Require Public Hearings for School Administrative District Referenda" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-87)**

(H.P. 514) (L.D. 721) Bill "An Act to Amend the Radon Registration Act" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-91)**

(H.P. 656) (L.D. 912) Resolve, to Transfer Land in Dennysville Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-89)**

(H.P. 667) (L.D. 923) Bill "An Act to Extend the Penobscot County Budget Committee" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-88)**

(H.P. 676) (L.D. 932) Bill "An Act to Establish the Position of School Nurse Consultant" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-85)**

(H.P. 762) (L.D. 1085) Bill "An Act to Amend the Qualifications for Participation in the High School Aspirations Incentives Program" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-86)**

(H.P. 802) (L.D. 1125) Bill "An Act to Modify the State's Safe Drinking Water Laws" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-92)**

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

(S.P. 52) (L.D. 122) RESOLUTION, Proposing an Amendment to the Constitution of Maine to Amend the Timing of Elections Following the Submission of a Petition for People's Veto Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-24)**

On motion of Representative SHIAH of Bowdoinham, was **REMOVED** from the First Day Consent Calendar.

On further motion of the same Representative, **TABLED** pending **ACCEPTANCE** of the Committee Report and specially assigned for Tuesday, March 30, 1999.

**CONSENT CALENDAR
Second Day**

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

(H.P. 571) (L.D. 811) Bill "An Act to Amend the Law Regarding the Evaluation of Juvenile Sex Offenders"

(H.P. 914) (L.D. 1292) Bill "An Act to Enhance Tourism Promotion and Provide Additional State Revenue"

(H.P. 99) (L.D. 112) Resolve, to Study Current Regulations Imposed on Small Businesses to Require Greater Efficiency (C. "A" H-79)

(H.P. 323) (L.D. 439) Bill "An Act to Amend the Laws Governing the Hancock County Budget Process" (C. "A" H-69)

(H.P. 434) (L.D. 576) Bill "An Act to Update and Amend the Maine Pharmacy Act" (C. "A" H-80)

(H.P. 537) (L.D. 744) Bill "An Act to Change the Way Nursery License Fees Are Established" (C. "A" H-75)

(H.P. 621) (L.D. 861) Bill "An Act to Create a Seamless Treatment Plan for the Adult Offender with Substance Abuse Problems" (EMERGENCY) (C. "A" H-82)

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

(H.P. 1025) (L.D. 1436) Bill "An Act to Transfer the Regulatory Responsibilities of the Arborist Examining Board to the Department of Agriculture, Food and Rural Resources"

On motion of Representative O'NEAL of Limestone, was **REMOVED** from the Second Day Consent Calendar.

The Committee Report was **READ** and **ACCEPTED**. The Bill was **READ ONCE** and was assigned for **SECOND READING** Tuesday, March 30, 1999.

**BILLS IN THE SECOND READING
House As Amended**

Bill "An Act Relating to the Registration Requirements of the Military Selective Service Act"

(H.P. 168) (L.D. 230)
(C. "A" H-67)

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

Bill "An Act to Reduce the Amount of Paperwork Required for Transactions Involving the Sale of Wood"

(H.P. 709) (L.D. 976)

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

On motion of Representative TRAHAN of Waldoboro, was **SET ASIDE**.

The same Representative **PRESENTED House Amendment "A" (H-64)** which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Tuttle.

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

The SPEAKER: The Representative may pose his question.

Representative **TUTTLE**: Mr. Speaker, Men and Women of the House. Could I ask the gentleman what his amendment does?

The SPEAKER: The Representative from Sanford, Representative Tuttle has posed a question through the Chair to the Representative from Waldoboro, Representative Trahan. The Chair recognizes that Representative.

Representative **TRAHAN**: Mr. Speaker, Men and Women of the House. Thank you for asking what the amendment does. Before I begin to tell you that, I would like to thank this body for keeping an open mind yesterday and listening to the testimony and giving me this opportunity to offer up this amendment.

Probably most of you remember the debate yesterday, so I will try to be brief and just explain what the amendment does. This amendment would require that the harvester or the landowner agent would supply a copy of the landowner notification form to the truck driver. On this form, as we discussed yesterday, the trip ticket, there are four items that are very important to the recording of information in the enforcement of timber theft. Those four items are: the notification number, the landowner's name, the town where the wood was cut and the cutting crew name. This is the landowner notification form. On the top of that form is the landowner's name, his work phone, his home phone and the address. Under that is the harvester's name, home phone and address. At the bottom is the landowner notification number. These are three important items that are necessary in recording on the scale slip information so we can track wood. This will guarantee that the truck driver has been given the proper information to put on the scale slip. If they do not put that information on the scale slip correctly, then they will have been in violation of the law. That can be easily tracked.

Not only does this amendment ensure that the proper information is on the scale slip, but it also, in my opinion, will increase the ability of enforcement. By that, I will explain. When the truck goes onto the scales, and he knows where the wood is from, and he gives the wrong information, when he leaves the mill if he were to be stopped by enforcement who knew where the wood came from, that contractor would be had. That would be intent to steal. That would be very easy to prosecute. I believe this amendment will go a long way to improving on the ability to track wood. It has the necessary information and I ask that you please support me. Thank you.

