

# MAINE STATE LEGISLATURE

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

**Volume III**

**Second Regular Session**

March 23, 2000 – May 12, 2000

**Appendix**  
**House Legislative Sentiments**  
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ONE HUNDRED AND NINETEENTH LEGISLATURE  
SECOND REGULAR SESSION  
18th Legislative Day  
Thursday, March 23, 2000

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

Prayer by Father Harry Politis, Holy Trinity Greek Orthodox Church, Lewiston.

National Anthem by Oak Hill High School Band, Sabattus.

Pledge of Allegiance.

Doctor of the day, Robert Hockmuth, M.D., Durham.

The Journal of yesterday was read and approved.

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**SENATE PAPERS**

Bill "An Act to Amend the Nutrient Management Laws to Include the Regulation of the Discharge from Fish Hatcheries Except for Aquaculture" (EMERGENCY)

(S.P. 1052) (L.D. 2642)

Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested and ordered printed.

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

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

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**Non-Concurrent Matter**

Bill "An Act to Extend the Time Period for Municipalities to Make Recommendations Concerning Great Pond Surface Use Restrictions" (EMERGENCY)

(H.P. 1680) (L.D. 2346)

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-883)** in the House on March 21, 2000.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-883) AS AMENDED BY SENATE AMENDMENT "A" (S-571)** thereto in **NON-CONCURRENCE**.

Representative DUNLAP of Old Town moved that the House **RECEDE AND CONCUR**.

On further motion of the same Representative, **TABLED** pending his motion to **RECEDE AND CONCUR** and later today assigned.

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**Non-Concurrent Matter**

Bill "An Act to Promote Maine's Dairy Industry"

(H.P. 1696) (L.D. 2402)

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-858)** in the House on March 15, 2000.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-858) AS AMENDED BY SENATE AMENDMENT "A" (S-562)** thereto in **NON-CONCURRENCE**.

On motion of Representative SAXL of Portland, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

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**COMMUNICATIONS**

The Following Communication: (H.C. 396)

**STATE OF MAINE**

**ONE HUNDRED AND NINETEENTH LEGISLATURE  
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

March 21, 2000

Honorable Mark W. Lawrence, President of the Senate

Honorable G. Steven Rowe, Speaker of the House

119th Maine Legislature

State House

Augusta, Maine 04333

Dear President Lawrence and Speaker Rowe:

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

L.D. 2345      Resolve, to Enhance the Availability of Neuropsychological Assessment to Maine's Children

L.D. 2546      Resolve, to Ensure Equity to High School Athletes Participating in Skiing

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

Sincerely,

S/Sen. Georgette B. Berube

Senate Chair

S/Rep. Michael F. Brennan

House Chair

**READ and ORDERED PLACED ON FILE.**

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**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

Bill "An Act to Fund the Collective Bargaining Agreements and Benefits of Employees Covered by Collective Bargaining and for Certain Employees Excluded from Collective Bargaining" (EMERGENCY)

(H.P. 1902) (L.D. 2646)

Presented by Representative ROWE of Portland. (GOVERNOR'S BILL)

Cosponsored by President LAWRENCE of York and Representative: MURPHY of Kennebunk, Senator: AMERO of Cumberland.

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

Under suspension of the rules, the Bill was given its **FIRST READING WITHOUT REFERENCE** to a committee.

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

Representative TOWNSEND of Portland **PRESENTED House Amendment "A" (H-916)**, which was **READ** by the Clerk and **ADOPTED**.

The Bill was **PASSED TO BE ENGROSSED as Amended by House Amendment "A" (H-916)** and sent for concurrence. **ORDERED SENT FORTHWITH**.

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Bill "An Act to Allow Registration of Low-speed Vehicles"

(H.P. 1904) (L.D. 2649)

Presented by Representative DUDLEY of Portland.

Cosponsored by Senator LIBBY of York and Representatives: CAMPBELL of Holden, GREEN of Monmouth, SHIAH of Bowdoinham, VOLENIK of Brooklin, WATSON of Farmingdale. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent for concurrence.

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

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**ORDERS**

On motion of Representative MENDROS of Lewiston, the following Joint Resolution: (H.P. 1905) (Cosponsored by Senator KONTOS of Cumberland and Representative: MATTHEWS of Winslow)

**JOINT RESOLUTION COMMEMORATING MARCH 25TH AS GREEK INDEPENDENCE DAY**

WHEREAS, the United States Senate passed by unanimous consent for the 15th year in a row a resolution commemorating March 25th as Greek Independence Day, A National Celebration of Greek and American Democracy; and

WHEREAS, the resolution noted words spoken by President Clinton during a visit to Greece on November 20, 1999 when he referred to modern Greece as a "beacon of democracy, a regional leader for stability, prosperity and freedom, helping to complete the democratic revolution that ancient Greece began..."; and

WHEREAS, Greece is only one of 3 nations in the world, beyond the former British Empire, that has been allied with our nation in every major international conflict in the last 100 years; and

WHEREAS, America's founders drew heavily upon the political experience and philosophy of ancient Greece in forming our representational democracy and these and other ideals have forged a close bond between our 2 modern nations; and

WHEREAS, the State of Maine would like to join its thousands of residents of Greek ancestry who are justly proud of their Greek heritage to recognize Greek Independence Day as a gesture of goodwill and recognition of the close bond between our 2 nations and their people; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Nineteenth Legislature of the State of Maine now assembled in the Second Regular Session, on behalf of the people of the State of Maine, commemorate March 25th as Greek Independence Day as we all celebrate Greek and American democracy; and be it further

**RESOLVED:** That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Ambassador of Greece to the United States in Washington, D.C. and to the Consulate General of Greece in Boston, Massachusetts, as a symbol of our recognition of Greek Independence Day.

**READ.**

On motion of Representative MENDROS of Lewiston, **TABLED** pending **ADOPTION** and later today assigned.

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On motion of Representative AHEARNE of Madawaska, the following Joint Order: (H.P. 1903)

WHEREAS, a recent tragic event at the Bangor Mental Health Institute warrants an investigation by the Joint Standing Committee on Health and Human Services into the operation of the Bangor Mental Health Institute and the Department of Mental Health, Mental Retardation and Substance Abuse Services; and

WHEREAS, the Joint Standing Committee on Health and Human Services has not been able to fully study the circumstances that led up to the tragic event at the Bangor Mental Health Institute because of an inability to obtain records and access to persons who could speak with the committee; and

WHEREAS, delegation to the Joint Standing Committee on Health and Human Services of power to administer oaths, issue subpoenas and take depositions in connection with its study of this event will assist the committee in the performance of its duties; now, therefore, be it

**ORDERED,** the Senate concurring, that the Legislature delegates to the Joint Standing Committee on Health and Human Services, pursuant to the Maine Revised Statutes, Title 3, section 165 and Title 3, chapter 21, subchapter II, the power to administer oaths, issue subpoenas and take depositions in connection with the committee's study of the recent death at the Bangor Mental Health Institute of Matthew Berube. The scope, subject matter and conduct of the study are governed as follows.

1. The study is limited to investigation of the death of Matthew Berube for the following purposes:

A. Determining whether mental health services are being appropriately provided to persons in need of those services; and

B. Overseeing the operation and administration of the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Bangor Mental Health Institute and the agencies contracting to provide services to the department.

2. The committee shall keep a transcript of all proceedings and shall make copies available as required in Title 3, chapter 21, subchapter II.

3. The committee shall, in all of its proceedings and in the handling of all materials submitted to the committee, maintain the confidentiality of all materials protected by confidentiality granted by law, privilege or court order.

4. The committee shall retain independent legal counsel and such other staff as it determines are required.

5. The committee may commence the study on or after April 15, 2000 and shall complete the study and draft its recommended legislation by September 1, 2000; and be it further

**ORDERED,** that the Legislature grants to the Joint Standing Committee on Health and Human Services all the powers and authority of a legislative investigating committee as provided under Title 3, section 165 and Title 3, chapter 21; and be it further

**ORDERED,** that the Joint Standing Committee on Health and Human Services shall submit a report on its study and any recommendations for legislative action to the 120th Legislature no later than September 1, 2000.

**READ.**

On motion of Representative AHEARNE of Madawaska, **TABLED** pending **PASSAGE** and specially assigned for Monday, March 27, 2000.

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On motion of Representative SIROIS of Caribou, the following House Order: (H.O. 39)

ORDERED, that Representative Adam Mack of Standish be excused Tuesday, March 7, 2000 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Adam Mack of Standish be excused Thursday, March 16, 2000 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Deborah K. McNeil of Rockland be excused Tuesday, March 21, 2000 for personal reasons.

**READ and PASSED.**

**SPECIAL SENTIMENT CALENDAR**

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

**Recognizing:**

Ashleigh Locke, a student at Marshwood Middle School, who participated in the Do Something Kindness & Justice Challenge. The activities for the Do Something Kindness & Justice Challenge focus on certain virtues and how they apply to young people's lives. The Do Something Kindness & Justice Challenge invites students to honor the dream of Martin Luther King, Jr. by performing Acts of Kindness and Acts of Justice. The Do Something helps educators and young people measure and recognize their community-building accomplishments. Classes and schools keep track of individual effort in clear measurements like Acts of Kindness and Justice or hours served, and Do Something connects these efforts to a national movement of young people changing the world. Ashleigh is the top student, with the most Acts of Kindness and Justice in the entire State. We extend our congratulations to Ashleigh on achieving this accomplishment;

(HLS 1110)

Presented by Representative WHEELER of Eliot. Cosponsored by President LAWRENCE of York, Representative MURPHY of Berwick, Representative MacDOUGALL of North Berwick.

On **OBJECTION** of Representative WHEELER of Eliot, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

On motion of the same Representative, **TABLED** pending **PASSAGE** and later today assigned.

**Recognizing:**

the Camden-Rockport Girls Basketball Team and their coach Jay Carlsen on winning the Class B State Championship. In an overtime game, March 3, 2000, at the Bangor Auditorium, the team culminated a magnificent 21-1 season, winning the gold ball for the first time in the school's history. We extend our congratulations to the team on this achievement;

(HLS 1109)

Presented by Representative POWERS of Rockport. Cosponsored by Senator PINGREE of Knox, Representative SAVAGE of Union, Representative BERRY of Belmont, Senator LONGLEY of Waldo.

On **OBJECTION** of Representative POWERS of Rockport, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER**: The Chair recognizes the Representative from Rockport, Representative Powers.

Representative **POWERS**: Mr. Speaker, Men and Women of the House. There are several of us who will be celebrating this

here on the floor of the House today. The Camden-Rockport High School has reformed itself into a five town CSD. These five towns have long been working together in all of their endeavors and this girl's basketball team represents such an effort. From Rockport, we get to acknowledge Jenny Spinney, Megan Daily and Lauren Withee. From Camden, the other town that I represent, there is Dedre Beverage, Corinna Rousoe, Gracie Jones and Anna Gadaeo. This is a very special team. They have been working, some of them, since third and fourth grade, together, as basketball players. It was the first time in the history of the Camden-Rockport High School that the girls had won their class title. This can never officially happen again as the school is moving to its new sight next year and will have a new name. They were runners up last season and many of their teammates moved on and as freshmen in college watched this glorious win happen for them. I would like to make a correction. It was a 22 and 1 record this season. I apologize for that to the team. This is also a wonderful year because it is the 25<sup>th</sup> year. It is the anniversary of the Maine Principal's Association sponsorship of the girl's tournament. It is a lot of firsts, a lot of anniversaries and it is with great good wishes that I acknowledge the team.

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

Representative **SAVAGE**: Mr. Speaker, Men and Women of the House. Camden-Rockport High School opened in 1965. This is the 35<sup>th</sup> and final year of Camden-Rockport High School. What a great gift, a shiny gold state class "B" championship basketball. The first ever for this girl's team. They played their final thrilling overtime game as Camden-Rockport before becoming the Camden Hills Regional High School. Camden-Rockport girl's team is made up of students from Appleton, Hope, Lincolnville, Rockport and Camden. I happen to represent Appleton and Hope, but I also lived many years in Camden and know the families and watch these girl's grow up. Just think with these five towns involved how many miles have been traveled by relatives and friends over the years. I will tell you that they do support their teams' win or lose. Not only are these girl's winners athletically, but also I know from watching the local news their names appear on honor roll lists regularly. We are very proud. We can't use props here in the House. I wish we could because the picture in the local newspaper with those girls and their smiling faces at the Bangor Auditorium says it all. Thank you girls and thank you to the coaches for bringing this honor to our area, our state and to the State House today. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Belmont, Representative Berry.

Representative **BERRY**: Mr. Speaker, Men and Women of the House. I represent the great town of Lincolnville, but I also represent here a feeling that all of us that served the young people of the State of Maine as coaches and as teachers recognize the great honor of the ability of all of us to be part of this success. All of this starts with an attitude being created by a coach, by a community. That attitude then percolates down through all of the members of a team. There truly is no one best player. On any given day, each is the best player. Those coaches, one in particular, Jay Carlsen, I have known his family for almost 40 years. Jay probably is missing a day of fishing today, but I don't think he minds. I congratulate you, sir. I congratulate your team for the great success you had. Thank you for your leadership.

**PASSED** and sent for concurrence.

**Recognizing:**

Lori Royer, recipient of the 1999 8th Grade Citizenship Award sponsored by the Secretary of State. Lori has demonstrated civic awareness and responsibility, scholastic achievement and dedication to community service. Lori has truly set an example for all other students to follow. We extend our congratulations to Lori on this accomplishment;

(HLS 1112)

Presented by Representative WATERHOUSE of Bridgton.  
Cosponsored by Senator BENNETT of Oxford.

On **OBJECTION** of Representative WATERHOUSE of Bridgton, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

Representative **WATERHOUSE**: Mr. Speaker, Ladies and Gentlemen of the House. Every chance I have to speak up on programs such as this, I try to do so. All too often we hear about kids who get in trouble and it seems like all too seldom we hear about good kids who achieve in school and in their communities and are active in their communities and are on their way to being good citizens. They are good citizens already. Years ago a good friend of mine, Harry, who was a member of the Bridgton Lions, saw the problem with the news reporting where all we heard was about kids who were getting in trouble. He created a project in the Bridgton Lions called Student of the Month. That has been one of the most rewarding programs we have had in the Bridgton Lions along with Lions in the area. Every month we pick a student who has achieved in the school scholastically and in other activities in the community and we bring them into the Bridgton Lions and we honor them with a certificate. This is another wonderful program. I was reluctant to pick out two people, although these people are from my district, these students. All of these kids certainly should be honored and they are being honored today. I extend my congratulations for their achievement and hope that we can see other programs similar to this created, not only statewide, but in the communities throughout the state individually. Thank you.

**PASSED** and sent for concurrence.

**Recognizing:**

Stephanie Lauer, recipient of the 1999 8th Grade Citizenship Award sponsored by the Secretary of State. Stephanie has demonstrated civic awareness and responsibility, scholastic achievement and dedication to community service. Stephanie has truly set an example for all other students to follow. We extend our congratulations to Stephanie on this accomplishment;

(HLS 1113)

Presented by Representative WATERHOUSE of Bridgton.  
Cosponsored by Senator BENNETT of Oxford.

On **OBJECTION** of Representative WATERHOUSE of Bridgton, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

Representative **WATERHOUSE**: Mr. Speaker, Ladies and Gentlemen of the House. I repeat the comments I made on the previous sentiment. They certainly apply to this. The only addition that I would add to that is that I know Stephanie's parents quite well. They are here today. I have met and talked

with them. Her father, many years ago, when they were having a new house built, I helped build their house. This is a personal attachment there. Thank you.

**PASSED** and sent for concurrence.

**In Memory of:**

Jeffery K. Kelly, of Rockland, beloved husband of Martha D. Kelly and son of Earl and Carolyn Kelly. Born and raised in Camden, he was an assistant ranger at Baxter State Park during high school. For 16 years he was an employee at the United States Post Office in Rockland. He always enjoyed outdoor activities, including hunting, skiing and gardening, as well as canoeing and biking with his family. We extend our heartfelt condolences to his family on the loss of their dear family member;

(HLS 1049)

Presented by Representative POWERS of Rockport.

Cosponsored by Representative McNEIL of Rockland, Representative SAVAGE of Union, Senator PINGREE of Knox.

On **OBJECTION** of Representative POWERS of Rockport, was **REMOVED** from the Special Sentiment Calendar.

**READ** and **ADOPTED** and sent for concurrence.

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

Expression of Legislative Sentiment recognizing Ashleigh Locke.

(HLS 1110)

Which was tabled by Representative WHEELER of Eliot pending **PASSAGE**.

The **SPEAKER**: The Chair recognizes the Representative from Eliot, Representative Wheeler.

Representative **WHEELER**: Mr. Speaker, Men and Women of the House. It gives me a great deal of pleasure to rise today and to recognize Ashleigh Locke. As the Clerk has read, Ashleigh was number one in the state, the do something kind of person, which invites students to honor the dream of Martin Luther King, Jr., by performing acts of kindness and acts of justice. The do something helps educators and young people measure and recognize their community building accomplishments. Again, Ashleigh is a top student with the most acts of kindness and justice in the entire state. I really feel proud to be able to stand and to recognize this and to be able to say nice things about our young people in the State of Maine. This award should be highly, highly recognized. I hope you will all join me in recognizing Ashleigh for her great accomplishment.

The **SPEAKER**: The Chair recognizes the Representative from Berwick, Representative Murphy.

Representative **MURPHY**: Mr. Speaker, Ladies and Gentlemen of the House. I, too, would like to congratulate Ashleigh. I have never met Ashleigh herself, although I intend to in a few minutes, but I have known her father for a long time. I have met her mother numerous times. I know where Ashleigh has got her values because I am sure they have been instilled by her parents. I am very proud today to congratulate Ashleigh. Her dad is a sergeant in the Berwick Police Department and he is one of our finest. We appreciate that. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from North Berwick, Representative MacDougall.

Representative **MACDOUGALL**: Mr. Speaker, Ladies and Gentlemen of the House. I, too, would like to recognize Ashleigh for her tremendous, tremendous accomplishment. As Representative Murphy from Berwick just mentioned, it does reflect on her family and that is something that we all can be proud of. As we all deliberate on various issues up here, one of the wonderful things that we need to remember are families like the Lockes. I thank you.

Subsequently, the Sentiment was **PASSED** and sent for concurrence.

**REPORTS OF COMMITTEE  
Divided Report**

Majority Report of the Committee on **LABOR** reporting **Ought to Pass** on Bill "An Act to Ensure Access to Specialists for Injured Workers"

(H.P. 1827) (L.D. 2561)

Signed:

Senators:

DOUGLASS of Androscoggin  
LaFOUNTAIN of York

Representatives:

HATCH of Skowhegan  
GOODWIN of Pembroke  
FRECHETTE of Biddeford  
MATTHEWS of Winslow  
SAMSON of Jay

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

Signed:

Senator:

MILLS of Somerset

Representatives:

TREADWELL of Carmel  
DAVIS of Falmouth  
MacDOUGALL of North Berwick  
MACK of Standish

**READ.**

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

The **SPEAKER**: The Chair recognizes the Representative from Carmel, Representative Treadwell.

Representative **TREADWELL**: Mr. Speaker, Ladies and Gentlemen of the House. I have to say a few words about this bill. It was brought to the committee late in this session. The sponsor presented a bill. There were no proponents. Nobody spoke in favor of the bill, but there were five people who spoke against the bill. What it would do is allow an injured employee, if his injury was contested by the employer, it would allow him or her to be referred to a specialist by their health care provider and receive treatment that would be paid. It would require that that treatment be paid by the employer or the employer's comp carrier. If later it was determined that the injury was not work related, it would be the responsibility of that employee to repay all of the payments that had been made for that treatment. First of all, it could be very expensive and ruinous to the employee and second of all, it could be a cost to the comp system because the ability to recover those payments in the case of back surgery or any other serious type of surgery that could cost \$30,000 or more, would be levied against that employee to repay to the system. Most employees don't have the resources to do that. I

think the unintended result here is it could be very damaging to the employee. I would urge you to vote **Ought Not to Pass** or a vote against the pending motion.

The **SPEAKER**: The Chair recognizes the Representative from Pembroke, Representative Goodwin.

Representative **GOODWIN**: Mr. Speaker, Men and Women of the House. The Workers' Comp System was put in many years ago. It was put in many years ago as a no-fault system. The employers agreed to pay and care for workers injured at work on the job. Injured workers cannot sue employers. Last fall in a legislative review of the department, this issue was discussed and was determined that it could not be done by rules by the department. This after deadline bill was the result. Mr. Speaker, this bill requires the employer to pay for services of a specialist to whom the employee is referred by the employee's health care provider. During the pending part of the dispute, as long as the referral is for treatment of the injury sustained in the course of employment. If an employee is injured at work, injured his elbow, for the first 10 days of the injury, the employer looks after that injury with the physician of their choice. After that 10-day period, the employee can then seek his own physician. In most cases, it is a family physician. After 4 to 6 weeks of care, conservative care, the family physician then does the wise thing and says that they are going to refer them out to someone who knows more about your elbow than I do. When the process starts, the employer is notified. If the employer disagrees, he notifies the physician and the employee that they are not going to pay for that service. The employee then suffers for an extended period of time, doesn't get well, doesn't return to work and waits six to nine months for a hearing to determine that year or may the elbow injury was a result of work and should have the necessary treatment. Six or nine months have gone and the worker has not returned to work. It is not a very good system. It needs to be corrected. The fiscal note, you probably all have copies, the divisional employee health and benefits within the Department of Administrative and Financial Services currently has an arrangement with the state's health insurance provider to pay for services of a specialist during a period of dispute. This bill will not have an impact on the rates paid by the state departments and agencies for workers' compensation benefits.

Mr. Speaker, men and women of the House, I ask for support of LD 2561 to correct the law and return injured workers to their jobs quickly. I thank the Speaker and the body.

Representative **BERRY** of Livermore **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**: The Chair recognizes the Representative from Carmel, Representative Treadwell.

Representative **TREADWELL**: Mr. Speaker, Men and Women of the House. I have to respond to a couple of comments that I didn't mention in my first speech here. If an injury is uncontested, if the employer says that it is definitely a work related injury, the medical treatment in that case is given without any questions or any delay. The reference to the hearing process from the good Representative Goodwin from Pembroke is a problem, I think, with the rulemaking of the Comp Board. The Comp Board has established a rule that these medical payments cannot be made in contested cases until after mediation. This is a flaw in the rules, I believe, and it was talked about at great length in committee. I think it is within the authority of the Comp Board to solve that problem by authorizing

what they call a 312 examination. That is an examination by an independent medical examiner and get the treatment that an injured employee may need promptly and quickly in the early stages directly after the injury. The corrections to the problem are already within the purview of the Comp Board. I don't see any need for this legislation. I guess we have already asked for the yeas and nays.

The SPEAKER: The Chair recognizes the Representative from Skowhegan, Representative Hatch.

Representative HATCH: Mr. Speaker, Ladies and Gentlemen of the House. In regards to this bill, there are a lot of things that happen to an injured worker directly after they are injured. One, their employer has to file a first report. More importantly, for the first ten days, they can see their own physician, but they have to pay for that cost. They have to see the employer's physician. Currently someone can be denied specialist care in that critical first 10 days by the employer's physician before they are able to access their own and get a referral. Because of this, I think we really need to discuss what is really happening to workers' comp. Most of the claims that go through workers' comp are controverted immediately by the insurance carriers. That means that there is no action taken until mediation and sometimes even when a mediator has ordered that action be taken. It is still not taken until a hearing is held. It is usually 10 months after the event. We received on our desk a flyer from the Ought Not to Pass. In it it stated that the workers' comp rates are going up 10 percent. They are, but not due to any changes that you or I have made. They are going up because the workers' comp carriers think that they are not making enough money. They asked for an increase. It is not because they are paying the bills because many times they are not paying the bills. I want you to think about this. If your doctor said you needed a specialist, whoever that might be, that he wanted to you to see someone because your back injury was severe enough that you might be paralyzed for the rest of your life if you didn't see one and the insurance carrier is saying that they won't pay for that and your medical insurance says it was an on the job accident, therefore, it should be covered out of workers' comp, you are caught in a bind. I don't care whose fault it is, whether it is the Workers' Comp Board, insurance carrier or whatever. We need to send a clear message from this body that it is not acceptable to leave someone who is injured out there without medical care. I ask you to support this. Thank you.

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

Representative MACK: Mr. Speaker, Right Honorable Men and Women of the House. I urge you to vote against the pending motion. Right now you can get access to a specialist. In most cases the injured employee does. During the first 10 days, a doctor provided by the company who has a specialty in workplace injuries will take care of the injured employee. During those 10 days, that doctor can refer people to a specialist. If you need a different doctor after those 10 days, you go to your own family physician. In most cases if that doctor refers you to a specialist, you can get access to the specialist. There are a few disputes, but the majority of the disputes are not whether or not the patient needs to go see the specialist, the majority of the disputes are whether or not the injury was work related or not. If it was a work related injury, obviously the specialist is okay. Where the questioning comes through is the employer says that I want to help you if you were injured on the job, but if you were

injured playing tennis or working with a backhoe in your backyard on something that doesn't have to do with the company, we don't want to pay for it.

There is a dispute resolution process. The good Representative from Carmel has stated there is a resolution process within the Workers' Comp Board now. I am very happy to report that within the last few years those dispute resolutions have been happening quicker and quicker and quicker while the Workers' Comp Board has been getting more efficient to handle these cases. As I mentioned, there is an outside review process through the Workers' Comp Board and you can get what is a 312 opinion, which is really a second opinion from a third doctor who doesn't have ties to the employer or the employee. They can go in and give an independent decision. What this bill would cause is abuses of the Workers' Comp System. Right now the doctors who make the decisions are knowledgeable about workplace injuries, but this bill would allow family doctors who may have a good general practice, but who may not have a specific knowledge of workplace injuries, they could then start referring patients to specialists who may not know exactly what is going on with the workplace injury.

There is also a problem of a definition of specialist. Right now payments for any medical treatment is all treated the same, whether it is a specialist, general care physician or whoever. This would carve out specialist as a special entity. The payment for specialist would be treated differently than any other type of physician. This not only leads to confusion by what exactly is a specialist, but it could have ways to get around the system and circumvent what is happening. A carrier could deny payment of medical treatment being provided by the employee's health care provider to the employer health care provider. While that is being disputed, this bill would allow you to get referral to a specialist while the injury is being disputed and the employer would have to pay for everything in the meantime while it is being decided. This turns everything upside down.

We struck a delicate balance when we fixed the Workers' Comp System earlier this decade. This would turn the burden of proof upside down, but right now the employee has to show it was a work related injury. Now we would have to have the employer prove a negative. The employer would have to prove that the specialist was not needed and that this was not a workplace injury. We would be radically altering the way the burden of proof is handled in workers' comp cases.

I would also like to remind my good colleagues that Maine still has a very expensive Workers' Comp System. We are still higher than the national average for workers' comp insurance. There is a 10 percent increase coming in workers' comp rates this year because we are mandating more payments to injured workers. This would raise it even further. Right now, as I said, there is a review process. The deputy superintendent of insurance came before our committee and said that the department believes this bill, although well intentioned, has the potential to create more problems than it solves. The few instances involving disputes over treatment by specialists can be much better addressed by the board itself and staff by aggressive monitoring dispute resolution and enforcement. This bill would raise the cost of the Workers' Comp System, radically alter the burden of proof that we have and flip everything upside down. I urge you to vote against it. Thank you.

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



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

The **SPEAKER**: The Representative may pose his question.

Representative **DAIGLE**: Mr. Speaker, Men and Women of the House. This issue, I think I understand it quite well. We are talking about simple injuries like a broken arm or something that is very visible. I am very confused about how this bill would affect occupational illnesses where the cause is not so clear. For example, if an employee were to have a general fatigue syndrome or a cancerous something else and then attributed to a long-term exposure to a workplace situation. I would like somebody from the committee to explain to me that if in that type of nebulous situation if a worker would then access this medical care at the employers expense when proof of the origin of the illness may be years away and may be very difficult to prove at all? Thank you.

The **SPEAKER**: The Representative from Arundel, Representative Daigle has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Pembroke, Representative Goodwin.

Representative **GOODWIN**: Mr. Speaker, Men and Women of the House. I know of no case to date where any cancer has ever been acknowledged by an employer to be work related. I see nothing in this bill to take care of that situation because it has not arisen to date. Those are the medical problems that we have to resolve in the future, but it is not in this bill. Thank you Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Auburn, Representative Shields.

Representative **SHIELDS**: Mr. Speaker, Ladies and Gentlemen of the House. I have taken care of hundreds of workers' compensation cases. I think I am a specialist, at least as a board certified orthopedic surgeon. As I understand it this bill applies only to the cases in dispute. I have found in my practice that there is usually a good reason why a case is in dispute. The clear-cut cases are cared for. The disputed cases even if they are disputed and there is no current guarantee of payment, if the patient has a ruptured disc and weakness in the leg and numbness and excruciating pain, that patient is going to be taken care of and we will worry about the payment later. I think that is the way most of the physicians in this state take care of these problems. Undoubtedly, this major, if passed, will raise the cost of workers' compensation insurance and the cost of doing business in Maine, which is already fairly high.

I would like to pose a question through the Chair. For anyone who wishes to answer it, can you define for me what is a specialist? Does the law make that distinction? Thank you.

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

Representative **MACK**: Mr. Speaker, Right Honorable Men and Women of the House. To answer the question from the good Representative from Auburn, no, this bill does not define a specialist. A general practitioner may be a specialist under the definition of this bill. We are passing a bill using the word specialist, but not defining it. Right now the word specialist is in the law, but it does not need to be defined because under current law payments to specialists or any other doctor will be treated the same. Now since we are carving out a special notch for specialists and how payments regarding them are concerned,

it would be very appropriate to have a definition of the word specialist, but this bill, unfortunately, does not do that.

The **SPEAKER**: The Chair recognizes the Representative from Jay, Representative Samson.

Representative **SAMSON**: Mr. Speaker, Men and Women of the House. In belated answer to the good Representative from Arundel's question in regards to occupational disease, such as cancer that may be picked up from on the job, there is no doubt in my mind that today the cost of that type of injury from work is picked up by your health insurance that you may carry, not by workers' comp. The cost is picked up, but it is picked up by your health insurance or somebody else's health insurance. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from North Berwick, Representative MacDougall.

Representative **MACDOUGALL**: Mr. Speaker, Ladies and Gentlemen of the House. I would like to bring forth one perspective after mentioning a few things. The only proponent for the bill was the sponsor himself and there were several testimonies given opposed to the bill. There wasn't a clear indication that there is a wide spread pattern of denials of access to specialists. There wasn't any presentation that there is a problem indeed to be fixed by the means of this bill. Indeed, it has been explained by former colleagues this morning, there is a system in place of checks and balances that protects both employers and employees that is really crucial to the system that protects everybody from the financial end to the medical end to the whole point of getting workers back to work and providing for their families. The deputy superintendent of insurance when he presented his testimony was concerned about unintended consequences because the current law provides that an injured employee can be treated by a specialist when the employee has been referred to the specialist by the employee's health care provider. He contends that this bill would permit the employer to provide petition objecting to the named specialist, which would appear unnecessary particularly in those instances where the referral has been made by the medical provider selected by the employer. This could possibly deny treatment, which is exactly the opposite of what we are attempting to do.