House Amendment "A" (H-64) and ADOPTED.

The Bill was **PASSED TO BE ENGROSSED as Amended by House Amendment "A" (H-64)** and sent for concurrence.

House

ENACTORS

Emergency Measure

An Act to Amend the Mexico Water District Charter
(H.P. 50) (L.D. 64)
(C. "A" H-60)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 135 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Amend the Charter of the Mars Hill Utility District
(H.P. 96) (L.D. 109)
(C. "A" H-59)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

Representative GLYNN of South Portland **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

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

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Enactment. All those in favor will vote yes, those opposed will vote no.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 45

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

NAY - NONE.

ABSENT - Baker, Belanger, Bragdon, Brooks, Chick, Desmond, Dugay, Mack, Muse, Plowman, Tobin D, Tobin J, Mr. Speaker.

Yes, 137; No, 0; Absent, 13; Excused, 0.

137 having voted in the affirmative and 0 voted in the negative, with 13 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Relating to the Protection of Maine Consumers in the Telecommunications Market

(H.P. 428) (L.D. 570)
(C. "A" H-56)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 138 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act Regarding Hunting Implements
(H.P. 286) (L.D. 394)

An Act to Amend the Lien Enforcement Procedure for the Topsham Sewer District
(H.P. 409) (L.D. 551)
(C. "A" H-58)

An Act to Repeal the Chemical Substance Identification Law
(H.P. 432) (L.D. 574)
(C. "A" H-53)

An Act to Transfer Responsibilities of the Advisory Committee on Improving Outdoor Recreational Opportunities for Persons with Disabilities to the Statewide Independent Living Council
(H.P. 642) (L.D. 892)

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

Resolves

Resolve, to Permit the Maine Warden Service to Return a Donated All-terrain Vehicle to the Donor
(H.P. 349) (L.D. 465)

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

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

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

SENATE PAPERS

The following Joint Order: (S.P. 721)

ORDERED, the House concurring, that when the House stands Adjourned it does so until Tuesday, March 30, 1999 at 9 o'clock in the morning and when the Senate stands Adjourned it does so until Tuesday, March 30, 1999, at 10 o'clock in the morning.

Came from the Senate, **READ** and **PASSED**.
READ and **PASSED** in concurrence.

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

ENACTORS

Acts

An Act to Protect Citizens from the Detrimental Effects of Tobacco

(H.P. 951) (L.D. 1349)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative CAMPBELL of Holden, was **SET ASIDE**.

The same Representative **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

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

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Enactment. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 46

YEA - Andrews, Bagley, Baker, Belanger, Berry DP, Berry RL, Bolduc, Bouffard, Bowles, Brennan, Bruno, Bryant, Bull, Bumps, Cameron, Carr, Chizmar, Cianchette, Clark, Colwell, Cote, Cowger, Cross, Daigle, Davidson, Davis, Desmond, Dudley, Duncan, Duplessie, Etnier, Foster, Frechette, Fuller, Gagne, Gagnon, Glynn, Gooley, Green, Hatch, Heidrich, Honey, Jabar, Jacobs, Jodrey, Joy, Kane, Kneeland, LaVerdiere, Lemont, Lindahl, Lovett, Madore, Mailhot, Martin, Matthews, McDonough, McGlocklin, McKee, McKenney, McNeil, Mitchell, Murphy E, Murphy T, Muse, Norbert, O'Brien, O'Neil, Peavey,

Pieh, Povich, Powers, Quint, Richard, Richardson E, Richardson J, Rines, Rosen, Samson, Sanborn, Savage C, Savage W, Saxl MV, Schneider, Sherman, Shiah, Shields, Shorey, Sirois, Skoglund, Stanley, Stanwood, Stevens, Sullivan, Tessier, Thompson, Townsend, Tracy, Trahan, Tripp, True, Tuttle, Twomey, Usher, Volenik, Watson, Weston, Wheeler GJ, Williams, Mr. Speaker.

NAY - Ahearne, Buck, Campbell, Clough, Collins, Dunlap, Fisher, Gerry, Gillis, Goodwin, Jones, Kasprzak, Labrecque, Lemoine, MacDougall, Mack, Marvin, McAlevey, Mendros, Nass, Nutting, O'Neal, Perkins, Perry, Pinkham, Saxl JW, Snowe-Mello, Stedman, Tobin J, Treadwell, Waterhouse, Wheeler EM, Winsor.

ABSENT - Bragdon, Brooks, Chick, Dugay, Mayo, Plowman, Tobin D.

Yes, 110; No, 33; Absent, 7; Excused, 0.

110 having voted in the affirmative and 33 voted in the negative, with 7 being absent, the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate. **ORDERED SENT FORTHWITH.**

On motion of Representative DAVIDSON of Brunswick, the House adjourned at 1:01 p.m., until 9:00 a.m., Tuesday, March 30, 1999 pursuant to the Joint Order (S.P. 721).