There is another aspect of this that hasn't been discussed and as you push your color this morning on yea and nay I would like you to consider this. It permits the employer to challenge the treatment if this passes as unnecessary or excessive. If it is upheld at the hearing, the employee must reimburse that employer. That is reported to be a protection for the employer in that situation. The employee's ability to question the treatment is in current law, but to permit treatment and to require the employee to repay the employer for that treatment if it is later to be found unnecessary or excessive may cause instances where the employee will be liable for considerable sums of money to the employer. An employee should know prior to receiving treatment by that specialist who would be responsible for that cost and those costs can skyrocket. It is especially important with a treatment to correct a medical problem, which is not significantly related to a workplace injury. This bill could provide an opportunity for an employee to run up a bill that is incredibly high. I will contend that the current law protects the employee from that. If you take away the serious thought that cost has to be dealt with in some way, we don't like to talk about it when we are talking about people with injuries and some kind of trauma, but the fact of the matter is in terms of the broad picture of the system, which allows employers to make and provide services,

the opportunities for our working families. It is crucial that we have that broader look. If there is no serious thought to that cost and the possibility of who is going to pay for it, I think you are going to take away the integrity that is built into the system that puts protections to both the employer and the employee and therefore, our working families. Thank you.

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

Representative **MATTHEWS**: Mr. Speaker, Ladies and Gentlemen of the House. I just want to point out to the membership here that the folks that testified in opposition, the average folks, the guys that you know, your constituents and mine back home, they were from the insurance industry. I have never seen them before in the Labor Committee, but they were there to testify in opposition. It seems to me they testify in opposition to most bills that deal with workers and improving their lives. I do thank the good Representative from Pembroke, Representative Goodwin, because, ladies and gentlemen, he is tenacious as our good chair, Representative Hatch from Skowhegan in fighting for workers. They do a great job on our committee and I am proud of their service.

In response to a question by the good gentleman from Auburn, Representative Shields, who is a specialist? You answered the question when you asked the question in determining that you were a specialist. My father was a family physician. He was just a GP, country doctor. He took care of a lot of people. Ladies and gentlemen, he was a specialist because he knew the patients. He knew the workers that got injured. He knew their families and their children. We seem to in this Legislature to always want to chastise doctors and family doctors, primary care physicians. They really do know a lot. They know what is going on with that patient. They have been seeing that patient for that family for years.

There is another part of this bill that is familiar. The echo is familiar to me. It is called cost shifting. Insurance carriers love to play this game. We shift it onto health insurance, the cost of workers' comp. We shift it onto the backs of the injured worker that need the help so they can wait two years or three years for a specialist and a surgery. It does happen. We have had testimony in the Labor Committee that it does occur. I guess what we want to do with this bill is to allow the injured worker to get treated. That is the bottom line. That is all we are talking about. I hope you will support this bill today. Thank you Mr. Speaker.

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

Representative **MACK**: Mr. Speaker, Right Honorable Men and Women of the House. To respond to a couple comments from the right honorable gentleman from Winslow, if you have a family doctor, the family doctor provides a very valuable service. He does know the people he sees. He does know his patients very well, but he may not know a lot about orthopedic surgery or other specific injury, specific things related to workplace injuries. He provides great services, but he is not a specialist in regards to specific workplace injuries. If you want to talk about cost shifting, this bill does cost shifting. This bill would radically alter the way costs are paid for. Right now the employee can get care while things are being disputed. They need to pay for it if it is being disputed. After the dispute resolution process determines that the employee was right, the employee gets reimbursed. This would radically change the way costs are determined and provide a huge loophole that people could take advantage of.

This says that while you are in dispute resolution, the employer must pay. Not only that, but if the whole case is being decided by the Workers' Comp Board, you could have your family doctor refer you to a different specialist and that would have to be paid for. It is a giant loophole not just for specialists. It is a giant loophole shifting costs and opening up the entire Workers' Comp System to unknown quantities of huge liabilities. Not only is the cost being shifted, but the burden of proof is being shifted. This bill is bad news and radically shifts and changes the balances we have established in workers' comp today and I urge you to vote against it. Thank you.

The SPEAKER: The Chair recognizes the Representative from Lebanon, Representative Chick.

Representative **CHICK**: Mr. Speaker, Ladies and Gentlemen of the House. I rise this morning to speak about the experience that I have had during the time that I was employed, which was over many years. During the assignment of work at the great naval shipyard in Kittery, Maine, I served as President of a Union and I also have served 25 years in supervision. What I have to say this morning is not based on what I have heard here this morning, it is only to share with you that in a little while I shall take part with my colleagues in voting on this bill. The thing that I wish to impress upon you is my concern either in labor management or in supervision, whether I was doing it as an individual supervisor or looking at the reports of subordinates, my only concern was and is now that an injured person get medical assistance without having to go through many questions and waiting periods. This is the way that I shall look at this bill. This is what I have always stood for, treatment for an injured worker. Thank you.

The SPEAKER: 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. 481

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

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

ABSENT - Bouffard, Brooks, Frechette, Murphy E, O'Neal, Powers, Stevens.

Yes, 73; No, 71; Absent, 7; Excused, 0.

73 having voted in the affirmative and 71 voted in the negative, with 7 being absent, and accordingly the Majority Ought to Pass Report was **ACCEPTED**.

The Bill was **READ ONCE** and was assigned for **SECOND READING** Monday, March 27, 2000.

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The **SPEAKER**: The Chair recognizes the Representative from Biddeford, Representative Sullivan who wishes to speak on the record.

Representative **SULLIVAN**: Mr. Speaker, Men and Women of the House. I have the pleasure today to recognize a resident of House District 17, who in turn, represents many of your constituents. Todd Fields, Maine's Teacher of the Year 2000, is a visitor in the State House today. He is a drafting teacher in the Westbrook School System. As Teacher of the Year, Todd exemplifies the finest tradition of Maine education. Maine students are number one in the nation for many different reasons, not the least of which is the quality of her teachers. It is with a double sense of pride that I am able to speak this morning about Todd, my constituent and career colleague. I want to thank Todd for helping to lead the way for Maine's children and setting an example for all teachers to emulate. I also want to thank Todd for having the very good sense to live in House District 17. Thank you. Mr. Speaker.

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The **SPEAKER**: The Chair recognizes the Representative from Westbrook, Representative Duplessie who wishes to address the House on the record.

Representative **DUPLESSIE**: Mr. Speaker, Ladies and Gentlemen of the House. It also makes the citizens of Westbrook very proud to have Todd Fields as an instructor at Westbrook High School. We also saw that this year in the City of Westbrook that there is another teacher, Anna Kimball, from the Wescott Junior High that is one of the nominees for Teacher of the year. Thank you.

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Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-908)** on Bill "An Act to Allow Police Assistance in Emergency Situations"

(H.P. 1767) (L.D. 2480)

Signed:

Senators:

PENDLETON of Cumberland

GOLDTHWAIT of Hancock

DAVIS of Piscataquis

Representatives:

AHEARNE of Madawaska

RINES of Wiscasset

McDONOUGH of Portland

TWOMEY of Biddeford

BUMPS of China

GERRY of Auburn

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

Signed:

Representatives:

BAGLEY of Machias

KASPRZAK of Newport

JODREY of Bethel

RICHARDSON of Greenville

**READ.**

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

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

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Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act to Amend Weight Requirement Inequalities Between Hauling Wood Products and Hauling Other Products"

(H.P. 845) (L.D. 1179)

Signed:

Senators:

PARADIS of Aroostook

O'GARA of Cumberland

Representatives:

FISHER of Brewer

WHEELER of Eliot

LINDAHL of Northport

JABAR of Waterville

BOUFFARD of Lewiston

SAVAGE of Union

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-911)** on same Bill.

Signed:

Senator:

CASSIDY of Washington

Representatives:

COLLINS of Wells

SANBORN of Alton

WHEELER of Bridgewater

CAMERON of Rumford

**READ.**

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

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

Representative **CAMERON**: Mr. Speaker, Ladies and Gentlemen of the House. This bill, as you know, deals with truck weights. You may have heard a lot of comments about what it does and doesn't do. This bill doesn't do anything more than allow the same law to apply to contractors hauling gravel and other construction materials and farmers hauling produce that we allow loggers when we they are hauling wood to the mills. The original change was made for the log trucks because any of you who have had anything to do with that business know very well that sitting out in the middle of the woods umpteen miles from no where you have no idea what an individual log weighs when you pick it up and put it on a truck. Therefore, there was a cushion allowed to be added to the gross weight of the truck of 10 percent because with frozen mud stuck to the logs or ice, snow or all the other things, there was no way for the driver to know exactly what he was hauling. Keep in mind when they exceed that 10 percent, the fine structure goes back to the original weight. The reason for that is to try to control and there will always be a miniscule percentage of people in any business that

will push the envelope. The reason for that drop back to the original weight limit is try to control those few people.

This bill brings parity with the folks in the aggregate business and the agricultural community with the forestry community. Again, you are sitting out in the middle of the field in Aroostook County in late October and bad weather is coming and you have a lot of potatoes to get in, you don't have time to weight individual potatoes to find out what that truck is going to weigh when you get out onto the road to get to the barn to keep it from freezing.

In the summer in our construction season, people that drive gravel trucks have no way of knowing what a yard of gravel weighs. Yes, there is an average. You can go to an engineering book and you can find out what a yard of gravel weighs, but that doesn't take into account how much rain we have had and other things that may impact the yardage weight of that gravel or other aggregate because it does soak up water.

This bill addresses an issue that is a constant problem for people in the agriculture business and the aggregate business. They may very well come across a scale and be legal. The total weight may be legal. Now we get down to, we can't catch you on that, so we will try to catch you on another issue. The other issue we will try to catch you on is whether or not the weight on each axle is correct. I defy any of you in this room to go out and load a gravel truck and be able to drive out of that yard knowing full well that the exact weight on each of those four axles is what the law calls for. It is impossible, ladies and gentlemen. Nobody can do it. I don't care how perceptive you are. Yes, you can say that four-bucket loads of gravel will about fill that truck to its weight capacity. You get out and head down the road, the officer pulls you over and weighs you and you are within the weight capacity. Now we will try the individual axle. Oh, you are off on the axle. You got your load too far ahead or too far back. Nobody can live within those confines without continuing to be fined.

I am sure you have heard and you will hear people say that these people in this business consider it a cost to doing business. I am sure that you can find a handful of people in a business that do consider it a cost of doing business. The vast majority of those people don't look at it that way. The vast majority of those people are law-abiding citizens. They are the same people we talked about in this last bill. Most of the time the people who run the business are not out loading the trucks. They do the best they can. They don't get up every morning and make a conscious decision that I am going to push the envelope and I am going to do all I can to take advantage of that law. They try to take advantage of what they are legally able to do and make a living for their families. That is what this is all about.

You will see that there is an amount of money that will be increased in collections because in the negotiations there was an agreement by the industry to support a huge increase in the fine structure for that small miniscule percentage of the total number of people who do push the envelope. When they get up over that cushion, they are going to pay a dear price, as they should. I would ask you to defeat the pending motion and try to help the folks that are out there working every day to make a living. Thank you very much.

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

Representative JABAR: Mr. Speaker, Ladies and Gentlemen of the House. Let me give you some reasons why you should follow the Majority Report in this case. LD 1179 was

opposed by DOT and the Maine State Police. It was opposed by DOT because of the significant damage that this bill would impose upon our roads. LD 1179 would have Maine the heaviest tri-axle weight in the country. The heaviest tri-axle, garbage tri-axle, etc., with the exception of only one state and that is coal trucks in West Virginia. No other states in the country has accepted the proposals of this bill. The reason DOT objects to this is because of pavement damage. While the bill does not increase the gross truck weight, it does increase axle weight. Axle weight is the primary issue, which determines pavement damage. One truckload pursuant to LD 1179 would create twice the pavement damage as a truck loaded under current law. Maine cannot afford to let the trucks increase the damage to Maine's state and highway roads. We all know the damage that has been done and the problems we have with our roads in the State of Maine. We spent a lot of money in the last Legislature and their proposals in this Legislature to fix our roads. To do this would only do damage and undo the work we are trying to do to bring our roads up to par. Furthermore, the State Police object to it because of the problem with the controlling and steering these types of vehicles. The fiscal note is really a matter of the damage and what we are going to be paying in the long run for the roads.

LD 1179 allows trucks, the weight so you can understand the problem; it allows the weight to be shifted to the rear axle. Someone gave me an example at the hearing; it is like a snowshoer leaning back on the rear tips of the snowshoes as opposed to having the weight evenly balanced across those snowshoes. This is a problem. It is not just simply the weight it is the way it is being dispersed. I ask you accept the Majority Report in this kind of technical bill because you have to understand weights and damage to roads to understand why this is a significant bill. I ask you to support the Majority Report of the Transportation Committee and pass this Majority Ought Not to Pass. Thank you.

The SPEAKER: The Chair recognizes the Representative from Alton, Representative Sanborn.

Representative SANBORN: Mr. Speaker, Ladies and Gentlemen of the House. Last year we realized that it was impossible to load a truck with potatoes in the field. We passed legislation that took care of the problem for the potato farmers. Today we are asking that all in the trucking industry and also the busing industry are treated equally. Let me give you an example of why this change needs to happen. These vehicles and operators, for the most part, are in compliance with the overall weight of their vehicle. If they are not, this piece of legislation increases the fines and takes care of that situation. The whole problem is getting the load balanced for axle weight. Let me give you an example, in the busing industry it is much easier than with a load of gravel. I can ask this heavy person to sit in this section of the bus and put the light person in their seat. With a load of gravel that is not as easy to do when you are out in the field loading it. I ask that you reject the present motion before us and that we go on to make the trucking industry equal for all people.

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

Representative CAMERON: Mr. Speaker, Men and Women of the House. Just a couple of quick comments in response to my good friend from Waterville when he spoke about the heaviest weights in the nation, that sounds very ominous. The fact is they are the heaviest, but they are merely comparable to

what we are allowing on log trucks today. We are not changing any individual ability to haul materials to increase over other states. We are merely asking for parity if I should decide to put a log on my truck rather than a bucket load of sand, we have two different standards. Thank you.

The SPEAKER: The Chair recognizes the Representative from Hodgdon, Representative Sherman.

Representative SHERMAN: Mr. Speaker, Ladies and Gentlemen of the House. I would just like to add one thought to this debate or, I guess, two. It is rather exacerbating for people to know that weights are correct and someone comes along and it sounds like a gotcha game if your axle weights are off. The point has not been made here, but it was made last time with potatoes, if you load a load of potatoes in the field, maybe even gravel, you are traveling on the highway on winding roads or you are backing up, that weight, even though you are correct coming out of the field, may not be correct on the axle weights when the State Police stop you and run the scales underneath you. As far as the roads are breaking up our way, if we stop some of the Canadian traffic going on Route 1, we might have a better route. Thank you.

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

Representative LINDAHL: Mr. Speaker, Men and Women of the House. The State Police opposed this. DOT opposed this. This isn't the first time we have had this bill in front of this body. I have been on the Transportation Committee for three terms and this is probably the third time we have heard this bill. The problem is the axle weights are the most damaging part of the load. If you put a large amount of weight on one axle and you add water to it, such as you can with sand or gravel, then you are going to be way over your axle limits. You are going to cause a lot of damage to the highways. I urge you to accept the Majority Ought Not to Pass. Thank you.

The SPEAKER: The Chair recognizes the Representative from Wells, Representative Collins.

Representative COLLINS: Mr. Speaker, Ladies and Gentlemen of the House. What LD 1179 is requesting is quite simply a fair playing field. If you can haul a certain amount of weight in wood products, you should be able to haul the same amount of weight in a sand or gravel truck or whatever. All this bill is looking for is fairness. I urge you to vote for the Minority Report. Thank you.

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

Representative LINDAHL: Mr. Speaker, Ladies and Gentlemen of the House. If you are really interested in doing the best for the roads of the State of Maine and you want fairness, then lower the axle limits for log trucks. That is what you should be doing. If you have one entity that is causing a lot of damage, let's not double that by adding somebody else too. Thank you.

The SPEAKER: The Chair recognizes the Representative from Old Town, Representative Dunlap.

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

The SPEAKER: The Representative may pose his question.

Representative DUNLAP: Mr. Speaker, Men and Women of the House. To anyone who may care to answer, if what we are seeking here is truly parity among drivers, then does that mean that the members of the minority are no longer interested in the bill that would provide temporary relief to the excise tax on diesel fuel?

The Chair ordered a division on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative JABAR of Waterville **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

**ROLL CALL NO. 482**

YEA - Baker, Berry RL, Bouffard, Brennan, Brooks, Bryant, Bull, Chick, Chizmar, Colwell, Cote, Cowger, Davidson, Dudley, Dunlap, Duplessie, Etnier, Fisher, Gagnon, Goodwin, Green, Hatch, Jabar, Kane, LaVerdiere, Lemoine, Lindahl, Mailhot, Marvin, Matthews, McDonough, McKee, Mitchell, Muse, Nass, Norbert, O'Brien LL, O'Neil, Perry, Pieh, Powers, Quint, Richard, Richardson J, Samson, Savage C, Savage W, Saxl MV, Shiah, Sirois, Skoglund, Tessier, Thompson, Townsend, Tripp, Tuttle, Twomey, Usher, Volenik, Watson, Mr. Speaker.

NAY - Ahearn, Andrews, Bagley, Belanger, Berry DP, Bolduc, Bowles, Bragdon, Bruno, Buck, Bumps, Cameron, Campbell, Carr, Clark, Clough, Collins, Cross, Daigle, Davis, Dugay, Duncan, Foster, Fuller, Gagne, Gerry, Gillis, Glynn, Gooley, Heidrich, Honey, Jacobs, Jodrey, Jones, Joy, Kasprzak, Kneeland, Labrecque, Lemont, Lovett, MacDougall, Mack, Madore, Martin, Mayo, McAlevey, McGlocklin, McKenney, McNeil, Mendros, Murphy E, Murphy T, Nutting, O'Brien JA, O'Neal, Peavey, Perkins, Pinkham, Plowman, Povich, Richardson E, Rines, Rosen, Sanborn, Saxl JW, Schneider, Sherman, Shields, Shorey, Snowe-Mello, Stanley, Stanwood, Stedman, Sullivan, Tobin D, Tobin J, Tracy, Trahan, True, Waterhouse, Weston, Wheeler EM, Wheeler GJ, Winsor.

ABSENT - Cianchette, Desmond, Frechette, Stevens, Treadwell, Williams.

Yes, 61; No, 84; Absent, 6; Excused, 0.

61 having voted in the affirmative and 84 voted in the negative, with 6 being absent, and accordingly the Majority **Ought Not to Pass** Report was **NOT ACCEPTED**.

Subsequently, the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-911)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Monday, March 27, 2000.

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

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Majority Report of the Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended** by **Committee Amendment "A" (H-913)** on Bill "An Act to Preserve Live Harness Racing in the State"

(H.P. 1214) (L.D. 1743)

Signed:

Senators:

FERGUSON of Oxford

CAREY of Kennebec

DAGGETT of Kennebec

Representatives:

LABRECQUE of Gorham  
 MAYO of Bath  
 TUTTLE of Sanford  
 O'BRIEN of Lewiston  
 HEIDRICH of Oxford  
 McKENNEY of Cumberland  
 GAGNE of Buckfield  
 FISHER of Brewer

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

Signed:

Representatives:

CHIZMAR of Lisbon  
 PERKINS of Penobscot

**READ.**

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

The SPEAKER: The Chair recognizes the Representative from Lisbon, Representative Chizmar.

Representative CHIZMAR: Mr. Speaker, Men and Women of the House. When the calendar appeared this morning, I had several of you come to me and ask why I was opposing this piece of legislation. My explanation is that in 1997 the Governor's Advisory Committee on Gambling, of which Representative True was a member, and the Governor's Harness Racing Task Force, of which I was a member, both acknowledged that telephone wagering may be a possible revenue raising option for harness racing. The Harness Racing Task Force recommended that it be studied; particularly looking at the experience that other states had had with it. The testimony given at the public hearing before Legal and Veterans Affairs did not indicate any study comprehensive or otherwise had yet been undertaken. While the commercial interests were quick to point out that there would be no problem with tele-betting, I believe that without adequately studying all of the issues relating to tele-betting, both pros and cons, possibly problems might arise. Thank you.

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

Representative DAIGLE: Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this bill based on an experience I had many years ago traveling through the State of Nevada stopping at a grocery store to get some food and I watched people paying their groceries and keeping their kids in their shopping carts and running to the slot machines. It convinced me that I am not going to support gambling of this nature in the state, at least when it is restricted to the location with activities taking place at just a track where there is some ability to control it. I am concerned that this bill basically pushes into our homes. Although the bill talks about having a cash account in which to draw from, it is my understanding, I am sure I will be corrected if I am wrong here, that credit cards can be used. I can just imagine the scenario of people from their homes and their workplaces, people who are compulsively gambling, to run down their account, throw out their credit card number and drive themselves into debt and that is not the kind of state that I want to live in. I don't think that is the kind of state I want my constituents to live in. I hope that you will vote with me to defeat this motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Tessier.

Representative TESSIER: Mr. Speaker, Men and Women of the House. I stand before you today in support of LD 1743. As you know, the sport of harness racing has a proud heritage in our state that goes back over 175 years. It is made up of hardworking men and women that are trying to keep a sport alive in this state with its roots that are deep in Maine against formidable odds that have become greater each and every day. The latest obstacle is called Internet betting. There are entities out of state that have now set up a method of wagering through the Internet and this is how it works. A company, we will say in Pennsylvania, provides you if you have indicated an interest in wagering with them; they provide you with a satellite dish that sends to your home racing events throughout the nation and even the world. Then by using pre-established accounts and in those states credit cards, you can place a wager over the Internet. The problem with this is that all of the revenues generated on this wager go to that state and not a penny to the State of Maine.

The bill before you would allow Maine residents only the ability to place wagers from their homes into licensed pari-mutuel facilities within the State of Maine. It does not allow credit card betting. It does require, however, that you pre-establish an account. There are safeguards set up that would protect your identity and verify that the person who is calling is the person that they portray.

This bill does not expand the wagering base in our state, rather it protects what little we have left and gives our own Maine business people the opportunity to keep pace with our neighbors who are coming in using the telecommunications to take what revenue we do have for our racing industry. Here is an opportunity for this body to pass legislation that would immediately stop this hole where hundreds of thousands of dollars are passing right through our borders through the Internet and benefiting businesses and other states miles away from our own state line. These are valuable dollars that would help support an industry that is much a part of the history of this great state as is shipbuilding and fishing. It could be kept in Maine with the passage of this bill. Our harness racing industry, which employs over 1,000 Maine citizens across this state, needs our help and they need it now. I would ask for your support of this bill. Thank you.

The SPEAKER: The Chair recognizes the Representative from Wayne, Representative McKee.

Representative MCKEE: Mr. Speaker, Men and Women of the House. I think one of the biggest surprises that I had when I came here was having sat on the Agriculture, Conservation and Forestry Committee to examine the materials that we received in an annual report about the harness racing industry. I had no idea that Maine had invested so much in this and made an enormous amount of money from it. I am uncomfortable with it. I share Representative Daigle's feelings about it and his suggestions. I would like to pose a question through the chair to anyone who can answer. I would like to know what is the total amount that the State of Maine makes from harness racing in the state?

The SPEAKER: The Representative from Wayne, Representative McKee has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Sanford, Representative Tuttle.

Representative TUTTLE: Mr. Speaker, Men and Women of the House. I have that answer here somewhere. I would move

that this item be tabled until later so I could get that information for the Representative.

The SPEAKER: The Representative has already spoken, that motion is out of order.

On motion of Representative SAXL of Portland, **TABLED** pending the motion of Representative TUTTLE of Sanford to **ACCEPT** the Majority Ought to Pass as Amended Report and later today assigned.

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**CONSENT CALENDAR**

**First Day**

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

(S.P. 113) (L.D. 310) Bill "An Act to Allow Children to Fish from the Banks of Rivers Designated as Quality Fishing Rivers" (EMERGENCY) Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-551)**

(S.P. 630) (L.D. 1795) Bill "An Act to Validate Pierringer Releases and Reform Procedures in Multiparty Lawsuits" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-558)**

(S.P. 642) (L.D. 1824) Bill "An Act to Encourage Equity Equivalent Loans or Investments in Community Development Financial Institutions" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-553)**

(S.P. 681) (L.D. 1931) Bill "An Act to Amend the Franchise Law" Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-554)**

(S.P. 939) (L.D. 2389) Bill "An Act to Facilitate the Implementation of the E-9-1-1 System" (EMERGENCY) Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-560)**

(S.P. 956) (L.D. 2497) Resolve, to Ensure Adequate District Court Facilities for Western York County Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-556)**

(S.P. 983) (L.D. 2537) Bill "An Act to Promote Historic and Scenic Preservation" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-557)**

(S.P. 1029) (L.D. 2609) Resolve, to Ensure Adequate Funding for the Lewiston District Court Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-561)**

(H.P. 1629) (L.D. 2276) Bill "An Act to Revise the Spousal Support Statute" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-915)**

(H.P. 1747) (L.D. 2453) Bill "An Act Regarding the Statute of Limitations for Sexual Misconduct with a Minor" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-914)**

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

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

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**CONSENT CALENDAR**

**Second Day**

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

(S.P. 585) (L.D. 1665) Resolve, to Promote Natural Resource-based Industries (C. "A" S-549)

(S.P. 882) (L.D. 2297) Bill "An Act to Appropriate Funds to Match a Federal Department of Energy Research and Development Award" (C. "A" S-547)

(S.P. 890) (L.D. 2309) Resolve, Authorizing the Commissioner of Administrative and Financial Services to Transfer or Acquire Property or Interests in Property at the Maine Criminal Justice Academy, Oak Grove Coburn School in Vassalboro and at Other State-owned Property (C. "A" S-550)

(S.P. 921) (L.D. 2372) Bill "An Act to Regulate the Sea Cucumber Fishery" (EMERGENCY) (C. "A" S-542)

(S.P. 982) (L.D. 2532) Bill "An Act to Implement the Recommendations of the Task Force to Study the Need for an Agricultural Vitality Zone Program" (C. "A" S-548)

(H.P. 1816) (L.D. 2549) Bill "An Act to Implement Recommendations Concerning Protection of Indian Archaeological Sites"

(H.P. 1852) (L.D. 2590) Resolve, Regarding Legislative Review of Chapter 9: Rules Governing Administrative Civil Money Penalties for Labor Law Violations, a Major Substantive Rule of the Department of Labor (EMERGENCY)

(H.P. 1879) (L.D. 2615) Resolve, Regarding Legislative Review of Chapter 119: Motor Vehicle Fuel Volatility Limit, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

(H.P. 1810) (L.D. 2536) Bill "An Act to Provide Funding for Mental Retardation Day Services and Residential Services for Nonclass Members" (C. "A" H-906)

(H.P. 1817) (L.D. 2551) Bill "An Act to Implement the Recommendations of the Committee on Sawmill Biomass" (C. "A" H-899)

(H.P. 1833) (L.D. 2569) Resolve, to Authorize the Waldo County Commissioners to Borrow not more than \$400,000 to Build a Waldo County Communications and 9-1-1 Center (EMERGENCY) (C. "A" H-909)

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

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**BILLS IN THE SECOND READING**

**Senate As Amended**

Bill "An Act to Improve the Absentee Voting Process" (S.P. 631) (L.D. 1796) (C. "A" S-515)

**House**

Resolve, to Create the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft (EMERGENCY)

(H.P. 1901) (L.D. 2645)

**House As Amended**

Bill "An Act to Allow the State Police to Accept Funds from Private Entities for Services Provided"

(H.P. 1743) (L.D. 2449)  
(C. "A" H-828)

Bill "An Act to Appropriate Funds to the Forum Francophone"

(H.P. 1750) (L.D. 2456)  
(C. "A" H-907)

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

Bill "An Act to Enhance the Economic Security of Low-income Households with Respect to Utility Service"

(H.P. 1496) (L.D. 2140)

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

On motion of Representative WATERHOUSE of Bridgton, was **SET ASIDE**.

The same Representative **PRESENTED** House Amendment "A" (H-920), which was **READ** by the Clerk.

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

Representative **WATERHOUSE**: Mr. Speaker, Ladies and Gentlemen of the House. This is an amendment to a bill that we voted on the other day dealing with the policy of establishing low-income assistance to low-income people for gas utilities. I will read the summary of the amendment. "This amendment permits the Public Utilities Commission to establish a bill payment assistance program for residential low-income customers of natural gas utilities. The program must be funded by the General Fund and the distribution of funds administered by the Public Utilities Commission." This amendment also adds an appropriation section to the bill.

We heard some talk yesterday about the appropriateness of funding it out of the General Fund as opposed to attaching on a surcharge to ratepayers. As a legislator, this is my third term, I think that the accountability rests right here. If we are going to establish programs, we should set priorities in the Legislature. I don't think there are too many of us that don't think this is a priority, but it should compete with all the rest of the issues that we are dealing with as far as funding. We should not be passing this on as a hidden cost to the ratepayer. I understand somebody might say it is not hidden, it is on the bill. That is not a mistake that, is exactly what it is. It is us not setting up priorities. This is a chance to establish a program, which we can all agree is worthwhile, but holding us accountable for funding it instead of passing it onto the ratepayers. I hope that you will join me in supporting this amendment. Mr. Speaker, when the vote is taken, I wish to have the yeas and nays.

The same Representative **REQUESTED** a roll call on his motion to **ADOPT** House Amendment "A" (H-920).

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

Representative **DAVIDSON** of Brunswick moved that House Amendment "A" (H-920) be **INDEFINITELY POSTPONED**.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Brunswick, Representative Davidson.

Representative **DAVIDSON**: Mr. Speaker, Men and Women of the House. I apologize. The Utilities Committee is meeting

upstairs and I apologize, some of my other committee members are still up there. I called up there and asked some of them to come down. I want to tell you why this amendment, itself, actually goes right to the very heart of the issue on this. My good friend, the Representative from Belmont and the Representative from Bucksport and the Representative from Presque Isle, on the other side of the aisle, are some of the best consumer protectors in this body. We disagree on this issue and I have watched them time and time again to advocate for protection of consumers. We disagree on this and we disagree not from protection of low-income consumers, but really on the mechanism on how we achieve that. I will tell you why this amendment is a bad idea and why this amendment really flies in the face of what our police have been saying for many years with regards to other utility service. It is largely because by tying this to General Fund money, we put it on very, very unstable and shaky ground for years to come.

The only reason why the Legislature this year has decided to attempt to take \$60 million and put it in an endowment or a trust to fund low-income programs in electricity is because we have the money to put aside that can't be raided and will have a trigger so that if you do ever raid it, it goes right back into rates. There is absolutely no instability about that at all. What you are doing now is you are taking one utility service, natural gas consumers and low-income residential consumers, and you are saying that you are protected as long as the Legislature decides you are protected. At that 3 a.m. hour in Appropriations when someone says, I want my laptops, there it goes. I thought of drafting this amendment in the committee myself and I appreciate my friend from Bridgton for bringing it forward, but at the end of the day what we decided was you are going to take one class of customers and you are going to say that we are going to basically hold up a sacred cow for low-income programs, which is what I think is the right thing to do for other utility services, but for this one we are going to say year to year you are basically going to have to petition for that money. I just think it really is the better policy decision to tie it to a stable source. Again, like I talked about yesterday, it really is apples and oranges. This just isn't the right policy way to go.

I know my good friend from Bridgton absolutely wants to do what I want to do and the members of the Majority Report want to do. The members of my committee on the Minority Report want to do and that is to take care of low-income consumers. I just think this is the best way to go about it. I hope you will support my Indefinite Postponement.

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

Representative **WATERHOUSE**: Mr. Speaker, Men and Women of the House. With all due respect to my good friend, the Representative from Brunswick, sure, we do have to take a look at this when we fund it. That is what listing your priorities is all about. As far as it not having a safe and stable source of funding, there are many low-income programs that we fund from the General Fund that are under the same auspices, circuit breaker, low-income drug assistance and I am sure we can mention many more. I don't think that is a legitimate argument. I would dare say that if we put this funding in the General Fund that it would constantly get funded. I would put it on a very high priority. I don't think the way to do it is to pass it onto the ratepayer. They have had enough of that. Anybody who has talked to people who look at their bill will tell you that. Let's be honest about it. Let's get it out in the air. Let's say here it is so



we can look at all the different programs that are being funded instead of sticking them in these little pockets and little corners where people may not notice them. It is not a good policy to be doing that. Mr. Speaker, I request the yeas and nays.

Representative WATERHOUSE of Bridgton REQUESTED a roll call on the motion to INDEFINITELY POSTPONE House Amendment "A" (H-920).

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 Belmont, Representative Berry.

Representative BERRY: Mr. Speaker, Men and Women of the House. I think this is a good amendment. I think it is a good amendment because as the prior Representative has stated, it does make it very clear where this money is and where it comes from and what it is being used for. If the people of the State of Maine feel it is important enough to provide low-income assistance to this group, then it should come from the people's money. It should come from the General Fund. This amount of funding is actually very low.

I would also point out that that person that is out there receiving only LIHEAP funds for their oil is not getting this benefit. If we feel that this benefit is that great, then I believe we should fund it from the General Fund. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Bucksport, Representative Rosen.

Representative ROSEN: Mr. Speaker, Ladies and Gentlemen of the House. I would just like to take a second and read to you a portion of the testimony that we received from the Public Utilities Commission concerning this bill when they testified before the committee. "The Commission strongly supports the general principle of ensuring access to affordable energy for all Maine citizens. For that reason, we agree with the general concept of LD 2140 to provide assistance to low-income consumers who may rely upon natural gas for heating purposes. As we have stated previously, however, the commission believes that such programs should be funded through broad-based taxes with money appropriated from the state's General Fund." Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Brunswick, Representative Davidson.

Representative DAVIDSON: Mr. Speaker, Men and Women of the House. Just to follow up on a couple of points. I think they are important. Remember that the fiscal note on this bill doesn't reflect what this program is going to eventually cost. The fiscal note of this bill basically sets up the administration of what will become a multi-million dollar year to year appropriation from the General Fund. My friend from Bucksport talks about the PUC. The PUC is not an advocacy group before this Legislature. Frankly, the PUC does what we tell them to do. That is an important thing to remember because within this amendment the PUC doesn't and why it is worded in quite a sketchy way, is that it doesn't tell them. It basically says, PUC go figure this out. It doesn't tell them about the rate process used and the rate cases and opening up the rate case. It is the types of things that are important for PUC input, but that we give them the policy directions. I think those are some important distinctions. Like I said, sure, they may argue that keeping it out of rates is the purest form, but have also, in many cases, supported things that we have done in the past like the schools and library initiative that have put things into rates. I appreciate those comments, but I think this is the most stable way to handle something that is, the

previous speaker talked about the legitimacy of this, you tell me what you are hearing back at home about legitimacy of home heat this winter. I would put this issue on a very different scale than I would put almost anything else that we deal with before this Legislature. These aren't issues of convenience and they aren't issues that are merely important. They are issues of critical needs to the people in Maine. They are issues and programs that people have to know are going to be there consistently year-to-year. They can't worry and I don't want to worry when I am sitting at home next year when many of you are up here that these programs are potentially at risk. I think it is the right way to go. I appreciate the fact that we have two different roads to the same end. I really, in my heart, think this is the right one to go. Thank you Mr. Speaker.

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

Representative DAIGLE: Mr. Speaker, Ladies and Gentlemen of the House. I would like to join with my good friend from Brunswick, Representative Davidson, in urging you to vote for Indefinite Postponement, but for an entirely different reason that hasn't been talked about much in this matter. The transition of our energy sources to natural gas is a major change that many people don't understand the complexity. For example, the sudden increase in home heating oil that we experienced last January is connected to the proliferation of natural gas in New England. The reason being is that when that infrastructure started to suffer a little bit from the cold weather, the first thing that happened is the federal government prohibited the generating stations from using the gas so that it could be adequately available for residential heating. Suddenly you had generating stations throughout New England go off natural gas and turn to oil, a utility that was not available in sufficient quantities to keep up with the demand. Suddenly, you had chaos in the oil market and it was related. There are some very, very broad policy issues here. What has happened is we have been treating natural gas like it is the Holy Grail and is going to solve all of our problems and it will be easy to do. It might be a wonderful thing. I am sure it will be, but one thing that has to happen is that natural gas has to pull its own weight, especially in the early years. If we are going to encourage residential homes to transfer to natural gas and we know that low-income subsidies are going to be part of that transition and that industry has got to bear its own costs. When you throw General Fund money into it, what you are doing is you are tipping the balance a little bit more away from the realistic impact of those decisions. I don't want natural gas and residential home heating oil to progress any faster than it should because when it exceeds the infrastructures capability and we have a cold month in January, suddenly it costs more for diesel fuel in Aroostook County. It is all related that way and for that reason, at least in these early years, let the natural gas system pay for the cost of providing that utility with a proposal that is currently without this amendment.

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

Representative WATERHOUSE: Mr. Speaker, Ladies and Gentlemen of the House. With all due respect to the good Representative from Arundel, the industry will not bear this cost. They are going to pass it on to the ratepayer, so it is the ratepayer who is going to bear the cost. Thank you.

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

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

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

Representative **MAYO**: Mr. Speaker, Men and Women of the House. Could someone enlighten us as to the cost on the ratepayer?

The **SPEAKER PRO TEM**: The Representative from Bath, Representative Mayo has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Brunswick, Representative Davidson.

Representative **DAVIDSON**: Mr. Speaker, Men and Women of the House. I thank the Representative from Bath for the question. The numbers, which we have, which I think are pretty safe because they come directly from the providers of the only residential providers in the state who are supportive of this bill. It will cost typical residential heating bills for customers to increase by \$1.82 per year. It will cause the hypothetical non-heating bill to increase by \$.68 per year.

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

Representative **MURPHY**: Mr. Speaker, Men and Women of the House. Some of us who are of the recycled nature, sometimes you can close your eyes and it is like listening in the 1980s, except at that time it was electric bills. We saw, at that time, when there were surpluses rather than going to the surplus, we saw the add ons that occurred. They were all noble purposes, but we saw a point in the state where the cost of electricity became so high, especially on the manufacturing side, that we lost jobs in this state as they went to other states where the cost of electricity was much less.

My good friend from Brunswick has used the analogy or the example of heating oil bills. I would challenge the good Representative, even though this oil is not part of this, to go back and tell his constituents that he has voted to increase the size of their heating bill because we didn't take money from the surplus to pay for that subsidy, but we decided to pass it on to the other 97 or 98 percent.

I think what will be my yardstick as we vote on this are two criteria. All the studies show us that in disposable income, what you have left after you pay your taxes and your cost of living, if you heat your home or if you use this fuel, this proposal, unless it is amended, will reduce even more of that disposal income. If you are going to use the other yardstick, it would be that if you are going to use this fuel in the manufacturing process, doing the add on or the squeezing of this balloon and shifting the cost to other users, the cost of doing business in Maine will increase even more and it is almost like a return to the 1980s in terms of the potential loss of jobs or those looking at energy costs and seeing that cost and deciding not to come to Maine.

I am going to vote against the motion to Indefinitely Postpone the amendment because it says if it is a priority, then pay for it. Don't pass the buck to other people. If it is important to you, pay for it.

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

Representative **SAVAGE**: Mr. Speaker, Men and Women of the House. I agree with the good Representative from Kennebunk. I wish that we could fund this out of the General Fund. I think that is where it should be done. I find his history of the electric industry to be somewhat telling. When we have a surplus nobody is talking about taking the low-income program

out of the rates for electricity users. Almost everybody in the state uses electricity and very few use natural gas. My point being, that if we don't have the political will to take it out of the rates for electricity, we are never going to do it for gas. Thank you.

The **SPEAKER PRO TEM**: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "A" (H-920). All those in favor will vote yes, those opposed will vote no.

#### ROLL CALL NO. 483

**YEA** - Ahearne, Bagley, Baker, Berry RL, Bolduc, Bouffard, Brennan, Bryant, Bull, Chick, Chizmar, Cianchette, Clark, Colwell, Cote, Cowger, Daigle, Davidson, Dudley, Dugay, Dunlap, Duplessie, Etnier, Fisher, Fuller, Gagne, Gagnon, Green, Hatch, Jabar, Jacobs, Kane, LaVerdiere, Lemoine, Lemont, Mailhot, Martin, Matthews, Mayo, McDonough, McGlocklin, Mitchell, Muse, Norbert, O'Brien LL, O'Neil, Perry, Pieh, Povich, Powers, Quint, Richard, Richardson J, Rines, Samson, Sanborn, Savage W, Saxl JW, Saxl MV, Shiah, Sirois, Skoglund, Stanley, Stevens, Sullivan, Tessier, Thompson, Townsend, Tripp, Tuttle, Twomey, Usher, Volenik, Watson, Williams, Mr. Speaker.

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

**ABSENT** - Brooks, Frechette, Goodwin, Lindahl, McKee, O'Neal, Plowman, Wheeler GJ.

Yes, 76; No, 67; Absent, 8; Excused, 0.

76 having voted in the affirmative and 67 voted in the negative, with 8 being absent, and accordingly **House Amendment "A" (H-920) was INDEFINITELY POSTPONED.**

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 all looking at the same goal. We disagree on the means of arriving there and for someone that was here in the 1980s, all I can do is tell you that you are taking that first baby step with this particular fuel, which so radically change and improve competition, manufacturing and costs for Mainers. If we do this and we don't fund it out of the General Fund, but we pass it on to others, then we will be repeating the mistakes of the 1980s. The thing is we think we are doing good today, but in reality we are hurting our constituents.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Brunswick, Representative Davidson.

Representative **DAVIDSON**: Mr. Speaker, Men and Women of the House. I can't let that be the last word. For anyone that thinks here today to be voting yes on this passage on this Engrossment passage that you will be hurting your constituents is ludicrous. This bill is going to treat this utility service exactly the same way we treat every other utility service in the state that is regulated, exactly the same way. It is not a slippery slope. It is evening the playing field. I hope you will support passage.

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

Representative **MURPHY**: Mr. Speaker, Men and Women of the House. I am afraid that we are being asked because we have made mistakes with every other fuel or energy source and we are supposed to make it complete with this new energy source. Mr. Speaker, when the vote is taken, I request the yeas and nays.

Representative **MURPHY** of Kennebunk **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED**.

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 Farmington, Representative Gooley.

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

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

Representative **GOOLEY**: Mr. Speaker, Men and Women of the House. With the Fuel Assistance Program that comes from the federal government, they have a part of it, which says that for fuel assistance, the person receiving fuel assistance can actually not reside in the home during the wintertime. I know of one case where they reside in Florida all winter long and the home in western Maine sits vacant all winter long. This person is under fuel assistance. My question is, with this natural gas heat, would the same situation apply that you wouldn't have to reside in your home during the winter?

The **SPEAKER PRO TEM**: The Representative from Farmington, Representative Gooley has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Gardiner, Representative Colwell.

Representative **COLWELL**: Mr. Speaker, Men and Women of the House. If you look carefully at this piece of legislation, it uses the little, but powerful word "may" in allowing and enabling the Public Utilities Commission to establish the same sort of Low-Income Assistance Program that we currently do in the other regulated utilities. The answer is yet to be determined. The PUC may make that decision or may not. Frankly, our programs within the State of Maine are quite separate and apart from those that the federal government offers us. I would like to just make a reference to the good Representative from Kennebunk's assertion that we are repeating a mistake of the past. I would ask the body if it is a mistake to assure that all people in the State of Maine receive heat during our cold Maine winters, assure that they receive heat outside the ups and downs of the General Revenue Fund cycles that we are all so familiar with. Thank you Mr. Speaker.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Belmont, Representative Berry.

Representative **BERRY**: Mr. Speaker, Men and Women of the House. It is very difficult to understand and to go home and tell constituents that here is a fuel that is available to you for which you qualify for LIHEAP money and also you are going to get another benefit tacked to it. In my town and the towns I serve in, money is raised to provide that no one goes without heat in the wintertime. That has been our home rule and it has been the home rule in most of our towns. We decide that the PUC may, almost every time the PUC has been given a "may", they have.

I was going to avoid saying this, but I am not going to avoid saying it anymore. How much more of a pure marketing incentive is being used here by this industry in the serving of people? This is not a cheap fuel to set up in your home. This is not a cheap conversion. The total number of people being served here I hope increases significantly because as we see it from our perspective, it is a very important fuel to us. The greatest importance of that fuel is not in heating our homes. Its greatest importance is in our industry base and in the generation of electricity for the State of Maine. None of us want anyone to go without heat. The people in my town will never have the opportunity to buy gas, but people in most of our towns will not have that opportunity. No, they don't have to deal with those taxes because it is taxing. What benefit are those people being given other than LIHEAP money in their need for fuel costs? There is no other program and we say that is because it is regulated. Maybe it is too bad that we couldn't regulate something else too. That isn't about to happen here. Ladies and gentlemen, this bill is right, but the format of perspective from which the funding comes is wrong. The people of this state, if it is valuable to them, the people of this state should support this process. Thank you Mr. Speaker.

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

Representative **SAVAGE**: Mr. Speaker, Men and Women of the House. If, in fact, as the previous speaker suggested, the only people who will be using natural gas because of the cost of the transformation to natural gas are wealthy people and industrial users, then I suggest to you that there will be no need for a program and we are arguing for nothing today. On the other hand, if a renter rents a low-income apartment and the only source of energy for the stove and heater is natural gas, why are we arguing about whether or not that person should not have the same support and assistance that that person would have if they had moved into that same apartment and it was an electric range and electric heat. That is all we are talking about here. People who possibly don't have a choice about what kind of fuel they are being sold. Thank you.

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

#### ROLL CALL NO. 484

YEA - Ahearne, Bagley, Baker, Berry RL, Bolduc, Bouffard, Brennan, Brooks, Bryant, Bull, Chick, Chizmar, Clark, Colwell, Cote, Cowger, Davidson, Desmond, Dudley, Dugay, Dunlap, Duplessie, Etnier, Fisher, Fuller, Gagne, Gagnon, Gillis, Goodwin, Green, Hatch, Jabar, Jacobs, Kane, LaVerdiere, Lemoine, Lemont, Mailhot, Martin, Matthews, Mayo, McDonough, McGlocklin, Mitchell, Murphy E, Muse, Norbert, O'Brien LL, O'Neil, Perry, Pieh, Powers, Quint, Richard, Richardson J, Rines, Samson, Sanborn, Savage W, Saxl JW, Saxl MV, Shiah, Shorey, Sirois, Skoglund, Stanley, Stevens, Sullivan, Tessier, Thompson, Townsend, Tracy, Tripp, Tuttle, Twomey, Usher, Volenik, Watson, Williams, Mr. Speaker.

NAY - Andrews, Belanger, Berry DP, Bowles, Bragdon, Bruno, Buck, Bumps, Cameron, Campbell, Carr, Cianchette, Clough, Collins, Cross, Daigle, Davis, Duncan, Foster, Gerry, Glynn, Gooley, Heidrich, Honey, Jodrey, Jones, Joy, Kasprzak, Kneeland, Labrecque, Lindahl, Lovett, MacDougall, Mack, Madore, Marvin, McAlevy, McKenney, McNeil, Mendros, Murphy T, Nass, Nutting, O'Brien JA, Peavey, Perkins, Pinkham, Povich, Richardson E, Rosen, Savage C, Schneider, Sherman,

Shields, Snowe-Mello, Stanwood, Stedman, Tobin D, Tobin J, Trahan, Treadwell, True, Waterhouse, Weston, Wheeler EM, Winsor.

ABSENT - Frechette, McKee, O'Neal, Plowman, Wheeler GJ. Yes, 80; No, 66; Absent, 5; Excused, 0.

80 having voted in the affirmative and 66 voted in the negative, with 5 being absent, and accordingly the Bill was **PASSAGE TO BE ENGROSSED** and sent for concurrence.

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Resolve, to Create a Commission to Study and Establish Moral Policies on Investments and Purchasing by the State

(H.P. 1755) (L.D. 2461)  
(C. "A" H-870)

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

On motion of Representative AHEARNE of Madawaska, was **SET ASIDE**.

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

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

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

Representative **WATERHOUSE**: Mr. Speaker, Men and Women of the House. To the sponsor of this bill, if they are in the House now, could they please tell me what this bill does?

The **SPEAKER PRO TEM**: The Representative from Bridgton, Representative Waterhouse has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Winslow, Representative Matthews.

Representative **MATTHEWS**: Mr. Speaker, Men and Women of the House. I am pleased to sponsor this bill today and strongly support the work of the Committee on State and Local Government to take a look at our state purchasing policies and investment policies. This Legislature in the past has made an important priority to stand with those workers not only in our state, but workers around the globe that are being mistreated. Many examples in the past, I think of the Resolution against South Africa when they had the Apartheid regime, efforts in this Legislature in the past to stand with those that are being oppressed and also to make it an important priority that we, in Maine, don't support those kinds of efforts and will take action where it is needed.

With respect to the state's dollars in investments and purchasing, I think the committee has taken an important step to look at this problem and Maine is not the only place this is happening, ladies and gentlemen. I have a letter from the Clean Clothes Campaign of Maine. It has been very active in southern Maine and in Bangor. I am sure many of you have heard of that effort of saying that, ladies and gentlemen, we don't have to support those companies that are mistreating their workers and put our tax dollars to those efforts. We can make a policy and stand by it that protects workers in Maine and around the world. Ladies and gentlemen, I think the committee by taking a look at this issue is saying that it is an issue worthy of discussion and rather than pass legislation at this point, the way to look at it is to study the issue.

In the State of California, just very recently, a corporation with its headquarters in California is being sued in that state in the state courts of California because its efforts in a country in the

Asian theatre exploited and used slave workers for that company and they are being sued because they are an American company in an American court. Cities around the country and states have taken action against this kind of mistreatment of workers. I think for those reasons the good gentlemen from Bridgton, Representative Waterhouse's good question, why are we doing this, is simply to stand for those that we in this country have traditionally stood for, fairness, fair treatment and justice. That is what this study does. I, for one, do not want to use my state dollars to enhance regimes that are exploiting their workers, whether that exploitation takes place in Maine, the United States or in other countries.

Massachusetts is another state that has taken action in this regard with their Burma law. It is now also being looked at by the courts and probably will be upheld. I think we have every right to take this action. I support the committee, the majority members of the Committee on State and Local Government. I think it is an important step. I would ask you to support the committee's bill. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from China, Representative Bumps.

Representative **BUMPS**: Mr. Speaker, Men and Women of the House. I ask you to just for a moment direct your attention to the board in either corner of the chamber. You will notice that the title of this legislation is to establish moral policies on investments and purchasing. The simple title, itself, I would suggest to you, springs from an assumption that a significant percentage of Maine businesses, Maine companies or members of the Maine business community are immoral. Those businesses are irresponsible. Those businesses are for corporate citizens. Here in Maine I think that ninety six percent of the private sector employees in our state have 49 or fewer employees. Ninety-six percent of the companies here in Maine employ 49 or fewer employees. Ninety-percent of those companies have less than 19 employees. This is small business. It is the part of our economy that keeps Maine moving. If established, this commission would presumably look at things like providing health insurance, pensions and higher pay wages and it would also look at agreements not to layoff employees for economic gain, all of the issues that routinely come before this Legislature. They are the kinds of things that we debate in here on a daily basis. The kinds of things we make decisions about here regularly. We are going to add one more layer. We are going to establish a commission now to tell that sector of our economy that keeps our economic momentum going that they are immoral. They are irresponsible. They don't know how to treat the people who work for them.

Do you know that in the last decade, that is the last 10 years, here in Maine we have instituted 20 new mandates on our health insurance providers? That is 20 new mandates here in Maine alone and now we are surprised that companies can't afford to pay for health insurance for our employees. I think that suggests that Maine employers and Maine companies, for that matter, the companies that the State of Maine is doing business with, are poor corporate citizens is simply undeserved. It is all together an unflattering portrait for investors that might like to come and start companies here in Maine or move their businesses to Maine, for us to suggest that they are irresponsible, immoral and that they don't know how to do good business is simply wrong.

In testifying on this bill and I should add that when the bill was before committee there were very few people testifying, I recall a couple of proponents, a couple of opponents. The

hearing was relatively short. Very few people showed up for the work session. It is sort of uncommon, frankly, for a bill before State and Local Government. We tend to like to invite lots of folks in to testify at our public hearings, but in this case there were very few proponents or opponents. However, the administration testified and they are neither for nor against the category. The person responsible for state purchases here in our state government told the committee that frequently the intended purpose of social procurement incentives are just not successful. He suggested that the limited resources available to this commission would not attract the type of feedback to realize achievable standards that could then be presented for statutory authorization. What he was telling the committee was that a simple commission with the limited resources, that this one simply would not have the ability to come to consensus on what it is that should be suggested for moral practices. So, the committee stuck that language. We did away with the issue of morality. In its place, what did we put? To study economically and socially just policies. That is what this bill does. It establishes a committee to study economically and socially just policies for investment and purchases.

When I sit down in just a second, probably not soon enough for some of you, I will give you an opportunity to stand up and tell me what economically and socially just policies are. Let's see if in the next, the Speaker said we had until 5:30, so in the next two hours and 15 minutes if we can come to agreement in this chamber on what socially and economically just policies are, I highly doubt that we can.

Let me close with this. We did spend a fair amount of time on this bill in committee. Not once, not on a single occasion, did I hear a proponent or opponent or anyone else for that matter, raise a single specific instance, vendor or product that the State of Maine had done business with or had purchased, that violated what would be considered economically, socially or moral, for that matter, practices. If there is a problem, then I suggest we fix it. I would conclude by telling you that I don't think there is a problem with the way the state is doing its business. I don't think there is a problem with the actions that Maine employers are taking to serve their employees. Thank you.

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

Representative BUCK: Mr. Speaker, Ladies and Gentlemen of the House. Economically and socially just employers, part of the Resolve reads as follows. "The commission shall study the subject of and establish economically and socially just standards for investing in purchasing by the state." My question is, does this economically and socially just standard apply to state government? Employing people in Maine is a chore. A big chore, because state government, specifically the Legislature over the years, has created a business climate that discourages businesses from developing in Maine. Rather than accusing small businesses in Maine for being less than economically and socially just, because they do not provide their employees with higher wages or benefits, let's look at the real culprit. Does this economically and socially just standard apply to state government when the Legislature has created conditions that have impeded economic growth, which in turn has prevented businesses from providing higher wages and benefits? Does this economically and socially just standard apply to state government when we, the Legislature, have tagged small businesses and the people to the extent that some studies show that we are the third highest taxed state in the nation? Does this

economically and socially just standard apply to state government when the Legislature has placed costly mandates on employers health insurance premiums, this preventing more employers from providing health insurance to their employees? Does this economically and socially just standard apply to state government when the Legislature created such a mess in workers' compensation insurance that most insurers left the state; premium cost skyrocketed until the people demanded it be fixed? This insurance program until changed was fraught with all sorts of financial abuse all at the expense of the employer. Who are these so-called socially and economically unjust people? They are in every city and town in our state. These are your friends and neighbors. These are the employers who work long hours along side their employees. These are the people who despite the actions of the Legislature continue providing Maine's working men and women with jobs. To even suggest they lack economic and socially just principles because they cannot pay higher wages or more benefits because of state imposed costs is an insult. A particular insult when, in fact, the Legislature is the very reason they can't provide the benefits. Rather than creating a commission to insult them either further, we should be passing a resolve commending them for their tenacity in providing employment under such adverse conditions.

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

Representative MATTHEWS: Mr. Speaker, Men and Women of the House. The only business group that has taken a position against my bill, I find it very interesting, was the Maine Chamber. I know they haven't read the amendment. I know that probably 99.9 percent of the businesses in Maine are good socially and responsible and so is the recent speaker. I know he is a good employer. I am really hurt by the arguments of the recent speaker because that is not the intent of this legislation or the study. I do believe the good gentleman knows that. The kinds of companies that I am concerned about investing our state dollars in. I can tell you one. A large multi-national corporation called Kimberly Clark that decided to pack up and leave my community to go to Mexico so it can pay its workers less in wages and so it can offer no health insurance and so it can certainly offer them no pension. Those are the kinds of employers that I am concerned about. I would remind this Legislature with a great deal of pride that it is this House that took action by a large majority of Democrats and Republicans against the corporation of Kimberly Clark with respect to severance and other things. It stood with my community and other communities across the state that have been put in a similar situation by large multi-national corporations that have no compassion and no thought whatsoever. They are not even on the playing field with respect to workers and that is who we are talking about. We want to take a look at state dollars in investments and purchases with those types of corporations.

I would imagine, ladies and gentlemen, if the chamber were to dare to do something radical and totally revolutionary and poll the membership of businesses, that they would support my bill one hundred percent. I know the majority are good, solid Maine employers. They are good people. Ladies and gentlemen, I am concerned about the few bad characters out there that do exploit their workers. Ladies and gentlemen, Legislatures and state governments are taking action around this country today. We are not doing anything novel here. I wish we were because we lead, remember our motto. It is okay to lead and not to always follow. We are doing the right thing. The majority members of

the State and Local Government Committee have done the right thing to look at this issue. I am offended by the arguments of the previous speaker. That is not the issue at stake here. That is not what this amendment does and the good gentleman knows it. Let's not talk about Maine employers. I am all for Maine employers, the vast majority, but a few bad characters, ladies and gentlemen, you will hear me speak about and other members of this Legislature will get up on the floor, bipartisan members of the Legislature. I am very proud of the fact that I have Democrats and Republicans cosponsoring this measure today. I think it is important. I think what we do, the dollars we spend, the purchases we make, should be above board as I am sure they are in the vast majority of cases, but when they are not, ladies and gentlemen, this Legislature has the right to create a policy and take a look at that. I don't want my dollars and my state purchases in corporations that exploit the workers. Dog gone right. Thank you Mr. Speaker.

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

Representative CLOUGH: Mr. Speaker, Ladies and Gentlemen of the House. I would like for you to take a look at this bill under the section where the commission membership is shown and see how this committee is made up. It is made up of 10 members. There is no representation at all from the business community. In my opinion, the commission as it is established, tells us today what the report would be. For that reason, I have to vote against this. I would encourage you to vote no on passage. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Newport, Representative Kasprzak.

Representative KASPRZAK: Mr. Speaker, Men and Women of the House. I think the arguments have been made in my favor. Exploitation is relative. What one person considers exploitation someone else might consider something they should be thankful for. There is an old story from the book of books. The story goes this way. In the marketplace from day to day people who were willing to work for their bread would go to the center of the town. There they would meet and wait for someone to come and hire them for the day. Employers would come and hire people there for a certain amount. They would agree upon a wage and that wage would be paid at the end of the day. There was a day when there was a farmer doing some work and he had already gone to the marketplace that morning and hired a group of people who agreed to work for a certain wage. Later on in the afternoon he discovered that he was going to need some more workers. He went back to the town and he hired a few more workers. At the end of the day he paid them all the same amount. The amount that they agreed to work for. There were people who were upset saying, why does he get paid the same amount that I did? I was here from the morning until dusk and this person was hired in the middle of the afternoon. The moral of the story was that they worked for what they agreed for. There was an agreement made.

When we talk about exploitation, it is relative. What you think is exploitation, I might think is fine. What you think is just, I might think is very unjust. We are going to set up a commission to determine what is just and what is unjust, socially acceptable or not socially acceptable, politically correct or not politically correct. I don't know about you, but I am a little bit tired of being told what is correct and what is incorrect by a certain few who would keep up with the same argument. Just because you are offended by something, doesn't make it right or wrong. I don't

think it would be prudent to spend almost \$4,000 to determine who is just and who is unjust in the business community and I would encourage you to vote against this bill. Thank you.

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

Representative TWOMEY: Mr. Speaker, Men and Women of the House. I am unprepared, but I do remember that day and I do remember people that came before our committee from Bangor speaking about sweatshops. I do also remember in my committee when we have MMA sitting in our committee. It is almost every day. I never hear that same cry when I sit in my committee and there isn't enough citizens that come to testify, but there is only business interests. How many times in our committees do we only hear from the business interests? I am proud to have voted for this legislation. I will vote for it again. If I have to be in the minority, it doesn't matter. It is about principle. It is about having a conscience. It is about saying to our constituents as a state that we will not participate in things like sweatshops and we will consider when we spend taxpayer dollars about principles and about the haves and the have nots. Every morning when we listen to the prayer and I listen to it intently because it gives me strength to get through the day. We pledge allegiance to the flag. My trademark on the Biddeford City Council was I always waited for everyone to finish for all. It is a reminder for me that I represent every single person in the State of Maine for all, rich, poor, for all. I think this committee could be a conscience to look at for all. To make sure that we are that voice for those who can't be here. What is wrong with looking at the way we spend our tax dollars and how we do it? I think it is a good idea and I am on board.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Carmel, Representative Treadwell.

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

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

Representative TREADWELL: Mr. Speaker, Ladies and Gentlemen of the House. To anyone who would care to answer, I would like to know what the definition of sweatshop is and where those are located in the State of Maine?

The SPEAKER PRO TEM: The Representative from Carmel, Representative Treadwell has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Winslow, Representative Matthews.

Representative MATTHEWS: Mr. Speaker, Men and Women of the House. I think we all know what a sweatshop is. I don't think any member of this body would like to bring back sweatshops. I think we all know what socially responsible is, what mistreatment of workers is, what a country that decides to use slave labor for its work force is, what the issue of fairness and justice is. I think this Legislature by empirical evidence knows what justice is. We do it, thank the Lord, most times in this body. Fairness and justice we render many, many times. I think we know what those higher standards are. I am amazed at any attempt of moral relativism on this issue or economic okayness with mistreating workers. That is not, ladies and gentlemen, what I am about, what that oath meant to me, what being an American means to me. Fairness and justice and good treatment towards its workforce, you better believe those are American principles. When we make our investments, I think we should keep those principles at the forefront, not in the closet.

Ladies and gentlemen, I, for one, know what those are. I think the vast majority of the members of this House know what those are. Thank you Mr. Speaker.

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

Representative **AHEARNE**: Mr. Speaker, Ladies and Gentlemen of the House. It is over the past few years that we have been seeing numerous reports in the press about these sweatshops and child labor. I think it is time that this state takes a stand against these inhumane practices. Yes, this bill will create a study commission and it will create standards by which those companies that wish to business for the State of Maine. These standards are not arbitrary. They seek to ensure those companies dealing with the state or, in fact, complying with rules and regulations of common decency in their treatment of their workers. I firmly believe that the people of Maine would not want the state to do business with companies, which pay poverty wages, routinely violate worker placement regulations, suppress worker's rights and utilize child and prison labor. I ask you to support the pending motion.

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

Representative **TWOMEY**: Mr. Speaker, Ladies and Gentlemen of the House. Just to answer the question on sweatshops. I know of one. It is an egg farm. Thank you.

Representative **SAXL** of Portland **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended**.

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. It has been an interesting debate. I just heard one thing that concerns me. I am concerned with foreign countries using prison labor to manufacture products. Would this also apply to the State of Maine as we do use prison labor to manufacture products? Everyone of us carries a license plate on our vehicle manufactured by an inmate, which, by the way, through federal law, they are paid \$8.50 or \$9.00 an hour to do that. Most of the money that they earn comes back in the form of restitution, child support and AFDC payments before they get to spend a nickel of it. We manufacture knickknacks, desks and tables. When I went to school the label on my desk at the University of Maine said made by the Prison Farm. That was pretty sobering. It always reminded me to do good in school because there was an alternative. Are these practices that we are going to study apply to us? I should hope not, because they are paid a decent wage. They are not working in a sweatshop. They do it by volunteering, but that money comes back into our economy to moms and children back home to victims of crimes. If we are going to use a broad paintbrush, we had better be careful and we had better look down the road to see where that stripe is going because it is going to go right over our toes if we are not careful.

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

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

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

Representative **WATERHOUSE**: Mr. Speaker, Men and Women of the House. To anybody who could answer, is there

any mandate or requirement that the state presently has to do business with a company that they may view a disreputable character or socially unjust?

The SPEAKER PRO TEM: The Representative from Bridgton, Representative Waterhouse has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Skowhegan, Representative Hatch.

Representative **HATCH**: Mr. Speaker, Ladies and Gentlemen of the House. I know this has been a long debate and I won't take up much of your time. There is no reason that we can't study this issue. During the previous session, we studied an issue dealing with an egg farm in the State of Maine to death. A number of us legislators, some of us who are still serving in this body, were able to work with the rest of state government to bring about some definite changes in the practices of that egg farm. I want you to know we stood and we told people that it wasn't right. The people of the state responded, not because we asked them to, by refusing to buy their products. I think as legislators we should study this issue. Do we want to do business with people who treat their employees badly? I think not, whether it is in housing or wage payments. As far as prisoners, they are treated very well. They are given a bed to sleep in every night and food to eat every day. Some of them are living a life when someone else is not. Think about it. I don't think that the prison system should even be drawn into this. What we are looking at are people who are trying to earn a living and support their families. I think we should look at it just that. Should we study this issue? Definitely. Are we close-minded? I hope not. I would ask for your support on this. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Bucksport, Representative Rosen.

Representative **ROSEN**: Mr. Speaker, Men and Women of the House. The discussion that is taking place on the floor right now has strayed so far from the language that appears in the bill. I am one of those folks here in this body that are in that ninety percent of Maine employers that employ fewer than 15 people. We are in that category that was described by the Representative from Yarmouth that are trying as hard as we can to work together with our coworkers to be good employers and to be responsible business citizens in this state. This bill is specific. This bill defines for the committee what the proper behavior and moral behavior and socially responsible behavior for a business will be. It says a business in Maine will be socially responsible if it provides pension benefits and invests in their workers and pay a wage sufficient to cover basic needs. The other day on our desks we saw the new premiums for the Blue Cross policy that applies to state workers. You may notice that the family rate in that premium is \$900 a month. My coworkers and I are working with as much effort as we can muster to be able to continue to offer health insurance benefits. This bill says and the study commission is directed to defy our inability and I hope it never happens, but our inability to be able to continue to offer health coverage is socially unjust. As a Maine small businessperson, it is very difficult not to be offended by that.

This does apply to Maine. One of the categories of state spending that is the largest is Medicaid. By my reading of this bill, it tells me that the health care community would come under the implications of this bill, every health center, every individual private provider, home care, nursing homes and all the rest. That is state money. That is state purchasing. Those Medicaid

dollars are public dollars. This then says that they must provide benefits, pay the appropriate wage, provide retirement and all the rest. The implications from this bill and the ramifications are far reaching. The study has been defined and its direction has been set. The Clean Clothes Campaign is a good organization. To talk about sweatshops and slave labor that is an appropriate issue. As a retailer that works and sets as our policy one to make sure that we understand the sources that we buy from to make sure that we concur with those principles. This bill goes way beyond that and begins to define already what those policies will be. It is dangerous and should be rejected.

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

Representative FOSTER: Mr. Speaker, Ladies and Gentlemen of the House. I would just like to make an observation. I notice that we have gleefully taken money from the tobacco company. I don't know if they are morally bankrupt or economically bankrupt or whatever you want to call them. Not only have we taken the money, but we now have a debate on how we are going to spend it, whether we spend it to help those people stop smoking or whether we spend it to help those who have smoked. It seems to me rather ironic that we are willing to do that. On the other hand, we are introducing a bill into this House to look at our own companies when maybe we should look at this body itself. If we take enough money from those companies, what of the people who worked there and what of the people who raised the product for manufacture? Is that morally correct to do that or economically correct to do that regardless of what the outcome may be? It gives one pause to wonder about that.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Old Town, Representative Dunlap.

Representative DUNLAP: Mr. Speaker, Men and Women of the House. I certainly would like to make a couple of observations of my own about some of the direction of the debate on this and similar issues today before this body. In reading the amendment, I certainly don't really understand what the great fear is of moving forward with this study. Furthermore, I don't quite see this as either a pro-labor or an anti-labor bill, nor do I see it as a pro-business or anti-business amendment. I think if I had to split that hair, I would certainly discern it as something that we could perceive as in favor of those businesses in the State of Maine which we would like to encourage their existence and their enhancement.

If you are a business owner and I came from a family who owned a small business, I know that they worked very, very hard to ensure the best possible environment in very difficult conditions for their employees. My family owned a textile mill, which anybody who has been in one knows they get very, very hot in the summer. They are very loud. They are very dangerous. There are lots of fast moving iron parts, which can take off pieces of your hand in the blink of an eye. It is very dangerous work. My family went far, far out of their way to provide optimum facilities and insurance and even matching savings accounts for their employees. Certainly that would be something we would want to encourage for our neighbors, for their benefit to have an opportunity to work in a place like that. If we have businesses like that in our communities, we want to see them grow and succeed. I think that this type of a study would ensure that the state would assist in that matter.

Often times in this chamber, which I find a little bit disturbing, when we talk about what happened in a committee hearing, we

say that nobody testified against it or nobody testified for it. Before I came here, I worked about 80 hours a week at two jobs. I don't think that I was ever even aware of those legislative notices in the back page of the Sunday Paper. If I were and saw something that peaked my interest, I really truly doubt I would have taken a day off of work to find my way to Augusta, find a place to park, find wherever that committee room was and then wait in line for hours in a hot, stifling room to say my peace about something that I may not know very much about. That is why we, as citizens, go to the polls every couple of years and vote for Matt Dunlap and send him down to Augusta to do that for us so we don't have to take a day off of work. It is called public trust. It is a really neat thing. I encourage you to look into it.

The other thing that I hear an awful lot of when we talk about these types of issues is it sends a bad message to business. This sends a bad message to businesses. I guess if the message that I am sending to businesses is that I want you to treat your employees well. I want you to treat the environment well. I don't want you to try to run other businesses out of town that have been there longer than you and that somehow is a bad message and let's make it loud and clear. I don't think I want those businesses in my community. I want businesses in my community that are going to be good neighbors to me and are going to be really good members of the community to be part of that whole manifold web of what we call Maine. I don't think this is really the great dark cloud over the horizon that is going to shut down every Maine business, it will encourage those businesses that we love to grow and prosper and maybe push away some of the ones we don't want. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from China, Representative Bumps.

Representative BUMPS: Mr. Speaker, Men and Women of the House. I appreciate the Speaker's reminder that the text of the debate should be related to the text of the amendment. Much of the debate has strayed from the amendment. This amendment and the commission, if it is formed, will have absolutely no affect on sweatshops, businesses or companies or whatever you want to call these immoral and unjust employers unless they meet one qualification. That one qualification in that single qualification is that they do business with the State of Maine. That is the State of Maine purchases something from them, a service or a product, some commodity, we give them money in exchange for. With the Speaker's permission, I would pose a question through the chair. Is there any member of this chamber who could cite for me a single product, commodity or service that the state has purchased from an unjust or immoral company or business? If so, could you tell me what the product is and could you tell me what the company is? Thank you.

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

#### ROLL CALL NO. 485

YEA - Ahearne, Bagley, Baker, Berry RL, Bolduc, Bouffard, Bragdon, Brennan, Brooks, Bryant, Bull, Chick, Chizmar, Clark, Colwell, Cote, Cowger, Davidson, Davis, Desmond, Dudley, Dugay, Dunlap, Duplessie, Etnier, Fisher, Fuller, Gagne, Gagnon, Gerry, Goodwin, Green, Hatch, Jabar, Jacobs, Kane, LaVerdiere, Lemoine, Mailhot, Martin, Matthews, McDonough, McGlocklin, Mitchell, Murphy E, Muse, Norbert, O'Brien LL, O'Neil, Perry, Pieh, Povich, Powers, Quint, Richard, Richardson J, Rines, Samson, Sanborn, Savage W, Saxl JW,



Saxl MV, Shiah, Sirois, Skoglund, Stanley, Stevens, Sullivan, Tessier, Thompson, Townsend, Tracy, Tripp, Twomey, Usher, Volenik, Watson, Williams, Mr. Speaker.

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

ABSENT - Frechette, McKee, O'Neal, Plowman, Tuttle, Wheeler GJ.

Yes, 79; No, 66; Absent, 6; Excused, 0.

79 having voted in the affirmative and 66 voted in the negative, with 6 being absent, and accordingly the Resolve was **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

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Under suspension of the rules, members were allowed to remove their jackets.

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

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

**UNFINISHED BUSINESS**

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

Resolve, to Establish the Maine Forest Policy Round Table Study Commission

(H.P. 1400) (L.D. 2005)

(H. "A" H-875 to C. "A" H-865)

TABLED - March 15, 2000 (Till Later Today) by Representative PIEH of Bremen.

PENDING - **PASSAGE TO BE ENGROSSED.**

On motion of Representative BRYANT of Dixfield, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (H-865) as Amended by House Amendment "A" (H-875)** thereto was **ADOPTED**.

The same Representative presented **House Amendment "B" (H-898) to Committee Amendment "A" (H-865)** which was **READ** by the Clerk.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Dixfield, Representative Bryant.

Representative **BRYANT**: Mr. Speaker, Ladies and Gentlemen of the House. What this amendment does is this only puts two workers on the round table study. As we looked at the round table, it was clear that this would enhance the study. As I was reading under the duties and where you would be looking at the logger training, education, workers' compensation insurance, employment relationships, types of wood measurements and

measures of payment. I thought it would be prudent that in fact you had some committee members that were representing the workers on this bill. That is all this amendment does. Thank you.

Representative PIEH of Bremen moved that **House Amendment "B" (H-898) to Committee Amendment "A" (H-865) be INDEFINITELY POSTPONED**.

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

Representative **PIEH**: Mr. Speaker, Ladies and Gentlemen of the House. What I am speaking to is the motion that was before you and that be Indefinitely Postponed. It is with absolutely no pleasure that I am speaking at this moment. I have great respect for the Representative from Dixfield and appreciate his concerns and ideas on this. However, this bill is in its second year. We carried the bill over to give time for our committee and subcommittees and various working groups that had concerns about the idea of the bill to talk about it and go away and plan from it. They came back and it was originally 15 members, which I thought was quite enough. Because here were concerns about such things as labor, the committee membership was expanded to 19, which could include up to four members from the Joint Standing Committee on Labor. Realistically, probably one or two will be appointed. It was expanded to include the commissioner of labor as well as the commissioner of conservation, the dean of forestry from the University of Maine. There are many working people on it. We took the retired logger off and put on an active logger, a couple of active loggers, large and small sawmill owners and we added your scientist, sociologist, environmentalist and town official. There is no named economist on it even though the purpose of it is to study key economic and labor issues and there is no member from organized labor assigned to it and that is what this amendment would propose. It would add two members from organized labor. I have a great deal of respect for the committee process and I think that this bill was thoroughly worked in committee. All kinds of consideration was taken in by the working group and it was with the consensus of the committee. It was an 11 to 2 report that came out of that committee after a great deal of time and effort. While I have respect for the concerns, I think they are well met and this commission has plenty of people. It will have a lot of work to do. Every single meeting must be publicly advertised. They have to have a public meeting to invite comment on their findings before they submit a final report back to the Legislature. I invite you to consider that to be enough and join me in Indefinitely Postponing this amendment.

The Chair ordered a division on the motion to **INDEFINITELY POSTPONE House Amendment "B" (H-898) to Committee Amendment "A" (H-865)**.

Representative **TRAHAN** of Waldoboro **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "B" (H-898) to Committee Amendment "A" (H-865)**.

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

The **SPEAKER PRO TEM**: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "B" (H-898) to Committee Amendment "A" (H-865). All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 486**

YEA - Andrews, Bagley, Belanger, Berry DP, Bolduc, Bouffard, Bowles, Bragdon, Brooks, Bruno, Buck, Bull, Bumps, Cameron, Campbell, Carr, Chick, Chizmar, Clough, Collins, Cote, Cowger, Cross, Daigle, Davis, Desmond, Dugay, Duncan, Etnier, Fisher, Foster, Fuller, Gagne, Gillis, Glynn, Gooley, Heidrich, Honey, Jabar, Jodrey, Jones, Joy, Kane, Kasprzak, Kneeland, Labrecque, LaVerdiere, Lemont, Lindahl, Lovett, MacDougall, Mack, Madore, Mailhot, Marvin, Mayo, McAlevey, McDonough, McKenney, McNeil, Mendros, Murphy E, Murphy T, Nass, Nutting, O'Brien JA, Peavey, Perkins, Perry, Pieh, Pinkham, Plowman, Povich, Powers, Richardson E, Richardson J, Rosen, Sanborn, Savage C, Savage W, Saxl JW, Schneider, Sherman, Shields, Shorey, Sirois, Snowe-Mello, Stanwood, Stedman, Sullivan, Tessier, Thompson, Tobin D, Tobin J, Townsend, Trahan, Treadwell, Tripp, True, Waterhouse, Watson, Weston, Wheeler EM, Williams, Winsor, Mr. Speaker.

NAY - Ahearn, Baker, Berry RL, Brennan, Bryant, Clark, Colwell, Davidson, Dudley, Dunlap, Duplessie, Gagnon, Gerry, Goodwin, Green, Hatch, Jacobs, Lemoine, Martin, Matthews, McGlocklin, Mitchell, Muse, Norbert, O'Brien LL, O'Neil, Quint, Richard, Rines, Samson, Saxl MV, Shiah, Skoglund, Stanley, Stevens, Tracy, Twomey, Usher, Volenik.

ABSENT - Cianchette, Frechette, McKee, O'Neal, Tuttle, Wheeler GJ.

Yes, 106; No, 39; Absent, 6; Excused, 0.

106 having voted in the affirmative and 39 voted in the negative, with 6 being absent, and accordingly **House Amendment "B" (H-898) to Committee Amendment "A" (H-865) was INDEFINITELY POSTPONED.**

Subsequently, **Committee Amendment "A" (H-865) as Amended by House Amendment "A" (H-875) thereto was ADOPTED.**

The Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-865) as Amended by House Amendment "A" (H-875) thereto and sent for concurrence.**

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The Speaker resumed the Chair.  
The House was called to order by the Speaker.

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

Joint Resolution Commemorating March 25th as Greek Independence Day.

(H.P. 1905)

Which was tabled by Representative MENDROS of Lewiston pending **ADOPTION.**

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

Representative **MENDROS:** Mr. Speaker, Ladies and Gentlemen of the House. Being an American of Greek descent, I take great pride in this day and what it means. Our history in the United States when we gained our independence as we read in the Joint Resolution, much of our democracy and much of that came from the ancient Greeks. In 1821 when the Greeks revolted against the tyranny of the empire, it was with the help of the United States that they were victorious in their struggle for freedom, we, my ancestors.

I will read to you an excerpt, a very short excerpt from James Monroe, our fifth President, who was President at the time.

President Monroe's declaration concerns Greece's struggle for independence in December 1822. "The mention of Greece fills the mind with the most exalted sentiments and arouses in our bosoms the best feeling of which our nation is susceptible. Superior skill and refinement in the arts, heroic gallantry in action, disinterested patriotism, enthusiastic zeal and devotion in favor of public liberty are associated with our recollections of ancient Greece. Such a country should have been overwhelmed and so long hidden as it were from the world under a gloomy despotism has been a cause of unceasing and deep regret to generous minds of ages past. It was natural, therefore, that the reappearance of these people in their original character contending in favor of their liberties should produce the great excitement and sympathy in their favor, which has been signally displayed throughout the United States. A strong hope is entertained that these people will recover their independence and resume their equal station among the nations of the earth."

In Greek tradition I say to you a saying among the Greeks, Ya' Hara. I say to the members of the House that it means health and happiness. As we wise Greeks new more than 3,000 years ago, that is really what it is all about. I say to you, Ya' Hara.

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

Representative **MATTHEWS:** Mr. Speaker, Men and Women of the House. I will be very brief, but I am very, very proud today to cosponsor this with the good Representative from Lewiston, Representative Mendros. My father was of Greek heritage, an American. My mom is of Irish descent. My father was a Matthews. My mom was an O'Connor. I remember just one thing as my father was telling me about my Greek heritage and it was called Thermopolis, 300 Spartans defended the pass against thousands of Persians. Ladies and gentlemen of the House, when I get up on those issues that sometimes seem like the odds are stacked against me, it is an issue of heritage. I have to fight the good fight. Thank you Mr. Speaker.

Subsequently, the Joint Resolution was **ADOPTED** and sent for concurrence.

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The following items were taken up out of order by unanimous consent:

**SENATE PAPERS**

The following Joint Order: (S.P. 1054)

**ORDERED,** the House concurring, that when the House and Senate adjourn they do so until Monday, March 27, 2000 at 9 o'clock in the morning.

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

**READ and PASSED** in concurrence.

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Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$25,550,000 to Renovate Teaching Laboratories, Classrooms and Dormitories of the Maine Maritime Academy, the Maine Technical College System and the University of Maine System"

(S.P. 1057) (L.D. 2647)

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

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

Bill "An Act to Enter Into the International Emergency Management Assistance Compact" (EMERGENCY)  
(S.P. 1058) (L.D. 2648)

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.

**ENACTORS**

**Emergency Measure**

An Act to Fund the Collective Bargaining Agreements and Benefits of Employees Covered by Collective Bargaining and for Certain Employees Excluded from Collective Bargaining

(H.P. 1902) (L.D. 2646)  
(H. "A" H-916)

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

Representative CAMPBELL of Holden **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. 487**

**YEA** - Ahearne, Andrews, Bagley, Baker, Belanger, Berry DP, Berry RL, Bolduc, Bouffard, Bowles, Bragdon, Brooks, Bruno, Bryant, Buck, Bull, Bumps, Cameron, Campbell, Carr, Chick, Chizmar, Cianchette, Clark, Clough, Collins, Colwell, Cote, Cowger, Cross, Daigle, Davidson, Davis, Desmond, Dudley, Dugay, Duncan, Dunlap, Duplessie, Etnier, Fisher, Foster, 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, Mack, Madore, Mailhot, Martin, Marvin, Mayo, McAlevey, McDonough, McGlocklin, McKenney, McNeil, Mendros, Mitchell, Murphy T, Muse, Nass, Nutting, O'Brien JA, O'Brien LL, O'Neil, Peavey, Perkins, Perry, Pieh, Pinkham, Plowman, 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, Tobin D, Tobin J, Townsend, Tracy, Trahan, Treadwell, Tripp, Twomey, Usher, Volenik, Waterhouse, Watson, Weston, Wheeler EM, Wheeler GJ, Williams, Winsor, Mr. Speaker.

**NAY - NONE.**

**ABSENT** - Brennan, Frechette, Matthews, McKee, Murphy E, Norbert, O'Neal, True, Tuttle.

Yes, 142; No, 0; Absent, 9; Excused, 0.

142 having voted in the affirmative and 0 voted in the negative, with 9 being absent, and accordingly the Bill was

**PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act Concerning Disclosure Requirements Under the Used Car Information Laws

(H.P. 1689) (L.D. 2395)  
(C. "A" H-880)

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. 132 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 Reduce the State Tax Valuation for the Town of Standish

(S.P. 990) (L.D. 2545)  
(C. "A" S-538)

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. 125 voted in favor of the same and 4 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Emergency Measure**

Resolve, Regarding Legislative Review of Chapter 25: Leashed Tracking Dog License Rules, Major Substantive Rules of the Department of Inland Fisheries and Wildlife

(H.P. 1867) (L.D. 2603)

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. 123 voted in favor of the same and 1 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

**Resolves**

Resolve, Authorizing the Commissioner of Administrative and Financial Services to Sell or Lease the Interests of the State in the Maine State Prison in Thomaston

(H.P. 1650) (L.D. 2319)  
(C. "A" H-862)

Resolve, Relating to the State Valuation for the Town of Milo

(S.P. 901) (L.D. 2353)  
(C. "A" S-536)

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

**Acts**

An Act to Allow for Expeditious Improvements to Commercial Tracks

(S.P. 478) (L.D. 1438)  
(C. "A" S-541)

An Act to Amend the Maine Seed Capital Tax Credit Program  
(S.P. 905) (L.D. 2357)  
(C. "A" S-539)

An Act to Amend Certain Transportation Laws  
(S.P. 918) (L.D. 2370)  
(C. "A" S-532)

An Act to Remove Certain Barriers for Low-income Working  
Parents  
(H.P. 1709) (L.D. 2415)  
(C. "A" H-868)

An Act Concerning Offensive Names  
(H.P. 1712) (L.D. 2418)  
(C. "A" H-873)

An Act to Improve the Lives of People with Disabilities  
(H.P. 1728) (L.D. 2434)

An Act to Relieve Counties from the Expense and  
Responsibility of Transporting Certain Prisoners between  
Correctional Facilities and Courts  
(H.P. 1733) (L.D. 2439)  
(C. "A" H-881)

An Act to Provide Flexibility in the Distribution of Funds by  
the Department of Economic and Community Development  
(H.P. 1735) (L.D. 2441)  
(C. "A" H-884)

An Act to Clarify the Law on Ownership of Certified Public  
Accounting Firms and to Establish a Peer Review Program  
(H.P. 1738) (L.D. 2444)  
(C. "A" H-879)

An Act Concerning the Date by Which Land Must be  
Acquired by the Penobscot Nation  
(H.P. 1782) (L.D. 2499)

An Act to Amend the Charter of Hospital Administrative  
District No. 4  
(S.P. 997) (L.D. 2559)

An Act to Enhance Competition Among Elevator Inspectors  
(H.P. 1834) (L.D. 2570)

An Act to Implement the Recommendations of the Joint  
Standing Committee on Agriculture, Conservation and Forestry  
Relating to Review of the Department of Conservation Under the  
State Government Evaluation Act  
(H.P. 1891) (L.D. 2629)

An Act to Amend the Comprehensive Research and  
Development Evaluation  
(S.P. 1043) (L.D. 2631)

An Act to Implement the Recommendations of the Joint  
Standing Committee on Agriculture, Conservation and Forestry  
Relating to Review of the Maine Seed Potato Board Under the  
State Government Evaluation Act  
(H.P. 1892) (L.D. 2633)

An Act to Improve the Accountability of the Child  
Development Services System  
(H.P. 1896) (L.D. 2636)

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.

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An Act to Amend the Motor Vehicle Laws  
(S.P. 893) (L.D. 2312)  
(C. "A" S-485)

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

On motion of Representative WHEELER of Bridgewater, was  
**SET ASIDE**.

On further motion of the same Representative, the rules were  
**SUSPENDED** for the purpose of **RECONSIDERATION**.

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

On further motion of the same Representative, the rules were  
**SUSPENDED** for the purpose of **FURTHER  
RECONSIDERATION**.

On further motion of the same Representative, the House  
**RECONSIDERED** its action whereby **Committee Amendment  
"A" (S-485)** was **ADOPTED**.

The same Representative presented **House Amendment  
"B" (H-905)** to **Committee Amendment "A" (S-485)** which was  
**READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative  
from Bridgewater, Representative Wheeler.

**Representative WHEELER**: Mr. Speaker, Men and Women  
of the House. I present this House Amendment, which allows a  
law enforcement officer to inspect a driver's toll receipt, but  
prohibits the use of those toll receipts in court as evidence  
against the driver. As you know, the last time this bill was before  
us, I put another amendment on that would not allow the police  
to inspect the toll receipts, but it has come back from the other  
body with that amendment removed. I am putting this on as a  
compromise. As you know, the last time this was before us, I  
mentioned that these toll receipts are sometimes stamped ahead  
and I certainly believe that we shouldn't be using inaccurate  
papers or documents to convict anyone of any kind of a crime no  
matter what that crime is. I would ask you to support the  
amendment. Thank you.

**House Amendment "B" (H-905)** to **Committee  
Amendment "A" (S-485)** was **ADOPTED**.

**Committee Amendment "A" (S-485)** as Amended by  
**House Amendment "B" (H-905)** thereto was **ADOPTED**.

The Bill was **PASSED TO BE ENGROSSED** as Amended  
by **Committee Amendment "A" (S-485)** as Amended by  
**House Amendment "B" (H-905)** thereto in **NON-  
CONCURRENCE** and sent for concurrence.

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An Act to Increase the Number of Domestic Violence  
Prosecutors

(H.P. 1699) (L.D. 2405)  
(C. "A" H-876)

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

On motion of Representative SAXL of Portland, 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. 488**

YEA - Ahearn, Andrews, Bagley, Baker, Belanger,  
Berry DP, Berry RL, Bolduc, Bouffard, Bowles, Bragdon,  
Brennan, Brooks, Bruno, Bryant, Buck, Bull, Bumps, Cameron,  
Campbell, Carr, Chick, Chizmar, Cianchette, Clark, Clough,

Collins, Colwell, Cote, Cowger, Cross, Daigle, Davidson, Davis, Desmond, Dudley, Dugay, Duncan, Dunlap, Duplessie, Etnier, Fisher, Foster, Fuller, Gagne, Gagnon, Gerry, Gillis, Glynn, Goodwin, Gooley, Green, Hatch, Heidrich, Honey, Jabar, Jacobs, Jodrey, Jones, Kane, Kneeland, Labrecque, LaVerdiere, Lemoine, Lemont, Lindahl, Lovett, MacDougall, Mack, Madore, Mailhot, Martin, Marvin, Matthews, Mayo, McAlevey, McDonough, McGlocklin, McKenney, McNeil, Mendros, Mitchell, Murphy T, Muse, Nass, Norbert, Nutting, O'Brien JA, O'Brien LL, O'Neil, Peavey, Perkins, Pieh, Pinkham, Plowman, Povich, Powers, Quint, Richard, Richardson E, Richardson J, Rines, Rosen, Samson, Sanborn, Savage C, Saxl JW, Saxl MV, Schneider, Sherman, Shiah, Shields, Sirois, Skoglund, Snowe-Mello, Stanley, Stanwood, Stedman, Stevens, Sullivan, Tessier, Thompson, Tobin D, Tobin J, Townsend, Tracy, Trahan, Treadwell, Tripp, Twomey, Usher, Volenik, Waterhouse, Watson, Weston, Wheeler EM, Wheeler GJ, Williams, Mr. Speaker.

NAY - Joy, Kasprzak.

ABSENT - Frechette, McKee, Murphy E, O'Neal, Perry, Shorey, True, Tuttle, Winsor.

Yes, 140; No, 2; Absent, 9; Excused, 0.

140 having voted in the affirmative and 2 voted in the negative, with 9 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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An Act to Require the State Sealer to Conduct Spot Checks at Timber Mills

(H.P. 1751) (L.D. 2457)  
(C. "A" H-835)

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

On motion of Representative STEDMAN of Hartland, 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. 489**

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

NAY - Andrews, Belanger, Berry DP, Bowles, Bragdon, Bruno, Buck, Bumps, Campbell, Carr, Cianchette, Clough, Collins, Cross, Daigle, Davis, Foster, Gerry, Gillis, Glynn, Gooley, Heidrich, Honey, Jodrey, Jones, Joy, Kasprzak, Kneeland, Labrecque, Lindahl, Lovett, MacDougall, Mack, Madore, Marvin, McAlevey, McKenney, McNeil, Murphy T, Nass, Nutting, O'Brien JA, Peavey, Perkins, Pinkham, Plowman,

Richardson E, Rosen, Savage C, Schneider, Sherman, Shields, Snowe-Mello, Stanwood, Stedman, Tobin D, Tobin J, Trahan, Treadwell, Waterhouse, Weston, Wheeler EM, Winsor.

ABSENT - Frechette, Matthews, McKee, Mendros, Murphy E, O'Neal, Perry, Shorey, True, Tuttle.

Yes, 78; No, 63; Absent, 10; Excused, 0.

78 having voted in the affirmative and 63 voted in the negative, with 10 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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**CONSENT CALENDAR**

**First Day**

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

(H.P. 1898) (L.D. 2639) Bill "An Act Relating to the Cleanup of the Wells Waste Oil Disposal Site" (EMERGENCY) Committee on **NATURAL RESOURCES** reporting **Ought to Pass**

(H.P. 338) (L.D. 454) Bill "An Act to Establish the Crime of Rendering a Telephone Inoperable during a Domestic Violence Incident" Committee on **CRIMINAL JUSTICE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-921)**

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

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**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

Resolve, to Establish the Commission to Study Domestic Violence (EMERGENCY)

(H.P. 1906) (L.D. 2651)

Presented by Representative McALEVEY of Waterboro. Cosponsored by Senator MITCHELL of Penobscot and Representatives: MAYO of Bath, MURPHY of Kennebec, MUSE of South Portland, O'BRIEN of Augusta, PEAVEY of Woolwich, POVICH of Ellsworth, SAXL of Portland, Senator: MURRAY of Penobscot.

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

**REFERRED** to the Committee on **CRIMINAL JUSTICE** and ordered printed.

Sent for concurrence.

Committee on **CRIMINAL JUSTICE** suggested and ordered printed.

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

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**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

Bill "An Act to Ensure that Maine Citizens Injured While Working in Foreign Countries are Provided with Workers' Compensation Benefits"

(H.P. 1907) (L.D. 2652)

Presented by Representative HATCH of Skowhegan. Cosponsored by Senator DAGGETT of Kennebec and Representatives: MARTIN of Eagle Lake, SAMSON of Jay.

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

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

Sent for concurrence.

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

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

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The **SPEAKER**: The Chair recognizes the Representative from Fairfield, Representative Tessier who wishes to address the House on the record.

Representative **TESSIER**: Mr. Speaker, Men and Women of the House. When I spoke this morning on the floor in support of LD 1743, I stated that this bill did not allow telephone wagering using a credit card. This statement was in error. This bill does allow wagering using a credit card. Thank you.

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On motion of Representative **POWERS** of Rockport, Representative **McNEIL** of Rockland and Representative **SAVAGE** of Union, the House adjourned at 5:01 p.m., until 9:00 a.m., Monday, March 27, 2000 pursuant to the Joint Order (S.P. 1054) and in honor and lasting tribute to Jeffery K. Kelly, of Rockland.